access

PERFORMANCE MONITORING COMMITTEE
Monday, January 23, 2023
11:00 a.m.

Webinar

Committee Members: **D. Barnes, Chair**
G. Gogreve
J. Troost

		DISPOSITION
1.	**CALL TO ORDER**	ACTION
2.	**GENERAL PUBLIC COMMENT**	INFORMATION
3.	**CONSIDERATION TO APPROVE TRANSPORTATION NETWORK COMPANIES (TNCs) PILOT PROGRAM** (page 5)	ACTION
4.	**FIXED ROUTE SERVICE AREA IMPACTS**	PRESENTATION
5.	**PERFORMANCE UPDATE**	PRESENTATION
6.	**CHIEF OPERATIONS OFFICER REPORT**	PRESENTATION
7.	**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 committee 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 committee 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 committee members by staff or Board committee members at the meeting, will simultaneously be made available to the public. Three opportunities are available for the public to address the Board committee during a Board committee meeting: (1) before closed session regarding matters to be discussed in closed session, (2) before a specific agendized item is debated and voted upon and (3) during the time allotted for general public comment. The exercise of the right to address the Board committee 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 further 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 committee cannot and will not 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 committee may direct staff to investigate and/or schedule certain matters for consideration at a future Board committee meeting and staff may respond to all public comments in writing prior to the next Board committee meeting.

Commitment to Civility
To assure civility in its public meetings, staff and the public are also encouraged to engage in respectful dialog that supports freedom of speech and values diversity of opinion. To achieve compliance with these Rules, Directors, staff, and the public are encouraged to:
- Create an atmosphere of respect and civility where Directors, staff, and the public are free to express their ideas;
- Establish and maintain a cordial and respectful atmosphere during discussions;
- Foster meaningful dialogue free of personal attacks;
- Listen with an open mind to all information, including dissenting points of view, regarding issues presented to the Board;

- Recognize that it is sometimes difficult to speak at Board meetings, and out of respect for each person's feelings, allow others to have their say without comment, including booing, whistling or clapping; and
- Adhere to speaking time limit.

Alternative accessible formats are available upon request.

*NOTE
NOTICE OF ALTERNATIVE PUBLIC COMMENT PROCEDURES

Pursuant to temporary revised Brown Act requirements, Board committee 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 9:00 am on Monday, January 23, 2023 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/87913791907
2. Enter an email address and your name. Your name will be visible online while you are speaking.
3. When the Committee 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 an accessibility tool for comments on items by committee members and the general public attendees who need to use this tool. 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 –
    Dial (for higher quality, dial a number based on your current location):
    US: +1 669 900 6833 or +1 669 444 9171 or +1 253 215 8782 or +1 346 248 7799 or +1 719 359 4580 or +1 253 205 0468 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 931 3860 or +1 689 278 1000 or +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free)
    Webinar ID: 879 1379 1907
3. When the Committee 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 upon 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.
4. If you cannot use the "raise hand" feature, please submit a written comment as outlined above.
5. When called upon, 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.

JANUARY 16, 2023

TO: BOARD OF DIRECTORS, PERFORMANCE MONITORING COMMITTEE

FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR

RE: CONSIDERATION TO APPROVE TRANSPORTATION NETWORK COMPANIES (TNCs) PILOT PROGRAM

ISSUE:

Access service providers are currently experiencing difficulties in obtaining sufficient resources (either employee drivers or taxis) to meet customer demand during the Agency's peak service periods in the spring and fall. Board approval is required to implement a pilot program that will allow service providers to utilize TNCs, such as Uber, for a small portion of their next-day paratransit service.

RECOMMENDATION:

Authorize the Executive Director to implement a pilot program as outlined in this item that will allow service providers to utilize TNCs as subcontractors for a duration of two years.

IMPACT ON BUDGET:

The implementation of the program will not have a financial impact as our service providers will contract directly with the TNCs.

ALTERNATIVES CONSIDERED:

Staff continues to work with Access' providers to help them obtain traditional driver resources (employee driver and taxis) through the implementation of a Contractor Hiring Assistance Program and providing for additional funding in the FY23 budget to raise provider driver wages to be more competitive in the marketplace.

In addition to these initiatives, other alternatives include:

- Expand use of direct employees – The service providers are constantly seeking to expand the workforce to meet the demand. However, for most service providers, expanding the directly hired workforce to cover trips originally delegated to subcontractors during the bidding process could require additional support personnel as well as a renegotiation of contracts that would substantially

increase Agency costs. In addition, it is unlikely in the current economic environment that service providers could obtain sufficient personnel.

- Fleet Expansion – This option would go together with the first option outlined above. While expanding the fleet is prudent, this is a long-term solution rather than a short-term solution. Expanding the fleet is capital intensive and would require planning by this agency as well as our service providers as most of the existing operational facilities would not be able to accommodate an increase in the size of the Access dedicated fleet. In addition, this option would substantially increase Agency capital costs and would most likely take several years to fully implement.

