



MEETING AGENDA

TIME/DATE: 9:30 a.m. / Wednesday, September 11, 2019

LOCATION: BOARD ROOM
County of Riverside Administrative Center
4080 Lemon Street, First Floor, Riverside

COMMISSIONERS

Chair – Chuck Washington

Vice Chair – Ben J. Benoit

Second Vice Chair – Jan Harnik

Kevin Jeffries, County of Riverside, District 1
Karen Spiegel, County of Riverside, District 2
Chuck Washington, County of Riverside, District 3
V. Manuel Perez, County of Riverside, District 4
Jeff Hewitt, County of Riverside, District 5
Art Welch / Daniela Andrade, City of Banning
Lloyd White / Julio Martinez, City of Beaumont
Joseph DeConinck / Johnny Rodriguez, City of Blythe
Larry Smith / Linda Molina, City of Calimesa
Randall Bonner / Jeremy Smith, City of Canyon Lake
Raymond Gregory / Mark Carnevale, City of Cathedral City
Steven Hernandez / Megan Beaman Jacinto, City of Coachella
Wes Speake / Jim Steiner, City of Corona
Scott Matas / Russell Betts, City of Desert Hot Springs
Clint Lorimore / Todd Rigby, City of Eastvale
Linda Krupa / Russ Brown, City of Hemet
Dana Reed / To Be Appointed, City of Indian Wells

Waymond Fermon / Oscar Ortiz, City of Indio
Brian Berkson / Chris Barajas, City of Jurupa Valley
Kathleen Fitzpatrick / Robert Radi, City of La Quinta
Bob Magee / Natasha Johnson, City of Lake Elsinore
Bill Zimmerman / Dean Deines, City of Menifee
Victoria Baca / Carla Thornton, City of Moreno Valley
Scott Vinton / Randon Lane, City of Murrieta
Berwin Hanna / Ted Hoffman, City of Norco
Jan Harnik / Kathleen Kelly, City of Palm Desert
Lisa Middleton / Jon R. Roberts, City of Palm Springs
Michael M. Vargas / Rita Rogers, City of Perris
Ted Weill / Charles Townsend, City of Rancho Mirage
Rusty Bailey / Andy Melendrez, City of Riverside
Andrew Kotyuk / Russ Utz, City of San Jacinto
Michael S. Naggar / Maryann Edwards, City of Temecula
Ben J. Benoit / Joseph Morabito, City of Wildomar
Mike Beauchamp, Governor's Appointee Caltrans District 8

Comments are welcomed by the Commission. If you wish to provide comments to the Commission, please complete and submit a Speaker Card to the Clerk of the Board.

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

www.rctc.org

MEETING AGENDA*

****Actions may be taken on any item listed on the agenda***

9:30 a.m.

Wednesday, September 11, 2019

BOARD ROOM

**County of Riverside Administrative Center
4080 Lemon Street, First Floor, Riverside, CA**

In compliance with the Brown Act and Government Code Section 54957.5, agenda materials distributed 72 hours prior to the meeting, which are public records relating to open session agenda items, will be available for inspection by members of the public prior to the meeting at the Commission office, 4080 Lemon Street, Third Floor, Riverside, CA, and on the Commission's website, www.rctc.org.

In compliance with the Americans with Disabilities Act, Government Code Section 54954.2, and the Federal Transit Administration Title VI, please contact the Clerk of the Board at (951) 787-7141 if special assistance is needed to participate in a Commission meeting, including accessibility and translation services. Assistance is provided free of charge. Notification of at least 48 hours prior to the meeting time will assist staff in assuring reasonable arrangements can be made to provide assistance at the meeting.

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

- 4. PUBLIC COMMENTS** – *Each individual speaker is limited to speak three (3) continuous minutes or less. The Commission may, either at the direction of the Chair or by majority vote of the Commission, waive this three-minute time limitation. Depending on the number of items on the Agenda and the number of speakers, the Chair may, at his/her discretion, reduce the time of each speaker to two (2) continuous minutes. In addition, the maximum time for public comment for any individual item or topic is thirty (30) minutes. Also, the Commission may terminate public comments if such comments become repetitious. Speakers may not yield their time to others without the consent of the Chair. Any written documents to be distributed or presented to the Commission shall be submitted to the Clerk of the Board. This policy applies to Public Comments and comments on Agenda Items.*

Under the Brown Act, the Commission should not take action on or discuss matters raised during public comment portion of the agenda that are not listed on the agenda. Commission members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.

5. ADDITIONS / REVISIONS – *The Commission may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Commission subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Commission. If there are less than 2/3 of the Commission members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*

6. APPROVAL OF MINUTES – JULY 10, 2019

7. CONSENT CALENDAR – *All matters on the Consent Calendar will be approved in a single motion unless a Commissioner(s) requests separate action on specific item(s). Items pulled from the Consent Calendar will be placed for discussion at the end of the agenda.*

7A. SINGLE SIGNATURE AUTHORITY REPORT

Page 1

Overview

This item is for the Commission to receive and file the Single Signature Authority report for the fourth quarter ended June 30, 2019.

7B. REVISIONS TO THE PROCUREMENT POLICY MANUAL

Page 3

Overview

This item is for the Commission to:

- 1) Approve the revised Riverside County Transportation Commission Procurement Policy Manual (PPM) for the procurement and contracting activities undertaken by the Commission, pursuant to legal counsel review as to conformance to state and federal law; and
- 2) Adopt Resolution No. 19-008, *“Resolution of the Riverside County Transportation Commission Regarding the Revised Procurement Policy Manual”*.

7C. CONFLICT OF INTEREST CONSULTANT POLICY FOR BALLOT MEASURES

Page 69

Overview

This item is for the Commission to approve the Conflict of Interest (COI) Consultant Policy for Ballot Measures.

7D. QUARTERLY PUBLIC ENGAGEMENT METRICS REPORT, APRIL – JUNE 2019

Page 76

Overview

This item is for the Commission to receive and file the Quarterly Public Engagement Metrics Report for April – June 2019.

7E. STATE AND FEDERAL LEGISLATIVE UPDATE

Page 84

Overview

This item is for the Commission to receive and file an update on state and federal legislation.

7F. FISCAL YEAR 2019/20 ANNUAL LOCAL TRANSPORTATION FUND PLANNING ALLOCATIONS TO WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS AND COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Page 95

Overview

This item is for the Commission to approve an allocation of Local Transportation Fund (LTF) funds for planning in the amount of \$800,250 for Western Riverside Council of Governments (WRCOG) and \$436,500 for the Coachella Valley Association of Governments (CVAG) for efforts identified in each agency's Fiscal Year 2019/20 LTF Program Objectives/Work Plan (Work Plan) that supports transportation planning programs and functions consistent with regional and subregional plans, programs, and requirements.

7G. 91 EXPRESS LANES MONTHLY STATUS REPORTS

Page 106

Overview

This item is for the Commission to receive and file the 91 Express Lanes Monthly Reports for the quarter ended June 30, 2019.

7H. AMENDMENT TO THE 91 EXPRESS LANES OPERATOR AGREEMENT

Page 180

Overview

This item is for the Commission to:

- 1) Approve Agreement No. 13-31-105-04, Amendment No. 4 to the 91 Express Lanes Operator Agreement No. 13-31-105-00 (commonly referred to as the ORCOA), among the Orange County Transportation Authority (OCTA), the Commission, and Cofiroute USA, LLC (Cofiroute), to extend the agreement for an additional six months in the amount of \$3,180,851 for a total amount not to exceed \$36,007,044; and
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the amendment on behalf of the Commission.

7I. CHANGE ORDER TO AMEND THE INTERSTATE 15 EXPRESS LANES PROJECT DESIGN-BUILD CONTRACT WITH SKANSKA-AMES, A JOINT VENTURE, FOR THE INTERSTATE 15/STATE ROUTE 91 EXPRESS LANES CONNECTOR PROJECT

Page 191

Overview

This item is for the Commission to

- 1) Approve Change Order No. 50 to Agreement No. 16-31-057-00 for the Interstate 15 Express Lanes Project (I-15 ELP) with Skanska-Ames, a Joint Venture (Skanska-Ames), to perform limited construction for the Interstate 15/State Route 91 Express Lanes Connector (15/91 ELC) associated improvements in the amount of \$1.7 million, plus a contingency amount of \$170,000, for a total amount not to exceed \$1,870,000;
- 2) Authorize the Executive Director to negotiate and execute the change order amendment, pursuant to legal counsel review, for an amount not to exceed \$1,870,000; and
- 3) Authorize the Executive Director or designee to approve contingency work up to the total amount not to exceed as required for the project.

7J. AMENDMENT TO AGREEMENT WITH NOSSAMAN LLP FOR ON-CALL STRATEGIC PARTNERSHIP ADVISOR SERVICES FOR THE INTERSTATE 15/STATE ROUTE 91 EXPRESS LANES CONNECTOR PROJECT

Page 201

Overview

This item is for the Commission to:

- 1) Approve Agreement No. 06-66-028-14, Amendment No. 11 to Agreement No. 06-66-028-00, with Nossaman LLP (Nossaman) for the on-call strategic partnership advisor services to support the Interstate 15/State Route 91 Express Lanes Connector (15/91 ELC), extend the contract term to December 31, 2023, and augment the agreement in the amount of \$1.5 million, plus a contingency amount of \$150,000, for an additional amount of \$1.65 million, and a total amount not to exceed \$16,002,935;
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreement on behalf of the Commission; and
- 3) Authorize the Executive Director or designee to approve the use of the contingency amount as may be required for the project.

7K. AMENDMENT TO AGREEMENT WITH T.Y. LIN INTERNATIONAL FOR FINAL DESIGN SERVICES RELATED TO THE MID COUNTY PARKWAY INTERSTATE 215/PLACENTIA AVENUE INTERCHANGE IMPROVEMENT PROJECT

Page 214

Overview

This item is for the Commission to:

- 1) Approve Agreement No. 16-31-066-03, Amendment No. 3 to Agreement No. 16-31-066-00, with T.Y. Lin International (T.Y. Lin) to finish final design services and prepare the Interstate 215/Placentia Avenue interchange improvement (I-215/Placentia Avenue) project for advertising and award, for an additional amount of \$629,416, plus a contingency amount of \$62,942, for an additional amount of \$692,358, and a total amount not to exceed \$4,761,021;
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreements on behalf of the Commission; and
- 3) Authorize the Executive Director or designee to approve the use of the contingency amount as may be required for the project.

7L. FISCAL YEAR 2019/20 STATE OF GOOD REPAIR PROGRAM ALLOCATIONS

Page 230

Overview

This item is for the Commission to:

- 1) Approve Resolution No. 19-009, *“Resolution of the Riverside County Transportation Commission Approving the FY 2019/20 Project List for the California State of Good Repair Program”*;
- 2) Approve an allocation of \$3,910,756 related to Fiscal Year 2019/20 State of Good Repair (SGR) program funds to eligible Riverside County transit operators;
- 3) Authorize the Executive Director, or designee, to review, approve and submit projects to Caltrans which are consistent with SGR program guidelines and to execute and submit required documents for the SGR program, including the Authorized Agent Form; and
- 4) Authorize the Executive Director, or designee, to approve administrative amendments to the FY 2019/20 Short Range Transit Plans for incorporation of the SGR funds, as necessary.

8. STATE ROUTE 60 TRUCK LANES PROJECT UPDATE

Page 234

Overview

This item is for the Commission to receive an oral report on the State Route 60 Truck Lanes project.

9. COOPERATIVE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 8 FOR PROJECT INITIATION DOCUMENT PHASE FOR THE RIVERSIDE COUNTY NEXT GENERATION EXPRESS LANES PROJECT

Page 235

Overview

This item is for the Commission to:

- 1) Approve Agreement No. 20-31-006-00, a cooperative agreement between the Commission and the California Department of Transportation, District 8 (Caltrans) for the Riverside County Next Generation Express Lanes Project (NGELP), in an amount not to exceed \$300,000; and
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

10. TRANSPORTATION IMPROVEMENT PLAN DEVELOPMENT SCHEDULE AND PROCESS

Page 257

Overview

This item is for the Commission to:

- 1) Approve disbanding the Future Funding Initiatives Ad Hoc Committee (Ad Hoc Committee) and the formation of a new standing committee singularly focused on

- developing a Countywide Transportation Improvement & Traffic Relief Plan (Plan) and implementation ordinance (Ordinance);
- 2) Approve the schedule and development process for the Plan and Ordinance;
 - 3) Direct staff to develop the Plan and Ordinance in publicly-noticed Brown Act compliant meetings; and
 - 4) Authorize the Chair to appoint the members of the new committee in consultation with the First Vice Chair and Second Vice Chair.

11. ITEM(S) PULLED FROM CONSENT CALENDAR AGENDA

12. COMMISSIONERS / EXECUTIVE DIRECTOR REPORT

Overview

This item provides the opportunity for the Commissioners and the Executive Director to report on attended meetings/conferences and any other items related to Commission activities.

13. CLOSED SESSION

13A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Agency Negotiator: Executive Director or Designee

Item	APN(s)	Property Owner	Buyer(s)
1	117-041-016	RCTC	Sabih Syed
2	117-041-012	RCTC	Sabih Syed
3	117-042-023	RCTC	Sabih Syed

13B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Agency Negotiator: Executive Director or Designee

Item	APN(s)	Property Owner	Buyer(s)
1	101-140-029	Green River Development	RCTC
2	115-353-015	Tram N. Vo	RCTC

14. ADJOURNMENT

The next meeting of the Commission is scheduled to be held on **Thursday, October 17, 2019**, Board Room, First Floor, County Administrative Center, 4080 Lemon Street, Riverside.

AGENDA ITEM 6

MINUTES

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

MEETING MINUTES

Wednesday, July 10, 2019

1. CALL TO ORDER

The Riverside County Transportation Commission was called to order by Vice Chair Ben J. Benoit at 9:33 a.m. in the Board Room at the County of Riverside Administrative Center, 4080 Lemon Street, First Floor, Riverside, California, 92501.

2. ROLL CALL

Commissioners/Alternates Present

Victoria Baca
Ben J. Benoit
Brian Berkson
Joseph DeConinck
Waymond Fermon
Kathleen Fitzpatrick
Raymond Gregory
Jan Harnik
Steven Hernandez
Jeff Hewitt
Kevin Jeffries
Linda Krupa
Clint Lorimore
Bob Magee
Scott Matas
Julio Martinez

Lisa Middleton
Michael Naggar
V. Manuel Perez
Syad Raza
Dana Reed
Wes Speake
Karen Spiegel
Jeremy Smith
Larry Smith
Michael M. Vargas
Russ Utz*
Scott Vinton
Ted Weill
Art Welch
Bill Zimmerman

Commissioners Absent

Berwin Hanna
Chuck Washington

*Arrived after the meeting was called to order

3. PLEDGE OF ALLEGIANCE

Commissioner Jan Harnik led the Commission in a flag salute.

4. PUBLIC COMMENTS

Don Fuller, Corona resident, expressed extreme concern for the commuters who are lane cutting across the delineators at the eastbound SR-91 in the evenings from Weir Canyon to the Orange County/Riverside County Line. He displayed a map of this area where there have been horrible crashes and discussed attending the OCTA's Committee and Board

meetings and receiving correspondence from OCTA to Caltrans and Caltrans response to OCTA. Mr. Fuller referred to an agenda item from 2011 for the SR-91 Corridor Improvement Project, referred to a section on safety, and read a few lines on the safety issue regarding this area with the delineators.

Amie Kinne, Temescal Valley resident, expressed concern for the July Commission agenda as it was lengthy and there are important key items that needed more time to go through the agenda. She then read the Sunshine Ordinance the city of Riverside put out. Ms. Kinne expressed not objecting to the Commission's proposals although she cannot support it either and noted there is a trust issue and stated it was not right posting the Commission agenda before a major holiday for a vote the next week.

At this time, Commissioner Russ Utz joined the meeting.

John Donaldson, a Corona resident, concurred with Ms. Kinne's comments, as there is an immense amount of detail and expressed these issues for SR-91 being discussed today are having a visceral response in the Corona community. He expressed concern for the credibility of the Commission for changing the rules when the problem in Corona still exists. Mr. Donaldson expressed concern there was an existing program the Commission agreed to and currently due to receiving additional funding the rules are changing. He stated this is a problem every day in Corona and some of the things that may happen to increase access to the roads and speed traffic up will have an effect on commuters going into the narrow gap along the 91 Corridor.

5. ADDITIONS / REVISIONS

There were no additions or revisions to the agenda.

6. APPROVAL OF MINUTES – June 12, 2019

M/S/C (Baca/Naggar) to approve the June 12, 2019 minutes as submitted.

Abstain: Hernandez, Martinez, and J. Smith

7. PUBLIC HEARING – PUBLIC HEARING – ADOPT A RESOLUTION OF NECESSITY FOR THE ACQUISITION OF FEE INTEREST IN CERTAIN REAL PROPERTY, BY EMINENT DOMAIN, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 305-060-009 (RCPN 1164), LOCATED IN PERRIS, RIVERSIDE COUNTY, CALIFORNIA, FOR THE CONSTRUCTION OF AN INTERCHANGE AT THE INTERSECTION OF INTERSTATE 215 AND PLACENTIA AVENUE, IN RIVERSIDE COUNTY, CALIFORNIA

At this time, Vice Chair Benoit opened the public hearing and called on legal counsel to explain the nature and the scope of the hearing.

Steve DeBaun, legal counsel, explained the purpose of this hearing is for the Board to consider the adoption of Resolution of Necessity No. 19-015. He stated at the conclusion of this hearing, the Board will be asked to adopt the resolution of necessity and he listed the findings. He explained the purpose of this hearing is to consider the need for acquisition of the property and not to consider the value of the property.

Lisa Mobley, Clerk of the Board, verified the proof of mailing that certifies the notices were sent to the property owners of said parcel number are on file with the Commission. Ms. Mobley stated there was one written objection received from Palmieri and Tyler, Wiener, Wilhelm and Waldron LLP, representing the owner Jessie Fernandez. A copy was provided in the Commission agenda packet.

Mark Lancaster, Right of Way Manager, presented the resolution of necessity for the I-215/Placentia Avenue Interchange project and highlighted the following:

- The Commission is required to make the following findings: 1) The public interest and necessity require the proposed project; 2) The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury; 3) The real property to be acquired is necessary for the project; and 4) The offer of just compensation has been made to the property owner
- A map depicting the I-215/Placentia Avenue Interchange project overview
- An aerial view depicting the Fernandez parcel location

At this time, Vice Chair Benoit called on any persons who wish to be heard that have an interest in a property.

Debbie Walsh, a resident, expressed concern the Prado Regional Park Trail was not brought up and wanted to ensure it was in the plan and the current overpass has the regional trail there and wanted to ensure it was also included in the plans in the future.

Mark Lancaster replied both bridges are being widened as there is one bridge over I-215 and one bridge over the railroad. Both of those bridges are going to include on the south side of Placentia Avenue a multipurpose trail including equestrian, bicycle and pedestrian.

In response to Commissioner Karen Spiegel's inquiry about the five meetings offered to the owner that did not show for either of them and the conversation with the attorney at the June 19 meeting if legal counsel attended that meeting, Mark Lancaster replied no they did not. He explained the Commission's legal counsel had a discussion with Mr. Fernandez's legal counsel and he indicated they would not be attending that meeting.

In response to Commissioner Spiegel's clarification that legal counsel failed to participate in any conversation, Mark Lancaster replied regarding the project and the proposed acquisition with staff that is correct.

Commissioner Jeff Hewitt explained obviously this is a big part of a huge arterial that will go through the mid county that needs to serve the cities of Hemet, San Jacinto, Perris all the way through into District 1. He understands there was no way to design this as flood control had a big issue with putting that basin in where Mr. Fernandez's property is located. He asked if there is no other design that comes close to this.

Mark Lancaster replied no, in fact the Mid County Parkway project itself would also traverse through this property and the detention basins are necessary for the current run off that is anticipated from the west that comes to the east under I-215. There is no master plan flood control facility on the east side of I-215 to handle the anticipated flow.

In response to Commissioner Hewitt's inquiry, Mark Lancaster replied staff will continue discussions and hopefully come to a settlement.

At this time, Vice Chair Benoit asked if there are any other persons who wish to be heard. There were no requests to speak.

Vice Chair Benoit closed the public hearing.

M/S/C (Vargas/Speake) to:

- 1) **Conduct a hearing to consider the adoption of Resolution of Necessity, including providing all parties interested in the affected properties and their attorneys, or their representatives, an opportunity to be heard on the issues relevant to the Resolution of Necessity;**
- 2) **Make the following findings as hereinafter described in this report:**
 - a) **The public interest and necessity require the proposed project;**
 - b) **The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;**
 - c) **The real property to be acquired is necessary for the project;**
 - d) **The offer of just compensation has been made to the property owner; and**
- 3) **Adopt Resolution of Necessity No. 19-015 to *"Adoption of a Resolution of Necessity for the Acquisition of a Fee Interest in Certain Real Property, By Eminent Domain, More Particularly Described as Assessor Parcel No. 305-060-009 (RCPN 1164), Located in Perris, Riverside County, California, for the Construction of an Interchange at the Intersection of Interstate 215 and Placentia Avenue, in Riverside County, California"*.**

Abstain: Naggar

8. PUBLIC HEARING – RIVERSIDE COUNTY TRANSIT SERVICES FUNDING ALLOCATIONS FOR FISCAL YEAR 2019/20

At this time, Vice Chair Benoit opened the public hearing.

Monica Morales, Management Analyst, presented the Riverside County Transit Services Funding Allocations for FY 2019/20, highlighting the following areas:

- Funding is provided to seven transit operators: the cities of Banning, Beaumont, Corona and Riverside; Palo Verde Valley Transit Agency (PVVTA); Riverside Transit Agency (RTA); SunLine Transit Agency (SunLine); and the Commission's Rail Program
- Total funding request for FY 2019/20 for Operating - \$179.5 million + Capital - \$70.6 million for a total funding request: \$250.1 million
- Funding request comparison for FY 2020 vs FY 2019
- FY 2019/20 transit funding by revenue source
- FY 2019/20 transit operator allocations

At this time, Vice Chair asked if there were persons who wish to be heard. There were no requests to speak.

Vice Chair Benoit closed the public hearing.

M/S/C (Vargas/Spiegel) to:

- 1) **Conduct a public hearing at the July Commission meeting on the proposed Federal Transit Administration (FTA) Section 5307 Program of Projects (POP);**
- 2) **Approve Fiscal Year 2019/20 Transit Operator Funding Allocations for the cities of Banning, Beaumont, Corona and Riverside; Palo Verde Valley Transit Agency (PVVTA); Riverside Transit Agency (RTA); SunLine Transit Agency (SunLine); and the Commission's Rail Program;**
- 3) **Direct staff to add the federally funded and regionally significant projects into the Federal Transportation Improvement Program (FTIP);**
- 4) **Adopt Resolution No. 19-014, "*Resolution of the Riverside County Transportation Commission to Allocate Local Transit Assistance Funds and State Transit Assistance Funds;*" and**
- 5) **Approve the FY 2019/20 FTA Sections 5307 and 5311 POP for Riverside County (County).**

9. CONSENT CALENDAR

Commissioner Wes Speake requested to pull Agenda Item 9K, *“Agreement with WSP USA Inc. for the completion of the Project Initiation Document Phase for the Riverside County Next Generation Express Lanes”* for further discussion.

Commissioner Victoria Baca referred to Agenda Item 9F, *“2020 State Transportation Improvement Program Funding Distribution and Draft Fund Estimate”* and requested in regards to the STIP that it be a competitive process.

Anne Mayer, Executive Director, replied staff will come back at its September Commission meeting to discuss the STIP as she understands Commissioner Baca’s comment, which will be discussed at that time.

M/S/C (Berkson/L. Smith) to approve the following Consent Calendar items.

Abstain: Hewitt on Agenda Item 9N

9A. QUARTERLY SALES TAX ANALYSIS

Receive and file the sales tax analysis for Quarter 4, 2018.

9B. FISCAL YEAR 2017/18 TRANSPORTATION DEVELOPMENT ACT AND MEASURE A AUDIT RESULTS

Receive and file the Transportation Development Act (TDA) and Measure A audit results report for Fiscal Year 2017/18.

9C. #REBOOT MY COMMUTE PUBLIC ENGAGEMENT PROGRAM SUMMARY

Receive and file an update about the Commission’s #RebootMyCommute public engagement program in Riverside County.

9D. STATE AND FEDERAL LEGISLATIVE UPDATE

- 1) Adopt the following bill position:
 - a) HR. 2939 (Napolitano) – Support;
- 2) Receive and file an update on state and federal legislation.

9E. FISCAL YEARS 2019/20 – 2023/24 MEASURE A FIVE-YEAR CAPITAL IMPROVEMENT PLANS FOR THE LOCAL STREETS AND ROADS PROGRAM

Approve the Fiscal Years 2019/20 – 2023/24 Measure A Five-Year Capital Improvement Plan (CIP) for Local Streets and Roads (LSR) as submitted by the participating agencies.

9F. 2020 STATE TRANSPORTATION IMPROVEMENT PROGRAM FUNDING DISTRIBUTION AND DRAFT FUND ESTIMATE

Approve the 2020 State Transportation Improvement Program (STIP) funding distribution among the three geographic areas in Riverside County per the adopted STIP Intracounty Memorandum of Understanding (MOU).

9G. 2019 TITLE VI PROGRAM REPORT UPDATE, INCLUDING PUBLIC PARTICIPATION PLAN AND LANGUAGE ASSISTANCE PLAN

Approve the 2019 Title VI Program Report, including the Public Participation Plan and Language Assistance Plan in compliance with Federal Transit Administration (FTA) requirements.

9H. CHANGE ORDER TO AMEND THE INTERSTATE 15 EXPRESS LANES PROJECT TOLL SERVICES AGREEMENT WITH KAPSCH TRAFFICOM USA FOR THE INTERSTATE 15/STATE ROUTE 91 EXPRESS LANES CONNECTOR PROJECT

- 1) Approve Contract Change Order (CCO) No. 6 to Agreement No. 16-31-043-00 for the Interstate 15 Express Lanes Project (15 Express Lanes) with Kapsch TrafficCom USA Inc. (Kapsch) in the amount of \$2,809,286, plus a contingency amount of \$290,000, for a total amount not to exceed \$3,099,286;
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to negotiate and execute the change order on behalf of the Commission; and
- 3) Authorize the Executive Director or designee to approve contingency work up to the total not to exceed amount as required for the project.

9I. CEQA REVALIDATION AND ADDENDUM FOR THE MODIFIED STATE ROUTE 91 CORRIDOR IMPROVEMENT PROJECT'S EXPRESS LANE CONNECTOR IMPROVEMENTS

Adopt Resolution No. 19-011, "*Resolution of the Riverside County Transportation Commission Adopting an Addendum to the Previously Certified Environmental Impact Report (SCH #2008071075) Pursuant to the California Environmental*

Quality Act for the State Route 91 Corridor Improvement Project and Approving the Proposed Changes to the Project”.

9J. REQUEST FOR PROPOSAL TO DESIGN AND CONSTRUCT THE INTERSTATE 15/STATE ROUTE 91 EXPRESS LANES CONNECTOR PROJECT THROUGH A DESIGN-BUILD CONTRACT

- 1) Authorize staff, subject to concurrence by the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA), to issue Request for Proposal (RFP) No. 19-31-074-00 and future addenda to design and construct the Interstate 15/State Route 91 Express Lanes Connector (15/91 ELC) project through a design-build (DB) contract;
- 2) Approve the selection criteria for the selection of the apparent best value (ABV) proposer;
- 3) Authorize the Executive Director to select the top-ranked ABV proposer for DB services, based on the criteria identified in the RFP and addenda, and to conduct subsequent limited negotiations;
- 4) Authorize the Executive Director to pay, to the unsuccessful shortlisted DB proposers (or potentially all DB proposers in the case that the procurement is cancelled after the proposal due date) that submit a timely and responsive proposal, a stipend of \$225,000, plus a contingency amount of \$25,000 per proposer, for a total amount not to exceed \$1 million; and
- 5) Authorize the Executive Director or designee to approve stipend contingency up to the total amount not to exceed as deemed necessary.

9L. AWARD OF CONSTRUCTION AGREEMENT WITH RIVERSIDE CONSTRUCTION FOR THE MID COUNTY PARKWAY MITIGATION SITE

- 1) Award Agreement No. 19-31-086-00 to Riverside Construction, as the lowest responsive, responsible bidder, for the construction of the Mid County Parkway (MCP) Mitigation Project (Project) in the amount of \$1,782,653, plus a contingency amount of \$267,398, for a total amount not to exceed \$2,050,051;
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreement on behalf of the Commission; and
- 3) Authorize the Executive Director or designee to approve contingency work pursuant to the agreement terms up to the total not to exceed amount.

9M. AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR SENATE BILL 1 FUNDING OF THE FREEWAY SERVICE PATROL PROGRAM IN RIVERSIDE COUNTY

- 1) Approve Agreement No. 19-45-101-00 with the California Department of Transportation (Caltrans) for the Senate Bill (SB) 1 funding of the Riverside County Freeway Service Patrol (FSP) program in an amount not to exceed \$1,390,287; and
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.
- 3)

9N. AMENDMENTS FOR CONSTRUCTION FREEWAY SERVICE PATROL TOWING SERVICES SUPPORTING THE STATE ROUTE 60 TRUCK LANES PROJECT

- 1) Approve the following amendments to agreements to provide Construction Freeway Service Patrol (CFSP) services for the State Route 60 Truck Lanes Project (Project) for an additional amount not to exceed an aggregate value of \$500,000:
 - a) Agreement No. 15-45-060-03, Amendment No. 3 to Agreement No. 15-45-060-00, with Airport Mobile Towing, Inc. (Airport);
 - b) Agreement No. 18-45-131-03, Amendment No. 3 to Agreement No. 18-45-131-00, with Coastal Pride Towing, Inc. (Coastal);
 - c) Agreement No. 17-45-061-01, Amendment No. 1 to Agreement No. 17-45-061-00, with Pepe's Towing, Inc. (Pepe's); and

At this time, Vice Chair Benoit announced with the Commission's permission staff would like to present Agenda Items 10, 11, 12, and 13 concurrently.

10. 2009 MEASURE A EXPENDITURE PLAN REVIEW & UPDATE

Dana Reed, representing the Future Funding Initiatives (FFI) Ad Hoc Committee, provided details from the 2019 Annual Commission Workshop as the FFI Ad Hoc Committee was tasked with reviewing and making recommendations in four specific areas and came up with a proposal, which will be presented today. He expressed appreciation to Commission staff who worked diligently and went through numerous iterations as the FFI Ad Hoc Committee requested changes along the way. At this time, he requested Aaron Hake to present Agenda Items 10, 11, 12, and 13.

Aaron Hake, External Affairs Director, explained there are four items being presented concurrently and this presentation is on behalf of the FFI Ad Hoc Committee that is providing these recommendations. Aaron Hake then highlighted the following areas:

- FFI Ad Hoc Committee's assignment from 2019 Annual Commission Workshop:
 - Measure A Expenditure Plan review; Innovative Financing: 91 Express Lanes surplus revenue; 10-Year Western County Highway Delivery Plan; and 2020 Ballot Measure feasibility recommend to the Commission Priorities and Funding Strategy
- RCTC Prioritization History: 2002 – Voters approve Measure A Ordinance & Plan; 2006 – 2009-2019 Western County Highway Delivery Plan; 2010 – Great Recession = Recalibrate Delivery Plan; 2016 – Strategic Assessment; and 2019 – Prioritization & Funding Strategy 2019-Future
- Agenda Item 10 – Measure A Decennial Review
 - Required every 10 years by Measure A Ordinance
 - Does the Measure A Expenditure Plan still reflect the needs of the county today?
 - Amendments require ratification by cities and the County
 - FFI Ad Hoc Committee recommends:
 - No amendments
 - Implementation policy clarification
- Agenda Item 11 – Innovative Financing
 - Accelerate congestion relief projects in Western Riverside County
 - Use 91 Express Lanes surplus toll revenue for maximum public benefit
 - Prioritize federal formula funds
 - Responsive to stated public and Commissioner priorities
 - 91 surplus toll revenue (to 2067); Borrow against portion of surplus \$228 - \$467 million; and Proceeds available for projects benefitting the 91 Corrido
 - Agenda Items 11 and 12 – Media Attention from the Press-Enterprise
 - Limits of surplus toll expenditures –
 - ✓ Today: OC Line to I-15
 - ✓ Committee Recommendation: Expand east to 60/91/215, south to SR-74; and seek legislation
 - ✓ Rationale: Helps congestion on 91 system; and helps fund 91 and 15 deferred segments
- Reimburse Measure A for 91 Investments
- Agenda Item 12 – Highway priorities for the next 10 years
 - What can we accomplish with the resources we will have
 - 7 Criteria: 1. Consequence of deferring delivery; 2. Deferred projects from 2009-2019; 3. Measure A Expenditure Plan; 4. Realistic attainment of funding for something usable; 5. Minimize Measure A contributions; 6. Eligibility for restrictive funding sources; and 7. Economic benefit of constructed improvements
- A Map of the 2019-2029 Western Riverside County Highway Delivery Plan
 - Projects in green are projects and/or phases recommended for full funding within the next 10 years

- Projects in orange will achieve partial funding
- Projects in blue are partnered agency projects but there is a funding commitment or would like to assist other agencies deliver their projects
- Projects in red are proposed for no action due to a lack of availability of funds
- Engaging with the public on solutions:
 - #RebootMyCommute – Qualitative
 - Public opinion research – Qualitative and quantitative
 - #RebootMyCommute:
 - March 6 – June 3 = 90 days
 - 948 comments received and reviewed (included in agenda)
 - Multiple tools for public to tell their stories, offer suggestions
 - Residents understand where investment is needed
 - A graphic for the comments by topic: Active transportation; economy-jobs; highways-traffic; local-streets, public transportation; safety; and express lanes
 - A map that depicts the location of the origin of comments
 - A graphic for positive public sentiment that measures public sentiment on social media from March 1 – June 7, 2019
- Agenda Item 13 – Public opinion survey:
 - May 22 – June 6, 2019
 - English and Spanish
 - Online and phone
 - Random sample of 1,511 registered voters likely to vote in November 2020
 - Margin of error for full sample: +/- 3.4%
 - Survey designed with input from FFI Ad Hoc Committee, previous surveys, focus groups
 - Need for additional funding for Riverside County's transportation system graphic: great/some need – 78%; and little/no real need – 12 %
 - Support for a ballot measure peaks above 2/3: Initial vote total – 63%; after education – 68%; after critical statement 57%
 - Ballot features most important to voters by percentage
 - Projects most important to voters:
 - Western Riverside County – 1) Adding at least one lane in each direction to the 10,15,215,60,71, and 91 freeways; 2) Improving on and off-ramps and bridges; and 3) Adding new exits and off-ramps on the 15 and 215
 - Coachella Valley: 1) Daily train service between Coachella Valley and Los Angeles (via Riverside and Orange County); 2) Reducing bottlenecks and safety concerns on the 1-, 111, and 86; 3) Improving safety and traffic flow where the 10, 60, and 79 meet near Beaumont

- Issues most important to voters:
 - Western County: Free-up time; aging system; accountability; growth; local plan; and jobs closer to home
 - Coachella Valley: Senior independence; aging system; local control in CV; emergencies; accountability; local plan; air quality; jobs closer to home; and growth
- FFI Ad Hoc Committee recommendations:
 - Develop a Transportation Improvement/Traffic Relief Plan and Ordinance
 - Enhance the Public Engagement Program
 - Adjust FY 2019/20 Budget
 - Sponsor clarifying legislation, as needed
- A pyramid of the four items for approval: Measure A Review: no changes; 10-Year Western County Highway Delivery Plan; Innovative Financing: 91 Surplus Toll Revenue; and 202 Plan Education, further public opinion research
- Public comments received:
 - Several emails received as of July 8 requesting delay of items 11, 12, and 13
 - Concern over public notice, time to review:
 - Agenda originally posted July 2, Agenda Item 9K revised on July 3
 - Posted early considering holiday
 - January 31, 2019 public agenda and Commission action
 - Concern over proposed use of surplus toll revenue
 - Commission policy decision

Commissioner Reed expressed appreciation for Mr. Hake's thorough presentation on behalf of the FFI Ad Hoc Committee. He stated as part of the FFI Ad Hoc Committee's report to the Commission, there are some FFI Ad Hoc Committee members that want to speak briefly. Commissioner Reed called on Commissioner Michael Naggar to speak on this matter.

Commissioner Naggar explained as a member of the FFI Ad Hoc Committee they did not take this issue lightly as there was robust conversations and there were lengthy detailed meetings. He stated advocating and voted to take this to the Commission because he supports these measures, although he was not in support of these measures at the January Commission Workshop. He then discussed why he supports these measures and the innovative financing on behalf of the city of Temecula, the outreach to educate the public, and the quality of life issue. Commissioner Naggar expressed when all of this is done the measure will be put on the ballot for the voters to decide.

Commissioner Harnik concurred with Commissioner Naggar's comments. She discussed the local understanding from the responses to #RebootMyCommute, the public opinion survey, and the FFI Ad Hoc Committee in depth conversations. She stated the solutions needed today, the Commission does not have funds to fix those problems and cannot

depend on Washington, D.C. or Sacramento as the Commission must be self-reliant. Commissioner Harnik stated this is more about the economy and people and the Commission needs to consider the County in its entirety. She suggested having direct conversations with the public to be able to use the Commission's collective local understanding, local control and implement the solutions that will provide a better quality of life. She expressed support for the solutions the FFI Ad Hoc Committee and the community came up with and encouraged the Commissioners to support these measures.

Commissioner Bob Magee requested to display the 2019-2029 Western County Highway priorities map and stated this is the Commission's 10-year project delivery plan. He expressed the projects in red are unfunded for the next 10 years and the projects in orange are only partially funded, which is not acceptable. He discussed how congestion is a quality of life issue and suggested to pursue every option to reduce travel times. He expressed the Commission needs to gain the trust of the public with the responsibility to deliver additional lane capacity, if the Commissioners agree to implement the FFI Ad Hoc Committee recommendations. Commissioner Magee noted the importance of including the Commissions continuing efforts to reform CEQA and put more dollars towards concrete and steel.

Commissioner Lisa Middleton expressed appreciation for the Commissioners comments and for the FFI Ad Hoc Committee as she fully supports the recommendations. She discussed how each jurisdiction has infrastructure needs, priorities needs, and the FFI Ad Hoc Committee identified what needs to be done for the entire County. Commissioner Middleton discussed the severe storm that hit the Coachella Valley on February 14, there were no fatalities and minimal loss to buildings or infrastructures and all of that was due to past generations making the investments and decisions to build the infrastructure. She expressed the Commission has an obligation today to plan for the next 20-30 years so that those sitting on the dais a generation from now are expressing gratitude to this Commission for planning ahead.

Commissioner Linda Krupa referred to the 2019-2029 Western County Highway Priorities and expressed concern for the SR-79 Realignment project, which has been in red for several years. She explained one of the great things the Commission and Caltrans accomplished was the improvement from I-10 to Lamb Canyon and the Temecula to Domenigoni Parkway improvement, which improved transportation from the desert to I-215, and to San Diego. Commissioner Krupa stated it is a shortcut that goes to the Hemet city streets since the SR-79 Realignment project will not be completed. She explained what happens regionally also affects the people that live in the San Jacinto Valley due to the commuters going to jobs, due to SR-91, I-15 and SR-60, which ultimately affects the quality of life of the people living in the San Jacinto Valley. She expressed support for the FFI Ad Hoc Committee recommendations, as this is a countywide Western Riverside County regional issue and there is a need to have a thorough comprehensive plan going forward.

Commissioner Karen Spiegel confirmed the Commissioners received several emails related to Agenda Items 11, 12, and 13 and stated all but one was from the city of Corona and one from Riverside with very similar comments. She clarified as Aaron Hake noted the Commission Agenda was posted on July 2 and it was not considered a holiday weekend since 4th of July was on a Thursday. Commissioner Spiegel stated the complete Commission Agenda packet was 1,045 pages, which included Appendix D for the #RebootMyCommute, the Transit Operators CIPs, and the NEPA/CEQA Re-validation attachments. She suggested taking the time to review the Appendix D comments, as the pain is not just in Corona it is throughout the Western County and the commuters deal with it on a daily basis and the majority of the comments came from Temecula. Commissioner Spiegel expressed if the Commission chose not to put this on the ballot or on soliciting education then the Commission made the decision for the entire County. She explained the Commission will continue with the current funding, cut projects, and not give an opportunity for those Riverside County residents that would pay a half-cent sales tax to improve as it was done two decades ago. She asked Aaron Hake what the estimate would be on an annual basis.

Aaron Hake replied staff estimated for the purposes of the survey \$197 million and if the Commission goes forward with this staff will do a more sophisticated estimate.

Commissioner Spiegel stated that is significant with those red projects that Commissioner Magee pointed out, which is why it is up to the voters to approve the half-cent sales tax. She clarified understanding the innovative financing is to accelerate congestion relief projects in Riverside County. She understands some of these emails other than wanting the Commission to delay but there are also concerns for spending surplus revenue outside the 91 Corridor. Commissioner Spiegel inquired on how this will affect the delivery plan if the Commission chooses not to and what the benefit is for Corona traffic and the surrounding areas if the Commission chooses not to do the legislation.

Anne Mayer explained if the Commission chooses not to move forward with the innovative financing option that would be borrowing against the surplus toll revenue not expanding the limits to include the SR-91 and I-15 down south and not pay back Measure A. She stated this will shift projects from the green area down to the orange and she referenced all those affected projects on the map.

Commissioner Spiegel stated one of the discussions at the FFI Ad Hoc Committee, which was taking the monies from the SR-91 and working within the 91 Corridor. Currently there is severe backup eastbound in the afternoons and it stops at I-15, which backs up traffic through Corona into the canyon. She explained there is a funneling of lanes due to the lane drop after the I-15 and merging in the FastTrack lanes, which causes a delay and there are only three lanes through Riverside. Commissioner Spiegel clarified this will help break up that funnel and push some of those cars through so it will not back up into

Corona as badly, which is also true going south on I-15. That is why it is a benefit of using those tolls only on SR-91 and I-15 south to relieve some of that congestion, which is a high priority. She expressed support since it will help this corridor and concurred with Commissioner Naggar's comments, as there is infrastructure needs throughout Riverside County. She discussed how this Commission voted for the priority project to be SR-91, the delicate balance between housing and transportation, and the public understands how big this is just beyond Corona.

Commissioner Reed expressed appreciation for the Commissioners comments and to Aaron Hake for an excellent job.

Don Fuller expressed appreciation for Commissioner Magee and Naggar's comments about congestion and quality of life in their cities. He expressed the choke point is located between SR-241 and I-15, which is the only way to get through that canyon. Mr. Fuller expressed concern for taking money from the surplus toll revenue for other projects, which it will not get better unless something is done at SR-241 and I-15. He discussed the meeting he attended after receiving a phone call from a person stating he is from the Corona Citizens in Favor of Increasing Taxes Committee to attend their meeting.

Debbie Walsh, representing The Rural Association of Mead Valley, expressed concern for adding toll lanes and removing the carpool lanes since the citizens are paying for Measure A. She stated the Measure A investment would be a benefit to the county but adding the toll lanes is not a benefit. Ms. Walsh explained the problem is there are no real jobs in Riverside County and more warehouses are being built, which adds to the problem due to thousands of truck trips per day. She displayed a map where these developers are proposing to build warehouses outside of the industrial corridor and into residential areas. She expressed as long as people are commuting from Riverside County to other counties for jobs the problem will never be solved.

Matt Olsen, a Corona resident, stated the Commission should address why there are excess toll revenues. He explained the notion of public expectation of the need for these toll lanes, which is to pay for the pavement. He stated it is fair and the residents bought off on that and currently there is excess unplanned toll revenue, because the toll fees are high due to high demand as the freeway is broken. Mr. Olsen suggested the freeway is broken due to the \$1.8 billion project was reduced to a \$1.2 billion project so \$600 million was taken out of the 91 project. He discussed the excess toll revenue issues, the reasons for fixing the problems on the 91 Corridor, and the public expectation from 2013 with the credit ratings and soliciting investment.

John Donaldson, a Mountain View Civic Organization representative, expressed appreciation for some of the comments, and recognized the Commissioners have their own communities, and have expressed genuine input from their residents. Commissioner Spiegel assisted in recognizing the challenges in Corona and concurred with Mr. Fuller's

comments. He explained the representatives for the Mountain View Civic Organization met with the Chamber of Commerce officials in Corona, and from that conversation it was determined that Corona needs more office space with good paying jobs. He expressed concern for the additional warehouses in Corona and all the trucks will cause more traffic on SR-60 and SR-91. He suggested finding a solution that does not put more vehicles and trucks on the freeways.

Sonja Alexander, resident, stated that considering Riverside County has the highest fuel costs in the nation to not burden the voters with more taxes. She recommended putting the Measure A proposal on the ballot to see what the voters want. Ms. Alexander expressed concern for the infrastructure issues and inquired about how to fix it. She expressed the #RebootMyCommute is a failure as only 948 comments in 90 days were received and she posted about this on Facebook and received over 500 comments in less than 24 hours. She discussed concerns for poor planning, cutting DIF fees, and cutting TUMF fees when development was done during the recession. She then discussed the issues with the expansion of the 91 toll roads and the Commission's proposal to get SB 1 funds for the 91 Express Lanes. She recommended the Commission add additional Metrolink trips throughout the corridor, consider reaching out to MAC meetings, and have a better consultant do the social media outreach.

At this time, Commissioner Perez left the meeting.

Matt Woody, a Corona resident, stated innovative financing opportunities is good governance and an idea that has been heard about how this entity has to operate. Mr. Woody stated the Commission has to work harder and build better solutions with the help from Sacramento and Washington, D.C. Mr. Woody expressed nobody wants these additional toll lanes that are under construction with no new general purpose lanes and suggested the Commissioners vote to table this agenda item to give it more time.

Jannlee Watson, Communications Chairwoman for We Are Temescal Valley Citizens Group, expressed concern for the people to the north that suggest the Commission is reneging on its promise that surplus toll revenues stay in the 91 Corridor since issues still exist. She expressed the same promise was made regarding surplus toll revenue in the I-15 Express Lanes extension. She explained one issue that directly affects those who work and use the 91 Express Lanes is the loss of a lane where the toll road ends on I-15 south, along with the dropped lane at El Cerrito Road. Ms. Watson stated there is nothing in the 2019-2029 Western Riverside County Delivery Plan where this situation is addressed. She expressed concern if legislation mandating surplus toll revenue being only used in the corridor cannot be easily changed, if the bond market takes a tumble, or if the new sales tax measure does not garner a 2/3 vote. Ms. Watson stated the #RebootMyCommute campaign was impressive as communication in the public always is but none of the public comments contained in the agenda packet stated build more toll

roads or the need for more taxes. She recommended delaying the vote in order to educate their residents on the plan.

Dale Ploung, a Corona resident, suggested the Commission slows down to do the right thing, as the city of Corona does not need another failure. He expressed the citizens were told for two years during construction to tolerate it and it will get better and since the day the 91 Express Lanes opened traffic has been worse. He discussed the proposed \$100 million bridge Corona is considering to go over the railroad, which will save 4-5 minutes for a few 100 cars for each cycle. Mr. Ploung expressed that commuters have to sit at Green River for 30-45 minutes and it is not fixed and it is unacceptable. He expressed concern the 91 Corridor needs to be fixed and it is intolerable.

Jamie Shaver, representing MVCA, expressed concern the 91 Express Lanes is such a failure, she hopes the Commission is more thoughtful, and does better in future projects. She concurred to bring in more jobs to the local communities, although that is not the Commission's problem. Ms. Shaver referred to taking the Metrolink and stated driving to Rancho Cucamonga Metrolink station where they can come back after 6:00 p.m. She noted Facebook would have been a good platform to get responses for the #RebootMyCommute and suggested to get a full bus system to help alleviate traffic on SR-91 since there is not one in Riverside County.

Michele Wentworth, representing the Greater Corona Traffic Alliance, displayed the Commission's I-15 project map that depicts the unbuilt pieces east of I-15 and the project map that depicts the unbuilt pieces of SR-91 east of I-15, which is the Commission's ultimate 91 plan. She discussed spending several hours reviewing a 1,045 page agenda that included the Commission's next generation toll lanes as the Commission is changing precedence for everyone in the corridor. Ms. Wentworth stated the Commission promised the voters where the toll lanes revenue would remain in the corridor to be spent to expedite the ultimate plan. She expressed the commuters of the County are moving through this corridor, and the County is building thousands of homes all bringing everything as projects come through to a pinch point of the I-15 to then be expedited up to the corridor again. She suggested the Commission consider what is being done today by changing the precedence and the law and saying the corridor needs to be extended. She concurred if the Commission wants to use the excess toll revenue for other projects, finish the corridor first and then it needs to be defined where the Commission is going as the entire county is being held hostage by a canyon that not too much can be done. Ms. Wentworth suggested to delay this for more discussion.

Joe Morgan, a Corona resident, requested to combine his comments for Agenda Items 10, 11, 12, and 13. He expressed concern these discussions were held at an ad hoc committee with no outreach, no live stream meetings and discussions. Mr. Morgan noted Mr. Hake stated the 91 was performing above expectations and stated the people in this room have a different idea of what performance means. He expressed as far as a

transportation project this is a failure and discussed the reasons why it is a failure. He referred to the deficit of trust Mr. Hake mentioned about the 91 Project and suggested it is a trail of broken promises such as the traffic would improve, which it got dramatically worse to the south since the 91 Express Lanes opened. He discussed the issues with the excess tolls not staying with the 91 and why the Commission rescheduled the baseline date for what constitutes as excess tolls. Mr. Morgan stated in the initial Measure A the Commission did not mention toll lanes it was carpool lanes and the carpool lanes are being taken away. He referred to Agenda Item 11, and stated these excess funds were generated due to the failure of these lanes. He stated as far as raising the sales tax, educating is a two-way street and they will be out in front of stores educating the voters in order to get control over this. He suggested since the problem is in Western County the funds should remain in Western County.

At this time, Commissioner Perez rejoined the meeting.

Sharon Carriedo, a Corona resident, expressed extreme concern about the pieces stripped from the 91 Project. She stated from that time things have gotten increasingly worse especially when there is no other way to get through to the Inland Empire/Corona area other than SR-91 as other areas have traffic similar to SR-91. She discussed the issues with the local traffic in the Eagle Glen Parkway area having to travel out of her area to get to the shopping center and Dos Lagos and the Crossings are also affected since there is only one road. She also noted there is so much disruption in that area of the I-15 it is horrible.

Commissioner Kevin Jeffries referred to Agenda Item 11 and stated the Commission has to be innovative but expressed the Commission does not have a surplus of toll revenues as the 91 Project in Corona is not done. He expressed concern the Commission has to keep its promise and finish the 91 Project, as there are elements that still need to be completed. He expressed concern for Agenda Item 12, about the proposal to take away HOV lanes convert them to toll lanes and not add any capacity. He discussed the Commission's needs to add capacity or the Commission does not collect toll revenue, how he viewed toll lanes as the last resort of a way to build infrastructure, and about the built in bias against free lanes being funded by the state Legislature. He then discussed the SR-91 in Riverside and the plan to take away the HOV lane and covert it to a toll lane in both directions, not adding capacity. He referred to Agenda Item 13 and expressed concern for the \$2 million request to educate the public on a sales tax. Commissioner Jeffries expressed currently there is the SB 1 state tax, higher DMV fees, and now the local voters need to approve another tax extension and the voters pay the highest taxes in the state. He suggested continuing Agenda Items 11, 12, and 13, since this is the first time he has been able to ask questions due to what occurred at the January Commission Workshop. He discussed his concerns with not being allowed to ask questions as the presentations were being made, instead being asked to wait until the end of the day at

the Commission Workshop, which was a fundamental right as Commissioners to question the projects as they were being presented and so he left the meeting.

Commissioner Hewitt stated nowhere does it state this county has to count on more taxes and the comments being heard from the ad hoc committee members that it will take courage as there are no resources to do these projects. He concurred with Commissioner Magee's comment about the reform of CEQA, which is only one of several issues. He discussed issues about prevailing wages, acquiring a more competitive process and get design-builds to cut these costs dramatically. Commissioner Hewitt referred to Agenda Item 13, and expressed concern this sales tax will not pass and discussed why. He expressed being against it from the beginning and cannot understand spending \$4 million more that could go for some of these unfunded projects on something that has no chance at passing. He suggested the Commission postpone Agenda Items 11, 12, and 13, to receive more input.

Commissioner Wes Speake clarified the 91 Project is not a Corona project, the citizens of Corona were imposed upon for three years with the promise things would get better and they have not. He suggested the entire western region has benefited and expressed appreciation for having additional capacity, but this project is not finished. He expressed concern to continue to take excess toll revenue and concurred with the previous speakers having so much excess toll revenue is a cause of it being broken. He expressed fixing that problem on the 91 eastbound and finish what the Commission started as promises that were made; he expressed gratitude the ad hoc committee came up with innovative ideas but noted this is the flaw. He cautioned the Commission from breaking this promise because this will be used in all the communities that are looking at toll lanes. He suggested a yes vote on that is wrong without a substantive change. Commissioner Speake discussed why he spent a tremendous amount of time looking at the 91 Project and the I-15 Project and that there is nothing in the 2019-2029 Delivery Plan that addresses the areas between Cajalco Road and Ontario except for the I-15 toll lanes. He expressed the state and federal government is not helping fund projects for the Commission, and the Commission has to prioritize and do it the right way. He concurred with Commissioner Jeffries to postpone Agenda Items 11, 12, and 13. Commissioner Speake explained if staff wants to educate people show them this 10-Year Delivery Plan to demonstrate there are issues and let the people provide comments. He referred to the limits of surplus toll expenditures slide specifically No. 12 on the map, which is an auxiliary lane between Cajalco and Warwick Roads to provide commuters to be able to weave and get out of the toll lanes where they end. Commissioner Speake referred to the blue line on the map that is coming in from all the communities in the east as this is the junior Mid County Parkway, which is only four lanes but it is going to deliver a tremendous amount of traffic to Cajalco and the I-15.

Commissioner Andy Melendrez expressed concern after reviewing the agenda packet that could be seen as overwhelming. He stated should this item be delayed and asked what

kind of challenges delaying the item would bring to the Commission in putting it on the ballot for 2020.

Anne Mayer replied in order to have this considered on the ballot for November 2020 it would have to be approved by the Board of Supervisors to put it on the ballot no later than August 2020, and in order to get into that process it would need to be by approved by the Commission by June. She explained the reason this is coming to the Commission at this time is to provide enough time to prepare an in depth traffic relief plan, taking into account public input and Commissioner feedback, so that a plan can be developed and vetted publicly. She clarified the consequence is the longer it is delayed and assuming if the Commission decides to move forward it would be less time for public discussions and evaluation.

Commissioner Melendrez expressed the work the Commission is doing is overwhelming with all the surrounding cities growing in Riverside County and it becomes a challenge. He stated as these local cities are developing it is becoming more car centric and there is no public transportation focus or walkability priority. He explained it adds to the challenges the Commission has in trying to improve the traffic flow on the freeways and this is one that will not be fixed or solved within two to three years. Commissioner Melendrez stated the sales tax extension creates some issues especially in the city of Riverside who passed a one-percent retail tax about two years ago. He explained to add another half-percent sales tax would be concerning to some of Riverside's council members that would prefer to have some discussion on this. Commissioner Melendrez expressed appreciation for the work the ad hoc committee did and suggested continuing this agenda item for 45 days in order to have a better understanding.

Commissioner Clint Lorimore referred to Agenda Item 11, Staff Recommendation No. 3, and expressed this means the Commission is being asked to change the rules this body has set in place and he does not agree with that as the Corona residents were told by the Commission what would be done. He referred to Staff Recommendation No. 4, and concurred as the Commission did put money towards the Measure A investment in the 91 Project. Commissioner Lorimore expressed empathizing for the Corona residents as there is a toll coming up I-15 through Eastvale and his understanding is there appears to be a bait and switch. He concurred these communities are connected with all these corridors and suggested to look at traffic holistically throughout the system. Commissioner Lorimore referred to Agenda Item 13 about the proposed half-cent sales tax increase and stated the Commission has a sales tax in place until 2039 and SB 1 dollars an additional 6 cents that came up as that implementation is coming down. He expressed the Commission has to do with what is coming in and be good stewards of the money. He heard from the four Commissioners they want to see this continued and if any of those were motions, he will second that.

Commissioner Perez expressed appreciation for the Commissioners comments and to the FFI Ad Hoc Committee for their good work, as well as his colleagues from the Coachella Valley. He explained being aware that most of these efforts are more specific to the Western Riverside County but being a representative of the Coachella Valley he needs to bring up a few things, as it will affect the Coachella Valley. Commissioner Perez stated looking forward to carrying on those discussions and becoming a member of the FFI Ad Hoc Committee moving forward. The polling numbers reflect they are on the side of a victory and he is also on that side and will support the efforts moving forward for all the reasons mentioned earlier from the Coachella Valley Commissioners. He discussed the individuals from the Coachella Valley and that poll about aging infrastructure, natural disasters concern, air pollution concerns, about the bypass and the concerns around the I-10, SR-86, SR-111, and economic growth and development throughout the Coachella Valley. He discussed implementing a user fee for the airport and a free trade zone in that area, rail and the future for this. He expressed process is important and the commission can have that process by approving this today and still hear the individual concerns moving forward. He expressed as far as the actual Measure he is concerned about those numbers for not being educated on the issue as it only went up 5 points to 68 percent. He concurred with the public engagement program but expressed concern for the costs associated with it but the sooner the Commission does this the better. Commissioner Perez noted South Coast Air Quality Management District is considering doing their own tax Measure for dealing with the issues of air pollution. He stated he hopes those conversations are occurring with AQMD and staff because having two tax measures at the same time will be difficult for both entities. He supports moving this forward and looks forward to meeting with his colleagues in Coachella Valley to support this, as it is necessary so it does not happen as to what is occurring with the 91 Project and the Corona residents.

Commissioner Steven Hernandez stated he remembers the conversations when it was decided to allocate or to back-fund Measure A funding for the 91 Project. Also, the conversations when cities essentially delayed their projects because of the issue at the 91 and at that moment not anybody from Corona argued for a return to source. He explained in hearing the conversations and the constituents in several of the cities they matter too, their qualities of life matter, getting to their families matters, their public safety matters, and for the Commission to look at the options of what funding is available is the right thing to do. He discussed how some of the Commissioners suggested going to Sacramento and Washington, D.C. and Commissioner Hernandez concurred the Commission has done that for the last 20 years and the outcome is the Commission has to fund this ourselves, be a self-help county and be consistent in helping ourselves. He discussed the conversations from the 1988 Measure A and the outcome. Commissioner Hernandez supports these measures and expressed appreciation for the FFI Ad Hoc Committee he was part of for all their hard work and efforts.

Commissioner Brian Berkson stated he is a member of the FFI Ad Hoc Committee. He explained from the first meeting it was very clear about discussing overall regionally within the western portion of Riverside County where the issues and problems were when this initiative first passed the Measure A in 2002, where they are now and where to go in the future. He stated Commissioners Magee and Naggar were very passionate about wanting to see some projects go down their way, as they have not been receiving too many dollars for improvements in their vicinity. He discussed the questions made to staff, which was to provide heat maps, information of population growth, traffic growth in the western area and at the second meeting staff provided that and made it very clear that based on all the due diligence and research the western part of the county still has most of the transportation issues. Commissioner Berkson suggested some of the commitments need to be completed is the 91 Corridor as part of this package of items and the surplus revenue to pay back the Measure A fund. Commissioner Berkson expressed not being an advocate for paying taxes however, it gets to a point when looking at future funding when the Commission has realized there is no other source. He referred to Commissioner Jeffries' comments and stated the 91 toll lane expansion future project in looking at replacing an existing carpool lane and turning it into a toll lane and noted he is not a proponent of doing that if the Commission is eliminating the carpool lane. Commissioner Berkson stated if the Commission is adding a toll lane and charging a toll and the Commission understands the state and federal government will not provide funding then the Commission is self-supporting and that is the way to do it. He stated the Commission was ahead of schedule on the 91 Corridor project and is on-schedule for the I-15 Corridor and these projects are done much more efficiently and are less expensive than a typical Caltrans project. He suggested as other Commissioners commented on is the environmental issues and the reform of CEQA that would be more beneficial if they were revisited by the state and federal government as that is the push that can be continued. He stated he is in support of this however he has been part of the FFI committee and had time to ask his questions so he understands with the big agenda packet if this needs to be pushed for another meeting to give others more time.

Commissioner Russ Utz expressed appreciation for the FFI Ad Hoc Committee and staff for all their hard work on these items. He expressed as elected officials and as a body they are currently failing, and doing a terrible job of engaging the public and ensuring the public understands how the Commission's processes work. Commissioner Utz stated today's input both electronically as in person shows the Commissioners there is a serious deficit of trust in the public with what the Commission does. He explained in how the Commission made the 91 Project work when the bonding capacity was not there to fully support the express lanes by bonding the Commission looked at Measure A since there is transportation funding available and understand that is just a loan and the Commission should pay it back. Commissioner Utz expressed it is evident that everybody does not understand that even some Commissioners commented on how imperative it is to put those other Measure A projects aside the Commission borrowed the money from to do the 91 Project since the Commission has the 91 that gets national attention. He discussed

how the I-15 south of Temecula has been an ongoing issue and they are looking at reprogramming transportation dollars following the state model of road diets and bike paths that could affect freeway capacity. He stated throwing another \$2 million to the 91 and it is either going to be a parking lot where it is now or it will be a parking lot in Riverside, if the bottleneck issue of the canyon is not addressed it is not going to matter, and expressed compassion for the people in Corona. He stated the number one mandate of Measure A is that the Commission benefits the Riverside County residents and he does not understand how adding more capacity to further push Orange County's traffic into Riverside benefits Riverside County residents. He referred to the 10-year map and stated according to the data given from the real estate industry Beaumont is the fastest growing city in Riverside County, Menifee is number 2 San Jacinto is number 3, and the SR-79 realignment project keeps getting pushed back. As logistics continues to move east it is a western county issue and will ultimately become an east county issue and this needs to be looked at. Currently the pathways that are represented by SR-79 are well over 60,000 car trips a day and there are dedicated highways that do not see that kind of use. He supports to table this item put more work into it, and more thought into it.

Commissioner Michael Naggar stated some of the residents who came and spoke deserve a response. He concurred with Commissioner Hewitt and stated on Davis-Bacon Act and CEQA to put it on the agenda and come up with a resolution from every city and speak with one voice. He explained to some of the speakers who complained about traffic, everybody wants to live here as this is one of the premiere quality of life counties in California and there needs to be solutions. Commissioner Naggar explained many of the city's general plans are approaching build out so it will get to a point where things will begin to stabilize over the next 20 years. He stated that in regards to logistics most trucks are off peak as it is not affordable to drive those trucks from the Ports to the Inland Empire during the day. The trucks that are on the road during the day is deliveries for ordering things online. He expressed concern for the criticism of this body as insulting does not lend itself to persuasion but if they are seeking perfect government, it does not exist in this world. By the act of the Legislature signed by the Governor Caltrans is no longer a lane adding capacity organization they are a maintenance organization, however there are some grants to help cities pay when it is a regional issue. He is sympathetic to Corona as they were promised things that were not finished but back when this was promised it was a snapshot in time when things were different. He discussed the freeway that runs through Temecula, as it is one of the 10 worst freeway sections in the United States of America; it is a Military logistics issue; and therefore Temecula applied for the Infra grant for the French Valley Parkway project. He concurred with Commissioner Perez's comments and stated the Commission cannot do nothing and he is uncertain what delaying will do. In an effort to work with the Corona residents Temecula agreed to continue to work with everybody regionally but when speakers are stating give it all to the 91 Project and complete the Commission's promise that is not realistic, as things have changed.

Commissioner Harnik referred to Commissioner Naggar's comment about the premiere quality of life and reminded everyone this is the fastest growing county in California because there is a premiere quality of life offered. As another lane is being built, there are hundreds more homes being built, which makes it difficult to stay in front of the curve. Commissioner Harnik stated the Commission cannot keep doing it the same way due to the result and it has to be looked at creatively and remain agile as this is about people. She discussed CEQA and the mandated fees, and wages, which has been addressed for years in looking at Sacramento today not seeing any changes coming and cannot depend on Sacramento changing the rules they have set up that works well for them. She concurred with Commissioner Perez's comment that process is important and what the Commission has afforded in these agenda items is a yearlong process where the Commission is encouraging public input and perhaps some solutions the Commission has not thought of. She made a motion to take the four agenda items separately starting with Agenda Item 10.

At this time, Commissioner Naggar seconded the motion.

Commissioner Jeffries requested to make a substitute motion: table this item until the September Commission meeting to provide the full membership that has not been well versed in all these issues to give more time to evaluate the pending projects that were never completed on SR-91, give more time to evaluate SR-91 in Riverside eliminating the HOV lanes to see if that is necessary, and to request staff to return with other options for a ballot education program that does not involve somewhere between \$2 million to 4 million.

At this time, Commissioner Speake seconded the motion.

In response to Commissioner Reed's clarification the motion is to adopt Agenda Item 10, Chair Benoit replied that was the first motion and now there is a substitute motion.

Commissioner Reed clarified if the substitute motion has anything to do with Agenda Item 10 and clarified if this substitute motion is intended for Agenda Item 13. He requested to have a motion made on Agenda Item 10, as it seems to be noncontroversial.

Commissioner Jeffries stated he did not realize that Agenda Item 10 was still pending as he thought the Commission was on Agenda Items 11, 12, and 13. He clarified his substitute motion does not apply to Agenda Item 10.

M/S/C (Harnik/Naggar) to approve the 2009 Measure A Expenditure Plan Review & Update.

No: Speake and Utz

Chair Benoit asked for a second on Commissioner Jeffries substitute motion to delay or postpone Agenda Items 11, 12, and 13 to the September Commission meeting.

A verbal motion was made by Commissioner Jeffries and seconded by Commissioner Hewitt, electronically the motion was credited to Speake and seconded by Jeffries. The motion did not pass. No: Canyon Lake, Moreno Valley, Jurupa Valley, Calimesa, Temecula, Hemet, Perris, Lake Elsinore, District 4, Wildomar, Palm Desert, Palm Springs, Desert Hot Springs, Rancho Mirage, Indian Wells, Indio, Coachella, Cathedral City, La Quinta

11. INNOVATIVE FINANCING OPPORTUNITIES

M/S/C (Harnik/Naggar) to:

- 1) Authorize staff to continue to develop a plan of finance for the 2019-2029 Western County Highway Delivery Plan (Delivery Plan) eligible projects that includes, but is not limited to, the issuance of RCTC 91 Express Lanes surplus toll revenue bonds;**
- 2) Adopt as Commission policy that priority shall be given to Delivery Plan-supporting projects for programming of federal Congestion Mitigation and Air Quality (CMAQ) designated for the South Coast Air Basin, and Surface Transportation Block Grant (STBG) funds;**
- 3) Authorize staff to pursue legislation that amends the Commission's authorizing statutes to extend the eligible use of RCTC 91 Express Lanes surplus toll revenues east to the 60/91/215 interchange and south on I-15 to SR-74; and**
- 4) Approve the reimbursement of all or a portion of the Measure A investment in the 91 Project that was not previously financed as an eligible use of surplus toll revenues.**

No: Berkson, DeConinck, Hewitt, Jeffries, Lorimore, Martinez, Spiegel, J. Smith, Speake, Utz, and Vinton

12. 2019-2029 WESTERN RIVERSIDE COUNTY HIGHWAY DELIVERY PLAN

M/S/C (Harnik/Naggar) to adopt the 2019-2029 Western Riverside County Highway Delivery Plan.

No: DeConinck, Hewitt, Jeffries, Martinez, L. Smith, J. Smith, Speake, Utz, Vinton, and Zimmerman

13. COUNTYWIDE TRANSPORTATION IMPROVEMENT & TRAFFIC RELIEF PLAN AND ORDINANCE

M/S/C (Harnik/Naggar) to:

- 1) Authorize staff to develop a Countywide Transportation Improvement & Traffic Relief Plan and implementation ordinance for potential presentation to Riverside County voters in November 2020;**
- 2) Authorize the Executive Director to negotiate and execute Agreement No. 18-15-086-01, an amendment to Agreement No. 18-15-086-00, pursuant to legal counsel review, with AlphaVu for an additional amount not to exceed \$3.85 million to enhance the Public Engagement Program to include a Countywide Transportation Improvement & Traffic Relief Plan and implementation ordinance;**
- 3) Approve an increase of an amount not to exceed \$1,997,500 in FY 2019/20 expenditures to accommodate the enhancement of the Public Engagement Program; and**
- 4) Sponsor any legislation necessary to clarify its authorizing statutes to implement a voter-approved sales tax measure.**

No: DeConinck, Hewitt, Jeffries, Lorimore, Martinez, L. Smith, J. Smith, Speak, Utz, Welch, and Zimmerman

At this time, Commissioners Hewitt and Jeffries left the meeting.

14. COACHELLA FESTIVAL SPECIAL EVENTS TRAIN PLATFORM DEVELOPMENT PROJECT

M/S/C (Harnik/Perez) to:

- 1) Approve Agreement No. 19-25-103-00 with the California State Transportation Agency (CalSTA) regarding a State Rail Assistance (SRA) grant to fund the Coachella Festival Special Event Train Platform Development Project (Platform Project) for an amount not to exceed \$5,942,510;**
- 2) Adopt Resolution No. 19-012, *“Resolution of the Riverside County Transportation Commission Regarding Authorization for the Execution of the Certifications and Assurances and Authorized Agent Forms for the State Rail Assistance”*;**
- 3) Adopt Resolution No. 19-013, *“Resolution of the Riverside County Transportation Commission Regarding Authorization for the Execution of the State Rail Assistance Project”*;**
- 4) Approve Memorandum of Understanding (MOU) Agreement No. 19-25-102-00 with Los Angeles – San Diego – San Luis Obispo Rail Corridor**

- (LOSSAN) and Amtrak for the coordination and development of the Platform Project;
- 5) Authorize the Executive Director, pursuant to legal counsel review, to negotiate and execute the final CalSTA and MOU agreements on behalf of the Commission;
 - 6) Authorize the Executive Director, pursuant to legal counsel review, to negotiate and execute a cooperative agreement with Amtrak for construction of the Platform Project based on estimated costs established by the Commission and within the Platform Project budget estimated at \$8,688,241; and
 - 7) Authorize the Executive Director, pursuant to legal counsel review, to negotiate and execute agreements with LOSSAN, the city of Indio (City), Goldenvoice, Valley Music Travel, and host railroads, as may be needed for the full implementation of the Platform Project, provided that all such agreements are within the Platform Project budget estimated at \$8,688,241.

15. ITEM(S) PULLED FROM CONSENT CALENDAR FOR DISCUSSION

Commissioner Speake expressed appreciation for staff amending that and requested that there be an analysis in what it would be to convert that lane to a general purpose lane.

Anne Mayer clarified on Agenda Item 9K due to the comments made staff added additional evaluation of alternatives and staff can also add another alternative that would just be a conversion to the general purpose gets added to the scope of work.

Commissioner Speake stated with that he made the motion to approve.

9K. AGREEMENT WITH WSP USA INC. FOR THE COMPLETION OF THE PROJECT INITIATION DOCUMENT PHASE FOR THE RIVERSIDE COUNTY NEXT GENERATION EXPRESS LANES

M/S/C (Berkson/Utz) to:

- 1) Award Agreement No. 19-31-058-00 to WSP USA Inc. (WSP) to provide planning and preliminary engineering services to complete the Project Initiation Document for the Next Generation Express Lanes Project (NGELP), in the amount of \$1,296,110, plus a contingency amount of \$99,611, for a total contract amount not to exceed \$1,395,721;
- 2) Authorize the Executive Director, or designee, to approve an increase not to exceed \$20,000 of the total amount based on the final Caltrans Independent Office of Audits and Investigations (IOAI) and Commission's pre-award audit results;

- 3) **Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreement on behalf of the Commission; and**
- 4) **Authorize the Executive Director, or designee, to approve contingency work up to the total not to exceed amount as may be required for the Project.**

At this time, Commissioner Magee left the meeting.

16. COMMISSIONERS/EXECUTIVE DIRECTOR'S REPORT

16A. Anne Mayer reminded the Commissioners the Commission will be dark in August.

16B. Commissioner Lorimore announced he found out from the Mayor of Eastvale the SR-60 will be shut down for 7 weeks starting at the end of the month and if the Commission is communicating it out to the Commissioners. He noted the Commission indicated they just found out about this project last week and that it is a Caltrans project. He requested a presentation to the Commission by Caltrans related to the closures and wanted to know about the coordination going on with the other freeway projects.

Anne Mayer stated staff will coordinate with Caltrans to get out to each of the jurisdictions as soon as possible and noted Syad Raza, Caltrans District 8 is here and heard Commissioner Lorimore's request. She stated a presentation at the September Commission meeting would be too far out as the work is ongoing.

