

access

BOARD OF DIRECTORS MEETING
Monday, December 13, 2021
General Session: 12:00 p.m.
Closed Session: Immediately Following

***Webinar - please see note below**

MISSION STATEMENT

Access Services promotes access to all modes of transportation and provides quality and safe ADA paratransit service on behalf of public transit agencies in Los Angeles County.

| | <u>DISPOSITION</u> |
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| 1. CALL TO ORDER | ACTION |
| 2. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON OCTOBER 18, 2021 (page 8) [Staff Recommendation: Approve minutes as written.] | ACTION [Vote Required: majority of quorum by roll call] |
| 3. REVIEW & APPROVAL OF MINUTES FROM THE SPECIAL BOARD MEETING ON NOVEMBER 15, 2021 (page 19) [Staff Recommendation: Approve minutes as written.] | ACTION [Vote Required: majority of quorum by roll call] |
| 4. REPORT FROM EX-OFFICIO BOARD MEMBERS | INFORMATION |
| 5. GENERAL PUBLIC COMMENT | INFORMATION |
| 6. SUPERIOR SERVICE AWARD | PRESENTATION |

7. **CONSENT CALENDAR**

ACTION
[Vote Required:
majority of quorum by
roll call]

Item reviewed and approved by the Performance Monitoring Committee:

- a) Consideration to Extend Term and Increase Funds - Voice Over Internet Protocol (VOIP) Services Contract (AS-4055) (page 21)
[Staff Recommendation: Authorize an additional \$100,000 in funds and an extension in the period of performance to January 31, 2023.]

Items reviewed and approved by the Planning and Development Committee:

- b) Consideration to Extend Term and Increase Funds - TAP Card Production Memorandum of Understanding) (page 23)
[Staff Recommendation: Authorize an additional \$100,000 for the production and issuance of Access Rider ID/TAP cards for the period of February 1, 2022 - January 31, 2023.]
- c) Consideration to Extend Term and Increase Funds - Audit Services Contract (AS-4045) (page 25)
[Staff Recommendation: Authorize an additional \$85,000 in funds and extend the term for Contract AS-4045 with BPM (formerly Rossi, LLP) from July 1, 2022 through June 30, 2023.]
- d) Consideration to Approve Severance Policy Change (page 27)
[Staff Recommendation: Approve the attached severance/transition policy.]
- e) Consideration to Approve 2022 Board Calendar (page 29)
[Staff Recommendation: Review and approve the proposed Board and Standing Committee Meeting calendar for 2022.]

Items reviewed and approved by the External/Stakeholders Relations Committee:

- f) Consideration to Approve Community Advisory Committee Member Reappointments (page 32)
[Staff Recommendation: Approve the reappointment of the following eight (Group A) members as stated in the Board item.]

Items neither reviewed nor approved by any Committee:

- g) Consideration to Approve Extension of Administrative Office Space Lease (page 34)
[Staff Recommendation: Authorize staff to extend the lease agreement through December 2026 with Metro for office space located at 3449 Santa Anita Avenue, El Monte, CA.]

- h) Consideration to Approve Technical Assignment of ADA Eligibility and Mobility Evaluation Services Contract (AS-4030) (page 36)
[Staff Recommendation: Authorize staff to execute a contract amendment effective January 1, 2022 consenting to the technical assignment of Contract AS-4030 to MTM Transit, LLC (MTM Transit).]

- i) Consideration to Approve Resolution to Continue Public Meetings through Teleconferencing (page 38)
[Staff Recommendation: Approve the following resolution - "The Access Board of Directors has reconsidered the circumstances of the state of emergency; and the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and (ii) State or local officials continue to impose or recommend measures to promote social distancing. Hence, teleconferencing for Access Board and committee meetings will continue for the next thirty (30) days."]

[Staff Recommendation: Approve the Consent Calendar]

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| 8. | CONSIDERATION TO APPROVE AMENDMENT TO EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT (page 40) [Staff Recommendation: Authorize the amendment of the contract with Andre Colaiace.] | ACTION [Vote Required: majority of quorum by roll call] |
| 9. | CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - WEST/CENTRAL SERVICE PROVIDER CONTRACT (AS-4031) (page 41) [Staff Recommendation: Authorize \$71,685,701 in funds, a change of rates of compensation and an extension in the period of performance for two (2) years, from October 29, 2022 through October 28, 2024, for Contract AS-4031 with California Transit, Inc. (CTI). Also, authorize the addition of one provision, related to state legislation, which is outlined below.] | ACTION [Vote Required: majority of quorum by roll call] |

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| 10. | CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - ELIGIBILITY SERVICES CONTRACT (AS-4030) (page 44) [Staff Recommendation: Authorize an additional \$11,974,945 in funds, a change of rates of compensation and an extension in the term for Contract AS-4030 with Medical Transportation Management, Inc. (MTM) from July 1, 2022 through June 30, 2024.] | ACTION [Vote Required: majority of quorum by roll call] |
| 11. | CONSIDERATION TO APPROVE VEHICLE MAJOR COMPONENT REIMBURSEMENT POLICY AND BUDGET ALLOCATION (page 51) [Staff Recommendation: Approve the Vehicle Major Component Reimbursement Policy and the budget allocation of \$1,092,000.] | ACTION [Vote Required: majority of quorum by roll call] |
| 12. | OPERATIONS UPDATE | PRESENTATION |
| 13. | CUSTOMER SATISFACTION SURVEY TOPICS | PRESENTATION |
| 14. | UPCOMING BOARD ITEMS (page 53) | INFORMATION |
| 15. | EXECUTIVE DIRECTOR'S REPORT | INFORMATION |
| 16. | BOARD MEMBER COMMUNICATION | INFORMATION |
| 17. | NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA | DISCUSSION/ POSSIBLE ACTION |
| 18. | PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS | INFORMATION |
| 19. | CLOSED SESSION: A) PUBLIC EMERGENCY (COVID-19), GC sec. 54957(a) B) CONFERENCE WITH LEGAL COUNSEL: CAL. GOV. CODE §54956.9 1. Anticipated Litigation: Gov. Code §54956.9 (b) i. Significant exposure to litigation pursuant to subdivision (b) of Gov. Code §54956.9 (b) a situation where, based on the advice of counsel considering "existing facts and circumstances," there exists a "significant exposure to litigation" (one case). | DISCUSSION/ POSSIBLE ACTION |
| 20. | ADJOURNMENT | ACTION |

Access Services does not discriminate on the basis of disability. Accordingly, Access Services seeks to ensure that individuals with disabilities will have an equal opportunity to participate in the range of Access Services events and programs by providing appropriate auxiliary aids and services for communications. Primary consideration is given to the request of individuals with disabilities. However, the final decision belongs to Access Services. To help ensure the availability of any auxiliary aids and services you require, please make every effort to notify Access Services of your request at least three (3) business days (72 hours) prior to the meeting in which you wish to utilize those aids or services. You may do so by contacting (213) 270-6000.

Note: Access Services Board meetings are held pursuant to the Ralph M. Brown Act [Cal. Gov. Code §54950] and are open to the public. The public may view and obtain all written information supporting this agenda provided to the Board both initially and supplementally prior to the meeting at the agency's offices located at 3449 Santa Anita Avenue, El Monte, California and on its website at <http://accessla.org>. Documents, including Power Point handouts distributed to the Board members by staff or Board members at the meeting, will simultaneously be made available to the public. Three opportunities are available for the public to address the Board during a Board meeting: (1) before closed session regarding matters to be discussed in closed session, (2) before a specific agenda item is debated and voted upon regarding that item and (3) general public comment. The exercise of the right to address the Board is subject to restriction as to time and appropriate decorum. All persons wishing to make public comment must fill out a goldenrod Public Comment Form and submit it to the Secretary of the Board. Public comment is generally limited to three (3) minutes per speaker and the total time available for public comment may be limited at the discretion of the Chairperson. Persons whose speech is impaired such that they are unable to address the Board at a normal rate of speed may request an accommodation of a limited amount of additional time from the Chair but only by checking the appropriate box on the Public Comment Form. Granting such an accommodation is at the discretion of the Chair. The Board of Directors will not and cannot respond during the meeting to matters raised under general public comment. Pursuant to provisions of the Brown Act governing these proceedings, no discussion or action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. However, the Board may direct staff to investigate and/or schedule certain matters for consideration at a future Board of Directors Meeting and the staff may respond to all public comments in writing prior to the next Board meeting.

Alternative accessible formats are available upon request.

***NOTE**

NOTICE OF ALTERNATIVE PUBLIC COMMENT PROCEDURES

Pursuant to temporary revised Brown Act requirements, Board members will be participating via webinar. The public may submit written comments on any item on the agenda - 1) through email by addressing it to - board@accessla.org or 2) via US Postal mail by addressing it to - Access Services Board Comments, PO Box 5728, El Monte CA 91734. Please include your name, item number and comments in the correspondence. Comments must be submitted/received no later than 10:00 am on Monday, December 13, 2021 so they can be read into the record as appropriate.

The public may also participate via the Zoom webinar link, or by teleconference. Please review the procedures to do so as follows -

How to Provide Public Comment in a Board Meeting via Zoom

Online

1. Click the Zoom link for the meeting you wish to join. Meeting information can be found at: https://accessla.org/news_and_events/agendas.html. Make sure to use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, or Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. You may also use this direct link - <https://us06web.zoom.us/j/83140664912>
2. Enter an email address and your name. Your name will be visible online while you are speaking.
3. When the Board Chair calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak. Mute all other audio before speaking. Using multiple devices can cause audio feedback.
4. Please note that the "Chat" feature is not enabled during the meeting for general public attendees. If you cannot use the "raise hand" feature, then please submit a written comment as outlined above.
5. When called, please limit your remarks to three minutes. An audio signal will sound at the three-minute mark and the Chair will have the discretion to mute you at any point after that. After the comment has been given, the microphone for the speaker's Zoom profile will be muted.

Note: Members of the public will not be shown on video.

