

MOTION NO. M2018-140
Interlocal Cooperation Agreement for Implementation, Operation and Maintenance of the ORCA System

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Operations and Administration Committee	11/1/2018	Recommend to Board	Tracy Butler, CFO Lisa Wolterink, Director, Fares and Grants
Board	11/15/2018	Final Action	Lynn Horton, ORCA Site Manager

PROPOSED ACTION

Authorizes the chief executive officer to execute the Interlocal Cooperation Agreement For Implementation, Operation and Maintenance of the ORCA System.

KEY FEATURES SUMMARY

- The new Interlocal Cooperation Agreement For Implementation, Operation and Maintenance of the ORCA System (ORCA ILA) shall remain in effect unless terminated in accordance with the provisions of the ILA.
- Pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW, the ORCA agencies desire to execute an agreement to jointly exercise their powers to better coordinate their respective services and fare payments systems in order to improve the availability, reliability and convenience of public transportation services within their service areas and throughout the region served by the agencies.
- The purpose of this agreement is to establish the terms under which the ORCA agencies will plan and implement activities necessary to transition from legacy ORCA and will operate the next generation ORCA System. It also paves the way for approval of the vendor contracts that will follow.
- This Agreement increases the oversight of the ORCA Director who is responsible for the centrally managed Regional ORCA Operations Team and provides the Joint Board with the authority to adopt and amend security policies and add new third parties.
- This Agreement, among other things, establishes the framework for the centralized Regional ORCA Operations Team (ROOT) and Regional Service Providers, the respective roles and responsibilities of the agencies, the Systems Integrator (SI) and other ORCA Vendor contractors, the allocation of revenue collected utilizing the ORCA System, and the Agencies' commitments to fund their own and the regionally-shared costs to develop, operate, maintain and update the ORCA System.
- Fare policy remains an agency responsibility.
- The 2009 Amended and Restated Interlocal Cooperation Agreement for Design, Implementation, and Maintenance of the Regional Fare Coordination System will remain in place until termination of the legacy ORCA vendor contract on December 31, 2022. The Legacy ORCA vendor contract allows up to one year of optional extension periods through December 31, 2023.

BACKGROUND

In April 2003 Everett Transit, Community Transit, King County Metro, Kitsap Transit, Pierce Transit, Sound Transit, and Washington State Ferries approved the initial Interlocal Cooperation Agreement For Design, Implementation, Operation And Maintenance of the Regional Fare Coordination System (legacy ILA) to implement a regional non-cash fare collection system. The agencies jointly conducted a procurement process and selected a vendor (Vix) to design, implement, operate and maintain the RFC System. The participating agencies adopted the name “One Regional Card for All” or ORCA to describe this regional fare collection system.

In April 2009 the ORCA agencies amended the legacy ILA prior to the implementation of the ORCA System to reaffirm their commitment to regional cooperation and support of the ORCA System.

Due to both the age of the ORCA System and the upcoming end of the legacy ORCA vendor contract, in 2015 the ORCA agencies developed a strategy and started the planning process for the creation of the replacement system. The planning phase of the program is now complete, and the procurement phase is well underway for multiple contracts within the next generation program. The next generation ORCA Systems Integrator contract with INIT was executed on October 2, 2018. With the original ILA linked to the legacy ORCA vendor, the participating agencies saw a need to establish the new ORCA ILA to update the terms under which the Agencies will plan and implement activities necessary to transition from legacy ORCA and to operate the next generation ORCA System.

In September 2018, the ORCA Joint Board approved the ORCA ILA which will be in effect concurrently with the legacy ILA. The legacy ILA will expire once the Legacy ORCA vendor contract is terminated. In the event of a dispute, the Joint Board will determine which Interlocal Agreement takes precedent.

FISCAL INFORMATION

This action contains no specific budget or financial impact to Sound Transit and continues the financial policies from the previous ORCA ILA. Accordingly, there are no changes to the financial responsibilities to the Agency. This action confirms the commitment of the agency to fund the regionally-shared costs to develop, operate, maintain and update the ORCA System and the responsibility of each member agency of the ILA to fund their own projects.

Sound Transit includes funding for the capital portion of the ORCA system through the Fare Administration and ORCA Next Generation projects which are in the 2018 Adopted Transportation Improvement Plan (TIP) and the 2019 Financial Plan and Proposed Budget . Funding for the operational portion of the ORCA system is in the Finance department budget and is submitted to the Board for adoption via the annual budget development process.

PUBLIC INVOLVEMENT

Not applicable to this action

TIME CONSTRAINTS

A one-month delay would not create a significant impact to the project schedule.

PRIOR BOARD/COMMITTEE ACTIONS

Motion No M2009-16: Authorized the chief executive officer to execute a restated and amended interlocal agreement for the Smart Card project with Community Transit, Everett Transit, Kitsap Transit, King County Metro Transit, Pierce Transit, and Washington State Ferries to update the agreement for the operating phase.

ENVIRONMENTAL REVIEW

KH 10/24/18

LEGAL REVIEW

AJP 10/26/18

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A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute the Interlocal Cooperation Agreement For Implementation, Operation and Maintenance of the ORCA System.

BACKGROUND:

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Pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW, the ORCA agencies desire to execute an agreement to jointly exercise their powers to better coordinate their respective services and fare payments systems in order to improve the availability, reliability and convenience of public transportation services within their service areas and throughout the region served by the agencies. The purpose of this agreement is to establish the terms under which the ORCA agencies will plan and implement activities necessary to transition from legacy ORCA and will operate the next generation ORCA System. It also paves the way for approval of the vendor contracts that will follow.

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place until termination of the legacy ORCA vendor contract on December 31, 2022. The Legacy ORCA vendor contract allows up to one year of optional extension periods through December 31, 2023.

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MOTION:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer to execute the Interlocal Cooperation Agreement For Implementation, Operation and Maintenance of the ORCA System.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 15, 2018.



Dave Somers
Board Chair

ATTEST:



Kathryn Flores
Board Administrator