

# access

## PERFORMANCE MONITORING COMMITTEE

Monday, March 27, 2023

11:00 a.m.

### Webinar

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

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	<u>DISPOSITION</u>
1. CALL TO ORDER	ACTION
2. GENERAL PUBLIC COMMENT	INFORMATION
3. CONSIDERATION TO EXTEND TERM, MODIFY RATES AND INCREASE FUNDS - FLEET INSPECTION SERVICES CONTRACT (AS-4104)	ACTION
4. CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - INSURANCE THIRD PARTY ADMINISTRATOR SERVICES CONTRACT (AS-4124)	ACTION
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 agenda 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, March 27, 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](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/88466995535>
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](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 +1 386 347 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 +1 360 209 5623 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: 884 6699 5535
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.

MARCH 20, 2023

**TO: BOARD OF DIRECTORS**

**FROM: BRIAN SELWYN, MANAGER OF PROCUREMENT AND CONTRACT ADMINISTRATION  
RICK STREIFF, SENIOR MANAGER, FLEET DESIGN AND MAINTENANCE**

**RE: CONSIDERATION TO EXTEND TERM, MODIFY RATES AND INCREASE FUNDS - FLEET INSPECTION SERVICES CONTRACT (AS-4104)**

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**ISSUE:**

Board approval is required to exercise the second option term for fleet inspection services with AmeriTran Service Corporation (dba Transit Resource Center) (TRC).

**RECOMMENDATION:**

Authorize staff to execute the second option year of Contract AS-4104 with TRC effective June 1, 2023 through May 31, 2024, modify the rates and increase funds by \$75,000.

**IMPACT ON BUDGET:**

The increase to the contract is due primarily to two factors: an increase in demand for new vehicle inspections and the fact that the contract total did not increase when the current option year was exercised. The contract value will increase from \$336,306 to \$411,306. The funding for this service, which is programmed in the current budget and will be included in future fiscal years, comes from Proposition C 40% Discretionary funds.

**ALTERNATIVES CONSIDERED:**

The alternative, should the Board not approve the option term, is to release an RFP for fleet inspection services for a November 1, 2023 start date. Staff would then seek Board approval and contractor agreement to extend the current contract for a period of six months to ensure fleet inspections can continue. This is not advisable however, as Access has four vehicle orders, consisting of 101 vehicles, in various stages of production and any disruption to in-plant inspections could jeopardize compliance with 5310 contract obligations.

**EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

If the Board approves this staff recommendation, staff would be authorized, but not required, to negotiate and enter into a written extension upon terms and conditions no less favorable to Access Services than those proposed herein. Access Services would not be legally bound to the option term herein proposed unless and until 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 is committed to protecting its fixed assets and ensuring that our service providers maintain the assets in good repair. The third-party inspection process is one of many means used by Access to protect those assets. Access Services requires that vehicles utilized in revenue service, whether owned by the agency or the service provider, or contracted by the service provider, are maintained and kept in the best condition possible. In addition to the daily equipment, vehicle condition and maintenance inspections currently being performed in the field by service contractors, fleet management staff and road safety inspectors randomly perform inspections of all revenue vehicles and equipment. In order to ensure further compliance with this policy, Access has compiled a menu of inspections that require a third-party: plant inspections of new vehicles to be purchased by Access; inspections of Access-owned vehicles currently used in revenue service; and quarterly paper audits of non-dedicated, contractor-owned vehicles and taxis.

As a recipient of 5310 funding, Access is required to perform in-plant inspections of new vehicles prior to their use in revenue service. Given that our vehicles are currently built in multiple facilities and that the build period can last as long as six months per vehicle, Access, without the use of third-party inspectors, would have to utilize existing staff, or add new staff, re-locating them to facilities out of state for extended periods of time. Staff believes that agency resources can be better spent by engaging the services of expert, third-party inspectors to perform this work.

In terms of Access-owned vehicles currently in revenue service, staff has found the use of a third-party inspector to be essential in facilitating the transition of rolling stock from an outgoing to an incoming service provider. With the turnover of any service contract, a full inspection of all vehicles is required. The use of third-party inspectors (vs. Access or service provider staff) allows for an objective, non-biased assessment of the condition of vehicles during the transition period.

As reflected in the table below, TRC is requesting an increase in the rates of compensation listed in the contract for the second option year. The proposed increase in the rates of compensation from those of the current year falls slightly below the most recently published year-over-year increase in the Consumer Price Index for the Los Angeles Region, which is 5.8%. (US Department of Labor, Bureau of

Labor Statistics, Los Angeles Region-Urban, January 2023.) After careful consideration, staff believes that the requested modification in rates is justified.