By phone

1. Call the Zoom phone number and enter the webinar ID for the meeting you wish to join. Meeting information can be found at: https://accessla.org/news_and_events/agendas.html
2. You can also call in using the following information -
3. Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799
or +1 929 205 6099 or +1 301 715 8592 or 833 548 0276 (Toll Free) or 833 548
0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)
Webinar ID: 831 4066 4912

4. When the Board Chair calls for the item on which you wish to speak, press *9 to raise a hand. Speakers will be notified shortly before they are called to speak. Speakers will be called by the last four digits of their phone number. Please note that phone numbers in their entirety will be visible online while speakers are speaking.
5. If you cannot use the "raise hand" feature, the please submit a written comment as outlined above.
6. When called, please state your name and limit your remarks to three minutes. An audio signal will sound at the three-minute mark and the Chair will have the discretion to mute you at any point after that. After the comment has been given, the microphone for the speaker's Zoom profile will be muted.



STATEMENT OF PROCEEDINGS FOR THE
MEETING OF THE ACCESS SERVICES
BOARD OF DIRECTORS

Webinar

October 18, 2021

12:00 p.m.

1. CALL TO ORDER

Meeting was called to order by Chair Gombert at 12:07 p.m.

BOARD MEMBERS PRESENT REPRESENTING A QUORUM

Present: Chair Martin Gombert, Treasurer Lee Burner, Secretary Doran Barnes, Directors Adrian Aguilar, Andrew Del Castillo, John Troost and Jonaura Wisdom.

BOARD MEMBER(S) EXCUSED FROM THE MEETING

Not Present: Vice Chair Theresa DeVera

2. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON JUNE 21, 2021

Recommendation: Approval of minutes as written.

Motion made by Director Nason to approve the minutes, seconded by Director Aguilar. Via Roll Call Vote, all were in favor, motion passed.

3. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON JULY 19, 2021

Recommendation: Approval of minutes as written.

Motion made by Director Troost to approve the minutes, seconded by Director Nason. Via Roll Call Vote, all were in favor, motion passed.

4. REPORT FROM EX-OFFICIO BOARD MEMBERS

CAC Chair Goeman was not able to attend the meeting.

TPAC Chair Diane Amaya reported that the TPAC met on September 9, 2021. The committee discussed the following items. Executive Director Andre Colaiace provided an update on current projects and initiatives. Staff recently toured Metro's new micro transit service and engaged in a Q&A session with Metro staff. In July, Access hosted a virtual community meeting to provide riders with updates on operations, eligibility, and the Where's My Ride app. Director of Planning and Coordination Matthew Avancena facilitated TPAC officer elections. Members elected were herself, as the TPAC Chairperson, and Fayma Ishaq from Metro as Vice Chair. Operations Manager Rogelio Gomez presented the operations report for July 2021. He detailed key performance indicators and highlights for each service area. Mr. Gomez also provided an update on COVID-19 response and service restoration efforts. Strategic Planner Eric Haack presented the Access bi-annual customer survey topics. The questionnaire measures customer satisfaction and identifies potential areas for service improvement. Mr. Haack also provided an update on Access' strategic plan. He summarized the six main categories of the strategic plan and discussed how they addressed major challenges facing the agency.

5. GENERAL PUBLIC COMMENT

Mel Bailey made a public comment by stating that he would like the removal or reassignment of Mike Greenwood as Chief Operating Officer. He stated he is a concerned rider and he thinks Mr. Greenwood has ignored many incidents. According to Mr. Bailey, he has asked to speak to him over the past six months, and has been ignored. According to him, he has had issues with MV transit that have not been addressed. He stated that he did receive a phone call 30 minutes before the meeting. He is not asking for Mr. Greenwood's termination just for him to be reassigned. He doesn't need to hear from customer service or the customer relations team, since they have been ineffective over the past eight months. He is asking for someone above Mike Greenwood to call him.

6. SUPERIOR SERVICE AWARD PRESENTATION

Project Administrator Megan Mumby introduced the Superior Service Award winner Irma Carrillo.

7. CONSENT CALENDAR

Recommendation: Approval of all items on the Consent Calendar.

CONSENT CALENDAR

- a) Consideration to Extend Term and Increase Funds - Financial Reporting Enterprise Resource Planning (ERP) Software Contract (AS-3753)
- b) Consideration to Approve Renewal of Agency Insurance Policies
- c) Consideration to Extend Term and Increase Funds - Travel Training Services Contract (AS-4051)
- d) Consideration to Approve Transportation Professionals Advisory Committee Member Reappointments
- e) Consideration to Approve Resolution to Continue Public Meetings through Teleconferencing

Public Comment: None.

Motion made by Director Troost to approve the Consent Calendar items, seconded by Secretary Barnes. Via Roll Call Vote - all were in favor, motion passed.

8. CONSIDERATION TO AWARD ANTELOPE VALLEY REGION SERVICE PROVIDER CONTRACT (AS-4143)

Chief Operations Officer Mike Greenwood, Procurement Specialist Kimberlie Nimori and Senior Manager of Finance and Planning Bruce Frink presented this item.

Public Comment:

Aline Frantzen stated that she is the CEO for Keolis Transit America. She wanted to take the opportunity to thank Access for the partnership they have had over the last 10 years. She hopes that Keolis has demonstrated their commitment to continuous improvement. As they transition, they will continue to be flexible and work closely with Access and the new provider.

Yael Hagen stated that she supports the staff recommendation for First Transit to receive the contract in the Antelope Valley. Many of the riders in Antelope Valley seem to be the last to receive many services and it's not because Access is getting those services to them last but because the contractor so far has not been able to really accommodate them. She thinks the people in Antelope Valley deserve to have better service, and a better contractor.

Wilma Ballew stated that she is very far from her family and it is difficult to get there. She is happy to have First Transit come in and she has heard many positive things about them. She has been with Access a long time and she attends the meetings and hopes that they can move forward and consider the riders' needs.

Mel Bailey stated that the presentation was nice and made sense and he appreciated it. He stated he didn't hear anything about the community engagement and the auditing of staff to ensure superior service. Hearing from the riders is very important,

and has been one of the problems he has had with MV. He thinks this is a great opportunity and is looking forward to it.

Terri Lantz stated that they are looking for ways for people in the Antelope Valley to be able to travel, as well as the riders in other areas. The ability to have technology is a huge improvement. She thanked Access staff for all the hard work that they've done throughout the pandemic. She has heard about problems in the Antelope Valley and to see those resolved makes her happy. The riders in the Antelope Valley have been very patient but they deserve to have as good a transportation as we have throughout Access' service area.

Board Member Comments:

Treasurer Burner asked if First Transit made any recommendations to secure the employment of the incumbent employees. Mr. Greenwood responded that First Transit did agree to follow the requirements in the scope of work, which is to offer employment to all of the incumbent employees. They haven't been able to engage directly with those employees yet because they need Board approval to proceed first, but they are fully ready to start contacting them.

Director Wisdom made a comment by thanking Bruce Frink and his team for the very thorough presentation. She stated it made more sense now and it justifies the costs. She thinks it should be standard, to provide such a detailed presentation because they can't see the actual proposals and what's included in them. She asked a question concerning the Parents with Disabilities program. She asked what the plan was regarding the program and what the next steps were. Mr. Greenwood responded that when the Board approves the staff recommendation, they are going to be negotiating with First Transit on that. He also stated that they don't have any riders signed up for PWD within the Antelope Valley region.

Secretary Barnes asked what was included in the proposal in terms of instructions related to labor costs. Mr. Greenwood responded that they mainly leave it up to the proposers to base the current conditions with their internal economics and propose the best scenario going forward for salary and benefits for their employees.

Director Aguilar stated that he appreciated that the presentation had a lot more detail. He sent some questions to Mr. Colaiace and he knows this is a very labor-intensive process. He thanked staff and stated he was sure the Antelope Valley riders appreciate it.

Board Member Discussion:

Secretary Barnes stated that thorough work that the team did in evaluating these proposals and making the presentation here was really appreciated. They had two very

reputable companies. He thanked Keolis for the good work that they have done, and is looking forward to the great work that First Transit will be doing.

Director Wisdom stated that she liked the tier spreadsheet that was included in the PowerPoint. She thinks it would be great to have for future Board items that are similar.

Director Burner stated that he echoed Secretary Barnes' comments. He would like to have Board items such as this brought to the Board earlier, such as sixty (60) days before the start of a contract.

Motion made by Secretary Barnes to approve item, seconded by Director Troost. Via Roll Call Vote - all were in favor, motion passed.

9. CONSIDERATION TO APPROVE DIVERSITY, EQUITY & INCLUSION (DEI) PLAN

Manager of Training and Compliance Alvina Narayan introduced this item.

Public Comment:

Mel Bailey made a public comment by asking who was on the performance management committee. He asked if riders were included on the committee. He suggested the drivers be trained on attributes on how to approach someone who's visually impaired. He suggests the drivers should be appropriately trained to avoid these situations.

Board Member Comments

Director Wisdom stated that she was on the performance committee, and thinks they have a great plan, and they did a very thorough job. She thanked everyone for their recommendations.

Treasurer Burner stated that he is so appreciative towards Ms. Narayan for doing such an excellent job, and thanked staff for getting to this point. He stated that everyone deserved great transportation.

Board Member Discussion:

Director Nason stated that she did not see any benchmarks in the diversity, equity, and inclusion plan. She believes there should be specific benchmarks set instead of using vague words. An example would be on page of 43, where it says, "Access Leadership will work with the management of human resources to develop strategies." A benchmark might be, "Access will increase number of female employees at the executive level by 10%." and 10% is just a benchmark. Another example would be on page 43, "Access Leadership will work with the management of Human Resources to develop strategies," where a benchmark would be to increase the number of

employees with disabilities at the executive level by 10%, as a benchmark. This suggestion is just a recommendation for the future.

Motion made by Director Wisdom to approve item, seconded by Treasurer Burner. Via Roll Call Vote, all were in favor, motion passed.