17. CLOSED SESSION

17A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)
Case No. RIC1616789

17B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Agency Negotiator: Executive Director or Designee

Item	APN(s)	Property Owner	Buyer(s)
1	118-270-003 and 118-270-023	RCTC	Greens Development Inc.

There were no announcements from the Closed Session Items.

16. ADJOURNMENT

There being no further business for consideration by the Riverside County Transportation Commission, Vice Chair Benoit adjourned the meeting at 1:03 p.m. The next Commission meeting is scheduled to be held at 9:30 a.m., Wednesday, September 11, 2019, Board Chambers, First Floor, County Administrative Center, 4080 Lemon Street, Riverside.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lisa", with a long horizontal flourish extending to the right.

Lisa Mobley
Clerk of the Board

AGENDA ITEM 7A

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Budget and Implementation Committee Jose Mendoza, Senior Procurement Analyst Matt Wallace, Procurement Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Single Signature Authority Report

BUDGET AND IMPLEMENTATION COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to receive and file the Single Signature Authority report for the fourth quarter ended June 30, 2019.

BACKGROUND INFORMATION:

Certain contracts are executed under single signature authority as permitted in the Commission's Procurement Policy Manual adopted in June 2018. The Executive Director is authorized to sign services contracts that are less than \$150,000 individually and in an aggregate amount not to exceed \$1.5 million in any given fiscal year. Additionally, in accordance with Public Utilities Code Section 130323(c), the Executive Director is authorized to sign contracts for supplies, equipment, materials, and construction of all facilities and works under \$50,000 individually.

The attached report details all contracts that have been executed for the fourth quarter ended June 30, 2019 under the single signature authority granted to the Executive Director. The unused capacity of single signature authority for services at June 30, 2019 is \$362,119.

Attachment: Single Signature Authority Report as of June 30, 2019

**SINGLE SIGNATURE AUTHORITY
AS OF June 30, 2019**

CONTRACT #	CONSULTANT	DESCRIPTION OF SERVICES	ORIGINAL CONTRACT AMOUNT	PAID AMOUNT	REMAINING CONTRACT AMOUNT
	AMOUNT AVAILABLE July 1, 2018		\$1,500,000.00		
19-12-006-00	NetFile	Form 700 E-filing and administration system	15,000.00	0.00	15,000.00
19-12-008-00	ECS Imaging, Inc.	Laserfiche document management services	44,794.00	41,738.00	3,056.00
16-24-080-01	S2 Engineering, Inc.	Construction Management Svcs. - La Sierra Parking Lot Expansion Project	150,000.00	144,069.06	5,930.94
19-31-023-00	Potter Handy DBA Center for Disability	Settlement agreement	12,000.00	12,000.00	0.00
15-19-043-04	Macias, Gini, O'Connell	State of Good Repair audited financial statements for FY18 and FY19	7,000.00	0.00	7,000.00
18-19-169-01	UCR School of Business	Sales tax analysis for two additional revenue scenarios and a modified demographic forecast	16,000.00	0.00	16,000.00
19-33-048-00	Department of Toxic Substances Control	Provide environmental hazard oversight and assessment for Downtown Riverside station platform expansion project	29,087.00	0.00	29,087.00
19-19-060-00	BCA Watson	Pre-award audit services	150,000.00	24,050.00	125,950.00
19-31-066-00	Glenn Lukos Associates	I-215/Central Project mitigation and monitoring services	150,000.00	0.00	150,000.00
18-12-137-01	Exigent	Information technology support services	150,000.00	38,408.28	111,591.72
19-12-084-00	Lora Hassani	Human resources consulting services	50,000.00	9,520.00	40,480.00
19-19-098-00	Keenan and Associates	Risk management assessment services	20,000.00	0.00	20,000.00
19-31-104-00	Cahuilla Band of Indians	MCP Mitigation - Native American Monitoring	52,800.00	0.00	52,800.00
19-31-105-00	Gabrielino Tongva Nation	MCP Mitigation - Native American Monitoring	52,800.00	0.00	52,800.00
19-31-106-00	Morongo Band of Mission Indians	MCP Mitigation - Native American Monitoring	52,800.00	0.00	52,800.00
19-31-107-00	Pechanga Indian Reservation	MCP Mitigation - Native American Monitoring	52,800.00	0.00	52,800.00
19-31-108-00	Soboba Band Luiseno Indians	MCP Mitigation - Native American Monitoring	52,800.00	0.00	52,800.00
18-31-153-01	Bechtel Infrastructure	Program and Construction Management Support Services	70,000.00	0.00	70,000.00
19-31-123-00	Fairbank, Maslin, Maullin, Metz & Associates (FM3)	Customer survey for 91 project	10,000.00	0.00	10,000.00
	AMOUNT USED		1,137,881.00		
	AMOUNT USED		1,137,881.00		
	AMOUNT REMAINING through June 30, 2019		\$362,119.00		
<u>Agreements that fall under Public Utilities Code 130323 (C)</u>					
None	N/A		\$-	\$-	\$-
Jose Mendoza	Theresia Trevino				
Prepared by	Reviewed by				
Note: Shaded area represents new contracts listed in the fourth quarter.					

AGENDA ITEM 7B

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Budget and Implementation Committee Matt Wallace, Procurement Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Revisions to the Procurement Policy Manual

BUDGET AND IMPLEMENTATION COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to:

- 1) Approve the revised Riverside County Transportation Commission Procurement Policy Manual (PPM) for the procurement and contracting activities undertaken by the Commission, pursuant to legal counsel review as to conformance to state and federal law; and
- 2) Adopt Resolution No. 19-008, *"Resolution of the Riverside County Transportation Commission Regarding the Revised Procurement Policy Manual"*.

BACKGROUND INFORMATION:

The Commission's initial PPM was adopted in April 2007, in response to the Federal Transit Administration's (FTA) 2006 Triennial Review. Since then, the Commission adopted a comprehensive PPM in July 2012 and approved several revisions to the PPM through June 2018 to update and comply with FTA, Federal Highway Administration, Caltrans, other state and federal, and Commission regulations.

Staff updated the PPM as a result of the following:

- Additional changes to the Office of Management and Budget's issuance of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), including increased thresholds for micro-purchases and small purchases for professional services; and
- Other best practices, including Executive Director's single signature authority based on Uniform Guidance changes and contract execution.

The changes to the PPM consist of the following:

- **Chapter 2 Procurement Generally** revisions related to micro-purchase and small purchase authority, Executive Director's single signature authority, and contract execution; and
- **Chapter 7 Non-Competitive and Emergency Procurements and Remedial Measures** updates consistent with changes in Chapter 2.

Staff recommends approval of these revisions and to adopt Resolution No. 19-008 related to the revised PPM.

Attachments:

- 1) Resolution No. 19-008
- 2) Riverside County Transportation Commission Procurement Policy Manual (Revision No. 5)

RESOLUTION NO. 19-008**RESOLUTION OF THE
RIVERSIDE COUNTY TRANSPORTATION COMMISSION
REGARDING THE
REVISED PROCUREMENT POLICY MANUAL**

WHEREAS, the Commission previously adopted Resolution No. 18-008, *“Resolution of the Riverside County Transportation Commission Regarding the Revised Procurement Policy Manual”*; and

WHEREAS, the Commission is required to comply with the Office of Management and Budget’s issuance of the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Grant Guidance); and

WHEREAS, the Commission desires to update its procurement policies and procedures to continue to be a comprehensive, useful framework and incorporate best practices for the Commission’s procurements.

NOW, THEREFORE, the Riverside County Transportation Commission does hereby resolve as follows:

- Section 1. The Procurement Policy Manual previously adopted on June 13, 2018, is hereby replaced in its entirety by the revised Procurement Policy Manual, set forth in Attachment 1, attached hereto and incorporated herein.
- Section 2. The Riverside County Transportation Commission hereby approves and adopts the Procurement Policy Manual, as revised, to be effective immediately.

APPROVED AND ADOPTED this 11th day of September, 2019.

Chuck Washington, Chair
Riverside County Transportation Commission

ATTEST:

Lisa Mobley, Clerk of the Board
Riverside County Transportation Commission



Riverside County Transportation Commission

Procurement Policy Manual

(revised September 11, 2019)

CHAPTER 1 – PROCUREMENT PROCESS.....	1
1.0 PURPOSE AND SCOPE.....	1
2.0 PROCUREMENT POLICY STATEMENT.....	1
3.0 PROCUREMENT STANDARDS	2
4.0 TYPES OF CONTRACTS	6
5.0 OPTIONS.....	10
6.0 COOPERATIVE AGREEMENTS	12
7.0 RECURRING CONTRACTS.....	13
CHAPTER 2 – PROCUREMENT GENERALLY	15
1.0 IMPLEMENTATION BY EXECUTIVE DIRECTOR; COMMISSION CONTROLS AND LIMITATIONS	15
2.0 PROCUREMENT OFFICER—DESIGNATION AND DELEGATION.....	17
3.0 PROCUREMENT OFFICER—DUTIES	17
4.0 IMPLEMENTATION OF PROCUREMENT PROCEDURES AND GUIDELINES ..	18
5.0 AUTHORIZED METHODS OF PROCUREMENT; SELECTION	18
6.0 INDEPENDENT COST ESTIMATE	19
7.0 COST/PRICE ANALYSIS	20
8.0 VENDOR CONTACTS PRIOR TO ISSUANCE OF A SOLICITATION.....	20
9.0 ADVERTISING/PUBLICIZING PROCUREMENTS.....	20
10.0 NON-DISCRIMINATION IN PROCUREMENT.....	21
11.0 ORGANIZATIONAL CONFLICTS OF INTEREST.....	21
12.0 DUTIES OF COMMISSION STAFF REGARDING PROCUREMENTS	21
13.0 INSURANCE.....	24
14.0 SUBCONTRACTING	25
15.0 DETERMINATION OF FAIR AND REASONABLE PRICE.....	25
16.0 CONTRACT APPROVAL, AWARD, AND EXECUTION	26
17.0 PROTEST PROCEDURES	27
18.0 PUBLIC RECORDS REQUESTS	28
CHAPTER 3 – COMPETITIVE SEALED BIDS (“LOW BID”)	29
CHAPTER 4 – ALTERNATE DELIVERY CONTRACTS.....	32
1.0 PURPOSE.....	32
2.0 PROCEDURES FOR DESIGN-BUILD CONTRACTS	32
CHAPTER 5 – COMPETITIVELY NEGOTIATED PROCUREMENTS	34
1.0 NEGOTIATED PROCUREMENTS—GENERAL.....	34
2.0 SOURCE SELECTION TECHNIQUES	34
3.0 PROPOSAL EVALUATION	35
4.0 REJECTION OF PROPOSALS	36
5.0 NEGOTIATION; SELECTION	36
6.0 SPECIAL PROVISIONS APPLICABLE TO ARCHITECT-ENGINEER AND RELATED SERVICES.....	36

CHAPTER 6 – SIMPLIFIED PURCHASE PROCEDURES.....	38
1.0 GENERAL.....	38
2.0 REQUIREMENTS FOR MICROPURCHASES	38
3.0 USE OF SMALL PURCHASE PROCEDURES	38
4.0 PROHIBITED USE OF SMALL PURCHASE PROCEDURES.....	39
CHAPTER 7 – NON-COMPETITIVE AND EMERGENCY PROCUREMENTS AND REMEDIAL MEASURES	40
1.0 NON-COMPETITIVE PROCUREMENTS	40
2.0 EMERGENCY PROCUREMENTS; REMEDIAL MEASURES	41
3.0 WRITTEN JUSTIFICATION FOR EMERGENCY AND OTHER NON- COMPETITIVE PROCUREMENTS	42
CHAPTER 8 – REFERENCES TO APPLICABLE LAWS /REGULATIONS.....	43
1.0 GENERAL.....	43
2.0 REFERENCES	43
3.0 FTA/FHWA-FUNDED PROCUREMENT BY NON-COMPETITIVE (SOLE SOURCE) PROPOSALS	46
4.0 DISADVANTAGED BUSINESS ENTERPRISE AND OTHER REQUIREMENTS..	47
5.0 GEOGRAPHICAL PREFERENCES	47
6.0 REVENUE CONTRACTS	48
7.0 STATUTORY AND REGULATORY REQUIREMENTS.....	48
CHAPTER 9 – DISPOSAL OF SURPLUS PROPERTY	51
1.0 DEFINITIONS.....	51
2.0 DISPOSAL OF SURPLUS REAL PROPERTY	51
3.0 DISPOSAL OF PERSONAL PROPERTY	51
CHAPTER 10 – OTHER PROCUREMENT MATTERS.....	52
1.0 DISPUTES, CLAIMS, AND CHANGES—DEFINITIONS	52
2.0 DISPUTES, CLAIMS, AND CHANGES—GENERAL	52
3.0 TERMINATION.....	52
4.0 BONDS, OTHER SECURITIES AND INSURANCE	54
5.0 CONTRACT CLOSEOUT	55
CHAPTER 11 – PAYMENT.....	56
1.0 COMMISSION PAYMENT PROCESS.....	56
2.0 PROGRESS PAYMENTS	56
3.0 PROMPT PAYMENT TO SUBCONTRACTORS—FEDERALLY FUNDED AGREEMENTS.....	57
4.0 PAYMENT OF RETENTION ON PUBLIC WORKS CONTRACTS	57
5.0 REQUEST FOR PAYMENT CERTIFICATION	57

CHAPTER 1 – PROCUREMENT PROCESS

1.0 PURPOSE AND SCOPE

- A. The Riverside County Transportation Commission (hereinafter “RCTC” or “Commission”) procures goods and services using public funds. It has a responsibility to uphold the public trust and maximize the value of public funds by using them as efficiently and cost-effectively as possible.
- B. This Procurement Policy Manual (Manual) sets forth a general procurement policy and set of standards that will govern the conduct of Commission procurement activities and of Commission personnel engaged in those activities. The policies contained herein are advisory, not mandatory, except as related to applicable state or federal laws, and any deviation therefrom shall not render any contract of the Commission void or voidable. This manual is for Commission internal purposes only and shall not create any rights in any third parties. Compliance with the provisions in this Manual related to state or federal funding is required in order to maintain funding eligibility.
- C. This Manual is intended to supersede, in its entirety, the Commission’s *Procurement Policies Manual* which was adopted on December 13, 2017.
- D. As used herein, “FHWA” refers to the Federal Highway Administration; “FTA” refers to the Federal Transit Administration; and “Caltrans” refers to the California Department of Transportation.

2.0 PROCUREMENT POLICY STATEMENT

- A. The Commission procurement policies establish the guidelines and policies for procuring the goods and services necessary for the Commission to carry out its responsibilities and duties. The policies are intended to maintain the integrity of the Commission’s procurement process, while ensuring that purchases are made in a cost effective, timely manner; with fair and open competition; and in accordance with all applicable laws and regulations.
- B. The objectives of the Commission’s Procurement Policy Manual are to:
 - 1. Maximize the value received for the Commission’s expenditure of public funds;
 - 2. Protect assets and/or services purchased with public funds and ensure their application in the Commission’s interests;
 - 3. Provide all vendors an equal opportunity to provide needed goods and/or services; and
 - 4. Protect the integrity and reputation of the Commission, its officers, and its employees.
 - 5. Ensure compliance with state and federal funding requirements, as applicable.

3.0 PROCUREMENT STANDARDS

A. General

1. Contract Administration System. The Commission will maintain a contract administration system that helps ensure that contractors perform in accordance with the terms, conditions, and specifications of their respective contracts.
 - a. Contract administration activities may include the following:
 - i. Receive, evaluate, and act on value engineering and other change proposals.
 - ii. Negotiate cost and schedule impact related to change orders and other contract modifications.
 - iii. Process disputes under the contract's disputes clause.
 - iv. Review and approve payments under any progress payments clause.
 - v. Ensure that invoiced personnel charges are for positions and classifications included in the contract. If new positions or classifications are required, they must be included pursuant to a written contract amendment dated prior to the date costs are incurred.
 - vi. Ensure that hourly rates and other costs are billed at the contracted rates. The contracted rates may not be changed, except in accordance with the terms of the contract, or as legally allowed based on specific findings approved by the Commission members.
 - vii. Monitor progress and ensure timely notification of anticipated overrun.
 - viii. Monitor financial status and advise if contract performance is jeopardized.
 - ix. Issue task orders and ensure that the basis for payment set forth in any task order is consistent with the terms of the contract and the hourly rates included in the contract, as applicable.
 - x. Perform property administration.
 - xi. Ensure contractor compliance with quality assurance requirements.
 - xii. Evaluate, for adequacy, the contractor's engineering efforts and management systems that relate to design, development, production and testing.
 - xiii. Evaluate and make recommendations on contractor requests for waivers and deviations.

- xiv. Monitor contractor's small and disadvantaged business subcontracting.
 - xv. Ensure timely submission of required reports.
 - xvi. Administer special clauses such as drug and alcohol testing.
 - xvii. Receive, inspect, and accept or reject partial deliveries and final deliveries of all contract deliverables.
 - xviii. Assist in contract close out.
 - b. The administration of construction contracts may be further supplemented by the Caltrans Construction Manual or other manual developed for a specific project, as required.
2. Avoid Duplicative Purchases. Commission staff should regularly review proposed and planned procurements to avoid purchase of unnecessary or duplicative items.
 3. Lease vs. Purchase Analysis. Where appropriate, an analysis should be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical procurement approach.
 4. Value Engineering. When appropriate and in the Commission's best interests, the Commission will encourage the use of value engineering by including applicable clauses in contracts for appropriate equipment purchases and construction projects.
 5. Award to Responsive and Responsible Contractors. The Commission will make awards only to responsive and responsible contractors, as determined by the Commission, possessing the ability to perform successfully under the terms and conditions of a proposed contract. Consideration will be given to such matters as contractor integrity, compliance with public policy as implemented by applicable laws and regulations, record of past performance, and financial and technical resources.
 - a. In connection with the responsibility determination for federally funded procurements, a check of debarment and suspension must be performed and documented in the procurement records.
 6. Commission Rejection of Bids, Quotes, and/or Proposals. The Commission, to the extent permitted by applicable laws, may reject any and all bids, quotes and/or proposals and re-advertise at its sole discretion. The Commission should ensure that such rights are clearly stated in all Commission bid documents.
 7. Procurement Records. Records sufficient to document the significant history of each procurement activity should be maintained and retained by the Commission in accordance with the Commission's records retention policy. At a minimum, these records should include:
 - a. The rationale for the method of procurement;

- b. Selection of contract type;
 - c. Reasons for contractor selection or rejection; and
 - d. The basis for the contract price.
8. Specifications. The Commission will have clear and accurate contract specifications or statements of work that identify all requirements that offerors must fulfill. Additionally, written selection procedures for formal procurements shall be prepared to help ensure fair, unbiased evaluation of competing proposals.
- a. For federally funded procurements, the Commission is prohibited from unduly restricting competition or placing unreasonable requirements on firms in order for them to qualify to do business (e.g., unnecessary experience and excessive bonding requirements).
9. Brand Name or Equal. The use of “brand name or equal” purchase descriptions may be permitted:
- a. Only when an adequate specification cannot be provided without performing an inspection and analysis in time for the acquisition under consideration; and
 - b. When minimum needs are carefully identified and those salient physical and functional characteristics of the brand name product are clearly set forth in the solicitation.
 - c. For non-federally funded procurements, as otherwise permitted by state law.
- This section is not intended to impose limitations on the Commission’s ability to require a brand name when the procurement is not federally funded and is not a “public work” subject to the requirements contained in the California Public Utilities Code (PUC).
10. Audit Provisions. Every Commission contract wherein contractor or other entity is receiving Commission funds in excess of \$10,000 should include a provision allowing examination and audit of records related to the contract by the Commission’s auditor for a period of three years after final payment under the terms of the contract.
11. Violations or Breach of Contract. All contracts exceeding \$100,000 should include administrative, contractual, or legal remedies for violations or breach of the contract by the contractor.
12. Termination Clause. All contracts in excess of \$25,000, and public works contracts in excess of \$2,000, should provide for the termination of the contract for the Commission’s convenience, and all contracts should provide for the termination of the contract for default in cases of contractor breach or non-performance. Federally funded contracts in excess of \$10,000 must provide for both termination for convenience and cause.

13. Issues not Included in the Procurement Policy Manual. If a policy, procedure or particular strategy or practice is in the best interest of the Commission and is not specifically addressed, nor prohibited by statute or case law, users of this Manual should not assume it is prohibited. Rather, the absence of direction should be interpreted as permitting the Executive Director to innovate and use sound business judgment that is otherwise consistent with law and within the limits of his or her authority.

B. **Written Standards of Conduct**

1. Conflicts of Interest. All Commission members, officers, employees and other agents must conduct the procurement process so as to avoid conflicts of interest, real or apparent. To maintain full and open competition, no Commission member, officer, employee or other agent, or his or her immediate family member, partner, or organization that employs or is about to employ any of the foregoing individuals may participate in the selection, award, or administration of any Commission contract if a conflict of interest, prohibited by law, would be involved. For federally-funded contracts, the foregoing shall also apply when any of those individuals previously listed has a financial or other interest in the firm selected for award. In addition to the foregoing, all procurements must be conducted in accordance with the most current version of the “Conflict of Interest Code for the Riverside County Transportation Commission” adopted pursuant to the Political Reform Act of 1974 (as amended).
2. Lobbying and Gifts. Commission officers, employees, agents and Commission members must comply with applicable state and federal law regarding acceptance of gifts, gratuities, or favors from contractors, potential contractors, or parties to subcontractor agreements. For federally-funded procurements, Commission officers, employees, agents or Commission members may neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontracts; provided that exceptions may apply if, as determined by the Executive Director, the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. For federally-funded procurements, nominal value shall mean under fifty dollars (\$50).
3. Violations.
 - a. The violation of these Standards of Conduct by Commission employees will subject the violator to any disciplinary proceedings or action deemed appropriate by the Executive Director. Employees may correct a violation in any manner provided for under the Political Reform Act, and its implementing regulations.
 - b. The violation of any of these Standards of Conduct by Commission members or officers will require correction of the violation in any manner provided for under the Political Reform Act, and its implementing regulations.

- c. Contractors or subcontractors that violate these Standards of Conduct as relates to an active federally-funded procurement may be prohibited from bidding on the procurement, or may be subject to other action as deemed appropriate by the Executive Director.
 - d. Agents of the Commission that violate these Standards of Conduct as relates to federally-funded procurements may be prohibited from participation on behalf of the Commission on federally funded projects, or subject to other action as deemed appropriate by the Executive Director.
4. Prohibited Communications. To avoid any appearance of impropriety, instructions to bidders in solicitation documents should prohibit contacts of any kind from proposers/bidders with any Commission member or any Commission staff, other than the Procurement Officer, during an open procurement. Violation of this condition may result in immediate disqualification of a bid or proposal. This provision is not meant to prohibit communications between Commission staff and existing consultants/contractors related to existing business which the consultant/contractor is under contract to perform on behalf of the Commission.

4.0 TYPES OF CONTRACTS

A. General Provisions

- 1. The Procurement Officer should use the types of contracts described in this Chapter for most types of procurement, except as otherwise provided for certain small purchases described hereunder in Chapter 6. Innovative contracting arrangements are not prohibited, but require the advance approval of the Executive Director or the Commission, as specified herein.
- 2. The “cost-plus-percentage-of-cost” method of contracting shall not be used for state or federally funded contracts.
- 3. The Procurement Officer, in consultation with the project manager, should select the type of contract that is most appropriate to the circumstances of each procurement, in accordance with the provisions of this Chapter.
- 4. In procurements by other than competitive sealed bidding, the Procurement Officer may negotiate a contract type and price (or estimated cost and fee) that will result in reasonable contractor risk and provide the contractor with the greatest incentive for efficient and economical performance.

B. Selecting Contract Types

- 1. The type of contract to be used should be determined prior to the solicitation, and the solicitation should inform bidders of the type of contract that will be used.
- 2. When procurement is by competitive sealed bidding, the Procurement Officer must use a firm fixed-price contract.

3. Except when procurement is by competitive sealed bidding as required by law, the Procurement Officer should select the most effective contract type and should consider contract type together with the issues of price, risk, uncertainty, and responsibility for costs. The type of contract used should reflect the cost risk and responsibility assumed by the contractor or supplier.
4. The Procurement Officer should avoid the continued use of a cost reimbursement or time-and-materials contract after experience provides a basis for firmer pricing.
5. The Procurement Officer should include documentation in each contract file to show why the particular contract type was selected, except for purchase orders under the small purchase threshold.

C. Fixed-Price Contracts

1. Fixed-price contracts may provide for a firm price or, in appropriate cases, an adjustable price.
2. Fixed-price contracts providing for an adjustable price may include a ceiling price, a target price (including target cost), or both. Unless otherwise specified in the contract, the ceiling price or target price will be subject to adjustment only by operation of contract clauses providing for equitable adjustment or other revision of the contract price under stated circumstances.
3. A firm-fixed-price contract should provide for a price that is not subject to any adjustment on the basis of the contractor's cost experience in performing the contract.
4. A firm-fixed-price contract should be used for acquiring commercial products or commercial-type products, or for acquiring other supplies or services, on the basis of reasonably definite functional or detailed specifications if the Procurement Officer can establish fair and reasonable prices at the outset, including the following circumstances:
 - a. When there is adequate price competition;
 - b. When there are reasonable price comparisons with prior purchases of the same or similar supplies or services made on a competitive basis;
 - c. When available cost or pricing information permits realistic estimates of the probable costs of performance;
 - d. When performance uncertainties can be identified and reasonable estimates of their cost impact can be made, and the contractor is willing to accept a firm-fixed-price contract; or
 - e. When required by law unless a sole source exception applies.

D. Cost Reimbursement/Cost-Plus-Fixed-Fee Contracts

1. Cost reimbursement contracts provide for payment of the contractor's reasonable, allocable and allowable incurred costs plus a negotiated fixed

fee, to the extent prescribed in the underlying contract and Federal Acquisition Regulation (FAR) Part 31.

2. A cost reimbursement contract establishes an estimate of total cost for the purpose of obligating funds and establishing a ceiling on expenditures that the contractor may not exceed without the approval of the Commission.
3. Cost reimbursement contracts are suitable for use when the uncertainties of performance do not permit costs to be estimated with sufficient accuracy to use a fixed-price contract.
4. The Commission must determine the adequacy of the contractor's accounting system for cost-type contracts before awarding such a contract.

E. Time-And-Materials Contracts

1. A time-and-materials contract should be used only after the Procurement Officer determines:
 - a. In writing, that no other type of contract is suitable; and
 - b. A ceiling price to be included in the contract that the contractor shall not exceed except at its own risk.
2. A time-and-materials contract should be used only when it is not possible at the time of executing the contract to estimate accurately the extent or duration of the work or to anticipate costs with any reasonable degree of certainty or confidence.
3. A time-and-materials contract should include direct labor hours at specified fixed hourly rates that include wages, overhead, general and administrative expenses, profit, and materials required at cost.
4. The user department/project manager should ensure that there is adequate surveillance of contractor performance when a time-and-materials type contract is used.

F. Labor-Hour Contracts

1. When materials are not required, the Procurement Officer may use a labor-hour contract, a variation of the time-and-materials contract.
2. The use of a labor-hour contract should be in accordance with the above-referenced provisions related to time-and-materials contracts.

G. Letter Contracts (Letter Of Intent Contracts)

1. A letter contract is an interim type of contractual agreement that gives the contractor a limited notice of award for the delivery of the required goods/supplies or the performance of services.
2. The Procurement Officer may use a letter contract when the Commission's interests demand that the contractor be given a binding commitment so that work can start immediately and executing a definitive contract is not possible in sufficient time to meet the requirement. Each letter contract should be as complete and definitive as possible under the circumstances and should include clauses approved and required by the Procurement Officer.
3. The estimated cost of the definitive contract should determine the type and level of review and approval required for approval of a letter contract.
4. A letter contract may not be entered into without competition except as provided for under Non-Competitive and/or Emergency Procurements provisions of this Manual.
5. A letter contract may not be amended to satisfy a new requirement unless the new requirement is inseparable from the existing contract. Any amendment should be subject to the same requirements as a new letter contract.
6. The total value of the letter contract should be the estimated sum necessary to cover the contractor's requirement for funds before execution of the definitive contract. However, the total value of a letter contract should not, under any circumstances, exceed fifty percent (50%) of the overall price ceiling for the term of the final negotiated (i.e., definitive) contract.
7. A letter contract should contain a negotiated schedule for execution of the definitive contract, including dates for submission of the contractor's price proposal, cost or pricing data (if required), a date for start of negotiations, and a target for execution of the definitive contract.
8. The letter contract should provide that if the Procurement Officer and the contractor cannot negotiate a definitive contract because of failure to reach agreement regarding price or fee: 1) the Procurement Officer may terminate the letter contract; or 2) if a "contract definitization" clause is included in the letter contract, the Commission may unilaterally require the contractor to continue the work and the Procurement Officer may, with the approval of the Executive Director, determine a reasonable price or fee.

H. Multiple Year Contracts

Multiple year contracts may be used with competitive sealed bids, competitive proposals, or by non-competitive procurement. The contract term, and any extensions thereof, shall be established based on sound business judgment of the Commission. Multiple year contracting is a method by which the Commission awards a contract for a base period of one or more years, with option provisions for

future years' requirements. The option provision in the contract should provide for unilateral exercise at the discretion of the user department/project manager, as additional requirements and funding become available. See below under Section 5.0 of this Chapter for further information regarding Options.

For federally-funded procurements, the procurement file shall document the rationale for determining the term. Considerations should include the time necessary to accomplish the purpose of the contract, competition, pricing, and fairness.

I. Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts

1. The Procurement Officer may use an ID/IQ type of contract when the Commission anticipates a recurring requirement, but cannot predetermine the precise quantities of supplies or services at the time of contract award.
2. FHWA or Caltrans funded ID/IQ on-call contracts and FTA funded ID/IQ contracts for rolling stock and replacement part contracts may not exceed five (5) years.
3. ID/IQ contracts should specify maximum or minimum estimated quantities that the Commission may require during the term of the agreement. An ID/IQ contract should make no promise of exclusivity and may in fact be one of several (multiple) contracts awarded for the same item or service.
4. There are several types of ID/IQ contracts, including:
 - a. Definite-quantity contracts
 - b. Requirements contracts
 - c. Indefinite quantity (IQ) contracts (commodities)
 - d. Task order contracts (services)
5. If possible under the circumstances, the Procurement Officer should ensure that original solicitation and resultant ID/IQ contract contain both a minimum and a maximum quantities, which represent the reasonably foreseeable needs of the parties to the solicitation, and a clause stating that the estimate is not a representation to a bidder, offeror, or consultant that the estimated quantity or dollar amount above the estimated minimum will actually be required or ordered by the Commission.
6. For task orders contracts, the procurement documents and executed contracts must specify the procedures to be used in awarding task orders. Such procedures must comply with state and federal regulations, as applicable.

5.0 OPTIONS

A. General

1. When it is in the best interest of the Commission, a contract option may be included providing the Commission the unilateral right to extend the term

of the contract and/or to purchase additional supplies or services called for by the contract.

2. Any written findings required for a contract option shall specify both the base requirement(s) and the increase permitted by subsequent options. Contract provisions setting forth the cost of the option may include, but are not limited to, the following:
 - a. A specific dollar amount;
 - b. An amount to be determined by applying provisions (or a formula) provided in the basic contract, but not including renegotiation of the price for work in a fixed-price type contract;
 - c. In a cost-type contract, a stated fixed or maximum fee, or a fixed or maximum fee amount determinable by applying a formula contained in the basic contract;
 - d. A specific price that is subject to an economic price adjustment provision; or
 - e. A specific price that is subject to change as a result of changes to the prevailing labor rates provided by the U.S. Department of Labor (DOL) or the California Department of Industrial Relations (DIR) prevailing rates, whichever is applicable.

B. Solicitation of Contracts with Options

1. If a contract provides for an option, the solicitation should include appropriate option clauses.
2. Each contract should state the period within which an option may be exercised.
3. In order to meet the requirements of this Manual for full and open competition, the option should be evaluated as part of the initial competition and be exercisable at an amount specified from the terms of the basic contract. When options have not been evaluated as part of the award, the exercise of such options will be considered a non-competitive procurement and must comply with the non-competitive procurement policies in described in this Manual.

C. Exercise of Options

1. The user department/project manager, in cooperation with the Procurement Officer, should initiate the exercise of an option only after determining the following:
 - a. That sufficient budget authority is available;
 - b. That the requirement covered by the option fulfills an existing Commission need; and

- c. That the exercise of the option will be the most advantageous method of fulfilling the Commission's needs, when price and other factors are considered.
- 2. The Procurement Officer, after considering price and other factors, should make the determination whether to recommend exercising the option on the basis of one of the following:
 - a. A new solicitation fails to produce a better price or a more advantageous offer than that offered by the option; provided, that if it is anticipated that the best price available is the option price (or that the option provides the more advantageous offer), the Procurement Officer should not use this method to test the market;
 - b. An informal analysis of prices or an examination of the market indicates that the option price is better than prices available in the market or that the option is the most advantageous offer; or
 - c. The short time between the award of the contract containing the option and the exercise of the option indicates that the option price is the lowest price obtainable or the most advantageous.
- 3. The contract modification or other written document, which notifies the contractor of the exercise of the option, shall cite the option provision as authority for the action and should be issued within the time period specified in the contract.

6.0 COOPERATIVE AGREEMENTS

A. Policy on Intergovernmental or Inter-entity Agreements

To promote economy and efficiency, the Commission may enter into state and local intergovernmental agreements or inter-entity agreements, where such agreements are in the best interest of the Commission and are appropriate for procurement or use of common or shared goods and services. The use of purchasing schedules may be prohibited for federally funded procurements. Out-of-state purchasing agreements are prohibited for FTA-funded procurements.

B. Memorandum of Understanding

A memorandum of understanding (MOU) is a contract document describing a bilateral or multilateral agreement outlining the terms and details of an arrangement between the parties to the MOU, including each party's requirements and responsibilities. An MOU is used when substantial involvement is expected between the Commission and another agency or entity when carrying out the activity contemplated in the MOU, and there exists some public or mutually beneficial purpose in carrying out this activity.

C. Piggybacking

- 1. Piggybacking is the post-award use of an acceptable contract/solicitation process that allows an entity not contemplated in the original procurement to purchase the same supplies or equipment under the original

contract/solicitation process.

2. Piggybacking is permissible when:
 - a. The underlying solicitation document and the resultant contract contain an assignability clause that provides for the assignment of all or part of the specified deliverables as originally advertised, competed, evaluated, and awarded; and
 - b. For federally funded agreements, the original solicitation and resultant contract contain a minimum and a maximum quantity, which represent the reasonably foreseeable needs of the parties to the solicitation.

D. California Multiple Award Schedule and State Master Agreements

1. A California Multiple Award Schedule (CMAS) and State Master Agreements are agreements established between the California Department of General Services (DGS) and multiple vendors who agree to the State of California terms and conditions, and may be used by the Commission.
2. Acquisitions based on CMAS or State Master Agreements shall be competitively bid so as to result in offers from three or more vendors including one small business, if available. If less than three offers are received, documentation of solicitation methods must be included with the contract documentation.
3. Three offers are not required for CMAS and State Master Agreements based on competition, such as Cal-Store, the Master Rental Agreement, Western States Contracting Alliance (WSCA), etc. Information on specific CMAS and State Master Agreements are available on DGS-PD's website at: www.dgs.ca.gov/pd.
4. Notwithstanding PUC section 130232(a), Public Contract Code (PCC) sections 10298(b) and 10299(a) provide authority for the Commission to use CMAS or State Master Agreements for acquiring supplies, equipment and materials that exceed \$25,000 without engaging in further competitive bidding.

7.0 RECURRING CONTRACTS

- A. The Commission may, on an annual basis, evaluate existing contracts for professional services that are due to expire within the next fiscal year. While some of these contracts may be placed on the calendar for a new procurement solicitation or allowed to expire because they are no longer required, notwithstanding any other provision herein, some contracts may be included in an annual recurring contracts list that must be approved by the Commission. Most contracts for professional services should be subject to a competitive process; however, there may be limited circumstances in which staff believes it is more efficient and cost effective to retain such consultants on the recurring contracts list rather than rebidding the services. Those circumstances generally are due to the consultant's historical knowledge, unique experience, and understanding of the Commission and/or specific Commission projects. Approval of the recurring contracts list allows the

Commission to continue work on existing projects without interruptions and maintain consistency.

1. State or federally-funded contracts may not be included in the annual recurring contracts list.

CHAPTER 2 – PROCUREMENT GENERALLY

1.0 IMPLEMENTATION BY EXECUTIVE DIRECTOR; COMMISSION CONTROLS AND LIMITATIONS

- A. Final authority for purchasing actions and decisions rests with the Commission, except as delegated by the Commission to the Executive Director.
- B. The Commission authorizes the Executive Director to execute contracts approved by the Commission. The Executive Director may designate the Deputy Executive Director, Chief Financial Officer or Directors to execute contracts under his or her signature authority on his/her behalf.
- C. The policies set forth herein will be implemented by the Chief Financial Officer. The Chief Financial Officer has primary responsibility for ensuring that the Commission's procurement process is in accordance with applicable laws and regulations, as interpreted by the General Counsel and Commission policy.
- D. The Executive Director is authorized to approve and enter into contracts on behalf of the Commission under his/her single signature authority as follows:
 - 1. When the expenditure is less than fifty thousand dollars (\$50,000) for the purchase of all supplies, equipment, materials and for the construction of all facilities and works in accordance with PUC § 130232; and
 - 2. When the expenditure is less than ~~two~~^{one} hundred fifty thousand dollars (~~\$250,000~~^{\$150,000}) for the purchase of services; however, (i) the aggregate amount of contracts executed under the single signature authority shall not exceed \$1,500,000 in any given fiscal year; (ii) the aggregate value of all contracts awarded to any one entity under the Executive Director's single signature authority shall not exceed ~~\$250,000~~^{\$150,000} in any fiscal year; and (iii) the Executive Director may execute contract amendments for existing contracts that do not exceed ~~\$250,000~~^{\$150,000}. Such authority however, may not be exercised more than once during the life of any contract and may not be used to amend contracts originally executed under the Executive Director's single signature authority. The Commission's fiscal year is from July 1 to June 30.
- E. The powers of the Executive Director pursuant to Paragraph "D" above are subject to: (i) the existence and provisions of a Commission approved budget; and (ii) applicable laws and regulations.
- F. The Executive Director must provide the Commission with a regular report of all contracts entered into pursuant to the single signature authority provided in Paragraph "D" above, and must report to the Commission at its next regularly scheduled meeting each new contract awarded on an emergency basis or other contracts in excess of the Executive Director's single signature authority.

G. Approval Limits and Solicitation Types

1. Supplies, Equipment, and Materials (PUC § 130232).

PURCHASE AMOUNT	SOLICITATION TYPE	SOLICITATION PROCESS	APPROVER
Less than \$1,000	Micro-purchase	<u>Informal</u> : Commercial availability, Rotate Vendors	Procurement Officer*
\$1,000 to \$25,000	Small Purchase	<u>Informal</u> : Three (3) Quotes	Procurement Officer*
\$25,001 to \$50,000	Formal Procurement	<u>Formal</u> : Advertisement, Clauses, Competitive Sealed Bids	Executive Director
Greater than \$50,000	Formal Procurement	<u>Formal</u> : Advertisement, Clauses, Competitive Sealed Bids	Commission

2. Public Works (PUC § 130232).

PURCHASE AMOUNT	SOLICITATION TYPE	SOLICITATION PROCESS	APPROVER
Less than \$1,000	Micro-purchase	<u>Informal</u> : Commercial availability, Rotate Vendors, Non-Collusion Declaration, Insurance	Procurement Officer *
\$1,000 to \$25,000	Small Purchase	<u>Informal</u> : Three (3) Quotes, Prevailing Wage, Clauses, Insurance, License, Non-Collusion Declaration	Procurement Officer*
\$25,001 to \$50,000	Formal Procurement	<u>Formal</u> : Advertisement, Clauses, Prevailing Wage, Insurance, License, Competitive Sealed Bids, Payment Bond, Non-Collusion Declaration	Executive Director
Greater than \$50,000	Formal Procurement	<u>Formal</u> : Advertisement, Clauses, Prevailing Wage, Insurance, License, Competitive Sealed Bids, Payment Bond, Non-Collusion Declaration	Commission

* As delegated by the Executive Director

3. Services.

PURCHASE AMOUNT	SOLICITATION TYPE	SOLICITATION PROCESS	APPROVER
Less than \$ 10,000 3,500	Micro-purchase	<u>Informal</u> : Commercial availability, Rotate Vendors, Insurance	Procurement Officer*
\$ 10,000 3,500 to \$50,000	Small Purchase	<u>Informal</u> : Three (3) Quotes, Clauses, Insurance	Procurement Officer*
\$50,001 to \$ 250,000 150,000	Small Purchase	<u>Informal</u> : Three (3) Quotes, Clauses, Insurance; <i>or</i> <u>Formal</u> : Advertisement, Clauses, Insurance, and Negotiated Agreement, or Competitive Sealed Bids, or A/E Contract procedures	Executive Director
Greater than \$ 250,000 150,000	Formal Procurement	<u>Formal</u> : Advertisement, Clauses, Insurance, Certifications, and Negotiated Agreement, or Competitive Sealed Bids, or A/E Contract procedures	Commission

* As delegated by the Executive Director

- H. In addition to the authority granted above, and except as otherwise prohibited by applicable state or federal law, the Executive Director is authorized to approve and enter into contracts on behalf of the Commission, where the relevant contract is directly related to and necessary to implement a project that has been approved by the Commission, the contract is within the approved project budget and, based on the circumstances, exercise of this authority is in the best interest of the Commission.

2.0 PROCUREMENT OFFICER—DESIGNATION AND DELEGATION

- A. The Chief Financial Officer is the designated “Procurement Officer” for the Commission. The Chief Financial Officer may delegate all or part of the Procurement Officer duties described in this Manual.

3.0 PROCUREMENT OFFICER—DUTIES

- A. The Procurement Officer has the duty to oversee all procurement activities of the Commission, and to implement the policies and standards set forth in this Manual, subject to the limitations of the authority that has been delegated to the Procurement Officer by the Commission or the Executive Director.
- B. The Procurement Officer may issue instructions for the implementation of Commission procurement policies.
- C. The Procurement Officer has the duty to ensure Commission contracts, purchase orders, modifications, and supplemental agreements are executed in accordance with established thresholds and delegated authority.

- D. The Procurement Officer, subject to the review of the Commission's General Counsel, has the authority to draft and determine the final form of the contract to be used for each procurement.
- E. The Procurement Officer should ensure that a complete record of each procurement action is maintained in accordance with the Commission's records retention policy by establishing files containing the records of all major procurements and contractual actions pertinent to that office's responsibilities.
 - 1. The Procurement Officer is responsible for maintaining the original contract file pursuant to applicable state and/or federal records retention policies.
 - 2. The documentation in each contract file maintained by the Procurement Officer should be sufficient to constitute a complete history of the transaction for the following purposes:
 - a. Providing a complete background as a basis for informed decisions at each step of the procurement process;
 - b. Supporting actions taken;
 - c. Providing information for reviews, audits, and investigations; and
 - d. Furnishing essential facts in the event of litigation.
- F. The Procurement Officer has the duty to ensure Commission staff engaged in procurement activities are trained in the procurement requirements set forth in this Manual.

4.0 IMPLEMENTATION OF PROCUREMENT PROCEDURES AND GUIDELINES

- A. The Procurement Officer, in his or her discretion and subject to the review and concurrence of the Commission's General Counsel, may adopt procurement and materials management procedures and guidelines needed to implement and supplement the policies and standards set forth in this Manual. Any such procedures and guidelines shall:
 - 1. Provide for timely review and processing of all procurement actions;
 - 2. Ensure that procurements proceed timely, efficiently and economically;
 - 3. Ensure that procurements adhere to principles of good public policy practices and sound business judgment; and
 - 4. Prohibit arbitrary actions. An example of an arbitrary action is the award of a construction contract, using the competitive sealed bids method of procurement, to a bidder other than the lowest responsive, responsible bidder.

5.0 AUTHORIZED METHODS OF PROCUREMENT; SELECTION

A. Selection

As part of the procurement initiation process, the Procurement Officer will determine which method of procurement is appropriate.

B. Authorized Methods

The following methods of procurement may be used, as appropriate, in accordance with the policies and procedures included in the Procurement Manual for all federal and non-federal procurement actions contemplated under this Procurement Manual:

1. Micro Purchase Procedures, pursuant to Chapter 6 of this Manual;
2. Small Purchase Procedures, pursuant to Chapter 6 of this Manual;
3. Competitive Sealed Bid (“Low Bid”), pursuant to Chapter 3 of this Manual;
4. Competitively Negotiated Procurement, pursuant to Chapter 5 of this Manual;
5. Non-Competitive and Emergency Procurement, pursuant to Chapter 7 of this Manual; and
6. Alternate Delivery, pursuant to Chapter 4 of this Manual.

6.0 INDEPENDENT COST ESTIMATE

A. An independent cost estimate is a determination of price reasonableness. An estimate shall be completed prior to the receipt of bids or proposals. Key elements of the independent cost estimate include, but are not limited to:

1. Date of the independent cost estimate;
2. Basis for the independent cost estimate, including applicable supporting documentation; and
3. The value determined by the independent cost estimate.

B. The method and means of establishing the estimate may vary based on the circumstances and can range from checking historical records or published price guides to a detailed estimate in the same level of detail that is required for contractors submitting proposals. Estimates can be obtained from a design firm or in-house technical personnel for construction work or from independent third-party staff (not impacted by final procurement).

C. The estimate provides the Procurement Officer with essential input during the solicitation process. Independent cost estimates may be used by the Commission to:

1. Provide a determination of value (i.e., do benefits warrant the cost);
2. Support procurement planning;
3. Determine the appropriate solicitation type and process based on the approval limits set forth in Chapter 2, 1.0(G);
4. Establish the competitive range and supplement the evaluation process;
5. Provide a basis for a price analysis, which may eliminate the need for a more burdensome cost analysis;
6. Provide a basis for development of a pre-negotiation objective;

7. Support the Commission's negotiation position with contractor; and/or
8. After contract award, provide essential input with respect to contract amendments, change orders and claims.

7.0 COST/PRICE ANALYSIS

- A. A cost/price analysis shall be performed in connection with every federally funded procurement action, including contract modifications, and should be conducted for non-federally funded procurements. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation.
- B. If the contract being awarded is a cost-reimbursement type, the cost/price analysis shall address the *realism* of the various cost elements proposed, and where the costs are unrealistically low, an adjustment shall be made to reflect what the Commission believes the effort will actually cost given that offeror's specific technical approach as well as its direct and indirect cost rates.
 1. The Commission shall, when applicable, or must, if required by law, utilize the guidelines provided in the FAR Part 31 to determine whether of the contractor's proposed costs are reasonable, allowable and allocable.
- C. As applicable, the Commission shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all applicable cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

8.0 VENDOR CONTACTS PRIOR TO ISSUANCE OF A SOLICITATION

- A. Informational and market research contacts with prospective contractors/vendors should be circumscribed based upon legitimate, identifiable business purposes and guided by the exercise of sound judgment. The primary pitfalls to be avoided are promises or implications from Commission staff of a future contract, development by a vendor of a specification or scope of services to be used as part of a Commission solicitation that vendor intends to participate in, requests from Commission staff for complimentary services or supplies, and other activities that may create a real or apparent conflict of interest or the impression of an obligation on the part of the Commission.

9.0 ADVERTISING/PUBLICIZING PROCUREMENTS

- A. The Procurement Officer should use the most efficient and effective means to publicize contract actions to increase competition in accordance with the requirements of the specific procurement.
- B. PUC § 130232, applicable to the purchase of all supplies, equipment, materials and for the construction of all facilities and works when the expenditure exceeds twenty-five thousand dollars (\$25,000), requires that notice requesting bids shall be published at least once in a newspaper of general circulation. The publication

must be made at least 10 days before the date for the receipt of the bids. The Commission, at its discretion, may reject any and all bids and re-advertise.

- C. PUC § 130238 for the purchase of computers, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus that is not available in substantial quantities to the general public requires (i) the procurement be conducted through competitive negotiation, after a finding by the Commission by a two-thirds vote that this particular procurement qualifies under PUC § 130238, and (ii) notice of the request for proposals be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
- D. Federal Transit Administration
Section 9.c of FTA Circular 4220.1F requires that invitations for bids are to be "publicly" advertised, and Section 9.d of FTA Circular 4220.1F requires that requests for proposals are to be publicized.
- E. Caltrans and Federal Highway Administration (FHWA)
Chapter 15, paragraph 15.4 Project Advertisement, of the Caltrans Local Assistance Procedures Manual provides detailed guidance regarding advertising of FHWA- and/or Caltrans-funded projects.
- F. Pre-solicitation advertising prescribed in this section is not required for non-competitive, sole source, or emergency procurements processed in accordance with this Manual.

10.0 NON-DISCRIMINATION IN PROCUREMENT

- A. All formal contracts entered into by the Commission should contain appropriate clauses prohibiting discrimination by the contractor against any person or group of persons on account of race, color, religion, creed, national origin, ancestry, physical handicap, medical condition, age, marital status, sex or sexual orientation in the performance of the contract.

11.0 ORGANIZATIONAL CONFLICTS OF INTEREST

- A. An unfair competitive advantage could result if a contractor were allowed to submit a bid or proposal for work described in a specification or statement of work that the contractor itself developed. For the purpose of eliminating a potential unfair competitive advantage, and in compliance with applicable state and federal laws and regulations, a contractor that develops or assists in developing specifications, requirements, statements of work, invitation for bids, and/or request for proposals for a Commission procurement is excluded from competing for the resultant procurement, unless an appropriate waiver is issued by the Commission. All waivers will be assessed by the Commission on a case-by-case basis.

12.0 DUTIES OF COMMISSION STAFF REGARDING PROCUREMENTS

- A. General

Procuring goods, services, and contracts for the Commission must be a cooperative effort, and it will be the responsibility of all Commission staff involved in

procurement to employ sound business judgment and appropriate standards of ethics and fairness to procure goods and services in a manner most advantageous to the Commission. All employees and departments are instructed to follow the procedures set forth in the Manual, as well as any instructions issued by the Procurement Officer regarding procurements.

1. For FTA-funded procurements, the user department should consider use of the FTA checklists provided in FTA Circular 4220.1F, Appendix C, which address, among other things, undue restrictions on competition, when use of brand name or equal is permitted, and other FTA requirements and limitations.
2. For FHWA and Caltrans-funded procurements, the user department shall use the Caltrans' Local Assistance Procedures Manual for guidance and shall ensure that appropriate Commission procurement and contract forms for the relevant funding source are used.
- B. In order to initiate a procurement action (including amendments, procurements, exercising of available options, etc.), the user department/project manager should, at a minimum, provide the Procurement Officer with the following items, as applicable:
 1. Specification, Scope of Services, or Statement of Work. For a new procurement, a complete and clearly written specification, purchase description, or statement of work suitable for either competition or for negotiation with a sole source contractor, if justified.

For competitive procurements, the description must not (for federally funded procurements) and should not (for non-federally funded procurements) contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. For federally funded procurements, detailed product specifications should be avoided. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offerors must (for federally funded procurements) and should (for non-federally funded procurements) be clearly stated.

2. Changes. Changes to existing contracts, including amendments and construction change orders, must be documented pursuant to a written amendment or written construction change order, as applicable, executed by the appropriate parties, and should comply with the following.
 - a. Amendments

If a contract amendment has been negotiated based upon an existing advanced pricing arrangement or labor rates/categories included in the underlying agreement, the user department/project manager should provide the Procurement Officer with a copy of the final negotiated scope of services for the extra work, associated pricing terms, and/or schedule.

b. Construction Change Orders

Construction change orders should follow the procedures established by the Capital Projects Department and applicable contract specifications. Documentation of the change order does not need to be provided to the Procurement Officer, but should be maintained by the user department/project manager as specified herein. If a construction change order has been negotiated based upon an existing advanced pricing arrangement or labor rates/categories included in the underlying agreement, the user department/project manager should maintain a record of the change order and supporting documentation in the project files including an independent cost estimate and cost and/or price analysis, as applicable.

- i. Any change order must be administered in accordance with its terms, and appropriate documentation must be generated and maintained supporting payment in accordance with state or federal requirements, as applicable.
- ii. All change orders must be signed by a Commission employee who is a registered civil engineer.
- iii. Any change order in excess of \$100,000 also requires approval by the Executive Director.
- iv. Any change order that will increase the total contract value to an amount that exceeds the contractual authority approved by the Commission may not be executed until additional contractual authority has been obtained through the Commission.
- v. The Capital Projects Director is responsible for determining that change orders are processed and approved in accordance with departmental and contractual requirements.

c. Changes to Federally Funded Contracts

For federally funded contracts, findings must be included in the project file that the change is in the general scope of the original contract. A significant change in contract work that causes a major deviation from the original purpose of the work or the intended method of achievement, or causes a revision of contract work so extensive, significant, or cumulative that, in effect the contractor is required to perform very different work from that described in the original contract, is considered a “cardinal change” or “tag-on” contract, and is not permitted unless it meets the requirements of Chapter 8, Section 3.0.

3. Agreement Summary Sheet. The user department/project manager must provide a complete and executed Agreement Summary Sheet for all procurement actions, including applicable small purchases, formal procurements, MOUs, agreements, change order modifications and the like. The Agreement Summary Sheet identifies the nature of funding for the subject goods/services, provides a record that the requirement was budgeted and properly approved before the procurement process began, and ensures that the procurement action is assigned a unique agreement number for purposes of contract administration, payment, and recordkeeping.
4. Cost Estimate. The user department/project manager shall provide the Procurement Officer with a cost estimate for the anticipated procurement of goods/services. See paragraph 6.0 above for additional guidance regarding the development of an independent cost estimate.
5. Justification for Sole Source/Non-competitive Procurement (if applicable). The user department/project manager must prepare and submit to the Procurement Officer a written statement recording all the facts that provide justification for avoiding mandated competitive procurement practices explicitly defined in this Manual and/or required by relevant state and federal law in favor of a non-competitive/sole source award. The Procurement Officer must approve the sole source procurement methodology before the procurement can proceed. If the procurement is funded with state or federal funds, the appropriate findings required by the applicable funding entity must be made. For Caltrans or FHWA funded contracts, a Public Interest Finding (PIF) must be approved by the appropriate funding entity.

13.0 INSURANCE

- A. Contractors providing goods and services should be required to carry sufficient insurance to protect the Commission from third party lawsuits for personal injury (including death) and property damage. Insurance may also be required for damage to Commission property and for errors and omissions in the provision of professional services.
- B. The following types of procurement actions should be reviewed by the Procurement Officer for appropriate levels, types and limits of coverage on a case-by-case basis:
 1. All operations and non-operational construction contracts.
 2. All professional services contracts.
 3. All contracts where work will be performed within “50 feet” of railroad.
 4. All environmental contracts, including engineering services.
 5. All procurement contracts and/or purchase agreements where outside vendors will be conducting work or performing installation services on Commission premises.
 6. All procurement contracts and/or purchase agreements where outside vendors will be delivering products to a Commission facility.

- C. The contract documents should ensure that Commission contractors will be required to comply with insurance requirements imposed by state and local governments.
- D. At a minimum, the contract documents should require the contractor and subcontractor to carry general liability, workmen's compensation, and automobile insurance coverages for public works contracts.
- E. In certain limited cases, the Procurement Officer may permit the contractor to substitute an approved program of self-insurance in order to obtain such approval. The contractor will have to demonstrate that it can sustain the potential losses being self-insured.
- F. The Procurement Officer should include insurance and indemnification provisions in equipment, supply, and services contracts in accordance with Commission policies described herein.

14.0 SUBCONTRACTING

- A. The Commission may consider requiring a prime contractor to perform certain tasks or a minimum percentage of the work, in order to ensure that the prime contractor maintains a specified degree of control over the project.
- B. Approval of contractor proposed subcontractors usually involves an evaluation of three primary areas:
 - 1. Assurance that the prime contractor has included the required "flow-down" provisions (clauses) from the prime contract in the subcontract.
 - 2. The prime contractor's compliance with the Disadvantaged Business Enterprise (DBE) requirements in its prime contract.
 - 3. Assurance that the prime contractor has selected its critical subcontractors in a prudent fashion, so as to protect the Commission's interests.

15.0. DETERMINATION OF FAIR AND REASONABLE PRICE

- A. The Procurement Officer should determine, in writing, that the price to be paid to the successful offeror is fair and reasonable. Typically, adequate price competition is sufficient to establish price reasonableness; however, price reasonableness may also be established through:
 - 1. Prices established by law or regulation;
 - 2. Published catalog or market price for commercial product sold to the public in substantial quantities;
 - 3. Previous or relevant historical pricing for same or similar terms;
 - 4. Valid cost estimate;
 - 5. Value analysis; or
 - 6. Cost/price analysis.
- B. Single Offer/Lack of Adequate Competition

1. Upon receiving a single bid or single proposal in response to a solicitation, the Procurement Officer should determine if competition was adequate.
 - a. Such determination should include a review of the specifications for undue restrictiveness and may include a survey of potential sources that chose not to submit a bid or proposal.
 - b. If the results of the review are that the scope of work was so restrictive that only one firm could have responded, then there is a lack of competition. The Procurement Officer should (1) cancel and re-procure the solicitation or (2) treat the solicitation as a sole source procurement, if it meets the requirements of Chapter 7 of this Manual.
 - c. If the results of the review are that the scope of work was not restrictive and more than one firm could have responded, then there is adequate competition. The Procurement Officer may recommend an award of the agreement to the single offeror, as determined by the Commission, in accordance with this Manual and in accordance with applicable legal requirements.
2. When the price variance between multiple responses reflects a lack of adequate competition, the Procurement Officer may re-solicit quotes or, if appropriate, recommend an award of the agreement to the lowest or best offeror, as determined by the Commission, in accordance with this Manual and in accordance with applicable legal requirements.
3. A recommendation for award under either of the above circumstances should include a statement in the contract file giving the basis for the determination (e.g., that there was adequate competition and/or the pricing terms are fair and reasonable).

16.0 CONTRACT APPROVAL, AWARD, AND EXECUTION

- A. Following authorization for contract award by the Commission, the following actions should be taken:
 1. The Procurement Officer requests all Commission required documents and contract contingency requirement (e.g., bonds, proof of insurance) from the successful contractor.
 2. The Procurement Officer conforms and sends copies of the final contract or amendment to the contractor for signature, and obtains the appropriate Commission authorization by ensuring full execution of the contract.
 3. The contract or amendment may be executed in one or more counterparts. The Procurement Officer may accept facsimile signatures, including signatures transmitted via electronic mail, as original signatures. If the Commission adopts an electronic signature policy, the Procurement Officer may accept electronic signatures.
 - ~~3.4.~~ After full execution of the contract and the contractor's submittal of the required contract contingency items, unless otherwise agreed, the

Procurement Officer coordinates with the user department/project manager to prepare a "Notice to Proceed" letter, if required.

4.5. The Procurement Officer transmits a fully executed ~~original copy of the~~ contract to the contractor. Conformed copies should be sent to the project manager for use in the administration of the contract.

5.6. Contract Administration Responsibilities

- a. The user department/project manager conducts all further coordination on technical issues between the contractor and the Commission, subsequent to the issuance of the "Notice to Proceed" letter.
- b. Issues affecting the business or legal terms in the contract and/or requests for modification or supplemental agreements to the contract should immediately be brought to the attention of the Procurement Officer.
- c. The contract and all documents pertaining thereto should be maintained by the Procurement Officer, except for construction change orders which will be maintained by the project management team.

17.0 PROTEST PROCEDURES

- A. Under formal procurement processes described under this Manual, an interested party that has timely submitted a bid or proposal in response to any procurement of the Commission may file a protest objecting to the award of a contract.
- B. In order for a protest to be considered properly and timely filed, the protest must:
 1. Be filed in writing with the Executive Director of the Commission, within seven (7) calendar days after (i) all requests for clarifications and requests for approved equals have been answered by the Commission or, if no requests for clarification or approved equals are received, after the period for requests for clarifications or approved equals has closed; (ii) after the Commission takes action, or such other time period as may be specified in the solicitation document; or (iii) the date certain contained in the solicitation for any solicitation for which a contract award is not made by the Commission.
 2. Be filed by an actual bidder or proposer responding to the procurement and signed by a properly authorized representative. No other party has standing to protest or is considered an interested party.
 3. Identify the specific procurement number involved.
 4. Identify the specific recommended action or decision being protested.
 5. Specify in detail the grounds for the protest, the facts supporting the protest and the status of the protester.
 6. Include all relevant supporting documentation with the protest at the time of submittal.
 7. Describe the resolution to the protest desired by the protesting party.

If a protest does not comply with each of the seven (7) requirements listed above, the protest will not be considered and will be returned to the protester.

- C. The Procurement Officer will attempt to resolve a properly filed protest or perform additional fact-finding, including establishing a protest evaluation team to evaluate the merits of the protest. The Procurement Officer, in consultation with the Commission's General Counsel, will prepare a recommended resolution of the protest for consideration by the Executive Director. The Executive Director will review the recommendation of the evaluation team and will render a determination to uphold or deny the protest.
- D. If the Executive Director's decision is to deny the protest, the solicitation may be continued without further delay or the contract will be recommended to the Commission for award, or executed, if previously awarded by the Commission subject to resolution of the protest. If the Executive Director's decision is to uphold the protest, a recommendation will be made to the Commission to amend the solicitation and the date for receipt of proposals or bids, reject all proposals or bids, cancel the request for proposals or invitation for bids and solicit new proposals or bids, award the contract to another proposer, or other such actions as he/she deems appropriate.
- E. The Executive Director's decision shall be final, and there shall be no further administrative recourse at the local level, except for protests related to federally funded procurements.
- F. The procedures set forth in this Chapter 2, Section 17.0 are not intended to reduce or restrict protest rights specifically provided under applicable funding agreements, or state or federal laws authorizing the use of money funding applicable contracts.
 - 1. In any procurement involving FTA funds, the Procurement Officer shall disclose information regarding the protest to FTA and shall keep FTA informed about the status of the protest.
 - 2. An interested party that has filed a protest must exhaust all administrative remedies with the Commission before pursuing a protest with FTA.
- G. A debrief will be available for proposers to whom award was not made, for a period of ten (10) days following award of the contract by the Commission.

18.0 PUBLIC RECORDS REQUESTS

- A. All requests for procurement related records and/or information must be submitted to the Clerk of the Board for appropriate action. Procurement related records should not be disclosed as public information until staff recommendation for award has been forwarded to all interested parties or as otherwise appropriate under the California Public Records Act and applicable state and federal laws, guidelines and requirements.

CHAPTER 3 – COMPETITIVE SEALED BIDS (“LOW BID”)

- A. PUC § 130232 requires that the purchase of all supplies, equipment, and materials, and the construction of all facilities and works, when the expenditure required exceeds twenty-five thousand dollars (\$25,000), must be by competitive sealed bidding, also known as “low bid”, contracting, with the contract let to the lowest responsive, responsible bidder. Notice requesting bids must be published in at least one newspaper of general circulation. The publication must be made at least ten (10) days before the date for receipt of bids; however, based on the nature of the procurement, a longer period of time shall be provided, as necessary, to ensure that bidders are allowed adequate and sufficient time to prepare bids before the date of bid opening. The resulting contract will be a fixed price contract.
- B. In order for competitive sealed bidding to be most effective, the following conditions should be present in the development of an Invitation for Bids (IFB):
 - 1. A complete, adequate and sufficiently generic specification is developed;
 - 2. Adequate competition is available in the marketplace (two or more responsive and responsible bidders will compete); and
 - 3. The procurement lends itself to a firm-fixed price contract.
- C. Discussions and Communications
 - 1. Bids shall be evaluated without discussions with bidders.
 - 2. Information concerning proposed procurements should not be released outside the Commission before an IFB is released, except for pre-solicitation notices and publicly available general project information.
- D. Pre-Bid Conferences
 - 1. The Contracting Officer may use pre-bid conferences to explain procurement requirements.
 - 2. If the Commission requires any type of mandatory pre-bid conference, site visit, or meeting, the IFB should include the time, date, and location of the mandatory pre-bid site visit, conference or meeting, and when and where project documents, including final plans and specifications are available. Any mandatory pre-bid site visit, conference or meeting should be no sooner than a minimum of five (5) calendar days following the publication of the IFB.
- E. Bid Addenda
 - 1. If it becomes necessary to make changes in quantity, specifications, delivery schedules, opening dates, or other items, or to correct a defective or ambiguous IFB, the change should be accomplished by addendum of the IFB.
 - 2. Addenda to an IFB should be identified as such and should require the bidder to acknowledge receipt of all addenda issued.

F. Time Of Bid Receipt

The IFB should specify a time for receipt of bids. Bids must be received in the office designated in the IFB not later than the time identified in the IFB.

G. Late Bids

Unless otherwise specified in a particular bid solicitation, bids are considered late based on the time clock at the 3rd floor Commission Receptionist Desk, located at 4080 Lemon Street, Riverside, CA 92501. Bids are considered late if the time stamped by the Commission upon receipt of the bid is later than the deadline/time identified in the IFB. Late bids will not be accepted by the Commission, unless a bid is late owing solely to Commission mishandling or some other legitimate extenuating factor, as determined in the Commission's sole discretion.

H. Receipt Of Bids

As bids are received, the Procurement Officer should secure and safeguard the bids until the established time for bid opening.

I. Opening Of Bids

The Procurement Officer will coordinate the bid opening. All bids over \$25,000 for supplies, equipment, and materials and the construction of all facilities and works received prior to the bid submission deadline will be publicly opened, read aloud to the persons present, and recorded. Bid opening documentation should include the date, time, and place of bid opening and a tabulation of bidder names and related bid amount. Such bid opening documentation should include the signature of at least one witness.

J. Recording Of Bids

Construction bids over the small purchase threshold of \$25,000 that are publicly opened will be recorded on a bid summary or bid tabulation sheet. The Procurement Officer should certify the accuracy of the bid summary sheet by placing his/her signature thereon. The Commission's Procurement Officer should ensure that these results are posted on the Commission internet site within a reasonable time after bid opening.

K. Tie Bids

If two or more responsible and responsive bids are received for the same total or unit price, quality and service being equal, the Commission shall establish a date and time to draw lots, which shall be accomplished by tossing a coin or pulling bidder names out of a hat, to determine the winner. Using the lottery method, the Commission shall:

1. Advise the tied bidders in writing that a tie has occurred, advise them a winner will be determined by drawing lots, and invite them to attend the drawing.
2. Conduct the drawing of lots on the date and time previously established with at least two individuals as witnesses. The procurement file should reflect the names, titles, and departments of the witnesses. If the witnesses

are not Commission staff, the name, organization, address, and telephone number of the individuals should be listed.

3. Declare the winner of the drawing of lots as the apparent low bidder for bid evaluation and award purposes.

L. Alternative Sources of Procurement Authority

Notwithstanding the requirements of PUC § 130232, and the provisions set forth in this Chapter, the Commission may use Cooperative Agreements (as described in Chapter 1, Section 6.0) where such use is otherwise permitted by law.

CHAPTER 4 – ALTERNATE DELIVERY CONTRACTS

1.0 PURPOSE

- A. For the purposes of this Chapter, “Design-Build” means a method of procuring design and construction from a single source. The selection of the single source occurs before the development of complete plans and specifications.

For the purposes of this Chapter, “CM/GC” means a project delivery method in which a construction manager is procured to provide preconstruction services during the design phase of the project and construction services during the construction phase of the project. The structure of the contract for such services is within the discretion of the Commission.

For the purposes of this Chapter, “Alternate Delivery Method” means Design-Build, CM/GC or any other alternate method of project procurement or delivery which the Commission is authorized by law to utilize.

- B. As set forth in PCC Section 6820, et. seq., the Commission is authorized to utilize Design-Build for projects on or adjacent to the state highway system, including related non-highway portions of the project, based on either best value or lowest responsible bid.
- C. As set forth in PCC Section 6700, et. seq., the Commission is authorized to utilize the Construction Manager/General Contractor (CM/GC) method, contingent upon delegation of authority by Caltrans, for two highway projects in Riverside County.
- D. As set forth in AB 115 (Chapter 20, Statutes of 2017), the Commission is authorized to utilize CM/GC for the 91 Toll Connector to Interstate 15 North project.
- E. As set forth in PCC Section 6700, et. seq., the Commission is authorized to utilize CM/GC method for certain expressways that are not on the state highway system, provided that the required findings are made, consistent with PCC Section 6701, and the Commission adopts the CM/GC method.
- F. As set forth in AB 115 (Chapter 20, Statutes of 2017), the Commission is authorized to amend or change any existing contract for the Interstate 15 express lanes construction project or the State Highway Route 91 express lanes to include work or services on the 91 Toll Connector to Interstate 15 North project, if the Commission, with the concurrence of Caltrans, finds that to be a cost-effective method to accelerate the delivery of that project.

2.0 PROCEDURES FOR ALTERNATE DELIVERY CONTRACTS

- A. The Executive Director may adopt any lawful methods, procedures and criteria that he or she determines are in the best interest of the Commission.
- B. The Toll Program Director, through coordination with the Procurement Officer, will prepare documents for the solicitation of proposals for highway-related Alternate Delivery procurements.

- C. Where an Alternate Delivery Method does not require a solicitation of proposals, the Toll Program Director shall, through coordination with the Procurement Officer, prepare the contract documents for such procurement.
- D. The documents prepared for Alternate Delivery procurements shall control over any conflicting provisions contained herein.
- E. The Commission shall use a procurement method permitted by law and appropriate for the elements of the services (design v. construction) representing the preponderance of work and having the greatest cost, even though other necessary services would not typically be procured by that method. For example, the construction costs of a Design-Build project are usually predominant, so the Commission would use competitive negotiations or sealed bids for the entire procurement rather than the qualification-based “Brooks Act” procurement procedures.
 - 1. The use of the Design-Build procurement method for FTA-funded projects shall comply with FTA Circular 4220.1F, Section VI.3.h.
 - 2. The use of the Design-Build procurement method for FHWA-funded projects shall comply, as applicable, with any requirements specified by Caltrans in the relevant project agreements.

CHAPTER 5 – COMPETITIVELY NEGOTIATED PROCUREMENTS

1.0 NEGOTIATED PROCUREMENTS—GENERAL

- A. This Chapter outlines the Commission's procedures for competitively negotiated procurements for contracts:
 - 1. Not legally required to be procured through the low-bid competitive procurement method pursuant to PUC §130232; and
 - 2. Intended to be awarded on the basis of both price and non-price factors.
- B. A procurement is “negotiated” if discussions, negotiations, or other exchanges between the Commission and the offerors are anticipated and planned in order to maximize the Commission’s ability to communicate, understand, and obtain the best value for contract award.
 - 1. The exchanges involve bargaining, persuasion, alteration of assumptions and positions, and give-and-take applied to price, schedule, technical requirements, type of contract, and other proposed terms.
 - 2. The exchanges after establishment of the competitive range of price and terms are done with the intent of allowing the offeror to revise its proposal, once and potentially several times.
- C. Though not an all-inclusive listing, competitively negotiated procurements can be used for the following types of procurements:
 - 1. Professional services contracts for non-architect-engineer related services; miscellaneous service contracts;
 - 2. Architect-Engineer and related services contracts as further defined and subject to the limitations specified in Section 6.0 of this Chapter;
 - 3. Specialized equipment, computers, telecommunications equipment, microwave equipment and other related electronic equipment and apparatus; or
 - 4. Best Value, Alternate Delivery contracts described in Chapter 4.

2.0 SOURCE SELECTION TECHNIQUES

- A. The Procurement Officer can choose from a range of source selection techniques for the competitively negotiated process based on:
 - 1. What is suitable for the specific circumstances of a requirement, and
 - 2. Which technique provides the best opportunity to tradeoff price/cost and qualitative benefits in order to gain the best value for the Commission.
- B. In acquisitions where the requirement is clearly definable and the risk of unsuccessful contract performance is minimal, and excluding contracts for Architect-Engineer and related services, cost or price may play a dominant role as a significantly important evaluation factor for award.

- C. On the other hand, the less definitive the requirement, a requirement for technical superiority, more development work required, or the greater the performance risk, then the technical or past performance considerations play a more dominant role as significantly important evaluation factors for award.
- D. The Commission obtains best value in negotiated acquisitions by using any one or a combination of selection approaches wherein the relative importance of cost or price may vary with other non-cost or price factor(s). The Procurement Officer and user department/project manager shall select an approach that will provide the Commission with the best offer based on the requirements, and on applicable legal requirements.
- E. All evaluation factors associated with a particular proposal shall be identified along with their relative importance. The Procurement Officer, in cooperation with the user department/project manager, may utilize explicit factors, price performance trade off, technically qualified/lowest price or other reasonable and appropriate means of evaluating proposers.
- F. Proposals will be solicited from an adequate number of qualified sources. In determining sources to solicit, the Procurement Officer should use all reasonable means available to ensure that an adequate number of potential qualified proposers receive the solicitation in order to obtain maximum fair and open competition.