- Increase use of taxis – To date, service providers continue to seek additional taxi resources. Staff will continue to have conversations with our service providers to determine avenues that will lead to greater taxi participation in our contracts.

- Increase compensation to taxi subcontractors – The Board recently approved an increase to subcontractor (taxi) rates. Staff will follow the response to the increase to determine its effectiveness and what additional steps should be taken if necessary.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

Should the staff recommendation be approved by the Board, staff would be authorized, but not required, to develop and implement a pilot project as outlined in this item that will allow service providers to utilize TNCs to supplement their available workforce and available fleet to meet demand. This pilot program will allow the agency to gauge the potential benefit of utilizing TNCs, the acceptance and adoption of technology, rider utilization of smartphones and the interaction of outside applications with Access technology.

BACKGROUND

Staff presented this concept to the Board at its regular meeting of July 2022. At that time, the Board approved the concept subject to the input of a proposed TNC Subcommittee Working Group.

The TNC Subcommittee Working Group, comprised of representatives from the CAC, TPAC and the Board, was assembled and met several times over the last six months. At its last meeting held on December 9, 2022, the working group approved the concept of utilizing TNCs as another Operations Monitoring Center (OMC) Backup Provider subject to the amendment of the current rider disclaimer.

In addition, the TNC Working Group approved the use of TNCs as potential subcontractors subject to the additional requirements listed below:

- Pilot program to be implemented in only one region during the pilot period
- The TNC program will be solely a rider opt-in program
- The selected region will have the ability to subcontract up to 10% of reservations from the nightly schedule and an additional 5% during the day should circumstances dictate
- Information about the TNC pilot program may be disseminated during the eligibility process but customers will have to go to Access' website to apply after they are deemed eligible
- The TNC pilot program may be added to the Travel Training program.
- Prepare a marketing program to inform and educate riders about the pilot program
- Assignment of trips to the TNC program will be at the discretion of the contractor
- Questions pertaining to TNCs have been added to the Customer Survey
- Disclosure of the differences among Access, taxi and TNC trips will be part of the online application process
- Email to be sent to riders who opt-in to the program to verify that in fact they are aware of the differences among the different providers of trips

Proposed TNC Pilot Project

The pilot project proposes to utilize TNCs in the following manner:

- Provide next-day transportation
- Allow Access service providers to subcontract up to 10% of the reservations received.
- Allow Access service providers to subcontract up to an additional 5% of trip demand as daily demand conditions dictate.
- Allow Access service providers to request authority from staff to subcontract additional work should conditions dictate for each day (e.g. major holidays).
- Riders will have to proactively opt-in to the program via the Access website or through Customer Service. Final opt-in details will be further developed once the program is approved.
- Only riders who have expressly given their approval to opt-in will be provided trips via a TNC.
- Verification of customer opt-in will be captured by both the Rider360 customer portal and the reservations and dispatching (RSDS) software.
- TNC drivers must have criminal background checks.
- TNC drivers must be screened for satisfactory driving history.
- TNC drivers must be regularly reviewed for new information related to criminal or driving history on at least an annual basis.
- TNCs will be required to provide insurance with minimums of at least $1 million per occurrence.
- Reporting of collisions and incidents will mirror existing requirements.
- TNC vehicles will have to undergo the required inspection that the TNC requires and subsequent inspections as required by the TNC.

- All TNC vehicles must meet the minimum age and feature requirements as stipulated by the TNC.
- TNCs must provide 24-hour support for situations that may arise as part of the normal course of business.
- TNC drivers that perform services on behalf of Access service providers will be required to have at least one year of experience with the TNC.
- TNC drivers that perform services on behalf of Access service providers will be required to have the highest customer satisfaction rating.
- Collection of fares will be performed either through the TNC app or via a third-party app.
- TNC trips will be GPS tracked from the pickup point to the destination point.
- TNCs will be required to provide all data required by NTD and Access in a usable format for ease of reporting.
- TNCs will be required to provide service providers with a dashboard or ability to provide live trip information in order to allow the contractor staff to provide ETA information.
- TNCs will contract directly with Access service providers.
- Access service providers will provide separate billing details for trips performed by TNCs.
- Access will reimburse service providers for TNC trips at the same variable rate applicable to each contract.
- Customers will be contacted if they will be dispatched a TNC vehicle the day of the trip.
- All costs related to this pilot project will be paid using local funds only.
- The TNCs may differ from other Access subcontractors in that they will not have the same standard for driver training, driver assistance to riders, vehicle maintenance, driver credentialing, and drug & alcohol testing.

Next Steps

Upon approval and implementation of the pilot, staff will provide updates as follows –

Year 1 and 2
- Monthly
    Provide number of participants
    Provide monthly volume of trips assigned to TNCs

- Present current results to the Board

Year 2
- Conduct an assessment of the program
- Provide recommendations to the Board