10. CONSIDERATION TO APPROVE SHORT RANGE STRATEGIC PLAN (FY2022 - FY2026)

Strategic Planner Eric Haack gave a presentation on the item.

Public Comments:

Yael Hagen made a public comment about the strategic plan and stated that she been a rider for over 20 years, and she has been involved with the Advisory Committee and other advocacy efforts on behalf of paratransit riders for a long time. Access Services has come a long way and the riders' experience has been talked about, riders' experience is being listened to, riders' experience is being addressed in ways that we have never, in the history of Access Services, ever experienced. She would like a plan for same-day services in the future, not necessarily in saying that they will offer same-day service, but that they develop a system. Metro talks about same-day services in their strategic plan and she would like to ask the Board of Directors to ask Access Services to include that in their strategic plan.

Terri Lantz made a public comment by stating that she has heard from the riders that during the pandemic about how grateful everyone was to see some kind of assistance with urgent trips. She asked everyone to imagine how hard it would be to take public transportation with a disability. She stated that if they were looking at five years in the future to have some kind of measure in assisting with same day rides, it would change some rider's lives.

Board Member Comments

None

Board Member Discussion

Director Troost stated that he would like the possibility of same day trips for many people. Mr. Haack responded that he thinks the idea of developing same-day service, is consistent with a couple of elements that are in the strategic plan, which are improving Customer Service. Although, there is no straight trajectory as to where they are now, but perhaps they can incorporate something in the future. Director Troost responded that because appointments come up last minute, this same day service would be so helpful.

Director Wisdom stated that in five years it is hard to predict what's going to happen. She would like it noted that some living documents, do evolve over time. These are just general ideas that they know for now that things like same-day service, she is sure they will be developing as part of that living document.

Director Nason stated that Mr. Haack always does a great job, and his presentation was fantastic. She would like to see items regarding the diversity inclusion workforce in the strategic plan. She feels there should be specific benchmark goals, instead of using vague words. Mr. Haack responded that with respect to setting benchmarks, one of the plans for this is to revisit with some of the Access staff, to see where they are so that they can make things move forward.

Secretary Barnes stated that he is thrilled that they have a strategic plan that looks towards the future. He agrees that diversity inclusion and equity effort should be connected. There are some big cost implications to all that is needed to work through, but they should keep leaning in on that. A five-year plan is probably good for maybe five weeks, but a living document is key.

Motion made by Treasurer Burner to approve item, seconded by Director Wisdom. Via Roll Call Vote, all were in favor, motion passed.

11. TECHNOLOGY UPDATE

Director of Information Technology Bill Tsuei gave a presentation on the item.

Public Comments:

Mel Bailey made a public comment by asking if the Where's My Ride App could be synced with dispatch and with the call takers. The reason that's important is because the ETA is off and there has been times that he has had to wait hours for his ride because the app and the call takers is not synced. He had to file a complaint about a rude driver on behalf of another rider because he obviously had cognitive skills. If the app was able to give an approximate time of arrival, then that would reduce the need to communicate with the driver, which would allow for them to of focus more on the road. He also recommends they give the driver's voice operated tablets so then the drivers don't have to touch the tablet while driving.

Board Member Comments

None

12. COVID-19/OPERATIONS UPDATE

Chief Operations Officer Mike Greenwood gave a presentation on the item.

Public Comments

Yael Hagen thanked Mr. Greenwood for everything he does and she believes they have really improved the quality of service all around with the KPIs. In the history of Access, they have never had this amount of KPIs and that they were taken seriously really made a difference in how service is provided. She is concerned about the on-time rate, but also understands the difficulty, and the factors that are contributing to that.

Mel Bailey made a public comment by stating that within the past two weeks, MV picked him up 48 minutes late, 56 minutes late, and an hour and six minutes late. He doesn't know how traffic enters the equation and according to him has tried to reach Mr. Greenwood without a response.

Terri Lantz stated thanked Access and staff for the virtual meetings. She would like to stress that while numbers are improving, they have seen surges go up and down, and new variants. She believes the virtual meetings have saved time and money for Access and the participation has been good. She also thanked them for incorporating the vehicle disinfectant program into all the newer contracts, she hopes that that will continue as well.

Board Member Comments

None

13. UPCOMING BOARD ITEMS

Director of Administration F Scott Jewell stated that they have a Board Operations Committee meeting in a week to go over the agenda for the November/December Board cycle. Tentatively, they have contract extensions for the November 15 committee meetings to deal with the West Central Region, TAP card production, eligibility services, and audit services. There's also an item related to reappointment of CAC members, and a policy development for major vehicle component replacement. The annual meeting will be November 18, and the Board of Directors meeting on December 13, and a Board Operations Committee on the 20th will follow that.

14. EXECUTIVE DIRECTOR'S REPORT

Executive Director Andre Colaiace reported that while zero emission electric vehicles are becoming more common in fixed-route bus fleets, they're not being deployed in paratransit services that serve people with disabilities. They are in the process of developing a pilot program to explore the possibility of converting their vehicles, with a combination of gasoline and natural gas to electric propulsion systems. Last Thursday, Access leadership was able to inspect and drive some accessible electric paratransit vehicles developed by Sunset Vans of Corona, California. Sunset has been working closely over the last year with Senior Manager of Fleet and Maintenance, Rick

Streiff, to develop accessible electric vehicles based on the Dodge ProMaster. They look forward to giving the Board and other stakeholders a chance to take a look at these vehicles in the near future, and, if anyone is attending the upcoming CalACT or APTA conferences, they can see them as well. In terms of funding this project, they intend to submit a grant application for the FTA's fiscal year 2021 Grants for Buses and Bus Facilities program. The purpose of this program is to support capital projects to replace, rehabilitate, purchase or lease buses and related equipment and facilities. Finally, the APTA annual meeting is upcoming, and he just wanted to congratulate Randy Johnson, Director of Governmental Affairs and Outreach, on his graduation from the Leadership APTA program, and Bruce Frink, Senior Manager of Financial Planning, on his acceptance into Leadership APTA program for 2022.

15. BOARD MEMBER COMMUNICATION

Director Troost stated that he wanted to thank all of staff and all of the contributors which were very helpful.

Secretary Barnes stated that he wanted to thank the teams for continuing to move so many projects forward. In light of Covid, things are still moving, and that's a credit to the hard work of the team. He thanked Andre and the entire Access family, for keeping things moving. He congratulated Randy Johnson on his graduation from Leadership APTA, and Bruce Frink on being accepted into the upcoming class. He also mentioned that for the past two years, he has represented transit board members on the California Transit Association's Executive Committee and that he has been nominated to serve another two year term.

Director Nason stated that since she missed the last meeting, she is not sure if it was announced that her friend Tina Fofoa had passed. She had been a volunteer at DRC for 14 years, and had been on the CAC committee for quite a few years, and she was also was on the Long Beach Transit Paratransit Committee, and very involved in her church. She was the epitome of a volunteer, and just always willing to help out wherever she was needed and she will be greatly missed.

Director Del Castillo expressed his thanks to the Directors, and appreciation to all the Access staff for handling everything that they have with the COVID 19 situation, as well as the strategic planning, and especially that diversity and inclusion planning. He thanked the Directors for being so responsive to his various concerns that he has brought up as a rider. It is slightly disconcerting to hear that it is possible that some riders may not be receiving that same kind of response, and it is my hope that the diversity and inclusion program will be a factor in helping. The KPIs are great for statistics and getting things improved, but there does need to be some concern about specifics, and riders' particular needs.

Director Wisdom stated that this was her last Board meeting with Access as a Board member. The person who's going to replace her is Giovanna Gogreve. She works for

the Office of Management and Budget, and she's a Senior Manager for Transportation Planning, so she will be taking her place as an Access Board member representing Metro. She has enjoyed her time on the Board and she felt welcomed with open arms. Everyone was so great to work with and she believes they will be in good hands going forward.

Director Aguilar congratulated both Bruce Frink and Randy Johnson. He thanked staff and he knows how much time and effort it takes to prepare for the meetings.

Chair Gombert thanked the Access team for their hard work on the agenda. The Antelope Valley contract award presentation was very detailed, and staff did a very good job on supporting the recommendation to change contractors. He hopes the diversity equity and inclusion plan becomes a living document that continues to be implemented, reviewed, and updated. The short-range strategic plan presents a sobering list of potential challenges for the agency, as well as a robust list of improvements to the agency's operations. It's vital that they include customers in the process of implementing and updating this plan as the years go by.

16. NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA

No new business was heard subsequent to the posting of the agenda.

17. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS

Yael Hagen thanked Director Wisdom for all of the great things she brought into the committee. Her voice was very positive for the community, for the riders of Access, and she just wanted to let her know how much she appreciated her.

Mel Bailey made a public comment by stating that he hopes certain general managers are held accountable, especially in Operations. He asked for an audit investigation be done on Mr. Greenwood, and to consider him for reassignment or removal. Not necessarily termination, but removal into an assignment that is more suitable for him. He also agrees that the virtual meetings save money, time, energy, effort, and labor. However, he is looking forward to attending in person, because he thinks that in the virtual meetings, nobody takes him seriously. He stated that MV has victimized him and operations has done nothing.

Terri Lantz stated that she wanted to remind everyone that they are all able and allowed to participate and speak. None of them represents all of the riders, or all of people who are interacting with Access. She specifically thanked Andre Colaiace for his leadership, the Board for taking their input. She thanked Mike Greenwood for all the hard work he's done as Head of Operations, and would hope that maybe riders would look at appropriate people to contact for their issues, rather than blame people who maybe have other positions. She thinks they need to maintain respect for everyone, regardless

of whether it's in person or virtual. She appreciates everyone's comments, but hopes that in the future, they can retain the respect that everyone deserves.

Director DeVera stated that she is sorry she is not present at the meeting but wanted to thank Director Wisdom for all her hard work and for bringing life and new perspectives in the Board. She will miss her and her insight.