3.0 PROPOSAL EVALUATION

- A. The evaluation factors that will be considered in evaluating proposals shall be tailored to each procurement and shall include only those factors that will have an impact on the source selection decision. The evaluation factors that apply to a particular procurement and the relative importance of those factors are within the broad discretion of the Procurement Officer and/or the user department/project manager.
- B. The Procurement Officer shall establish a formal evaluation committee, of at least two persons, referred to as the "Evaluation Committee." The size of an evaluation committee should be (1) based on the size and complexity of the goods or services being procured and (2) well balanced and represented by individuals involved with the procurement and/or affected by the goods or services being procured. The Evaluation Committee will be charged with responsibility for evaluating proposals, short listing firms, establishing a competitive range, and/or recommending a firm or firms for contract award.
 - 1. Personnel engaged in the evaluation process shall not discuss or reveal information concerning the evaluations except to those individuals participating in the same proceedings and only to the extent that information is required in connection with such proceedings.
 - 2. Divulging information during the evaluation, selection, and negotiation phases to offerors or to personnel not having a need to know is prohibited as it could jeopardize the evaluation process and resultant award.

- C. The Evaluation Committee will evaluate each proposal in accordance with the evaluation criteria in the solicitation. The Evaluation Committee's selection decision is subject to the final approval of the Commission or the Executive Director, as required under this Manual.

4.0 REJECTION OF PROPOSALS

- A. The Evaluation Committee may reject all proposals received that are determined not to be in the competitive range, including those proposals made by offerors who refuse to execute any reasonably required representations and/or certifications.
- B. The Executive Director may, in his or her discretion, do any of the following (i) reject any or all proposals received, (ii) cancel the procurement process, and/or (iii) direct commencement of a new procurement process for the same services because:
 - 1. All otherwise acceptable proposals received are at unreasonable prices;
 - 2. The proposals were not independently arrived at in open competition, were collusive or were submitted in bad faith; or
 - 3. For other reasons, rejection is clearly in the Commission's best interest.

5.0 NEGOTIATION; SELECTION

- A. The methods and procedures for selection and negotiation will be determined by the Procurement Officer, in coordination with the user department/project manager, and set forth in the request for proposals.

6.0 SPECIAL PROVISIONS APPLICABLE TO ARCHITECT-ENGINEER AND RELATED SERVICES

- A. This Section prescribes guidelines and requirements for the procurement of Architectural-Engineering ("A-E") and related services. A-E Services are defined as professional services of an architectural or engineering nature that are required by law to be performed by a registered or licensed architect or engineer. Related services include: land surveying and construction project management. For the procurement of A-E and related services, the Procurement Officer shall follow the procedures set forth in this Section 6.0, in addition to the pertinent procedures set forth elsewhere in this Chapter.
- B. If the procurement is for A-E and related services, the selection must be based on the demonstrated competence and qualifications of prospective contractors, and shall comply with Government Code 4525, et seq., and, when applicable, the laws and regulations that govern the procurement of design-related services with federal funds (see e.g., Title 23 U.S.C. 112, Letting of Contracts and 23 CFR 172, Administration of Engineering and Design Related Service Contracts). These services shall be acquired based on a two-step, sealed bidding procedure, whereby qualifications are presented in a separate sealed envelope from a firm's price proposal. The proposals shall be evaluated based on qualifications only, and price negotiations shall then be commenced with the proposer determined by the Commission to be most qualified. If the Commission is unable to negotiate satisfactory terms, at a fair and reasonable price, with the proposer considered to be

most qualified, then negotiations shall be terminated with that proposer and commenced with the next most qualified proposer. This process shall be continued with successive qualified proposers until agreement is reached that is determined to be fair and reasonable.

CHAPTER 6 – SIMPLIFIED PURCHASE PROCEDURES

1.0 GENERAL

- A. Procurement of materials, supplies, or services by the Commission should adhere to the procedures in this Manual, as described in Chapter 2, Section 1.G. The procedures ensure that the appropriate authorizations are secured for the type of procurement made, and that the minimum requirements associated with the materials, equipment, supplies or services requested are procured in a fair and open manner.
- B. This Chapter sets forth the procedures for small purchases and other simplified purchase procedures. These purchases should be made competitively except where it is in the best interests of the Commission to accomplish such purchases non-competitively. Justification for such non-competitive procurement should be made, in writing, and maintained in the procurement record.

2.0 REQUIREMENTS FOR MICROPURCHASES

- A. If the purchase price for required supplies, equipment, services and/or materials is considered a micropurchase as defined in Chapter 2, Section 1.G, then multiple quotes are not required; however, such purchases should be fairly priced using a purchase technique that best serves the needs of the Commission, and rotated among commercial vendors offering competitive pricing.
- B. Micropurchases may be accomplished by securing one proposal or quotation from a commercial vendor offering supplies, equipment or materials to the public in substantial quantities and the price is deemed to be fair and reasonable.
 - a. For federally-funded procurements, the determination that the price is fair and reasonable and how the determination was derived must be included as documentation in the procurement file.
- C. If oral quotes are obtained, written record of the quotes should be retained. The record should include, at a minimum, vendor name, telephone number and address, name of person providing the quote, and terms.

3.0 USE OF SMALL PURCHASE PROCEDURES

- A. For small purchases as defined in Chapter 2, Section 1.G, staff should obtain a minimum of three (3) written quotations with reasonable efforts to include at least one Disadvantaged Business Enterprise (DBE) vendor and, when practicable and appropriate, an award should be made on the basis of lowest price.
- B. For public works projects (i.e., maintenance, repair or construction work) and planned solicitations for services defined as small purchases in accordance with Chapter 2, Section 1.G, review by the Procurement Officer prior to the solicitation of quotes is required in order to ensure compliance with relevant insurance requirements, applicable legal mandates, e.g., insurance, bonding, prevailing wage, and payroll records.
- C. The Procurement Officer should use and/or authorize the Small Purchase Procedures that are most suitable, efficient, and economical based on the

circumstances of each procurement and determine that the price is fair and reasonable.

4.0 PROHIBITED USE OF SMALL PURCHASE PROCEDURES

- A. The Procurement Officer and or Commission staff may not divide, split or fragment a procurement totaling more than the Commission's small purchase limitation into several purchases that are less than the limit in order to use the Small Purchase Procedures.

CHAPTER 7 – NON-COMPETITIVE AND EMERGENCY PROCUREMENTS AND REMEDIAL MEASURES

1.0 NON-COMPETITIVE PROCUREMENTS

- A. The non-competitive procurement of non-federally funded goods and services, which otherwise require competitive procurement may be authorized under one or more of the following circumstances, subject to any minimum Commission vote required by applicable law:
1. The Commission has advertised the contract as required by this Manual and has undertaken reasonable efforts to solicit potential contractors, but has determined that competition is inadequate;
 2. There is only a single source of supply available, or only one contractor is qualified to provide the service or product;
 3. The goods or services are to be provided by a government or other public entity;
 4. The goods or services are to be provided pursuant to an amendment of an existing contract that does not materially alter the terms and conditions of the contract (other than to extend the term and/or increase compensation to provide for the extended term or for additional goods/services to be provided under substantially the same terms of the original contract), provided that such renewal, extension or amendment is authorized or permitted by the contract;
 5. The equipment to be purchased is of a technical nature and the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts;
 6. The item to be purchased is a capital maintenance item that is available only from the original manufacturer or supplier or is required to maintain system operational compatibility and connectivity with the existing system(s);
 7. The contract is for employment services;
 8. The contract is one for which only per diem and travel expenses are paid and there is no payment for services rendered;
 9. The Commission is piggybacking on an existing agreement between a contractor and any public agency or entity within the County of Riverside and/or the County of San Bernardino, or other public entities if: (a) the proposed Commission contract is for the same material scope of work as the other contract; (b) the proposed Commission contract contains substantially the same terms as the other contract; and (c) the other contract was competitively procured in accordance with requirements applicable to such other agency's procurements;
 10. The provisions listed under Chapter 8, Section 3.0 regarding federally funded sole source, non-competitive, sole source procurements are applicable; or

11. Except as may otherwise be limited by applicable law, the Commission determines that a non-competitive procurement is in the public interest and in the best interest of the Commission.
- B. Except as limited by applicable law, the Executive Director shall have authority to determine that non-competitive procurements are permitted under paragraph A, subparagraphs (1) through (11) for contracts for amounts less than or equal to ~~\$250,000+50,000~~. Commission approval is required for contracts over ~~\$250,000+50,000~~. Each decision to proceed with a non-competitive procurement must be supported by a written justification that is approved by the Executive Director or Procurement Officer, as required under this Manual.
- C. The Procurement Officer will take action, whenever possible and in coordination with the user department/project manager, to avoid the need to continue to procure the same supply, service, or construction without competition.
- D. A non-competitive or sole source procurement, where competition is legally required, should not be justified on the basis of any of the following circumstances:
 1. The lack of adequate advance planning for the procurement of the required commodities, services, or other items;
 2. Delays in the procurement caused by administrative delays, lack of sufficient procurement personnel, or improper handling of procurement requests or competitive procedures; or
 3. Pending expiration of budget authority.
- E. The Procurement Officer should ensure that each non-competitive contract contains all of the required clauses, representations, and certifications, in accordance with the applicable laws, regulations, or Commission adopted policy.
- F. The Procurement Officer should ensure that proper records of each non-competitive procurement are maintained.

2.0 EMERGENCY PROCUREMENTS; REMEDIAL MEASURES

- A. The Commission may award a contract on an emergency basis if the requirement is essential to deal with an existing emergency condition, as defined below in Paragraph “B”, and the Executive Director may award a contract when necessary as a remedial measure as defined below in Paragraph “C”. The emergency procurement of supplies or services and procurements as a remedial measure should be limited to quantities and time periods sufficient to meet the immediate threat and should not be used to meet long-term requirements.
- B. For purposes of an emergency procurement under this Chapter, an “emergency condition” is a situation (such as a flood, epidemic, riot, equipment failure, or any other reason declared by the Commission) which creates an immediate threat to the public health, welfare, or safety. The existence of an emergency condition creates an immediate need for supplies, services, or construction which cannot be met through normal procurement methods, and the lack of which would seriously threaten one (1) or more of the following:

1. The health or safety of any person;
2. The preservation or protection of property;
3. The continuation of necessary Commission functions; or
4. Contract delays that could result in an increase to the cost of the project.

In the case of contracts for services, the Executive Director may declare the emergency condition.

- C. The Executive Director may authorize the expenditure of funds previously appropriated by the Commission for the direct purchases of goods and services, without following bid requirements (i) when a finding is made that immediate remedial measures are necessary to avert or alleviate damage to property, or to replace, repair, or restore damaged or destroyed property, of the Commission and are necessary in order to ensure that the facilities of the Commission are available to serve the transportation needs of the general public, and upon determining that available remedial measures, including procurement or construction in compliance with PUC § 130232, 130233, and 130234, are inadequate.
- D. A contract procured on an emergency basis or as a remedial measure should not be modified to expand the scope or extend the time of the procurement unless a limited number of additional commodities, services, or other items are needed to fill an ongoing emergency requirement until regular procurement action procedures initiated under other Chapters in this Manual can be completed.
- E. The Executive Director must, after an emergency expenditure in excess of his/her delegated signature authority, and after an expenditure necessary as a remedial measure, submit to the Commission a procurement summary explaining the necessity for the expenditure.
- F. The Procurement Officer should ensure that each emergency procurement contract and/or contract entered into as a remedial measure contains the required clauses, representations, and certifications, in accordance with the requirements of this Manual.
- G. The Procurement Officer should ensure that proper records of each non-competitive procurement are maintained in accordance with the requirements of this Manual.

3.0 WRITTEN JUSTIFICATION FOR EMERGENCY AND OTHER NON-COMPETITIVE PROCUREMENTS

- A. In each instance where the non-competitive procurement procedures set forth in this Chapter are used, the user department/project manager is required to prepare a written statement recording all of the facts that provide justification for proceeding with the non-competitive or emergency procurement.
- B. The Procurement Officer must approve the justification for all non-competitive procurements described under this chapter before such a procurement can proceed.

CHAPTER 8 – REFERENCES TO APPLICABLE LAWS /REGULATIONS

1.0 GENERAL

- A. This Manual lists references to the various federal, state, and local regulations, to which the Manual was written to conform and/or comply.
- B. The Procurement Officer will be responsible, in cooperation with the Commission's General Counsel, for reviewing these references from time to time in order to review new requirements and to note updates to the existing regulations.

2.0 REFERENCES

- A. For the Commission's capital projects and contracts for goods and services utilizing FTA or FHWA funds, the provisions included in the Manual will apply only to the extent that they do not conflict with FTA or FHWA requirements, including the standards of FTA Circular 4220.1F, or the most current version thereof, entitled "Third Party Contracting Requirements" or FHWA Form FHWA-1273 entitled "Required Contract Provisions Federal-Aid Construction Contracts." In case of any conflict, the applicable federal standards shall govern. The foregoing documents, though not all-inclusive, set forth requirements that the Commission must comply with in the solicitation, selection and administration of contracts funded by the FTA and FHWA, respectively.
- B. For projects funded by Caltrans and/or FHWA, the selection process shall be in accordance with Caltrans' Local Assistance Procedures Manual.
- C. FTA Circular 4220.1F (or the most current version thereof) sets forth the requirements the Commission must adhere to in the solicitation, award, and administration of its third party contracts. FTA Circular 4220.1F applies to all FTA grantees and subrecipients that contract with third parties under FTA assistance programs.
 - a. In addition to the requirements set forth in this Chapter 8, the FTA standards for competition are set forth generally in Chapter 1 hereof and the FTA procedures for competitive sealed bid ("low bid") procurements and competitively negotiated procurements are set forth in Chapters 3 and 5 hereof, respectively.
- D. Some of the requirements include the following:
 - 1. Pre-Award Audits. A pre-award (pre-negotiation) audit shall be completed, as required based on the participating state or federal funds, for each consultant contract.
 - 2. Brooks Act Provisions. The provisions of the Brooks Act (40 U.S.C. 544) require local agencies to award federally funded engineering and design contracts on the basis of fair and open competitive negotiations, demonstrated competence, and professional qualifications (23 CFR, Section 172).
 - 3. Required Contract Provisions/Forms.

- a. Disadvantaged Business Enterprise
 - i. Notice to Proposers Disadvantaged Business Enterprise Information
 - ii. Standard Agreement for Subcontractor/DBE Participation
 - iii. Local Agency Proposer DBE Commitment (Consultant Contracts)
 - iv. Local Agency Proposer DBE Information (Consultant Contract)
 - v. Final Report-Utilization of DBE, First-Tier
 - vi. Subcontractor Listing
 - b. Federal Lobbying Restrictions, Title 31 U.S.C. Section 1352
 - i. Non-lobbying Certification for Federal-aid Contracts
 - ii. Disclosure of Lobbying
 - c. Financial Provisions.
 - i. Compliance with 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
 - ii. Compliance with 48 CFR, Chp. 1, Part 31, Contract Cost Principles and Procedures.
 - 4. iii. Provisions required by Caltrans Master Funding Agreement. Caltrans/FHWA Authorization to Proceed. FHWA or Caltrans acting in FHWA's behalf must give the local agency an "Authorization to Proceed" with a project prior to the performance of any work for which federal reimbursement is to be requested, including the pre-award audit. Copies of the "Authorization to Proceed" and the consultant contract must be retained in the project files for future audit purposes.
 - 5. Veterans Employment. Pursuant to 49 U.S.C. 5325(k), the Commission shall ensure that contractors working on an FTA-funded capital project give a hiring preference, to the extent practicable, to veterans (as defined in Section 2108 of Title 5) who have the requisite skills and abilities to perform the construction work required under the contract. This subsection shall not be understood, construed or enforced in any manner that would require an employer to give preference to any veteran over any equally qualified applicant who is a member of any racial or ethnic minority, female, an individual with a disability, or former employee. For FHWA-funded capital projects, the Commission shall comply with the veteran's preference requirement, as set forth in 23 U.S.C. 114.
- E. Though not an all-inclusive listing, the following laws, regulations and code sections are applicable to Commission contracts:

Federal Statute, Regulations, Policies, and Agreements	Subject
2CFR Part 200	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
49 CFR Part 26	Participation by Minority Business Enterprises; DBE Program
FAR Part 31	Contract Cost Principles and Procedures
FTA Circular 4220.1x	Third Party Contracting Requirements
FTA Circular 5010.1x	Grant Management Guidelines
FTA Master Agreement	Terms & Conditions of Grantee Administration of Projects Supported & Funded by the FTA
Caltrans Local Assistance Master Agreement	Terms & Conditions of Grantee Administration of Projects Supported & Funded by the FHWA or Caltrans
23 U.S.C. 114 / 23 CFR 633 23 U.S.C. 315 / 49 CFR 1.48	Form FHWA-1273 entitled "Required Contract Provisions Federal-Aid Construction Contracts."
23 CFR 172	Procurement, Management, and Administration of Engineering and Design Related Services

CA State Codes	Section(s)	Subject
Civil Code	9550-9566	Payment Bond
Civil Code	3320	Payments to Prime Design Professionals
Code of Civil Procedure	995.311	Bond Issuer Requirements
Government Code	4525 et seq.	Architect & Engineering Services
Government Code	6250 - 6270	Public Records Disclosure
Government Code	5956 et seq.	Infrastructure Projects
Labor Code	1777.1	Debarment by California Labor Commissioner
Labor Code	1770-1780	Prevailing Wage, Work Hours, Certified Payroll Records, Apprentices
Public Contract Code	1103	Responsibility on Public Works Contracts
Public Contract Code	1104	Plans and Specifications
Public Contract Code	3300	Contractor's License
Public Contract Code	3400	Brand Name OR Equal; Restrictive Clauses
Public Contract Code	4100 - 4114	Subcontracting
Public Contract Code	5100 - 5107	Relief of Bidders
Public Contract Code	6100 - 6610	Awarding of Contracts
Public Contract Code	6700 et. seq.	Construction Manager/General Contractor Authority
Public Contract Code	6820 et seq.	Design/Build Authority
Public Contract Code	7100 - 7200	Contract Clauses, Non-Collusion Affidavit
Public Contract Code	9201 - 9204	Claims and Disputes

CA State Codes	Section(s)	Subject
Public Contract Code	10335 et seq.	Service Contracts
Public Contract Code	20101	Prequalification
Public Contract Code	20103.6	Limitation on Architect's Indemnity Obligation
Public Contract Code	20103.8	Alternative Bids
Public Contract Code	20104-20104.6	Resolution of Construction Claims
Public Contract Code	20104.50	Progress Payments on Public Works
Public Contract Code	22300	Substitution of Securities
Public Utilities Code	130221	Contracting With Other Government Agencies and Other Persons
Public Utilities Code	130232 - 130239	Award of Contracts Based On Price or Price and Other Factors; Bid Security; Emergency Procurements; Advertising; Immediate Remedial Measures; Rejecting Bids
Public Utilities Code	130232(c)	Authorization of Executive Director for Bid Expenditures <\$50,000.
Public Utilities Code	130232(d)	Bid Security for Construction Work >\$25,000

3.0 FTA/FHWA-FUNDED PROCUREMENT BY NON-COMPETITIVE (SOLE SOURCE) PROPOSALS

- A. Notwithstanding any other provision herein, federally funded contracts must comply with the federal requirements for non-competitive or sole source procurements. Non-competitive or sole source procurements are accomplished through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. A contract change that amounts to a "cardinal change" or a "tag-on" as defined in FTA Circular 4220.1f that involves a major deviation from the original purpose is considered a sole source procurement on a federally funded contract that must comply with this paragraph.
1. Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, competitive sealed bids, or competitive proposals and at least one of the following circumstances applies:
 - a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - c. FTA/FHWA, as applicable, authorizes noncompetitive negotiations—e.g., if FTA/FHWA, as applicable, provides a joint procurement grant or a research project grant with a particular firm or combination of firms, the grant agreement is the sole source approval;
 - d. After solicitation of a number of sources, competition is determined inadequate;

- e. The item is an associated capital maintenance item as defined in 49 U.S.C. §5307(a)(1) that is procured directly from the original manufacturer or supplier of the item to be replaced. The grantee must first certify in writing to FTA:
 - i. that such manufacturer or supplier is the only source for such item; and
 - ii. that the price of such item is no higher than the price paid for such item by like customers; or
 - f. Any other circumstance justifying sole source procurement set forth in the applicable federal rules and regulations.
- 2. For Caltrans or FHWA funded procurements, a PIF has been approved by the applicable funding entity.
 - 3. A cost analysis, i.e., verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profit, is required.

4.0 DISADVANTAGED BUSINESS ENTERPRISE AND OTHER REQUIREMENTS

- A. In order to ensure the Commission's compliance with the federal DBE Program on all applicable procurements funded with United States Department of Transportation (DOT) dollars, the Commission will make reasonable efforts to utilize disadvantaged business enterprises in compliance with applicable federal regulations.
- B. The Commission's procurement process is structured to ensure that its DBE Program supports the Commission's commitment to promote, foster and utilize disadvantaged business enterprises as required and defined by applicable federal regulations.
- C. As a condition of funding assistance, and in accordance with DOT DBE regulations published in applicable federal regulations, the Commission is required to submit for approval a DBE Program and regular DBE goals, which it will make good faith efforts to achieve through procurement actions carried out under this Manual.
- D. Pursuant to 2 CFR Part 200.321, the Commission shall also take affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible on federally funded projects.

5.0 GEOGRAPHICAL PREFERENCES

- A. For any federally-funded contracts, except when procuring A-E services, the Commission is prohibited from using statutorily or administratively imposed in-state or local geographical preferences in the evaluation of bids or proposals unless federal statutes expressly mandate or encourage geographic preference.

6.0 REVENUE CONTRACTS

- A. The Commission may enter into revenue contracts with a third party whereby the primary purpose is to either generate revenues in connection with a transit-related activity or create business opportunities utilizing an FTA-funded asset. The FTA requires such third party revenue contracts to be awarded utilizing competitive selection procedures and principles. The extent of and type of competition required is within the discretionary judgment of the Commission.

7.0 STATUTORY AND REGULATORY REQUIREMENTS

- A. The Commission shall comply with applicable federal statutory and regulatory requirements (such as Davis-Bacon Act, DBE, Debarment and Suspension, Clean Air, Environmental and Conservation Requirements, Buy America and Cargo Preference) in carrying out federally-funded procurement actions under this Manual. Below is a contract clause matrix that is applicable to third-party contract provisions for federally funded contracts, excluding micropurchases and except for Davis-Bacon requirements which apply to construction contracts exceeding \$2,000. The matrix should be reviewed at least annually for any regulatory changes.

TYPE OF PROCUREMENT					
PROVISION	Professional Services/A&E	Operations/ Management	Rolling Stock Purchase	Construction	Materials & Supplies
No Federal Government Obligations to Third Parties (by Use of a Disclaimer)	All	All	All	All	All
False Statements or Claims Civil and Criminal Fraud	All	All	All	All	All
Access to Third Party Contract Records	All	All	All	All	All
Changes to Federal Requirements	All	All	All	All	All
Termination	>\$10,000 if 2 CFR Part 200 applies.	>\$10,000 if 2 CFR Part 200 applies.	>\$10,000 if 2 CFR Part 200 applies.	>\$10,000 if 2 CFR Part 200 applies.	>\$10,000 if 2 CFR Part 200 applies.
Civil Rights (Title VI, ADA, EEO except Special DOL EEO clause for construction projects)	All	All	All>\$10,000	All	All
Special DOL EEO clause for construction projects				>\$10,000	
Disadvantaged Business Enterprises (DBEs)	All	All	All	All	All
* Incorporation of FTA Terms	All	All	All	All	All
Debarment and Suspension	>\$25,000	>\$25,000	>\$25,000	>\$25,000	>\$25,000
Buy America			>\$150,000	>\$150,000	>\$150,000
Resolution of Disputes, Breaches, or Other Litigation	>\$100,000	>\$100,000	>\$100,000	>\$100,000	>\$100,000

TYPE OF PROCUREMENT					
PROVISION	Professional Services/A&E	Operations/ Management	Rolling Stock Purchase	Construction	Materials & Supplies
Lobbying	>\$100,000	>\$100,000	>\$100,000	>\$100,000	>\$100,000
Clean Air	>\$150,000	>\$150,000	>\$150,000	>\$150,000	>\$150,000
Clean Water	>\$150,000	>\$150,000	>\$150,000	>\$150,000	>\$150,000
Cargo Preference			Transport by ocean vessel.	Transport by ocean vessel.	Transport by ocean vessel.
Fly America	Foreign air transp./travel.	Foreign air transp./travel.	Foreign air transp./travel.	Foreign air transp./travel.	Foreign air transp./travel.
Veterans Hiring Preference				All	
Davis-Bacon Act				>\$2,000 (also ferries).	
Contract Work Hours and Safety Standards Act		>\$100,000 (transportation services excepted).	>\$100,000	>\$100,000 (also ferries).	
Copeland Anti-Kickback Act Section 1 Section 2				All > \$2,000 (also ferries).	
Bonding				\$100,000	
Seismic Safety	A&E for new buildings & additions.			New buildings & additions.	
*Transit Employee Protective Arrangements		Transit operations.			
* Charter Service Operations		All			
* School Bus Operations		All			
* Drug Use and Testing		Transit operations.			
* Alcohol Misuse and Testing		Transit operations.			
Patent Rights	R & D				
Rights in Data and Copyrights	R & D				
Energy Conservation	All	All	All	All	All
Recycled Products		EPA-selected items \$10,000 or more annually.		EPA-selected items \$10,000 or more annually.	EPA-selected items \$10,000 or more annually.
Conformance with ITS National Architecture	ITS projects.	ITS projects.	ITS projects.	ITS projects.	ITS projects.
ADA Access	A&E	All	All	All	All
Notification of Federal Participation for States	Limited to States.	Limited to States.	Limited to States.	Limited to States.	Limited to States.

* Applies only to FTA funding

Caltrans Fiscal Provisions Checklist	
All contract fiscal provisions must utilize the language specified by Caltrans and set forth in the LAPM sample contract language form. The clauses that must be used verbatim are for the items specified below (except as otherwise noted). Consult the LAPM form, and the latest RCTC model contract for Caltrans/FHWA funded projects.	
Performance Period:	Beginning date cannot be prior to the date Caltrans issues the conformance letter, if applicable.
Allowable Costs and Payments:	The contract method of payment must be one of the four methods required as listed in Section 10.2 of the LAPM.
Termination:	The provision must contain language regarding termination for cause and convenience Per 23 CFR 172.9 (c)(1)(xii).
Cost Principles and Administrative Requirements.	
* Travel and subsistence in accordance with DPA regulations	
* Maintain an accounting system that accumulates and segregates project costs	
* Accounting system must conform to GAAP	
Retention of Records/Audit.	
Audit Review Procedures, including the Audit Clause. Ensure use of appropriate clauses for (i) contracts \$150,000 or greater; or (ii) contracts \$3,500,000 or greater.	
Subcontracting	
Equipment Purchase	
State Prevailing Wage Rates.	
Conflict of Interest.	
Rebates, Kickbacks, or other Unlawful Considerations.	
Prohibition of Expending State or Federal Funds for Lobbying.	

* Specific provisions addressing these items are not included in LAPM form, but are required and are included in the RCTC model contract.

CHAPTER 9 – DISPOSAL OF SURPLUS PROPERTY

1.0 DEFINITIONS

- A. “Surplus personal property” shall mean personal property of the Commission which is no longer needed or fit for its intended purpose or has exceeded its useful life.
- B. “Surplus real property” shall mean real property of the Commission which is no longer needed for a specified project.

2.0 DISPOSAL OF SURPLUS REAL PROPERTY

- A. Upon recommendation by the Executive Director, designated Commission staff may dispose of surplus real property in accordance with the RCTC Right of Way Policies and Procedures Manual.

3.0 DISPOSAL OF PERSONAL PROPERTY

- A. Upon recommendation by the Executive Director and in accordance with applicable state or federal funding requirements, designated Commission staff may dispose of all surplus and obsolete personal property by donation, bid, auction, negotiated sale or exchange. If the disposal of such items is conducted by bid, the sale shall be conducted in accordance with generally accepted best practices and applicable laws and regulations. The Commission staff shall attempt to obtain the best value for the property that can reasonably be obtained.

CHAPTER 10 – OTHER PROCUREMENT MATTERS

1.0 DISPUTES, CLAIMS, AND CHANGES—DEFINITIONS

- A. Change Orders – the commercial and technical resolution of a contract modification. The change order document can be unilateral or bilateral in execution.
- B. Potential Claim – written notice provided to the Commission by the contractor when the:
 - 1. Parties are unable to reach bilateral agreement on a change and the contractor is provided a unilateral change order (“protest”); or,
 - 2. Contractor perceives that it is entitled to additional compensation (time or money) for something it believes to constitute extra work performed or to be performed.
- C. Claim – differences that have developed during the contract, under protest or under notice of potential claim, which are not resolved at the time the contractor returns the proposed final pay estimate.
- D. Dispute – a disagreement between the parties as to the merits, amount or remedy arising out of an issue in controversy, including a disagreement regarding a Claim or asserted default.
- E. Amendment – a modification considered outside the original contract scope or terms and formalized with a written agreement signed by both parties.

2.0 DISPUTES, CLAIMS, AND CHANGES—GENERAL

- A. The Procurement Officer is responsible for documenting negotiation activities for the record, and should be present at all professional services and construction contract negotiations.
- B. The Procurement Officer or project manager, as required, prepares the appropriate documentation (e.g., change order forms) for review and approval by the Commission’s Executive Director or Commission, prior to issuance to the consultant/contractor for signature. This document includes full definition of work scope, impact on DBE goals, definition of time and schedule impacts, and price. The change order language stipulates that the agreed-upon terms are all inclusive, and no other relief will be available regarding this work.
 - 1. For federally-funded contracts, any damages recovered must be credited to the project involved unless the FTA/FHWA, as applicable, permits otherwise.
 - 2. For federally-funded contracts, change orders that amount to cardinal changes or tag-ons shall comply with Chapter 8, Section 3.0(A).

3.0 TERMINATION

- A. All Commission contracts exceeding \$25,000 should contain provisions enabling the Commission to terminate such contracts for the convenience of the Commission, and all federally funded contracts must contain such provisions.

These provisions should specify the manner in which such termination will be effected and the basis for settlement. There should also be included in such contracts appropriate provisions specifying causes for which the contracts may be terminated for default.

B. Terminations for Convenience of the Commission

1. Commission contracts will be terminated for convenience only when this is determined to be in the best interests of the Commission. In lieu of issuing a notice of termination for convenience, the Procurement Officer will effect a no-cost settlement agreement where possible and appropriate.
2. Formal written notice to the contractor is necessary to terminate a contract for convenience. Such notice will state that the contract is being terminated pursuant to the termination for convenience provision of the contract, the effective date, the extent of termination and instructions to the contractor to cease performance under the contract.
3. The Procurement Officer will negotiate a no-cost settlement with the contractor if possible. Otherwise, the Procurement Officer will negotiate an appropriate settlement agreement with the contractor pursuant to the provisions of the termination for convenience clause of the contract.

C. Terminations For Default

1. If a contractor's right to proceed is terminated for default, the Commission may take over and complete the work or cause it to be completed, and the contractor and his sureties, if any, shall be liable to the Commission for any increased costs caused thereby. The contractor and his sureties should, in addition to increased costs in completing the work, be liable for liquidated damages, if liquidated damages are provided in the contract, or for actual damages, if liquidated damages are not so provided.
2. If the Procurement Officer determines that the contractor's failure to perform arises from causes which are excusable under the terms of the contract, the Procurement Officer shall not terminate the contractor's right to proceed, nor shall he/she charge the contractor with liquidated damages (or if no liquidated damages, then actual damages) because of any delays occasioned by such causes.
3. Where the surety does not complete performance of the contract, the Procurement Officer normally will complete the performance of work by awarding a new contract based on the same plans and specifications. Such award may be the result of competitive bidding or negotiation; whichever procedure is most appropriate under the circumstances. The Procurement Officer must use reasonable diligence to obtain the lowest price available for completion.
4. If, after due consideration, the Procurement Officer determines that termination is not in the best interest of the Commission although the contractor is in default, the Procurement Officer may permit the contractor to continue the work, and the contractor and his sureties shall be liable to

the Commission for liquidated damages, as specified in the contract, or if liquidated damages are not so specified, for any actual damages occasioned by the failure of the contractor to complete the work in accordance with the terms of the contract.

5. Any provision for a liquidated damages assessment must be at a specific rate per day for each day of overrun and must be specified in the contract.
 - a. For FTA-funded contracts, any damages recovered must be credited to the project involved unless the FTA permits otherwise.

4.0 BONDS, OTHER SECURITIES AND INSURANCE

- A. The Commission should specify bonding, in compliance with applicable federal and state requirements for all public works contracts.
 1. In general, all construction contracts over \$25,000 require a payment bond in the amount of 100% of the contract value.
 2. All FTA-funded construction contracts over \$100,000 require a performance bond in the amount of 100% of the contract value and a bid guarantee in the amount of no less than 5% of the contract value.
 3. Bids for construction of facilities where the work is anticipated to exceed \$25,000 require bid security as set forth in PUC § 130232.
- B. The Procurement Officer may require any of the following types of security for any solicitation or contract subject to this Manual, other than a small purchase, regardless of the estimated amount of the contract:
 1. Bid bonds;
 2. Other bid or proposal security;
 3. Construction performance and payment bonds; and
 4. Performance or payment bonds or other security on non-construction contracts.
- C. Requirement for Bonds To Be Executed By An Admitted Surety Insurer
 1. California Code of Civil Procedure § 995.311 calls for any bond required on a public works contract to be executed by an admitted surety insurer.
 2. The Commission has a duty to verify that an admitted surety insurer executes the bond. The Procurement Officer should print out information from the website of the California Department of Insurance (<http://www.insurance.ca.gov/docs/FS-CompanyProfiles.htm>) confirming that the surety is an admitted surety insurer and attach it to the bond.
- D. For federally funded procurements, the Commission shall not require unnecessary experience or excessive bonding.

5.0 CONTRACT CLOSEOUT

- A. A completed contract is one which is both physically and administratively complete and in which all aspects of contractual performance have been accomplished, terminated, or otherwise disposed of by contract modification. A contract is physically complete only after all articles and services called for under the contract, including such related items as reports, spare parts, and exhibits, have been delivered to and accepted by the Commission, including those articles and services for which no specific compensation may have been stipulated. A contract is administratively complete when all payments have been made and administrative actions accomplished.
- B. The project manager, in cooperation with the Procurement Officer, is responsible for review of the contract file and obtaining all necessary documentation to ensure that: (1) all deliverables and/or services (including any reports) required under the contract have been received and accepted; (2) the terms and conditions of the contract have been complied with; (3) disposition of accountable property under the contract has been accomplished; all necessary actions including final payment and releases required to close the contract are completed and documented.
- C. Small purchase files should be considered closed when the Procurement Officer receives evidence of receipt of property and final payment.
- D. A contract file should not be closed in any of the following situations:
 - 1. If the contract is the subject of a claim or dispute;
 - 2. If the contract is in litigation or under appeal;
 - 3. In the case of a termination, if all termination actions have not been completed;
or
 - 4. If state or federal approval is required and has not been received.

CHAPTER 11 – PAYMENT

1.0 COMMISSION PAYMENT PROCESS

- A. The Commission will promptly process all contract payments with necessary controls to assure compliance with all contract terms and conditions in accordance with internal procedures recommended by the Chief Financial Officer and authorized by the Executive Director.
- B. The Procurement Officer should clearly specify in solicitations and contracts the form and content of an acceptable invoice, including a requirement that invoices be sequentially numbered, that they contain a date and contract number and the services for which they are invoicing, the period of performance being invoiced, and to whom invoices are to be sent.

2.0 PROGRESS PAYMENTS

- A. The Commission may provide for progress payments under contracts that require long time periods to complete contract performance or if the use of progress payments contributes to the effective and efficient administration of consultant/contractor work. Progress payments will be made on the basis of allowable costs incurred by the consultant/contractor, and the stage of completion of the contract.
 - 1. Criteria. Contract clauses providing for progress payments should be used when the investment in work and progress is expected to be great enough to add substantial costs to the contract or strain the consultant/contractor's cash flow or ability to obtain financing. Under no circumstances should payments exceed the consultant/contractor's physical completion of the Work, nor should they amount to advance payments. Progress payments can be based on a periodic voucher for expenditures, a milestone, or the Commission's estimate of work accomplished as defined in the contract.
 - 2. For federally funded procurements, the Commission must obtain adequate security (i.e., title to work in progress; letter of credit) for any progress payments made.
 - 3. For FTA-funded procurements, advance payments are prohibited unless prior written concurrence is obtained from the FTA.
- B. Progress Payments on Public Works

In accordance with PCC § 20104.50, the Commission must make progress payments within 30 days after receipt of an undisputed and properly submitted payment request from a contractor on a construction contract. If the Commission fails to make timely payment, the Commission may be required to pay interest to the contractor equivalent to the legal rate set forth in subdivision (s) of Section 685.010 of the Code of Civil Procedure.
- C. Progress Payments and Retentions on Architect, Engineer, and Land Surveyor Contracts

Pursuant to California Civil Code §3320, for any contract for public works or improvement, the Commission shall pay to the prime design professional any progress payment within 30 days of receipt of a written demand for payment in accordance with the contract, and the final retention payment, if applicable, within 45 days of receipt of a written demand for payment in accordance with the contract. If any amount is wrongfully withheld or is not timely paid, the prime design professional should be entitled to a penalty of 1½ percent for the improperly withheld amount, in lieu of any interest otherwise due, per month for every month that payment is not made.

3.0 PROMPT PAYMENT TO SUBCONTRACTORS—FEDERALLY FUNDED AGREEMENTS

- A. In accordance with 49 CFR Part 26, Commission contracts above the small purchase threshold must require that the prime contractor or subcontractor shall pay to any subcontractor, not later than 7 days of receipt of each progress payment from the Commission, unless otherwise agreed to in writing, the respective amounts paid to the contractor on account for the work performed by the subcontractors, to the extent of each subcontractor's interest therein. The Commission contract may provide that, in the event that there is a good faith dispute over all or any portion of the amount due on a progress payment from the prime contractor or subcontractor to a subcontractor, then the prime contractor or subcontractor may withhold no more than 150 percent of the disputed amount.
- B. The Commission must also require the prompt return of retainage payments from the prime contractor to the subcontractor within 7 days after the subcontractor's work is satisfactorily completed.

4.0 PAYMENT OF RETENTION ON PUBLIC WORKS CONTRACTS

- A. Pursuant to PCC § 7107, within 60 days after the date of completion of the work of improvement, the Commission must release any retention withheld except funds withheld to satisfy outstanding stop notices or otherwise properly withheld. In the event of a dispute between the Commission and the original contractor, the Commission may withhold from the final payment an amount not to exceed 150 percent of the disputed amount.

5.0 REQUEST FOR PAYMENT CERTIFICATION

- A. All contracts above the small purchase threshold may contain a clause, which requires the contractor to submit with each request for payment, a certification that the claim for payment is true, correct, and for services rendered and/or supplies delivered in accordance with the contract.
- B. The user department/project manager will disapprove and Accounts Payable will return unpaid any request for payment which does not contain the certification when required.

REVISION HISTORY:

Revision No.	Revisions	Adopted
0	Adopted by the Commission	7/11/12
1	Adopted by the Commission	12/12/12
2	Adopted by the Commission	9/9/15
3	Adopted by the Commission	12/13/17
4	Adopted by the Commission	6/13/18
<u>5</u>	<u>Adopted by the Commission</u>	<u>9/11/19</u> <u>(anticipated)</u>

AGENDA ITEM 7C

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Future Funding Initiatives Ad Hoc Committee
SUBJECT:	Conflict of Interest Consultant Policy for Ballot Measures

FUTURE FUNDING INITIATIVES AD HOC COMMITTEE RECOMMENDATION:

This item is for the Commission to approve the Conflict of Interest (COI) Consultant Policy for Ballot Measures.

BACKGROUND INFORMATION:

On July 10, 2019 the Commission approved this ad hoc committee's recommendations to authorize staff to develop a Countywide Transportation Improvement & Traffic Relief Plan (the Plan) and implementation ordinance (Ordinance) for potential presentation to Riverside County voters in November 2020.

As a result of the Commission's approval, staff anticipates a Campaign Committee(s) may eventually form to support or oppose passage of a potential transportation Ballot Measure. The purpose of this item is to establish a policy which prohibits improper collaboration between the Commission's consultants and a Campaign Committee.

DISCUSSION:

California Government Code Section 54964 and related case law expressly prohibit an officer, employee, or consultant of Commission from expending or authorizing the expenditure of any Commission funds to support or oppose a Ballot Measure.

While the Commission is permitted to expend public funds to provide information to the public on a Ballot Measure, such information must provide the public with an accurate, fair and impartial presentation of relevant facts to aid voters in reaching an informed judgment regarding the Ballot Measure. Absent express legislative authority, the Commission may not expend public funds to promote a partisan position in an election campaign.

The line is not always clear between "informational" activities that may be financed by the Commission and "campaign" or advocacy materials that may not be paid for with public funds. For this reason, it is the intent of the Commission to enact certain, clear prohibitions on consultants to protect the integrity of Commission's role regarding any Ballot Measure.

Purpose and Goals of Policy

This COI policy prescribes the Commission's policy on conflict of interest relating to consultants currently retained by the Commission, who have also been engaged by a Campaign Committee. The COI policy goals are as follows:

- Ensure compliance with California Government Code Section 54964;
- Prohibit improper collaboration between the Commission and a Campaign Committee established to support or oppose passage of a transportation Ballot Measure;
- Prohibit consultants engaged by the Commission for services pertaining to a Ballot Measure, including the development of an Expenditure Plan, from working concurrently for a Campaign Committee;
- Provide clear guidance to consultants regarding COI obligations; and
- Protect the integrity of the Commission's role regarding any Ballot Measure.

The policy provides general conflict of interest standards, consultant obligations, authorization to implement the policy, and a determination process. Staff recommends the Committee approve the COI Consultant Policy for Ballot Measures and forward to the Commission for final action.

Attachment: RCTC Conflict of Interest Consultant Policy for Ballot Measures

**Riverside County Transportation Commission
Conflict of Interest Consultant Policy for Ballot Measures**

Section 1.

- a) The purpose of this Policy is to establish written regulations which prohibit improper collaboration between the Commission and a Campaign Committee established to support or oppose the passage of a transportation Ballot Measure. This Policy prescribes conflict of interest policies that are applicable to Consultants currently retained by the Commission, who have also been engaged by a Campaign Committee, as defined.
- b) To that end, no Consultant engaged by the Commission for services pertaining to a Ballot Measure, including the development of an Expenditure Plan, may work concurrently for a Campaign Committee.
- c) This Policy shall apply once a Campaign Committee, as defined herein, has been
 - 1) formed to support or oppose a Ballot Measure and met the threshold funding requirements set forth in Government Code Section 82013 or 2) once a Ballot Measure has been certified to appear on the ballot, whichever occurs first.

Section 2. Definitions

Section 2.1. "Affiliate" means, with respect to any Consultant: (a) any member, partner or joint venturer of such Consultant; (b) any individual or entity that directly or indirectly controls, or is controlled by, or is under common control with, such Consultant or any of its members, partners or joint venturers; and (c) any other entity for which 20% or more of the equity interest in such other entity is held directly or indirectly, beneficially or of record by (i) such Consultant, (ii) any of such Consultant's members, partners or joint venturers or (iii) any Affiliate of such Consultant under clause (b) of this definition.

Section 2.2. "Ballot Measure" means any initiative or similar measure certified to appear on a regular or special election ballot proposing a transportation-related transactions and use tax pursuant to Sections 240000 or 180000 of the Public Utilities Code.

Section 2.3. "Campaign Committee" means a committee that (1) is formed or existing primarily to support or oppose a Ballot Measure set to be considered by voters within the jurisdictional boundaries of the Commission and (2) meets the contribution and/or expenditure threshold amounts set forth in California Government Code Section 82013.

Section 2.4. "Commission" means the Riverside County Transportation Commission.

Section 2.5. "Consultant" means any person or business entity (including any individual employee of such entity or any division and/or Affiliate of such entity) previously or currently retained, or in the process of being retained, by the Commission to provide Services, including subconsultants and individual employees of subconsultants.

Section 2.6. "Policy" means this Conflicts of Interest Consultant Policy for Ballot Measures.

Section 2.7. "Services" means consulting services related to the work of the Commission, which may include, but are not limited to, some or all of the following: planning services; procurement services; federal and state environmental services; financial advisory services; legal services; traffic and revenue studies; operations and toll planning services; program oversight; design and construction management services; preliminary engineering services (including right-of-way, structures, survey and utility); marketing and design services; and public and community outreach services.

Section 3. Conflicts of Interest.

Section 3.1. Purpose. This section prescribes the Commission's Policy on conflicts of interest relating to Consultants of the Commission which are also retained by a Campaign Committee to provide services in support of or against a Ballot Measure. The purpose of the Policy is guided by the following:

- a) California Government Code Section 54964 expressly prohibits an officer, employee, or consultant of Commission from expending or authorizing the expenditure of any Commission funds to support or oppose a Ballot Measure.
- b) While the Commission is permitted to expend public funds to provide information to the public on a Ballot Measure, such information must provide the public with an accurate, fair and impartial presentation of relevant facts to aid voters in reaching an informed judgment regarding the Ballot Measure. Absent express legislative authority, the Commission may not expend public funds to promote a partisan position in an election campaign. (see *Stanson v. Mott* (1976) 17 Cal.3d 206; *Vargas v. City of Salinas* (2009) 46 Cal.4th 1.)
- c) The line is not always clear between “informational” activities that may be financed by the Commission and “campaign” or advocacy materials that may not be paid for with public funds. For this reason, it is the intent of the Commission to enact certain, clear prohibitions on Consultants to protect the integrity of Commission’s role regarding any Ballot Measure.

Section 3.2. Applicability. This Policy applies to Consultants who desire to participate in, or are participating in the performance of Services for the Commission and are retained concurrently by a Campaign Committee in advance of and during the time a Ballot Measure is considered by voters and until the final election results are certified.

Section 3.3. Conflicts of Interest Obligations Applicable to Consultants.

- a) Consultants retained by a Campaign Committee to support or oppose a Ballot Measure shall not concurrently work on the Commission’s behalf on any Services or activities related in any manner to a Ballot Measure. Consultants shall arrange

their affairs so as to prevent any such conflicts of interest from arising. Any Consultant having an actual, potential or perceived conflict of interest, or wishes to obtain a determination as set forth in Section 3.4, shall disclose the matter to the Commission in writing to the following individual:

Matt Wallace
Procurement Manager
Riverside County Transportation Commission
4080 Lemon Street, 3rdFloor
Riverside, CA 92502
Email: mwallace@rctc.org

- b) The Consultant's conflict of interest disclosure obligation continues while retained to provide Services to the Commission during the period set forth in Section 1(c), above. Consultants should undertake reasonable due diligence, including necessary conflict searches, to determine whether new actual, potential or perceived conflicts of interest arise.
- c) Consultants not yet retained by the Commission have an affirmative obligation to describe any actual, potential or perceived conflict of interest as part of its submittal of materials for the Commission's consideration.

Section 3.4. Determination. The Executive Director is authorized to implement this Policy on behalf of the Commission. If the Executive Director obtains information that a Consultant may not be in compliance with this Policy, the Executive Director or designee shall provide Consultant with written notice of initial determination. Upon receipt of notice that the Consultant is not in compliance with this Policy, Consultant shall cease all work for the Commission. Consultant may request a meeting with the Executive Director to review such initial determination. If the Consultant requests a meeting, the Executive Director shall issue a final determination following such meeting. The determination may require the Consultant to terminate all work for the Commission or impose such other remedy to prevent a violation of this Policy. If the Consultant does not request a meeting, the initial determination shall become final within 7 calendar days. The Executive Director's determination shall be final.

Section 3.5. Conflicts of Interest Obligations Applicable to the Commission.

- a) The Commission shall keep separate accounting for expenses spent on Ballot Measure informational efforts.
- b) The Commission will ensure an ethical screen separates the work undertaken by Consultants working on Ballot Measure informational efforts and other Commission Consultants.

Section 3.6. Failure to Comply. If a Consultant fails to comply with this Policy, or otherwise fails to disclose an actual, potential or perceived conflict of interest, the Commission may, in its sole discretion:

- a) Preclude and/or disqualify the Consultant and its Affiliates from participation in future Commission Services;
- b) Segregate or terminate the Consultant and its Affiliates from existing or future Services for the Commission; and/or
- c) Pursue any and all other rights and remedies available at law.

Section 3.7. Period in Which a Conflict of Interest Applies. If the Executive Director or designee determines that the performance of Services by a Consultant creates an actual, potential or perceived conflict of interest, the provisions in this Policy and any decisions made by the Commission related to such conflict of interest shall continue and apply until the Ballot Measure is considered by voters and until final election results are certified.

Section 3.8. Notification of Policy. The Commission will send a letter to all currently retained Consultants providing Services to the Commission related to a Ballot Measure informing them of this Policy. Such Consultants shall acknowledge receipt of this Policy and return it to the Commission. In addition, the Commission shall provide this Policy to Consultants as part of all new procurements or contract amendments for Consultants providing Services to the Commission prior to the execution of any related to a Ballot Measure.

Section 3.9. Federal and State Requirements. Consultants shall ensure compliance with all applicable Federal or State laws relevant to conflicts of interest. The Commission must also comply with certain California laws and regulations, including, without limitation, Government Code §§1090 and 87100 *et seq.* Nothing in this Policy is intended to limit, modify, supersede or otherwise alter the effect of those laws and regulations, and the Commission will apply this Policy consistent with those laws and regulations.

Section 3.10. Multiple Services. This Policy and its prohibitions apply to each type of Service provided by Consultant to the extent Consultant provides multiple services to the Commission.

Section 3.11. Restriction of Services and Conditions to Approvals and Exceptions. In order to address actual, potential or perceived conflicts of interest, the Executive Director, or designee, as part of providing his or her consent to the participation of a Consultant may, in his or her sole discretion:

- a) Restrict the scope of Services the Consultant may be eligible to perform for the Commission in order to further the intent and goals of this Policy; and
- b) Condition an approval, determination, or exception as the Executive Director, or designee, determines appropriate to further the intent and goals of this Policy, including, but not limited to requiring the Consultant to execute an ethical screen agreement satisfactory to the Commission.

Section 3.12. Provisions are Nonexclusive. The provisions in this Policy do not address every situation that may arise in the context of the Commission's informational activities undertaken regarding any Ballot Measure or determination by the Executive Director, or designee, when faced with facts similar to those described in this Policy. In addition, additional policies, procedures and limits related to conflicts of interest or similar issues may be imposed by the Commission at any time with respect to any ballot measure.

CONSULTANT ACKNOWLEDGMENT

I hereby acknowledge receipt of a copy of the Riverside County Transportation Commission Conflicts of Interest Consultant Policy for Ballot Measures, and also represent and warrant that I have carefully reviewed and do understand the terms of said Policy provided to me. I hereby agree to abide by said policies.

Consultant's Name: _____

Consultant's Signature: _____

Services Provider, Company Name: _____

Date: _____

AGENDA ITEM 7D

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM	Budget and Implementation Committee Cheryl Donahue, Public Affairs Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Quarterly Public Engagement Metrics Report, April – June 2019

BUDGET AND IMPLEMENTATION COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to receive and file the Quarterly Public Engagement Metrics Report for April – June 2019.

BACKGROUND INFORMATION:

Staff has been monitoring public engagement activities since January 2018 and preparing Quarterly Public Engagement Metrics Reports for the Commission. This report covers the second quarter of 2019, from April to June. These quarterly reports are a data-driven approach to measuring progress toward public engagement goals, allow staff to assess the effectiveness of its efforts on an ongoing basis, and provide transparency into how the Commission is using its resources to engage and educate the public.

This quarterly report includes four sets of data:

- 1) Metrics for RCTC’s overall public engagement activities, including website use and access; website top pages visited; email notifications; social media likes, engagement and reach; and public sentiment
- 2) Metrics for RCTC’s Interstate 15 Express Lanes Project public engagement activities, including email activity, website sessions, and social media
- 3) Metrics for RCTC’s #RebootMyCommute public engagement program, which took place from March 6 to June 3
- 4) New for this quarter are metrics for the State Route 60 Truck Lanes Project. Note that these numbers are small, due to the start of communications for this project in late May.

The quarterly report will continue to evolve as staff refines its approaches to measuring public engagement activities and in response to any feedback from Commissioners. Staff will continue to add new project-related metrics as other projects begin.

Report highlights for this quarter follow and are included in a graphical format with this agenda item. It is important to note that most of the social media metrics show a decline this quarter, due to a planned decrease in digital advertising expenditures.

RCTC Overall Public Engagement

1) Website

- a. For the quarter, there were 27,950 website sessions, a 17 percent increase from last quarter's 23,818 sessions. There also were 16,107 unique users, also an increase of 17 percent compared to the previous quarter's 13,774 unique users.
- b. More than one-third of the visitors accessed the website using a direct search (keying in rctc.org). Another 45 percent used organic searches, such as Google. Others used social media (10 percent), and website referrals (10 percent).
- c. Website access via desktop versus mobile changed slightly. The second quarter showed 57 percent accessing the website through a desktop computer and 43 percent using mobile devices. During the first quarter of 2019, the ratio was 54 percent to 46 percent.
- d. The homepage continues to be the most frequently visited page within the website, followed by the "Employment" page, likely due to the high volume of employee recruitment that took place this spring. The "Meetings and Agendas" page and "Route 60 Truck Lanes" page ranked third and fourth.

2) Social Media

- a. **Facebook:** At the end of the quarter, the Facebook page had 9,265 likes, a 10 percent increase over last quarter's 8,412 likes. The page also had 27,584 forms of engagement, such as likes, comments and shares, a 36 percent reduction from last quarter's record-breaking 43,322 forms of engagement. Facebook also had 3.1 million impressions, which is the number of times that RCTC's content was displayed in news feeds. This was a large decrease – 41 percent – from last quarter's largest-ever 5.3 million impressions. This decrease was due to the decrease in digital advertising, compared to the first quarter.
- b. **Twitter:** RCTC's Twitter page showed a 3 percent increase in followers, from 1,117 to 1,154. Engagement, however, declined 96 percent, from 5,321 forms of engagement to just 218. Impressions also showed a large drop of 92 percent – from 783,246 to 60,296. Similar to Facebook, these decreases are the result of a decline in digital advertising compared to the first quarter.
- c. **Instagram:** The Instagram page followers grew 20 percent, from 372 to 448 followers. Engagement decreased 34 percent, from 465 forms of engagement to 309. Impressions, however, grew 34 percent to a total of 11,311, compared to last quarter's 8,417 impressions.
- d. Overall, public sentiment was positive, with the most positive comments related to the tribute of fallen CHP Sergeant Licon, the upcoming construction of the Route 60 Truck Lanes, and a construction update about the I-15 Express Lanes Santa Ana River Bridge.

- 3) **RCTC's The Point:** RCTC continues to produce content for its online blog, *The Point*, and distributes this information and other news via email to subscribers. RCTC's subscriber rate grew 13 percent, from 2,884 to 3,260. Thirty-five percent of subscribers opened *The Point*, and 11 percent clicked on links to learn more.

Interstate 15 Express Lanes Construction Public Engagement

- 1) **Emails:** Total email list sign-ups since the project began grew to 2,577. This is a 2 percent increase over the 2,522 inquiries received through the end of the first quarter. There also have been a total of 137 email inquiries, a 4 percent increase over the 132 inquiries through the end of the first quarter.
- 2) **Website:** Total website visits since project inception grew to 49,590, a 17 percent climb from the 42,208 visits through the end of Q1.
- 3) **Social Media:** The project's Facebook, Twitter and Instagram accounts all showed small gains. The Facebook page grew to 2,219 likes from 2,030 likes last quarter, a 9 percent increase. Twitter increased from 220 followers to 235, a 7 percent increase. Instagram followers increased 6 percent from 384 to 407.

#RebootMy Commute Public Engagement

- 1) **Tele-Townhall Meetings:** The Commission hosted Tele-town Hall meetings on March 19 and 20. These attracted 7,539 participants, 52 phone discussions, and nine follow-up voice messages.
- 2) **Community Booths:** The Commission staffed booths at six community events throughout Riverside County and engaged with 559 residents at these events.
- 3) **News Media:** Ten news stories featured the "Reboot" program. Advertisements were placed in *The Press-Enterprise* and *The Desert Sun*, with a combined print ad circulation of 461,702 and digital ad circulation of 156,250. The video ad aired 16 times on television station KESQ. Commissioners and staff also took part in various video and podcast series.
- 4) **Website:** The RebootMyCommute.org website had 22,061 sessions with 19,556 unique visitors. The Commission received 473 comment forms via the site.
- 5) **The Point Subscriptions:** The Commission publishes a monthly newsletter, *The Point*, which the Commission emails to subscribers. As part of the #RebootMyCommute program, residents were encouraged to register to receive the newsletter; 1,315 new subscribers registered during the program.
- 6) **Text Messaging:** A text-messaging feature was available for those who wished to provide input via text. The Commission received 81 text messages. However, the texts received were limited to those who registered to receive *The Point*.
- 7) **Brochures and Postcards:** The Commission produced and distributed more than 5,500 brochures – printed in English and Spanish – to city halls, community centers, libraries, senior centers, transportation groups, chambers of commerce, and elected

officials' offices across Riverside County. The brochures also were available at community booths and presentations.

- 8) **Social Media:** The Commission placed a series of targeted social media ads with videos related to #RebootMyCommute.
 - a. On **Facebook**, 596,316 people viewed the videos in their entirety and 31,736 clicked to learn more. There were 2,098 direct engagements with viewers, 3.9 million impressions, and a reach of 630,409.
 - b. On **Twitter**, there were 7,613 full video views, 1,989 click-throughs, 54 direct engagements, and 368,225 impressions.
 - c. On **Instagram**, 30,820 people watched the full video, and 4,448 clicked to learn more. There were 1,830 direct engagements, 2.2 million impressions, and a reach of 629,129.
 - d. On **YouTube**, there were 803,978 full video views, 13,584 click-throughs, and 3.5 million impressions.
- 9) **Helpline:** A toll-free helpline was available for those who preferred to express their views by telephone. The Commission received 56 calls through the helpline.
- 10) **Presentations:** The Commission made several presentations, including multiple chapters of Riverside Transit Agency's Transportation Now, the Greater Riverside Chamber of Commerce, the March Joint Powers Authority, the Temescal Valley Municipal Advisory Council, the Riverside Bike Club, the Riverside City Council, and the Norco City Council.

State Route 60 Truck Lanes Construction Public Engagement

- 1) **Emails:** Email and text sign-ups during the first month totaled 61, and emails to the project team totaled 67.
- 2) **Webpage:** Visits to the rctc.org/60trucklanes webpage totaled 1,414 during the quarter.
- 3) **Social Media:** The project's Facebook, Twitter and Instagram accounts launched in late May. Facebook likes totaled 115, Twitter followers totaled 13, and Instagram followers totaled 36 at the end of this quarter.

Attachments:

- 1) RCTC Overall Public Engagement Metrics
- 2) Interstate 15 Express Lanes Construction Public Engagement Metrics
- 3) #RebootMyCommute Public Engagement Metrics
- 4) State Route 60 Truck Lanes Construction Public Engagement Metrics

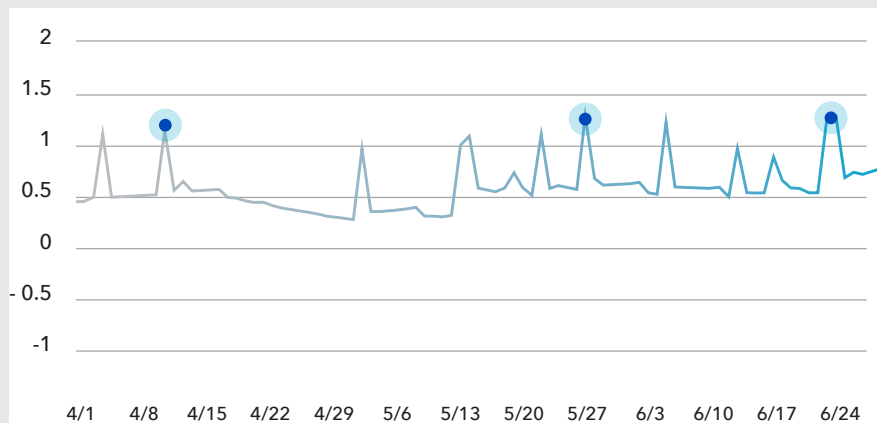


Public Engagement Metrics: Q2

ATTACHMENT 1

April - June 2019

Overall Social Media Sentiment



- 4/11 (+)** Community response to tribute for Sergeant Steve Licon
- 5/28 (+)** Route 60 Truck Lanes Project announcements
- 6/24 (+)** Positive response to The Press-Enterprise story on I-15 Santa Ana River Bridge construction

Eblasts



Subscribers
3,260

Average Open
35%

Average Click
11%

Web

27,950

Number of Sessions

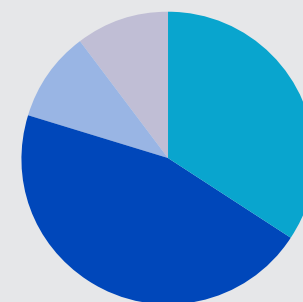
+17%

16,107

Number of Unique Users

+17%

Top Channels



- Direct (34.4%) – 5,738
- Organic (45.5%) – 7,594
- Social (9.8%) – 1,641
- Referral (10.2%) – 1,701

Differences

Paid advertising decreased in Q2.

Social Media



Page Likes
8,447

+0.4%

Engagement
27,584

-36%

Impressions
3,138,105

-41%



Followers
1,154

+3%

Engagement
218

-96%

Impressions
60,296

-92%



Followers
448

+20%

Engagement
309

-34%

Impressions
11,311

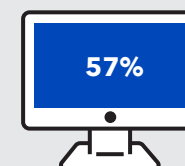
+34%

Top Pages Visited

Homepage is **#1** most visited page

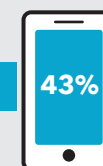
- 2** | Employment
- 3** | Meetings and Agendas
- 4** | Route 60 Truck Lanes

Desktop vs Mobile Users

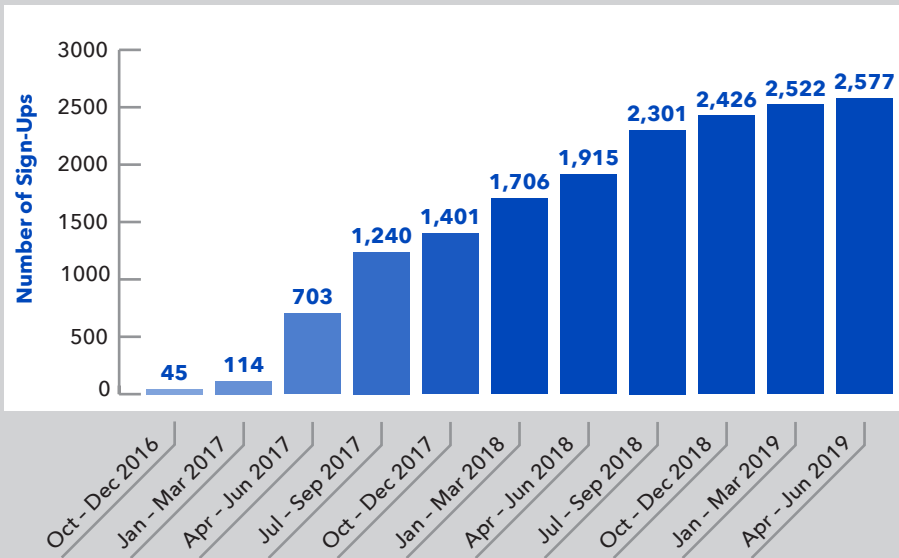


Desktop

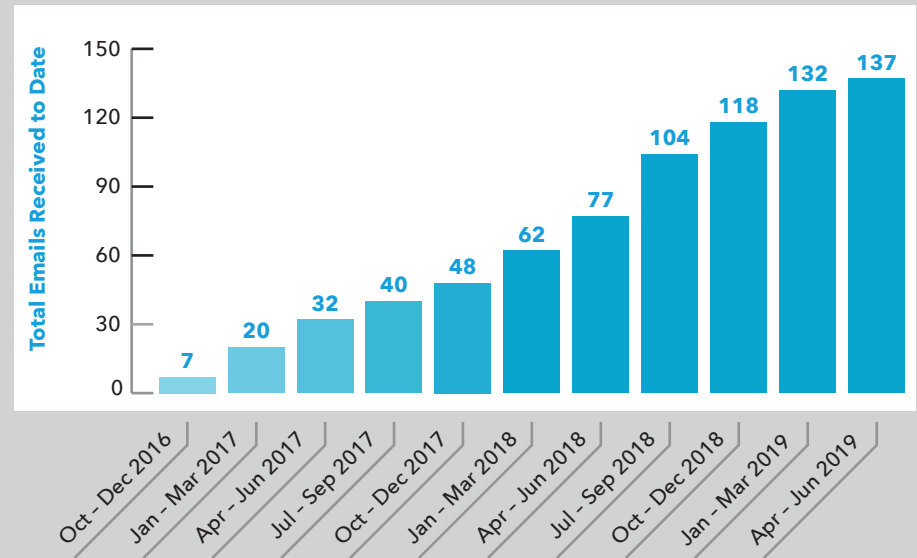
Mobile



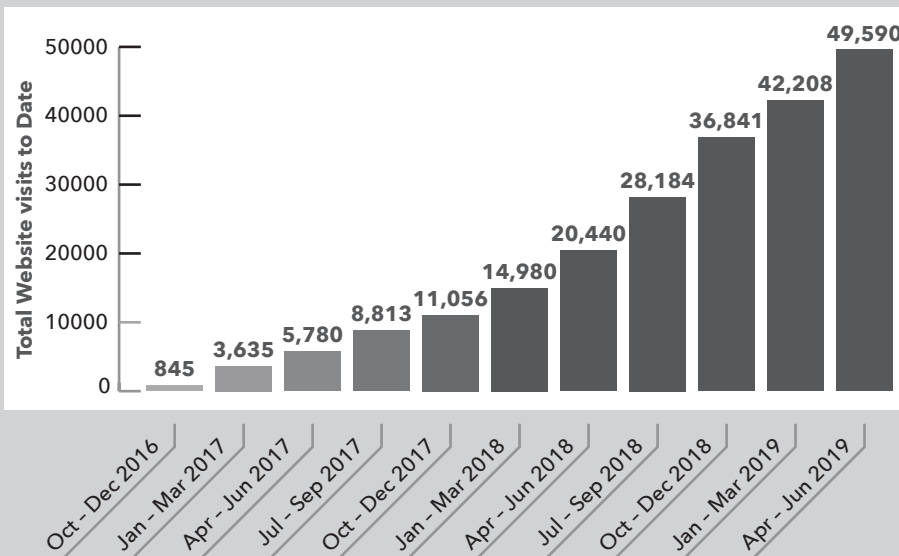
Email List Sign-Ups



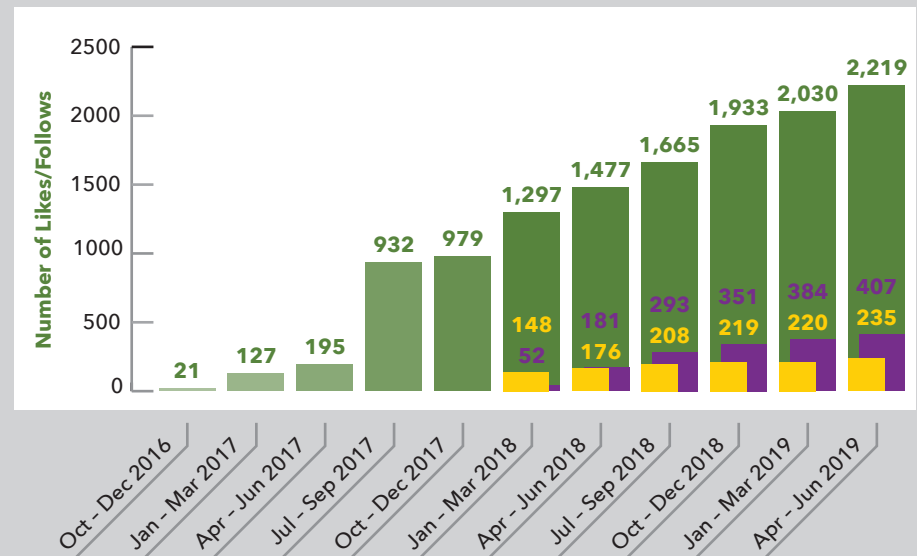
Emails Received



Website Visits



Social Media Likes/Follows



Community Outreach

Tele-town Halls

7,539

Participants

52

Comments

9

Voice Messages

Community Booths

6

Events

3,529

Event Attendance

559

People Engaged

Media

Publications

10

Media Stories

461,702

Print Ad Circulation

156,250

Digital Ad Circulation

Television

16

Video Ad Airs

Website

22,061

Number of Sessions

19,556

Number of Unique Users

473

Form Submissions

Messages

Email

1,315

Subscribers

Text

81

Subscribers

Print Piece

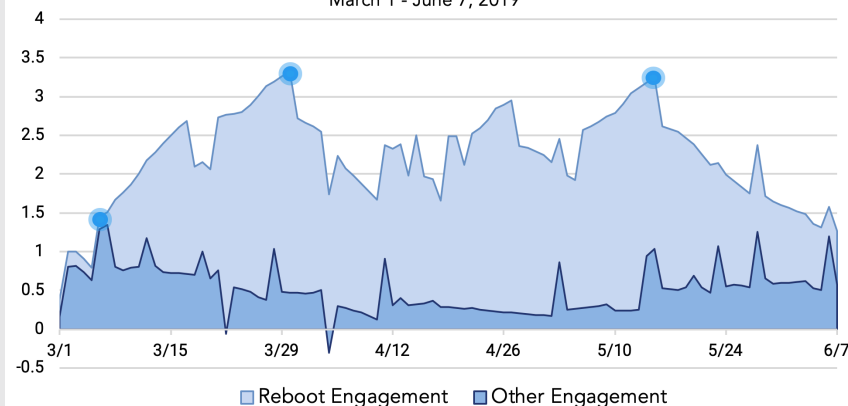
5,205

Delivered

Online Sentiment

Social Media Public Sentiment

March 1 - June 7, 2019

**3/6 (+)** #RebootMyCommute campaign launches.**3/30 (+)** Round 2 ends. Ad data is used to optimize targeting and messaging.**5/21 (+)** #RebootMyCommute digital advertising ramps down.

Social Media Ads



Facebook

Video Views (100%)
596,316Clicks
31,736Direct Engagements
2,098Impressions
3,927,342Reach
630,409

Twitter

Video Views (100%)
7,613Clicks
1,989Direct Engagements
54Impressions
368,225

Instagram

Video Views (100%)
30,820Clicks
4,448Direct Engagements
1,830Impressions
2,898,023Reach
629,129

YouTube

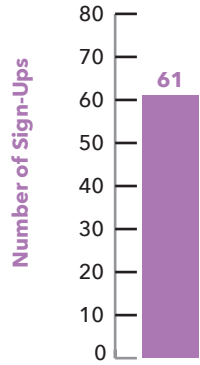
Video Views (100%)
803,978Clicks
13,584Impressions
3,495,097



State Route 60 Truck Lanes Project Monthly "At-a-Glance" Metrics Report

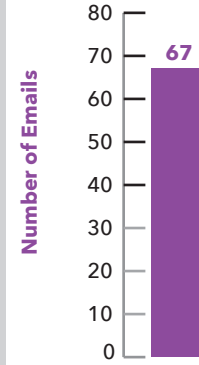
May - June 30, 2019

Email & Text Sign-Ups



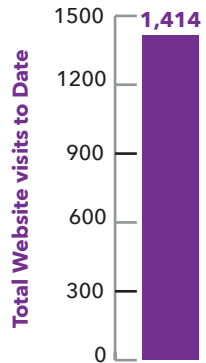
May - Jun 2019

Emails to Project Team



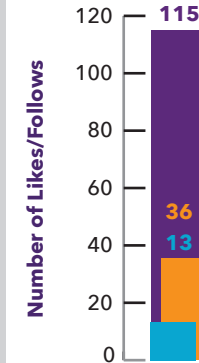
May - Jun 2019

Website Sessions



May - Jun 2019

Social Media Likes/Follows



May - Jun 2019

Facebook Page Likes Twitter Followers
Instagram Followers

AGENDA ITEM 7E

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Budget and Implementation Committee Jillian Guizado, Legislative Affairs Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	State and Federal Legislative Update

BUDGET AND IMPLEMENTATION COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to receive and file an update on state and federal legislation.

BACKGROUND INFORMATION:

State Update

On August 12, 2019, the State Legislature reconvened following its summer recess. Bills that made it through their house of origin and through policy committee in the other house are either waiting to be heard on the floor of the other house or being scheduled for a hearing in Appropriations Committee. It is likely to be an intense last month of the first year of the current two-year legislative session in California.

Federal Update

Congress went on recess at the end of July and will not come back until the second week of September.

Appropriations

Despite preliminary work being done on a Fiscal Year 2020 appropriations bill, the current federal fiscal year ends on September 30, which gives the Senate only three weeks upon returning from recess to pass a bill, reconcile it with the House-passed bill, and hope the President will sign it. News outlets are already beginning to report on a likely full or partial government shutdown as a result of this tight timeline. Staff will continue to monitor and report on Congress' progress on funding the federal government in FY 2020.

FAST Act Reauthorization

Before the recess, the Senate Committee on Environment and Public Works (EPW) introduced a reauthorization of the current transportation authorization bill, the Fixing America's Surface

Transportation (FAST) Act. As a reminder, the FAST Act expires on September 30, 2020. A long-term transportation authorization bill is critically important for the ongoing and long-term planning of transportation projects with federal formula funding sources such as Congestion Mitigation Air Quality (CMAQ) and Surface Transportation Block Grant (STBG), in addition to discretionary programs the Commission has been pursuing lately like Infrastructure for Rebuilding America (INFRA). The Senate EPW bill would authorize funding for transportation programs over five years (like the FAST Act does) and increases proposed funding levels by 27 percent. While funding and duration in the proposal are both positive, there is yet to be a proposal for how to pay for the \$287 billion bill. A considerable amount of additional work is ahead of Congress to reauthorize federal transportation programs beyond 2020 which, notably, is a presidential election year. Staff remains observant and engaged in the reauthorization process through the Commission's federal advocates and various coalitions and will continue to report on progress being made in the coming months.

INFRA

On August 7, 2019, staff participated in a debrief with the United State Department of Transportation (USDOT) on the Commission's State Route 91 Workforce to Workplace Vitality Network INFRA grant application submitted on March 4, 2019. As a reminder, the Commission's application requested \$75 million in federal funding for the SR-91 Corridor Operations Project, SR-71/SR-91 Interchange Improvement Project, and Interstate 15/SR-91 Express Lanes Connector Project. USDOT indicated that the Commission's grant application received medium and high marks, which gave it a spot on USDOT Secretary of Transportation Elaine Chao's desk. The Commission's application was one of 40 large project applications Secretary Chao considered; eight of which were from California. Ultimately, USDOT staff providing the debrief indicated our application was strong and to the extent there continues to be a funding need on the projects in our application, we should continue to pursue federal discretionary grant opportunities.

Table 1. Summary of 2019 INFRA Applications Submitted to USDOT

OVERALL		
193 applications submitted	\$9.8 billion requested	\$856 million available
40 applications funded		
31 applications from California		
LARGE* PROJECTS		
98 large project applications submitted	\$8 billion requested	\$770 million large project money available
23 (of 98) large project applications from California		
40 large project applications on recommended list to Secretary		

8 large project applications on recommended list to Secretary from California		
10 large project applications selected by Secretary		
SMALL PROJECTS		
95 small project applications submitted	\$1.8 billion requested	\$86 million small project money available
8 (of 95) small project applications from California		
58 small project applications on recommended list to Secretary		
10 small project applications selected by Secretary		

*Large project: cost in excess of \$100 million

The Safer Affordable Fuel Efficient Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks

On August 24, 2018, the National Highway Traffic Safety Administration (NHTSA) and the Environmental Protection Agency (EPA) issued a joint proposed rule, “The Safer Affordable Fuel Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks.” The SAFE Vehicles Rule, as it is referred to, would amend federal fuel efficiency standards for passenger vehicles for model years 2021 to 2026. In 2012, NHTSA and EPA issued proposed tailpipe emissions standards that would increase each year through model year 2025. The Trump Administration conducted a review and found the 2012 standards are not feasible, thus initiating the rulemaking process. The SAFE Vehicles Rule would freeze fuel economy standards for new cars at 2020 levels through model year 2026 rather than continuing the proposed annual increases. NHTSA and EPA contend higher fuel economy standards have diminishing returns, unnecessarily increasing the cost of vehicles.

As applicable to the Commission, the Southern California Association of Governments (SCAG) region, and the entire state of California, the SAFE Vehicles Rule would rescind California’s ability to set its own more stringent fuel standards. The Clean Air Act generally preempts the state regulation of motor vehicles, but given California’s unique air quality challenges, the state has been granted a preemption waiver since 1967. The SAFE Vehicles Rule argues the waiver should not be allowed because the higher fuel economy standards push the rest of the country to adopt standards above and beyond what is required by federal law. If California’s waiver is rescinded, the state will be unable to enforce its more stringent vehicle emissions standards, which would result in challenges achieving federal air quality standards, state greenhouse gas emission reduction requirements, and zero-emission vehicle targets.

Rescinding California's waiver threatens over 2,000 transportation projects, totaling more than \$130 billion in investment, including project delivery delays or loss of funding. This is primarily due to the fact that the air quality emissions model which is developed by the California Air Resources Board (CARB) would be invalidated. CARB estimates it will take at least two years to update the model using the new, lower emissions standards. Until the model can be updated and then validated by EPA, the Commission will not be able to amend the Federal Transportation Improvement Program (FTIP) to make project changes or process federal grants. Without the ability to amend the FTIP, which is necessary to do frequently as projects evolve, the Commission will be challenged to deliver many of its projects. It is believed the rulemaking may be finalized in September 2019.

The California Association of Councils of Governments (CALCOG), of which the Commission is a member, is heavily engaged with state and federal agencies and stakeholders regarding the SAFE Vehicles Rule. In addition, SCAG and its member agencies submitted a letter to the Southern California Congressional Delegation noting our opposition to the finalization of the SAFE Vehicles Rule. The latest update from CALCOG and a copy of the letter sent by SCAG is attached. Staff continues to be engaged with CALCOG and other Regional Transportation Planning Agencies throughout the state.

Attachments:

- 1) Legislative Matrix – September 2019
- 2) CALCOG Proposed Safe Vehicles Rule Update – July 2019
- 3) SCAG SAFE Vehicles Rule Letter – July 2019

RIVERSIDE COUNTY TRANSPORTATION COMMISSION - POSITIONS ON STATE AND FEDERAL LEGISLATION – SEPTEMBER 2019

Legislation/ Author	Description	Bill Status	Position	Date of Board Adoption
AB 252 (Daly, Frazier)	Removes the sunset date from the NEPA Reciprocity program.	Passed Senate Transportation Committee; referred to Senate Appropriations Committee. (June 11, 2019)	<i>SUPPORT</i>	3/13/19
AB 1402 (Petrie-Norris)	Makes substantive changes to the Active Transportation Program administered by the State, allocating 75% of funds to be distributed by large MPOs.	Referred to Committee on Transportation. (March 27, 2019)	<i>SUPPORT</i>	4/1/19
SB 152 (Beall)	Makes substantive changes to the Active Transportation Program administered by the State, allocating 75% of funds to be distributed by large MPOs.	Held in Senate Appropriations Committee under submission. (May 16, 2019)	<i>SUPPORT</i>	4/1/19
AB 626 (Quirk-Silva)	Seeks to dictate that professionals who provide professional services on one phase of a project be deemed not to have a conflict of interest in subsequent project phases, disregarding the Commission's adopted Procurement Policy.	Ordered to inactive file at request of member. (May 30, 2019)	<i>OPPOSE UNLESS AMENDED</i>	4/10/19
AB 456 (Chiu, Bonta, Low)	Removes the January 1, 2020 sunset provision on claims resolution processes.	Passed Senate Judiciary; referred to Senate Appropriations Committee. (June 11, 2019)	<i>OPPOSE</i>	5/8/19
SB 498 (Hurtado)	Takes funds dedicated in the Trade Corridors Improvement Fund and repurposes them for a new short-line railroad project grant program.	Passed Senate floor. (May 28, 2019)	<i>OPPOSE</i> Staff action based on platform	5/30/19
SR 742 (Allen)	Authorizes existing state funds for Amtrak to be used on intercity passenger bus transportation, regardless of whether the passenger is connecting to or from intercity rail service.	Passed Senate floor; referred to Assembly Transportation Committee. (May 30, 2019)	<i>SUPPORT</i>	6/12/19
AB 1149 (Fong)	Eliminates the ability of petitioners to opt to prepare the record of proceedings and would place that responsibility solely on the lead agency.	Re-referred to Assembly Natural Resources. (April 24, 2019)	<i>SUPPORT</i>	6/12/19

Legislation/ Author	Description	Bill Status	Position	Date of Board Adoption
SB 664 (Allen)	Revises existing statute in the Streets and Highways Code and the Vehicle Code to allow for improved operations of toll facilities in California.	Referred to Assembly Appropriations. (August 13, 2019)	<i>SUPPORT</i> <i>Staff action based on platform</i>	6/17/19
SB 277 (Beall)	Changes the SB 1-created Local Partnership Program to be administered at 85% formula, rather than 50% formula as is currently in adopted guidelines.	Referred to Assembly Appropriations; on suspense. (August 14, 2019)	<i>SUPPORT</i> <i>Staff action based on platform</i>	7/1/19
HR 2939 (Napolitano)	Protects state and local general sales tax revenues from being directed to airports.	Introduced. (May 23, 2019)	<i>SUPPORT</i>	7/10/19



PROPOSED SAFE VEHICLES RULE UPDATE

JULY 2019

Trump Administration Slows, But Doesn't Stop.

Initial sources indicated the Trump administration was rushing to finalize the proposed rule in early summer 2019. Finalization in early summer would have allowed the administration to defend the rule during President Trump's current term. Recent updates from three anonymous federal sources, indicate the proposed SAFE Vehicles Rule is anticipated to be finalized after Labor Day 2019.

California's AG's office and a host of environmental groups have already indicated their intent to sue if the rule is finalized. It is anticipated this legal battle will reach the U.S. Supreme Court. Delaying the final rule until September, increases the likelihood that the case won't be litigated until after the November 2020 elections. Under this scenario, the next president is anticipated to be largely influential in determining the SAFE Vehicles Rule's outcome. If President Trump is re-elected; it is assumed the administration will continue the legal battle through the Supreme Court. If a democrat is elected, perhaps, like the early years of the Obama Administration, the administration will withdraw the rule, or refuse to litigate the issue further.

In response, we turn our eyes to the nation, and the 2020 presidential election.

Four Automakers Strike Emissions Deal with California.

In June 2019, seventeen automakers sent a [letter](#) to President Trump expressing the auto industry's opposition to the proposed SAFE Vehicles Rule. The carmakers called on U.S. EPA and U.S. DOT to jointly promulgate a final rule that results in broad support, arguing it would provide stability and increased affordability by allowing the industry to proceed without fear of litigation. The letter urged President Trump to resume negotiations with the California Air Resources Board. A similar [letter](#) was sent to Governor Newsom as well. The Trump administration rejected the automakers pleas and to date, has not returned to the negotiating table.

July 25, 2019 - Ford, BMW, Volkswagen, and Honda struck a voluntary deal with California on a framework for annual reductions of greenhouse gas emissions for light-duty vehicles that they will incorporate throughout the entire country and that could be incorporated into a final federal rule. This framework was deemed acceptable by California as a reasonable compromise in the face of the Trump Administration's planned rollback.

While the framework would provide additional flexibilities to the carmakers to meet the current emission standards, it delivers the same GHG reductions in five years as the original Obama standards would have achieved in four years. This framework also commits the auto



companies to accelerate their transition to electric vehicles. Finally, it recognizes and preserves California's authority to regulate greenhouse gas emissions.

The Trump administration is not a party to the agreement. "Today's announcement from CARB has no impact on EPA's regulation of greenhouse gas emissions under the Clean Air Act. This voluntary framework is a PR stunt that does nothing to further the one national standard that will provide certainty and relief for American consumers. As the Administration stated earlier this year, despite our best efforts to reach a common-sense solution with CARB, they continually refused to produce reasonable and responsible proposals," Michael Abboud, an EPA spokesman, said in email.

Odds Slim for House Appropriations Language Preventing Rule Implementation.

Appropriations bill, HR 3055 section 145 prohibits funding from being used to finalize or enforce the proposed rule. In early July, labor and industry representatives met with Senate Appropriations Committee staff to discuss the prospects of the House appropriations bill language defunding enforcement of a final SAFE Vehicles Rule, surviving in the Senate. Senate staff acknowledged the SAFE Vehicles Rule was an administration priority and very political. The prospects of the House language surviving, as is, are slim.

House Energy & Commerce Subcommittees Provide Bipartisan Letter Requesting Trump Administration and California to Return to Negotiating Table.

On June 20, 2019, the House Energy and Commerce Subcommittees on Energy and Commerce and Environment and Climate Change held a joint hearing Driving in Reverse the Administrations Rollback of Fuel Economy and Clean Car Standards. On June 25, 2019, the chairs and ranking subcommittee members sent a bi-partisan letter to EPA Administrator Wheeler and DOT Secretary Chao. The letter called for all interested parties to return to the negotiating table while acknowledging there were differing views about the Constitution (mainly, state's rights and the role of the interstate commerce clause), the importance of climate change, and how best to make sure the economies of the auto sector are strong along with the traditional and vital questions of safety. At the time of this staff report, the Trump administration has not returned to the negotiating table with California and other interested parties.

SAFE Vehicles Rule Architect, EPA Air Chief Wehrum Resigns Abruptly.

EPA Air Chief, Bill Wehrum, thought to be the architect of the SAFE Vehicles Rule, abruptly resigned at the end of June. In April, House Democrats launched an investigation into whether Wehrum violated ethics rules by launching the rollback of air pollution regulations that benefited his former lobbying clients in the electric utility sector. Democrats are seeking



communications between the companies, Wehrum and other EPA regulators. "These allegations have raised substantial questions regarding whether Mr. Wehrum and Mr. Harlow are properly carrying out the [Clean Air Act] as directed by Congress or instead changing Agency policies and programs to benefit former clients, who are also clients of your law firm," the lawmakers wrote to Hunton Andrew Kurth managing partner Wendell Taylor – Mr. Wehrum's prior employer. To date, his resignation has had no noticeable impact on the proposed finalization of the rule.

What Next?

In June, CALCOG reported the proposed SAFE Vehicles Rule had been submitted to the federal Office of Management and Budget (OMB) in May 2019. This was incorrect. To date, the rule **has not** been submitted to OMB. As a refresher, OMB review is one of the last steps in the federal rule making process. OMB is the agency responsible for regulatory policy, including coordination and review of all significant Federal regulations by executive agencies. As part of that review process, OMB will grant meetings with interested parties. We encourage agencies to schedule individual meetings with OMB (note – meetings can be held via conference call) to discuss concerns. A template outlining how to request a meeting with OMB can be found [here](#) or on the CALCOG Policy Tracker website.

CALCOG website provides continuing updates.

Please visit the CALCOG Policy Tracker (www.calcog.org/policytracker) for up to date information regarding the Proposed SAFE Vehicles Rule.



July 9, 2019

Southern California Congressional Delegation
U.S. House of Representatives
Washington, DC 20515

Re: Negative Impacts to Transportation Funding and Projects from the Proposed Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule

Dear Members:

On behalf of the undersigned transportation agencies in Southern California, we write to convey our opposition to the proposed Safer Affordable Fuel Efficient (SAFE) Vehicles Rule, which would weaken national fuel-efficiency standards and result in a wide variety of negative impacts in California and across the nation. The proposed rule would also eliminate the waiver that allows California to set its own stricter emissions standards, which gets special treatment under the Clean Air Act due to our historic smog problems.

The change in standards would have significant impacts on transportation plans and projects throughout California. Specifically, in Southern California, the proposed rule would put 443 transportation infrastructure improvement projects totaling \$53 billion at risk of project delivery delays or loss of funding and would severely impact well-paying construction jobs. This is in addition to the more obvious environmental and public health impacts. An expected increase in ozone-forming nitrogen oxides emissions from less fuel-efficient vehicles of 15 million metric tons by 2030 will make our air dirtier and reduce the quality of life for the 19 million residents we serve in Southern California.

Last August, the U.S. Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) proposed the SAFE Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks to amend existing Corporate Average Fuel Economy (CAFE) standards and establish new standards for model years 2021 through 2026. If finalized, by changing the fundamental assumptions of vehicle fuel-efficiency, the SAFE Vehicles Rule would invalidate California's air quality emissions model (EMFAC), which is used to meet the Federal Highway Administration's transportation planning requirements. Without a valid air quality conformity model, state and regional transportation planning agencies in non-attainment areas would be unable to obtain federal approval or make modifications to specified transportation projects in the pipeline (see attached map and list of projects). While the California Air Resources Board (CARB) would endeavor to update the EMFAC model, the process would take a minimum of one year and would need another one to two years to obtain EPA approval before transportation projects could resume.

Page 1 of 2

Although NHTSA and EPA officials have touted the proposed rule as a savings to consumers, it would put \$130 billion in transportation funding at-risk in California alone. Furthermore, the Administration and leaders of both parties in Congress have indicated that increased funding for infrastructure is a priority. Action to finalize the proposed SAFE Vehicles Rule would be inconsistent with statements of support for investing in the nation's vital infrastructure.

We respectfully oppose the proposed SAFE Vehicles Rule and ask that the Southern California Congressional Delegation work together to ensure the Administration fully considers these impacts, specifically of rescinding California's waiver, and withholds from moving forward with the proposed rule. If you have questions, I am always available at (213) 236-1835 or via email at Ajise@scag.ca.gov.

Sincerely,



Kome Ajise
Executive Director
Southern California Association of Governments



Mark Baza
Executive Director
Imperial County Transportation Commission



Darrell E. Johnson
Chief Executive Officer
Orange County Transportation Authority



Darren M. Kettle
Executive Director
Ventura County Transportation Commission



Anne E. Mayer
Executive Director
Riverside County Transportation Commission



Phillip A. Washington
Chief Executive Officer
Los Angeles County Metropolitan
Transportation Authority



Ray Wolfe
Executive Director
San Bernardino County Transportation Authority

cc: Mick Mulvaney, Director of the Office of Management and Budget
Elaine L. Chao, Secretary of Transportation
Heidi King, Deputy Administrator of the National Highway Traffic Safety Administration
Andrew Wheeler, Administrator of the Environmental Protection Agency

AGENDA ITEM 7F

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Budget and Implementation Committee Martha Masters, Senior Management Analyst Shirley Medina, Planning and Programming Director
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Fiscal Year 2019/20 Annual Local Transportation Fund Planning Allocations to Western Riverside Council of Governments and Coachella Valley Association of Governments

BUDGET AND IMPLEMENTATION COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to approve an allocation of Local Transportation Fund (LTF) funds for planning in the amount of \$800,250 for Western Riverside Council of Governments (WRCOG) and \$436,500 for the Coachella Valley Association of Governments (CVAG) for efforts identified in each agency's Fiscal Year 2019/20 LTF Program Objectives/Work Plan (Work Plan) that supports transportation planning programs and functions consistent with regional and subregional plans, programs, and requirements.

BACKGROUND INFORMATION:

The LTF established in state law by the Transportation Development Act (TDA) is funded through a one-quarter of one cent of the state's 7.25 percent sales tax (based on point of sale and returned to source). LTF funds are used to fund transportation planning, operations, and capital projects. The action requested at this time is specifically to allocate the planning funds to the two councils of governments, WRCOG and CVAG. Other LTF allocations such as those for transit and rail operations and capital projects were approved by the Commission in July 2019 following approval of the annual Short Range Transit Plans in June. Bicycle and pedestrian facilities are also funded by LTF and are part of the biennial SB 821 Call for Projects.

The LTF funding is distributed by the State Board of Equalization to the counties on a pro rata basis, pursuant to Section 99233.2 of the TDA, providing up to 3 percent of annual revenues to fund transportation planning and programming efforts. The Commission, as the regional transportation planning agency, is legally responsible for apportioning the LTF funds. Based on the projected FY 2019/20 revenues of \$97 million, 3 percent of the projected revenue, or \$2.91 million, is for planning and programming. By statute, the TDA also requires one half of these LTF funds, or \$1.45 million, be allocated for planning activities within the Western Riverside County and the Coachella Valley areas, as determined by the Commission. Distribution of the funding, as confirmed by the Commission in October 2014, is as follows:

Planning Agency	Percentage	Apportionment/Allocation
RCTC	15	\$218,250
WRCOG	55	800,250
CVAG	30	436,500
Total	100	\$1,455,000

WRCOG and CVAG submitted their respective FY 2019/20 Work Plans in accordance with existing guidelines.

WRCOG's Work Plan is divided into two program areas and includes the following activities:

- 1) Planning Programs – including, but not limited, to:
 - Riverside County Model (RIVCOM) Update
 - 2020 Southern California Association of Government's (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)
 - SB 743 Implementation Study
 - Framework development of a long-term cybersecurity/transportation systems strategy for the WRCOG subregion
 - Research on the effects of automated vehicles on the WRCOG subregion
 - Transportation related climate change and climate adaptation analyses and planning for the WRCOG subregion
 - Smart Cities and Alternative Fuel Vehicle Development and Air Quality
- 2) Regional Transportation Programs
 - Transportation Uniform Mitigation Fee (TUMF) Program
 - Riverside County Transportation Commission Programs

CVAG's Work Plan consists of nine main program areas:

- 1) Transportation Department Operations;
- 2) Project Management and Contract Administration;
- 3) CV Link Project Development;
- 4) Riverside County Transportation Commission Programs;
- 5) Planning, Programming, and Monitoring Program;
- 6) Miscellaneous Programs including GIS Information Services, support for the countywide transportation model and Regional Arterial Traffic Count Program;
- 7) Congestion Management/Air Quality Programs;
- 8) TUMF Program; and
- 9) Governmental and Special Projects.

Staff reviewed the Work Plans and found them to be consistent with the Commission's overall transportation programming and planning objectives and recommends approval. The Work Plans also benefit the respective geographic regions and are consistent with subregional and

regional plans including SCAG's RTP/SCS. WRCOG and CVAG, in conjunction with SCAG, are responsible for subregional planning efforts that implement and are in conformance with the RTP/SCS.

Financial Information					
In Fiscal Year Budget:	Yes	Year:	FY 2019/20	Amount:	\$1,236,750
Source of Funds:	LTF			Budget Adjustment:	No
GL/Project Accounting No.:	106 65 86205				
Fiscal Procedures Approved:	<i>Theresa Iuvino</i>			Date:	08/15/2019

Attachments:

- 1) WRCOG FY 2019/20 LTF Program Objectives/Work Plan
- 2) CVAG FY 2019/20 LTF Program Objectives/Work Plan

Western Riverside Council of Governments (WRCOG)

Fiscal Year 2019/2020 Local Transportation Funds Program Objectives

The Work Plan for FY 2019/2020 is divided into two Program areas: 1) Planning Programs and 2) Regional Transportation Programs.

1. Planning Programs

California Air Resources Board
South Coast Air Quality Management District (SCAQMD)
Southern California Associations of Governments (SCAG)
California Association of Councils of Governments (CALCOG)
Local Jurisdictions within WRCOG subregion

Planning:

This program includes staff time to develop and work on ten main projects/program areas. These are listed below and include a brief description.

A. Continued development of the new Riverside County Model (RIVCOM)

The RIVCOM Update will provide updates on socio-economic forecasts to reflect SCAG's recently adopted growth forecasts, updates to the roadway network, utilize data from SCAG's most recent Regional Travel Model to ensure consistency, and correct any significant structural issues related to RIVCOM.

B. Support local jurisdictions on 2020 Connect SoCal Plan (SCAG Regional Transportation Plan/Sustainable Communities Strategy)

Staff will continue to provide support to local jurisdictions as SCAG refines socio-economic data (SED) forecasts to incorporate into the Connect SoCal Plan. The assistance provided will be to ensure that input from the WRCOG subregion will be included in the long-range vision plan that aims to balance future mobility and housing needs with economic, environmental and public health goals. The Plan is vital for the subregion as it allows RCTC and its jurisdictions to qualify for federal funding towards transportation projects. Connect SoCal is supported by a combination of transportation and land use strategies that help the region achieve state greenhouse gas emission reduction goals and federal Clean Air Act requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry and utilize resources more efficiently.

C. Continue to assist jurisdictions with Senate Bill (SB) 743 Implementation

The SB 743 Implementation Study assists stakeholders to transition from utilizing level of service methodology for mitigation impacts to vehicle miles traveled. WRCOG will continue to assist jurisdictions in identifying the necessary steps to implementing SB 743 and create template ordinances for jurisdictions to utilize when adopting ordinances becomes necessary.

D. Research, agenda preparation, and staffing for WRCOG Planning Directors Committee

The research, agenda preparation, and staffing for the WRCOG Planning Directors Committee will support WRCOG member agencies to obtain information, access to research, and awareness of applicable grant opportunities, as well as foster discussions between WRCOG member jurisdictions regarding the latest challenges and opportunities facing the WRCOG subregion, in order to achieve more cost effective and efficient solutions to planning-related matters on a monthly basis.

E. Research, agenda preparation, and staffing for WRCOG Public Works Committee

The research, agenda preparation, and staffing for the WRCOG Public Works Committee will support WRCOG member agencies to obtain information, access to research, and awareness of applicable grant opportunities, as well as foster discussions between WRCOG member jurisdictions regarding the latest challenges and opportunities facing the WRCOG subregion, in order to achieve more cost effective and efficient solutions to public works or engineering-related matters on a monthly basis.

F. Research framework on the development of a long-term cybersecurity strategy for the WRCOG subregion

WRCOG will continue to conduct research into a possible framework of a cybersecurity strategy that will focus on a large-scale plan to provide direction for future research and regional policy development on cybersecurity and transportation systems for the subregion as the system increases the level of connectivity with traffic signals and cameras, and transportation management centers regularly communicate with each other and the outside world. Staff will also continue to identify possible funding mechanisms to develop a Plan and develop applications if feasible.

G. Follow-up research and outreach on the effects of automation on the WRCOG subregion

WRCOG will conduct follow-up research and outreach on the effects of automation on the subregion that will continue to analyze the subregion's current economic structure, strategic positioning, and risks as reference points. The research will also analyze the expected future economic structure and opportunities for strategic positioning, and discuss future risks based on the technical automation potential of industry sectors. WRCOG will work to ensure this information is disseminated to jurisdictions through its

Committee structure and is presented at forums, conferences, and panels where suitable.

H. Outreach for WRCOG Programs and activities and engagement with WRCOG members, partner agencies, and stakeholders

The outreach for WRCOG Programs and activities and partner agencies will include assisting local jurisdictions and education institutions on the various WRCOG Programs and subregional challenges faced. Outreach will continue on the WRCOG Public Service Fellowship, which encourages students to seek careers in public policy and local government by gaining meaningful, hands-on experience at WRCOG member agencies. Staff will continue to provide content for educational outreach on issues faced in the WRCOG subregion and WRCOG Programs through the “WRCOGCAST”. In addition, staff will continue to promote and attend member jurisdiction/agency events throughout the year. Lastly, staff will conduct outreach to the subregion’s legislatures and their staff to provide updates on issues local jurisdictions and agencies are facing, such as housing.

I. Staff time for climate change and climate adaptation analyses and planning for the WRCOG subregion.

The staff time for climate change and climate adaptation efforts for the WRCOG subregion will be to continue overseeing studies and planning efforts to identify effects of climate change to the subregion and opportunities to mitigate these effects, particularly as it relates to transportation infrastructure. One specific effort that will be supported by LTF will be the development of design guidelines to create climate reliant transportation infrastructure. These funds will be used as matching funds to support the development of this guidebook, as funded through SB 1 Planning Funds.

J. Smart Cities and Alternative Fuel Vehicle Development, and Air Quality:

Activities include:

- a) Research and implementation of Smart Cities technologies for local transportation infrastructure including the possible development of a regional ITS program for Western Riverside County.
- b) Provide outreach to the jurisdictions regarding air quality issues and funding opportunities.
- c) Support WRCOG Clean Cities and Programs that WRCOG has developed to assist jurisdictions in the purchase of alternative fuel vehicles and the development of the supporting infrastructure.
- d) Continued staff participation in SCAQMD activities, rule-making, funding opportunities, and the SCAQMD Air Quality Management Plan Advisory Group that will review and make recommendations regarding the development of the 2022 Air Quality Management Plan (AQMP).

2. Regional Transportation Programs

Riverside County Transportation Commission (RCTC)
Riverside Transit Agency
Caltrans
SCAG
CALCOG

This program includes staff time to develop and work on two main projects/program areas. These are listed below and include a brief description.

TUMF:

This Program includes staff time to administer the TUMF Program, which includes but is not limited to the following:

A. Program contract/agreement administration:

Review, coordinate, and finalize Reimbursement Agreements with member agencies for funding allocations based on five-year Zone Transportation Improvement Program (TIP).

B. Public outreach/information:

Prepare the TUMF Annual Report detailing collections for fiscal year and projects being funded with collections. Develop Press Releases for the TUMF Program highlighting major milestones, groundbreakings, ribbon cuttings. Filming of groundbreakings and ribbon cuttings for TUMF funded projects. Develop and purchase of signage for TUMF funded projects.

C. TUMF Zone Transportation Improvement Program (TIP):

Preparation and approval of five-year Zone TIPs with programmed funding for delivery of TUMF projects. Convene meetings of the Zone at the request of member agencies for funding additions and adjustments. Review funding requests to ensure that allocations are within limits of the Nexus Study.

D. Preparation of annual adjustment for construction costs:

Per the TUMF Administrative Plan, annual review of the construction cost index adjustment to the TUMF for consideration by the WRCOG Executive Committee. Preparation of the adjustment to the TUMF Network and develop documents for review by the WRCOG Committee structure. If approved by the WRCOG Executive Committee, prepare TUMF Ordinance/Resolution for member agency approval.

E. Develop TUMF payment portal:

WRCOG is collecting TUMF on behalf of agencies that have approved a TUMF Ordinance Amendment with the option to delegate fee collection responsibility to WRCOG. To provide efficient and effective calculation and

collection of TUMF, WRCOG will develop a portal for member agency staff to submit calculation requests and for developers to make payments.

F. Work with developers on credit and reimbursement agreements:

Coordinate with member agencies Credit Agreements with developers to ensure that all policies and procedures are in place prior to execution of agreements. If necessary, convene meetings with applicable stakeholders to memorialize eligible expenses, maximum allocations of the Nexus Study and reconciliation of projects costs.

G. Review available data for request made by stakeholders regarding TUMF calculations:

At the request of a stakeholder, review available data specific to land uses that may generate trips that don't typically fall within the standard TUMF land uses.

Riverside County Transportation Commission Programs:

This Program includes staff time to administer assist RCTC as it relates transportation planning and air quality programs, which includes but is not limited to the following:

- a) Participation in TUMF Program tasks as needed to assist RCTC in the implementation of the Regional TUMF Program.
- b) Participate in evaluation committees as requested; outreach assisting with RCTC's Programs and goals, and other planning related tasks as determined in consultation with the RCTC Executive Director.

TRANSPORTATION DEPARTMENT PROGRAM GOALS AND OBJECTIVES FISCAL YEAR 2019/20

The Work Plan for 2019/20 is separated into nine main program areas:

1) **Transportation Department Operations**

- Transportation Program Administration
- Implementation of Transportation Project Prioritization Study (TPPS), Regional Arterial Cost Estimate (RACE) and Active Transportation Program (ATP)
- Capital Improvement Program (CIP) Update
- Other Transportation Planning
- Operations Management and Administration

This program area performs primarily administrative functions which consist of general transportation program administrative activities and various transportation planning duties in support of the Transportation Department. Continued implementation of the 2016 TPPS, RACE and ATP Program and implementation of the Valley-wide Signal Synchronization program are primary consideration this fiscal year.

(Funded from Measure A, TUMF and Active Transportation Program Funds)

2) **Project Management and Contract Administration**

- Financial Cash Flow
- Project Status Tracking
- Preparation and Monitoring of Reimbursement Agreements

Includes staff time to conduct project oversight (design, environmental, construction and close-out), preparation of reimbursement agreements for regional arterial projects, review and approval of project billings in accordance with project scope of work and participation in project development team meetings and associated staff reports.

(Funded from Measure A, TUMF, LTF and Special Program Funds)

3) **CV Link Project Development (Phased)**

- Project Development and Monitoring
- Cash Flow Tracking
- Grant Condition Monitoring

Includes staff time to conduct project oversight of consultant services (environmental compliance and phased construction plans); review of project billings; participation in project development team meetings and preparation of associated reports. Finalizing construction plans, specifications and cost estimates and starting construction of the CV Link Project is a primary consideration this fiscal year.

(Funded from Riverside County Regional Park and Open Space District Grant, Caltrans Environmental Justice Grant, California Strategic Growth Council Grant, PP&M, LTF, Sentinel Project AQMD Grant, CMAQ, STIP, ATP and Measure A)

4) **Riverside County Transportation Commission (RCTC) Programs**

- Congestion Management Program/System (CMP/CMS)
- RCTC Technical Advisory Committee
- SB 821
- Coachella Valley Rail Program

Includes staff time to support the Riverside County Congestion Management Program; analysis of traffic patterns through the traffic count program; provide RCTC staff regional transportation project information for the State Regional Transportation Improvement Program (RTIP); support the RCTC Technical Advisory Committee; support efforts for County-wide SB 821 funding; Coachella Valley Passenger Rail Service Development Plan.

(Funded from LTF, STA, Proposition 1B [one-time funds] and TUMF)

5) **Planning, Programming and Monitoring Program**

- Regional Transportation Improvement Program/State Transportation Improvement Program (RTIP/STIP)

This area includes staff time in support of the State Transportation Improvement Program (STIP) and Regional Transportation Improvement Program (RTIP), support in implementation of the CVAG Transportation Project Prioritization Study (TPPS), coordination of updates to the Capital Improvement Plan (CIP), and monitoring and examining impacts of implementing SB 45. TPPS activities support the regional project construction program which includes staff time to develop an annual prioritized list of construction projects and required financial resources.

(Funded from PP&M, LTF and Measure A)

6) **Miscellaneous Programs**

- GIS Information Services
- Maintain Transportation Model
- Regional Arterial Traffic Count Program

This area involves support to multiple programs with a focus on key project areas. These areas include staff time and project management to maintain and provide input for GIS Information Services, the countywide transportation demand model, the regional arterial traffic count program, and transportation legislation review and analysis. GIS Information Services includes staff time to provide regional land use information to CVAG jurisdictions, developers, SCAG and Caltrans. The countywide transportation model involves support for the RIVTAM transportation model for forecasting projected transportation system needs to the year 2039.

(Funded from Measure A, TUMF, and Special Program Funds)

7) **Congestion Management /Air Quality Programs**

- CM/AQ Programs
- Conformance with SIP requirements

Involves Transportation Department staff support to CMAQ program areas. Also includes implementation of State Implementation Plan (SIP) conformance to CVAG regional projects.

(Funded from CMAQ and Measure A)

8) **Transportation Uniform Mitigation Fee (TUMF) Program**

- TUMF Program Administration
- TUMF/GIS Interface
- TUMF Audits

Includes staff time in support of the TUMF program and TUMF/GIS Interface program. TUMF program activities include staff time to update the program, monitor the implementation of the TUMF program in member jurisdictions, to perform annual fiscal reviews of building permits and monthly TUMF collections, to research, analyze and prepare reports for TUMF appeals, to enter TUMF collections in the TUMF data base, to meet with developers on request to review potential TUMF assessments, and to perform special TUMF analysis on request. The TUMF/GIS Interface program requires support for continuing the development of integrating the TUMF collection process with electronic transmission of new development information for land use coverages. The TUMF program is a primary consideration this fiscal year.

(Funded from TUMF)

9) **Governmental and Special Projects**

- Southern California Association of Governments (SCAG)

The SCAG program includes staff time to coordinate the CVAG sub-region SCAG Program needs, develop annual growth projections, provide input to the Federal and Regional Transportation Improvement Plans (FTIP and RTIP), and assist SCAG with transportation modeling refinements. Additionally, staff performs specific transportation project work for SCAG.

(Funded from Special Program Funds)

- Special Projects

Some proposed projects may involve general fund money or special grants. Any project not already a part of the regular work programs, will be brought through the committee process for approval of the proposed work.

(Funded from Special Grant funds)

AGENDA ITEM 7G

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Toll Policy and Operations Committee Jennifer Crosson, Toll Operations Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	91 Express Lanes Monthly Status Reports

TOLL POLICY AND OPERATIONS COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to receive and file the 91 Express Lanes Monthly Reports for the quarter ended June 30, 2019.

BACKGROUND INFORMATION:

The monthly 91 Express Lanes reports for the fourth quarter of 2019 are provided. The monthly reports provide information about 91 Express Lanes performance and activity. The monthly reports include information for both segments of the 91 Express Lanes in Orange and Riverside Counties.

Attachments:

- 1) 91 Express Lanes Status Report for April 2019
- 2) 91 Express Lanes Status Report for May 2019
- 3) 91 Express Lanes Status Report for June 2019



**Orange County Transportation Authority
Riverside County Transportation Commission**



Status Report
April 2019

As of April 30, 2019

Table of Contents

Operations Overview OCTA.....	3
Traffic and Revenue Statistics for OCTA.....	3
OCTA Traffic and Revenue Summary.....	5
OCTA Eastbound Peak-Hour Volumes	6
OCTA Westbound Peak-Hour Volumes	7
OCTA Operational Highlights	8
Financial Highlights OCTA	10
Operations Overview RCTC	11
Traffic and Revenue Statistics for RCTC.....	11
RCTC Traffic and Revenue Summary.....	13
RCTC Peak-Hour Volumes	14
RCTC Eastbound Peak-Hour Volumes	15
RCTC Westbound Peak-Hour Volumes	17
RCTC Operational Highlights	19
Financial Highlights RCTC	20
Joint Agency Trip and Revenue Statistics	21
Joint Agency Traffic Statistics	21
Joint Agency Performance Measures.....	22
Joint Agency Transponder Distribution.....	22
Number of Accounts by Fiscal Year	23
Incoming Email Activity	23

OPERATIONS OVERVIEW OCTA

TRAFFIC AND REVENUE STATISTICS FOR OCTA

Total traffic volume on the OCTA 91 Express Lanes for April 2019 was 1,529,138. This represents a daily average of 50,971. This is a 4.7% increase in total traffic volume from the same period last year when traffic levels totaled 1,461,076. Potential toll revenue for the month was \$4,487,650 which represents an increase of 4.6% from the prior year's total of \$4,289,009. Carpool percentage for the month was 26.59% as compared to the previous year's rate of 25.52%.

Month-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the OCTA 91 Express Lanes and associated potential revenue for the month of April 2019.

Current Month-to-Date (MTD) as of April 30, 2019

Trips	Apr-19 MTD Actual	Stantec MTD Projected	# Variance	% Variance	Apr-18 MTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	1,122,505	1,153,473	(30,968)	(2.7%)	1,088,166	3.2%
3+ Lanes	406,633	353,325	53,308	15.1%	372,910	9.0%
Total Gross Trips	1,529,138	1,506,798	22,340	1.5%	1,461,076	4.7%
Revenue						
Full Toll Lanes	\$4,406,472	\$4,615,139	(\$208,667)	(4.5%)	\$4,212,016	4.6%
3+ Lanes	\$81,179	\$88,044	(\$6,865)	(7.8%)	\$76,993	5.4%
Total Gross Revenue	\$4,487,650	\$4,703,183	(\$215,533)	(4.6%)	\$4,289,009	4.6%
Average Revenue per Trip						
Average Full Toll Lanes	\$3.93	\$4.00	(\$0.07)	(1.8%)	\$3.87	1.6%
Average 3+ Lanes	\$0.20	\$0.25	(\$0.05)	(20.0%)	\$0.21	(4.8%)
Average Gross Revenue	\$2.93	\$3.12	(\$0.19)	(6.1%)	\$2.94	(0.3%)

The 2019 fiscal year-to-date traffic volume increased by 5.5% and potential toll revenue increased by 5.2%, when compared with the same period last year. Year-to-date average revenue per-trip is \$2.97.

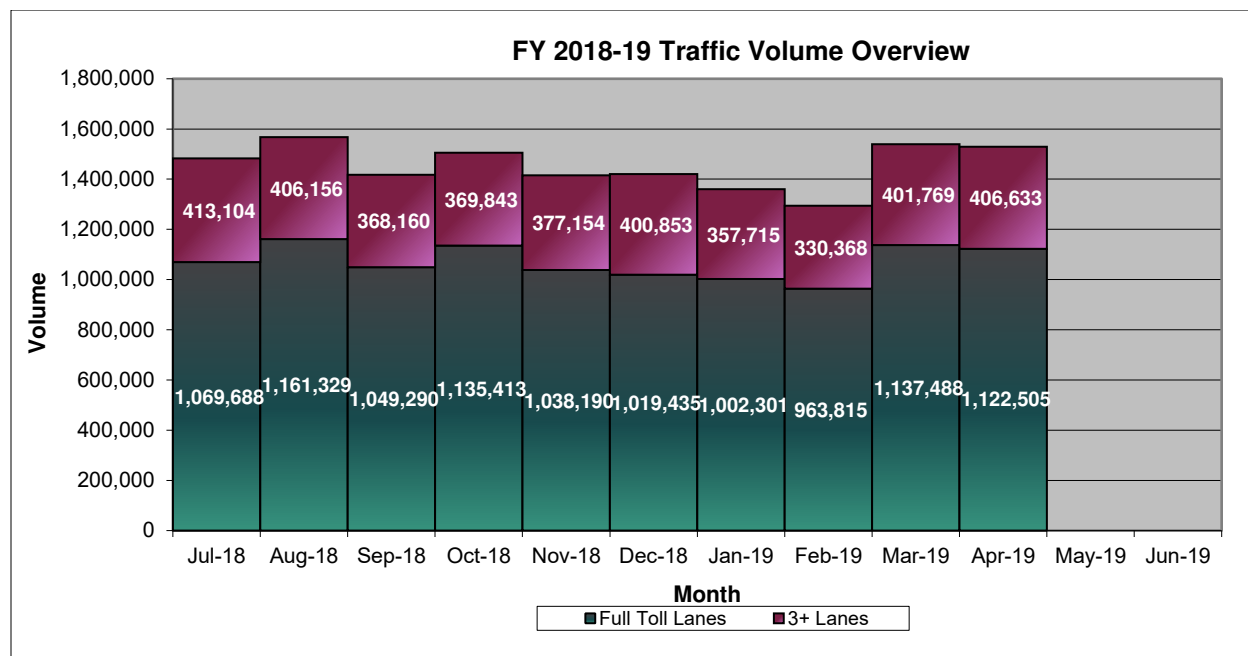
Fiscal year-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the OCTA 91 Express Lanes and associated potential revenue for the months of July 2018 through April 2019.

FY 2018-19 Year to Date as of April 30, 2019

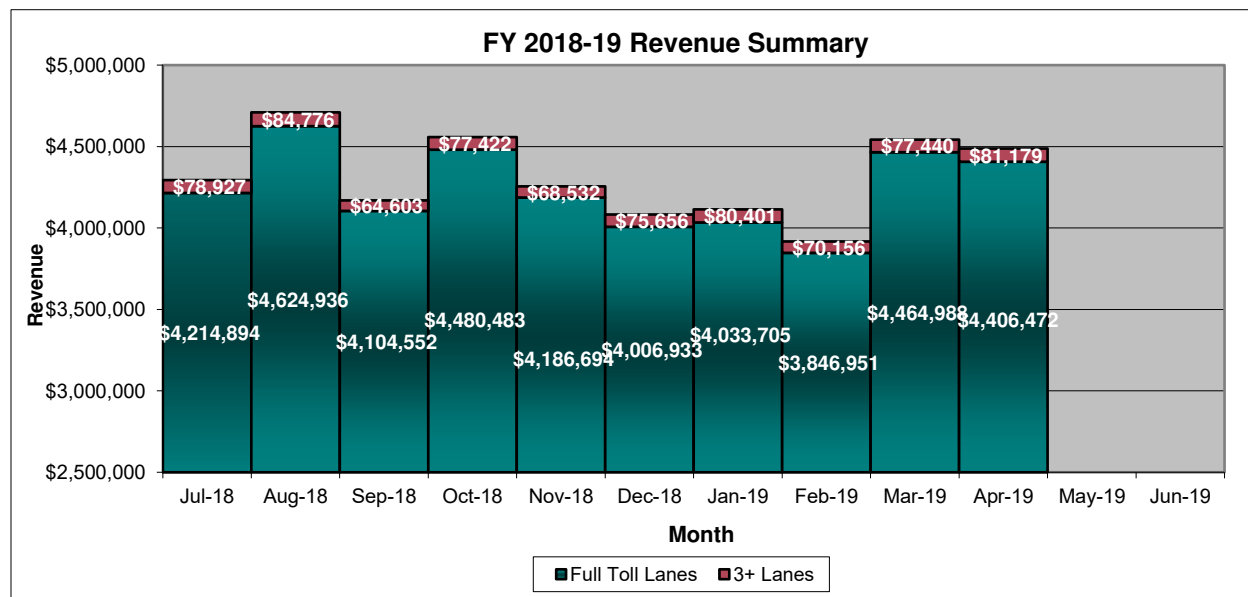
Trips	FY 2018-19 YTD Actual	Stantec YTD Projected	# Variance	% Variance	FY 2017-18 YTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	10,699,454	10,960,279	(260,825)	(2.4%)	10,330,635	3.6%
3+ Lanes	3,831,755	3,298,070	533,685	16.2%	3,441,237	11.3%
Total Gross Trips	14,531,209	14,258,349	272,860	1.9%	13,771,872	5.5%
Revenue						
Full Toll Lanes	\$42,370,608	\$43,805,775	(\$1,435,167)	(3.3%)	\$40,267,281	5.2%
3+ Lanes	\$759,092	\$835,614	(\$76,522)	(9.2%)	\$728,322	4.2%
Total Gross Revenue	\$43,129,699	\$44,641,388	(\$1,511,689)	(3.4%)	\$40,995,603	5.2%
Average Revenue per Trip						
Average Full Toll Lanes	\$3.96	\$4.00	(\$0.04)	(1.0%)	\$3.90	1.5%
Average 3+ Lanes	\$0.20	\$0.25	(\$0.05)	(20.0%)	\$0.21	(4.8%)
Average Gross Revenue	\$2.97	\$3.13	(\$0.16)	(5.1%)	\$2.98	(0.3%)

OCTA Traffic and Revenue Summary

The chart below reflects the total trips breakdown between Full Toll trips and HOV3+ trips for FY 2018-19 on a monthly basis.



The chart below reflects the gross potential revenue breakdown between Full Toll trips and HOV3+ trips for FY 2018-19 on a monthly basis.



Peak traffic hour in the eastbound direction reached or exceeded 90% or more of defined capacity 27 times during the month of April 2019. As demonstrated on the next chart, westbound peak hour traffic volumes top out at 82% of defined capacity.

OCTA EASTBOUND PEAK-HOUR VOLUMES

PM Time	Monday 04/01/19				Tuesday 04/02/19				Wednesday 04/03/19				Thursday 04/04/19				Friday 04/05/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	507	2,603	77%	\$5.05	499	2,883	85%	\$5.05	524	2,883	85%	\$5.95	502	2,883	85%	\$6.35	624	3,229	95%
1500 - 1600	\$5.40	696	3,033	89%	\$5.65	724	2,977	88%	\$7.00	756	3,281	97%	\$6.00	764	3,188	94%	\$9.15	708	2,742	81%
1600 - 1700	\$5.25	556	2,874	85%	\$5.50	432	2,489	73%	\$7.50	536	2,508	74%	\$8.80	573	2,744	81%	\$8.95	560	2,810	83%
1700 - 1800	\$5.20	624	3,150	93%	\$5.40	484	2,634	77%	\$6.40	592	3,045	90%	\$8.70	587	3,046	90%	\$6.90	672	2,985	88%
1800 - 1900	\$5.40	633	2,395	70%	\$3.85	717	3,027	89%	\$3.85	634	2,910	86%	\$4.75	687	2,990	88%	\$6.40	617	2,446	72%
1900 - 2000	\$3.75	508	1,669	49%	\$3.75	661	2,355	69%	\$3.75	573	2,037	60%	\$5.50	577	1,973	58%	\$5.95	609	2,013	59%

PM Time	Monday 04/08/19				Tuesday 04/09/19				Wednesday 04/10/19				Thursday 04/11/19				Friday 04/12/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	462	2,661	78%	\$5.05	456	2,868	84%	\$5.05	461	2,927	86%	\$5.95	507	3,254	96%	\$6.35	619	3,367	99%
1500 - 1600	\$5.40	677	2,977	88%	\$5.65	737	2,918	86%	\$7.00	699	3,214	95%	\$6.00	742	3,096	91%	\$9.15	617	2,299	68%
1600 - 1700	\$5.25	544	2,857	84%	\$5.50	504	2,963	87%	\$7.50	493	2,556	75%	\$8.80	543	2,756	81%	\$8.95	592	2,909	86%
1700 - 1800	\$5.20	558	3,005	88%	\$5.40	584	3,000	88%	\$6.40	540	2,847	84%	\$8.70	589	2,850	84%	\$6.90	604	3,069	90%
1800 - 1900	\$5.40	722	2,867	84%	\$3.85	663	3,090	91%	\$3.85	624	2,885	85%	\$4.75	695	2,875	85%	\$6.40	658	3,201	94%
1900 - 2000	\$3.75	436	1,722	51%	\$3.75	487	1,938	57%	\$3.75	613	2,454	72%	\$5.50	712	2,764	81%	\$5.95	648	2,410	71%

PM Time	Monday 04/15/19				Tuesday 04/16/19				Wednesday 04/17/19				Thursday 04/18/19				Friday 04/19/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	455	2,631	77%	\$5.05	460	2,876	85%	\$5.05	552	3,059	90%	\$5.95	512	3,295	97%	\$6.35	623	3,080	91%
1500 - 1600	\$5.40	632	2,899	85%	\$5.65	722	2,845	84%	\$7.00	708	3,148	93%	\$6.00	710	2,398	71%	\$9.15	759	2,661	78%
1600 - 1700	\$5.25	504	2,878	85%	\$5.50	463	2,808	83%	\$7.50	513	2,637	78%	\$8.80	507	2,585	76%	\$8.95	510	2,688	79%
1700 - 1800	\$5.20	623	3,223	95%	\$5.40	574	2,968	87%	\$6.40	538	2,840	84%	\$8.70	565	2,846	84%	\$6.90	579	2,626	77%
1800 - 1900	\$5.40	661	2,598	76%	\$3.85	665	3,045	90%	\$3.85	680	3,101	91%	\$4.75	647	2,904	85%	\$6.40	565	2,072	61%
1900 - 2000	\$3.75	453	1,723	51%	\$3.75	551	2,071	61%	\$3.75	551	2,293	67%	\$5.50	719	2,852	84%	\$5.95	528	1,724	51%

PM Time	Monday 04/22/19				Tuesday 04/23/19				Wednesday 04/24/19				Thursday 04/25/19				Friday 04/26/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	482	2,602	77%	\$5.05	514	3,042	89%	\$5.05	525	2,994	88%	\$5.95	535	3,329	98%	\$6.35	568	3,276	96%
1500 - 1600	\$5.40	696	3,057	90%	\$5.65	667	2,756	81%	\$7.00	740	3,298	97%	\$6.00	735	3,030	89%	\$9.15	727	2,684	79%
1600 - 1700	\$5.25	559	3,063	90%	\$5.50	459	2,785	82%	\$7.50	493	2,482	73%	\$8.80	527	2,600	76%	\$8.95	502	2,728	80%
1700 - 1800	\$5.20	555	2,909	86%	\$5.40	575	2,915	86%	\$6.40	529	2,884	85%	\$8.70	612	2,991	88%	\$6.90	550	2,865	84%
1800 - 1900	\$5.40	674	2,604	77%	\$3.85	536	2,322	68%	\$3.85	700	3,050	90%	\$4.75	678	2,994	88%	\$6.40	672	2,541	75%
1900 - 2000	\$3.75	474	1,736	51%	\$3.75	679	2,702	79%	\$3.75	604	2,413	71%	\$5.50	649	2,453	72%	\$5.95	553	1,869	55%

PM Time	Monday 04/29/19				Tuesday 04/30/19				Wednesday 05/01/19				Thursday 05/02/19				Friday 05/03/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	467	2,596	76%	\$5.05	467	2,882	85%												
1500 - 1600	\$5.40	685	2,988	88%	\$5.65	740	2,855	84%												
1600 - 1700	\$5.25	545	2,960	87%	\$5.50	503	2,944	87%												
1700 - 1800	\$5.20	565	2,998	88%	\$5.40	600	3,077	91%												
1800 - 1900	\$5.40	626	2,441	72%	\$3.85	611	2,710	80%												
1900 - 2000	\$3.75	433	1,426	42%	\$3.75	508	1,866	55%												

OCTA WESTBOUND PEAK-HOUR VOLUMES

AM Time	Monday 04/01/19				Tuesday 04/02/19				Wednesday 04/03/19				Thursday 04/04/19				Friday 04/05/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	788	2,450	72%	\$3.00	827	2,399	71%	\$3.00	845	2,558	75%	\$3.00	790	2,401	71%	\$3.00	684	1,959	58%
0500 - 0600	\$4.85	921	2,504	74%	\$4.85	1002	2,728	80%	\$4.85	906	2,464	72%	\$4.85	929	2,522	74%	\$4.60	796	2,319	68%
0600 - 0700	\$5.05	612	2,044	60%	\$5.05	609	2,041	60%	\$5.05	665	2,151	63%	\$5.05	633	2,091	62%	\$4.85	623	2,095	62%
0700 - 0800	\$5.55	529	1,891	56%	\$5.55	532	2,087	61%	\$5.55	584	2,256	66%	\$5.55	515	2,042	60%	\$5.40	461	1,841	54%
0800 - 0900	\$5.05	348	1,900	56%	\$5.05	419	1,983	58%	\$5.05	429	2,242	66%	\$5.05	380	2,055	60%	\$4.85	402	1,872	55%
0900 - 1000	\$4.00	439	1,872	55%	\$4.00	393	2,003	59%	\$4.00	464	2,348	69%	\$4.00	442	2,134	63%	\$4.00	366	1,617	48%

AM Time	Monday 04/08/19				Tuesday 04/09/19				Wednesday 04/10/19				Thursday 04/11/19				Friday 04/12/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	856	2,556	75%	\$3.00	827	2,485	73%	\$3.00	856	2,529	74%	\$3.00	827	2,470	73%	\$3.00	725	2,146	63%
0500 - 0600	\$4.85	966	2,541	75%	\$4.85	996	2,690	79%	\$4.85	878	2,488	73%	\$4.85	918	2,514	74%	\$4.60	871	2,487	73%
0600 - 0700	\$5.05	660	2,225	65%	\$5.05	668	2,093	62%	\$5.05	683	2,147	63%	\$5.05	715	2,222	65%	\$4.85	646	2,243	66%
0700 - 0800	\$5.55	482	2,017	59%	\$5.55	573	2,190	64%	\$5.55	526	2,021	59%	\$5.55	576	2,336	69%	\$5.40	549	2,112	62%
0800 - 0900	\$5.05	347	2,069	61%	\$5.05	354	2,209	65%	\$5.05	371	2,217	65%	\$5.05	390	2,226	65%	\$4.85	371	2,019	59%
0900 - 1000	\$4.00	293	2,053	60%	\$4.00	350	2,289	67%	\$4.00	355	2,318	68%	\$4.00	338	2,237	66%	\$4.00	327	2,077	61%

AM Time	Monday 04/15/19				Tuesday 04/16/19				Wednesday 04/17/19				Thursday 04/18/19				Friday 04/19/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	845	2,633	77%	\$3.00	817	2,499	74%	\$3.00	844	2,514	74%	\$3.00	856	2,549	75%	\$3.00	627	1,837	54%
0500 - 0600	\$4.85	883	2,474	73%	\$4.85	981	2,671	79%	\$4.85	945	2,518	74%	\$4.85	947	2,474	73%	\$4.60	790	2,283	67%
0600 - 0700	\$5.05	692	2,166	64%	\$5.05	614	1,972	58%	\$5.05	656	2,204	65%	\$5.05	636	2,087	61%	\$4.85	582	1,870	55%
0700 - 0800	\$5.55	547	2,193	65%	\$5.55	572	2,193	65%	\$5.55	530	2,182	64%	\$5.55	546	2,062	61%	\$5.40	427	1,725	51%
0800 - 0900	\$5.05	389	2,250	66%	\$5.05	371	2,207	65%	\$5.05	326	2,059	61%	\$5.05	374	2,193	65%	\$4.85	326	1,598	47%
0900 - 1000	\$4.00	346	2,255	66%	\$4.00	330	2,107	62%	\$4.00	325	2,057	61%	\$4.00	305	2,005	59%	\$4.00	367	1,730	51%

AM Time	Monday 04/22/19				Tuesday 04/23/19				Wednesday 04/24/19				Thursday 04/25/19				Friday 04/26/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	859	2,551	75%	\$3.00	844	2,590	76%	\$3.00	911	2,672	79%	\$3.00	852	2,484	73%	\$3.00	713	1,973	58%
0500 - 0600	\$4.85	931	2,507	74%	\$4.85	972	2,683	79%	\$4.85	899	2,514	74%	\$4.85	951	2,507	74%	\$4.60	891	2,430	71%
0600 - 0700	\$5.05	622	2,153	63%	\$5.05	644	2,037	60%	\$5.05	718	2,281	67%	\$5.05	670	2,027	60%	\$4.85	664	2,177	64%
0700 - 0800	\$5.55	530	2,110	62%	\$5.55	578	2,335	69%	\$5.55	531	2,200	65%	\$5.55	646	2,380	70%	\$5.40	504	1,917	56%
0800 - 0900	\$5.05	411	2,164	64%	\$5.05	385	2,294	67%	\$5.05	380	2,297	68%	\$5.05	401	2,242	66%	\$4.85	324	1,726	51%
0900 - 1000	\$4.00	407	2,112	62%	\$4.00	392	2,242	66%	\$4.00	376	2,238	66%	\$4.00	358	2,133	63%	\$4.00	279	1,664	49%

AM Time	Monday 04/29/19				Tuesday 04/30/19				Wednesday 05/01/19				Thursday 05/02/19				Friday 05/03/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	837	2,517	74%	\$3.00	859	2,518	74%												
0500 - 0600	\$4.85	913	2,451	72%	\$4.85	1052	2,787	82%												
0600 - 0700	\$5.05	714	2,329	69%	\$5.05	637	2,022	59%												
0700 - 0800	\$5.55	579	2,300	68%	\$5.55	661	2,435	72%												
0800 - 0900	\$5.05	421	2,207	65%	\$5.05	354	2,176	64%												
0900 - 1000	\$4.00	377	2,284	67%	\$4.00	354	2,255	66%												

OCTA OPERATIONAL HIGHLIGHTS

On-road Operations

OCTA Customer Assistance Specialists (CAS) responded to 120 calls during the month of April. Of those calls, 104 were to assist disabled vehicles and 7 calls to remove debris. The CAS provided assistance to 9 accidents in the Express Lanes and 1 of those accidents originated from the SR91 general-purpose lanes.

Electronic Toll and Traffic Management System Project Update

An agreement with Kapsch TrafficCom USA, Inc., (Kapsch) was executed in June 2018 to provide toll lane system integrator services for the design, installation, operations, and maintenance of the electronic toll and traffic management system for the 91 Express Lanes. In April, Kapsch has developed several project plans and documentations and held weekly coordination meetings with OCTA and Cofiroute in preparation for the transition to the new lane system. This new lane system will be able to read the new 6C protocol as well as the current Title 21 protocol. Following RCTC's completion of their lane system installation on the 91 Express Lanes, OCTA will commence installation on the Orange County segment. It is anticipated the OCTA lane system equipment at the gantries will be replaced in summer 2019.

6C Transition Update

In addition to the lane system replacement, the back-office system will need to be modified in order to process the new transponders and changes to the customer account plans. Modification to the back-office system will commence when the lane system installations for both OCTA and RCTC have been completed. Distribution of the new 6C transponders to customers will begin after the back-office system changes have been made. OCTA and RCTC have prepared a series of customer communication to be provided to customers to facilitate the transition to the new protocol and changes to the account plans.

Amendment to the Three-Party Operating Agreement

As referenced above, due to the back-office system changes, an amendment to the OCTA, RCTC, Cofiroute USA (CUSA) Operating Agreement is required. Staff from both OCTA and RCTC have been in negotiations with CUSA for the amendment. It is



anticipated there will be no change to the maximum obligation of the contract. The amendment is expected to be finalized in the next few months.

California Highway Patrol Agreement

Staff is currently in discussion with the California Highway Patrol (CHP) for a new agreement to provide enforcement services on the OCTA 91 Express Lanes. As a requirement of the Franchise Agreement, OCTA is required to use CHP for enforcement services. Staff will be bringing forth the agreement for Board approval in May 2019.

FINANCIAL HIGHLIGHTS OCTA

91 Express Lanes Operating Statement

Description	YTD as of : 4/30/2019		YTD Variance	
	Actual ⁽¹⁾	Budget ⁽¹⁾	Dollar \$	Percent (%)
Operating revenues:				
Toll revenue	\$ 38,911,563	\$ 41,956,800	\$ (3,045,237)	(7.3)
Fee revenue	6,490,073	5,344,693	1,145,380	21.4
Total operating revenues	45,401,635	47,301,493	(1,899,858)	(4.0)
Operating expenses:				
Contracted services	5,463,361	6,265,900	802,540	12.8
Administrative fee	2,067,540	2,296,570	229,030	10.0
Other professional services	645,818	2,958,270	2,312,452	78.2
Credit card processing fees	1,096,729	1,046,269	(50,460)	(4.8)
Toll road account servicing	667,143	1,219,669	552,526	45.3
Other insurance expense	297,240	624,750	327,510	52.4
Toll road maintenance supply repairs	163,317	281,600	118,284	42.0
Patrol services	588,579	662,290	73,711	11.1
Building equipment repairs and maint	80,651	301,180	220,529	73.2
Other services	7,389	23,330	15,941	68.3
Utilities	37,535	54,980	17,445	31.7
Office expense	49,196	158,685	109,489	69.0
Bad debt expense	134,255	-	(134,255)	N/A
Miscellaneous ⁽²⁾	94,567	510,352	415,785	81.5
Leases	406,161	383,180	(22,981)	(6.0)
Total operating expenses	11,799,481	16,787,025	4,987,544	29.7
Depreciation and amortization ⁽³⁾	2,864,652	-	(2,864,652)	N/A
Operating income (loss)	30,737,502	30,514,468	223,034	0.7
Nonoperating revenues (expenses):				
Reimbursement from Other Agencies	417,547	931,990	(514,443)	(55.2)
Interest income	2,906,752	1,849,820	1,056,932	57.1
Interest expense	(4,091,896)	(4,174,960)	83,064	2.0
Other	33,409	-	33,409	N/A
Total nonoperating revenues (expenses)	(734,187)	(1,393,150)	658,963	47.3
Transfers in	-	-	-	N/A
Transfers out	(679,634)	(14,384,119)	13,704,485	95.3
Net income (loss)	\$ 29,323,681	\$ 14,737,199	\$ 14,586,482	99.0

¹Actual amounts are accounted for on the accrual basis of accounting in an enterprise fund. Budget amounts are accounted for on a modified accrual basis of accounting.

²Miscellaneous expenses include: Bond Insurance Costs, Bank Service Charge, Transponder Materials.

³Depreciation and amortization are not budgeted items.

Capital Asset Activity

During the ten months ending April 30, 2019, capital asset activities included \$349,599 for the Electronic Toll and Traffic Management system replacement project and \$226,014 for transponder purchases.



OPERATIONS OVERVIEW RCTC

TRAFFIC AND REVENUE STATISTICS FOR RCTC

Total traffic volume on the RCTC 91 Express Lanes for April 2019 was 1,345,641. This represents a daily average of 44,855. This is a 5.3% increase in total traffic volume from the same period last year when traffic levels totaled 1,277,507. Potential toll revenue for the month was \$5,365,382 which represents an increase of 20% from the prior year's total of \$4,471,413. Carpool percentage for the month was 25.05% as compared to the previous year's rate of 22.90%.

Month-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the RCTC 91 Express Lanes and associated potential revenue for the month of April 2019.

Current Month-to-Date (MTD) as of April 30, 2019

Trips	APR-19 MTD Actual	Stantec MTD Projected	# Variance	% Variance	APR-18 MTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	1,008,624	708,543	300,081	42.4%	984,958	2.4%
3+ Lanes	337,017	231,771	105,246	45.4%	292,549	15.2%
Total Gross Trips	1,345,641	940,314	405,327	43.1%	1,277,507	5.3%
Revenue						
Full Toll Lanes	5,321,358	\$2,113,042	\$3,208,316	151.8%	4,436,585	19.9%
3+ Lanes	44,024	\$0	\$44,024		34,829	26.4%
Total Gross Revenue	\$5,365,382	\$2,113,042	\$3,252,340	153.9%	\$4,471,413	20.0%
Average Revenue per Trip						
Average Full Toll Lanes	\$5.28	\$2.98	\$2.30	77.2%	\$4.50	17.3%
Average 3+ Lanes	\$0.13	\$0.00	\$0.13		\$0.12	8.3%
Average Gross Revenue	\$3.99	\$2.25	\$1.74	77.3%	\$3.50	14.0%

The 2019 fiscal year-to-date (YTD) traffic volume is 5.2% higher when compared with the same period last year. The 2019 fiscal year-to-date revenue is 21.2% higher than for the same period last year. The traffic and revenue increases are attributed to higher demand and increase toll rates to manage the demand. Year-to-date average revenue per-trip is \$3.74.

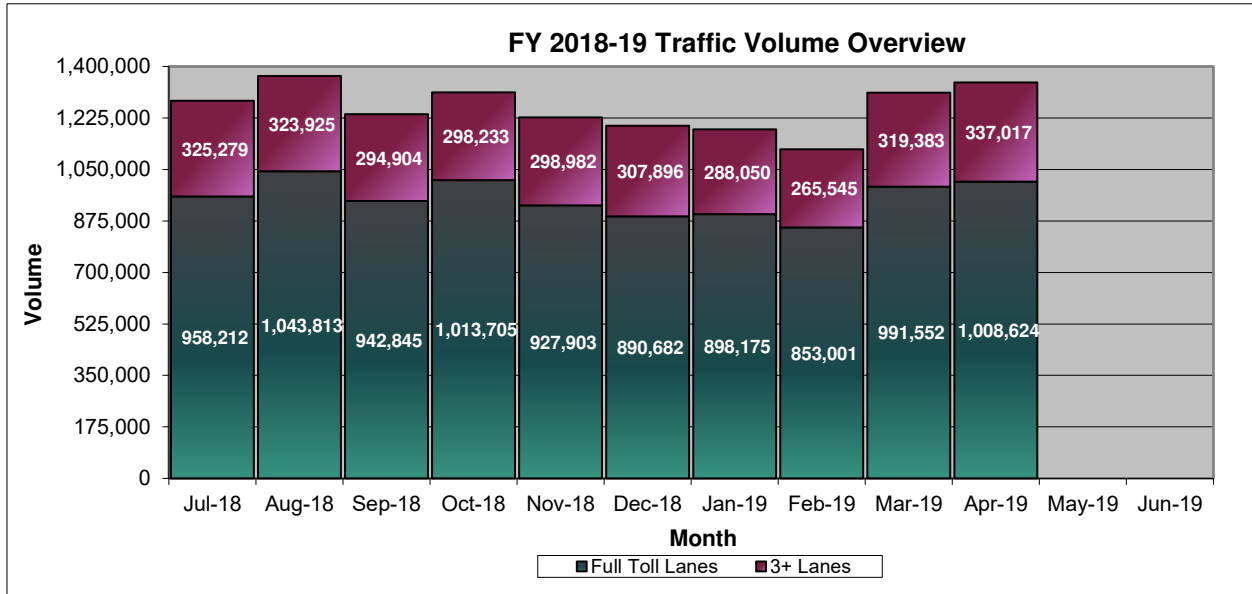
Fiscal year-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the RCTC 91 Express Lanes and associated potential revenue for the months of July 2018 through April 2019.

FY 2018-19 Year to Date as of April 30, 2019

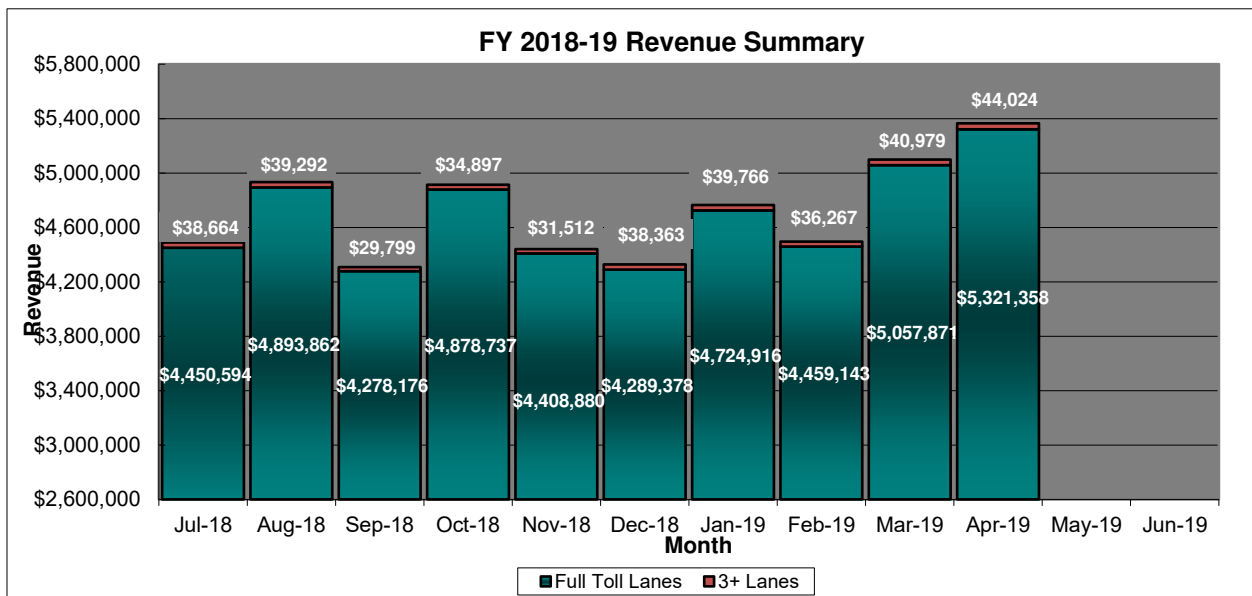
Trips	FY 2018-19 YTD Actual	Stantec YTD Projected	# Variance	% Variance	FY 2017-18 YTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	9,528,512	6,412,886	3,115,626	48.6%	9,344,640	2.0%
3+ Lanes	3,059,212	2,236,857	822,355	36.8%	2,618,727	16.8%
Total Gross Trips	12,587,724	8,649,743	3,937,981	45.5%	11,963,367	5.2%
Revenue						
Full Toll Lanes	46,762,915	\$19,254,271	\$27,508,644	142.9%	38,583,085	21.2%
3+ Lanes	373,563	\$0	\$373,563		318,786	17.2%
Total Gross Revenue	\$47,136,479	\$19,254,271	\$27,882,208	144.8%	\$38,901,872	21.2%
Average Revenue per Trip						
Average Full Toll Lanes	\$4.91	\$3.00	\$1.91	63.7%	\$4.13	18.9%
Average 3+ Lanes	\$0.12	\$0.00	\$0.12		\$0.12	0.0%
Average Gross Revenue	\$3.74	\$2.23	\$1.51	67.7%	\$3.25	15.1%

RCTC Traffic and Revenue Summary

The chart below reflects the total trips broken down between Full Toll lanes and HOV3+ lanes for FY 2018-19 on a monthly basis.



The chart below reflects the gross potential revenue breakdown between Full Toll lanes and HOV3+ lanes for FY 2018-19 on a monthly basis.



RCTC PEAK-HOUR VOLUMES

RCTC regularly evaluates traffic volumes for peak period hours where Express Lanes performance is degraded and either increases or decreases tolls. Toll rates were adjusted once in April to improve the level of service in the peak hours where demand exceeded capacity. Hours highlighted in green were increased and hours highlighted in red were decreased. Hours that are highlighted in yellow were flagged for continued evaluation.