18. CLOSED SESSION REPORT

Legal Counsel Vince Ewing stated that no action was taken by the Board during Closed Session.

19. ADJOURNMENT

Motion made by Director Nason, seconded by Director Wisdom to adjourn.

The meeting adjourned at 3:29 p.m.

Approved

Doran J. Barnes, Secretary

Date



**STATEMENT OF PROCEEDINGS FOR THE
MEETING OF THE ACCESS SERVICES
BOARD OF DIRECTORS**

Webinar

November 15, 2021

12:30 p.m.

1. CALL TO ORDER

Meeting was called to order by Chair Gombert at 12:32 p.m.

BOARD MEMBERS PRESENT REPRESENTING A QUORUM

Present: Chair Martin Gombert, Vice Chair Theresa DeVera, Directors Adrian Aguilar, Dolores Nason and John Troost.

BOARD MEMBER(S) EXCUSED FROM THE MEETING

Not Present: Treasurer Lee Burner, Secretary Doran Barnes, Directors Andrew Del Castillo and Giovanna Gogreve.

2. GENERAL PUBLIC COMMENT

There was no general public comment.

3. CONSIDERATION TO APPROVE RESOLUTION TO CONTINUE PUBLIC MEETINGS THROUGH TELECONFERENCING

Recommendation: Approve the following resolution - "The Access Board of Directors has reconsidered the circumstances of the state of emergency; and the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and (ii) State or local officials continue to impose or recommend measures to promote social distancing. Hence, teleconferencing for Access Board and committee meetings will continue for the next thirty (30) days."

Director of Administration F Scott Jewell presented this item.

Public Comments

None.

Board Member Comments

Director Nason asked if this was to open to continuing this into the future. Mr. Jewell responded that it will allow for future meetings to continue to be virtual but this action has to be done as a formality every thirty days.

Board Member Discussion

None.

Motion made by Director Nason to approve item, seconded by Director Troost. Via Roll Call Vote - all were in favor, motion passed.

4. ADJOURNMENT

Motion made by Vice Chair DeVera, seconded by Director Nason to adjourn.

The meeting adjourned at 12:39 p.m.

Approved

Doran J. Barnes, Secretary

Date

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: WILLIAM TSUEI, DIRECTOR OF INFORMATION TECHNOLOGY

RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - VOICE OVER INTERNET PROTOCOL (VOIP) SERVICES CONTRACT (AS-4055)

ISSUE:

Board approval is necessary to extend the term and add funds for contract AS-4055 with Packet Fusion, Access Services' telephony system service firm. This item was reviewed and approved by the Performance Monitoring Committee.

RECOMMENDATION:

Authorize an additional \$100,000 in funds and an extension in the period of performance to January 31, 2023.

IMPACT ON BUDGET:

This action will result in an increase in the previously approved contract amount of \$423,758 to \$523,758. This action is consistent with Access' budget for FY2021/22 and will be programmed for FY2022/23.

The funding for these services comes from the Prop C Discretionary Fund.

ALTERNATIVES CONSIDERED:

The Board, at its option, could request that these services be put out to bid. However, staff believes the contractor has met the terms of the Contract and thus merits consideration for an extension of its term.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, the staff would be authorized, but not required, to negotiate and amend the written contract with Packet Fusion upon terms and conditions no less favorable to Access than those proposed above. Access would not be legally bound to the contract unless it is incorporated into a formal written

agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

BACKGROUND:

On February 1, 2018, Packet Fusion was selected, through a competitive procurement process, to replace the outdated Toshiba telephony system with a Voice Over Internet Protocol (VoIP) system. The award covered three years of services.

Due to a variety of issues, the project was delayed and not fully implemented until September 2020. However, as presented to the Board recently, the new VoIP phone system has resulted in substantial savings to the Agency compared to the legacy phone system.

As this is the last option year, these services will be competitively bid prior to the expiration of the extension.

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - TAP CARD PRODUCTION MEMORANDUM OF UNDERSTANDING (MOU)

ISSUE:

Additional funding is required to continue the production of Access Rider ID/TAP cards under the existing MOU with Metro. This item was reviewed and approved by the Planning and Development Committee.

RECOMMENDATION:

Authorize an additional \$100,000 for the production and issuance of Access Rider ID/TAP cards for the period of February 1, 2022 - January 31, 2023.

IMPACT ON BUDGET:

This action will result in an increase in the previously approved contract amount of \$2,019,000 to \$2,119,000. The reimbursement agreement is based on a per card cost of \$4.50 plus shipping that is invoiced by Metro on a quarterly basis. There is no increase to the card cost for this extension. The funding for this agreement comes from Prop C Discretionary funds.

ALTERNATIVES CONSIDERED:

Regional production of TAP cards is handled by Metro for all TAP-participating transit operators in the county in order to maintain uniformity and security. Metro has competitively bid and negotiated the contracts for the production of the cards and is currently utilizing two companies for those services. Accordingly, no other alternatives were considered.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, staff would be authorized, but not required, to negotiate and extend the MOU with Metro for the production and issuance of Access Rider ID/TAP cards upon terms and conditions no less favorable to

Access Services than those proposed above. Access Services would not be legally bound to the contract unless the terms are incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

BACKGROUND:

In September 2014, the Board authorized a number of changes to the Access Rider ID/TAP Card program which included an agreement with Metro for the production of the Access Rider ID/TAP card. In December 2020, the Board extended the agreement through January 2022. It is now necessary to increase funds and extend the term to continue production for another year through January 2023.

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR

RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - AUDIT SERVICES CONTRACT (AS-4045)

ISSUE:

Board approval is required to add funds and exercise the second option year of the contract with BPM, LLP (BPM) to provide financial auditing services. Should the Board approve staff's recommendation, an RFP will be issued in early fall 2022 for these services as this is the final option year available under this contract. This item was reviewed and approved by the Planning and Development Committee.

RECOMMENDATION:

Authorize an additional \$85,000 in funds and extend the term for Contract AS-4045 with BPM (formerly Rossi, LLP) from July 1, 2022 through June 30, 2023.

IMPACT ON BUDGET:

This action will result in an \$85,000 increase in the current not-to-exceed contract amount of \$255,181.50, thereby raising the not-to-exceed amount of the contract to \$340,181.50. There is a \$1,000 combined increase for audit tasks 1-3 and no change to the current rates of compensation for task 4. The funds necessary to accommodate these changes will be programmed in the FY23 budget. The funding for these services comes from Proposition C 40% Discretionary funds.

ALTERNATIVES CONSIDERED:

The option of issuing a RFP remains available. However, staff has been satisfied with the level of service and the expertise provided by BPM and does not recommend a RFP at this time.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, staff, with the aid and advice of legal counsel, would be authorized, but not required, to extend the term of the contract with BPM under terms that are no less favorable to Access than those proposed herein. Access would not be legally bound to this contract modification unless it is

incorporated into a formal written amendment executed by all parties thereto and approved as to form by this entity's legal counsel.

BACKGROUND:

The firm of BPM, LLP, which merged with Rossi, LLP, in November of 2020, has performed the professional accounting and auditing services for Access since 1995. The firm has similar long-standing relationships with other non-profit agencies such as Habitat for Humanity of Greater Los Angeles (fifteen years) and Orange County Head Start (ten years). BPM is one of the 50 largest public accounting and advisory firms in the country. BPM's performance has been outstanding in fulfilling the requirements set forth in past audit contracts. BPM's performance over the last several years, as well as the firm's very competitive pricing, are the main reasons that staff requests the approval of its recommendation.

It should also be noted that Access, as of three years ago, is included in the annual Consolidated Audit program that LA Metro conducts on all of the jurisdictions, operators and program administrators who receive funds for transportation related projects. Metro contracts with two local, independent CPA firms to perform the financial and compliance audits of close to 90 entities receiving funding. These two firms are tasked with performing the necessary audit(s) to assure management that each recipient of subsidies included in the Consolidated Audit are adhering to the statutes of each applicable funding source and that operations data used to allocate funds is fair and in accordance with Federal Transportation Administration (FTA) guidelines. For the last three years the CPA firm, Vasquez & Company, has conducted the audit of Access on behalf of Metro. The official opinion given by this firm states in part, "In our opinion, Access Services complied, in all material respects, with the compliance requirements of the Guidelines..."

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO APPROVE SEVERANCE POLICY CHANGE

ISSUE:

At the October 18, 2021 Board Meeting, the Board directed staff to bring forward for approval a modification to the severance policy for the Agency. This item was reviewed and approved by the Planning and Development Committee.

RECOMMENDATION:

Approve the attached severance/transition policy.

IMPACT ON BUDGET:

There is no immediate impact on the budget due to the modification of the policy. Each separation will be reviewed on a case-by-case basis to determine if it is eligible for severance/transition pay.

BACKGROUND:

It is not mandatory under the Fair Labor Standards Act (FLSA) to provide a severance package to an employee at the time of separation/termination of employment, except under certain specific circumstances. However, if a severance package can be agreed upon by both sides, it can assist in an amicable parting of ways.

The policy was approved in its current form by the Board in October 2016.

The sentence in ***bold italics*** in Section IV is the only change to this policy.

I. PURPOSE

Access Services (hereinafter "the Company") has adopted this Access Severance/Transition Policy to provide severance/transition pay under the

circumstances described below to eligible employees (hereinafter "Eligible Employees") of Access Services.

II. ELIGIBILITY

This policy applies to all exempt and nonexempt, full-time staff employees on Access Services payroll. You are not eligible to receive severance/transition pay if you are a temporary, intermittent, contract or "leased" employee.

III. POLICY

In the event of an involuntary termination due to a reduction in force and/or downsizing, change in company direction and/or job elimination, the Company reserves the right to provide severance/transition pay for the affected eligible employee upon receipt of a voluntary, fully executed severance/transition agreement. This does not apply to terminations for cause and/or refusal to be reassigned.

IV. PAYMENT AMOUNT

The rate of severance/transition is based on length of service as a full-time, staff employee (i.e., the number of consecutive full 12 month periods of an eligible employee's employment with the Company) and base salary at time of separation. The Company does not have a bridging of service policy and any prior employment is not recognized for purposes of calculating severance/transition pay.

Based upon business need, economic conditions and budgetary constraints, the severance/transition pay will be one week for each year of service for non-exempt/hourly, full-time employees; and two weeks for each year of service for exempt/salaried, full-time employees. Applicable deductions will be withheld as required by federal and/or state requirements. The maximum severance/transition pay is six months and/or 26 weeks, **except for Director-level positions whose maximum severance/transition pay is twelve months and/or 52 weeks.** Severance is calculated on base pay only. The Company reserves the right to elect to pay the severance payment in a lump sum or as a salary continuation (continue payments on scheduled biweekly paydays). The severance policy does not apply to any employee subject to an employment contract.

The Executive Director may provide additional severance subject to consultation with the Chair of the Access Services Board of Directors.

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO APPROVE 2022 BOARD CALENDAR

ISSUE:

Staff is presenting to the Board for its review and approval the attached list of scheduled Board and Standing Committee Meetings for calendar year 2022. This item was reviewed and approved by the Planning and Development Committee.

RECOMMENDATION:

Review and approve the proposed Board and Standing Committee Meeting calendar for 2022.

IMPACT ON BUDGET:

None.

DISCUSSION:

The standing committee structure dictates an alternating monthly schedule for the committee and full Board meetings.

All meetings, with the exception of the Annual meeting, are scheduled to take place at Access Services located at 3449 Santa Anita Avenue in El Monte. However, due to pandemic conditions, all meetings will be held virtually until further notice.

2022 Meeting Calendar

Annual

| Date | Meeting Type | Time |
|---------------------------------------|--------------------|----------|
| Thursday November 17 th | Annual Meeting* | 11:00 am |

*At California Endowment Center

Board

| <u>Date</u> | <u>Meeting Type</u> | <u>Time</u> |
|-------------------------------------|---------------------|-------------|
| Monday February 14 th | Board Meeting | 12:00 pm |
| Monday April 18 th | Board Meeting | 12:00 pm |
| Monday June 20 th | Board Meeting | 12:00 pm |
| Monday August 15 th | Board Meeting | 12:00 pm |
| Monday October 17 th | Board Meeting | 12:00 pm |
| Monday December 12 th | Board Meeting | 12:00 pm |

Committees

| <u>Date</u> | <u>Meeting Type</u> | <u>Time</u> |
|-------------------------------------|---------------------|---------------------|
| Monday February 28 th | Board Operations | 11:00 am - 12:00 pm |
| Monday April 25 th | Board Operations | 11:00 am - 12:00 pm |
| Monday June 27 th | Board Operations | 11:00 am - 12:00 pm |
| Monday August 22 nd | Board Operations | 11:00 am - 12:00 pm |
| Monday October 24 th | Board Operations | 11:00 am - 12:00 pm |
| Monday December 19 th | Board Operations | 11:00 am - 12:00 pm |

| <u>Date</u> | <u>Meeting Type</u> | <u>Time</u> |
|--------------------------------------|--|--|
| Monday January 10 th | Performance Monitoring Planning and Development External/Stakeholder Relations | 11:00 am - 12:00 pm 12:30 pm - 1:30 pm 2:00 pm - 3:00 pm |
| Monday March 21 st | Performance Monitoring Planning and Development External/Stakeholder Relations | 11:00 am - 12:00 pm 12:30 pm - 1:30 pm 2:00 pm - 3:00 pm |
| Monday May 16 th | Performance Monitoring Planning and Development External/Stakeholder Relations | 11:00 am - 12:00 pm 12:30 pm - 1:30 pm 2:00 pm - 3:00 pm |
| Monday July 18 th | Performance Monitoring Planning and Development External/Stakeholder Relations | 11:00 am - 12:00 pm 12:30 pm - 1:30 pm 2:00 pm - 3:00 pm |
| Monday September 19 th | Performance Monitoring Planning and Development External/Stakeholder Relations | 11:00 am - 12:00 pm 12:30 pm - 1:30 pm 2:00 pm - 3:00 pm |
| Monday November 14 th | Performance Monitoring Planning and Development External/Stakeholder Relations | 11:00 am - 12:00 pm 12:30 pm - 1:30 pm 2:00 pm - 3:00 pm |

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: MATTHEW AVANCENA, DIRECTOR, PLANNING AND COORDINATION

RE: CONSIDERATION TO APPROVE COMMUNITY ADVISORY COMMITTEE (CAC) MEMBER REAPPOINTMENTS

ISSUE:

Eight Community Advisory Committee (CAC) members have almost completed their terms, which will expire on January 31, 2022. The reappointments recommended below are for two-year terms beginning February 1, 2022. These terms will expire on January 31, 2024.

RECOMMENDATION

The CAC bylaws require Board reappointment for CAC members. Staff requests the Board to reappoint the following eight (Group A) members.

| Last Name | First Name | Access Customer | Affiliation |
|------------------|-------------------|------------------------|--------------------------------------|
| Arrigo | Michael | Yes | Community Advocate |
| Barron | Scott | Yes | Disability Rights California |
| Cabil | Wendy | Yes | Community Advocate |
| Cardona | Gordon | Yes | Community Advocate |
| Lantz | Terri | No | Community Advocate |
| Hagen | Yael | Yes | Personal Assistance Services Council |
| Padilla | Jesse | Yes | Eastern Los Angeles Regional Center |
| Shah | Bhumit | Yes | Disability Rights California |

BACKGROUND

One of two advisory committees created by the Access Services Board of Directors, the CAC provides community input and advice to the Board and staff concerning operational and policy issues to impact and improve Access' transportation program.

The CAC is comprised of two sets of members, Group A and Group B, which serve two-year terms. Group A members have term expiration dates which occur in even numbered years. Group B members have term expiration dates which occur in odd numbered years. The CAC meets monthly and is comprised of Access riders, disability rights advocates and representatives from social service and other non-profit agencies.

CAC Vacancies

The CAC currently has two vacancies due to the resignation of Marie France Francois and the passing of Tina Fofoa. Staff sent notices to County and City Commission on Disabilities, Independent Living Agencies, and various community stakeholders to inform them of CAC vacancies. The notice and CAC member application is also available on Access' website. To date, staff has received six new applications and will convene the Member Selection Subcommittee in December 2021 to schedule applicant interviews.

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO APPROVE EXTENSION OF ADMINISTRATIVE OFFICE SPACE LEASE

ISSUE:

Access' lease for its existing administrative office space (3449 Santa Anita Avenue, El Monte) expires in December 2021.

RECOMMENDATION:

Authorize staff to extend the lease agreement through December 2026 with Metro for office space located at 3449 Santa Anita Avenue, El Monte, CA.

IMPACT ON BUDGET:

There is no increase to the annual rent of \$600,000 over the five-year period. This amount will be appropriately allocated in future budget years. The total commitment over the 5-year period will not exceed \$3,000,000, which includes:

- Annual rental rate
- Annual operating costs
- Utilities
- Janitorial services
- Assigned parking

ALTERNATIVES CONSIDERED:

In general, current market rental rates, relocation costs and other factors do not warrant making a change in location at this time.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, staff will be authorized, but not required, to negotiate and enter into a lease extension with Metro under terms that are no less favorable to Access Services than those proposed above. Access Services would not be legally bound to this contract unless it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

BACKGROUND:

Access has occupied two floors (19,841 sq. ft.) of the Metro Division 9 transportation building since April 2010. Access' administrative staff conducts day-to-day administration from this location as well as occasionally hosting meetings, trainings and other related activities. Staff projects that over the next five years there will be sufficient space to accommodate personnel and other requirements in this facility.

The lease on Access' administrative offices in El Monte expires December 31, 2021. Staff previously reached agreement with Metro to extend the existing lease agreement with an option of two five-year extensions. This is the execution of the first five-year option. There will no change to the terms and conditions of the lease.

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

**FROM: DAVID FOSTER, MANAGER OF ELIGIBILITY SERVICES
BRIAN SELWYN, MANAGER OF PROCUREMENT AND CONTRACT
ADMINISTRATION**

**RE: CONSIDERATION TO APPROVE TECHNICAL ASSIGNMENT OF ADA
ELIGIBILITY AND MOBILITY EVALUATION SERVICES CONTRACT (AS-
4030)**

ISSUE:

Medical Transportation Management, Inc. (MTM) is reorganizing its family of businesses and wishes to assign Contract AS-4030 to its majority-owned subsidiary, MTM Transit, LLC, effective January 1, 2022.

RECOMMENDATION:

Authorize staff to execute a contract amendment effective January 1, 2022 consenting to the technical assignment of Contract AS-4030 to MTM Transit, LLC (MTM Transit).

IMPACT ON BUDGET:

This item will have no impact on the FY2021/22 budget as the terms and conditions of the contract will not change following the assignment.

ALTERNATIVES CONSIDERED:

Given the nature of the request, no alternatives were considered.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, staff, with the aid and advice of legal counsel, would be authorized, but not required, to negotiate the terms of an assignment and assumption of AS-4030 by MTM Transit in a manner and containing terms and conditions reasonably necessary and appropriate to protect the interests of Access. Access Services would not be legally bound to the consent or assignment of the contract unless and until such consent and assignment are incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

BACKGROUND:

Access' contract with MTM, which provides FTA-mandated ADA Eligibility and Mobility Evaluation Services, went into effect on March 1, 2017. Concurrent to this request, Access is seeking Board approval to exercise the final two-year option extending the subject contract through June 30, 2024.

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO APPROVE RESOLUTION TO CONTINUE PUBLIC MEETINGS THROUGH TELECONFERENCING

ISSUE:

Pursuant to recently enacted state law (Assembly Bill 361), Board approval is required to continue meeting through teleconferencing (virtually).