RCTC EASTBOUND PEAK-HOUR VOLUMES

Eastbound PM Peak - County Line to McKinley

PM Time	Monday 04/01/19					Tuesday 04/02/19					Wednesday 04/03/19					Thursday 04/04/19					Friday 04/05/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	239	886	1,125	D	\$6.70	294	994	1,288	E	\$6.70	280	1,048	1,328	F	\$8.85	283	1,080	1,363	F	\$19.00	354	1,058	1,412	F
1500 - 1600	\$6.70	365	1,015	1,380	F	\$6.70	366	941	1,307	F	\$7.55	408	1,012	1,420	F	\$10.60	368	1,014	1,382	F	\$18.70	371	806	1,177	D
1600 - 1700	\$5.15	260	880	1,140	D	\$6.70	211	752	963	C	\$5.15	241	808	1,049	D	\$7.90	289	891	1,180	D	\$10.75	295	995	1,290	E
1700 - 1800	\$5.15	284	932	1,216	E	\$5.15	205	790	995	C	\$5.15	266	891	1,157	D	\$5.15	279	945	1,224	E	\$6.70	325	1,014	1,339	F
1800 - 1900	\$5.15	279	688	967	C	\$5.15	364	899	1,263	E	\$5.15	341	832	1,173	D	\$5.15	334	867	1,201	E	\$6.70	290	841	1,131	D
1900 - 2000	\$2.20	226	490	716	B	\$4.05	267	653	920	C	\$3.95	235	600	835	C	\$4.05	237	625	862	C	\$5.15	270	704	974	C

PM Time	Monday 04/08/19					Tuesday 04/09/19					Wednesday 04/10/19					Thursday 04/11/19					Friday 04/12/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	251	914	1,165	D	\$6.70	263	1,027	1,290	E	\$6.70	271	1,108	1,379	F	\$8.85	280	1,238	1,518	F	\$19.00	346	1,019	1,365	F
1500 - 1600	\$6.70	367	984	1,351	F	\$6.70	387	915	1,302	F	\$7.55	377	1,045	1,422	F	\$10.60	405	990	1,395	F	\$18.70	343	698	1,041	D
1600 - 1700	\$5.15	244	912	1,156	D	\$6.70	237	902	1,139	D	\$5.15	226	863	1,089	D	\$7.90	274	932	1,206	E	\$10.75	286	967	1,253	E
1700 - 1800	\$5.15	245	891	1,136	D	\$5.15	254	913	1,167	D	\$5.15	266	912	1,178	D	\$5.15	272	934	1,206	E	\$6.70	284	860	1,144	D
1800 - 1900	\$5.15	332	751	1,083	D	\$5.15	319	908	1,227	E	\$5.15	294	853	1,147	D	\$5.15	308	861	1,169	D	\$6.70	309	777	1,086	D
1900 - 2000	\$2.20	191	499	690	B	\$4.05	220	560	780	B	\$3.95	279	740	1,019	D	\$4.05	309	930	1,239	E	\$5.15	301	817	1,118	D

PM Time	Monday 04/15/19					Tuesday 04/16/19					Wednesday 04/17/19					Thursday 04/18/19					Friday 04/19/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	241	837	1,078	D	\$6.70	247	996	1,243	E	\$6.70	304	1,154	1,458	F	\$8.85	283	1,179	1,462	F	\$19.00	358	1,031	1,389	F
1500 - 1600	\$6.70	366	928	1,294	E	\$6.70	373	915	1,288	E	\$7.55	387	944	1,331	F	\$10.60	339	835	1,174	D	\$18.70	407	843	1,250	E
1600 - 1700	\$5.15	224	906	1,130	D	\$6.70	211	861	1,072	D	\$5.15	231	858	1,089	D	\$7.90	283	895	1,178	D	\$10.75	277	926	1,203	E
1700 - 1800	\$5.15	282	899	1,181	D	\$5.15	246	870	1,116	D	\$5.15	260	911	1,171	D	\$5.15	326	1,058	1,384	F	\$6.70	256	813	1,069	D
1800 - 1900	\$5.15	293	778	1,071	D	\$5.15	353	817	1,170	D	\$5.15	348	902	1,250	E	\$5.15	348	991	1,339	F	\$6.70	315	677	992	C
1900 - 2000	\$2.20	191	477	668	B	\$4.05	234	550	784	B	\$3.95	255	736	991	C	\$4.05	340	923	1,263	E	\$5.15	233	510	743	B

PM Time	Monday 04/22/19					Tuesday 04/23/19					Wednesday 04/24/19					Thursday 04/25/19					Friday 04/26/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	252	958	1,210	E	\$6.70	271	1,041	1,312	F	\$6.70	284	1,110	1,394	F	\$8.85	331	1,273	1,604	F	\$19.00	359	1,184	1,543	F
1500 - 1600	\$6.70	386	978	1,364	F	\$6.70	347	889	1,236	E	\$7.55	381	955	1,336	F	\$10.60	387	1,001	1,388	F	\$18.70	469	1,107	1,576	F
1600 - 1700	\$5.15	259	922	1,181	D	\$6.70	221	934	1,155	D	\$5.15	244	806	1,050	D	\$7.90	268	889	1,157	D	\$10.75	234	910	1,144	D
1700 - 1800	\$5.15	240	836	1,076	D	\$5.15	256	871	1,127	D	\$5.15	276	896	1,172	D	\$5.15	290	970	1,260	E	\$6.70	272	927	1,199	D
1800 - 1900	\$5.15	337	726	1,063	D	\$5.15	225	562	787	B	\$5.15	330	929	1,259	E	\$5.15	344	940	1,284	E	\$6.70	331	839	1,170	D
1900 - 2000	\$2.20	189	496	685	B	\$4.05	308	796	1,104	D	\$3.95	277	742	1,019	D	\$4.05	341	865	1,206	E	\$5.15	267	665	932	C

PM Time	Monday 04/29/19					Tuesday 04/30/19					Wednesday 05/01/19					Thursday 05/02/19					Friday 05/03/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	248	860	1,108	D	\$6.70	241	961	1,202	E															
1500 - 1600	\$6.70	357	871	1,228	E	\$6.70	385	883	1,268	E															
1600 - 1700	\$5.15	235	767	1,002	D	\$6.70	227	869	1,096	D															
1700 - 1800	\$5.15	262	798	1,060	D	\$5.15	254	785	1,039	D															
1800 - 1900	\$5.15	276	619	895	C	\$5.15	309	776	1,085	D															
1900 - 2000	\$2.20	184	372	556	B	\$4.05	212	500	712	B															

Eastbound PM Peak - County Line to I-15 South

PM Time	Monday 04/01/19					Tuesday 04/02/19					Wednesday 04/03/19					Thursday 04/04/19					Friday 04/05/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	128	634	762	B	\$2.85	124	695	819	C	\$2.85	144	708	852	C	\$5.05	137	707	844	C	\$5.15	139	675	814	C
1500 - 1600	\$2.85	179	623	802	C	\$2.80	185	624	809	C	\$5.15	197	637	834	C	\$5.05	185	657	842	C	\$2.80	187	506	693	B
1600 - 1700	\$2.85	151	595	746	B	\$2.85	112	478	590	B	\$2.85	155	537	692	B	\$2.80	165	599	764	B	\$2.85	138	602	740	B
1700 - 1800	\$2.85	139	584	723	B	\$2.85	125	548	673	B	\$2.85	144	593	737	B	\$2.85	139	612	751	B	\$2.85	165	599	764	B
1800 - 1900	\$2.85	179	444	623	B	\$2.85	178	659	837	C	\$2.85	136	570	706	B	\$2.85	166	559	725	B	\$2.85	141	433	574	B
1900 - 2000	\$2.85	133	343	476	B	\$2.85	173	438	611	B	\$2.85	146	420	566	B	\$2.85	160	398	558	B	\$2.85	141	365	506	B

PM Time	Monday 04/08/19					Tuesday 04/09/19					Wednesday 04/10/19					Thursday 04/11/19					Friday 04/12/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	113	694	807	C	\$2.85	113	669	782	B	\$2.85	120	761	881	C	\$5.05	144	811	955	C	\$5.15	151	776	927	C
1500 - 1600	\$2.85	160	650	810	C	\$2.80	177	649	826	C	\$5.15	177	655	832	C	\$5.15	189	654	843	C	\$2.80	142	423	565	B
1600 - 1700	\$2.85	139	555	694	B	\$2.85	108	627	735	B	\$2.85	111	559	670	B	\$2.80	131	646	777	B	\$2.85	152	590	742	B
1700 - 1800	\$2.85	148	607	755	B	\$2.85	144	590	734	B	\$2.85	122	583	705	B	\$2.85	136	585	721	B	\$2.85	135	571	706	B
1800 - 1900	\$2.85	150	544	694	B	\$2.85	137	531	668	B	\$2.85	147	540	687	B	\$2.85	180	602	782	B	\$2.85	124	389	513	B
1900 - 2000	\$2.85	103	344	447	B	\$2.85	130	413	543	B	\$2.85	146	523	669	B	\$2.85	183	585	768	B	\$2.85	168	530	698	B

PM Time	Monday 04/15/19					Tuesday 04/16/19					Wednesday 04/17/19					Thursday 04/18/19					Friday 04/19/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	113	592	705	B	\$2.85	117	681	798	B	\$2.85	129	756	885	C	\$5.05	128	799	927	C	\$5.15	172	735	907	C
1500 - 1600	\$2.85	163	654	817	C	\$2.80	179	662	841	C	\$5.15	167	716	883	C	\$5.15	159	559	718	B	\$2.80	214	568	782	B
1600 - 1700	\$2.85	130	589	719	B	\$2.85	114	593	707	B	\$2.85	128	585	713	B	\$2.80	144	588	732	B	\$2.85	120	567	687	B
1700 - 1800	\$2.85	154	610	764	B	\$2.85	130	579	709	B	\$2.85	109	583	692	B	\$2.85	102	508	610	B	\$2.85	147	499	646	B
1800 - 1900	\$2.85	144	456	600	B	\$2.85	151	573	724	B	\$2.85	151	562	713	B	\$2.85	145	537	682	B	\$2.85	130	365	495	B
1900 - 2000	\$2.85	121	337	458	B	\$2.85	155	392	547	B	\$2.85	152	482	634	B	\$2.85	186	626	812	C	\$2.85	132	373	505	B

PM Time	Monday 04/22/19					Tuesday 04/23/19					Wednesday 04/24/19					Thursday 04/25/19					Friday 04/26/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	143	686	829	C	\$2.85	128	764	892	C	\$2.85	134	769	903	C	\$5.05	143	767	910	C	\$5.15	153	725	878	C
1500 - 1600	\$2.85	195	658	853	C	\$2.80	190	624	814	C	\$5.15	203	729	932	C	\$5.15	168	546	714	B	\$2.80	137	343	480	B
1600 - 1700	\$2.85	136	611	747	B	\$2.85	122	600	722	B	\$2.85	114	590	704	B	\$2.80	137	524	661	B	\$2.85	138	595	733	B
1700 - 1800	\$2.85	135	573	708	B	\$2.85	123	613	736	B	\$2.85	112	574	686	B	\$2.85	145	601	746	B	\$2.85	124	592	716	B
1800 - 1900	\$2.85	152	457	609	B	\$2.85	108	358	466	B	\$2.85	151	550	701	B	\$2.85	147	576	723	B	\$2.85	141	490	631	B
1900 - 2000	\$2.85	150	356	506	B	\$2.85	208	625	833	C	\$2.85	164	465	629	B	\$2.85	130	486	616	B	\$2.85	131	379	510	B

PM Time	Monday 04/29/19					Tuesday 04/30/19					Wednesday 05/01/19					Thursday 05/02/19					Friday 05/03/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	131	637	768	B	\$2.85	142	742	884	C															
1500 - 1600	\$2.85	159	592	751	B	\$2.80	174	612	786	B															
1600 - 1700	\$2.85	132	601	733	B	\$2.85	128	652	780	B															
1700 - 1800	\$2.85	152	586	738	B	\$2.85	123	621	744	B															
1800 - 1900	\$2.85	154	465	619	B	\$2.85	149	503	652	B															
1900 - 2000	\$2.85	103	271	374	A	\$2.85	131	359	490	B															

RCTC WESTBOUND PEAK-HOUR VOLUMES

Westbound AM Peak - McKinley to County Line

AM Time	Monday 04/01/19					Tuesday 04/02/19					Wednesday 04/03/19					Thursday 04/04/19					Friday 04/05/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	445	1,070	1,515	F	\$7.85	410	1,050	1,460	F	\$7.85	448	1,000	1,448	F	\$7.85	444	1,073	1,517	F	\$5.15	393	714	1,107	D
0500 - 0600	\$19.90	611	893	1,504	F	\$19.45	701	1,027	1,728	F	\$17.80	535	717	1,252	E	\$17.55	561	829	1,390	F	\$9.20	545	1,002	1,547	F
0600 - 0700	\$18.55	368	999	1,367	F	\$18.15	364	915	1,279	E	\$17.45	471	1,293	1,764	F	\$16.15	420	1,034	1,454	F	\$8.45	400	1,211	1,611	F
0700 - 0800	\$14.50	390	1,233	1,623	F	\$14.50	382	1,266	1,648	F	\$15.25	436	1,264	1,700	F	\$13.50	391	1,317	1,708	F	\$7.70	349	1,146	1,495	F
0800 - 0900	\$9.75	274	1,307	1,581	F	\$9.75	310	1,244	1,554	F	\$9.75	331	1,412	1,743	F	\$10.50	279	1,331	1,610	F	\$6.70	288	1,102	1,390	F
0900 - 1000	\$5.15	194	892	1,086	D	\$6.70	203	1,016	1,219	E	\$6.70	226	1,199	1,425	F	\$6.70	189	1,010	1,199	D	\$4.05	183	721	904	C

AM Time	Monday 04/08/19					Tuesday 04/09/19					Wednesday 04/10/19					Thursday 04/11/19					Friday 04/12/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	490	1,056	1,546	F	\$7.85	419	1,052	1,471	F	\$7.85	477	1,052	1,529	F	\$7.85	447	1,069	1,516	F	\$5.15	416	755	1,171	D
0500 - 0600	\$19.90	607	863	1,470	F	\$19.45	668	928	1,596	F	\$17.80	550	817	1,367	F	\$17.55	548	736	1,284	E	\$9.20	520	982	1,502	F
0600 - 0700	\$18.55	401	1,001	1,402	F	\$18.15	371	887	1,258	E	\$17.45	482	1,138	1,620	F	\$16.15	467	1,000	1,467	F	\$8.45	473	1,185	1,658	F
0700 - 0800	\$14.50	372	1,313	1,685	F	\$14.50	431	1,224	1,655	F	\$15.25	410	1,318	1,728	F	\$13.50	447	1,350	1,797	F	\$7.70	431	1,287	1,718	F
0800 - 0900	\$9.75	270	1,365	1,635	F	\$9.75	282	1,453	1,735	F	\$9.75	283	1,410	1,693	F	\$10.50	296	1,425	1,721	F	\$6.70	251	1,172	1,423	F
0900 - 1000	\$5.15	178	1,129	1,307	E	\$6.70	214	1,185	1,399	F	\$6.70	214	1,225	1,439	F	\$6.70	219	1,196	1,415	F	\$4.05	227	1,040	1,267	E

AM Time	Monday 04/15/19					Tuesday 04/16/19					Wednesday 04/17/19					Thursday 04/18/19					Friday 04/19/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	461	1,053	1,514	F	\$7.85	425	1,082	1,507	F	\$7.85	476	1,111	1,587	F	\$7.85	487	1,134	1,621	F	\$5.15	357	685	1,042	D
0500 - 0600	\$19.90	564	812	1,376	F	\$19.45	657	872	1,529	F	\$17.80	587	783	1,370	F	\$17.55	591	769	1,360	F	\$9.20	485	995	1,480	F
0600 - 0700	\$18.55	411	883	1,294	E	\$18.15	353	838	1,191	D	\$17.45	458	1,128	1,586	F	\$16.15	433	971	1,404	F	\$8.45	407	1,097	1,504	F
0700 - 0800	\$14.50	395	1,263	1,658	F	\$14.50	420	1,235	1,655	F	\$15.25	427	1,279	1,706	F	\$13.50	402	1,187	1,589	F	\$7.70	322	1,052	1,374	F
0800 - 0900	\$9.75	269	1,445	1,714	F	\$9.75	287	1,402	1,689	F	\$9.75	253	1,354	1,607	F	\$10.50	290	1,419	1,709	F	\$6.70	245	926	1,171	D
0900 - 1000	\$5.15	235	1,146	1,381	F	\$6.70	183	1,088	1,271	E	\$6.70	195	1,038	1,233	E	\$6.70	187	1,030	1,217	E	\$4.05	204	768	972	C

AM Time	Monday 04/22/19					Tuesday 04/23/19					Wednesday 04/24/19					Thursday 04/25/19					Friday 04/26/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	478	1,047	1,525	F	\$7.85	444	1,092	1,536	F	\$7.85	505	1,141	1,646	F	\$7.85	468	1,029	1,497	F	\$5.15	396	710	1,106	D
0500 - 0600	\$19.90	589	863	1,452	F	\$19.45	668	895	1,563	F	\$17.80	548	676	1,224	E	\$17.55	572	770	1,342	E	\$9.20	537	1,058	1,595	F
0600 - 0700	\$18.55	370	950	1,320	E	\$18.15	376	818	1,194	D	\$17.45	487	1,100	1,587	F	\$16.15	418	867	1,285	E	\$8.45	457	1,165	1,622	F
0700 - 0800	\$14.50	402	1,301	1,703	F	\$14.50	426	1,387	1,813	F	\$15.25	410	1,240	1,650	F	\$13.50	483	1,332	1,815	F	\$7.70	388	1,090	1,478	F
0800 - 0900	\$9.75	294	1,328	1,622	F	\$9.75	314	1,446	1,760	F	\$9.75	271	1,415	1,686	F	\$10.50	344	1,400	1,744	F	\$6.70	241	979	1,220	E
0900 - 1000	\$5.15	239	1,191	1,430	F	\$6.70	221	1,153	1,374	F	\$6.70	251	1,159	1,410	F	\$6.70	219	1,121	1,340	E	\$4.05	199	757	956	C

AM Time	Monday 04/29/19					Tuesday 04/30/19					Wednesday 05/01/19					Thursday 05/02/19					Friday 05/03/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	486	1,117	1,603	F	\$7.85	458	1,053	1,511	F															
0500 - 0600	\$19.90	569	832	1,401	F	\$19.45	708	951	1,659	F															
0600 - 0700	\$18.55	398	978	1,376	F	\$18.15	380	833	1,213	E															
0700 - 0800	\$14.50	419	1,350	1,769	F	\$14.50	450	1,297	1,747	F															
0800 - 0900	\$9.75	346	1,464	1,810	F	\$9.75	295	1,770	2,065	F															
0900 - 1000	\$5.15	268	1,304	1,572	F	\$6.70	231	1,153	1,384	F															

Westbound AM Peak - I-15 North to County Line

AM Time	Monday 04/01/19					Tuesday 04/02/19					Wednesday 04/03/19					Thursday 04/04/19					Friday 04/05/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	234	701	935	C	\$5.05	277	672	949	C	\$5.05	248	650	898	C	\$5.05	263	661	924	C	\$2.85	201	555	756	B
0500 - 0600	\$17.40	367	850	1,217	E	\$15.40	370	958	1,328	E	\$15.05	396	1,027	1,423	F	\$13.70	388	1,008	1,396	E	\$6.65	315	808	1,123	D
0600 - 0700	\$17.40	335	1,071	1,406	F	\$15.70	350	1,020	1,370	E	\$17.70	336	1,015	1,351	E	\$14.05	341	984	1,325	E	\$6.65	303	947	1,250	E
0700 - 0800	\$12.40	237	920	1,157	D	\$11.70	267	1,088	1,355	E	\$12.05	310	1,184	1,494	F	\$11.05	278	1,027	1,305	E	\$6.65	220	852	1,072	D
0800 - 0900	\$8.55	144	904	1,048	D	\$8.55	165	974	1,139	D	\$6.65	179	1,083	1,262	E	\$6.65	168	978	1,146	D	\$5.15	139	788	927	C
0900 - 1000	\$5.05	164	651	815	C	\$5.15	148	720	868	C	\$5.15	173	824	997	C	\$5.15	191	787	978	C	\$2.85	132	579	711	B

AM Time	Monday 04/08/19					Tuesday 04/09/19					Wednesday 04/10/19					Thursday 04/11/19					Friday 04/12/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	263	747	1,010	D	\$5.05	282	703	985	C	\$5.05	269	659	928	C	\$5.05	268	708	976	C	\$2.85	229	640	869	C
0500 - 0600	\$17.40	410	960	1,370	E	\$15.40	393	1,082	1,475	F	\$15.05	360	1,043	1,403	F	\$13.70	411	1,072	1,483	F	\$6.65	367	858	1,225	E
0600 - 0700	\$17.40	363	1,126	1,489	F	\$15.70	386	1,054	1,440	F	\$17.70	352	975	1,327	E	\$14.05	364	1,075	1,439	F	\$6.65	309	1,153	1,462	F
0700 - 0800	\$12.40	253	1,147	1,400	E	\$11.70	299	1,172	1,471	F	\$12.05	277	1,135	1,412	F	\$11.05	296	1,236	1,532	F	\$6.65	260	1,015	1,275	E
0800 - 0900	\$8.55	167	1,087	1,254	E	\$8.55	159	1,217	1,376	E	\$6.65	199	1,255	1,454	F	\$6.65	208	1,196	1,404	F	\$5.15	185	968	1,153	D
0900 - 1000	\$5.05	110	787	897	C	\$5.15	119	859	978	C	\$5.15	132	902	1,034	D	\$5.15	133	865	998	C	\$2.85	114	696	810	C

AM Time	Monday 04/15/19					Tuesday 04/16/19					Wednesday 04/17/19					Thursday 04/18/19					Friday 04/19/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	279	766	1,045	D	\$5.05	268	752	1,020	D	\$5.05	266	728	994	C	\$5.05	269	726	995	C	\$2.85	188	552	740	B
0500 - 0600	\$17.40	357	984	1,341	E	\$15.40	395	1,082	1,477	F	\$15.05	436	1,063	1,499	F	\$13.70	408	1,034	1,442	F	\$6.65	313	828	1,141	D
0600 - 0700	\$17.40	375	1,123	1,498	F	\$15.70	364	1,041	1,405	F	\$17.70	362	1,093	1,455	F	\$14.05	341	1,016	1,357	E	\$6.65	293	894	1,187	D
0700 - 0800	\$12.40	302	1,161	1,463	F	\$11.70	316	1,211	1,527	F	\$12.05	265	1,160	1,425	F	\$11.05	259	1,045	1,304	E	\$6.65	189	833	1,022	D
0800 - 0900	\$8.55	200	1,169	1,369	E	\$8.55	194	1,276	1,470	F	\$6.65	153	1,056	1,209	E	\$6.65	165	1,131	1,296	E	\$5.15	121	728	849	C
0900 - 1000	\$5.05	120	850	970	C	\$5.15	142	879	1,021	D	\$5.15	139	833	972	C	\$5.15	118	821	939	C	\$2.85	142	569	711	B

AM Time	Monday 04/22/19					Tuesday 04/23/19					Wednesday 04/24/19					Thursday 04/25/19					Friday 04/26/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	262	751	1,013	D	\$5.05	278	715	993	C	\$5.05	304	690	994	C	\$5.05	275	685	960	C	\$2.85	232	587	819	C
0500 - 0600	\$17.40	395	975	1,370	E	\$15.40	400	1,107	1,507	F	\$15.05	406	1,052	1,458	F	\$13.70	417	992	1,409	F	\$6.65	382	846	1,228	E
0600 - 0700	\$17.40	373	1,108	1,481	F	\$15.70	357	1,040	1,397	E	\$17.70	397	1,029	1,426	F	\$14.05	375	937	1,312	E	\$6.65	307	1,125	1,432	F
0700 - 0800	\$12.40	264	1,110	1,374	E	\$11.70	276	1,230	1,506	F	\$12.05	270	1,156	1,426	F	\$11.05	296	1,154	1,450	F	\$6.65	211	934	1,145	D
0800 - 0900	\$8.55	192	1,182	1,374	E	\$8.55	179	1,199	1,378	E	\$6.65	182	1,264	1,446	F	\$6.65	182	1,215	1,397	E	\$5.15	142	827	969	C
0900 - 1000	\$5.05	156	803	959	C	\$5.15	138	868	1,006	D	\$5.15	133	898	1,031	D	\$5.15	130	879	1,009	D	\$2.85	105	586	691	B

AM Time	Monday 04/29/19					Tuesday 04/30/19					Wednesday 05/01/19					Thursday 05/02/19					Friday 05/03/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	266	695	961	C	\$5.05	273	732	1,005	D															
0500 - 0600	\$17.40	402	918	1,320	E	\$15.40	431	1,100	1,531	F															
0600 - 0700	\$17.40	405	1,110	1,515	F	\$15.70	360	1,033	1,393	E															
0700 - 0800	\$12.40	282	1,226	1,508	F	\$11.70	290	1,115	1,405	F															
0800 - 0900	\$8.55	159	1,038	1,197	D	\$8.55	168	1,089	1,257	E															
0900 - 1000	\$5.05	109	784	893	C	\$5.15	139	917	1,056	D															

RCTC OPERATIONAL HIGHLIGHTS

On-road Operations

RCTC Freeway Service Patrol (FSP) responded to 76 calls during the month of April. Of those calls, 55 were to assist disabled vehicles, 7 were to remove debris, 7 were for traffic breaks, and 7 were in response to accidents.

6C Transponder Technology

Planning for the transition to the new transponder technology is underway. The lane system will be upgraded over a series of weekends with completion of that work expected by summer of 2019. The new sticker transponders have been received and are being prepared for distribution. Changes to the back-office system to process the new transponders and make changes to the customer account plan are being finalized and will be released to the customer once both the RCTC and OCTA lane system upgrades are performed. A series of customer communication has been prepared to facilitate the process for providing the new transponders to customers.

FINANCIAL HIGHLIGHTS RCTC

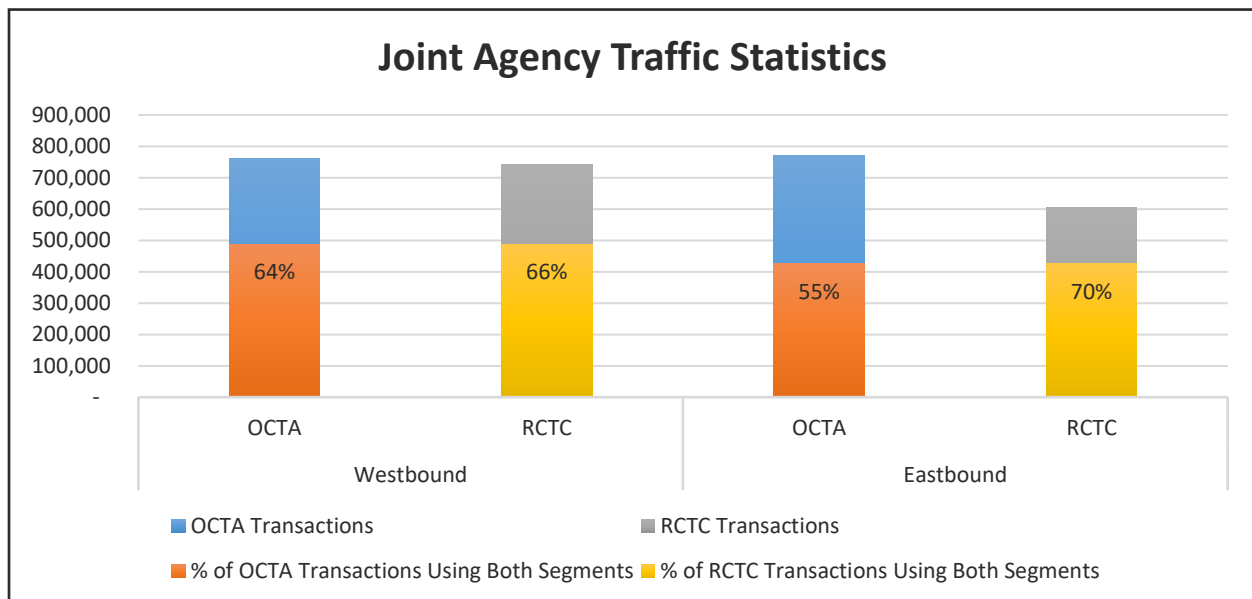
RCTC 91 Express Lanes Operating Statement				
Description	YTD as of:		YTD Variance	
	Actual ¹	4/30/2019 Budget	Dollar \$	Percent (%)
Operating revenues:				
Toll Revenue	\$ 41,238,090	\$ 26,748,417	\$ 14,489,674	54.2
Fee Revenue	\$ 7,168,287	\$ 4,035,250	\$ 3,133,037	77.6
Total operating revenues	\$ 48,406,378	\$ 30,783,667	\$ 17,622,711	57.2
Operating expenses:				
Salaries and Benefits	\$ 380,820	\$ 502,500	\$ 121,680	24.2
Legal Services	\$ 51,364	\$ 250,000	\$ 198,636	79.5
Advisory Services	\$ 40,966	\$ 62,500	\$ 21,534	34.5
Audit and Accounting Fees	\$ -	\$ 39,167	\$ 39,167	100.0
Service Fees	\$ 2,799	\$ 21,667	\$ 18,867	87.1
Other Professional Services	\$ 626,269	\$ 1,220,917	\$ 594,648	48.7
Lease Expense	\$ 190,725	\$ 217,167	\$ 26,441	12.2
Operations	\$ 2,065,252	\$ 2,767,833	\$ 702,581	25.4
Utilities	\$ 28,179	\$ 53,333	\$ 25,155	47.2
Supplies and Materials	\$ 514	\$ 4,250	\$ 3,736	87.9
Membership and Subscription Fees	\$ 12,297	\$ 10,250	\$ (2,047)	(20.0)
Office Equipment & Furniture (Non-Capital)	\$ 23	\$ 4,167	\$ 4,144	99.5
Maintenance/Repairs	\$ 95,772	\$ 722,583	\$ 626,811	86.7
Training Seminars and Conferences	\$ 675	\$ 6,667	\$ 5,992	89.9
Transportation Expenses	\$ 2,132	\$ 6,167	\$ 4,034	65.4
Lodging	\$ 2,053	\$ 5,833	\$ 3,780	64.8
Meals	\$ 1,128	\$ 1,500	\$ 372	24.8
Other Staff Expenses	\$ 2,359	\$ 2,333	\$ (26)	(1.1)
Advertising	\$ 6,335	\$ 116,667	\$ 110,332	94.6
Program Management	\$ 63,106	\$ 53,250	\$ (9,856)	(18.5)
Program Operations	\$ 5,520,852	\$ 7,268,500	\$ 1,747,648	24.0
Litigation Settlement	\$ 7,500	\$ 6,250	\$ (1,250)	(20.0)
Furniture & Equipment	\$ 303,860	\$ 679,333	\$ 375,473	55.3
Improvements	\$ 1,557,160	\$ 1,414,042	\$ (143,118)	(10.1)
Depreciation	\$ 7,973,379	\$ -	\$ (7,973,379)	N/A
Bad Debt Expense	\$ 39	\$ 83	\$ 44	53.0
Total operating expenses	\$ 18,935,558	\$ 15,436,958	\$ (3,498,600)	(22.7)
Operating income (loss)	\$ 29,470,819	\$ 15,346,708	\$ 14,124,111	92.0
Nonoperating revenues (expenses):				
Interest Revenue	\$ 1,467,244	\$ 117,750	\$ 1,349,494	(1,146.1)
Gain(Loss) on Sale of Capital Assets	\$ (2,224,670)	\$ -	\$ (2,224,670)	N/A
Other Miscellaneous Revenue	\$ 18,035	\$ 7,083,417	\$ (7,065,382)	99.7
Payment to Escrow Agent	\$ -	\$ (16,666,667)	\$ 16,666,667	(100.0)
Interest Expense	\$ (20,910,229)	\$ (5,933,250)	\$ (14,976,979)	252.4
Total nonoperating revenues (expenses)	\$ (21,649,620)	\$ (15,398,750)	\$ (6,250,870)	(40.6)
Transfers In	\$ -	\$ -	\$ -	N/A
Transfers Out	\$ (1,569,659)	\$ (5,256,000)	\$ 3,686,341	(70.1)
Net income (loss)	\$ 6,251,540.13	\$ (5,308,041.67)	\$ 11,559,581.80	(217.8)

¹ Unaudited
² Gain (loss) on sale of capital assets - Loss on sale of capital assets reflects the loss on sale of excess land purchased for the SR-91 Project.
Loss on sale is not a cash-related item and not included in the FY'18/19 budget.
³ Depreciation is not a budgeted expense

JOINT AGENCY TRIP AND REVENUE STATISTICS

Apr-19 MTD	Transactions by Agency	Transactions Using Both Segments	% Using Both Segments	Revenue
Westbound				
OCTA	759,870	487,681	64%	\$ 1,887,838
RCTC	742,104	487,681	66%	\$ 3,542,483
I-15	315,790	213,405	68%	\$ 1,512,490
McKinley	426,314	274,276	64%	\$ 2,029,993
Eastbound				
OCTA	769,268	425,291	55%	\$ 2,599,813
RCTC	603,537	425,291	70%	\$ 1,822,900
I-15	217,904	167,667	77%	\$ 454,518
McKinley	385,633	257,624	67%	\$ 1,368,381

JOINT AGENCY TRAFFIC STATISTICS



JOINT AGENCY PERFORMANCE MEASURES

REPORTING REQUIREMENT	Reporting Period	PERFORMANCE STANDARD	Apr-19 Performance
CUSTOMER SERVICE			
Call Wait Time	Monthly	Not to exceed 2 minutes	1:06
Abandon Rate	Monthly	No more than 4.0%	1.5%
Customer Satisfaction	Monthly	At least 75 outbound calls	79
VIOLATION PROCESSING			
Response Time	Monthly	Within 2 business days of receipt	1.0
CUSA Violation Collection Rate	Quarterly	70% or more	
CUSA Violation Collection Rate	Annually	74% or more	
TRAFFIC OPERATIONS			
Initial & Secondary Review s	Monthly	Equal to or less than 15 days	1.2
* Plate Misread Errors	Monthly	Equal to or less than 0.4%	0.01%
CAS Response Time	Monthly	0:20 (minutes) per call	0:08
ACCOUNTING			
OCTA Exceptions	Monthly	No more than 3	0
RCTC Exceptions	Monthly	No more than 3	0
INFORMATION TECHNOLOGY			
Back-office System Uptime	Monthly	99% Availability	100%
Network Uptime	Monthly	99% Availability	100%

CUSA = Cofiroute USA; CAS = OCTA Customer Assistance Specialists

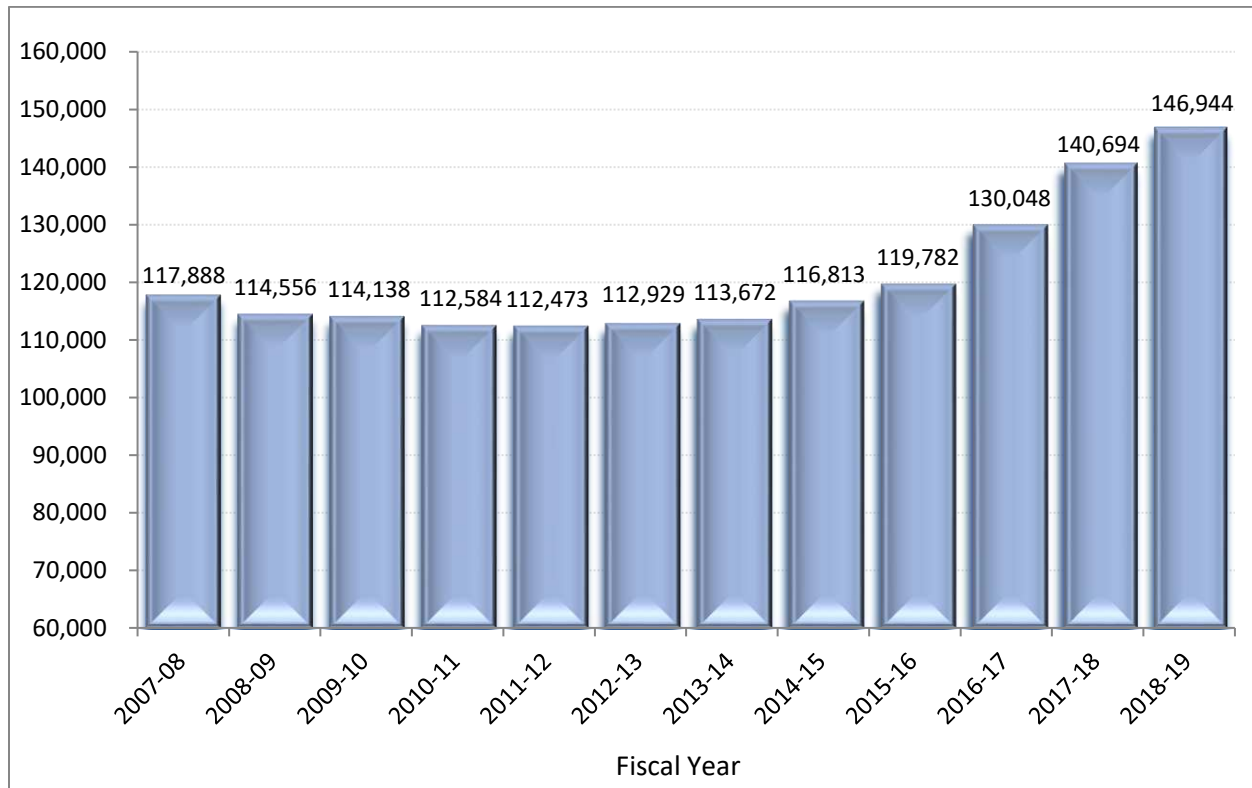
* Plate Misread Error performance is current after a 60-day hold-back period; therefore, percentage reported here is for 2 months prior to the month of this report.

JOINT AGENCY TRANSPONDER DISTRIBUTION

TRANSPONDER DISTRIBUTION	April-19		March-19		FY 2018-19	
	Tags	% of Total	Tags	% of Total	Average To-Date	
Issued						
To New Accounts	1,636	49.0%	1,383	48.7%	1,454	46.3%
Additional Tags to Existing Accounts	904	27.1%	798	28.1%	852	27.1%
Replacement Transponders	797	23.9%	661	23.3%	835	26.6%
Total Issued	3,337		2,842		3,140	
Returned						
Account Closures	371	32.9%	471	21.9%	423	28.3%
Accounts Downsizing	161	14.3%	223	10.4%	192	12.8%
Defective Transponders	595	52.8%	1,458	67.8%	879	58.8%
Total Returned	1,127		2,152		1,494	

At the end of April 2019, the 91 Express Lanes had 146,944 active customer accounts, and 223,716 transponders classified as Assigned.

Number of Accounts by Fiscal Year
As of April 30, 2019



Incoming Email Activity

During April, the Anaheim Processing Center received 3,512 emails.



**Orange County Transportation Authority
Riverside County Transportation Commission**



Status Report
May 2019

As of May 31, 2019

Table of Contents

Operations Overview OCTA.....	3
Traffic and Revenue Statistics for OCTA.....	3
OCTA Traffic and Revenue Summary.....	5
OCTA Eastbound Peak-Hour Volumes	6
OCTA Westbound Peak-Hour Volumes	7
OCTA Operational Highlights	8
Financial Highlights OCTA	9
Operations Overview RCTC	10
Traffic and Revenue Statistics for RCTC.....	10
RCTC Traffic and Revenue Summary.....	12
RCTC Peak-Hour Volumes	13
RCTC Eastbound Peak-Hour Volumes	14
RCTC Westbound Peak-Hour Volumes	16
RCTC Operational Highlights	18
Financial Highlights RCTC	19
Joint Agency Trip and Revenue Statistics	20
Joint Agency Traffic Statistics	20
Joint Agency Performance Measures.....	21
Joint Agency Transponder Distribution.....	21
Number of Accounts by Fiscal Year	22
Incoming Email Activity	22

OPERATIONS OVERVIEW OCTA

TRAFFIC AND REVENUE STATISTICS FOR OCTA

Total traffic volume on the OCTA 91 Express Lanes for May 2019 was 1,537,043. This represents a daily average of 49,582. This is a 4.7% increase in total traffic volume from the same period last year when traffic levels totaled 1,467,385. Potential toll revenue for the month was \$4,572,297 which represents an increase of 3.8% from the prior year's total of \$4,406,608. Carpool percentage for the month was 27.17% as compared to the previous year's rate of 25.19%.

Month-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the OCTA 91 Express Lanes and associated potential revenue for the month of May 2019.

Current Month-to-Date (MTD) as of May 31, 2019

Trips	May-19 MTD Actual	Stantec MTD Projected	# Variance	% Variance	May-18 MTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	1,119,465	1,164,279	(44,814)	(3.8%)	1,097,729	2.0%
3+ Lanes	417,578	351,046	66,532	19.0%	369,656	13.0%
Total Gross Trips	1,537,043	1,515,325	21,718	1.4%	1,467,385	4.7%
Revenue						
Full Toll Lanes	\$4,485,490	\$4,639,899	(\$154,408)	(3.3%)	\$4,326,308	3.7%
3+ Lanes	\$86,806	\$88,516	(\$1,710)	(1.9%)	\$80,301	8.1%
Total Gross Revenue	\$4,572,297	\$4,728,414	(\$156,118)	(3.3%)	\$4,406,608	3.8%
Average Revenue per Trip						
Average Full Toll Lanes	\$4.01	\$3.99	\$0.02	0.5%	\$3.94	1.8%
Average 3+ Lanes	\$0.21	\$0.25	(\$0.04)	(16.0%)	\$0.22	(4.5%)
Average Gross Revenue	\$2.97	\$3.12	(\$0.15)	(4.8%)	\$3.00	(1.0%)

The 2019 fiscal year-to-date traffic volume increased by 5.4% and potential toll revenue increased by 5.1%, when compared with the same period last year. Year-to-date average revenue per-trip is \$2.97.

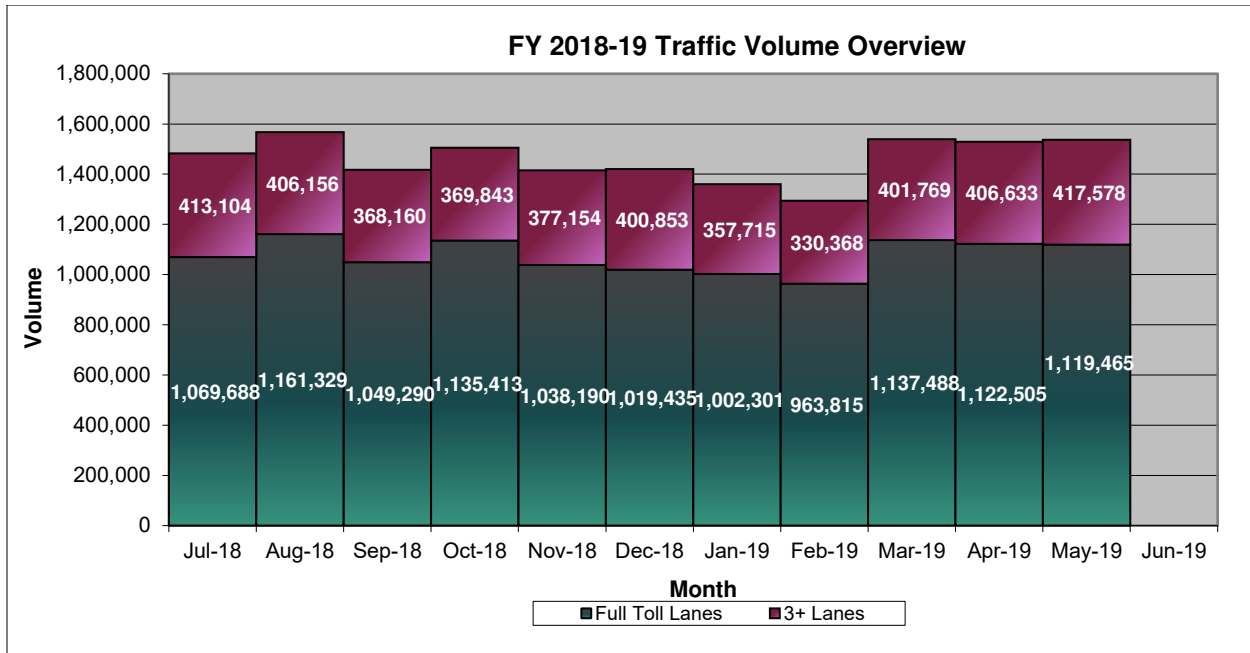
Fiscal year-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the OCTA 91 Express Lanes and associated potential revenue for the months of July 2018 through May 2019.

FY 2018-19 Year to Date as of May 31, 2019

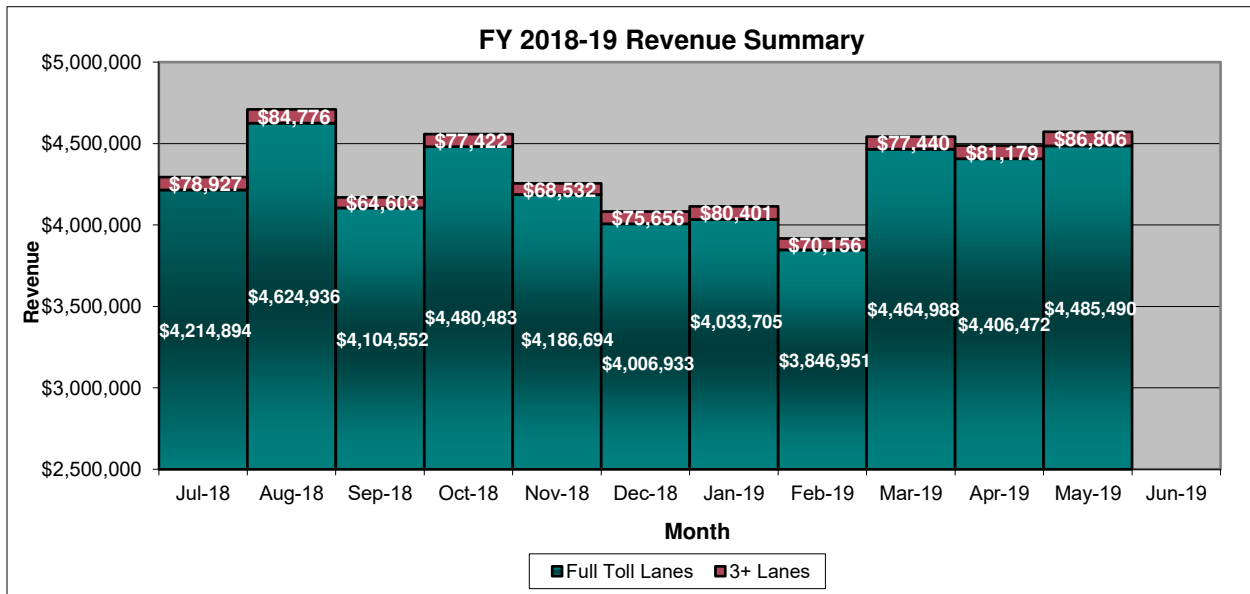
Trips	FY 2018-19 YTD Actual	Stantec YTD Projected	# Variance	% Variance	FY 2017-18 YTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	11,818,919	12,124,558	(305,639)	(2.5%)	11,428,364	3.4%
3+ Lanes	4,249,333	3,649,116	600,217	16.4%	3,810,893	11.5%
Total Gross Trips	16,068,252	15,773,674	294,578	1.9%	15,239,257	5.4%
Revenue						
Full Toll Lanes	\$46,856,098	\$48,445,673	(\$1,589,575)	(3.3%)	\$44,593,589	5.1%
3+ Lanes	\$845,898	\$924,129	(\$78,231)	(8.5%)	\$808,622	4.6%
Total Gross Revenue	\$47,701,996	\$49,369,803	(\$1,667,807)	(3.4%)	\$45,402,211	5.1%
Average Revenue per Trip						
Average Full Toll Lanes	\$3.96	\$4.00	(\$0.04)	(1.0%)	\$3.90	1.5%
Average 3+ Lanes	\$0.20	\$0.25	(\$0.05)	(20.0%)	\$0.21	(4.8%)
Average Gross Revenue	\$2.97	\$3.13	(\$0.16)	(5.1%)	\$2.98	(0.3%)

OCTA Traffic and Revenue Summary

The chart below reflects the total trips breakdown between Full Toll trips and HOV3+ trips for FY 2018-19 on a monthly basis.



The chart below reflects the gross potential revenue breakdown between Full Toll trips and HOV3+ trips for FY 2018-19 on a monthly basis.



Peak traffic hour in the eastbound direction reached or exceeded 90% or more of defined capacity 28 times during the month of May 2019. As demonstrated on the next chart, westbound peak hour traffic volumes top out at 83% of defined capacity.

OCTA EASTBOUND PEAK-HOUR VOLUMES

PM Time	Monday 04/29/19				Tuesday 04/30/19				Wednesday 05/01/19				Thursday 05/02/19				Friday 05/03/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500									\$5.05	526	2,969	87%	\$5.95	541	3,258	96%	\$6.35	563	3,096	91%
1500 - 1600									\$7.00	709	3,091	91%	\$6.00	683	3,052	90%	\$9.15	761	2,676	79%
1600 - 1700									\$7.50	478	2,539	75%	\$8.80	515	2,594	76%	\$8.95	503	2,712	80%
1700 - 1800									\$6.40	563	2,899	85%	\$8.70	614	2,949	87%	\$6.90	609	2,930	86%
1800 - 1900									\$3.85	710	3,172	93%	\$4.75	655	2,907	86%	\$6.40	719	2,844	84%
1900 - 2000									\$3.75	535	2,029	60%	\$5.50	638	2,773	82%	\$5.95	571	1,913	56%

PM Time	Monday 05/06/19				Tuesday 05/07/19				Wednesday 05/08/19				Thursday 05/09/19				Friday 05/10/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	452	2,619	77%	\$5.05	488	2,958	87%	\$5.05	498	2,963	87%	\$5.95	517	3,204	94%	\$6.35	598	3,341	98%
1500 - 1600	\$5.40	734	2,997	88%	\$5.65	716	2,821	83%	\$7.00	725	3,284	97%	\$6.00	745	3,212	94%	\$9.15	779	2,757	81%
1600 - 1700	\$5.25	556	3,038	89%	\$5.50	483	2,996	88%	\$7.50	512	2,695	79%	\$8.80	519	2,611	77%	\$8.95	511	2,814	83%
1700 - 1800	\$5.20	583	2,939	86%	\$5.40	598	3,022	89%	\$6.40	612	3,052	90%	\$8.70	599	3,049	90%	\$6.90	623	2,931	86%
1800 - 1900	\$5.40	636	2,450	72%	\$3.85	660	2,929	86%	\$3.85	671	2,756	81%	\$4.75	691	2,933	86%	\$6.40	763	2,782	82%
1900 - 2000	\$3.75	420	1,505	44%	\$3.75	442	1,744	51%	\$3.75	515	1,917	56%	\$5.50	547	2,063	61%	\$5.95	632	1,897	56%

PM Time	Monday 05/13/19				Tuesday 05/14/19				Wednesday 05/15/19				Thursday 05/16/19				Friday 05/17/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	449	2,501	74%	\$5.05	471	2,989	88%	\$5.05	509	3,063	90%	\$5.95	480	2,931	86%	\$6.35	629	3,471	102%
1500 - 1600	\$5.40	699	2,998	88%	\$5.65	703	2,742	81%	\$7.00	730	3,177	93%	\$6.00	767	3,379	99%	\$9.15	847	2,774	82%
1600 - 1700	\$5.25	567	2,961	87%	\$5.50	505	2,880	85%	\$7.50	492	2,517	74%	\$8.80	450	2,509	74%	\$8.95	573	2,947	87%
1700 - 1800	\$5.20	583	2,960	87%	\$5.40	547	2,860	84%	\$6.40	594	3,085	91%	\$8.70	572	2,644	78%	\$6.90	666	3,030	89%
1800 - 1900	\$5.40	724	2,838	83%	\$3.85	698	2,944	87%	\$3.85	695	3,014	89%	\$4.75	569	2,347	69%	\$6.40	677	2,550	75%
1900 - 2000	\$3.75	459	1,720	51%	\$3.75	654	2,573	76%	\$3.75	632	2,507	74%	\$5.50	427	1,632	48%	\$5.95	587	1,931	57%

PM Time	Monday 05/20/19				Tuesday 05/21/19				Wednesday 05/22/19				Thursday 05/23/19				Friday 05/24/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	491	2,486	73%	\$5.05	468	2,893	85%	\$5.05	276	1,784	52%	\$5.95	587	3,314	97%	\$6.35	680	3,187	94%
1500 - 1600	\$5.40	728	3,125	92%	\$5.65	729	2,839	84%	\$7.00	636	2,678	79%	\$6.00	802	3,133	92%	\$9.15	835	2,711	80%
1600 - 1700	\$5.25	510	2,937	86%	\$5.50	505	2,840	84%	\$7.50	534	2,431	72%	\$8.80	522	2,590	76%	\$8.95	635	2,987	88%
1700 - 1800	\$5.20	608	3,027	89%	\$5.40	603	3,071	90%	\$6.40	638	2,975	88%	\$8.70	597	2,857	84%	\$6.90	671	2,814	83%
1800 - 1900	\$5.40	666	2,547	75%	\$3.85	732	2,918	86%	\$3.85	735	3,183	94%	\$4.75	793	2,999	88%	\$6.40	640	2,194	65%
1900 - 2000	\$3.75	396	1,493	44%	\$3.75	469	1,785	53%	\$3.75	679	2,701	79%	\$5.50	646	2,447	72%	\$5.95	593	1,827	54%

PM Time	Monday 05/27/19				Tuesday 05/28/19				Wednesday 05/29/19				Thursday 05/30/19				Friday 05/31/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$4.15	352	929	27%	\$5.05	431	2,357	69%	\$5.05	537	2,997	88%	\$5.95	523	3,162	93%	\$6.35	620	3,169	93%
1500 - 1600	\$4.15	407	983	29%	\$5.65	711	2,834	83%	\$7.00	712	3,180	94%	\$6.00	743	3,077	91%	\$9.15	717	2,662	78%
1600 - 1700	\$4.15	404	899	26%	\$5.50	488	2,983	88%	\$7.50	478	2,540	75%	\$8.80	501	2,482	73%	\$8.95	523	2,746	81%
1700 - 1800	\$4.15	432	934	27%	\$5.40	599	2,972	87%	\$6.40	587	2,911	86%	\$8.70	596	2,913	86%	\$6.90	590	2,856	84%
1800 - 1900	\$4.15	429	959	28%	\$3.85	691	2,949	87%	\$3.85	723	3,036	89%	\$4.75	729	3,173	93%	\$6.40	769	3,062	90%
1900 - 2000	\$4.15	456	906	27%	\$3.75	495	1,807	53%	\$3.75	452	1,779	52%	\$5.50	565	2,082	61%	\$5.95	555	2,011	59%

OCTA WESTBOUND PEAK-HOUR VOLUMES

AM Time	Monday 04/29/19				Tuesday 04/30/19				Wednesday 05/01/19				Thursday 05/02/19				Friday 05/03/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500									\$3.00	882	2,565	75%	\$3.00	859	2,542	75%	\$3.00	764	2,080	61%
0500 - 0600									\$4.85	949	2,585	76%	\$4.85	974	2,548	75%	\$4.60	862	2,504	74%
0600 - 0700									\$5.05	745	2,315	68%	\$5.05	770	2,355	69%	\$4.85	728	2,230	66%
0700 - 0800									\$5.55	530	2,166	64%	\$5.55	558	2,110	62%	\$5.40	537	1,917	56%
0800 - 0900									\$5.05	337	2,174	64%	\$5.05	360	2,113	62%	\$4.85	340	1,864	55%
0900 - 1000									\$4.00	329	2,158	63%	\$4.00	339	2,019	59%	\$4.00	326	1,636	48%

AM Time	Monday 05/06/19				Tuesday 05/07/19				Wednesday 05/08/19				Thursday 05/09/19				Friday 05/10/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	823	2,461	72%	\$3.00	899	2,709	80%	\$3.00	895	2,586	76%	\$3.00	834	2,418	71%	\$3.00	761	2,030	60%
0500 - 0600	\$4.85	998	2,606	77%	\$4.85	1020	2,819	83%	\$4.85	957	2,511	74%	\$4.85	957	2,485	73%	\$4.60	823	2,349	69%
0600 - 0700	\$5.05	681	2,290	67%	\$5.05	702	2,201	65%	\$5.05	728	2,313	68%	\$5.05	725	2,111	62%	\$4.85	667	2,062	61%
0700 - 0800	\$5.55	523	2,030	60%	\$5.55	577	2,153	63%	\$5.55	545	2,085	61%	\$5.55	590	2,215	65%	\$5.40	572	2,026	60%
0800 - 0900	\$5.05	425	2,028	60%	\$5.05	415	2,302	68%	\$5.05	365	2,134	63%	\$5.05	386	2,177	64%	\$4.85	339	1,773	52%
0900 - 1000	\$4.00	298	1,991	59%	\$4.00	342	2,302	68%	\$4.00	318	2,034	60%	\$4.00	332	1,955	58%	\$4.00	322	1,607	47%

AM Time	Monday 05/13/19				Tuesday 05/14/19				Wednesday 05/15/19				Thursday 05/16/19				Friday 05/17/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	860	2,554	75%	\$3.00	859	2,541	75%	\$3.00	852	2,509	74%	\$3.00	783	2,068	61%	\$3.00	773	2,133	63%
0500 - 0600	\$4.85	985	2,558	75%	\$4.85	968	2,684	79%	\$4.85	950	2,606	77%	\$4.85	507	1,443	42%	\$4.60	896	2,507	74%
0600 - 0700	\$5.05	738	2,256	66%	\$5.05	690	2,232	66%	\$5.05	759	2,325	68%	\$5.05	690	1,913	56%	\$4.85	712	2,240	66%
0700 - 0800	\$5.55	611	2,141	63%	\$5.55	590	2,289	67%	\$5.55	593	2,183	64%	\$5.55	575	1,908	56%	\$5.40	496	1,954	57%
0800 - 0900	\$5.05	372	2,122	62%	\$5.05	390	2,274	67%	\$5.05	364	2,032	60%	\$5.05	391	1,911	56%	\$4.85	331	1,952	57%
0900 - 1000	\$4.00	367	1,925	57%	\$4.00	358	2,246	66%	\$4.00	366	2,224	65%	\$4.00	363	2,100	62%	\$4.00	332	1,866	55%

AM Time	Monday 05/20/19				Tuesday 05/21/19				Wednesday 05/22/19				Thursday 05/23/19				Friday 05/24/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	876	2,602	77%	\$3.00	886	2,690	79%	\$3.00	855	2,539	75%	\$3.00	858	2,470	73%	\$3.00	732	2,010	59%
0500 - 0600	\$4.85	995	2,628	77%	\$4.85	995	2,704	80%	\$4.85	985	2,548	75%	\$4.85	989	2,592	76%	\$4.60	839	2,414	71%
0600 - 0700	\$5.05	719	2,324	68%	\$5.05	725	2,187	64%	\$5.05	755	2,327	68%	\$5.05	741	2,195	65%	\$4.85	682	2,072	61%
0700 - 0800	\$5.55	526	2,136	63%	\$5.55	587	2,371	70%	\$5.55	572	2,164	64%	\$5.55	567	2,129	63%	\$5.40	516	1,962	58%
0800 - 0900	\$5.05	361	2,005	59%	\$5.05	365	2,040	60%	\$5.05	330	2,057	61%	\$5.05	419	2,113	62%	\$4.85	321	1,780	52%
0900 - 1000	\$4.00	342	1,978	58%	\$4.00	327	2,232	66%	\$4.00	344	2,137	63%	\$4.00	346	2,088	61%	\$4.00	302	1,698	50%

AM Time	Monday 05/27/19				Tuesday 05/28/19				Wednesday 05/29/19				Thursday 05/30/19				Friday 05/31/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$1.65	53	111	3%	\$3.00	828	2,599	76%	\$3.00	887	2,584	76%	\$3.00	903	2,632	77%	\$3.00	772	2,134	63%
0500 - 0600	\$1.65	77	199	6%	\$4.85	973	2,679	79%	\$4.85	823	2,285	67%	\$4.85	923	2,608	77%	\$4.60	851	2,478	73%
0600 - 0700	\$1.65	91	243	7%	\$5.05	651	2,034	60%	\$5.05	708	2,267	67%	\$5.05	739	2,288	67%	\$4.85	667	2,147	63%
0700 - 0800	\$1.65	143	360	11%	\$5.55	558	2,101	62%	\$5.55	561	2,203	65%	\$5.55	547	2,119	62%	\$5.40	526	1,928	57%
0800 - 0900	\$2.45	214	620	18%	\$5.05	341	2,139	63%	\$5.05	316	1,935	57%	\$5.05	342	2,007	59%	\$4.85	397	1,862	55%
0900 - 1000	\$3.55	441	1,097	32%	\$4.00	403	2,513	74%	\$4.00	362	2,033	60%	\$4.00	376	2,079	61%	\$4.00	294	1,640	48%

OCTA OPERATIONAL HIGHLIGHTS

On-road Operations

OCTA Customer Assistance Specialists (CAS) responded to 120 calls during the month of May. Of those calls, 81 were to assist disabled vehicles and 23 calls to remove debris. The CAS provided assistance to 16 accidents in the Express Lanes and 5 of those accidents originated from the SR91 general-purpose lanes.

Electronic Toll and Traffic Management System Project Update

An agreement with Kapsch TrafficCom USA, Inc., (Kapsch) was executed in June 2018 to provide toll lane system integrator services for the design, installation, operations, and maintenance of the electronic toll and traffic management system for the 91 Express Lanes. This new lane system will be able to read the new 6C protocol as well as the current Title 21 protocol. Following RCTC's completion of their lane system installation on the 91 Express Lanes, OCTA will commence installation on the Orange County segment. It is anticipated the OCTA lane system equipment at the gantries will be replaced in summer 2019.

6C Transition Update

In addition to the lane system replacement, the back-office system will need to be modified in order to process the new transponders and changes to the customer account plans. Modification to the back-office system will commence when the lane system installations for both OCTA and RCTC have been completed. Distribution of the new 6C transponders to customers will begin after the back-office system changes have been made. OCTA and RCTC have prepared a series of customer communication to be provided to customers to facilitate the transition to the new protocol and changes to the account plans.

Amendment to the Three-Party Operating Agreement

As referenced above, due to the back-office system changes, an amendment to the OCTA, RCTC, Cofiroute USA (CUSA) Operating Agreement is required. Staff from both OCTA and RCTC have been in negotiations with CUSA for the amendment. It is anticipated there will be no change to the maximum obligation of the contract. The amendment is expected to be finalized in the next few months.

FINANCIAL HIGHLIGHTS OCTA

91 Express Lanes Operating Statement

Description	YTD as of : 5/31/2019		YTD Variance	
	Actual ⁽¹⁾	Budget ⁽¹⁾	Dollar \$	Percent (%)
Operating revenues:				
Toll revenue	\$ 43,047,286	\$ 46,535,991	\$ (3,488,705)	(7.5)
Fee revenue	7,096,465	5,655,046	1,441,419	25.5
Total operating revenues	50,143,751	52,191,037	(2,047,287)	(3.9)
Operating expenses:				
Contracted services	6,009,697	6,873,990	864,293	12.6
Administrative fee	2,274,294	2,526,227	251,933	10.0
Other professional services	787,012	3,103,400	2,316,388	74.6
Credit card processing fees	1,225,013	1,147,537	(77,476)	(6.8)
Toll road account servicing	738,210	1,254,063	515,853	41.1
Other insurance expense	328,331	687,225	358,894	52.2
Toll road maintenance supply repairs	191,368	298,510	107,142	35.9
Patrol services	647,437	728,519	81,082	11.1
Building equipment repairs and maint	95,137	323,406	228,269	70.6
Other services	8,135	24,163	16,028	66.3
Utilities	46,433	60,478	14,045	23.2
Office expense	51,805	164,516	112,711	68.5
Bad debt expense	145,168	-	(145,168)	N/A
Miscellaneous ⁽²⁾	360,199	519,646	159,447	30.7
Leases	436,813	421,498	(15,315)	(3.6)
Total operating expenses	13,345,051	18,133,178	4,788,127	26.4
Depreciation and amortization ⁽³⁾	3,149,897	-	(3,149,897)	N/A
Operating income (loss)	33,648,803	34,057,859	(409,056)	(1.2)
Nonoperating revenues (expenses):				
Reimbursement from Other Agencies	774,096	1,025,189	(251,093)	(24.5)
Interest income	3,366,075	2,034,802	1,331,273	65.4
Interest expense	(4,497,454)	(4,592,456)	95,002	2.1
Other	33,409	-	33,409	N/A
Total nonoperating revenues (expenses)	(323,873)	(1,532,465)	1,208,592	78.9
Transfers in	-	-	-	N/A
Transfers out	(996,636)	(14,403,531)	13,406,895	93.1
Net income (loss)	\$ 32,328,293	\$ 18,121,863	\$ 14,206,430	78.4

¹Actual amounts are accounted for on the accrual basis of accounting in an enterprise fund. Budget amounts are accounted for on a modified accrual basis of accounting.

²Miscellaneous expenses include: Bond Insurance Costs, Bank Service Charge, Transponder Materials.

³Depreciation and amortization are not budgeted items.

Capital Asset Activity

During the ten months ending May 31, 2019, capital asset activities included \$349,599 for the Electronic Toll and Traffic Management system replacement project and \$226,014 for transponder purchases.

OPERATIONS OVERVIEW RCTC

TRAFFIC AND REVENUE STATISTICS FOR RCTC

Total traffic volume on the RCTC 91 Express Lanes for May 2019 was 1,356,283. This represents a daily average of 43,751. This is a 6.1% increase in total traffic volume from the same period last year when traffic levels totaled 1,278,127. Potential toll revenue for the month was \$5,360,495 which represents an increase of 15.6% from the prior year's total of \$4,637,229. Carpool percentage for the month was 25.63% as compared to the previous year's rate of 22.84%.

Month-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the RCTC 91 Express Lanes and associated potential revenue for the month of May 2019.

Current Month-to-Date (MTD) as of May 31, 2019

Trips	MAY-19 MTD Actual	Stantec MTD Projected	# Variance	% Variance	MAY-18 MTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	1,008,723	733,956	274,767	37.4%	986,259	2.3%
3+ Lanes	347,560	241,572	105,988	43.9%	291,868	19.1%
Total Gross Trips	1,356,283	975,528	380,755	39.0%	1,278,127	6.1%
Revenue						
Full Toll Lanes	5,313,798	\$2,195,443	\$3,118,355	142.0%	4,599,418	15.5%
3+ Lanes	46,697	\$0	\$46,697		37,811	23.5%
Total Gross Revenue	\$5,360,495	\$2,195,443	\$3,165,052	144.2%	\$4,637,229	15.6%
Average Revenue per Trip						
Average Full Toll Lanes	\$5.27	\$2.99	\$2.28	76.3%	\$4.66	13.1%
Average 3+ Lanes	\$0.13	\$0.00	\$0.13		\$0.13	0.0%
Average Gross Revenue	\$3.95	\$2.25	\$1.70	75.6%	\$3.63	8.8%

The 2019 fiscal year-to-date (YTD) traffic volume is 5.3% higher when compared with the same period last year. The 2019 fiscal year-to-date revenue is 20.6% higher than for the same period last year. The traffic and revenue increases are attributed to higher demand and increase toll rates to manage the demand. Year-to-date average revenue per-trip is \$3.76.

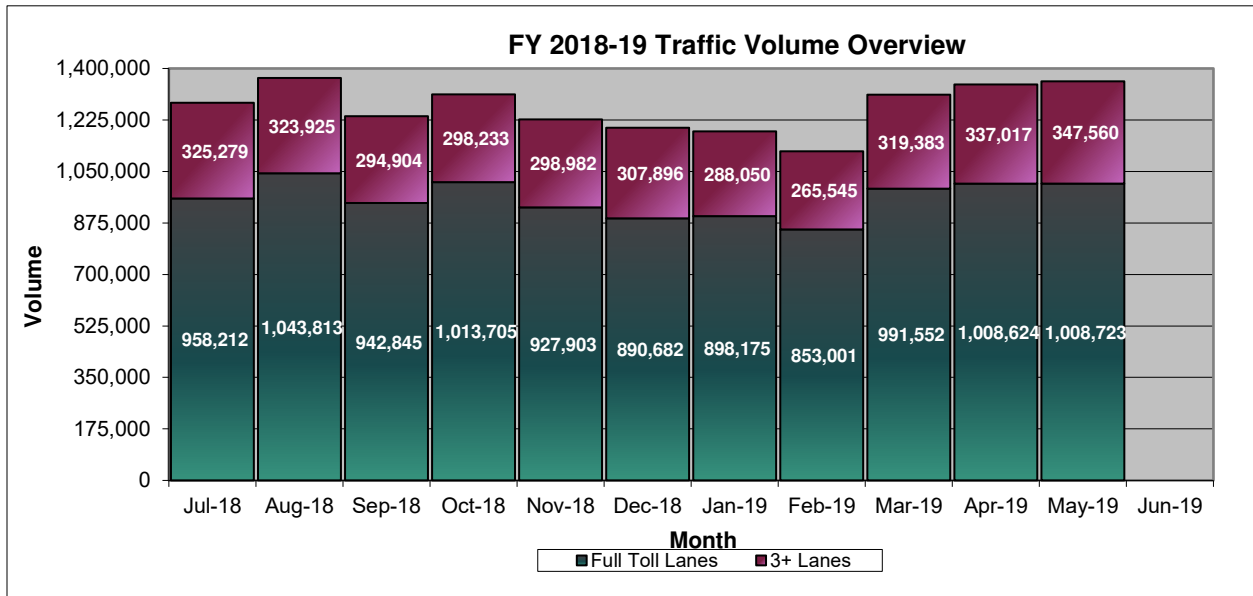
Fiscal year-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the RCTC 91 Express Lanes and associated potential revenue for the months of July 2018 through May 2019.

FY 2018-19 Year to Date as of May 31, 2019

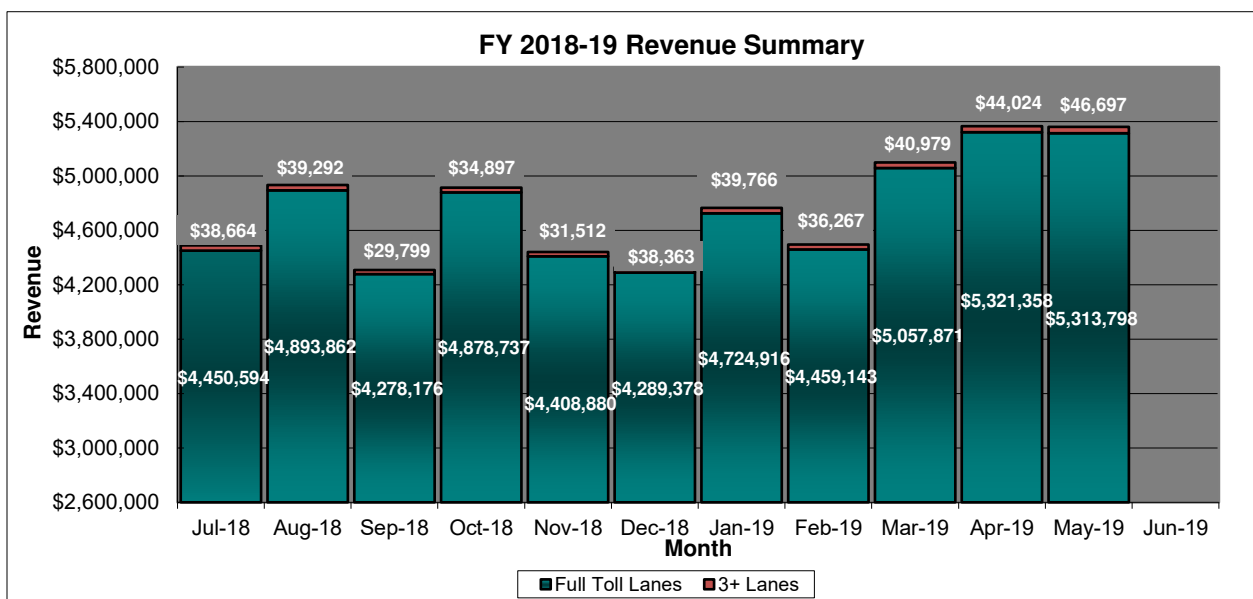
Trips	FY 2018-19 YTD Actual	Stantec YTD Projected	# Variance	% Variance	FY 2017-18 YTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	10,537,235	7,146,842	3,390,393	47.4%	10,330,899	2.0%
3+ Lanes	3,406,772	2,478,429	(3,740,070)	(52.3%)	2,910,595	17.0%
Total Gross Trips	13,944,007	9,625,271	(349,677)	(2.4%)	13,241,494	5.3%
Revenue						
Full Toll Lanes	52,076,714	\$21,449,714	\$30,627,000	142.8%	43,182,503	20.6%
3+ Lanes	420,260	\$0	\$420,260		356,597	17.9%
Total Gross Revenue	\$52,496,974	\$21,449,714	\$31,047,260	144.7%	\$43,539,101	20.6%
Average Revenue per Trip						
Average Full Toll Lanes	\$4.94	\$3.00	\$1.94	64.7%	\$4.18	18.2%
Average 3+ Lanes	\$0.12	\$0.00	\$0.12		\$0.12	0.0%
Average Gross Revenue	\$3.76	\$1.50	\$2.26	150.7%	\$3.29	14.3%

RCTC Traffic and Revenue Summary

The chart below reflects the total trips broken down between Full Toll lanes and HOV3+ lanes for FY 2018-19 on a monthly basis.



The chart below reflects the gross potential revenue breakdown between Full Toll lanes and HOV3+ lanes for FY 2018-19 on a monthly basis.



RCTC PEAK-HOUR VOLUMES

RCTC regularly evaluates traffic volumes for peak period hours where Express Lanes performance is degraded and either increases or decreases tolls. There were no toll rates adjusted in May to improve the level of service in the peak hours where demand exceeded capacity. Hours that are highlighted in yellow were flagged for continued evaluation.

RCTC EASTBOUND PEAK-HOUR VOLUMES

Eastbound PM Peak - County Line to McKinley

PM Time	Monday 04/29/19					Tuesday 04/30/19					Wednesday 05/01/19					Thursday 05/02/19					Friday 05/03/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500											\$6.70	286	1,027	1,313	F	\$8.85	287	1,181	1,468	F	\$19.00	351	1,099	1,450	F
1500 - 1600											\$7.55	365	926	1,291	E	\$10.60	352	952	1,304	F	\$18.70	394	879	1,273	E
1600 - 1700											\$5.15	209	785	994	C	\$7.90	244	922	1,166	D	\$10.75	251	975	1,226	E
1700 - 1800											\$5.15	231	853	1,084	D	\$5.15	364	1,334	1,698	F	\$6.70	286	988	1,274	E
1800 - 1900											\$5.15	333	881	1,214	E	\$5.15	391	1,253	1,644	F	\$6.70	352	945	1,297	E
1900 - 2000											\$3.95	202	646	848	C	\$4.05	358	1,148	1,506	F	\$5.15	267	721	988	C

PM Time	Monday 05/06/19					Tuesday 05/07/19					Wednesday 05/08/19					Thursday 05/09/19					Friday 05/10/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	262	831	1,093	D	\$6.70	240	999	1,239	E	\$6.70	279	1,043	1,322	F	\$8.85	289	1,105	1,394	F	\$19.00	363	1,013	1,376	F
1500 - 1600	\$6.70	361	917	1,278	E	\$6.70	377	856	1,233	E	\$7.55	362	956	1,318	F	\$10.60	402	935	1,337	F	\$18.70	387	846	1,233	E
1600 - 1700	\$5.15	213	899	1,112	D	\$6.70	211	909	1,120	D	\$5.15	244	865	1,109	D	\$7.90	267	854	1,121	D	\$10.75	249	914	1,163	D
1700 - 1800	\$5.15	231	825	1,056	D	\$5.15	256	792	1,048	D	\$5.15	301	857	1,158	D	\$5.15	236	935	1,171	D	\$6.70	317	895	1,212	E
1800 - 1900	\$5.15	267	659	926	C	\$5.15	328	781	1,109	D	\$5.15	310	747	1,057	D	\$5.15	274	876	1,150	D	\$6.70	367	834	1,201	E
1900 - 2000	\$2.20	159	406	565	B	\$4.05	198	454	652	B	\$3.95	186	503	689	B	\$4.05	211	661	872	C	\$5.15	298	605	903	C

PM Time	Monday 05/13/19					Tuesday 05/14/19					Wednesday 05/15/19					Thursday 05/16/19					Friday 05/17/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	269	884	1,153	D	\$6.70	275	998	1,273	E	\$6.70	282	1,155	1,437	F	\$8.85	246	1,041	1,287	E	\$19.00	391	1,062	1,453	F
1500 - 1600	\$6.70	369	929	1,298	E	\$6.70	327	787	1,114	D	\$7.55	373	962	1,335	F	\$10.60	366	979	1,345	F	\$18.70	445	876	1,321	F
1600 - 1700	\$5.15	230	907	1,137	D	\$6.70	243	941	1,184	D	\$5.15	229	805	1,034	D	\$7.90	199	829	1,028	D	\$10.75	281	1,042	1,323	F
1700 - 1800	\$5.15	264	774	1,038	D	\$5.15	262	832	1,094	D	\$5.15	300	1,050	1,350	F	\$5.15	231	772	1,003	D	\$6.70	323	978	1,301	F
1800 - 1900	\$5.15	339	704	1,043	D	\$5.15	304	826	1,130	D	\$5.15	352	1,017	1,369	F	\$5.15	244	620	864	C	\$6.70	330	816	1,146	D
1900 - 2000	\$2.20	191	478	669	B	\$4.05	278	752	1,030	D	\$3.95	280	766	1,046	D	\$4.05	188	425	613	B	\$5.15	293	593	886	C

PM Time	Monday 05/20/19					Tuesday 05/21/19					Wednesday 05/22/19					Thursday 05/23/19					Friday 05/24/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	276	898	1,174	D	\$6.70	260	988	1,248	E	\$6.70	157	666	823	C	\$8.85	316	1,124	1,440	F	\$19.00	609	1,383	1,992	F
1500 - 1600	\$6.70	404	955	1,359	F	\$6.70	365	868	1,233	E	\$7.55	417	1,031	1,448	F	\$10.60	430	939	1,369	F	\$18.70	697	1,208	1,905	F
1600 - 1700	\$5.15	227	806	1,033	D	\$6.70	230	904	1,134	D	\$5.15	291	746	1,037	D	\$7.90	232	805	1,037	D	\$10.75	499	1,267	1,766	F
1700 - 1800	\$5.15	270	833	1,103	D	\$5.15	278	864	1,142	D	\$5.15	265	907	1,172	D	\$5.15	272	937	1,209	E	\$6.70	520	1,216	1,736	F
1800 - 1900	\$5.15	290	706	996	C	\$5.15	348	799	1,147	D	\$5.15	308	925	1,233	E	\$5.15	355	854	1,209	E	\$6.70	405	803	1,208	E
1900 - 2000	\$2.20	183	407	590	B	\$4.05	183	488	671	B	\$3.95	259	899	1,158	D	\$4.05	240	648	888	C	\$5.15	303	580	883	C

PM Time	Monday 05/27/19					Tuesday 05/28/19					Wednesday 05/29/19					Thursday 05/30/19					Friday 05/31/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.20	157	280	437	B	\$6.70	241	866	1,107	D	\$6.70	283	1,044	1,327	F	\$8.85	297	1,126	1,423	F	\$19.00	397	1,064	1,461	F
1500 - 1600	\$2.20	174	257	431	B	\$6.70	396	933	1,329	F	\$7.55	406	963	1,369	F	\$10.60	386	917	1,303	F	\$18.70	378	873	1,251	E
1600 - 1700	\$2.20	169	254	423	B	\$6.70	229	897	1,126	D	\$5.15	220	817	1,037	D	\$7.90	253	860	1,113	D	\$10.75	278	929	1,207	E
1700 - 1800	\$2.20	195	245	440	B	\$5.15	257	841	1,098	D	\$5.15	284	854	1,138	D	\$5.15	241	938	1,179	D	\$6.70	293	914	1,207	E
1800 - 1900	\$2.20	179	225	404	B	\$5.15	288	777	1,065	D	\$5.15	320	826	1,146	D	\$5.15	268	968	1,236	E	\$6.70	364	942	1,306	F
1900 - 2000	\$2.20	206	219	425	B	\$4.05	206	492	698	B	\$3.95	207	572	779	B	\$4.05	230	698	928	C	\$5.15	283	718	1,001	D

Eastbound PM Peak - County Line to I-15 South

PM Time	Monday 04/29/19					Tuesday 04/30/19					Wednesday 05/01/19					Thursday 05/02/19					Friday 05/03/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500											\$2.85	129	733	862	C	\$5.05	135	787	922	C	\$5.15	142	724	866	C
1500 - 1600											\$5.15	174	647	821	C	\$5.15	178	614	792	B	\$2.80	208	610	818	C
1600 - 1700											\$2.85	105	518	623	B	\$2.80	142	637	779	B	\$2.85	125	594	719	B
1700 - 1800											\$2.85	117	604	721	B	\$2.85	182	827	1,009	D	\$2.85	131	619	750	B
1800 - 1900											\$2.85	142	635	777	B	\$2.85	171	798	969	C	\$2.85	166	515	681	B
1900 - 2000											\$2.85	122	451	573	B	\$2.85	170	704	874	C	\$2.85	158	441	599	B

PM Time	Monday 05/06/19					Tuesday 05/07/19					Wednesday 05/08/19					Thursday 05/09/19					Friday 05/10/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	113	673	786	B	\$2.85	134	727	861	C	\$2.85	131	729	860	C	\$5.05	149	836	985	C	\$5.15	162	736	898	C
1500 - 1600	\$2.85	199	638	837	C	\$2.80	186	593	779	B	\$5.15	187	679	866	C	\$5.15	180	662	842	C	\$2.80	230	632	862	C
1600 - 1700	\$2.85	150	625	775	B	\$2.85	111	649	760	B	\$2.85	136	532	668	B	\$2.80	125	605	730	B	\$2.85	136	660	796	B
1700 - 1800	\$2.85	121	604	725	B	\$2.85	146	590	736	B	\$2.85	140	618	758	B	\$2.85	114	633	747	B	\$2.85	147	585	732	B
1800 - 1900	\$2.85	112	468	580	B	\$2.85	126	548	674	B	\$2.85	136	524	660	B	\$2.85	111	540	651	B	\$2.85	161	524	685	B
1900 - 2000	\$2.85	107	305	412	B	\$2.85	119	343	462	B	\$2.85	130	379	509	B	\$2.85	113	498	611	B	\$2.85	162	366	528	B

PM Time	Monday 05/13/19					Tuesday 05/14/19					Wednesday 05/15/19					Thursday 05/16/19					Friday 05/17/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	119	624	743	B	\$2.85	126	749	875	C	\$2.85	136	750	886	C	\$5.05	129	687	816	C	\$5.15	153	818	971	C
1500 - 1600	\$2.85	177	655	832	C	\$2.80	168	551	719	B	\$5.15	194	661	855	C	\$5.15	200	762	962	C	\$2.80	224	594	818	C
1600 - 1700	\$2.85	144	626	770	B	\$2.85	139	640	779	B	\$2.85	131	555	686	B	\$2.80	122	501	623	B	\$2.85	164	611	775	B
1700 - 1800	\$2.85	133	513	646	B	\$2.85	137	601	738	B	\$2.85	141	681	822	C	\$2.85	135	529	664	B	\$2.85	150	543	693	B
1800 - 1900	\$2.85	147	507	654	B	\$2.85	143	557	700	B	\$2.85	170	690	860	C	\$2.85	136	419	555	B	\$2.85	163	540	703	B
1900 - 2000	\$2.85	124	373	497	B	\$2.85	154	521	675	B	\$2.85	164	512	676	B	\$2.85	101	317	418	B	\$2.85	114	412	526	B

PM Time	Monday 05/20/19					Tuesday 05/21/19					Wednesday 05/22/19					Thursday 05/23/19					Friday 05/24/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	134	668	802	C	\$2.85	135	767	902	C	\$2.85	86	491	577	B	\$5.05	142	759	901	C	\$5.15	60	238	298	A
1500 - 1600	\$2.85	191	716	907	C	\$2.80	171	608	779	B	\$5.15	198	658	856	C	\$5.15	186	669	855	C	\$2.80	19	81	100	A
1600 - 1700	\$2.85	135	619	754	B	\$2.85	135	599	734	B	\$2.85	149	476	625	B	\$2.80	132	557	689	B	\$2.85	7	26	33	A
1700 - 1800	\$2.85	152	568	720	B	\$2.85	137	602	739	B	\$2.85	148	570	718	B	\$2.85	140	541	681	B	\$2.85	36	96	132	A
1800 - 1900	\$2.85	150	456	606	B	\$2.85	158	554	712	B	\$2.85	137	576	713	B	\$2.85	149	527	676	B	\$2.85	116	341	457	B
1900 - 2000	\$2.85	99	295	394	A	\$2.85	139	392	531	B	\$2.85	158	639	797	B	\$2.85	140	438	578	B	\$2.85	139	362	501	B

PM Time	Monday 05/27/19					Tuesday 05/28/19					Wednesday 05/29/19					Thursday 05/30/19					Friday 05/31/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$1.90	91	173	264	A	\$2.85	106	601	707	B	\$2.85	142	781	923	C	\$5.05	150	813	963	C	\$5.15	167	714	881	C
1500 - 1600	\$1.90	116	174	290	A	\$2.80	189	604	793	B	\$5.15	169	643	812	C	\$5.15	198	662	860	C	\$2.80	192	592	784	B
1600 - 1700	\$1.90	114	167	281	A	\$2.85	114	646	760	B	\$2.85	126	586	712	B	\$2.80	121	548	669	B	\$2.85	150	631	781	B
1700 - 1800	\$1.90	113	137	250	A	\$2.85	160	609	769	B	\$2.85	133	552	685	B	\$2.85	105	615	720	B	\$2.85	128	509	637	B
1800 - 1900	\$1.90	112	159	271	A	\$2.85	138	561	699	B	\$2.85	192	592	784	B	\$2.85	135	611	746	B	\$2.85	175	560	735	B
1900 - 2000	\$1.90	121	144	265	A	\$2.85	133	403	536	B	\$2.85	123	456	579	B	\$2.85	112	471	583	B	\$2.85	148	460	608	B

RCTC WESTBOUND PEAK-HOUR VOLUMES

Westbound AM Peak - McKinley to County Line

AM Time	Monday 04/29/19					Tuesday 04/30/19					Wednesday 05/01/19					Thursday 05/02/19					Friday 05/03/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500											\$7.85	501	1,038	1,539	F	\$7.85	486	1,095	1,581	F	\$5.15	435	722	1,157	D
0500 - 0600											\$17.80	554	761	1,315	E	\$17.55	588	795	1,383	F	\$9.20	546	1,069	1,615	F
0600 - 0700											\$17.45	493	1,136	1,629	F	\$16.15	459	1,088	1,547	F	\$8.45	485	1,155	1,640	F
0700 - 0800											\$15.25	414	1,237	1,651	F	\$13.50	440	1,220	1,660	F	\$7.70	425	1,086	1,511	F
0800 - 0900											\$9.75	281	1,442	1,723	F	\$10.50	302	1,396	1,698	F	\$6.70	210	1,029	1,239	E
0900 - 1000											\$6.70	186	1,093	1,279	E	\$6.70	219	1,105	1,324	E	\$4.05	190	751	941	C

AM Time	Monday 05/06/19					Tuesday 05/07/19					Wednesday 05/08/19					Thursday 05/09/19					Friday 05/10/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	439	976	1,415	F	\$7.85	478	1,008	1,486	F	\$7.85	490	1,138	1,628	F	\$7.85	487	1,074	1,561	F	\$5.15	442	679	1,121	D
0500 - 0600	\$19.90	649	879	1,528	F	\$19.45	691	919	1,610	F	\$17.80	608	758	1,366	F	\$17.55	611	704	1,315	E	\$9.20	463	903	1,366	F
0600 - 0700	\$18.55	397	1,026	1,423	F	\$18.15	387	915	1,302	E	\$17.45	460	1,162	1,622	F	\$16.15	448	885	1,333	E	\$8.45	440	997	1,437	F
0700 - 0800	\$14.50	380	1,248	1,628	F	\$14.50	420	1,192	1,612	F	\$15.25	359	1,306	1,665	F	\$13.50	442	1,203	1,645	F	\$7.70	409	1,096	1,505	F
0800 - 0900	\$9.75	283	1,283	1,566	F	\$9.75	290	1,423	1,713	F	\$9.75	269	1,343	1,612	F	\$10.50	302	1,426	1,728	F	\$6.70	262	998	1,260	E
0900 - 1000	\$5.15	203	1,054	1,257	E	\$6.70	224	1,261	1,485	F	\$6.70	186	1,016	1,202	E	\$6.70	199	1,069	1,268	E	\$4.05	201	764	965	C

AM Time	Monday 05/13/19					Tuesday 05/14/19					Wednesday 05/15/19					Thursday 05/16/19					Friday 05/17/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	461	949	1,410	F	\$7.85	463	1,005	1,468	F	\$7.85	494	1,107	1,601	F	\$7.85	478	880	1,358	F	\$5.15	427	705	1,132	D
0500 - 0600	\$19.90	627	929	1,556	F	\$19.45	653	899	1,552	F	\$17.80	559	777	1,336	E	\$17.55	621	1,111	1,732	F	\$9.20	540	1,018	1,558	F
0600 - 0700	\$18.55	444	982	1,426	F	\$18.15	403	926	1,329	E	\$17.45	475	1,107	1,582	F	\$16.15	750	1,791	2,541	F	\$8.45	495	1,155	1,650	F
0700 - 0800	\$14.50	429	1,243	1,672	F	\$14.50	478	1,269	1,747	F	\$15.25	451	1,232	1,683	F	\$13.50	568	2,001	2,569	F	\$7.70	411	1,174	1,585	F
0800 - 0900	\$9.75	291	1,398	1,689	F	\$9.75	326	1,404	1,730	F	\$9.75	290	1,343	1,633	F	\$10.50	276	1,732	2,008	F	\$6.70	255	1,066	1,321	E
0900 - 1000	\$5.15	191	972	1,163	D	\$6.70	205	1,177	1,382	F	\$6.70	227	1,180	1,407	F	\$6.70	249	1,876	2,125	F	\$4.05	173	803	976	C

AM Time	Monday 05/20/19					Tuesday 05/21/19					Wednesday 05/22/19					Thursday 05/23/19					Friday 05/24/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	502	1,071	1,573	F	\$7.85	482	1,039	1,521	F	\$7.85	527	1,142	1,669	F	\$7.85	479	1,107	1,586	F	\$5.15	427	634	1,061	D
0500 - 0600	\$19.90	613	862	1,475	F	\$19.45	643	903	1,546	F	\$17.80	584	710	1,294	E	\$17.55	612	782	1,394	F	\$9.20	517	992	1,509	F
0600 - 0700	\$18.55	424	1,003	1,427	F	\$18.15	384	853	1,237	E	\$17.45	450	1,142	1,592	F	\$16.15	443	1,037	1,480	F	\$8.45	466	1,099	1,565	F
0700 - 0800	\$14.50	407	1,294	1,701	F	\$14.50	454	1,343	1,797	F	\$15.25	529	1,862	2,391	F	\$13.50	414	1,281	1,695	F	\$7.70	405	1,084	1,489	F
0800 - 0900	\$9.75	260	1,240	1,500	F	\$9.75	267	1,186	1,453	F	\$9.75	251	1,350	1,601	F	\$10.50	321	1,298	1,619	F	\$6.70	219	928	1,147	D
0900 - 1000	\$5.15	201	944	1,145	D	\$6.70	193	1,107	1,300	E	\$6.70	227	1,101	1,328	E	\$6.70	224	946	1,170	D	\$4.05	178	694	872	C

AM Time	Monday 05/27/19					Tuesday 05/28/19					Wednesday 05/29/19					Thursday 05/30/19					Friday 05/31/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$1.50	24	24	48	A	\$7.85	467	1,060	1,527	F	\$7.85	506	1,133	1,639	F	\$7.85	506	1,076	1,582	F	\$5.15	450	733	1,183	D
0500 - 0600	\$1.50	36	62	98	A	\$19.45	639	865	1,504	F	\$17.80	560	787	1,347	E	\$17.55	586	830	1,416	F	\$9.20	540	1,058	1,598	F
0600 - 0700	\$1.50	41	80	121	A	\$18.15	374	869	1,243	E	\$17.45	468	1,107	1,575	F	\$16.15	471	1,047	1,518	F	\$8.45	467	1,182	1,649	F
0700 - 0800	\$1.50	66	114	180	A	\$14.50	416	1,197	1,613	F	\$15.25	447	1,289	1,736	F	\$13.50	443	1,219	1,662	F	\$7.70	416	1,121	1,537	F
0800 - 0900	\$1.50	126	257	383	A	\$9.75	288	1,237	1,525	F	\$9.75	230	1,262	1,492	F	\$10.50	283	1,228	1,511	F	\$6.70	253	1,014	1,267	E
0900 - 1000	\$2.20	293	566	859	C	\$6.70	264	1,267	1,531	F	\$6.70	225	985	1,210	E	\$6.70	246	1,015	1,261	E	\$4.05	191	711	902	C

Westbound AM Peak - I-15 North to County Line

AM Time	Monday 04/29/19					Tuesday 04/30/19					Wednesday 05/01/19					Thursday 05/02/19					Friday 05/03/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500											\$5.05	262	723	985	C	\$5.05	286	704	990	C	\$2.85	231	606	837	C
0500 - 0600											\$15.05	445	1,125	1,570	F	\$13.70	442	1,092	1,534	F	\$6.65	371	923	1,294	E
0600 - 0700											\$17.70	394	1,072	1,466	F	\$14.05	407	1,094	1,501	F	\$6.65	349	1,006	1,355	E
0700 - 0800											\$12.05	290	1,131	1,421	F	\$11.05	268	1,141	1,409	F	\$6.65	229	853	1,082	D
0800 - 0900											\$6.65	153	1,040	1,193	D	\$6.65	160	1,084	1,244	E	\$5.15	150	835	985	C
0900 - 1000											\$5.15	126	869	995	C	\$5.15	123	837	960	C	\$2.85	110	599	709	B

AM Time	Monday 05/06/19					Tuesday 05/07/19					Wednesday 05/08/19					Thursday 05/09/19					Friday 05/10/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	268	742	1,010	D	\$5.05	268	732	1,000	C	\$5.05	270	705	975	C	\$5.05	269	670	939	C	\$2.85	233	616	849	C
0500 - 0600	\$17.40	430	969	1,399	E	\$15.40	419	1,084	1,503	F	\$15.05	425	1,074	1,499	F	\$13.70	417	1,020	1,437	F	\$6.65	377	887	1,264	E
0600 - 0700	\$17.40	393	1,201	1,594	F	\$15.70	405	1,052	1,457	F	\$17.70	426	1,079	1,505	F	\$14.05	384	949	1,333	E	\$6.65	311	944	1,255	E
0700 - 0800	\$12.40	276	989	1,265	E	\$11.70	314	1,230	1,544	F	\$12.05	215	1,120	1,335	E	\$11.05	309	1,145	1,454	F	\$6.65	268	983	1,251	E
0800 - 0900	\$8.55	164	997	1,161	D	\$8.55	197	1,269	1,466	F	\$6.65	139	1,138	1,277	E	\$6.65	188	1,072	1,260	E	\$5.15	146	777	923	C
0900 - 1000	\$5.05	122	815	937	C	\$5.15	122	829	951	C	\$5.15	119	849	968	C	\$5.15	129	858	987	C	\$2.85	151	623	774	B

AM Time	Monday 05/13/19					Tuesday 05/14/19					Wednesday 05/15/19					Thursday 05/16/19					Friday 05/17/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	288	790	1,078	D	\$5.05	292	729	1,021	D	\$5.05	261	695	956	C	\$5.05	270	618	888	C	\$2.85	234	653	887	C
0500 - 0600	\$17.40	414	910	1,324	E	\$15.40	395	1,069	1,464	F	\$15.05	439	1,094	1,533	F	\$13.70	17	30	47	A	\$6.65	400	916	1,316	E
0600 - 0700	\$17.40	391	1,123	1,514	F	\$15.70	411	1,066	1,477	F	\$17.70	416	1,031	1,447	F	\$14.05	400	924	1,324	E	\$6.65	328	1,030	1,358	E
0700 - 0800	\$12.40	309	1,099	1,408	F	\$11.70	328	1,225	1,553	F	\$12.05	292	1,173	1,465	F	\$11.05	321	1,042	1,363	E	\$6.65	227	853	1,080	D
0800 - 0900	\$8.55	188	1,100	1,288	E	\$8.55	170	1,254	1,424	F	\$6.65	161	1,038	1,199	D	\$6.65	209	1,172	1,381	E	\$5.15	132	829	961	C
0900 - 1000	\$5.05	136	769	905	C	\$5.15	145	914	1,059	D	\$5.15	131	823	954	C	\$5.15	179	1,178	1,357	E	\$2.85	131	667	798	B

AM Time	Monday 05/20/19					Tuesday 05/21/19					Wednesday 05/22/19					Thursday 05/23/19					Friday 05/24/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	279	765	1,044	D	\$5.05	282	767	1,049	D	\$5.05	256	730	986	C	\$5.05	268	687	955	C	\$2.85	216	626	842	C
0500 - 0600	\$17.40	437	1,005	1,442	F	\$15.40	428	1,060	1,488	F	\$15.05	449	1,081	1,530	F	\$13.70	444	1,090	1,534	F	\$6.65	365	923	1,288	E
0600 - 0700	\$17.40	392	1,153	1,545	F	\$15.70	425	1,081	1,506	F	\$17.70	447	1,063	1,510	F	\$14.05	396	1,050	1,446	F	\$6.65	311	876	1,187	D
0700 - 0800	\$12.40	282	1,071	1,353	E	\$11.70	322	1,257	1,579	F	\$12.05	281	1,071	1,352	E	\$11.05	304	1,089	1,393	E	\$6.65	233	828	1,061	D
0800 - 0900	\$8.55	185	1,078	1,263	E	\$8.55	193	1,160	1,353	E	\$6.65	145	1,030	1,175	D	\$6.65	185	1,062	1,247	E	\$5.15	150	726	876	C
0900 - 1000	\$5.05	147	770	917	C	\$5.15	137	923	1,060	D	\$5.15	133	814	947	C	\$5.15	106	798	904	C	\$2.85	117	609	726	B

AM Time	Monday 05/27/19					Tuesday 05/28/19					Wednesday 05/29/19					Thursday 05/30/19					Friday 05/31/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$1.90	18	34	52	A	\$5.05	249	786	1,035	D	\$5.05	277	739	1,016	D	\$5.05	305	721	1,026	D	\$2.85	225	627	852	C
0500 - 0600	\$1.90	33	74	107	A	\$15.40	440	1,124	1,564	F	\$15.05	324	875	1,199	D	\$13.70	411	1,098	1,509	F	\$6.65	377	928	1,305	E
0600 - 0700	\$1.90	39	77	116	A	\$15.70	400	1,009	1,409	F	\$17.70	378	1,036	1,414	F	\$14.05	420	1,065	1,485	F	\$6.65	327	955	1,282	E
0700 - 0800	\$1.90	35	73	108	A	\$11.70	294	1,168	1,462	F	\$12.05	292	1,090	1,382	E	\$11.05	284	1,125	1,409	F	\$6.65	243	922	1,165	D
0800 - 0900	\$1.90	73	131	204	A	\$8.55	204	1,257	1,461	F	\$6.65	157	966	1,123	D	\$6.65	162	1,001	1,163	D	\$5.15	149	782	931	C
0900 - 1000	\$1.90	121	259	380	A	\$5.15	167	1,014	1,181	D	\$5.15	141	831	972	C	\$5.15	121	754	875	C	\$2.85	104	618	722	B

RCTC OPERATIONAL HIGHLIGHTS

On-road Operations

RCTC Freeway Service Patrol (FSP) responded to 70 calls during the month of May. Of those calls, 45 were to assist disabled vehicles, 11 were to remove debris, 6 were for traffic breaks, and 8 were in response to accidents.

6C Transponder Technology

Planning for the transition to the new transponder technology is underway. The lane system will be upgraded over a series of weekends with completion of that work expected by summer of 2019. The new sticker transponders have been received and are being prepared for distribution. Changes to the back-office system to process the new transponders and make changes to the customer account plan are being finalized and will be released to the customer once both the RCTC and OCTA lane system upgrades are performed. A series of customer communication has been prepared to facilitate the process for providing the new transponders to customers.

FINANCIAL HIGHLIGHTS RCTC

RCTC 91 Express Lanes Operating Statement				
Description	YTD as of :		YTD Variance	
	Actual ¹	5/31/2019 Budget	Dollar \$	Percent (%)
Operating revenues:				
Toll Revenue	\$ 46,124,748.37	\$ 29,423,258.33	\$ 16,701,490.04	56.8
Fee Revenue	7,868,076.52	4,438,775.00	3,429,301.52	77.3
Total operating revenues	53,992,824.89	33,862,033.33	20,130,791.56	59.4
Operating expenses:				
Salaries and Benefits	426,050.04	552,750.00	126,699.96	22.9
Legal Services	63,704.28	275,000.00	211,295.72	76.8
Advisory Services	46,758.05	68,750.00	21,991.95	32.0
Audit and Accounting Fees	-	43,083.33	43,083.33	100.0
Service Fees	1,613.97	23,833.33	22,219.36	93.2
Other Professional Services	692,056.08	1,343,008.33	650,952.25	48.5
Lease Expense	205,877.63	238,883.33	33,005.70	13.8
Operations	2,407,717.64	3,044,616.67	636,899.03	20.9
Utilities	37,400.84	58,666.67	21,265.83	36.2
Supplies and Materials	1,044.64	4,675.00	3,630.36	77.7
Membership and Subscription Fees	12,296.50	11,275.00	(1,021.50)	(9.1)
Office Equipment & Furniture (Non-Capital)	22.62	4,583.33	4,560.71	99.5
Maintenance/Repairs	99,398.44	794,841.67	695,443.23	87.5
Training Seminars and Conferences	1,315.00	7,333.33	6,018.33	82.1
Transportation Expenses	2,857.06	6,783.33	3,926.27	57.9
Lodging	3,128.59	6,416.67	3,288.08	51.2
Meals	2,074.27	1,650.00	(424.27)	(25.7)
Other Staff Expenses	2,453.14	2,566.67	113.53	4.4
Advertising	12,173.50	128,333.33	116,159.83	90.5
Program Management	65,547.07	58,575.00	(6,972.07)	(11.9)
Program Operations	6,080,660.80	7,995,350.00	1,914,689.20	23.9
Litigation Settlement	7,500.00	6,875.00	(625.00)	(9.1)
Furniture & Equipment	383,680.46	747,266.67	363,586.21	48.7
Improvements	1,557,159.78	1,555,445.83	(1,713.95)	(0.1)
Depreciation	7,973,379.38 ³	-	(7,973,379.38)	N/A
Bad Debt Expense	31.82	91.67	59.85	65.3
Total operating expenses	20,085,901.60	16,980,654.17	(3,105,247.43)	(18.3)
Operating income (loss)	33,906,923.29	16,881,379.17	17,025,544.12	100.9
Nonoperating revenues (expenses):				
Interest Revenue	1,780,885.97	129,525.00	1,651,360.97	(1,274.9)
Gain(Loss) on Sale of Capital Assets	(2,224,669.52) ²	-	(2,224,669.52)	N/A
Other Miscellaneous Revenue	21,439.70	7,791,758.33	(7,770,318.63)	99.7
Payment to Escrow Agent	-	(18,333,333.33)	18,333,333.33	(100.0)
Interest Expense	(20,910,229.17)	(6,526,575.00)	(14,383,654.17)	220.4
Total nonoperating revenues (expenses)	(21,332,573.02)	(16,938,625.00)	(4,393,948.02)	(25.9)
Transfers In	-	-	-	N/A
Transfers Out	(1,569,658.67)	(5,781,600.00)	4,211,941.33	(72.9)
Net income (loss)	\$ 11,004,691.60	\$ (5,838,845.83)	\$ 16,843,537.43	(288.5)

¹ Unaudited

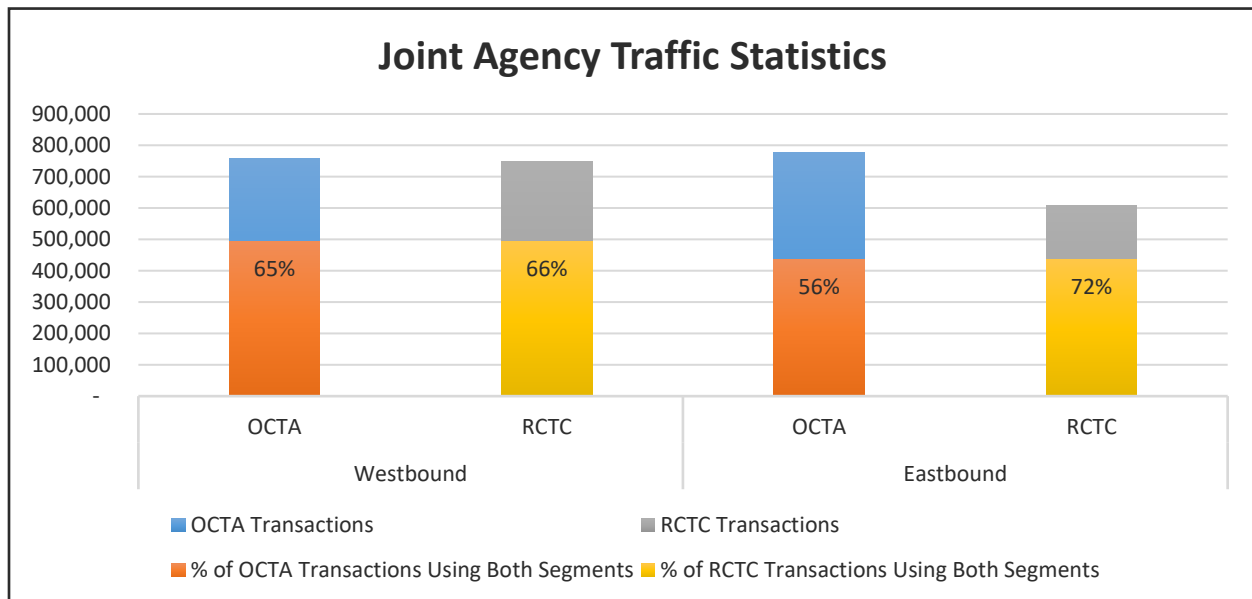
² Gain (loss) on sale of capital assets - Loss on sale of capital assets reflects the loss on sale of excess land purchased for the SR-91 Project. Loss on sale is not a cash-related item and not included in the FY'18/19 budget.

³ Depreciation is not a budgeted expense

JOINT AGENCY TRIP AND REVENUE STATISTICS

May-19 MTD	Transactions by Agency	Transactions Using Both Segments	% Using Both Segments	Revenue
Westbound				
OCTA	758,953	493,038	65%	\$ 1,886,148
RCTC	748,868	493,038	66%	\$ 3,471,012
I-15	319,071	216,180	68%	\$ 1,464,565
McKinley	429,797	276,858	64%	\$ 2,006,447
Eastbound				
OCTA	778,090	436,077	56%	\$ 2,686,149
RCTC	607,415	436,077	72%	\$ 1,889,483
I-15	224,096	174,669	78%	\$ 469,806
McKinley	383,319	261,408	68%	\$ 1,419,677

JOINT AGENCY TRAFFIC STATISTICS



JOINT AGENCY PERFORMANCE MEASURES

REPORTING REQUIREMENT	Reporting Period	PERFORMANCE STANDARD	May-19 Performance
CUSTOMER SERVICE			
Call Wait Time	Monthly	Not to exceed 2 minutes	0:39
Abandon Rate	Monthly	No more than 4.0%	0.8%
Customer Satisfaction	Monthly	At least 75 outbound calls	78
VIOLATION PROCESSING			
Response Time	Monthly	Within 2 business days of receipt	0.9
CUSA Violation Collection Rate	Quarterly	70% or more	
CUSA Violation Collection Rate	Annually	74% or more	
TRAFFIC OPERATIONS			
Initial & Secondary Reviews	Monthly	Equal to or less than 15 days	1.4
* Plate Misread Errors	Monthly	Equal to or less than 0.4%	0.01%
CAS Response Time	Monthly	0:20 (minutes) per call	0:08
ACCOUNTING			
OCTA Exceptions	Monthly	No more than 3	1
RCTC Exceptions	Monthly	No more than 3	1
INFORMATION TECHNOLOGY			
Back-office System Uptime	Monthly	99% Availability	100%
Network Uptime	Monthly	99% Availability	100%

CUSA = Cofiroute USA; CAS = OCTA Customer Assistance Specialists

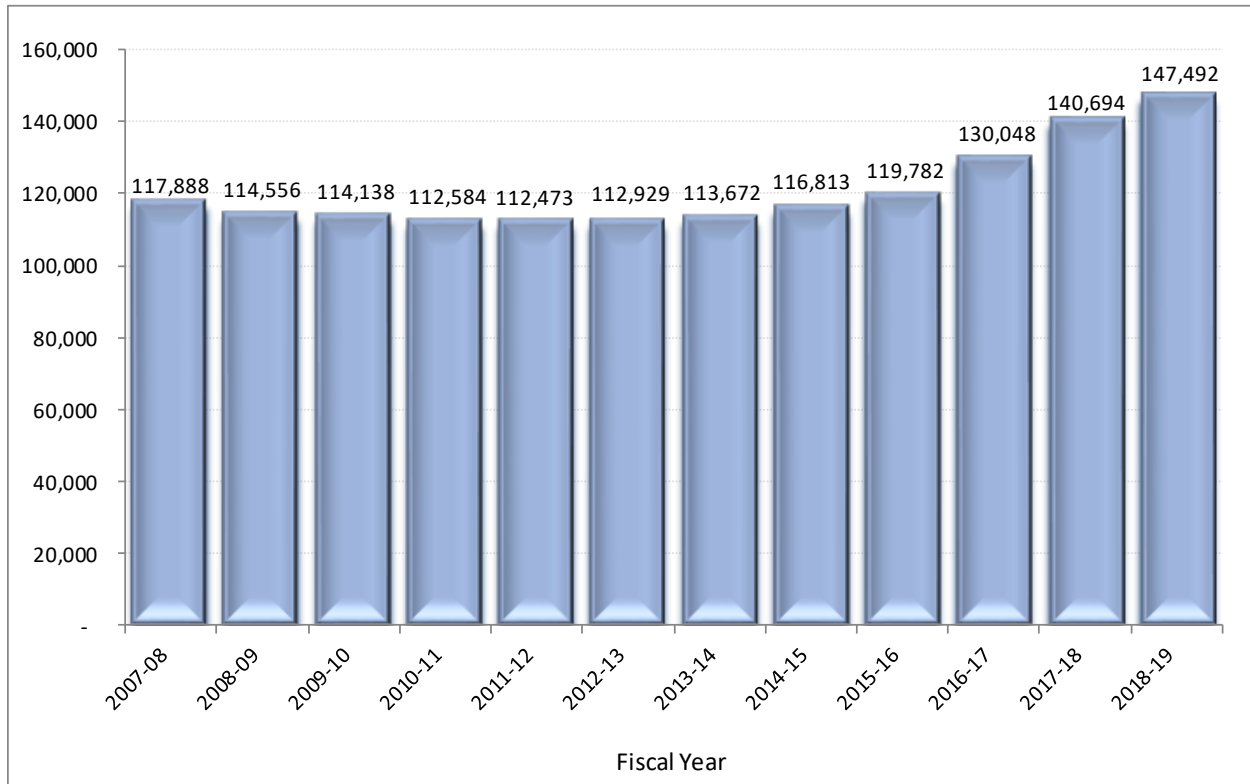
* Plate Misread Error performance is current after a 60-day hold-back period; therefore, percentage reported here is for 2 months prior to the month of this report.

JOINT AGENCY TRANSPONDER DISTRIBUTION

TRANSPONDER DISTRIBUTION	May-19		April-19		FY 2018-19	
	Tags	% of Total	Tags	% of Total	Average To-Date	
Issued						
To New Accounts	1,654	51.4%	1,636	49.0%	1,472	46.8%
Additional Tags to Existing Accounts	921	28.6%	904	27.1%	858	27.3%
Replacement Transponders	644	20.0%	797	23.9%	817	26.0%
Total Issued	3,219		3,337		3,148	
Returned						
Account Closures	450	35.5%	371	32.9%	426	28.9%
Accounts Dow nsizing	160	12.6%	161	14.3%	189	12.8%
Defective Transponders	658	51.9%	595	52.8%	859	58.3%
Total Returned	1,268		1,127		1,474	

At the end of May 2019, the 91 Express Lanes had 147,492 active customer accounts, and 224,786 transponders classified as Assigned.

Number of Accounts by Fiscal Year
As of May 31, 2019



Incoming Email Activity

During May, the Anaheim Processing Center received 3,370 emails.



**Orange County Transportation Authority
Riverside County Transportation Commission**



Status Report
June 2019

As of June 30, 2019

Table of Contents

Operations Overview OCTA.....	3
Traffic and Revenue Statistics for OCTA.....	3
OCTA Traffic and Revenue Summary.....	5
OCTA Eastbound Peak-Hour Volumes	6
OCTA Westbound Peak-Hour Volumes	7
OCTA Operational Highlights	8
Financial Highlights OCTA	9
Operations Overview RCTC	10
Traffic and Revenue Statistics for RCTC.....	10
RCTC Traffic and Revenue Summary.....	12
RCTC Peak-Hour Volumes	13
RCTC Eastbound Peak-Hour Volumes	14
RCTC Westbound Peak-Hour Volumes	16
RCTC Operational Highlights	18
Financial Highlights RCTC	19
Joint Agency Trip and Revenue Statistics	20
Joint Agency Traffic Statistics	20
Joint Agency Performance Measures.....	21
Joint Agency Transponder Distribution.....	21
Number of Accounts by Fiscal Year	22
Incoming Email Activity	22

OPERATIONS OVERVIEW OCTA

TRAFFIC AND REVENUE STATISTICS FOR OCTA

Total traffic volume on the OCTA 91 Express Lanes for June 2019 was 1,478,052. This represents a daily average of 49,268. This is a 0.1% decrease in total traffic volume from the same period last year, which totaled 1,480,114. In June 2019, there were four Fridays as compared to five Fridays in June 2018. In addition, in June of this year, there were two Caltrans maintenance closures as compared to one in the prior year. These factors could attribute to the decrease in traffic volume. Potential toll revenue for the month was \$4,152,162, which represents a decrease of 2.3% from the prior year's total of \$4,251,983. Carpool percentage for the month was 28.91% as compared to the previous year's rate of 26.85%.

Month-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the OCTA 91 Express Lanes and associated potential revenue for the month of June 2019.

Current Month-to-Date (MTD) as of June 30, 2019

Trips	Jun-19 MTD Actual	Stantec MTD Projected	# Variance	% Variance	Jun-18 MTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	1,050,770	1,131,991	(81,221)	(7.2%)	1,082,670	(2.9%)
3+ Lanes	427,282	372,043	55,239	14.8%	397,444	7.5%
Total Gross Trips	1,478,052	1,504,034	(25,982)	(1.7%)	1,480,114	(0.1%)
Revenue						
Full Toll Lanes	\$4,074,814	\$4,484,822	(\$410,008)	(9.1%)	\$4,171,828	(2.3%)
3+ Lanes	\$77,348	\$85,558	(\$8,210)	(9.6%)	\$80,155	(3.5%)
Total Gross Revenue	\$4,152,162	\$4,570,380	(\$418,218)	(9.2%)	\$4,251,983	(2.3%)
Average Revenue per Trip						
Average Full Toll Lanes	\$3.88	\$3.96	(\$0.08)	(2.0%)	\$3.85	0.8%
Average 3+ Lanes	\$0.18	\$0.23	(\$0.05)	(21.7%)	\$0.20	(10.0%)
Average Gross Revenue	\$2.81	\$3.04	(\$0.23)	(7.6%)	\$2.87	(2.1%)

The 2019 fiscal year-to-date traffic volume increased by 4.9% and potential toll revenue increased by 4.4%, when compared with the same period last year. Year-to-date average revenue per-trip is \$2.96.

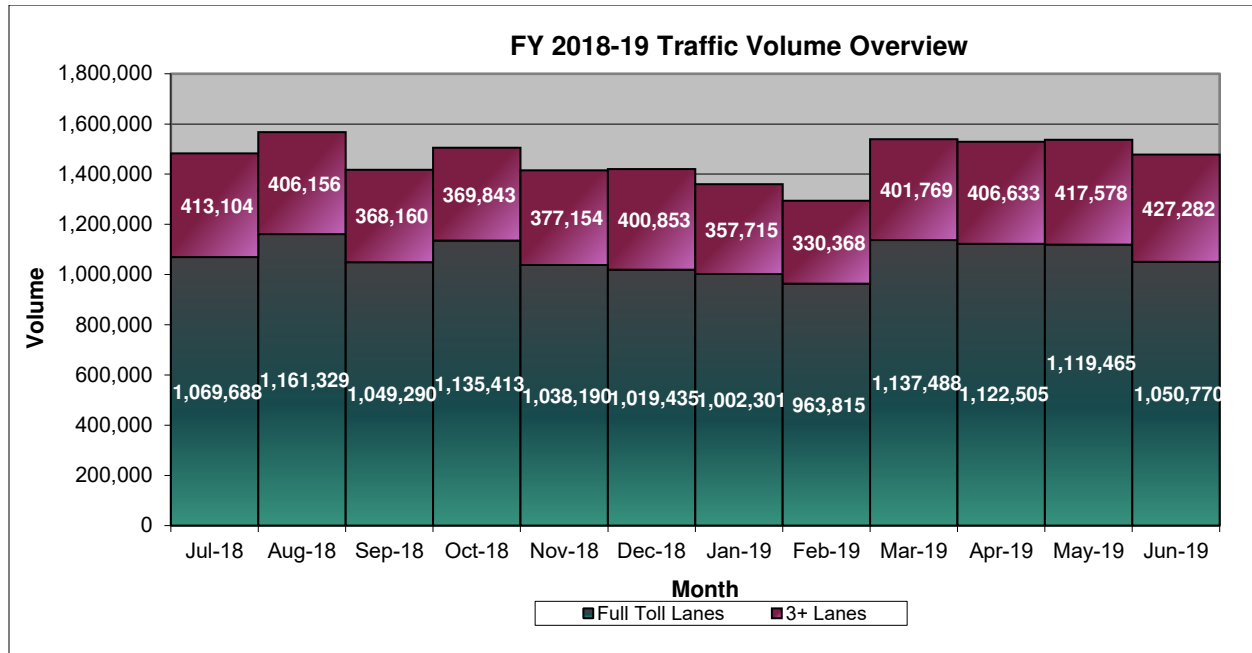
Fiscal year-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the OCTA 91 Express Lanes and associated potential revenue for the months of July 2018 through June 2019.

FY 2018-19 Year to Date as of June 30, 2019

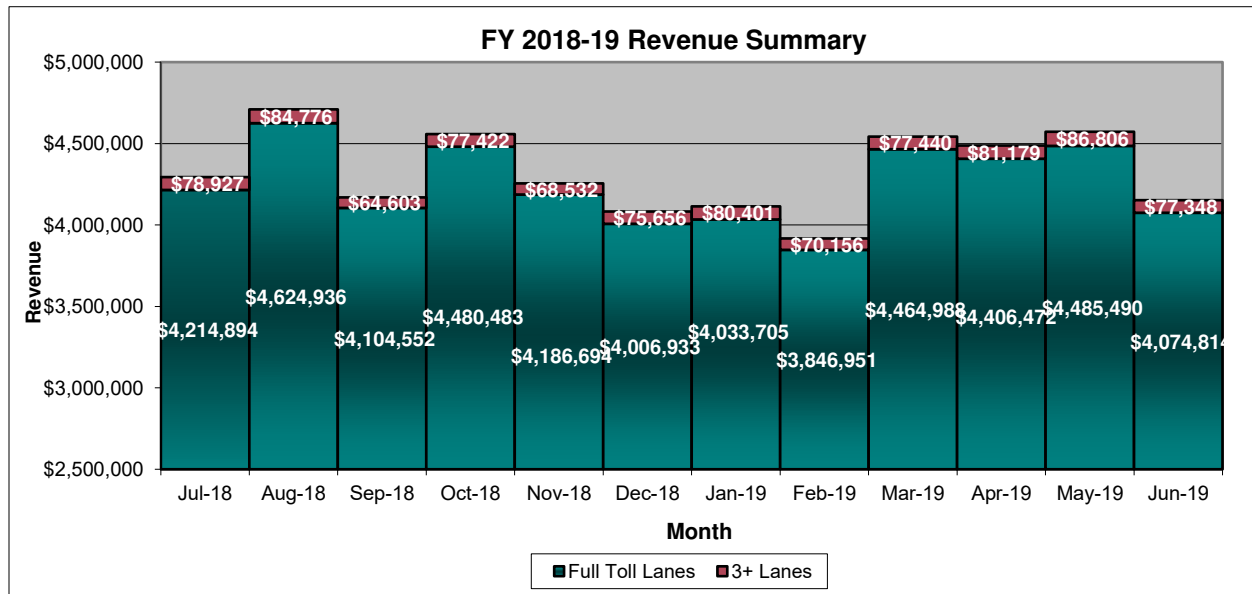
Trips	FY 2018-19 YTD Actual	Stantec YTD Projected	# Variance	% Variance	FY 2017-18 YTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	12,869,689	13,256,549	(386,860)	(2.9%)	12,511,034	2.9%
3+ Lanes	4,676,615	4,021,158	655,457	16.3%	4,208,337	11.1%
Total Gross Trips	17,546,304	17,277,708	268,596	1.6%	16,719,371	4.9%
Revenue						
Full Toll Lanes	\$50,930,912	\$52,930,496	(\$1,999,584)	(3.8%)	\$48,765,417	4.4%
3+ Lanes	\$923,246	\$1,009,687	(\$86,441)	(8.6%)	\$888,777	3.9%
Total Gross Revenue	\$51,854,158	\$53,940,183	(\$2,086,025)	(3.9%)	\$49,654,194	4.4%
Average Revenue per Trip						
Average Full Toll Lanes	\$3.96	\$3.99	(\$0.03)	(0.8%)	\$3.90	1.5%
Average 3+ Lanes	\$0.20	\$0.25	(\$0.05)	(20.0%)	\$0.21	(4.8%)
Average Gross Revenue	\$2.96	\$3.12	(\$0.16)	(5.1%)	\$2.97	(0.3%)

OCTA Traffic and Revenue Summary

The chart below reflects the total trips breakdown between Full Toll trips and HOV3+ trips for FY 2018-19 on a monthly basis.



The chart below reflects the gross potential revenue breakdown between Full Toll trips and HOV3+ trips for FY 2018-19 on a monthly basis.



Peak traffic hour in the eastbound direction reached or exceeded 90% or more of defined capacity 23 times during the month of June 2019. As demonstrated on the next chart, westbound peak hour traffic volumes top out at 83% of defined capacity.

OCTA EASTBOUND PEAK-HOUR VOLUMES

PM Time	Monday 06/03/19				Tuesday 06/04/19				Wednesday 06/05/19				Thursday 06/06/19				Friday 06/07/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	496	2,665	78%	\$5.05	529	2,844	84%	\$5.05	573	2,966	87%	\$5.95	547	3,189	94%	\$6.35	618	3,229	95%
1500 - 1600	\$5.40	728	2,888	85%	\$5.65	734	2,751	81%	\$7.00	709	3,071	90%	\$6.00	748	3,009	89%	\$9.15	797	2,736	80%
1600 - 1700	\$5.25	533	2,918	86%	\$5.50	539	3,088	91%	\$7.50	575	2,608	77%	\$8.80	512	2,473	73%	\$8.95	560	2,733	80%
1700 - 1800	\$5.20	627	3,222	95%	\$5.40	601	3,184	94%	\$6.40	640	2,940	86%	\$8.70	588	2,784	82%	\$6.90	612	2,796	82%
1800 - 1900	\$5.40	651	2,566	75%	\$3.85	710	3,162	93%	\$3.85	711	2,963	87%	\$4.75	741	2,990	88%	\$6.40	750	2,855	84%
1900 - 2000	\$3.75	444	1,711	50%	\$3.75	518	1,971	58%	\$3.75	543	2,087	61%	\$5.50	738	2,534	75%	\$5.95	638	2,157	63%

PM Time	Monday 06/10/19				Tuesday 06/11/19				Wednesday 06/12/19				Thursday 06/13/19				Friday 06/14/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	541	2,618	77%	\$5.05	541	2,885	85%	\$5.05	608	2,976	88%	\$5.95	612	3,106	91%	\$6.35	662	3,154	93%
1500 - 1600	\$5.40	703	2,901	85%	\$5.65	750	2,786	82%	\$7.00	745	3,105	91%	\$6.00	737	3,021	89%	\$9.15	652	2,244	66%
1600 - 1700	\$5.25	593	2,927	86%	\$5.50	521	2,813	83%	\$7.50	481	2,428	71%	\$8.80	552	2,514	74%	\$8.95	568	2,799	82%
1700 - 1800	\$5.20	663	3,140	92%	\$5.40	599	2,905	85%	\$6.40	604	2,910	86%	\$8.70	605	2,822	83%	\$6.90	443	2,271	67%
1800 - 1900	\$5.40	629	2,366	70%	\$3.85	719	2,849	84%	\$3.85	661	2,664	78%	\$4.75	733	2,980	88%	\$6.40	779	3,105	91%
1900 - 2000	\$3.75	551	1,858	55%	\$3.75	524	1,939	57%	\$3.75	735	2,712	80%	\$5.50	744	2,579	76%	\$5.95	687	2,244	66%

PM Time	Monday 06/17/19				Tuesday 06/18/19				Wednesday 06/19/19				Thursday 06/20/19				Friday 06/21/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	627	2,694	79%	\$5.05	564	2,930	86%	\$5.05	546	2,874	85%	\$5.95	647	3,270	96%	\$6.35	652	3,216	95%
1500 - 1600	\$5.40	728	3,140	92%	\$5.65	697	2,710	80%	\$7.00	803	3,257	96%	\$6.00	755	3,181	94%	\$9.15	810	2,759	81%
1600 - 1700	\$5.25	554	2,856	84%	\$5.50	493	2,637	78%	\$7.50	533	2,679	79%	\$8.80	521	2,589	76%	\$8.95	540	2,879	85%
1700 - 1800	\$5.20	578	2,874	85%	\$5.40	575	2,801	82%	\$6.40	603	2,817	83%	\$8.70	611	2,811	83%	\$6.90	671	3,034	89%
1800 - 1900	\$5.40	667	2,486	73%	\$3.85	722	3,078	91%	\$3.85	702	3,009	89%	\$4.75	704	2,969	87%	\$6.40	659	2,417	71%
1900 - 2000	\$3.75	485	1,759	52%	\$3.75	584	2,199	65%	\$3.75	620	2,264	67%	\$5.50	646	2,366	70%	\$5.95	637	1,889	56%

PM Time	Monday 06/24/19				Tuesday 06/25/19				Wednesday 06/26/19				Thursday 06/27/19				Friday 06/28/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
1400 - 1500	\$5.05	570	2,615	77%	\$5.05	575	2,948	87%	\$5.05	576	2,919	86%	\$5.95	576	3,360	99%	\$6.35	678	3,138	92%
1500 - 1600	\$5.40	676	2,932	86%	\$5.65	755	2,921	86%	\$7.00	796	3,236	95%	\$6.00	728	2,971	87%	\$9.15	741	2,663	78%
1600 - 1700	\$5.25	542	2,841	84%	\$5.50	501	2,777	82%	\$7.50	531	2,618	77%	\$8.80	572	2,739	81%	\$8.95	461	2,254	66%
1700 - 1800	\$5.20	586	3,021	89%	\$5.40	575	2,946	87%	\$6.40	585	2,977	88%	\$8.70	593	2,897	85%	\$6.90	578	2,813	83%
1800 - 1900	\$5.40	703	2,609	77%	\$3.85	750	3,138	92%	\$3.85	683	2,886	85%	\$4.75	698	3,046	90%	\$6.40	714	2,699	79%
1900 - 2000	\$3.75	536	1,980	58%	\$3.75	629	2,157	63%	\$3.75	598	2,143	63%	\$5.50	580	2,111	62%	\$5.95	710	2,211	65%

OCTA WESTBOUND PEAK-HOUR VOLUMES

AM Time	Monday 06/03/19				Tuesday 06/04/19				Wednesday 06/05/19				Thursday 06/06/19				Friday 06/07/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	866	2,560	75%	\$3.00	860	2,542	75%	\$3.00	868	2,541	75%	\$3.00	881	2,586	76%	\$3.00	737	1,994	59%
0500 - 0600	\$4.85	899	2,335	69%	\$4.85	1044	2,789	82%	\$4.85	946	2,491	73%	\$4.85	867	2,310	68%	\$4.60	883	2,447	72%
0600 - 0700	\$5.05	652	2,159	64%	\$5.05	661	2,093	62%	\$5.05	695	2,165	64%	\$5.05	628	1,987	58%	\$4.85	646	2,155	63%
0700 - 0800	\$5.55	571	2,171	64%	\$5.55	577	2,013	59%	\$5.55	571	2,017	59%	\$5.55	651	2,428	71%	\$5.40	515	1,788	53%
0800 - 0900	\$5.05	345	1,933	57%	\$5.05	349	1,939	57%	\$5.05	382	1,931	57%	\$5.05	407	2,073	61%	\$4.85	370	1,786	53%
0900 - 1000	\$4.00	339	1,869	55%	\$4.00	310	1,918	56%	\$4.00	355	1,908	56%	\$4.00	449	2,044	60%	\$4.00	354	1,655	49%

AM Time	Monday 06/10/19				Tuesday 06/11/19				Wednesday 06/12/19				Thursday 06/13/19				Friday 06/14/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	870	2,623	77%	\$3.00	879	2,486	73%	\$3.00	765	2,071	61%	\$3.00	895	2,484	73%	\$3.00	769	2,035	60%
0500 - 0600	\$4.85	951	2,538	75%	\$4.85	1054	2,821	83%	\$4.85	701	1,987	58%	\$4.85	948	2,571	76%	\$4.60	868	2,375	70%
0600 - 0700	\$5.05	669	2,149	63%	\$5.05	635	2,047	60%	\$5.05	731	2,237	66%	\$5.05	702	2,156	63%	\$4.85	583	2,016	59%
0700 - 0800	\$5.55	566	2,104	62%	\$5.55	611	2,161	64%	\$5.55	642	2,328	68%	\$5.55	579	2,097	62%	\$5.40	505	1,893	56%
0800 - 0900	\$5.05	425	1,989	59%	\$5.05	376	1,971	58%	\$5.05	489	2,392	70%	\$5.05	449	2,047	60%	\$4.85	443	1,811	53%
0900 - 1000	\$4.00	409	2,020	59%	\$4.00	393	2,025	60%	\$4.00	524	2,515	74%	\$4.00	437	2,067	61%	\$4.00	461	1,930	57%

AM Time	Monday 06/17/19				Tuesday 06/18/19				Wednesday 06/19/19				Thursday 06/20/19				Friday 06/21/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	879	2,547	75%	\$3.00	891	2,538	75%	\$3.00	878	2,543	75%	\$3.00	892	2,539	75%	\$3.00	693	1,904	56%
0500 - 0600	\$4.85	899	2,374	70%	\$4.85	1021	2,810	83%	\$4.85	945	2,529	74%	\$4.85	950	2,581	76%	\$4.60	815	2,403	71%
0600 - 0700	\$5.05	581	2,039	60%	\$5.05	628	2,006	59%	\$5.05	686	2,186	64%	\$5.05	674	2,169	64%	\$4.85	618	2,106	62%
0700 - 0800	\$5.55	535	2,075	61%	\$5.55	543	2,062	61%	\$5.55	514	1,990	59%	\$5.55	560	2,099	62%	\$5.40	491	1,809	53%
0800 - 0900	\$5.05	410	2,006	59%	\$5.05	413	1,942	57%	\$5.05	423	1,963	58%	\$5.05	420	1,942	57%	\$4.85	391	1,747	51%
0900 - 1000	\$4.00	410	1,955	58%	\$4.00	406	2,022	59%	\$4.00	474	2,022	59%	\$4.00	424	2,182	64%	\$4.00	403	1,815	53%

AM Time	Monday 06/24/19				Tuesday 06/25/19				Wednesday 06/26/19				Thursday 06/27/19				Friday 06/28/19			
	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.	Price	HOV	Vol.	Cap.
0400 - 0500	\$3.00	854	2,559	75%	\$3.00	870	2,545	75%	\$3.00	926	2,562	75%	\$3.00	904	2,547	75%	\$3.00	775	2,011	59%
0500 - 0600	\$4.85	919	2,521	74%	\$4.85	976	2,628	77%	\$4.85	936	2,585	76%	\$4.85	947	2,585	76%	\$4.60	814	2,416	71%
0600 - 0700	\$5.05	624	2,052	60%	\$5.05	614	2,083	61%	\$5.05	638	2,146	63%	\$5.05	657	2,137	63%	\$4.85	620	2,040	60%
0700 - 0800	\$5.55	482	1,852	54%	\$5.55	539	2,104	62%	\$5.55	527	2,114	62%	\$5.55	527	2,008	59%	\$5.40	478	1,857	55%
0800 - 0900	\$5.05	358	1,782	52%	\$5.05	379	1,947	57%	\$5.05	396	1,980	58%	\$5.05	418	1,947	57%	\$4.85	416	1,771	52%
0900 - 1000	\$4.00	323	1,655	49%	\$4.00	376	1,981	58%	\$4.00	432	2,051	60%	\$4.00	423	1,989	59%	\$4.00	500	1,941	57%

OCTA OPERATIONAL HIGHLIGHTS

On-road Operations

OCTA Customer Assistance Specialists (CAS) responded to 113 calls during the month of June. Of those calls, 95 were to assist disabled vehicles and 13 calls to remove debris. The CAS provided assistance to 5 accidents in the Express Lanes with none of those accidents originating from the SR91 general-purpose lanes.

Electronic Toll and Traffic Management System Project Update

An agreement with Kapsch TrafficCom USA, Inc., (Kapsch) was executed in June 2018 to provide toll lane system integrator services for the design, installation, operations, and maintenance of the electronic toll and traffic management system for the 91 Express Lanes. This new lane system will be able to read the new 6C protocol as well as the current Title 21 protocol. Following RCTC's completion of their lane system installation on the 91 Express Lanes, OCTA will commence installation on the Orange County segment. It is anticipated the OCTA lane system equipment at the gantries will be replaced in summer 2019.

6C Transition Update

In addition to the lane system replacement, the back-office system will need to be modified in order to process the new transponders and changes to the customer account plans. Modification to the back-office system will commence when the lane system installations for both OCTA and RCTC have been completed. Distribution of the new 6C transponders to customers will begin after the back-office system changes have been made. OCTA and RCTC have prepared a series of customer communication to be provided to customers to facilitate the transition to the new protocol and changes to the account plans.

Amendment to the Three-Party Operating Agreement

As referenced above, due to the back-office system changes, an amendment to the OCTA, RCTC, Cofiroute USA (CUSA) Operating Agreement is required. Staff from both OCTA and RCTC have been in negotiations with CUSA for the amendment. It is anticipated there will be no change to the maximum obligation of the contract. The amendment is expected to be finalized in the next few months.

FINANCIAL HIGHLIGHTS OCTA

91 Express Lanes Operating Statement

Description	YTD as of : 6/30/2019		YTD Variance	
	Actual ^{(1) (4)}	Budget ⁽¹⁾	Dollar \$	Percent (%)
Operating revenues:				
Toll revenue	\$ 46,649,710	\$ 50,886,691	\$ (4,236,981)	(8.3)
Fee revenue	7,923,773	6,802,367	1,121,406	16.5
Total operating revenues	54,573,483	57,689,058	(3,115,575)	(5.4)
Operating expenses:				
Contracted services	6,556,033	7,485,000	928,967	12.4
Administrative fee	2,481,048	2,755,888	274,840	10.0
Other professional services	1,143,900	3,912,882	2,768,982	70.8
Credit card processing fees	1,366,537	1,234,973	(131,564)	(10.7)
Toll road account servicing	780,413	1,403,856	623,443	44.4
Other insurance expense	359,423	750,000	390,577	52.1
Toll road maintenance supply repairs	199,465	1,353,000	1,153,535	85.3
Patrol services	647,437	795,066	147,629	18.6
Building equipment repairs and maint	249,229	355,000	105,771	29.8
Other services	27,925	30,000	2,075	6.9
Utilities	76,566	66,000	(10,566)	(16.0)
Office expense	57,028	170,500	113,472	66.6
Bad debt expense	187,684	-	(187,684)	N/A
Miscellaneous ⁽²⁾	372,861	595,815	222,954	37.4
Leases	467,083	460,000	(7,083)	(1.5)
Total operating expenses	14,972,631	21,367,980	6,395,349	29.9
Depreciation and amortization ⁽³⁾	3,434,331	-	(3,434,331)	N/A
Operating income (loss)	36,166,521	36,321,078	(154,557)	(0.4)
Nonoperating revenues (expenses):				
Reimbursement from Other Agencies	1,144,400	1,118,837	25,563	2.3
Interest income	2,708,376	2,220,677	487,699	22.0
Interest expense	(4,903,012)	(5,011,950)	108,938	2.2
Other	50,961	-	50,961	N/A
Total nonoperating revenues (expenses)	(999,275)	(1,672,436)	673,161	40.3
Transfers in	-	-	-	N/A
Transfers out	(1,055,525)	(14,521,100)	13,465,575	92.7
Net income (loss)	\$ 34,111,721	\$ 20,127,542	\$ 13,984,179	69.5

¹Actual amounts are accounted for on the accrual basis of accounting in an enterprise fund. Budget amounts are accounted for on a modified accrual basis of accounting.

²Miscellaneous expenses include: Bond Insurance Costs, Bank Service Charge, Transponder Materials.

³Depreciation and amortization are not budgeted items.

⁴Actuals are preliminary pre-closing amounts as of FY 2018-19. Final numbers will be shown in the audited financial statements.

Capital Asset Activity

During the twelve months ending June 30 2019, capital asset activities included \$862,000 for the new customer service center leasehold improvements, \$349,599 for the Electronic Toll and Traffic Management system replacement project, \$6,680 for the closed circuit cameras and security alarm for the new customer service center, and \$226,014 for transponder purchases.



OPERATIONS OVERVIEW RCTC

TRAFFIC AND REVENUE STATISTICS FOR RCTC

Total traffic volume on the RCTC 91 Express Lanes for June 2019 was 1,199,215. This represents a daily average of 39,974. This is a 6.1% decrease in total traffic volume from the same period last year, which totaled 1,276,808. The decrease is due to the weekend closures for the toll system upgrade. Potential toll revenue for the month was \$4,675,291, which represents an increase of 6.2% from the prior year's total of \$4,402,632. Carpool percentage for the month was 26.76% as compared to the previous year's rate of 24.31%.

Month-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the RCTC 91 Express Lanes and associated potential revenue for the month of June 2019.

Current Month-to-Date (MTD) as of June 30, 2019

Trips	JUN-19 MTD Actual	Stantec MTD Projected	# Variance	% Variance	JUN-18 MTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	878,365	712,958	165,407	23.2%	966,377	(9.1%)
3+ Lanes	320,850	235,271	85,579	36.4%	310,431	3.4%
Total Gross Trips	1,199,215	948,229	250,986	26.5%	1,276,808	(6.1%)
Revenue						
Full Toll Lanes	4,632,609	\$2,131,186	\$2,501,423	117.4%	4,364,339	6.1%
3+ Lanes	42,682	\$0	\$42,682		38,293	11.5%
Total Gross Revenue	\$4,675,291	\$2,131,186	\$2,544,105	119.4%	\$4,402,632	6.2%
Average Revenue per Trip						
Average Full Toll Lanes	\$5.27	\$2.99	\$2.28	76.3%	\$4.52	16.6%
Average 3+ Lanes	\$0.13	\$0.00	\$0.13		\$0.12	8.3%
Average Gross Revenue	\$3.90	\$2.25	\$1.65	73.3%	\$3.45	13.0%

The 2019 fiscal year-to-date (YTD) traffic volume is 4.3% higher when compared with the same period last year. The 2019 fiscal year-to-date revenue is 19.3% higher than for the same period last year. The traffic and revenue increases are attributed to higher demand and increase toll rates to manage the demand. Year-to-date average revenue per-trip is \$3.78.

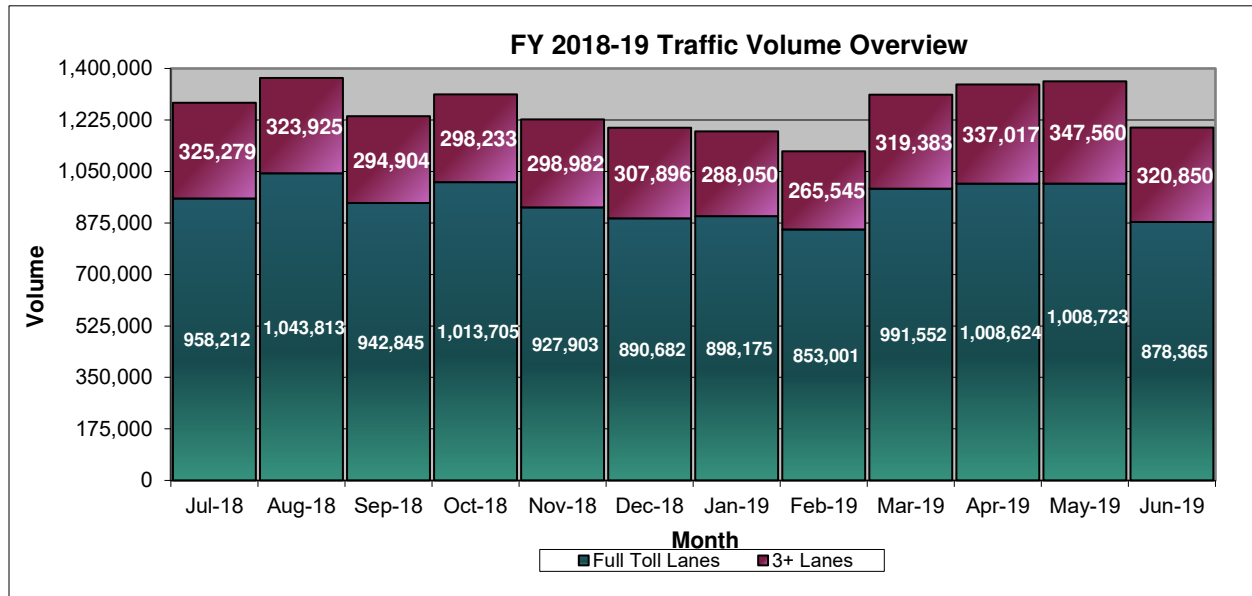
Fiscal year-to-date traffic and revenue data are summarized in the table below. The following trip and revenue statistics tables represent all trips taken on the RCTC 91 Express Lanes and associated potential revenue for the months of July 2018 through June 2019.

FY 2018-19 Year to Date as of June 30, 2019

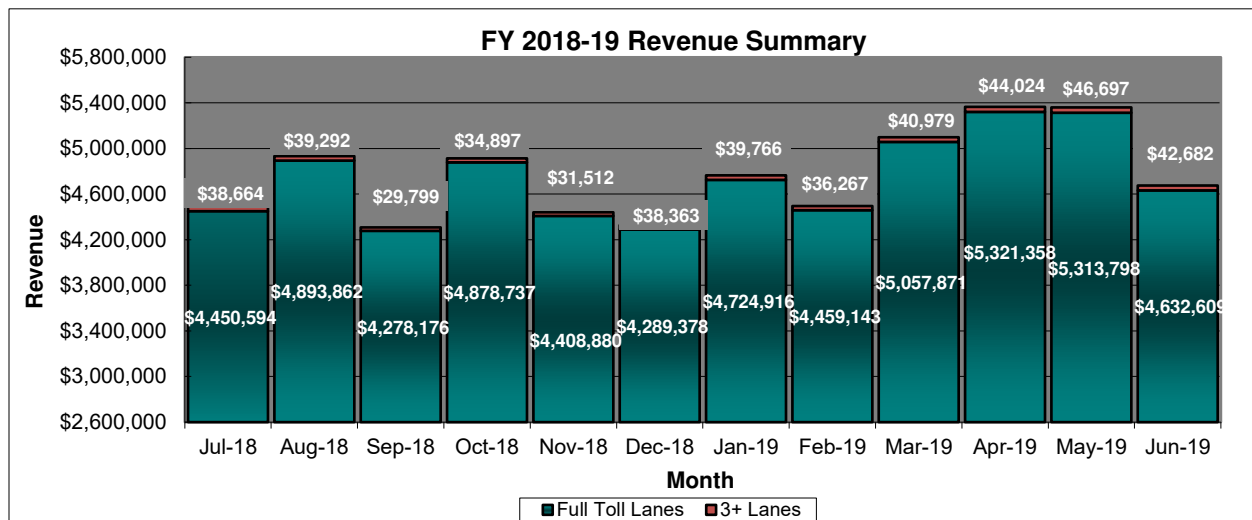
Trips	FY 2018-19 YTD Actual	Stantec YTD Projected	# Variance	% Variance	FY 2017-18 YTD Actual	Yr-to-Yr % Variance
Full Toll Lanes	11,415,600	7,859,800	3,555,800	45.2%	11,297,276	1.0%
3+ Lanes	3,727,622	2,713,700	1,013,922	37.4%	3,221,026	15.7%
Total Gross Trips	15,143,222	10,573,500	4,569,722	43.2%	14,518,302	4.3%
Revenue						
Full Toll Lanes	56,709,323	\$23,580,900	\$33,128,423	140.5%	47,546,842	19.3%
3+ Lanes	462,943	\$0	\$462,943		394,891	17.2%
Total Gross Revenue	\$57,172,265	\$23,580,900	\$33,591,365	142.5%	\$47,941,733	19.3%
Average Revenue per Trip						
Average Full Toll Lanes	\$4.97	\$3.00	\$1.97	65.7%	\$4.21	18.1%
Average 3+ Lanes	\$0.12	\$0.00	\$0.12		\$0.12	0.0%
Average Gross Revenue	\$3.78	\$2.23	\$1.55	69.5%	\$3.30	14.5%

RCTC Traffic and Revenue Summary

The chart below reflects the total trips broken down between Full Toll lanes and HOV3+ lanes for FY 2018-19 on a monthly basis.