RECOMMENDATION

Approve the following resolution - "The Access Board of Directors has reconsidered the circumstances of the state of emergency; and the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and (ii) State or local officials continue to impose or recommend measures to promote social distancing. Hence, teleconferencing for Access Board and committee meetings will continue for the next thirty (30) days."

IMPACT ON BUDGET

None.

BACKGROUND

During the pandemic, the Access Board and its committees have been able to meet via teleconference (virtually) due to a State of California executive order that suspended certain Brown Act provisions. While that order has expired, recently enacted state legislation (AB 361), allows for the continuation of virtual meetings provided that the Board makes the determination as stated in the above recommendation. This determination must be made by the Board every 30 days.

Under current Los Angeles County Department of Health guidelines, masking is required indoors regardless of vaccination status in public and office settings when there is more than one (1) person in a room. In addition, social distancing for indoor operations and events is still recommended. These directives provide justification for the above recommendation.

Due to the thirty-day requirement, staff will schedule Special Board Meetings to renew the resolution as appropriate.

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: VINCE EWING, GENERAL COUNSEL

RE: CONSIDERATION TO APPROVE AMENDMENT TO EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT

ISSUE:

On October 18, 2021, in Closed Session, the Board directed the General Counsel to draft an amendment to the employment contract of Andre Colaiace as Executive Director. Said contract, set to a base salary of two hundred seventy-five thousand dollars (\$275,000.00) per year, as amended shall be set to two hundred eighty-eight thousand seven hundred fifty dollars (\$288,750.00) per year effective July 1, 2021. Mr. Colaiace has requested that the establishment of goals for the Executive Director occur in the 2nd quarter of the calendar year, in lieu of the 1st quarter and that the annual evaluation occur in the 3rd quarter of the year in lieu of between January and April. All other terms and conditions of said contract previously negotiated by the Compensation Committee and approved by the Board of Directors shall remain in full force and effect.

RECOMMENDATION

Authorize the amendment of the contract with Andre Colaiace.

EFFECT OF APPROVAL OF THE RECOMMENDATION

If this recommendation is approved by the Board, the parties specified will be authorized, but not required, to amend the contract with Andre Colaiace under terms that are no less favorable to Access than those proposed and approved herein. Access would not be legally bound to this contract unless it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

IMPACT ON BUDGET

No material impact on the budget is anticipated.

OCTOBER 11, 2021

TO: BOARD OF DIRECTORS

**FROM: BRUCE FRINK, SENIOR MANAGER OF FINANCE
ROGELIO GOMEZ, SENIOR MANAGER OF OPERATIONS**

**RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS -
WEST/CENTRAL SERVICE PROVIDER CONTRACT (AS-4031)**

ISSUE:

Board action is required to approve the first and second option years for the West/Central region contract (AS-4031). This item was reviewed and approved by the Performance Monitoring Committee.

RECOMMENDATION:

Authorize \$71,685,701 in funds, a change of rates of compensation and an extension in the period of performance for two (2) years, from October 29, 2022 through October 28, 2024, for Contract AS-4031 with California Transit, Inc. (CTI). Also, authorize the addition of one provision, related to state legislation, which is outlined below.

IMPACT ON BUDGET:

This action is consistent with the budget estimates for the proposed contract’s two one (1) year extensions.

Trip volume for ADA paratransit service is based on the projected number of trips calculated by Access’ consultant HDR Engineering Inc.

| Trip Growth | Trips | % |
|----------------------------|--------------|----------|
| Year 6 (10/29/22-10/28/23) | 757,340 | 9.6% |
| Year 7 (10/29/23-10/28/24) | 812,453 | 7.3% |

Payment terms of the contract will be a firm fixed monthly fee and a variable fixed rate per trip for ADA service. The proposed increase in the rates for ADA service for both option years is based on the most recently published year-over-year increase in the Consumer Price Index for the Los Angeles Area (September 2021), which is 4.6% (*US Department of Labor, Bureau of Labor Statistics*).

The rates of compensation for Year 5 and the two proposed option years (years six and seven) are:

| | Year 5 (10/29/21- 10/28/22) | Year 6 (10/29/22- 10/28/23) | Year 7 (10/29/23- 10/28/24) |
|-----------------------------------|--|--|--|
| ADA Service - Fixed (monthly) | \$532,335 | \$556,822 | \$582,436 |
| ADA Service - Variable (per trip) | \$34.51 | \$36.10 | \$37.76 |
| Emergency Services Hourly Rate | \$50.00 | \$52.30 | \$54.71 |
| Braille Starter Hourly Rate | \$18.01 | \$18.84 | \$19.71 |

Based on the proposed rates of compensation and trip projections, the fully loaded cost per trip for ADA service in Years 6 and 7 of the subject contract will be \$44.92 and \$46.36, respectively.

This action will result in an increase in the previously approved contract amount of \$134,944,102 to \$206,629,803. This is inclusive of an additional \$71,685,701 in funding to cover the projected increase in trips for FY23, FY 24, and the first quarter of FY25. The increase in the contract amount will be programmed into the FY23 budget and will be appropriately programmed for subsequent out-years.

The funding for these services comes from a combination of Measure M, Federal Section 5310, and Prop C Discretionary Funds.

ALTERNATIVES CONSIDERED:

The Board, at its discretion, may direct staff to issue an RFP for services in the West/Central Region. As the contractor has generally met its performance targets, staff does not recommend this option as pricing is likely to increase.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, staff will be authorized, but not required, to negotiate and enter into an amendment of the existing contract with CTI, under terms that are no less favorable to Access Services than those proposed herein. Access Services would not be legally bound to this contract unless it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity’s legal counsel.

BACKGROUND:

The West/Central region service contract, AS-4031, was awarded to CTI on May 15, 2017. The base term of the contract runs through October 28, 2022 and the contract allows for four (4) additional option years. This proposed action involves the exercise of the first and second option years (i.e. contract years six and seven).

Current Operational Performance

The contractor’s performance results for FY21 and FY22 are listed below.

| Key Performance Indicator | Standard | FY21 | FY22 YTD* |
|--|-----------------|-------------|------------------|
| On Time Performance | ≥ 91% | 93.1% | 90.0% |
| Excessively Late Trips | ≤ 0.10% | 0.10% | 0.11% |
| Denials | 0 | 1 | 1 |
| Access to Work On Time Performance | ≥ 94% | 99.4% | 98.5% |
| Average Hold Time (Reservations) | ≤ 120 | 33 | 23 |
| Calls On Hold > 5 Min (Reservations) | ≤ 5% | 2.1% | 0.6% |
| Calls On Hold > 5 Min (ETA) | ≤ 10% | 0.7% | 0.2% |
| Complaints Per 1,000 Trips | ≤ 4.0 | 3.3 | 4.2 |
| Preventable Collisions per 100,000 miles | ≤ 0.50 | 0.69 | 0.60 |
| Miles Between Road Calls | ≥ 25,000 | 57,811 | 39,192 |

*Through October 2021

Additional Contract Modifications

Staff is also proposing to add the following clause to the contract. A memo was sent to CTI outlining the following additional terms that will go into effect beginning in Year Six (6):

1. AB 5 and Prop 22. In the event California Assembly Bill 5 (AB5) or 2020 California Proposition 22 (Prop 22) increase Contractor costs or the costs of operations, Contractor shall not be entitled to any price adjustment, reduction in the Services required hereunder, or change to this Contract.

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: DAVID FOSTER, MANAGER OF ELIGIBILITY

RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS -
ELIGIBILITY SERVICES CONTRACT (AS-4030)

ISSUE:

Board approval is necessary to extend the eligibility and mobility evaluation services contract (AS-4030) for its second (and last) two-year option period. This item was reviewed and approved by the Performance Monitoring Committee.

RECOMMENDATION:

Authorize an additional \$11,974,945 in funds, a change of rates of compensation and an extension in the term for Contract AS-4030 with Medical Transportation Management, Inc. (MTM) from July 1, 2022 through June 30, 2024.

IMPACT ON BUDGET:

This action will result in an increase in the not to exceed contract amount from \$22,046,827 to \$34,021,772. Because sufficient funding remains in the existing approved contract amount to pay for the first option year and a portion of the second, the funding request is less than what would be expected for the two-year period. The recommended action will be budgeted in FY 2022/23 and the subsequent fiscal year. These services will be funded with Proposition C 40% Discretionary Funds and costs are based on rates set forth in MTM's original proposal. The monthly fixed costs, monthly fixed tier rate for in-person, paper review, marking and tethering and innovation costs are provided below.

Monthly Fixed Cost

| Option-2 Term 7/1/2022 - 6/30/2024 | |
|------------------------------------|--------------|
| Year 6 | Year 7 |
| \$124,391.12 | \$127,419.89 |

In Person Tier Cost

| In-Person Monthly Volume |
|--------------------------|
| 2,500 - 3,000 |
| 3,001 - 3,500 |
| 3,501 - 4,000 |
| 4,001 - 4,500 |
| 4,501 - 5,000 |
| 5,001 - 5,500 |
| 5,501 - 6,000 |
| 6,001 - 6,500 |
| 6,501 - 7,000 |

| Monthly Fixed Rate Option Term 2 7/1/2022 - 6/30/2024 |
|---|
| \$203,170.42 |
| \$239,925.60 |
| \$279,789.57 |
| \$320,899.17 |
| \$358,489.70 |
| \$396,031.28 |
| \$434,496.02 |
| \$472,960.75 |
| \$511,773.02 |

Paper Recertification Tier Cost

| Paper Recertification Monthly Volume |
|--------------------------------------|
| 1,001 - 1,500 |
| 1,501 - 2,000 |
| 2,001 - 2,500 |
| 2,501 - 3,000 |
| 3,001 - 3,500 |
| 3,501 - 4,000 |
| 4,001 - 4,500 |

| Monthly Fixed Rate Option Term 2 7/1/2022 - 6/30/2024 |
|---|
| \$39,344.30 |
| \$59,495.38 |
| \$70,150.82 |
| \$81,051.22 |
| \$100,063.15 |
| \$111,013.40 |
| \$130,315.61 |