The chart below reflects the gross potential revenue breakdown between Full Toll lanes and HOV3+ lanes for FY 2018-19 on a monthly basis.



RCTC PEAK-HOUR VOLUMES

RCTC regularly evaluates traffic volumes for peak period hours where Express Lanes performance is degraded and either increases or decreases tolls. There were no toll rates adjusted in June to improve the level of service in the peak hours where demand exceeded capacity. Hours that are highlighted in yellow were flagged for continued evaluation.

RCTC EASTBOUND PEAK-HOUR VOLUMES

Eastbound PM Peak - County Line to McKinley

PM Time	Monday 06/03/19					Tuesday 06/04/19					Wednesday 06/05/19					Thursday 06/06/19					Friday 06/07/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	279	883	1,162	D	\$6.70	287	975	1,262	E	\$6.70	292	1,036	1,328	F	\$8.85	318	1,132	1,450	F	\$19.00	358	1,070	1,428	F
1500 - 1600	\$6.70	382	880	1,262	E	\$6.70	376	918	1,294	E	\$7.55	372	948	1,320	F	\$10.60	376	961	1,337	F	\$18.70	434	941	1,375	F
1600 - 1700	\$5.15	253	911	1,164	D	\$6.70	271	926	1,197	D	\$5.15	279	803	1,082	D	\$7.90	250	850	1,100	D	\$10.75	308	1,015	1,323	F
1700 - 1800	\$5.15	276	862	1,138	D	\$5.15	261	842	1,103	D	\$5.15	279	839	1,118	D	\$5.15	309	894	1,203	E	\$6.70	329	921	1,250	E
1800 - 1900	\$5.15	311	736	1,047	D	\$5.15	351	868	1,219	E	\$5.15	323	793	1,116	D	\$5.15	334	896	1,230	E	\$6.70	361	803	1,164	D
1900 - 2000	\$2.20	186	526	712	B	\$4.05	260	620	880	C	\$3.95	245	636	881	C	\$4.05	325	784	1,109	D	\$5.15	323	824	1,147	D

PM Time	Monday 06/10/19					Tuesday 06/11/19					Wednesday 06/12/19					Thursday 06/13/19					Friday 06/14/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	301	931	1,232	E	\$6.70	282	973	1,255	E	\$6.70	300	1,049	1,349	F	\$8.85	310	1,135	1,445	F	\$19.00	380	989	1,369	F
1500 - 1600	\$6.70	371	918	1,289	E	\$6.70	396	870	1,266	E	\$7.55	404	911	1,315	F	\$10.60	402	934	1,336	F	\$18.70	386	776	1,162	D
1600 - 1700	\$5.15	268	861	1,129	D	\$6.70	243	879	1,122	D	\$5.15	240	820	1,060	D	\$7.90	254	829	1,083	D	\$10.75	274	880	1,154	D
1700 - 1800	\$5.15	309	910	1,219	E	\$5.15	282	838	1,120	D	\$5.15	287	887	1,174	D	\$5.15	284	915	1,199	D	\$6.70	214	618	832	C
1800 - 1900	\$5.15	304	684	988	C	\$5.15	329	839	1,168	D	\$5.15	312	798	1,110	D	\$5.15	380	853	1,233	E	\$6.70	435	1,014	1,449	F
1900 - 2000	\$2.20	236	521	757	B	\$4.05	253	575	828	C	\$3.95	351	841	1,192	D	\$4.05	347	810	1,157	D	\$5.15	357	774	1,131	D

PM Time	Monday 06/17/19					Tuesday 06/18/19					Wednesday 06/19/19					Thursday 06/20/19					Friday 06/21/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	329	844	1,173	D	\$6.70	301	952	1,253	E	\$6.70	289	1,002	1,291	E	\$8.85	346	1,004	1,350	F	\$19.00	348	1,046	1,394	F
1500 - 1600	\$6.70	382	949	1,331	F	\$6.70	397	849	1,246	E	\$7.55	424	965	1,389	F	\$10.60	400	897	1,297	E	\$18.70	434	904	1,338	F
1600 - 1700	\$5.15	272	832	1,104	D	\$6.70	237	756	993	C	\$5.15	266	856	1,122	D	\$7.90	259	854	1,113	D	\$10.75	274	951	1,225	E
1700 - 1800	\$5.15	268	815	1,083	D	\$5.15	258	881	1,139	D	\$5.15	322	843	1,165	D	\$5.15	321	836	1,157	D	\$6.70	348	893	1,241	E
1800 - 1900	\$5.15	313	664	977	C	\$5.15	330	891	1,221	E	\$5.15	328	820	1,148	D	\$5.15	348	827	1,175	D	\$6.70	338	774	1,112	D
1900 - 2000	\$2.20	216	544	760	B	\$4.05	266	679	945	C	\$3.95	260	692	952	C	\$4.05	286	727	1,013	D	\$5.15	301	601	902	C

PM Time	Monday 06/24/19					Tuesday 06/25/19					Wednesday 06/26/19					Thursday 06/27/19					Friday 06/28/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$6.70	298	833	1,131	D	\$6.70	312	917	1,229	E	\$6.70	308	1,021	1,329	F	\$8.85	331	1,197	1,528	F	\$19.00	372	963	1,335	F
1500 - 1600	\$6.70	373	943	1,316	F	\$6.70	408	878	1,286	E	\$7.55	402	976	1,378	F	\$10.60	385	956	1,341	F	\$18.70	428	892	1,320	F
1600 - 1700	\$5.15	257	891	1,148	D	\$6.70	248	811	1,059	D	\$5.15	248	874	1,122	D	\$7.90	272	856	1,128	D	\$10.75	249	839	1,088	D
1700 - 1800	\$5.15	294	879	1,173	D	\$5.15	287	826	1,113	D	\$5.15	274	850	1,124	D	\$5.15	295	945	1,240	E	\$6.70	307	927	1,234	E
1800 - 1900	\$5.15	355	719	1,074	D	\$5.15	353	826	1,179	D	\$5.15	328	821	1,149	D	\$5.15	351	868	1,219	E	\$6.70	339	851	1,190	D
1900 - 2000	\$2.20	259	635	894	C	\$4.05	289	590	879	C	\$3.95	253	693	946	C	\$4.05	271	683	954	C	\$5.15	346	719	1,065	D

Eastbound PM Peak - County Line to I-15 South

PM Time	Monday 06/03/19					Tuesday 06/04/19					Wednesday 06/05/19					Thursday 06/06/19					Friday 06/07/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	124	723	847	C	\$2.85	128	723	851	C	\$2.85	147	742	889	C	\$5.05	143	812	955	C	\$5.15	171	746	917	C
1500 - 1600	\$2.85	190	628	818	C	\$2.80	200	620	820	C	\$5.15	185	698	883	C	\$5.15	207	638	845	C	\$2.85	206	570	776	B
1600 - 1700	\$2.85	137	599	736	B	\$2.85	133	680	813	C	\$2.85	148	593	741	B	\$2.80	131	600	731	B	\$2.85	145	522	667	B
1700 - 1800	\$2.85	159	623	782	B	\$2.85	145	595	740	B	\$2.85	157	555	712	B	\$2.85	142	517	659	B	\$2.85	168	525	693	B
1800 - 1900	\$2.85	139	501	640	B	\$2.85	147	580	727	B	\$2.85	170	571	741	B	\$2.85	164	570	734	B	\$2.85	166	533	699	B
1900 - 2000	\$2.85	113	353	466	B	\$2.85	140	431	571	B	\$2.85	154	478	632	B	\$2.85	187	575	762	B	\$2.85	161	499	660	B

PM Time	Monday 06/10/19					Tuesday 06/11/19					Wednesday 06/12/19					Thursday 06/13/19					Friday 06/14/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	158	615	773	B	\$2.85	144	766	910	C	\$2.85	165	728	893	C	\$5.05	176	742	918	C	\$5.15	195	720	915	C
1500 - 1600	\$2.85	217	626	843	C	\$2.80	196	638	834	C	\$5.15	201	684	885	C	\$5.15	186	668	854	C	\$2.80	195	525	720	B
1600 - 1700	\$2.85	153	641	794	B	\$2.85	142	605	747	B	\$2.85	123	546	669	B	\$2.80	141	577	718	B	\$2.85	155	563	718	B
1700 - 1800	\$2.85	152	580	732	B	\$2.85	128	589	717	B	\$2.85	136	576	712	B	\$2.85	143	583	726	B	\$2.85	108	352	460	B
1800 - 1900	\$2.85	152	436	588	B	\$2.85	167	564	731	B	\$2.85	156	455	611	B	\$2.85	191	543	734	B	\$2.85	179	614	793	B
1900 - 2000	\$2.85	154	377	531	B	\$2.85	134	416	550	B	\$2.85	202	574	776	B	\$2.85	202	541	743	B	\$2.85	208	498	706	B

PM Time	Monday 06/17/19					Tuesday 06/18/19					Wednesday 06/19/19					Thursday 06/20/19					Friday 06/21/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	166	592	758	B	\$2.85	157	703	860	C	\$2.85	134	740	874	C	\$5.05	152	713	865	C	\$5.15	186	756	942	C
1500 - 1600	\$2.85	194	689	883	C	\$2.80	172	609	781	B	\$5.15	216	694	910	C	\$5.15	192	669	861	C	\$2.80	182	591	773	B
1600 - 1700	\$2.85	156	566	722	B	\$2.85	127	559	686	B	\$2.85	160	574	734	B	\$2.80	142	572	714	B	\$2.85	143	612	755	B
1700 - 1800	\$2.85	130	555	685	B	\$2.85	136	582	718	B	\$2.85	146	551	697	B	\$2.85	123	559	682	B	\$2.85	169	547	716	B
1800 - 1900	\$2.85	174	508	682	B	\$2.85	159	589	748	B	\$2.85	149	566	715	B	\$2.85	173	531	704	B	\$2.85	150	443	593	B
1900 - 2000	\$2.85	130	379	509	B	\$2.85	162	504	666	B	\$2.85	173	480	653	B	\$2.85	152	476	628	B	\$2.85	157	359	516	B

PM Time	Monday 06/24/19					Tuesday 06/25/19					Wednesday 06/26/19					Thursday 06/27/19					Friday 06/28/19				
	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
1400 - 1500	\$2.85	139	636	775	B	\$2.85	139	697	836	C	\$2.85	169	706	875	C	\$5.05	149	816	965	C	\$5.15	163	687	850	C
1500 - 1600	\$2.85	174	633	807	C	\$2.80	209	622	831	C	\$5.15	225	669	894	C	\$5.15	182	600	782	B	\$2.80	184	547	731	B
1600 - 1700	\$2.85	137	596	733	B	\$2.85	119	574	693	B	\$2.85	131	561	692	B	\$2.80	138	608	746	B	\$2.85	133	474	607	B
1700 - 1800	\$2.85	135	553	688	B	\$2.85	134	536	670	B	\$2.85	138	588	726	B	\$2.85	154	543	697	B	\$2.85	131	526	657	B
1800 - 1900	\$2.85	132	460	592	B	\$2.85	147	555	702	B	\$2.85	142	509	651	B	\$2.85	180	562	742	B	\$2.85	175	484	659	B
1900 - 2000	\$2.85	152	408	560	B	\$2.85	133	396	529	B	\$2.85	144	451	595	B	\$2.85	147	441	588	B	\$2.85	204	439	643	B

RCTC WESTBOUND PEAK-HOUR VOLUMES

Westbound AM Peak - McKinley to County Line

	Monday 06/03/19					Tuesday 06/04/19					Wednesday 06/05/19					Thursday 06/06/19					Friday 06/07/19				
AM Time	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	470	1,057	1,527	F	\$7.85	466	1,098	1,564	F	\$7.85	495	1,126	1,621	F	\$7.85	517	1,089	1,606	F	\$5.15	401	668	1,069	D
0500 - 0600	\$19.90	564	710	1,274	E	\$19.45	700	944	1,644	F	\$17.80	572	718	1,290	E	\$17.55	699	908	1,607	F	\$9.20	531	1,064	1,595	F
0600 - 0700	\$18.55	407	1,005	1,412	F	\$18.15	353	893	1,246	E	\$17.45	455	1,077	1,532	F	\$16.15	783	1,556	2,339	F	\$8.45	467	1,137	1,604	F
0700 - 0800	\$14.50	423	1,299	1,722	F	\$14.50	442	1,246	1,688	F	\$15.25	487	1,199	1,686	F	\$13.50	437	1,352	1,789	F	\$7.70	384	1,162	1,546	F
0800 - 0900	\$9.75	315	1,260	1,575	F	\$9.75	299	1,267	1,566	F	\$9.75	289	1,208	1,497	F	\$10.50	264	1,349	1,613	F	\$6.70	231	1,003	1,234	E
0900 - 1000	\$5.15	194	879	1,073	D	\$6.70	205	974	1,179	D	\$6.70	202	928	1,130	D	\$6.70	254	901	1,155	D	\$4.05	197	745	942	C

	Monday 06/10/19					Tuesday 06/11/19					Wednesday 06/12/19					Thursday 06/13/19					Friday 06/14/19				
AM Time	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	448	1,023	1,471	F	\$7.85	469	1,046	1,515	F	\$7.85	403	998	1,401	F	\$7.85	502	1,087	1,589	F	\$5.15	431	702	1,133	D
0500 - 0600	\$19.90	583	779	1,362	F	\$19.45	709	984	1,693	F	\$17.80	822	1,499	2,321	F	\$17.55	605	772	1,377	F	\$9.20	559	1,018	1,577	F
0600 - 0700	\$18.55	408	860	1,268	E	\$18.15	376	899	1,275	E	\$17.45	520	976	1,496	F	\$16.15	455	971	1,426	F	\$8.45	446	1,153	1,599	F
0700 - 0800	\$14.50	395	1,200	1,595	F	\$14.50	425	1,230	1,655	F	\$15.25	483	1,181	1,664	F	\$13.50	427	1,226	1,653	F	\$7.70	397	1,155	1,552	F
0800 - 0900	\$9.75	303	1,313	1,616	F	\$9.75	298	1,303	1,601	F	\$9.75	326	1,421	1,747	F	\$10.50	275	1,297	1,572	F	\$6.70	278	1,039	1,317	E
0900 - 1000	\$5.15	232	968	1,200	D	\$6.70	235	1,014	1,249	E	\$6.70	290	1,205	1,495	F	\$6.70	289	993	1,282	E	\$4.05	244	740	984	C

	Monday 06/17/19					Tuesday 06/18/19					Wednesday 06/19/19					Thursday 06/20/19					Friday 06/21/19				
AM Time	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	475	1,024	1,499	F	\$7.85	499	1,062	1,561	F	\$7.85	494	1,134	1,628	F	\$7.85	476	1,107	1,583	F	\$5.15	431	779	1,210	E
0500 - 0600	\$19.90	560	708	1,268	E	\$19.45	683	950	1,633	F	\$17.80	584	687	1,271	E	\$17.55	609	802	1,411	F	\$9.20	501	1,010	1,511	F
0600 - 0700	\$18.55	351	858	1,209	E	\$18.15	358	930	1,288	E	\$17.45	442	1,100	1,542	F	\$16.15	443	1,062	1,505	F	\$8.45	439	1,155	1,594	F
0700 - 0800	\$14.50	375	1,233	1,608	F	\$14.50	418	1,271	1,689	F	\$15.25	455	1,217	1,672	F	\$13.50	428	1,254	1,682	F	\$7.70	370	1,143	1,513	F
0800 - 0900	\$9.75	292	1,260	1,552	F	\$9.75	301	1,284	1,585	F	\$9.75	312	1,238	1,550	F	\$10.50	295	1,332	1,627	F	\$6.70	249	957	1,206	E
0900 - 1000	\$5.15	246	954	1,200	D	\$6.70	242	919	1,161	D	\$6.70	283	873	1,156	D	\$6.70	250	1,029	1,279	E	\$4.05	212	709	921	C

	Monday 06/24/19					Tuesday 06/25/19					Wednesday 06/26/19					Thursday 06/27/19					Friday 06/28/19				
AM Time	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$7.85	472	1,063	1,535	F	\$7.85	457	1,048	1,505	F	\$7.85	515	1,051	1,566	F	\$7.85	481	1,093	1,574	F	\$5.15	430	747	1,177	D
0500 - 0600	\$19.90	577	868	1,445	F	\$19.45	666	942	1,608	F	\$17.80	551	765	1,316	E	\$17.55	591	820	1,411	F	\$9.20	541	1,024	1,565	F
0600 - 0700	\$18.55	392	1,000	1,392	F	\$18.15	392	987	1,379	F	\$17.45	432	1,076	1,508	F	\$16.15	465	1,101	1,566	F	\$8.45	446	1,176	1,622	F
0700 - 0800	\$14.50	383	1,203	1,586	F	\$14.50	411	1,278	1,689	F	\$15.25	433	1,330	1,763	F	\$13.50	398	1,251	1,649	F	\$7.70	396	1,174	1,570	F
0800 - 0900	\$9.75	284	1,130	1,414	F	\$9.75	283	1,233	1,516	F	\$9.75	282	1,277	1,559	F	\$10.50	302	1,213	1,515	F	\$6.70	243	948	1,191	D
0900 - 1000	\$5.15	209	790	999	C	\$6.70	240	978	1,218	E	\$6.70	249	1,007	1,256	E	\$6.70	239	900	1,139	D	\$4.05	204	759	963	C

Westbound AM Peak - I-15 North to County Line

	Monday 06/03/19					Tuesday 06/04/19					Wednesday 06/05/19					Thursday 06/06/19					Friday 06/07/19				
AM Time	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	307	752	1,059	D	\$5.05	296	718	1,014	D	\$5.05	282	733	1,015	D	\$5.05	275	707	982	C	\$2.85	249	614	863	C
0500 - 0600	\$17.40	397	832	1,229	E	\$15.40	424	1,086	1,510	F	\$15.05	434	1,069	1,503	F	\$13.70	441	810	1,251	E	\$6.65	374	867	1,241	E
0600 - 0700	\$17.40	385	1,068	1,453	F	\$15.70	384	1,035	1,419	F	\$17.70	369	1,027	1,396	E	\$14.05	157	514	671	B	\$6.65	331	1,030	1,361	E
0700 - 0800	\$12.40	271	1,220	1,491	F	\$11.70	278	1,058	1,336	E	\$12.05	258	1,040	1,298	E	\$11.05	284	1,285	1,569	F	\$6.65	224	871	1,095	D
0800 - 0900	\$8.55	163	1,049	1,212	E	\$8.55	134	988	1,122	D	\$6.65	167	950	1,117	D	\$6.65	174	1,085	1,259	E	\$5.15	163	774	937	C
0900 - 1000	\$5.05	125	748	873	C	\$5.15	110	757	867	C	\$5.15	153	785	938	C	\$5.15	154	796	950	C	\$2.85	130	560	690	B

	Monday 06/10/19					Tuesday 06/11/19					Wednesday 06/12/19					Thursday 06/13/19					Friday 06/14/19				
AM Time	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	312	770	1,082	D	\$5.05	301	684	985	C	\$5.05	300	697	997	C	\$5.05	302	679	981	C	\$2.85	235	593	828	C
0500 - 0600	\$17.40	441	961	1,402	F	\$15.40	422	1,087	1,509	F	\$15.05	150	330	480	B	\$13.70	437	1,098	1,535	F	\$6.65	351	851	1,202	E
0600 - 0700	\$17.40	378	1,060	1,438	F	\$15.70	359	1,035	1,394	E	\$17.70	341	934	1,275	E	\$14.05	388	1,068	1,456	F	\$6.65	278	918	1,196	D
0700 - 0800	\$12.40	295	1,145	1,440	F	\$11.70	310	1,153	1,463	F	\$12.05	333	1,163	1,496	F	\$11.05	289	1,122	1,411	F	\$6.65	224	894	1,118	D
0800 - 0900	\$8.55	192	935	1,127	D	\$8.55	160	955	1,115	D	\$6.65	231	1,252	1,483	F	\$6.65	193	926	1,119	D	\$5.15	196	746	942	C
0900 - 1000	\$5.05	150	717	867	C	\$5.15	146	741	887	C	\$5.15	204	930	1,134	D	\$5.15	145	727	872	C	\$2.85	166	627	793	B

	Monday 06/17/19					Tuesday 06/18/19					Wednesday 06/19/19					Thursday 06/20/19					Friday 06/21/19				
AM Time	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	296	745	1,041	D	\$5.05	298	712	1,010	D	\$5.05	280	723	1,003	D	\$5.05	309	673	982	C	\$2.85	234	614	848	C
0500 - 0600	\$17.40	406	876	1,282	E	\$15.40	424	1,102	1,526	F	\$15.05	422	1,056	1,478	F	\$13.70	413	1,062	1,475	F	\$6.65	324	825	1,149	D
0600 - 0700	\$17.40	337	1,031	1,368	E	\$15.70	358	1,028	1,386	E	\$17.70	356	1,045	1,401	F	\$14.05	356	1,048	1,404	F	\$6.65	282	976	1,258	E
0700 - 0800	\$12.40	287	1,078	1,365	E	\$11.70	255	1,069	1,324	E	\$12.05	219	1,012	1,231	E	\$11.05	258	1,072	1,330	E	\$6.65	203	841	1,044	D
0800 - 0900	\$8.55	209	958	1,167	D	\$8.55	168	974	1,142	D	\$6.65	170	993	1,163	D	\$6.65	189	931	1,120	D	\$5.15	137	760	897	C
0900 - 1000	\$5.05	144	748	892	C	\$5.15	144	726	870	C	\$5.15	157	693	850	C	\$5.15	138	786	924	C	\$2.85	147	591	738	B

	Monday 06/24/19					Tuesday 06/25/19					Wednesday 06/26/19					Thursday 06/27/19					Friday 06/28/19				
AM Time	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS	Price	HOV	SOV	Vol.	LOS
0400 - 0500	\$5.05	283	751	1,034	D	\$5.05	292	703	995	C	\$5.05	325	672	997	C	\$5.05	282	671	953	C	\$2.85	244	595	839	C
0500 - 0600	\$17.40	396	951	1,347	E	\$15.40	405	1,028	1,433	F	\$15.05	443	1,046	1,489	F	\$13.70	416	1,036	1,452	F	\$6.65	330	792	1,122	D
0600 - 0700	\$17.40	363	1,095	1,458	F	\$15.70	363	1,055	1,418	F	\$17.70	362	1,058	1,420	F	\$14.05	363	1,072	1,435	F	\$6.65	292	895	1,187	D
0700 - 0800	\$12.40	215	926	1,141	D	\$11.70	260	1,093	1,353	E	\$12.05	222	1,078	1,300	E	\$11.05	249	1,002	1,251	E	\$6.65	201	886	1,087	D
0800 - 0900	\$8.55	135	818	953	C	\$8.55	167	981	1,148	D	\$6.65	178	895	1,073	D	\$6.65	164	903	1,067	D	\$5.15	172	711	883	C
0900 - 1000	\$5.05	112	672	784	B	\$5.15	126	713	839	C	\$5.15	160	708	868	C	\$5.15	170	706	876	C	\$2.85	169	565	734	B

RCTC OPERATIONAL HIGHLIGHTS

On-road Operations

RCTC Freeway Service Patrol (FSP) responded to 78 calls during the month of June. Of those calls, 54 were to assist disabled vehicles, 10 were to remove debris, 7 were for traffic breaks, and 7 were in response to accidents.

6C Transponder Technology

Planning for the transition to the new transponder technology is underway. The lane systems have been upgraded. The new sticker transponders have been received and will be distributed after OCTA completes the upgrade of their lane system. Changes to the back-office system to process the new transponders and make changes to the customer account plan are being finalized and will be released to the customer once both the RCTC and OCTA lane system upgrades are performed. A series of customer communication has been prepared to facilitate the process for providing the new transponders to customers.

FINANCIAL HIGHLIGHTS RCTC

RCTC 91 Express Lanes Operating Statement				
Description	YTD as of :		YTD Variance	
	Actual ⁽¹⁾⁽²⁾	6/30/2019 Budget	Dollar \$	Percent (%)
Operating revenues:				
Toll Revenue	\$ 49,885,288.57	\$ 32,098,100.00	\$ 17,787,188.57	55.4
Fee Revenue	8,538,672.05	4,842,300.00	3,696,372.05	76.3
Total operating revenues	58,423,960.62	36,940,400.00	21,483,560.62	58.2
Operating expenses:				
Salaries and Benefits	479,339.62	603,000.00	123,660.38	20.5
Legal Services	65,732.68	300,000.00	234,267.32	78.1
Advisory Services	48,737.70	75,000.00	26,262.30	35.0
Audit and Accounting Fees	-	47,000.00	47,000.00	100.0
Service Fees	5,578.31	26,000.00	20,421.69	78.5
Other Professional Services	846,136.46	1,465,100.00	618,963.54	42.2
Lease Expense	221,203.63	260,600.00	39,396.37	15.1
Operations	2,979,185.46	3,321,400.00	342,214.54	10.3
Utilities	87,761.99	64,000.00	(23,761.99)	(37.1)
Supplies and Materials	1,144.64	5,100.00	3,955.36	77.6
Membership and Subscription Fees	12,296.50	12,300.00	3.50	0.0
Office Equipment & Furniture (Non-Capital)	22.62	5,000.00	4,977.38	99.5
Maintenance/Repairs	152,256.74	867,100.00	714,843.26	82.4
Training Seminars and Conferences	1,315.00	8,000.00	6,685.00	83.6
Transportation Expenses	3,223.31	7,400.00	4,176.69	56.4
Lodging	3,128.59	7,000.00	3,871.41	55.3
Meals	2,109.27	1,800.00	(309.27)	(17.2)
Other Staff Expenses	2,509.19	2,800.00	290.81	10.4
Advertising	21,101.00	140,000.00	118,899.00	84.9
Program Management	66,521.64	63,900.00	(2,621.64)	(4.1)
Program Operations	6,774,802.78	8,722,200.00	1,947,397.22	22.3
Litigation Settlement	7,500.00	7,500.00	-	-
Furniture & Equipment	495,444.30	815,200.00	319,755.70	39.2
Improvements	1,589,249.28	1,696,850.00	107,600.72	6.3
Depreciation	7,973,379.38 ⁴	-	(7,973,379.38)	N/A
Bad Debt Expense	33.43	100.00	66.57	66.6
Total operating expenses	21,839,713.52	18,524,350.00	(3,315,363.52)	(17.9)
Operating income (loss)	36,584,247.10	18,416,050.00	18,168,197.10	98.7
Nonoperating revenues (expenses):				
Interest Revenue	2,482,753.12	141,300.00	2,341,453.12	(1,657.1)
Gain(Loss) on Sale of Capital Assets	(2,224,669.52) ³	-	(2,224,669.52)	N/A
Other Miscellaneous Revenue	157,221.59	8,500,100.00	(8,342,878.41)	98.2
Payment to Escrow Agent	-	(20,000,000.00)	20,000,000.00	(100.0)
Interest Expense	(27,956,791.44)	(7,119,900.00)	(20,836,891.44)	292.7
Total nonoperating revenues (expenses)	(27,541,486.25)	(18,478,500.00)	(9,062,986.25)	(49.0)
Transfers In	-	-	-	N/A
Transfers Out	(2,069,658.67)	(6,307,200.00)	4,237,541.33	(67.2)
Net income (loss)	\$ 6,973,102.18	\$ (6,369,650.00)	\$ 13,342,752.18	(209.5)

¹ Unaudited

² Actuals are preliminary amounts for FY 2018-19. Final numbers will be shown in the audited financial statements.

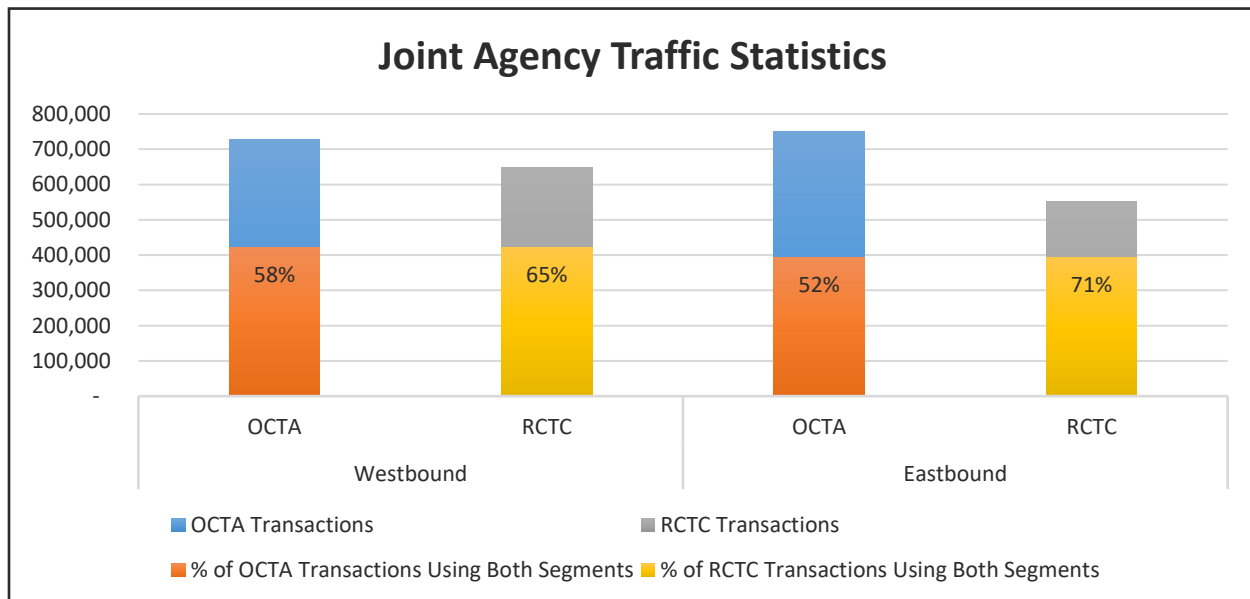
³ Gain (loss) on sale of capital assets - Loss on sale of capital assets reflects the loss on sale of excess land purchased for the SR-91 Project. Loss on sale is not a cash-related item and not included in the FY18/19 budget.

⁴ Depreciation is not a budgeted expense

JOINT AGENCY TRIP AND REVENUE STATISTICS

May-19 MTD	Transactions by Agency	Transactions Using Both Segments	% Using Both Segments	Revenue
Westbound				
OCTA	727,821	422,610	58%	\$ 1,721,777
RCTC	648,565	422,610	65%	\$ 3,041,688
I-15	269,734	182,103	68%	\$ 1,272,514
McKinley	378,831	240,507	63%	\$ 1,769,174
Eastbound				
OCTA	750,231	392,943	52%	\$ 2,430,385
RCTC	550,650	392,943	71%	\$ 1,633,604
I-15	204,657	157,796	77%	\$ 418,512
McKinley	345,993	235,147	68%	\$ 1,215,092

JOINT AGENCY TRAFFIC STATISTICS



JOINT AGENCY PERFORMANCE MEASURES

REPORTING REQUIREMENT	Reporting Period	PERFORMANCE STANDARD	Jun-19 Performance
CUSTOMER SERVICE			
Call Wait Time	Monthly	Not to exceed 2 minutes	1:22
Abandon Rate	Monthly	No more than 4.0%	1.9%
Customer Satisfaction	Monthly	At least 75 outbound calls	75
VIOLATION PROCESSING			
Response Time	Monthly	Within 2 business days of receipt	1.4
CUSA Violation Collection Rate	Quarterly	70% or more	67%
CUSA Violation Collection Rate	Annually	74% or more	66%
TRAFFIC OPERATIONS			
Initial & Secondary Review s	Monthly	Equal to or less than 15 days	1.3
* Plate Misread Errors	Monthly	Equal to or less than 0.4%	0.01%
CAS Response Time	Monthly	0:20 (minutes) per call	0:08
ACCOUNTING			
OCTA Exceptions	Monthly	No more than 3	0
RCTC Exceptions	Monthly	No more than 3	0
INFORMATION TECHNOLOGY			
Back-office System Uptime	Monthly	99% Availability	100%
Network Uptime	Monthly	99% Availability	100%

CUSA = Cofiroute USA; CAS = OCTA Customer Assistance Specialists

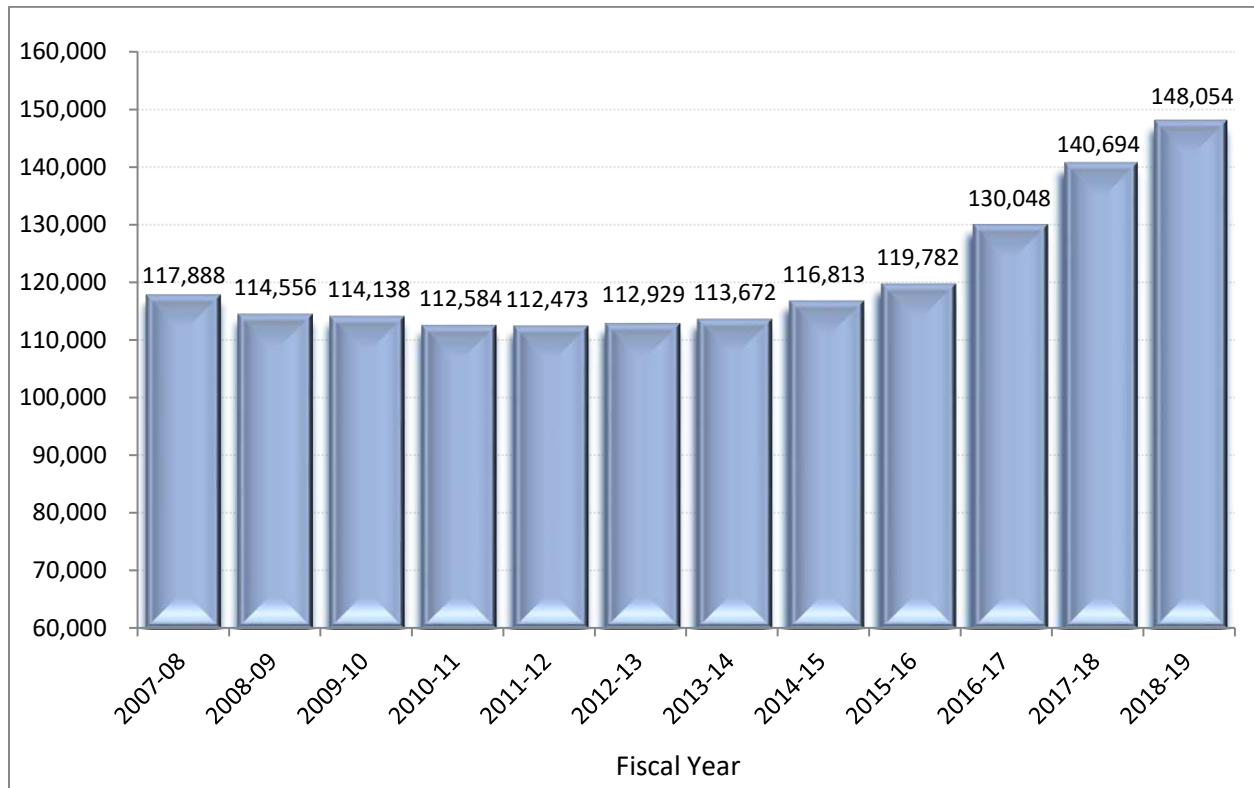
* Plate Misread Error performance is current after a 60-day hold-back period; therefore, percentage reported here is for 2 months prior to the month of this report.

JOINT AGENCY TRANSPONDER DISTRIBUTION

TRANSPONDER DISTRIBUTION	June-19		May-19		FY 2018-19	
	Tags	% of Total	Tags	% of Total	Average To-Date	
Issued						
To New Accounts	1,279	46.4%	1,654	51.4%	1,456	46.7%
Additional Tags to Existing Accounts	836	30.3%	921	28.6%	856	27.5%
Replacement Transponders	641	23.3%	644	20.0%	803	25.8%
Total Issued	2,756		3,219		3,115	
Returned						
Account Closures	432	26.3%	450	35.5%	426	28.7%
Accounts Dow nsizing	190	11.6%	160	12.6%	189	12.7%
Defective Transponders	1,020	62.1%	658	51.9%	872	58.6%
Total Returned	1,642		1,268		1,488	

At the end of June 2019, the 91 Express Lanes had 148,054 active customer accounts, and 225,621 transponders classified as Assigned.

Number of Accounts by Fiscal Year
As of June 30, 2019



Incoming Email Activity

During June, the Anaheim Processing Center received 3,342 emails.

AGENDA ITEM 7H

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Toll Policy and Operations Committee Jennifer Crosson, Toll Operations Manager
THROUGH:	Michael Blomquist, Toll Program Director
SUBJECT:	Amendment to the 91 Express Lanes Operator Agreement

TOLL POLICY AND OPERATIONS COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to:

- 1) Approve Agreement No. 13-31-105-04, Amendment No. 4 to the 91 Express Lanes Operator Agreement No. 13-31-105-00 (commonly referred to as the ORCOA), among the Orange County Transportation Authority (OCTA), the Commission, and Cofiroute USA, LLC (Cofiroute), to extend the agreement for an additional six months in the amount of \$3,180,851 for a total amount not to exceed \$36,007,044; and
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the amendment on behalf of the Commission.

BACKGROUND INFORMATION:

In May 2013, the Commission approved the ORCOA to facilitate the joint operation of the 91 Express Lanes between the Commission and OCTA through the use of the existing contractor, Cofiroute. The agreement is set to expire on June 30, 2021. The agreement has no available extension options.

Under this agreement, Cofiroute provides all the systems, staffing and services required to operate the 91 Express Lanes with the exception of the in-lane systems. The work provided under this agreement is necessary to manage the customer accounts, provide transponders, process toll transactions, process toll evasion violations, manage the traffic operations center and answer customer calls and inquiries.

Given the June 30, 2021 agreement expiration, the Commission and OCTA are re-procuring the services performed under this agreement through a competitive procurement process. It is anticipated that the successful proposer will be under this new contract by the end of this year. If the successful proposer is not Cofiroute, it is estimated that it will take at least 18 months for the successful proposer to develop the required systems, hire and train the necessary staff, and migrate the data from the existing contractor. Depending on the timing of the new contract award and work progress made on the new contract, the new contractor may not be ready to

perform the work before the expiration of the current agreement on June 30, 2021. Therefore, Commission and OCTA staff sought to establish a contingency plan to extend Cofiroute's contract should it be needed.

Staff met with Cofiroute to negotiate an extension of the agreement for up to six months or through December 31, 2021. Prior to the expiration of the existing agreement and at the Commission's option, the Commission will notify Cofiroute if the agreement will be extended. After the first month of extension, the Commission will inform Cofiroute each month if the agreement shall continue or be terminated.

Cofiroute has agreed to continue performing the work described in the agreement for the same monthly rate in the base contract with an escalation increase tied to the Consumer Price Index (CPI). The maximum amount to be paid by the Commission is \$3,180,851 should the full, six-month extension be authorized. Table 1 below provides the calculation for the maximum amount. Staff believes the amount is fair and reasonable.

Table 1 – Maximum Amount

Month	Monthly Payment
June 2021 (Current contract monthly payment)	\$505,244
Amendment CPI maximum escalation (5%)	<u>\$24,898</u>
July 2021	\$530,142
August 2021	\$530,142
September 2021	\$530,142
October 2021	\$530,142
November 2021	\$530,142
December 2021	\$530,141
Amendment Maximum Amount	\$3,180,851 (1)

A summary of the ORCOA and related amendments is as follows:

Table 2 – ORCOA Amendments

Initial Agreement Amount	\$ 34,097,946
Amendment No. 1 – Approved Nov. 2016	(2,900,947)
Amendment No. 2 – Approved Jan. 2017	-
Amendment No. 3 - Approved Mar. 2017	1,629,194
Subtotal Revised Agreement Amount	32,826,193
<i>Amendment No. 4 - (proposed)</i>	<i>3,180,851 (1)</i>
Total Proposed Agreement Amount	\$ 36,007,044

To ensure there is no gap in services for the 91 Express Lanes, staff requests approval of Amendment No. 4 to extend the agreement for up to six additional months to allow for a successful transition to the successful proposer. The extended agreement cost will be included in the Fiscal Year 2021/22 budget process; therefore, a budget adjustment is not required.

Financial Information					
In Fiscal Year Budget:	N/A	Year:	FY 2021/22	Amount:	\$3,180,851
Source of Funds:	Toll Revenues			Budget Adjustment:	N/A
GL/Project Accounting No.:	009199 81041 00000 0000 591 31 81002				
Fiscal Procedures Approved:	<i>Theresa Trevino</i>			Date:	08/05/2019

Attachments: ORCOA Agreement No. 13-31-105-04

1 **AMENDMENT NO. 4**

2 **OCTA AGREEMENT NO. C-3-1529**

3 **RCTC AGREEMENT NO. 13-31-105-04**

4 **AMONG**

5 **ORANGE COUNTY TRANSPORTATION AUTHORITY,**
6 **RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

7 **AND**

8 **COFIROUTE USA, LLC**

9 THIS AMENDMENT NO. 4 TO AGREEMENT is entered into this ____ day
10 of _____, 2019, by and among the Orange County Transportation Authority,
11 a public corporation of the State of California (the “AUTHORITY”); the Riverside
12 County Transportation Commission, a public agency (the “COMMISSION”); and
13 Cofiroute USA, LLC, a Delaware limited liability company (“CONTRACTOR”). The
14 AUTHORITY, the COMMISSION and CONTRACTOR are sometimes individually
15 referred to herein as a “Party” and collectively as the “Parties.” The AUTHORITY
16 and the COMMISSION are sometimes individually referred to herein as an “Agency”
17 and collectively as the “Agencies.”

18 **RECITALS**

19 A. The Parties have entered into that certain three party operating
20 agreement, OCTA Agreement No. C-3-1529, RCTC Agreement No. 13-31-105-00,
21 dated as of May 24, 2013 (the “Original Agreement”), pursuant to which
22 AUTHORITY and COMMISSION engaged CONTRACTOR to provide management
23 and operational services for the 91 Express Lanes, with the mutual intent of the
24 Agencies of operating said lanes as a single, seamless toll facility from the customer’s
25 perspective, which Original Agreement was amended on three (3) prior occasions.
26 The Original Agreement, as previously amended, is referred to herein as the
27 “Operating Agreement”.

28 B. The term of the Operating Agreement expires on June 30, 2021

1 (“Expiration Date”).

2 C. The Parties now desire to amend the Operating Agreement and provide
3 Agencies with the option to extend the Expiration Date for a period of up to six (6)
4 months, based on the terms and conditions set forth herein.

5 NOW THEREFORE, it is mutually understood and agreed by the
6 AUTHORITY, COMMISSION and CONTRACTOR as follows:

7 1) The Agencies shall have the option to extend the expiration date of the
8 Operating Agreement for six (6) one (1) month periods (each such monthly extension
9 is referred to individually as the “Extension Period” and the six (6) one (1) month
10 options are collectively referred to as the “Extension Periods”).

11 2) The Agencies may exercise the first Extension Period by giving
12 CONTRACTOR sixty (60) days’ written notice prior to the Expiration Date. In the
13 event the first Extension Period is exercised, the Agencies may exercise the remaining
14 five (5) Extension Periods by providing CONTRACTOR ten (10) days written notice
15 prior to the end of each such Extension Period.

16 3) The monthly fee payable to CONTRACTOR during the Extension Periods
17 (“Monthly Fee”) shall be determined at the commencement of the first day of the first
18 Extension Period, and shall be applied to any subsequent Extension Periods. The
19 Monthly Fee shall be an amount equal to the monthly fee paid for the period June 1,
20 2021 to June 30, 2021 (the “Last Term Year”) plus an increase in an amount of no less
21 than three (3%) and no more than five (5%) of the annual fee prorated in effect during
22 the Last Term Year, with the exact amount determined based on the year-over year
23 change in the most recent Consumer Price Index (“CPI”) prior to June 30, 2021. Any
24 CPI increase shall be based on the information found in the current version of the table
25 found at the following reference Location:
26 https://www.bls.gov/regions/west/data/consumerpriceindex_losangeles_table.pdf, but
27 in no case shall such increase exceed five (5%) as set forth above.
28

1 4) CPI shall mean and refer to that table in the Consumer Price Index
2 published by the United States Department of Labor, Bureau of Labor Statistics, for
3 the Los Angeles, Long Beach, Anaheim Area (“Index”). If the Index is discontinued,
4 then any successor Consumer Price Index of the United States Bureau of Labor
5 Statistics, or successor agency thereto, shall be used.

6 5) The Parties agree that if the Index has not been determined when the first
7 Extension Period Monthly Fee is due, the Agencies will pay the CONTRACTOR the
8 Monthly Fee in effect at the Expiration Date until the Index has been determined for
9 the first Extension Period, and then Agencies shall pay over any difference to
10 CONTRACTOR upon demand and thereafter pay the newly determined Monthly Fee
11 for the balance of the Extension Period(s).

12 6) The Parties agree that after the completion of all Extension Periods the
13 services of critical staff may be requested by the Agencies to complete the transition
14 to the Successor Operator (as defined below). CONTRACTOR agrees to provide
15 requested critical staff to the extent, available as determined by the CONTRACTOR.
16 The Agencies will reimburse CONTRACTOR actual costs plus overhead and profit as
17 provided for in the Operating Agreement.

18 The Monthly Fee during the Extension Period(s) includes, without limitation,
19 full and complete payment for (i) performance of all services and obligations
20 set forth in the Operating Agreement and all exhibits attached thereto; (ii) all
21 extended software, license, maintenance and escrow agreements and
22 performance of all services thereunder including, without limitation, all
23 software updates and upgrades and the replacement of hardware based on the
24 historical replacement schedule for such hardware; and (iii) the work detailed in
25 the Operating Agreement Transition Plan, to be developed in accordance with
26 Section I-6 of Exhibit A to the Operating Agreement.

27 7) CONTRACTOR shall be solely responsible for, and shall pay in full
28 when due, all subcontractors, vendors, suppliers and all other costs incurred by or at

1 the direction of CONTRACTOR in the performance of CONTRACTOR's obligations
2 under this Amendment No. 4, unless expressly stated otherwise in the Operating
3 Agreement.

4 8) During the Extension Periods, for CONTRACTOR's full and complete
5 performance of its obligations under this Amendment No. 4, CONTRACTOR shall
6 invoice Agencies and Agencies shall make payment for approved invoices in
7 accordance with the following provisions. On July 1, 2021, and on July 15, 2021,
8 and on the first and 15th day of each succeeding Extension Period, CONTRACTOR
9 shall submit separate invoices to the AUTHORITY and the COMMISSION for the
10 services performed pursuant to this Amendment No. 4. Each invoice shall include the
11 amount due to CONTRACTOR pursuant to paragraph 3 hereof and shall be in the
12 form set forth in the Operating Agreement. AUTHORITY and COMMISSION shall
13 pay the amount set forth in their respective invoices pursuant to the terms of the
14 Operating Agreement.

15 9) Article 7, Payment, subsection J(6) shall be added to the Operating
16 Agreement to read as follows:

17 J(6)(a) AUTHORITY's maximum cumulative payment obligation,
18 hereunder, for the Extension Periods, for the period commencing on July
19 1, 2021 through December 31, 2021, shall not exceed the amount of
20 Three Million, Four Hundred Thirty-Seven Thousand, Four Hundred
21 Ninety-Eight dollars (\$3,437,498), which shall include all amounts
22 payable to CONTRACTOR for the services contained in Section 7 of this
23 amendment for the Extension Periods.

24 J(6)(b) COMMISSION's maximum cumulative payment obligation,
25 hereunder, for the Extension Periods, for the period commencing on July
26 1, 2021 through December 31, 2021, shall not exceed the amount of
27 Three Million, One Hundred Eight Thousand, Eight Hundred Fifty-One
28 dollars (\$3,180,851), which shall include all amounts payable to

CONTRACTOR for the services contained in Section 7 of this amendment for the Extension Periods.

10) All notices hereunder and communications regarding the interpretation of the terms of this Amendment, or changes thereto, shall be affected by delivery of said notices in person or by delivering said notices by recognized overnight mail or courier service, with delivery receipt requested or by depositing said notices in the U.S. mail, registered or certified mail, returned receipt requested, postage prepaid and addressed as follows:

To CONTRACTOR:	To AUTHORITY:
Cofiroute USA, LLC 200 Spectrum Center Dr., Suite 1650 Irvine, CA 92618 ATTN: Gary L. Hausdorfer, President and Chief Executive Officer	Orange County Transportation Authority 550 South Main St. P.O. Box 14184 Orange, CA 92863-1584 ATTN: Manager, Contracts and Procurement
	To COMMISSION: Riverside County Transportation Commission 4080 Lemon St., 3 rd Floor P.O. Box 12008 Riverside, CA 92502-2208 ATTN: Anne Mayer, Executive Director

Notices shall be deemed received when actually received in the office of the addressee (or by the addressee if personally delivered) or when delivery is refused, as shown on the receipt of the U.S. Postal Service, private carrier or other person making

1 the delivery.

2 11) Pursuant to Section I-6 of Exhibit A to the Operating Agreement:

- 3 a. The CONTRACTOR acknowledges that the service provided under
4 the terms of the Operating Agreement and the Statement of Work is
5 vital to the Agencies and must be continued without interruption.
6 Upon expiration of any Extension Period, a successor (the Agencies
7 or a new Operating Contractor (“Successor Operator”)) may be
8 responsible for providing these services. The CONTRACTOR agrees
9 to exercise its best efforts and cooperation to affect an orderly and
10 efficient transition to a Successor Operator.
- 11 b. Unless performed prior to the Expiration Date pursuant to the terms of
12 the Operating Agreement, upon the Agencies’ written notice, the
13 CONTRACTOR shall furnish transition services, during the
14 Extension Period(s), and the CONTRACTOR shall develop with the
15 Successor Operator or the Agencies staff, an Operating Agreement
16 Transition Plan describing the nature and extent of transition services
17 required for each facility. The Agreement Transition Plan and dates
18 for transferring responsibilities for each division of work shall be
19 submitted within fifteen (15) days of such notice. Upon completion of
20 Agencies’ review, all parties will meet and resolve any additional
21 requirements/differences. The CONTRACTOR shall provide 91
22 Express Lanes experienced personnel in each division of work during
23 the entire transition period to ensure that the services are maintained
24 at the level of proficiency required by the Operating Agreement.
- 25 c. The CONTRACTOR shall provide sufficient staff to help the
26 Successor Operator maintain the continuity and consistency of the
27 services required by the Statement of Work. The CONTRACTOR
28 shall allow the Successor Operator to conduct on-site interviews with

1 the employees.

2 12) This instrument may be executed in two or more counterparts, each of
3 which shall be deemed an original, but all of which together shall constitute one and
4 the same instrument.

5 13) Except as modified and amended herein, the Operating Agreement shall
6 remain unchanged and in full force and effect.

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11 [Signatures on following page]

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SIGNATURE PAGE TO AMENDMENT NO. 4 TO
OCTA AGREEMENT NO. C-3-1529
RCTC AGREEMENT NO. 13-31-105-04
AMONG
ORANGE COUNTY TRANSPORTATION AUTHORITY,
RIVERSIDE COUNTY TRANSPORTATION COMMISSION
AND COFIROUTE USA, LLC.

RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

By: _____

Its: _____

ORANGE COUNTY
TRANSPORTATION AUTHORITY

By: _____

Its: _____

APPROVED AS TO FORM:
BEST BEST & KRIEGER LLP

By: _____

Counsel to the Riverside County
Transportation Commission

APPROVED AS TO FORM:

By: _____

General Counsel to Orange County
Transportation Authority

COFIROUTE USA, LLC

By: _____

Gary L. Hausdorfer
President and Chief Executive Officer

AGENDA ITEM 7I

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Western Riverside County Programs and Projects Committee David Thomas, Toll Project Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Change Order to Amend the Interstate 15 Express Lanes Project Design-Build Contract with Skanska-Ames, a Joint Venture, for the Interstate 15/State Route 91 Express Lanes Connector Project

WESTERN RIVERSIDE COUNTY PROGRAMS AND PROJECTS COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to:

- 1) Approve Change Order No. 50 to Agreement No. 16-31-057-00 for the Interstate 15 Express Lanes Project (I-15 ELP) with Skanska-Ames, a Joint Venture (Skanska-Ames), to perform limited construction for the Interstate 15/State Route 91 Express Lanes Connector (15/91 ELC) associated improvements in the amount of \$1.7 million, plus a contingency amount of \$170,000, for a total amount not to exceed \$1,870,000;
- 2) Authorize the Executive Director to negotiate and execute the change order amendment, pursuant to legal counsel review, for an amount not to exceed \$1,870,000; and
- 3) Authorize the Executive Director or designee to approve contingency work up to the total amount not to exceed as required for the project.

BACKGROUND INFORMATION:

In April 2017 Governor Brown signed Senate Bill 132 (SB 132) which appropriated \$427 million to the Riverside County Transportation Efficiency Corridor (RCTEC) for five projects. SB 132 allocated \$180 million to the 15/91 ELC project. The 15/91 ELC project will provide a tolled express lanes connector between the existing 91 Express Lanes and the future 15 Express Lanes to the north of SR-91 (Figure 1 Vicinity Map). A detailed vicinity map of the 15/91 ELC project is also provided as Attachment 1.

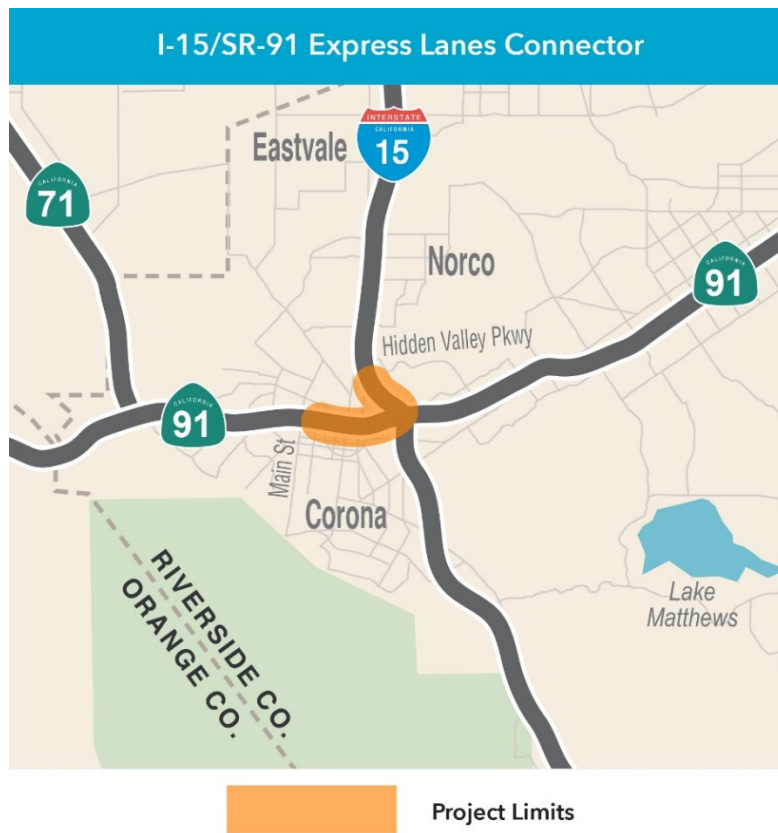


Figure 1: 15/91 Express Lanes Connector Project Vicinity Map

SB 132 also statutorily created a task force to develop recommendations to accelerate project delivery of the RCTEC projects. On June 27, 2017, Governor Brown signed budget trailer bill Assembly Bill 115 (AB 115) through which the Commission received additional project delivery authority to ensure cost-effective and timely delivery of the 15/91 ELC.

At its October 2017 meeting, the Commission approved an overall procurement strategy for the 15/91 ELC to secure all the services and construction needed to deliver the project. The approved strategy consists of a series of contract amendments, as permitted by AB 115, to existing 91 Project and I-15 ELP contracts with engineering companies, contractors, toll vendors, legal, and financial advisors.

DISCUSSION:

At the April 12, 2017 Commission meeting, following a competitively negotiated procurement, the Commission awarded a best-value design-build contract to Skanska-Ames to design and construct the I-15 ELP in the amount of \$243,900,000 plus a contingency amount of \$19,512,000 for a total amount not to exceed \$263,412,000.

Based on the overall procurement strategy approved for the 15/91 ELC, staff supports a change order to amend the I-15 ELP design-build contract with Skanska-Ames to perform the following work associated with the implementation of the 15/91 ELC project:

- Construction of a Variable Toll Message Sign (VTMS) and the associated Toll Collection System (TCS) components along eastbound SR-91 west of the Riverside/Orange County Line.

This effort is to perform construction to accommodate the 15/91 ELC related improvements in advance of the planned overall design-build services contract for the 15/91 ELC project. The 15/91 ELC project has resulted in changes in toll pricing strategy which requires the installation of a VTMS along eastbound SR-91 to provide additional toll price information for a third destination. The early completion of the VTMS and related work will facilitate providing advanced express lanes pricing information to the travelling public and will reduce future disruption to the 91 Express Lanes operations after the completion of the I-15 ELP. Staff is negotiating Change Order No. 50 (see Attachments 2 and 3) currently estimated in the amount of \$1.7 million for this effort.

The table below summarizes the status of 15/91 ELC related change orders and amendments to the Skanska-Ames contract.

Table 1: Skanska-Ames 15/91 ELC Related Amendments/Change Orders

Amendment/Change Order No.	Status	Amount	Contingency	Total
Change Order No. 5 – Early geotechnical work and staff support	Commission approved on April 11, 2018	\$1,790,000	\$ 179,000	\$1,969,000
Amendment No. 2 – Preliminary Engineering	Commission approved on May 9, 2018	4,718,800	471,200	5,190,000
Change Order No. 6 – Design for improvements near Hidden Valley Parkway	Commission approved on June 13, 2018	2,891,000	289,100	3,180,100
Change Order No. 10 – Final Design and Construction for improvements near Hidden Valley Parkway	Commission approved on October 10, 2018	15,234,804	750,000	15,984,804
<i>Change Order No. 50 – Construction of VTMS (subject of this report)</i>	<i>For Commission approval on September 11, 2019</i>	<i>1,700,000</i>	<i>170,000</i>	<i>1,870,000</i>
Totals		\$26,334,604	\$1,859,300	\$28,193,904

RECOMMENDATION:

Staff recommends approval of Change Order No. 50 to amend the design-build contract between the Commission and Skanska-Ames in the amount of \$1.7 million, plus a contingency amount of \$170,000, for a total amount of \$1,870,000. Further, authorization is requested for the Executive Director to negotiate and execute the change order amendment, pursuant to legal counsel review, for an amount not to exceed \$1,870,000, and for the Executive Director or designee to approve contingency work up to the total not to exceed amount as required for the project.

Financial Information					
In Fiscal Year Budget:	Yes	Year:	FY 2019/20	Amount:	\$1,870,000
Source of Funds:	SB 132 State Funds			Budget Adjustment:	No
GL/Project Accounting No.:	003039 81603 00000 0000 605 31 81601				
Fiscal Procedures Approved:	<i>Theresa Trevino</i>			Date:	08/15/2019

Attachments:

- 1) Detailed Vicinity Map for the 15/91 Express Lanes Connector
- 2) Draft I-15 ELP Change Order No. 50
- 3) Draft Cost Summary

I-15/ SR-91 EXPRESS LANES CONNECTOR



I-15 ELP PROJECT CHANGE ORDER**CHANGE ORDER NUMBER: 50****CONTRACT NO. 16-31-057-00****DATE: 8/7/2019****SECTION I:**Title: County Line VTMSCompany Name: Skanska-Ames a Joint Venture (DB Contractor)Description: Construct a Variable Toll Message Sign (VTMS) at the Riverside-Orange County Line**Additions/Deletions/Modifications to Contract Document requirements:**Add to Contract Section 24.1.2 Turnover Areas:

(c) If DB Contractor meets the Turnover Package No. 4 date of May 26, 2019, DB Contractor shall receive an early completion bonus of \$50,000.00.

Scope:

DB Contractor shall provide any and all supervision, labor, equipment, materials, and other services necessary to perform the following work:

- DB Contractor shall procure and install a VTMS at the Riverside-Orange County Line per the attached Released for Construction plans. DB Contractor shall install the sign panel, cantilever mast arm and anchor bolt package procured under Directive Letter No. 18 – County Line VTMS Sign Procurement. The work includes, but not limited to, sign installation, temporary traffic handling and coordination with adjacent projects, communications and electrical work.
- DB Contractor shall be responsible for general housekeeping within the VTMS construction zone and all other required maintenance matters directed caused or required by this work. All other required maintenance shall be considered Extra Maintenance Work under Technical Provisions (“TP”) Section 21.4 area.
- DB Contractor will coordinate maintenance of traffic (MOT) closures as is required in TP Section 18; however, any issues related to this Change Order No. 50 will not count against the 90% compliance threshold required under TP Section 18.3.3.1.1.

- This work shall be included in Turnover Package No. 4 and all requirements of Turnover Package No. 4 will apply including the required approvals by Kapsch. There will be no Liquidated Damages associated with the work required by CCO 50.
- If DB Contractor completes the work and meets the Turnover Package No. 4 date of May 26, 2020, DB Contractor shall receive an early completion bonus of \$50,000.00. The payment of the incentive payment is not included in the change order value.
- Progress Reports and invoices for the work associated with this work shall be kept separate from other work performed under the Contract.

This change order compensates DB Contractor for all costs and time related impacts due to this change.

SECTION II: Change Order Cost

increase ☒ decrease ☐ none ☐

This Change Order is for a lump sum amount of: **\$1,700,000.00**

SECTION III: Time Impact

The status of all Completion Milestones is: **0 Days (No Adjustment)**

SECTION IV: CHANGE REQUESTED BY:

RCTC ☒ DB CONTRACTOR ☐

SECTION V: Certification and Other Acknowledgments

I, _____, the Authorized Representative of DB Contractor, hereby certify under penalty of perjury that the above four sections represent a true, accurate and complete summary of all aspects of this Change Order, and that (a) the amount of time and/or compensation requested will be justified as to entitlement and amount, (b) the amount of time and/or compensation requested will include all known and anticipated impacts or amounts, direct, indirect and consequential, which may be incurred as a result of the event, occurrence or matter giving rise to the proposed change (and includes all Subcontractor and Supplier amounts), and (c) the cost and pricing data forming the basis for this Change Order is complete, accurate and current, with specific reference to the

California False Claims Act (Government Code section 1250 et seq.) and the U.S. False Claims Act (31 U.S.C. section 3729 et seq.).

It is understood and agreed that this Change Order shall not alter or change, in any way, the force and effect of the Contract Documents, including any previous amendment(s) thereto, except insofar as the same is expressly altered and amended by this Change Order.

This Change Order supersedes all prior commitments, negotiations, correspondence, conversations, agreements or understanding applicable to the issues addressed herein. No deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written, other than the Agreement, as amended in accordance with its terms.

This Change Order is binding upon, and shall inure to the benefit of, each of the parties and their respective heirs, personal representatives, successors and assigns.
IN WITNESS WHEREOF, DB Contractor, intending to be legally bound, has executed this Change Order as of the date below.

DB Contractor:

Skanska-Ames a Joint Venture

By: _____
Name: _____
Title: _____
Dated as of: _____

SECTION VI (Reviewed and recommended agreed by RCTC Project Manager):

By: _____
Name: _____
Title: _____
Dated as of: _____

Comments:

SECTION VII (Agreed by RCTC's Authorized Representative):

IN WITNESS WHEREOF, RCTC, intending to be legally bound, has executed this Change Order as of the date first written above.

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

By: _____
Name: _____
Title: _____
Dated as of: _____

By: _____
Name: _____
Title: _____
Dated as of: _____

COST SUMMARY¹

FIRM	PROJECT TASKS/ROLE	COST
SAJV	Construction and Sign Procurment (County Line VTMS)	\$ 1,700,000.00
TOTAL COSTS²		\$ 1,700,000.00

TASK NUMBER	TASK DESCRIPTION	COST
1	Sign Material (pole and sign structure)	\$ 250,000.00
2	Electrical	\$ 500,000.00
3	Foundation and Civil Work	\$ 500,000.00
4	Maintenance of Traffic	\$ 450,000.00
SUBTOTAL		1,700,000.00
TOTAL COSTS		\$ 1,700,000.00

¹ Commission authorization pertains to total contract award amount. Compensation adjustments between tasks may occur; however, the maximum total compensation authorized may not be exceeded.

² Preliminary Cost Estimate is a Not-To-Exceed value. Cost Negotiations are continuing.

AGENDA ITEM 7J

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Western Riverside County Programs and Projects Committee David Thomas, Toll Project Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Amendment to Agreement with Nossaman LLP for On-Call Strategic Partnership Advisor Services for the Interstate 15/State Route 91 Express Lanes Connector Project

WESTERN RIVERSIDE COUNTY PROGRAMS AND PROJECTS COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to:

- 1) Approve Agreement No. 06-66-028-14, Amendment No. 11 to Agreement No. 06-66-028-00, with Nossaman LLP (Nossaman) for the on-call strategic partnership advisor services to support the Interstate 15/State Route 91 Express Lanes Connector (15/91 ELC), extend the contract term to December 31, 2023, and augment the agreement in the amount of \$1.5 million, plus a contingency amount of \$150,000, for an additional amount of \$1.65 million, and a total amount not to exceed \$16,002,935;
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreement on behalf of the Commission; and
- 3) Authorize the Executive Director or designee to approve the use of the contingency amount as may be required for the project.

BACKGROUND INFORMATION:

In April 2017 Governor Brown signed Senate Bill 132 (SB 132) which appropriated \$427 million to the Riverside County Transportation Efficiency Corridor (RCTEC) for five projects. SB 132 allocated \$180 million to the 15/91 ELC project. The 15/91 ELC project will provide a tolled express lanes connector between the existing 91 Express Lanes and the future 15 Express Lanes to the north of SR-91 (Figure 1: Vicinity Map).

SB 132 also statutorily created a task force to develop recommendations to accelerate project delivery of the RCTEC projects. On June 27, 2017, Governor Brown signed budget trailer bill Assembly Bill 115 (AB 115) through which the Commission received additional project delivery authority to ensure cost-effective and timely delivery of the 15/91 ELC project.

At its October 2017 meeting, the Commission approved an overall procurement strategy for the 15/91 ELC project to secure all the services and construction needed to deliver the project. The

approved strategy consists of a series of contract amendments, as permitted by AB 115, to existing 91 Project and I-15 Express Lanes Project (I-15 ELP) contracts with engineering companies, contractors, toll vendors, legal, and financial advisors.

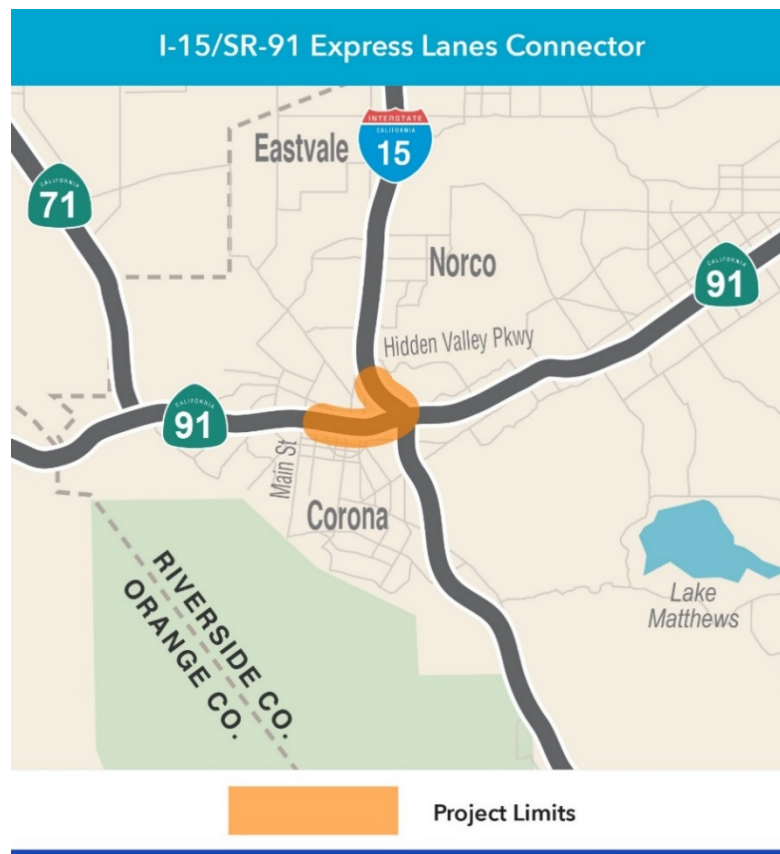


Figure 1: 15/91 Express Lanes Connector Project Vicinity Map

In February 2006, following a competitive procurement process, the Commission approved an agreement with Nossaman for the purpose of providing strategic partnership advisor services for innovative project financing and evaluation of potential toll road corridors in Riverside County, specifically the 91 Project and I-15 ELP.

Nossaman has been integral in supporting the Commission's Toll Program since 2006 including assisting with a myriad of agency agreements and funding applications. Nossaman has also been essential in assisting the project and construction management team in the development and execution of the various design-build procurement documents such as the request for qualifications, risk allocation workshops, design-build contract, contract industry review process, and proposal evaluations, selection, and negotiations for the 91 Project and I-15 ELP.

DISCUSSION:

Between April 2018 and October 2018, the Commission approved one contract amendment and three contract change orders to the I-15 ELP Design-Build (DB) contract to design and construct certain work to accommodate the 15/91 ELC project. In April 2018, staff initiated negotiations with the I-15 ELP DB contractor to amend the I-15 ELP contract to include the 15/91 ELC work; however, in November 2018, staff and the I-15 ELP DB contractor were unable to reach an agreement on a negotiated price for the 15/91 ELC project.

On February 4, 2019, staff issued a letter to the industry announcing the upcoming release of a Request for Qualifications (RFQ) for the 15/91 ELC project. On March 4, 2019, the Commission released the DB RFQ and subsequently shortlisted four DB firms. The Commission issued a draft Request for Proposals (RFP) on May 9, 2019, conducted one-on-one meetings, and issued the final RFP on July 10, 2019.

Nossaman has been supporting all of the 15/91 ELC project efforts stated above utilizing its existing contract budget. An amendment is now being sought in order to complete the procurement phase activities and contract administration phase activities as summarized below:

PROCUREMENT PHASE

- Participate in post-RFP issuance procurement processes, including proposer workshops, one-on-one meetings, alternative technical concept (ATC) review and approval process, review and response to proposer Q&A and document revisions (addenda)
- Lead with drafting of Proposal Evaluation Manual
- Lead with training of the Commission personnel and consultant personnel on Proposal evaluation processes and procedures
- Participate and provide oversight of Proposal evaluation
- Lead with analysis, response and defense to any bid or proposal protests
- Lead negotiations with apparent best value Proposers and DB contract finalization

CONTRACT ADMINISTRATION PHASE

- Develop and administer Contract administration training workshop for the Commission and Project and Construction Management team
- Assist with DB contract interpretation, analysis and administration issues
- Assist with change order, claims management strategy
- Assist with prosecution of any DB contract disputes

Amendment No. 11 with Nossaman in the amount of \$1.5 million plus a contingency amount of \$150,000, for an additional amount of \$1.65 million for strategic partnership advisor services to support the 15/91 ELC project is attached. The agreement also extends the term to December 31, 2023, or the anticipated completion of the 15/91 ELC DB contract. This approach is consistent with the 91 Project and I-15 ELP and provides continuity of legal counsel through the contract administration phase.

The schedule for the completed and next phases of the 15/91 ELC project procurement and contract administration is as follows:

Milestone Activity	Date
Issued letter to the industry	February 4, 2019 Completed
Issued Request For Qualifications	March 4, 2019 Completed
Issued Draft RFP (to shortlisted proposers)	May 9, 2019 Completed
Issued Final RFP (to shortlisted proposers)	July 10, 2019 Completed
Final RFP addendum	October 2019
Proposal due date	November 2019
Selection, negotiation, and staff recommendation	January 2020
Committee and Commission approval of contract award	February/March 2020
Contract Award and Notice to Proceed	Spring 2020
Start of Construction	Fall 2020
Substantial Completion (15/91 ELC Open to Traffic)	End of 2022
Project Completion	Spring 2023
Final Acceptance	Summer 2023

Staff recommends the Committee approve Agreement No. 06-66-028-14, Amendment No. 11 to Agreement No. 06-66-028-00, with Nossaman for the on-call strategic partnership advisor services to support the 15/91 ELC, extend the contract term to December 31, 2023, and augment the agreement in the amount of \$1.5 million, plus a contingency of \$150,000, for an additional amount of \$1.65 million, and a total authorized contract value of \$16,002,935.

Further, staff recommends the Committee authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreement on behalf of the Commission and authorize the Executive Director or designee to approve the use of the contingency amount as may be required for the project.

Financial Information					
In Fiscal Year Budget:	Yes N/A	Year:	FY 2019/20 FY 2020/21+	Amount:	\$1,100,000 \$ 550,000
Source of Funds:	SB 132 State Funds			Budget Adjustment:	No N/A
GLA No.:	003039 65102 00000 0000 605 31 65102				
Fiscal Procedures Approved:	<i>Theresa Iuvino</i>			Date:	08/15/2019

Attachment: Agreement No. 06-66-028-14 with Nossaman LLP

**AMENDMENT NO. 11 TO
AGREEMENT FOR STRATEGIC PARTNERSHIP ADVISOR SERVICES
WITH NOSSAMAN LLP**

1. PARTIES AND DATE

This Amendment No. 11 to the Agreement for Strategic Partnership Advisor Services is made and entered into as of this _____ day of _____, 2019, by and between the RIVERSIDE COUNTY TRANSPORTATION COMMISSION ("Commission") and NOSSAMAN LLP ("Consultant").

2. RECITALS

- 2.1 The Commission and the Consultant have entered into an agreement dated April 10, 2006 for the purpose of providing Strategic Partnership Advisor Services (as amended, the "Master Agreement"). The not to exceed amount of the Master Agreement is set at One Hundred Fifty Thousand Dollars (\$150,000).
- 2.2 The Commission and the Consultant have entered into an Amendment No. 1 to the Master Agreement, dated July 27, 2006, for the purpose of increasing the not to exceed amount of the Master Agreement by Seventy-Five Thousand Dollars (\$75,000).
- 2.3 The Commission and the Consultant have entered into an Amendment No. 2 to the Master Agreement, dated October 26, 2006, for the purpose of reducing the not to exceed amount of the Master Agreement by Fifty Thousand Dollars (\$50,000).
- 2.4 The Commission and the Consultant have entered into an Amendment No. 3 to the Master Agreement, dated April 9, 2007, for the purpose of increasing the not to exceed amount of the Master Agreement by One Hundred Fifty Thousand Dollars (\$150,000).
- 2.5 The Commission and the Consultant have entered into an Amendment No. 4 to the Master Agreement, dated February 8, 2008, for the purpose of incorporating additional services into the Scope of Services of the Master Agreement, modifying the Consultant's hourly billing rates,

extending the term and increasing the total not to exceed amount of the Master Agreement by Two Hundred Fifty Thousand Dollars (\$250,000).

- 2.6 The Commission and the Consultant have entered into an Amendment No. 5 to the Master Agreement, dated July 16, 2008, for the purpose of making consulting services available to the San Bernardino Associated Governments through the Master Agreement.
- 2.7 The Commission and the Consultant have entered into an Amendment No. 6 to the Master Agreement, dated January 27, 2010 and Amended and Restated Amendment No. 6 to the Master Agreement, dated March 10, 2010, for the purpose of increasing the total not to exceed amount of the Master Agreement by Eight Hundred Thousand Dollars (\$800,000) and to modify the Consultant's hourly billing rates.
- 2.8 The Commission and the Consultant have entered into an Amendment No. 7 to the Master Agreement, dated December 21, 2010, for the purpose of increasing the total not to exceed amount of the Master Agreement by Two Million Eighty-Three Thousand Thirty-Five Dollars (\$2,083,035).
- 2.9 The Commission and the Consultant have entered into an Amendment No. 8 to the Master Agreement, dated February 9, 2012, for the purpose of increasing the total not to exceed amount of the Master Agreement by One Million Eight Hundred Seventy-Eight Thousand Nine Hundred Dollars (\$1,878,900), and extending the term (the "Third Extended Term") to end February 9, 2014, unless earlier terminated as provided in the Master Agreement.
- 2.10 By letter dated May 22, 2013 ("Contingency Release Letter"), the Commission authorized the release of Board allocated contingency funds in the sum of Three Hundred Seventy Six Thousand Dollars (\$376,000) to cover Extra Work, as that term is defined in the Master Agreement.
- 2.11 The Commission and the Consultant have entered into an Amendment No. 9 to the Master Agreement, dated August 26, 2013, to identify the Contingency Release letter within the formal amendments to the Master Agreement, increasing the total not to exceed amount of the Master Agreement by Two Million Four Hundred Thousand Dollars (\$2,400,000), and extending the term (the "Fourth Extended Term") to end March 9, 2018, unless earlier terminated as provided in the Master Agreement.

- 2.12 The Commission and the Consultant have entered into an Amendment No. 10 to the Master Agreement, dated July 19, 2016, to amend the Master Agreement, increasing the total not to exceed amount of the Master Agreement by Five Million Seven Hundred Thousand Dollars (\$5,700,000), and extending the term (the "Fifth Extended Term") to end December 31, 2020, unless earlier terminated as provided in the Master Agreement to provide procurement and contract administration services for the I-15 Express Lanes Project.
- 2.13 The parties now desire to amend the Master Agreement in order to extend the term, include additional services, and provide additional compensation for the support of the 15/91 Express Lanes Connector Project ("15/91 ELC").

3. TERMS

- 3.1 The term of the Master Agreement shall be extended for an additional term (the "Sixth Extended Term") beginning on December 31, 2020 and ending on December 31, 2023, unless earlier terminated as provided in the Master Agreement.
- 3.2 The Services, as defined in the Master Agreement, shall be amended to include the services and work required for the 15/91 ELC, as set forth in Exhibit "A" attached to this Amendment No. 11 and incorporated herein by reference.
- 3.3 The maximum compensation for Services performed pursuant to this Amendment No. 11 shall be One Million Five Hundred Thousand Dollars (\$1,500,000), as further set forth in the attached Exhibit "B." Work shall be performed at the rates set forth in the Master Agreement, as previously amended.
- 3.4 The total not-to-exceed amount of the Master Agreement, as previously amended, and as amended by this Amendment No. 11, shall be increased from Thirteen Million Eight Hundred Twelve Thousand Nine Hundred Thirty-Five Dollars (\$13,812,935) to Fifteen Million Three Hundred Twelve Thousand Nine Hundred Thirty-Five Dollars (\$15,312,935).
- 3.5 The recitals set forth above are true and correct and are incorporated into this Amendment No. 11 by reference as though fully set forth herein.
- 3.6 This Amendment No. 11 shall be governed by the laws of the State of California. Venue shall be in Riverside County.

- 3.7 This Amendment No. 11 may be signed in counterparts, each of which shall constitute an original.
- 3.8 Except as amended by this Amendment, all provisions of the Master Agreement, as amended by Amendment No. 1 through No. 10, including without limitation the indemnity and insurance provisions, shall remain in full force and effect and shall govern the actions of the parties under this Amendment.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE TO
AMENDMENT NO. 11 TO
AGREEMENT FOR STRATEGIC PARTNERSHIP ADVISOR SERVICES
WITH NOSSAMAN LLP**

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date first herein above written.

**RIVERSIDE COUNTY
TRANSPORTATION COMMISSION**

NOSSAMAN LLP

By: _____
Anne Mayer, Executive Director

By: _____
Signature

Name

Title

APPROVED AS TO FORM:

By: _____
Best Best & Krieger LLP
Counsel to the Riverside County
Transportation Commission

EXHIBIT "A"

NOSSAMAN SCOPE OF SERVICES

I-15 ELC

In support for the design-build procurement of the I-15 Express Lanes Connector Design-Build Project ("Project"), NOSSAMAN LLP ("Nossaman") will provide the following services:

PROCUREMENT PHASE

- Participate in weekly team calls
- Participation in procurement strategies discussion
- Assistance with agreements and negotiations with Caltrans, FHWA and other agency stakeholders, including the design-build coop agreement, toll facilities agreement
- Lead in drafting of RFQ
- Assist with proposer Q&A re: RFQ and RFQ document revisions (addenda)
- Lead with drafting of RFQ Evaluation Manual
- Assist with training of the Commission personnel and consultant personnel on RFQ evaluation process and procedures
- Participate and provide oversight of RFQ evaluation
- Lead in drafting of RFP (Instructions to Proposers)
- Lead in drafting of Design-Build Contract documents
- Assist in drafting of Toll Services Contract change orders/amendments
- Review and comment on drafts of the Technical Provisions drafted by the PCM
- Coordinate with and among co-consultants, including technical advisor
- Participate in industry review process, including proposer workshops, one on one meetings, proposer Q&A and document revisions
- Participate in post-RFP issuance procurement processes, including proposer workshops, one on one meetings, alternative technical concept (ATC) review and approval process, review and response to proposer Q&A and document revisions (addenda)
- Lead with drafting of RFP Evaluation Manual
- Lead with training of the Commission personnel and consultant personnel on RFP evaluation processes and procedures
- Participate and provide oversight of RFP evaluation
- Lead with analysis, response and defense to any bid or proposal protests
- Lead negotiations with apparent best value Proposers and Design-Build Contract finalization
- Assist with Design-Build Contract award and execution process

Exhibit A

1

- Assistance with preparation of materials for presentations, briefings and other materials to Commission board and committees and senior staff and other stakeholders, as needed
- Assist Commission with any applications under SEP-14 or SEP-15 (as well as other similar, related or new programs authorized under FAST or any future reauthorizations)
- Coordinate with and among co-consultants, including technical advisor and financial advisors
- Other Project-related tasks directed by the Commission to implement the procurement and Project

CONTRACT ADMINISTRATION PHASE

- Develop and administer Contract administration training workshop for the Commission and PCM
- Assist with issuance of notice to proceed(s)
- Participate in regularly scheduled contract administration calls
- Assist with Design-Build Contract interpretation, analysis and administration issues
- Assist with change order, claims management strategy
- Review, analyze and respond to design-build contractor change order requests
- Review, analyze and research the Commission/design-builder change order requests
- Assist in drafting of, review and negotiation of change orders
- Assist with prosecution of any Design-Build Contract disputes
- Coordinate with and among co-consultants, including technical advisor and financial advisors
- Other Project-related tasks directed by the Commission to implement the procurement and Project

PRELIMINARY ASSUMPTIONS

- Budget estimate reflects additional amounts to existing engagement for purposes of amendment and do not include existing budgeted amounts
- ELC RFQ shall be based on prior Nossaman precedent for shortlisting RFQs
- ELC Design-Build Contract and ELC RFP will use SR-91 and ELP design-build documents as precedent and only moderate to medium changes will be required for Project
- Technical provisions will use SR-91 and ELP technical provisions as precedent and only moderate to medium changes will be required for Project
- Procurement period of 12-15 months from issuance of ELC RFQ to award/notice to proceed
- Shortlist following ELC RFQ of no more than 4 proposers

Exhibit A
2

- Suitable PCM and the Commission personnel properly performing their respective scopes of work
- Although part of scope, budget estimate excludes legal fees relating to the following items (budget amendment to contract would be required):
 - SOQ or Proposal protests or other procurement challenges
 - A Best and Final Offer (BAFO)
 - Significant numbers of and/or complex change orders affecting the Project
 - Support regarding disputes/claims going to dispute resolution or litigation
- BB&K will provide services in its role as Commission's general counsel in the same manner as with the SR-91 project and ELP Project
- Insurance issues will be addressed by the Commission or a third party insurance advisor contracted to the Commission or the technical advisor
- Budget estimate is an estimate and not a guaranty or a cap on fees and expenses.
- Rates shall increase annually in the manner consistent with past practice
- Estimates of budget allocations across phases are estimates and shall not be caps on fees and expenses for the respective phases
- Fees and expenses may vary across phases from estimated numbers, but remain subject to the overall budget authorization

EXHIBIT "B"

NOSSAMAN COMPENSATION

COMPENSATION SUMMARY¹

FIRM	PROJECT TASKS/ROLE	COST
Nossaman LLP	Specialized Legal Services	\$ 1,500,000.00
TOTAL COSTS		\$ 1,500,000.00
TASK NUMBER	TASK DESCRIPTION	COST
15/91 Express Lanes Connector: Task 1	Procurement phase for design-build contract	\$ 1,000,000.00
15/91 Express Lanes Connector: Task 2	Contract administration phase for design-build contract	500,000.00
SUBTOTAL		1,500,000.00
TOTAL COSTS		\$ 1,500,000.00

¹ Commission authorization pertains to total contract award amount. Compensation adjustments between tasks may occur; however, the maximum total compensation authorized may not be exceeded.

Exhibit B

AGENDA ITEM 7K

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Western Riverside County Programs and Projects Committee Mark Lancaster, Capital Projects Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Amendment to Agreement with T.Y. Lin International for Final Design Services Related to the Mid County Parkway Interstate 215/Placentia Avenue Interchange Improvement Project

**WESTERN RIVERSIDE COUNTY PROGRAMS AND PROJECTS COMMITTEE AND STAFF
RECOMMENDATION:**

This item is for the Commission to:

- 1) Approve Agreement No. 16-31-066-03, Amendment No. 3 to Agreement No. 16-31-066-00, with T.Y. Lin International (T.Y. Lin) to finish final design services and prepare the Interstate 215/Placentia Avenue interchange improvement (I-215/Placentia Avenue) project for advertising and award, for an additional amount of \$629,416, plus a contingency amount of \$62,942, for an additional amount of \$692,358, and a total amount not to exceed \$4,761,021;
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreements on behalf of the Commission; and
- 3) Authorize the Executive Director or designee to approve the use of the contingency amount as may be required for the project.

BACKGROUND INFORMATION:

The Commission began environmental studies and preliminary engineering on the Mid County Parkway (MCP) project in December 2003.

In April 2015, the Commission certified the final environmental impact report, adopted findings pursuant to the California Environmental Quality Act, adopted a mitigation monitoring and reporting program, adopted a statement of overriding considerations, and approved the MCP project.

At the Commission's direction, staff proceeded with design and right of way acquisition for the I-215/Placentia Avenue project as the first construction contract for the MCP project. The I-215/Placentia Avenue project will construct a new interchange at I-215/Placentia Avenue and six lanes on Placentia Avenue between Harvill Avenue and Indian Avenue, connecting to the

existing two-lane section of Placentia Avenue between Indian Avenue and Perris Boulevard (see Attachment 1 Vicinity Map).

At the November 2016 meeting, the Commission approved an agreement with T.Y. Lin for final design and preparation of the final Plans, Specifications and Estimate (PS&E) package and related construction bid documents for the construction of the I-215/Placentia Avenue project in the amount of \$3,412,700. The table below provides a summary of the initial agreement and subsequent amendments, resulting in a total contract authorization to date of \$4,068,663.

Agreement	Date	Amount
Original Agreement	November 9, 2016	\$ 3,412,700
Amendment No. 1	October 2, 2018	314,663
Amendment No. 2	February 11, 2019	341,300
Total		\$ 4,068,663

The parties now desire to amend Agreement 16-31-066-00 for a third time in order to provide compensation for final design services for the I-215/Placentia Avenue project to complete work that was not anticipated in the original scope of work for the project.

DISCUSSION:

During the design phase, ongoing coordination with Caltrans, Riverside County Transportation Department (RCTD), and Riverside County Flood Control and Water Conservation District (RCFCWCD) identified the following work items that were not included in the original scope of the project, but now are required to be completed by T.Y. Lin:

1. *Updates to the drainage design, including means to convey storm water runoff downstream of I-215 in a manner approved by RCFCWCD, since RCFCWCD will maintain the required detention basins.* This work includes analysis of the RCFCWCD Master Storm Drain Plan for the area upstream and downstream of the project and the design of a temporary storm drain system until a regional flood control facility can be constructed. This work also included revising detention basin plans based on comments from Caltrans and RCFCWCD, attending numerous design and coordination meetings, and preparing drainage reports and exhibits for both Caltrans and RCFCWCD.
2. *Modifying the 95% complete plans based on comments from Caltrans, city of Perris, RCFCWCD and RCTD.* Comment resolution included unanticipated revisions and incorporating new design standards to the structure plans, drainage plans and pavement delineation plans. Other unanticipated issues that required coordination and resolution were providing Caltrans maintenance access roads, as well as Caltrans relinquishment of an existing frontage road on the west side of I-215 to allow utility relocation in the area of the frontage road and finally the evaluation of the Placentia Avenue/Indian Avenue intersection per request by the city of Perris.

3. *Incorporating Commission staff-requested changes to the original stage construction, traffic handling, and detour plans so that the new entrance and exit ramps could be constructed first and used as detour routes during the required full freeway closures, instead of a three mile detour route between the Ramona Expressway and Nuevo Road. This change significantly reduced construction cost and enhances safety for the travelling public and required updates to the Transportation Management Plan.*
4. *Coordination with utility companies, particularly with Eastern Municipal Water District (EMWD), as relocation of a sewer line into the existing frontage road on the west side of I-215 included determination of ownership of the frontage road and subsequent permitting from Caltrans for the relocation work.*
5. *Changes to the Placentia Avenue cross slope, in the vicinity of the Placentia Street Overhead, to provide standard California Public Utility Commission (CPUC) vertical clearance. The structure as originally designed would have required an exception from the CPUC that is rarely granted, and Commission staff determined that the exception could be avoided with a minor revision to the cross slope of the roadway, which provides for standard CPUC clearances. This change required preparation of a Decision Standard Decision Document, and coordination with Caltrans, to obtain approval.*
6. *Preparation of exhibits needed for multiple agreements between the Commission and several agencies, including Caltrans, city of Perris, RCFCWCD, RCTD and the Southern California Regional Rail Authority. Exhibits were also needed for agreements between Caltrans, the Commission, and the city of Perris, including freeway agreements, landscaping and electrical maintenance agreements, and multiple cooperative agreements between the agencies. This includes project exhibits requested by the Commission and Temporary Water Pollution Control exhibits requested by Caltrans.*

Subsequently, staff negotiated the scope of work (including the appropriate level of effort, labor categories/mix, etc.), cost, and schedule proposal received from T.Y. Lin for the additional services and established a fair and reasonable price. The proposed cost is \$629,416.

The completion of design of the project is targeted for November 2019, and construction is scheduled to begin in the late spring of 2020.

Recommendation

Staff recommends approval of Agreement No. 16-31-066-03 with T.Y. Lin to complete these additional scope items for the project, based on the final negotiated scope and cost of \$629,416, plus a contingency amount of \$62,942, for an additional amount of \$692,358, and a total contract authorization not to exceed \$4,761,021. Further, authorization is requested for the Chair or Executive Director to execute the agreement on behalf of the Commission and for the Executive Director or designee to approve the use of the contingency amount as may be required for the project.

Financial Information					
In Fiscal Year Budget:	Yes	Year:	FY 2019/20	Amount:	\$692,358
Source of Funds:	2009 Measure A Western County New Corridors			Budget Adjustment:	No
GL/Project Accounting No.:	002317 81102 00000 0000 261 31 81101				
Fiscal Procedures Approved:	<i>Theresa Trevino</i>			Date:	08/16/2019

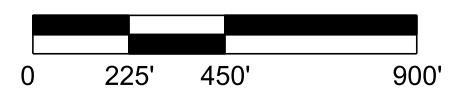
Attachments:

- 1) Vicinity Map-I-215/Placentia Avenue Interchange
- 2) TY Lin Amendment No. 3, Agreement No. 16-31-066-03

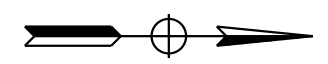


*Mid-County Parkway (shown in blue) is not part of project.

TYLIN INTERNATIONAL



SCALE: 1" = 150'



I-215 / Placentia Ave Interchange

Attachment 1 Vicinity Map

Agreement No. 16-31-066-03

**AMENDMENT NO. 3 TO AGREEMENT
FOR PREPARATION OF PLANS, SPECIFICATION AND ESTIMATES (PS&E)
WITH T.Y. LIN INTERNATIONAL**

1. PARTIES AND DATE

This Amendment No. 3 to the Agreement for preparation of plans, specifications, and estimates services is made and entered into as of _____, 2019, by and between the RIVERSIDE COUNTY TRANSPORTATION COMMISSION ("Commission") and T.Y. LIN INTERNATIONAL ("Consultant"), a California corporation.

2. RECITALS

- 2.1 The Commission and the Consultant have entered into an agreement dated November 9, 2016 for the purpose of providing the preparation of plans, specifications, and estimates (PS&E) for the Interstate 215/Placentia Avenue Interchange Improvements Project (the "Master Agreement").
- 2.2 The Commission and the Consultant have entered into an Amendment No. 1, dated October 2, 2018, for the purpose providing additional compensation for additional PS&E services for the Interstate 215/Placentia Avenue Interchange Improvements Project.
- 2.3 The Commission and the Consultant have entered into an Amendment No. 2, dated February 11, 2019, for the purpose providing additional compensation for additional PS&E services for the Interstate 215/Placentia Avenue Interchange Improvements Project
- 2.4 The parties now desire to amend the Master Agreement in order to provide additional compensation for additional PS&E services for the Interstate 215/Placentia Avenue Interchange Improvements Project.

3. TERMS

- 3.1 The Scope of Services for the Master Agreement shall be amended to include Services, as that term is defined in the Master Agreement, required to provide additional PS&E services, as more fully described in Exhibit "A" attached to this Amendment No. 3 and incorporated herein by reference.

- 3.2 The maximum compensation for Services performed pursuant to this Amendment No. 3 shall be Six Hundred Twenty-Nine Thousand, Four Hundred Sixteen Dollars (\$629,416).
- 3.3 The compensation terms are further set forth in Exhibit "B" attached to this Amendment No. 3 and incorporated herein by reference. Compensation for Services performed under this Amendment No. 3 shall be billed in accordance with the attached Exhibit "B".
- 3.4 The total not-to-exceed amount of the Master Agreement, as amended by this Amendment No. 3, shall be increased from Four Million Sixty-Eight Thousand, Six Hundred Forty Dollars (\$4,068,640) to Four Million Six Hundred and Ninety-Eight Thousand, Fifty-Six Dollars (\$4,698,056).
- 3.5 Except as amended by this Amendment No. 3, all provisions of the Master Agreement, including without limitation the indemnity and insurance provisions, shall remain in full force and effect and shall govern the actions of the parties under this Amendment.
- 3.6 This Amendment No. 3 shall be governed by the laws of the State of California. Venue shall be in Riverside County.
- 3.7 This Amendment No. 3 may be signed in counterparts, each of which shall constitute an original.

[Signatures on following page]

**SIGNATURE PAGE
TO
AGREEMENT NO. 16-31-066-03**

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the date first herein above written.

**RIVERSIDE COUNTY
TRANSPORTATION COMMISSION**

**T.Y. LIN
INTERNATIONAL**

By: _____
Anne Mayer, Executive Director

By: _____
Signature

Name

Title

APPROVED AS TO FORM:

Attest:

By: _____
Best Best & Krieger LLP
Counsel to the Riverside County
Transportation Commission

By: _____
Its: _____

* A corporation requires the signatures of two corporate officers.

One signature shall be that of the chairman of board, the president or any vice president and the second signature (on the attest line) shall be that of the secretary, any assistant secretary, the chief financial officer or any assistant treasurer of such corporation.

If the above persons are not the intended signators, evidence of signature authority shall be provided to the Commission.

**Exhibit “A”
Amendment No. 3
Scope of Services**

[attached behind this page]

SCOPE OF WORK

Preparation of Plans, Specifications and Estimates (PS&E)

For the

**Interstate 215 (I-215) / Placentia Avenue Interchange Improvements
Project**

Amendment #3

June 20, 2019

SECTION 1

DESCRIPTION OF PROJECT

1.1 PROJECT DESCRIPTION

1.1-1 Background

No change from original contract dated November 9, 2016.

1.1-2 Location and Limits

No change from original contract dated November 9, 2016.

1.1-3 Project Description

No change from original contract dated November 9, 2016.

1.2 REASONS FOR CONTRACT AMENDMENT

1.2-1 Finalize 100% Design and Ready-to-List (RTL) Project

Additional effort required to complete the final design and RTL the project.

1.2-2 Construction Support Phase

Additional budget needed for Construction Support, due to additional project scope and to replenish budget used under Amendment #2.

SECTION 2

Not used

SECTION 3

TASK BREAKDOWN OF WORK

3.2 TASK 5 – FINAL PS&E (100 PERCENT) SUBMITTAL

3.5-8 Finalize 100% Design and RTL Project

Additional budget is required to finish final design. This includes various scope adjustments, including:

- A. Updates to the drainage design, based on comments from Riverside County Flood Control and Water Conservation District (RCFC & WCD). Includes design changes to regional facility, attending meetings, and preparing exhibits.
- B. Responding to comments and modifying the 100% plans based on comments from Caltrans, City of Perris, and the County of Riverside. Includes changes to the pavement delineation plans, grading, West Frontage Road ownership and access, maintenance access roads, and guardrail installation. Includes evaluation of different curb ramps at Placentia Avenue/Indian Avenue, and Caltrans Midwest Guardrail Length of Need (LON) calculations and exhibits.
- C. Per RCTC request, changes to the Stage Construction, Traffic Handling, and Detour Plans to use the new ramps as detour routes during full freeway closures. Also requires changes to the Transportation Management Plan (TMP).
- D. Ongoing coordination with utility companies, including but not limited to: Southern California Edison (SCE), Eastern Municipal Water District (EMWD), Southern California Gas (SCG), and Frontier Communications. It is expected that portions of SCE's proposed infrastructure will be installed by the RCTC's construction contractor and depicted on the project plans.
- E. Changes to roadway cross slope, and Placentia Street Overhead, to change the proposed vertical clearance over the railroad. Preparation of a Decision Standard Decision Document (DSDD), and coordination with Caltrans, to obtain approval.
- F. Updates to the RCTC General Provisions, Caltrans Special Provisions, and any non-standard Special Provisions (NSSPs).
- G. Updates to the Final PS&E following the submission of the 100% PS&E to Caltrans, County of Riverside, City of Perris, and RCFC & WCD. Includes additional comment incorporation and adjudication with County of Riverside.
- H. Development, review, and exhibits needed for agreements between RCTC,

Caltrans, City of Perris, County of Riverside, and RCFC & WCD. This includes project strip plot exhibits requested by RCTC, and Temporary Water Pollution Control exhibits requested by Caltrans.

3.5 TASK 7 – CONSTRUCTION SUPPORT PHASE

3.7-3 Shop Drawing and Submittal Review

Additional budget is anticipated to be needed during construction for review of shop drawings and calculations.

3.7-5 Respond to Inquiries/RFIs

Additional budget is anticipated to be needed during construction for RFIs, due to additional project scope.

**Exhibit “B”
Amendment No. 3
Compensation**

[attached behind this page]

EXHIBIT "B"

COMPENSATION SUMMARY¹

FIRM	PROJECT TASKS/ROLE	COST
<i>Prime Consultant:</i>		
TY Lin	Design and PS&E Preparation Services	\$ 619,149.00
<i>Sub Consultants:</i>		
Earth Mechanics	Geotechnical Testing Services	7,224.00
SUBTOTAL		626,373.00
OTHER DIRECT COSTS		3,043.00
TOTAL COSTS		\$ 629,416.00

¹ Commission authorization pertains to total contract award amount. Compensation adjustments between consultants may occur; however, the maximum total compensation authorized may not be exceeded.

AGENDA ITEM 7L

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Budget and Implementation Committee Monica Morales, Management Analyst Lorelle Moe-Luna, Multimodal Services Director
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Fiscal Year 2019/20 State of Good Repair Program Allocations

BUDGET AND IMPLEMENTATION COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to:

- 1) Approve Resolution No. 19-009, *“Resolution of the Riverside County Transportation Commission Approving the FY 2019/20 Project List for the California State of Good Repair Program”*;
- 2) Approve an allocation of \$3,910,756 related to Fiscal Year 2019/20 State of Good Repair (SGR) program funds to eligible Riverside County transit operators;
- 3) Authorize the Executive Director, or designee, to review, approve and submit projects to Caltrans which are consistent with SGR program guidelines and to execute and submit required documents for the SGR program, including the Authorized Agent Form; and
- 4) Authorize the Executive Director, or designee, to approve administrative amendments to the FY 2019/20 Short Range Transit Plans for incorporation of the SGR funds, as necessary.

BACKGROUND INFORMATION:

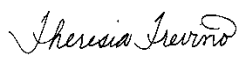
The SGR program was established through SB 1 in April 2017 and is funded from a portion of the new Transportation Improvement Fee on vehicle registrations. SGR provides approximately \$105 million annually to transit operators in California for eligible transit maintenance, rehabilitation, and capital projects. Funds are apportioned similar to the State Transit Assistance (STA) program formula, utilizing two categories for funding. The first category of funds is apportioned by population; these are discretionary and fall under Public Utilities Code (PUC) 99313. The second category of funds is calculated based on transit operator revenues; these are non-discretionary and fall under PUC 99314. Apportionments for both PUC 99313 and 99314 are determined by the State Controller’s Office (SCO). The total estimated amount of SGR funds available to Riverside County for FY 2019/20 is \$3,910,756. Of this amount, \$3,288,705 is apportioned by population under PUC 99313, and will be sub-allocated by the Commission. PUC 99314 provides \$622,051 directly to the transit operators as determined by the SCO.

As the Regional Transportation Planning Agency for Riverside County, the Commission has the following responsibilities:

- Receive and allocate SGR funds to transit operators based on local needs (PUC 99313) and based on formula amounts published by the SCO (PUC 99314);
- Via board resolution, approve the annual list of SGR projects submitted by the public transit operators and ensure funds are expended on SGR-eligible activities;
- Complete an updated authorized agent form; and
- Comply with all relevant federal and state laws, regulations, and policies for funding.

In order to receive funding for FY 2019/20, by September 1, the Commission is required to submit to Caltrans a resolution, which confirms the Commission is an eligible project sponsor and may receive, distribute, concur and approve the list of projects, which are to be funded under the SGR program. Revised SGR funding amounts were released on August 1. Due to the board meeting schedule, Caltrans approved the Commission's request to submit an approved resolution and project list by September 30. Moving forward, staff will incorporate the SGR funding allocations concurrently with the annual Short Range Transit Plan allocation process to ensure that the annual September 1 project and document submittal deadline is met.

Staff recommends approval of Resolution No. 19-009. Attachment 2 of this report represents amounts allocated to each transit operator for project allocation. Sub-allocations for PUC 99313 were based on a population distribution by subregion and a distribution of 78 percent to bus and 22 percent to rail in Western County. Staff reviewed the current distribution methodology and recommends a formal policy be adopted before the FY 2020/21 SGR funds are sub-allocated. It is important to note that the funding allocation is an estimate provided by the SCO. Actual funds received are based on the Transportation Improvement Fee collected on vehicle registrations.

Financial Information					
In Fiscal Year Budget:	Yes	Year:	FY 2019/2020	Amount:	\$ 3,910,756
Source of Funds:	SB1 State of Good Repair			Budget Adjustment:	No
GL/Project Accounting No.:	00222X 401 4230X 0000 242 62 4230X (SGR revenues by various geographic area/project numbers)				
Fiscal Procedures Approved:				Date:	08/19/2019

Attachments:

- 1) Resolution No 19-009
- 2) SGR FY 2019/20 Allocations by Operator

RESOLUTION NO. 19-009
RESOLUTION OF THE
RIVERSIDE COUNTY TRANSPORTATION COMMISSION
APPROVING THE FY 2019-20 PROJECT LIST
FOR THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act 2017, established the State of Good Repair (SGR) program to fund eligible transit maintenance, rehabilitation and capital project activities that maintain the public transit system in a state of good repair; and

WHEREAS, the Riverside County Transportation Commission is an eligible project sponsor and may receive and distribute State Transit Assistance – SGR funds to eligible project sponsors (local agencies) for eligible transit capital projects;

WHEREAS, the Riverside County Transportation Commission distributes SGR funds to eligible project sponsors (local agencies) under its regional jurisdiction; and

WHEREAS, the Riverside County Transportation Commission concurs with and approves the attached project list for the SGR Program funds; and

NOW, THEREFORE, BE IT RESOLVED, that the Riverside County Transportation Commission hereby approves the SB 1 SGR Project List for FY 2019-20; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Riverside County Transportation Commission that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all SGR funded transit capital projects.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to submit a request for Scheduled Allocation of the SB 1 SGR funds and to execute the related grant applications, forms and agreements, including the Authorized Agent Form.

APPROVED AND ADOPTED this 11th day of September, 2019.

Chuck Washington, Chair
Riverside County Transportation Commission

ATTEST:

Lisa Mobley, Clerk of the Board
Riverside County Transportation Commission

FY 2019/20 State of Good Repair (SGR) Funding Allocation

State Controller's Office

[Transmittal Letter of August 1, 2019 \(Estimate\)](#)

Western Riverside*		Coachella Valley		Palo Verde Valley	Total
Bus	Rail	Bus	Rail		

PUC 99313 Discretionary	2,042,355	576,049	634,736	0	35,565	3,288,705
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City of Banning	37,375
City of Beaumont	49,221
City of Corona	96,808
City of Riverside	96,399
Riverside Transit Agency	1,762,552

PUC 99314 Non-Discretionary	201,425	274,776	144,460	0	1,390	622,051
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City of Banning	2,503
City of Beaumont	2,778
City of Corona	4,322
City of Riverside	5,140
Riverside Transit Agency	186,682

Total FY 19/20 SGR Funding	2,243,780	850,825	779,196	0	36,955	3,910,756
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Population Source: [California Department of Finance, Demographic Research Unit \(1/1/17\) \(Commission 1/9/19\)](#)

Area	Population	%
Western Riverside	1,898,719	79.62%
Coachella Valley	460,275	19.30%
Palo Verde Valley	25,790	1.08%
Total	2,384,784	100.00%

* For Western Riverside: Bus Services (78%), Rail Services (22%)

Rev. 8/7/19
Rev. 8/30/19
Commission Item

FY2019/2020 SGR PROPOSE PROJECT LISTING				
Agency	PUC 99313	PUC 99314	Total SGR Allocation	Proposed Project Description
City of Banning	37,375	2,503	\$39,878	Existing Fleet Preventative Maintenance
City of Beaumont	49,221	2,778	\$51,999	Bus Stop Rehabilitation
City of Corona	50,000	0	\$50,000	Vehicle Maintenance Oversight Project
City of Corona	46,808	4,322	\$51,130	On-going Bus Stop Improvements
City of Riverside	96,399	5,140	\$101,539	Video Servers
Palo Verde Valley Transit Agency	35,565	1,390	\$36,955	Maintenance Update and Improvement Project
RCTC	462,049	274,776	\$736,825	Elevator modernization
RCTC	114,000	0	\$114,000	Lighting efficiency
Riverside Transit Agency	1,762,552	186,682	\$1,949,234	Facility, Maintenance and Revenue/Support Vehicle Replacements, Enhancements and Upgrades
SunLine	0	100,000	\$100,000	Upgrade Division I Fence
SunLine	634,736	44,460	\$679,196	West Coast Center of Excellence Maintenance Facility Phase II
Grand Totals	3,288,705	622,051	\$3,910,756	

AGENDA ITEM 8

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Bryce Johnston, Capital Projects Manager Marlin Feenstra, Project Delivery Director
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	State Route 60 Truck Lanes Project Update

STAFF RECOMMENDATION:

This item is for the Commission to receive an oral report on the State Route 60 Truck Lanes project.

BACKGROUND INFORMATION:

Staff will present information regarding the current status of the project, which is currently under construction.

AGENDA ITEM 9

<i>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</i>	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Western Riverside County Programs and Projects Committee Stephanie Blanco, Capital Projects Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Cooperative Agreement with the California Department of Transportation, District 8 for Project Initiation Document Phase for the Riverside County Next Generation Express Lanes Project

WESTERN RIVERSIDE COUNTY PROGRAMS AND PROJECTS COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to:

- 1) Approve Agreement No. 20-31-006-00, a cooperative agreement between the Commission and the California Department of Transportation, District 8 (Caltrans) for the Riverside County Next Generation Express Lanes Project (NGELP), in an amount not to exceed \$300,000; and
- 2) Authorize the Chair or Executive Director, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

BACKGROUND INFORMATION:

The NGELP will analyze and develop a Project Initiation Document (PID) for the following three corridors in Riverside County (Figure 1):

1. 91 Downtown Riverside: SR-91 from I-15 to SR-91/I-215/SR-60 interchange
2. 60 Jurupa-Riverside: SR-60 from I-15 to SR-91/I-215/SR-60 interchange
3. 60/215 Riverside-Moreno Valley: I-215/SR-60 from SR-91/I-215/SR-60 interchange to SR-60/Gilman Springs Road interchange and to I-215/Van Buren Boulevard interchange

The purpose of this project is to:

- Define the purpose and need for the project;
- Identify feasible alternatives for the next phase;
- Collect and analyze existing information;
- Identify stakeholders for development of the project;
- Scope proposed studies and activities for project development;
- Estimate the project cost and schedule; and

- Approve the PID to program the projects and proceed to the next phase of project development.

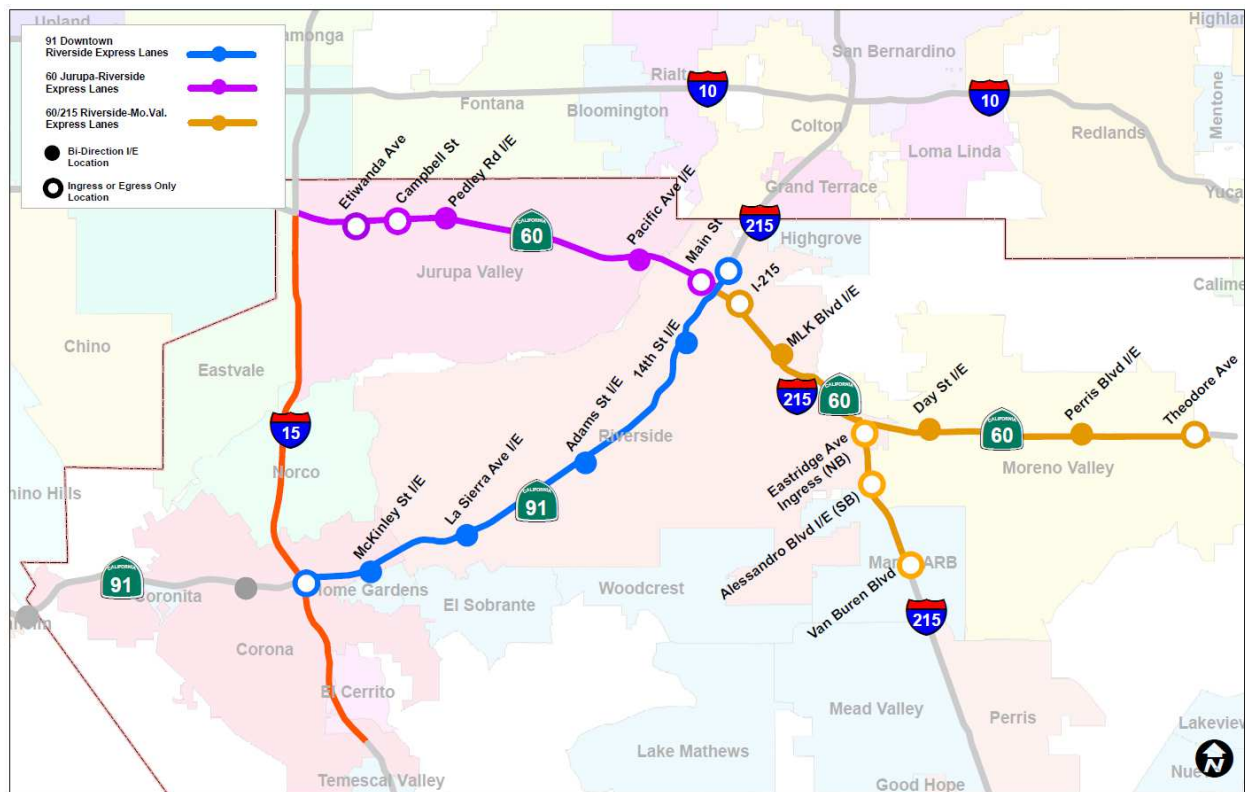


Figure 1: Project Location Map

At its January 2019 workshop, the Commission authorized staff to complete the PID phase for the 91 Downtown Riverside Express Lanes; 60 Jurupa-Riverside Express Lanes; and 60/215 Riverside-Moreno Valley Express Lanes. Services for the PID phase will be funded with State Transportation Improvement Program-Planning, Programming, and Monitoring (STIP-PPM) and Local Transportation Fund (LTF) funding.

On July 10, 2019 the Commission awarded a contract to WSP USA Inc. to conduct preliminary engineering and environmental studies to support the preparation of a PID for the NGELP. The PID phase is anticipated to begin in August 2019 with a kick-off meeting with Caltrans.

In response to Commissioners' input, staff modified the PID NGELP contract to evaluate the following:

- 1) For the 91 Downtown Riverside Express Lanes Corridor, an alternative to construct 2 express lanes in each direction by converting 1 existing High Occupancy Vehicle (HOV) lane to 1 express lane and add a new express lane; and

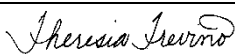
- 2) For all the corridors, an alternative for an HOV lane to general purpose lane conversion.

Cooperative Agreement with Caltrans

To proceed with the PID phase of the NGELP, the Commission must enter into a cooperative agreement with Caltrans (Attachment 1), the owner and operator of the State Highway System. Execution of the agreement provides Caltrans with a funding source for staff efforts for review and approval of the NGELP PID document. The following are some key provisions of this cooperative agreement:

- The Commission, as the project sponsor and implementing agency, shall be responsible for establishing the project scope; securing funding for the PID work; and managing the scope, cost, schedule, and quality of the PID work activities;
- Caltrans shall perform quality management of the PID work to ensure compliance with applicable standards and regulations and will issue/obtain the necessary approvals for work within the existing and proposed State Highway System right of way;
- The Commission, will develop and provide a Quality Management Plan (QMP) that describes the Commission's quality policy, how it will be used, and how disputes will be resolved at the team level. Caltrans will review and approve the QMP;
- The Commission is responsible to fund the cost of the work in accordance with the agreement, which totals \$300,000. The Caltrans engineering and environmental support costs for review of the PID project only include direct costs. No indirect or overhead costs will be applied for the review of the PID document; and
- Caltrans will review and approve the PID as required by California Government Code, Section 65086.5 allowing for 60 days of review for the draft PID and 30 days of review for the revised and final PID.

Staff seeks Commission approval of the cooperative agreement and authorization for the Chair or Executive Director to execute the agreement on behalf of the Commission.

Financial Information					
In Fiscal Year Budget:	Yes N/A	Year:	FY 2019/20 FY 2020/21	Amount:	\$ 250,000 \$ 50,000
Source of Funds:	STIP-PPM and LTF funds			Budget Adjustment:	No N/A
GL/Project Accounting No.:	003047 81602 00000 0000 262 31 81601 - \$100,000 003048 81602 00000 0000 262 31 81601 - \$100,000 003049 81602 00000 0000 262 31 81601 - \$100,000				
Fiscal Procedures Approved:				Date:	08/14/2019

Attachment: Draft Agreement No. 20-31-006-00

COOPERATIVE AGREEMENT COVER SHEET

Work Description

A STUDY OF MANAGED LANE ALTERNATIVES ON THREE CORRIDORS; SR-91 DOWNTOWN RIVERSIDE, SR-60 JURUPA-RIVERSIDE AND SR-60/I-215 RIVERSIDE-MORENO VALLEY.

Contact Information

CALTRANS

Raghuram Radhakrishnan, Project Manager
464 West 4th Street, 6th Floor (MS-1229)
San Bernardino, CA 92401-1400
Office Phone: (909) 383-6288
Mobile Phone:
Fax Number: (909) 383-6938
Email: raghuram.radhakrishnan@dot.ca.gov

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

Stephanie Blanco, Capital Projects Manager
4080 Lemon Street, Third Floor
Riverside, CA 92501
Office Phone: 951-787-4019
Email: SBlanco@RCTC.org

COOPERATIVE AGREEMENT DRAFT

This AGREEMENT, effective on _____ between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

Riverside County Transportation Commission, a public corporation/entity, referred to hereinafter as COMMISSION.

An individual signatory agency in this AGREEMENT is referred to as a PARTY. Collectively, the signatory agencies in this AGREEMENT are referred to as PARTIES.

RECITALS

1. PARTIES are authorized to enter into a cooperative agreement for improvements to the State Highway System per California Streets and Highways Code, Sections 114 and 130 and California Government Code, Section 65086.5.
2. For the purpose of this AGREEMENT, *A study of managed lane alternatives on three corridors: SR-91 Downtown Riverside, SR-60 Jurupa-Riverside, corridors and SR-60/I-215 Riverside-Moreno Valley*, will be referred to hereinafter as PROJECT. COMMISSION desires that a Project Initiation Document (PID) be developed for the PROJECT. The Project Initiation Document will be a Project Study Report - Project Development Support (PSR-PDS).
3. All obligations and responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENT will be referred to hereinafter as WORK:
 - PROJECT INITIATION DOCUMENT (PID)

Each PROJECT COMPONENT is defined in the CALTRANS Workplan Standards Guide as a distinct group of activities/products in the project planning and development process.

4. The term AGREEMENT, as used herein, includes this document and any attachments, exhibits, and amendments.

This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between the PARTIES regarding the PROJECT.

PARTIES intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the WORK. The requirements of this AGREEMENT will preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.

Except as otherwise provided in the AGREEMENT, PARTIES will execute a written amendment if there are any changes to the terms of this AGREEMENT.

AGREEMENT will terminate 180 days after PID is signed by PARTIES or as mutually agreed by PARTIES in writing. However, all indemnification articles will remain in effect until terminated or modified in writing by mutual agreement.

5. No PROJECT deliverables have been completed prior to this AGREEMENT.
6. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.
7. PARTIES hereby set forth the terms, covenants, and conditions of this AGREEMENT.

RESPONSIBILITIES

Sponsorship

8. A SPONSOR is responsible for establishing the scope of the PROJECT and securing the financial resources to fund the WORK. A SPONSOR is responsible for securing additional funds when necessary or implementing PROJECT changes to ensure the WORK can be completed with the funds obligated in this AGREEMENT.

PROJECT changes, as described in the CALTRANS Project Development Procedures Manual, will be approved by CALTRANS as the owner/operator of the State Highway System.

9. COMMISSION is the SPONSOR for the WORK in this AGREEMENT.

Implementing Agency

10. The IMPLEMENTING AGENCY is the PARTY responsible for managing the scope, cost, schedule, and quality of the work activities and products of a PROJECT COMPONENT.
 - COMMISSION is the Project Initiation Document (PID) IMPLEMENTING AGENCY.

The PID identifies the PROJECT need and purpose, stakeholder input, project alternatives, anticipated right-of-way requirements, preliminary environmental analysis, initial cost estimates, and potential funding sources.

11. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will provide a Quality Management Plan (QMP) for the WORK in that component. The QMP describes the IMPLEMENTING AGENCY's quality policy and how it will be used. The QMP will include a process for resolving disputes between the PARTIES at the team level. The QMP is subject to CALTRANS review and approval.
12. Any PARTY responsible for completing WORK will make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT work that may occur under separate agreements.

Funding

13. COMMISSION is the only PARTY obligating funds in this AGREEMENT and will fund the cost of the WORK in accordance with this AGREEMENT.

If, in the future, CALTRANS is allocated state funds and Personnel Years (PYs) for PID review or development of this PROJECT, PARTIES will agree to amend this AGREEMENT to change the reimbursement arrangement for PID review.

14. Funding sources, PARTIES committing funds, funding amounts, and invoicing/payment details are documented in the Funding Summary section of this AGREEMENT.

PARTIES will amend this AGREEMENT by updating and replacing the Funding Summary, in its entirety, each time the funding details change. Funding Summary replacements will be executed by a legally authorized representative of the respective PARTIES. The most current fully executed Funding Summary supersedes any previous Funding Summary created for this AGREEMENT.

15. PARTIES will not be reimbursed for costs beyond the funds obligated in this AGREEMENT.

16. Unless otherwise documented in the Funding Summary, overall liability for project costs within a PROJECT COMPONENT will be in proportion to the amount contributed to that PROJECT COMPONENT by each fund type.
17. Unless otherwise documented in the Funding Summary, any savings recognized within a PROJECT COMPONENT will be credited or reimbursed, when allowed by policy or law, in proportion to the amount contributed to that PROJECT COMPONENT by each fund type.
18. WORK costs, except those that are specifically excluded in this AGREEMENT, are to be paid from the funds obligated in the Funding Summary. Costs that are specifically excluded from the funds obligated in this AGREEMENT are to be paid by the PARTY incurring the costs from funds that are independent of this AGREEMENT.

CALTRANS' Quality Management

19. CALTRANS, as the owner/operator of the State Highway System (SHS), will perform quality management work including Quality Management Assessment (QMA) and owner/operator approvals for the portions of WORK within the existing and proposed SHS right-of-way.
20. CALTRANS' Quality Management Assessment (QMA) efforts are to ensure that COMMISSION's quality assurance results in WORK that is in accordance with the applicable standards and the PROJECT's quality management plan (QMP). QMA does not include any efforts necessary to develop or deliver WORK or any validation by verifying or rechecking WORK.

When CALTRANS performs QMA, it does so for its own benefit. No one can assign liability to CALTRANS due to its QMA.

21. CALTRANS, as the owner/operator of the State Highway System, will approve WORK products in accordance with CALTRANS policies and guidance and as indicated in this AGREEMENT.
22. COMMISSION will provide WORK-related products and supporting documentation upon CALTRANS' request for the purpose of CALTRANS' quality management work.

Project Initiation Document (PID)

23. As the PID IMPLEMENTING AGENCY, COMMISSION is responsible for all PID WORK except those activities and responsibilities that are assigned to another PARTY in this AGREEMENT and those activities that may be specifically excluded.

24. Should COMMISSION request CALTRANS to perform any portion of PID preparation work, except as otherwise set forth in this in this AGREEMENT, COMMISSION agrees to reimburse CALTRANS for such work and PARTIES will amend this AGREEMENT.
25. CALTRANS will be responsible for completing the following PID activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)	AGREEMENT Funded Cost
100.05.10.xx Quality Management	Yes
150.05.05.xx Review of Existing Reports, Data, Studies, and Mapping	Yes
150.25.20 PID Circulation, Review, and Approval	Yes

26. CALTRANS will provide relevant existing proprietary information and maps related to:

- Geologic and Geotechnical information
- Utility information
- Environmental constraints
- Traffic modeling/forecasts
- Topographic and Boundary surveys
- As-built centerline and existing right-of-way

Due to the potential for data loss or errors, CALTRANS will not convert the format of existing proprietary information or maps.

27. When required, CALTRANS will perform pre-consultation with appropriate resource agencies in order to reach consensus on need and purpose, avoidance alternatives, and feasible alternatives.
28. CALTRANS will actively participate in the Project Delivery Team meetings.
29. The PID will be signed on behalf of COMMISSION by a Civil Engineer registered in the State of California.
30. CALTRANS will review and approve the Project Initiation Document (PID) as required by California Government Code, Section 65086.5.

CALTRANS will complete a review of the draft PID and provide its comments to COMMISSION within 60 calendar days from the date CALTRANS received the draft PID from COMMISSION. COMMISSION will address the comments provided by CALTRANS. If any interim reviews are requested of CALTRANS by COMMISSION, CALTRANS will complete those reviews within 30 calendar days from the date CALTRANS received the draft PID from COMMISSION.

After COMMISSION revises the PID to address all of CALTRANS' comments and submits the revised draft PID and all related attachments and appendices, CALTRANS will complete its review and final determination of the revised draft PID within 30 calendar days from the date CALTRANS received the revised draft PID from COMMISSION. Should CALTRANS require supporting data necessary to defend facts or claims cited in the revised draft PID, COMMISSION will provide all available supporting data in a reasonable time so that CALTRANS may conclude its review. The 30 day CALTRANS review period will be stalled during that time and will continue to run after COMMISSION provides the required data.

No liability will be assigned to CALTRANS, its officers and employees by COMMISSION under the terms of this AGREEMENT or by third parties by reason of CALTRANS' review and approval of the PID.

Additional Provisions

Standards

31. PARTIES will perform all WORK in accordance with federal and California laws, regulations, and standards; Federal Highway Administration (FHWA) standards; and CALTRANS standards. CALTRANS standards include, but are not limited to, the guidance provided in the:
- CADD Users Manual
 - CALTRANS policies and directives
 - Plans Preparation Manual
 - Project Development Procedures Manual (PDPM)
 - Workplan Standards Guide

Noncompliant Work

32. CALTRANS retains the right to reject noncompliant WORK. COMMISSION agrees to suspend WORK upon request by CALTRANS for the purpose of protecting public safety, preserving property rights, and ensuring that all WORK is in the best interest of the State Highway System.

Qualifications

33. Each PARTY will ensure that personnel participating in WORK are appropriately qualified or licensed to perform the tasks assigned to them.

Consultant Selection

34. COMMISSION will invite CALTRANS to participate in the selection of any consultants that participate in the WORK.

Encroachment Permits

35. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within State Highway System (SHS) right-of-way. COMMISSION, their contractors, consultants, agents and utility owners will not work within the SHS right-of-way without an encroachment permit issued in their name. CALTRANS will provide encroachment permits to COMMISSION, their contractors, consultants, and agents at no cost. CALTRANS will provide encroachment permits to utility owners at no cost. If the encroachment permit and this AGREEMENT conflict, the requirements of this AGREEMENT will prevail.

36. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the WORK.

Protected Resources

37. If any PARTY discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTY will notify all PARTIES within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and CALTRANS approves a plan for its removal or protection.

Disclosures

38. PARTIES will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the WORK in confidence to the extent permitted by law and where applicable, the provisions of California Government Code, Section 6254.S(e) will protect the confidentiality of such documents in the event that said documents are shared between PARTIES.

PARTIES will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the WORK without the written consent of the PARTY authorized to release them, unless required or authorized to do so by law.

39. If a PARTY receives a public records request pertaining to the WORK, that PARTY will notify PARTIES within five (5) working days of receipt and make PARTIES aware of any disclosed public records.

Hazardous Materials

40. If any hazardous materials, pursuant to Health and Safety Code 25260(d), are found within the PROJECT limits, the discovering PARTY will notify all other PARTIES within twenty-four (24) hours of discovery.
41. PARTIES agree to consider alternatives to PROJECT scope and/or alignment, to the extent practicable, in an effort to avoid any known hazardous materials within the proposed PROJECT limits.
42. If hazardous materials are discovered within PROJECT limits, but outside of State Highway System right-of-way, it is the responsibility of COMMISSION in concert with the local agency having land use jurisdiction over the property, and the property owner, to remedy before CALTRANS will acquire or accept title to such property.

Claims

43. Any PARTY that is responsible for completing WORK may accept, reject, compromise, settle, or litigate claims arising from the WORK without concurrence from the other PARTY.
44. PARTIES will confer on any claim that may affect the WORK or PARTIES' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTY will prejudice the rights of another PARTY until after PARTIES confer on the claim.
45. If the WORK expends state or federal funds, each PARTY will comply with the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTIES will ensure that any for-profit consultant hired to participate in the WORK will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the WORK these principles and requirements apply to all funding types included in this AGREEMENT.

Accounting and Audits

46. PARTIES will maintain, and will ensure that any consultant hired by PARTIES to participate in WORK will maintain, a financial management system that conforms to Generally Accepted Accounting Principles (GAAP), and that can properly accumulate and segregate incurred PROJECT costs and billings.
47. PARTIES will maintain and make available to each other all WORK-related documents, including financial data, during the term of this AGREEMENT.

PARTIES will retain all WORK-related records for three (3) years after the final voucher.

PARTIES will require that any consultants hired to participate in the WORK will comply with this Article.

48. PARTIES have the right to audit each other in accordance with generally accepted governmental audit standards.

CALTRANS, the State Auditor, FHWA (if the PROJECT utilizes federal funds), and COMMISSION will have access to all WORK-related records of each PARTY, and any consultant hired by a PARTY to participate in WORK, for audit, examination, excerpt, or transcription.

The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation. The auditing PARTY will be permitted to make copies of any WORK-related records needed for the audit.

The audited PARTY will review the draft audit, findings, and recommendations, and provide written comments within thirty (30) calendar days of receipt.

Upon completion of the final audit, PARTIES have forty-five (45) calendar days to refund or invoice as necessary in order to satisfy the obligation of the audit.

Any audit dispute not resolved by PARTIES is subject to mediation. Mediation will follow the process described in the General Conditions section of this AGREEMENT.

49. If the WORK expends state or federal funds, each PARTY will undergo an annual audit in accordance with the Single Audit Act in the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as defined in 2 CFR, Part 200.
50. When a PARTY reimburses a consultant for WORK with state or federal funds, the procurement of the consultant and the consultant overhead costs will be in accordance with the Local Assistance Procedures Manual, Chapter 10.

Interruption of Work

51. If WORK stops for any reason, IMPLEMENTING AGENCY will place the PROJECT right-of-way in a safe and operable condition acceptable to CALTRANS.

Penalties. Judgements and Settlements

52. The cost of awards, judgements, or settlements generated by the WORK are to be paid from the funds obligated in this AGREEMENT.
53. Any PARTY whose action or lack of action causes the levy of fines, interest, or penalties will indemnify and hold all other PARTIES harmless per the terms of this AGREEMENT.

GENERAL CONDITIONS

Venue

54. PARTIES understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTY initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in_ the Superior Court.of the county in which the PROJECT is physically located.

Exemptions

55. All CALTRANS' obligations under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, programming and allocation of funds by the California Transportation Commission (CTC).

Indemnification

56. Neither CALTRANS nor any of their officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by COMMISSION, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon COMMISSION under this AGREEMENT. It is understood and agreed that COMMISSION, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by COMMISSION, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
57. Neither COMMISSION nor any of their officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless COMMISSION and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

Non-parties

58. PARTIES do not intend this AGREEMENT to create a third party beneficiary or define duties, obligations, or rights for entities not signatory to this AGREEMENT. PARTIES do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling the WORK different from the standards imposed by law.
59. PARTIES will not assign or attempt to assign obligations to entities not signatory to this AGREEMENT without an amendment to this AGREEMENT.

Ambiguity and Performance

60. COMMISSION will not interpret any ambiguity contained in this AGREEMENT against CALTRANS. COMMISSION waives the provisions of California Civil Code, Section 1654.

A waiver of a PARTY's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.

61. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

Defaults

62. If any PARTY defaults in its performance of the WORK, a non-defaulting PARTY will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTY fails to do so, the non-defaulting PARTY may initiate dispute resolution.

Dispute Resolution

63. PARTIES will first attempt to resolve AGREEMENT disputes at the PROJECT team level as described in the Quality Management Plan. If they cannot resolve the dispute themselves, the CALTRANS District Director and the Executive Officer of COMMISSION will attempt to negotiate a resolution. If PARTIES do not reach a resolution, PARTIES' legal counsel will initiate mediation. PARTIES agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTIES from full and timely performance of the WORK in accordance with the terms of this AGREEMENT. However, if any PARTY stops fulfilling its obligations, any other PARTY may seek equitable relief to ensure that the WORK continues.

Except for equitable relief, no PARTY may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

PARTIES will file any civil complaints in the Superior Court of the county in which the CALTRANS District Office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located.

64. PARTIES maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

Prevailing Wage

65. When WORK falls within the Labor Code§ 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code§ 1771, PARTIES will conform to the provisions of Labor Code§§ 1720-1815, and all applicable provisions of California Code of Regulations, Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTIES will include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts.

Work performed by a PARTY's own employees is exempt from the Labor Code's Prevailing Wage requirements.

If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTIES will conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. §§ 3141-3148.

When applicable, PARTIES will include federal prevailing wage requirements in contracts for public works. WORK performed by a PARTY's employees is exempt from federal prevailing wage requirements.

SIGNATURES

PARTIES are empowered by California Streets and Highways Code to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT.

Signatories may execute this AGREEMENT through individual signature pages provided that each signature is an original. This AGREEMENT is not fully executed until all original signatures are attached.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Michael D. Beauchamp
District Director

VERIFICATION OF FUNDS AND AUTHORITY:

Mary Risaliti
District Budget Manager

CERTIFIED AS TO FINANCIAL TERMS AND POLICIES:

Darwin Salmos
HQ Accounting Supervisor

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

Anne Mayer
Executive Director

Approved as to form and procedure:

Best, Best And Krieger
Legal Counsel

FUNDING SUMMARY NO. 01

FUNDING TABLE			
Source	Party	Fund Type	PID
			Totals
LOCAL	COMMISSION	Local	300,000
Totals			300,000

SPENDING SUMMARY			
Fund Type	PID		Totals
	CALTRANS	COMMISSION	
Local	300,000	0	300,000
Totals	300,000	0	300,000

Funding

1. Per the State Budget Act of 2012, Chapter 603, amending item 2660-001-0042 of Section 2.00, the cost of any engineering support performed by CALTRANS towards any local government agency-sponsored PID project will only include direct costs. Indirect or overhead costs will not be applied during the development of the PID document.

Invoicing and Payment

2. PARTIES will invoice for funds where the SPENDING SUMMARY shows that one PARTY provides funds for use by another PARTY. PARTIES will pay invoices within forty-five (45) calendar days of receipt of invoice when not paying with Electronic Funds Transfer (EFT). When paying with EFT, COMMISSION will pay invoices within five (5) calendar days of receipt of invoice.
3. If COMMISSION has received EFT certification from CALTRANS then COMMISSION will use the EFT mechanism and follow all EFT procedures to pay all invoices issued from CALTRANS.
4. When a PARTY is reimbursed for actual cost, invoices will be submitted each month for the prior month's expenditures. After all PROJECT COMPONENT WORK is complete, PARTIES will submit a final accounting of all PROJECT COMPONENT costs. Based on the final accounting, PARTIES will invoice or refund as necessary to satisfy the financial commitments of this AGREEMENT.

Project Initiation Document (PID)

5. CALTRANS will invoice and COMMISSION will reimburse for actual costs incurred and paid.

SCOPE SUMMARY

WORK ELEMENT	CALTRANS	COMMISSION	N/A
0.100.05.05.xx - Quality Management Plan		X	
0.100.05.05.xx - Risk Management Plan		X	
0.100.05.05.xx - Communication Plan		X	
0.100.05.10.xx - Cooperative Agreement for PA&ED Phase	X		
0.100.05.10.xx - Independent Quality Assurance (IQA)	X		
0.100.05.10.xx - Project Development Team Meetings	X	X	
1.150.05.05 - Review of Existing Reports Studies and Mapping		X	
1.150.05.05.xx - Provision of Existing Reports, Data, Studies, and Mapping	X		
1.150.05.10 - Geological Hazards Review		X	
1.150.05.10.xx - Provision of Existing Geological Information	X		
1.150.05.15 - Utility Search		X	
1.150.05.15.xx - Provision of Existing Utility Information	X		
1.150.05.20 - Environmental Constraints Identification		X	
1.150.05.20.xx - Provision of Environmental Constraints Information	X		
1.150.05.25 - Traffic Forecasts/Modeling		X	
1.150.05.25.xx - Provision of Existing Traffic Forecasts/Modeling Information	X		
1.150.05.30 - Surveys and Maps for PID		X	
1.150.05.30.xx - Provision of Existing Surveys and Mapping	X		
1.150.05.35 – Transportation Problem Definition and Site Assessment		X	
1.150.05.45 - As-Built Centerline and Existing Right of Way		X	
1.150.05.xx - Provision of Existing District Geotechnical Information	X		
1.150.10 – Initial Alternatives Development		X	
1.150.10.05 - Public/Local Agency Input		X	
1.150.10.15 – Concept Alternatives Development		X	
1.150.15 – Alternatives Analysis		X	
1.150.15.05 - Right of Way Data Sheets		X	
1.150.15.10 - Utility Relocation Requirements Assessment		X	
1.150.15.15 - Railroad Involvement Determination		X	
1.150.15.25 - Preliminary Materials Report		X	

WORK ELEMENT	CALTRANS	COMMISSION	N/A
1.150.15.30 – Structures Advance Planning Study (APS)		X	
1.150.15.35 - Multimodal Review		X	
1.150.15.40 - Hydraulic Review		X	
1.150.15.50 - Traffic Studies		X	
1.150.15.55 - Construction Estimates		X	
1.150.15.60 – Preliminary Transportation Management Plan		X	
1.150.20 – Preliminary Environmental Analysis Report (PEAR)		X	
1.150.20.05 - Initial Noise Study		X	
1.150.20.10 - Hazardous Waste Initial Site Assessment		X	
1.150.20.15 - Scenic Resource and Landscape Architecture Review		X	
1.150.20.20 – Initial NEPA/404 Coordination		X	
1.150.20.25 – Initial Biology Study		X	
1.150.20.30 - Initial Records and Literature Search for Cultural Resources		X	
1.150.20.40 - Initial Community Impact Analysis, Land Use, and Growth Studies		X	
1.150.20.45 - Initial Air Quality Study Studies		X	
1.150.20.50 - Initial Water Quality Studies		X	
1.150.20.60 - Preliminary Environmental Analysis Report Preparation		X	
1.150.20.65 - Initial Paleontology Study		X	
1.150.25.05 - Draft PID		X	
1.150.25.10 – Approved Exceptions to Design Standards		X	
1.150.25.20 - PID Circulation, Review, and Approval	X		
1.150.25.25 - Storm Water Data Report		X	
1.150.25.30.05 – Cost Estimate for Alternatives		X	
1.150.25.99 – Other PID Products		X	
1.150.35 - Required Permits During PID Development		X	
1.150.40 - Permit Identification During PID Development		X	
1.150.45 - Base Maps and Plan Sheets for PID		X	

AGENDA ITEM 10

RIVERSIDE COUNTY TRANSPORTATION COMMISSION	
DATE:	September 11, 2019
TO:	Riverside County Transportation Commission
FROM:	Future Funding Initiatives Ad Hoc Committee
SUBJECT:	Transportation Improvement Plan Development Schedule and Process

FUTURE FUNDING INITIATIVES AD HOC COMMITTEE RECOMMENDATION:

This item is for the Commission to:

- 1) Approve disbanding the Future Funding Initiatives Ad Hoc Committee (Ad Hoc Committee) and the formation of a new standing committee singularly focused on developing a Countywide Transportation Improvement & Traffic Relief Plan (Plan) and implementation ordinance (Ordinance);
- 2) Approve the schedule and development process for the Plan and Ordinance;
- 3) Direct staff to develop the Plan and Ordinance in publicly-noticed Brown Act compliant meetings; and
- 4) Authorize the Chair to appoint the members of the new committee in consultation with the First Vice Chair and Second Vice Chair.

BACKGROUND INFORMATION:

On July 10, 2019 the Commission approved the Future Funding Initiatives Ad Hoc Committee's recommendation to authorize staff to develop a Plan and Ordinance for potential presentation to Riverside County voters in November 2020.

The Ad Hoc Committee has discussed and agreed upon recommended next steps to develop a Plan and Ordinance for consideration for final adoption next year. The Ad Hoc Committee's recommendations to the Commission are as follows:

Governance

Recommendation: Disband the Ad Hoc Committee and form a new standing committee singularly focused on developing the Plan and Ordinance. The new committee should consist of Commissioners with diverse viewpoints on the new Plan's contents and the merits of presenting it to the voters. The Chair should solicit interest in serving on the committee from all Commissioners and consult with the First and Second Vice Chairs in making appointments.

DISCUSSION:

Ad hoc committees fulfill a specific role for a finite period. This Future Funding Initiatives Ad Hoc committee was assigned to make recommendations to the Commission on four policy topics by July 2019. The Ad Hoc Committee fulfilled its charge, and consistent with legal counsel advice, the Ad Hoc Committee recommends it be disbanded.

However, developing a Plan and Ordinance is a complex effort that does not fall neatly into the jurisdiction of existing committees of the Commission. Therefore, the Ad Hoc Committee recommends the Chair appoint a new standing committee singularly focused on developing the Plan and Ordinance, in consultation with the First Vice Chair and Second Vice Chair.

The Ad Hoc Committee strongly believes that transparency is a cornerstone of how the Commission should develop the Plan. By creating a new standing committee that falls under the purview of the Brown Act to oversee development of the Plan, the public will have access to the information and thought-process used to construct the draft plan that is ultimately released for public comment in early 2020. The Ad Hoc Committee believes that the process the Commission uses must be held to a high standard.

A significant level of discussion took place during the most recent Ad Hoc Committee meeting and Commissioners noted significant differences of opinion on a number of important policy items. Given the importance of needing a countywide approach on future transportation priorities, a desire was expressed to seek greater involvement among Commissioners in serving on a new Committee. As one Commissioner noted, dissension is an important part of the democratic process and the Committee should be comprised of members with a variety of views. Although consensus might not be reached, everyone needs to be heard.

As a result of that discussion, the Ad Hoc Committee voted to direct the Chair, in consultation with the First and Second Vice Chairs, to appoint a committee that reflects the values of inclusivity and diversity. The Ad Hoc Committee encourages the Chair to solicit interest from all Commissioners in serving on the new committee. Legally, the committee cannot consist of a quorum of the Commission (a quorum is 17 Commissioners).

To adhere to the schedule proposed below, the new committee should convene for the first time at the end of September.

Schedule

Recommendation: Adopt the following high-level milestone schedule for development of the Plan and Ordinance.

Milestone	Committee Review/Recommendation	Commission Review/Approval
Vision, Goals, and Objectives	September	October
Plan Structure and Funding Assumptions	October	November
Project and Program Priorities	November	December
Open Public Comment Period for Draft Plan and begin countywide public education and engagement	N/A	January
Conclude Public Comment Period for Draft Plan (after approx. 60 days)	N/A	March
Review Public Comments Received, Direct Amendments to Draft Plan, Review Draft Ordinance	March	April
Review of Final Public Opinion Research, Adopt Final Plan and Ordinance, Submit Adopted Plan and Ordinance to Board of Supervisors to Set Election	May	June

Discussion

The Ad Hoc Committee endorses a logical “building blocks” approach to developing the Plan and Ordinance. Through the fall of 2019, the new committee and Commission can establish its vision, goals, and objectives from which all other decisions will flow. Policy direction established at the outset of the process will help define details such as how the Plan will be structured and dollars will be allocated to certain projects, programs, and services.

Following an approximately 60 day public comment period as proposed below, the Commission will have the opportunity to reevaluate the Plan, begin drafting an implementation ordinance, and conduct one more round of public opinion research to gauge whether the ultimate Plan should be submitted to voters for consideration.

According to the California Elections Code, the Registrar of Voters must receive a resolution calling for an election from the Board of Supervisors no later than August 6, 2020. The schedule above provides sufficient time for the Commission to conduct a public vetting of the Plan and Ordinance and submit a final product to the Board of Supervisors to meet this deadline.

Independent of whether the Plan and Ordinance are submitted to voters, and whether voters approve them, the Plan will still have utility and benefit to the public and the Commission in the form of a thoroughly-vetted roadmap for the county's future transportation system.

Transparency and Accessibility

Recommendation: Development of the Plan and Ordinance should occur in Brown Act compliant meetings that include opportunities for the public to comment on and witness deliberations and decisions by the Commission. Extensive public engagement will occur regarding the Plan and Ordinance.

Discussion

Riverside County is geographically large, has a diverse population, and contains many constituencies who will be interested in the Plan and Ordinance. The ultimate product of this effort will benefit from input from these constituencies. Therefore, committing to transparency and accessibility from the outset will assist the Commission achieving the best possible Plan.

Examples of recommended measures include, but are not limited to:

- Committee agendas will be posted on the RCTC.org website and other legally required locations at least 72 hours in advance of meetings. All meetings will be conducted in compliance with the Brown Act.
- The Committee will meet in the Board of Supervisors chambers and possibly in eastern Riverside County on occasion so members of the public from throughout the county can listen to the Committee's proceedings and provide comments to the Committee.
- When practical, Committee meetings will be webcast and/or video recorded and the videos will be posted on the RCTC.org website.
- The Clerk of the Board will maintain minutes of Committee meetings, and the minutes will be approved by the Committee and posted on RCTC.org.
- Documents and information relevant to development of the Plan and Ordinance will be posted online.
- The Committee will strive to meet in diverse locations throughout Riverside County.
- Spanish translations will be provided to the greatest extent practical and upon request.
- Meetings will occur in locations that are Americans with Disabilities Act (ADA) compliant, documents posted online will be ADA-friendly, and the Commission will reasonably accommodate individuals with disabilities who wish to participate.
- Committee actions will be forwarded to the full Commission for final action in Brown Act-compliant meetings.
- Opportunities for public input outside of normal business hours will be provided through a variety of means, such as telephone town halls, evening workshops, community event booths, social media posts, and webcasts.