Marking and Tethering Tier Cost

| MAT Monthly Volume | Monthly Fixed Rate Option Term 2 7/1/2022 - 6/30/2024 |
|-----------------------|--|
| 2,501 - 3,000 | \$6,241.60 |
| 3,001 - 3,500 | \$6,285.46 |
| 3,501 - 4,000 | \$6,326.00 |
| 4,001 - 4,500 | \$6,374.66 |
| 4,501 - 5,000 | \$6,420.02 |
| 5,001 - 5,500 | \$6,465.89 |
| 5,501 - 6,000 | \$6,512.30 |
| 6,001 - 6,500 | \$6,559.24 |
| 6,501 - 7,000 | \$6,606.73 |

Innovative Tier Cost*

| Personnel Fixed Costs | Option - 1 (Years 6-7) | |
|--------------------------|------------------------|---------|
| | Year 4 | Year 5 |
| Innovative Cost per Hour | \$87.00 | \$90.00 |

**Hourly rate for change orders related to additional agency requested work. No orders have been necessary since start of the contract.*

ALTERNATIVES CONSIDERED:

The Board could direct staff to issue an RFP for these services. However, staff has been satisfied with the level of service and the expertise provided by MTM and believes that pricing will increase if an RFP is issued.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, the staff will be authorized, but not required, to negotiate and enter into a contract with MTM under terms that are no less favorable to Access than those proposed herein. Access would not be legally

bound to this contract unless it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

BACKGROUND:

The Eligibility and Mobility Evaluation Services contractor has the primary task of conducting in-person complementary ADA paratransit eligibility determinations and also works with Access to develop and provide additional mobility assessment, education and training services that help applicants with disabilities access other accessible transportation options in the region. The existing contract for these services has a base three-year term from July 2017 with two (2) two-year options. Staff is asking the Board to authorize staff to exercise the final two-year option term.

The current contractor is Medical Transportation Management Inc. (MTM), a national, privately held "S" Corporation and a certified woman-owned business enterprise incorporated in 1995. Based in Lake Saint Louis, Missouri, MTM provides ADA eligibility services for clients in Denver, Colorado; San Diego, California; Portland, Oregon; San Mateo, California; Orange County, California; Raleigh, North Carolina; St. Louis, Missouri; and Austin, Texas. They also provide transportation management services to individuals with disabilities, older adults, and the transportation disadvantaged in 25 states and the District of Columbia.

All Access riders are required to have an initial in-person evaluation which is conducted at one of three locations - Commerce, Santa Clarita Transit, or Antelope Valley Transit Authority. MTM provides services at all three centers with Commerce handling all Los Angeles County basin evaluations. Additionally, all Access riders must go through a recertification process every three years. This is also managed by MTM, which, depending on the rider's disability, requires a paper mail renewal process or a subsequent in-person reevaluation. MTM also administers marking and tethering services in conjunction with an in-person orientation that goes over "What is Access" for every in-person evaluation.

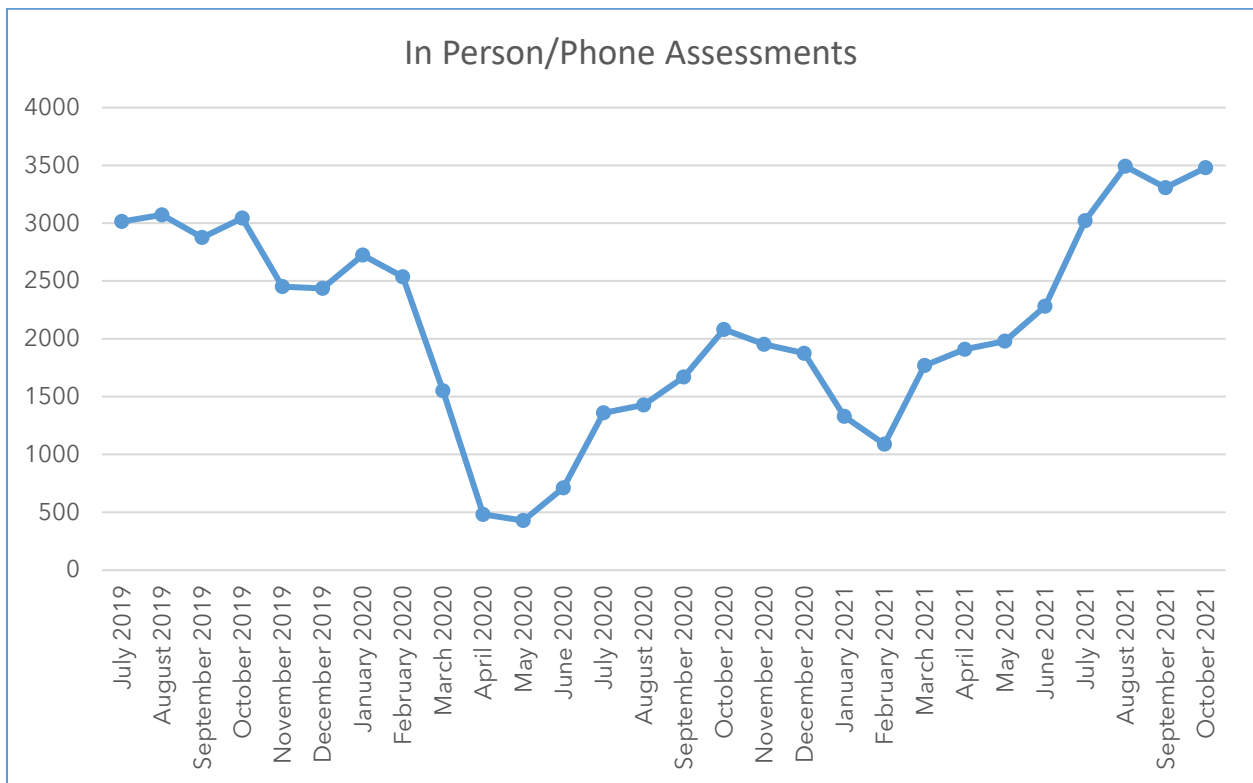
This contract is monitored through regular on-site observations by Access staff as well as contractually required performance standards. These standards include penalties for late determinations, high appeal change rates, and customer service response rates. MTM has not been assessed for any of these in over a year.

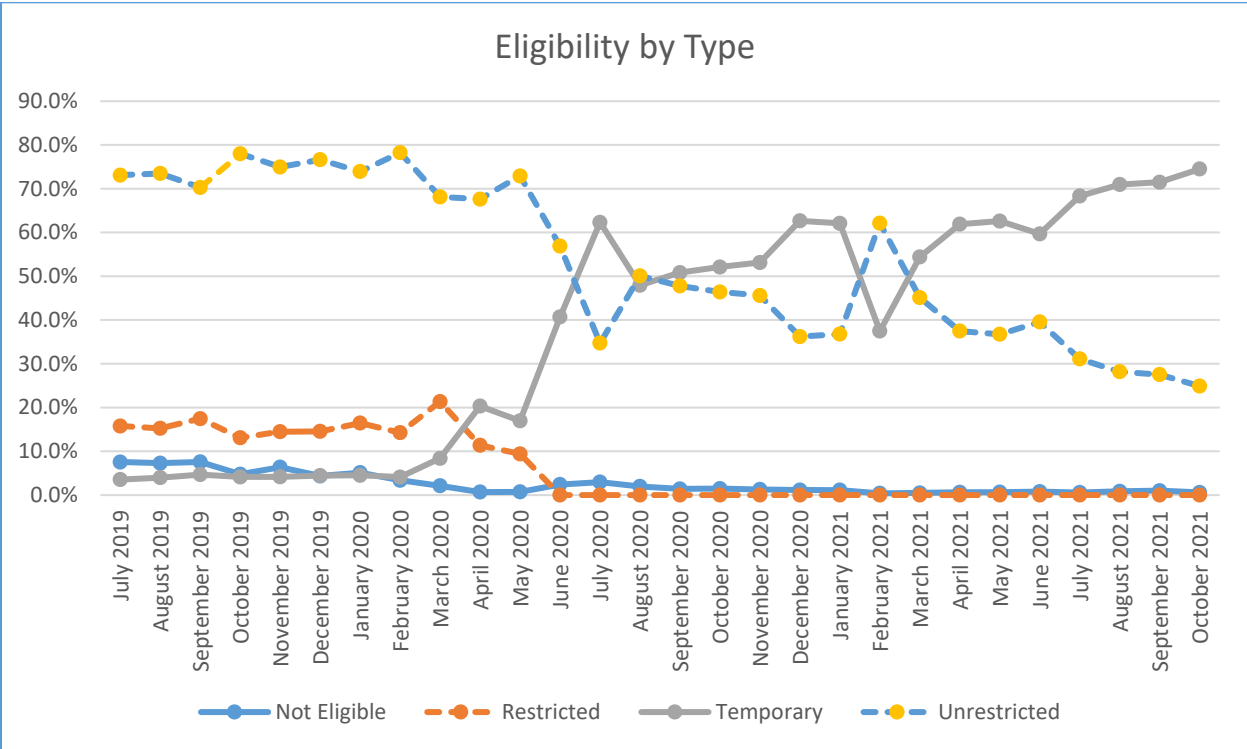
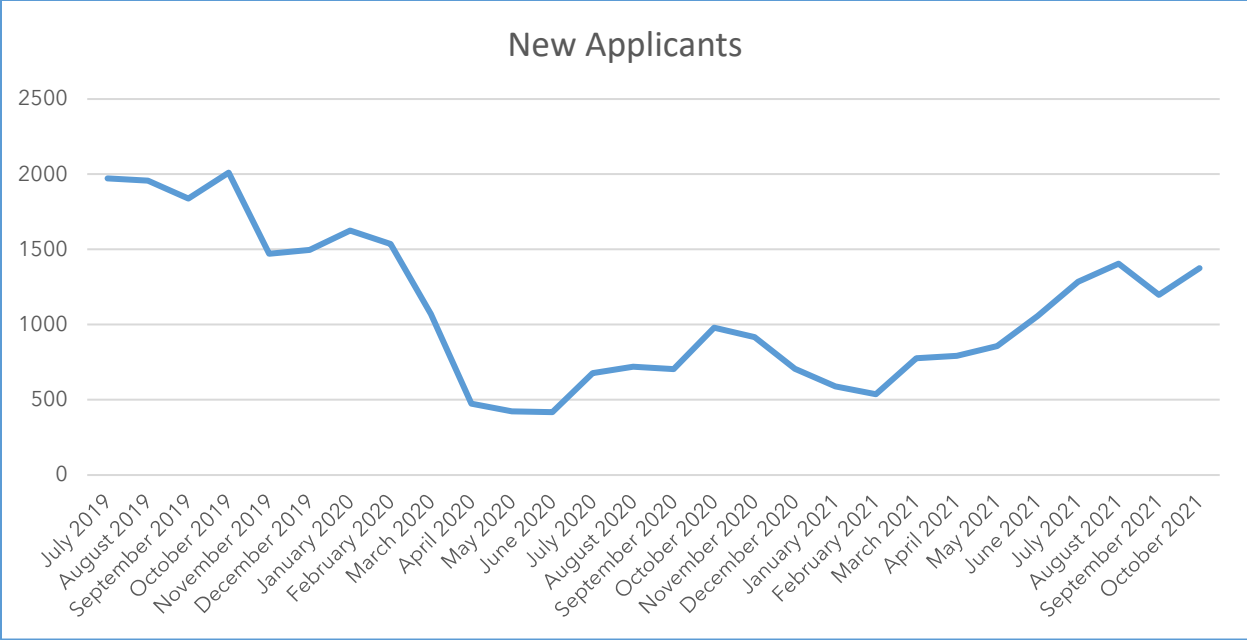
It is important to note that this two-year option period includes significant changes to the process as a result of the COVID 19 pandemic. Effective March 2020, Access ceased to perform in person assessments and replaced this process with phone interviews for the safety of applicants, MTM staff and any other individuals that would otherwise have been on site at the Commerce, Antelope Valley or Santa Clarita eligibility locations. Additionally, those evaluated via the phone interview process were granted one year of eligibility in lieu of three years so that Access can reevaluate those

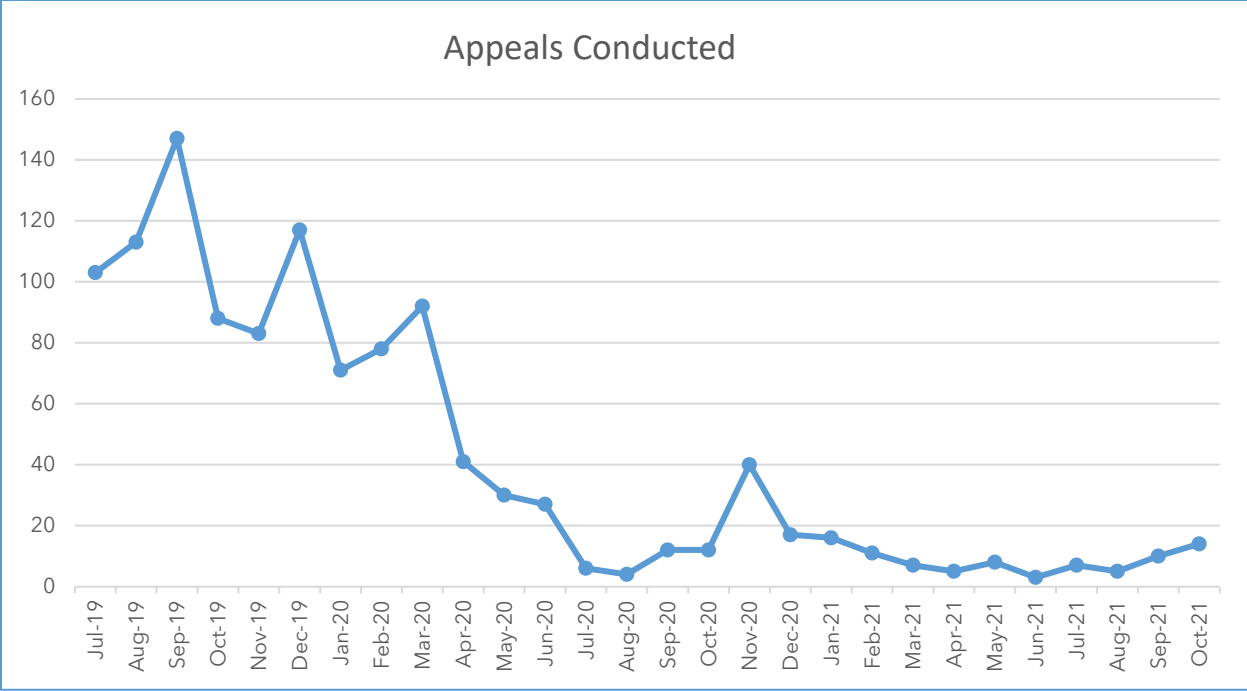
individuals with a full functional assessment once it is deemed safe to return to in person assessments.

Access returned to in person assessments effective December 1, 2021. In person assessments include precautions such as face covering requirements for visitors and staff, temperature screening, physical distancing and enhanced janitorial services to enhance the safety of all individuals at the eligibility locations.

The tables below detail the trends during the start of the current two-year option period through September 2021.







DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: RICK STREIFF, SENIOR MANAGER, FLEET DESIGN, MAINTENANCE AND SAFETY
MIKE GREENWOOD, CHIEF OPERATIONS OFFICER

RE: CONSIDERATION TO APPROVE VEHICLE MAJOR COMPONENT REIMBURSEMENT POLICY AND BUDGET ALLOCATION

ISSUE:

Board approval is necessary in order to adopt a Vehicle Major Component Reimbursement Policy, necessary due to pandemic-related delays in acquiring new, replacement vehicles. The proposed policy is designed to keep the Access owned fleet operational, and reimburse contractors for reasonable, out-of-scope expenses. This item was reviewed and approved by the Planning and Development Committee.

RECOMMENDATION:

Approve the Vehicle Major Component Reimbursement Policy and the budget allocation of \$1,092,000.

IMPACT ON BUDGET:

Staff estimates potential expenditures may require a budget for FY22 of up to \$1,092,000 for major vehicle component repair. This amount was not included in the FY22 Budget but funding is available by reallocating local capital funds budgeted for capital vehicle purchases. Funds are anticipated to be unspent and available due to COVID-19 pandemic-related delays in acquiring new vehicles.

BACKGROUND:

Most of Access' fleet is designed to operate per FTA requirements a minimum of 4 years or 100,000 miles¹. However, Access' operating contracts require contractors to

¹ Access provided fleet = 737 vehicles; all but 21 are 4 year/100,000 miles vehicles; the remaining 21 (all class B and C cutaways) are 5 year, 150,000 vehicles

maintain these vehicles until they reach 250,000 miles. Access strives to place orders for new vehicles to match the number of vehicles that either have reached or will reach the 250,000-mile mark when the new vehicles arrive. The COVID-19 pandemic has, unfortunately, had a negative impact on vehicle orders, a situation not just felt by Access, but by transit agencies across the country. As of October 2021, Access has Board approval to acquire 145 new vehicles, but orders have been delayed indefinitely due to manufacturing delays. Access and its contractors have had no choice but to continue operating and maintaining vehicles well beyond their useful life. As of October 1, 2021, Access has 170 vehicles with more than 250,000 miles.

Operating high mileage vehicles present certain risks to Access and its contractors, primarily due to the possibility of major component failure as the vehicle accumulates mileage. Major component failure can be expensive and time-consuming to repair and can include engines, transmissions, differentials, trans-axles, suspension, and air conditioning units.

Access' long-standing practice of ordering replacement vehicles to minimize vehicle mileage from exceeding 250,000 miles is identified in each operating contract and allows contractors to budget for maintenance costs. Major component repairs for vehicles beyond 250,000 miles are not budgeted for, and are a significant source of stress on a contractor's operation not only in terms of cost but also in operational reliability. Staff's recommendation addresses this issue by establishing a budget for unanticipated major component repairs due to the delay in acquiring new vehicles. Staff has also developed a process for confirming the need for repairs, as well as cost reimbursement.

Reimbursement Process

| | |
|----|--|
| 1. | Contractor informs Access of vehicle needing major component repair. |
| 2. | Access confirms mileage and repair qualification. |
| 3. | Access pre-approves qualifying repair. |
| 4. | Contractor repairs vehicle and invoices Access with receipts and work orders to document repair. |
| 5. | Access reviews documentation and approves qualifying repairs. |

A small number of repairs were approved under the Executive Director's emergency authorization in order to keep the fleet running. However, due to the expected long duration of this issue and potential cost, staff is now seeking Board approval. Approval is for expenses during FY22 only, and reimbursement for expenses would be retroactive to July 1, 2021. Expenditures of this type will be budgeted, if necessary, in future fiscal years.

DECEMBER 6, 2021

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: UPCOMING BOARD ITEMS

ISSUE:

The following items are tentatively scheduled to be addressed by the Board and its committees through January 2022.

December 20, 2021 - Board Operations Committee

| Agenda Items: | Disposition: |
|----------------------|---------------------|
| Board Agenda review | Action |

January 10, 2022 - Committee Meetings - Performance Monitoring, Planning and Development and External/Stakeholder Relations

| Agenda Items: | Disposition: |
|---|---------------------|
| Legal Services Contract Amendment | Action |
| Metro NextGen Bus Plan Service Area Impacts | Action |
| Customer Service Update | Presentation |

February 14, 2022 - Board of Directors

| Agenda Items: | Disposition: |
|--------------------------|---------------------|
| Committee Items Approval | Action |

February 28, 2022 - Board Operations Committee

| Agenda Items: | Disposition: |
|----------------------|---------------------|
| Board Agenda Review | Action |