Manufacturing shortages have had a massive impact on vehicle production schedules, resulting in much higher prices for parts and labor. Inspection services provided by companies like TRC, in turn, are impacted by major parts supply interruptions causing production delays, partially completed vehicles being pushed out to parking lots, and vehicles re-entering production in a non-predictive manner as missing parts suddenly appear. Inspectors are spending twice as much time as normal in trying to properly inspect buses whose partial completion changes every day.

**Current and Proposed Rates:**

<b>TASK</b>	<b>Option Yr. 1 (Current Rates)</b>	<b>Option Yr. 2 (Rates Per Contract)</b>	<b>Option Yr. 2 (Proposed Rates)</b>
In-Plant Inspections Per Vehicle Rate: 1-35 Vehicles	\$268.00	\$276.00	\$283.47
In-Plant Inspection Per Vehicle Rate: 36-150 Vehicles	\$268.00	\$276.00	\$283.47
Production Change: Hourly Rate	\$56.00	\$58.00	\$59.23
Taxi Quarterly Audit Per Vehicle Rate: 1-120 Vehicles	\$21.50	\$22.00	\$22.74
Taxi Quarterly Audit Per Vehicle Rate: 121-200 Vehicles	\$21.50	\$22.00	\$22.74
Contractor Turn Over Audits Per Vehicle Rate: 1-50 Vehicles	\$298.00	\$307.00	\$315.20
Contractor Turn Over Audits Per Vehicle Rate: 51-275 Vehicles	\$287.00	\$295.00	\$303.56
In Service 10% Per Vehicle Rate	\$150.00	\$155.00	\$158.66

MARCH 20, 2023

TO: BOARD OF DIRECTORS

FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR

RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS -  
INSURANCE THIRD PARTY ADMINISTRATOR SERVICES CONTRACT  
(AS-4124)

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**ISSUE:**

Board action is required to exercise the first one-year renewal option and add funds to Contract No. AS-4124 with CorVel Enterprise Comp, Inc. (CorVel), the agency's insurance third party administrator (TPA).

**RECOMMENDATION:**

Authorize staff to execute the first one year renewal term with CorVel effective July 1, 2023 through June 30, 2024 and add an additional \$390,415 in funds.

**IMPACT ON BUDGET:**

This action will result in an increase in the previously approved contract amount of \$680,265 to \$1,070,680. This action is consistent with Access' budget for FY2022/23 and will be programmed for FY2023/24. The funding for this service is allocated from local funds and the level of expenditure remains within the expected levels.

**ALTERNATIVES CONSIDERED:**

The Board, at its option, could request staff to issue an RFP. However, the contractor has met the terms of the Contract and thus merits consideration of exercising the first option year.

**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 an amendment of the existing contract with CorVel Enterprise Comp, Inc., 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.

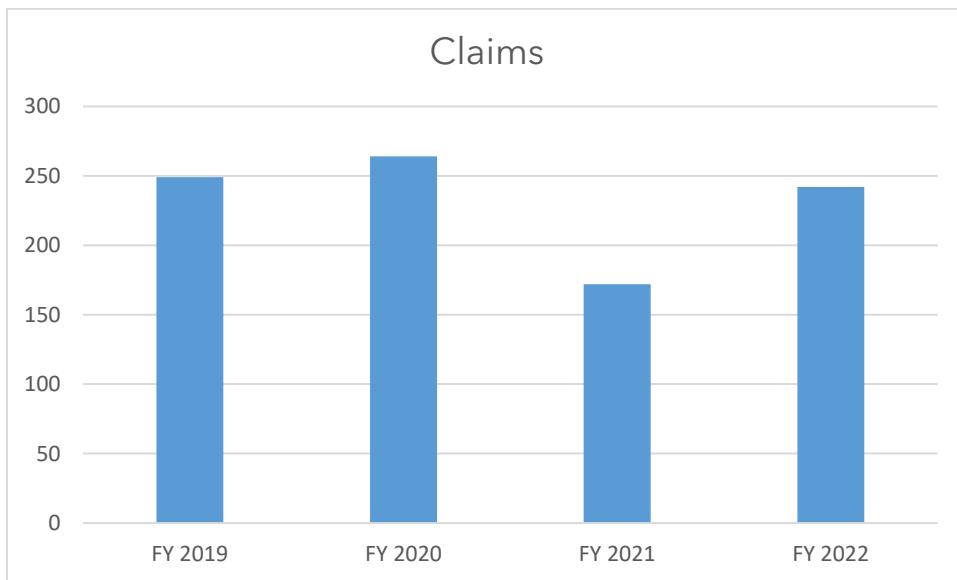


**BACKGROUND:**

Access has been utilizing the services of a qualified firm to provide insurance TPA services in order to minimize Access’ insurance costs and other expenses through the expeditious and skillful handling of all claims. The TPA efficiently administers collision and incident claims arising out of the operation of Access’ revenue service vehicles and adjusts those claims falling within the applicable self-insured retention (SIR) of \$100,000 per claim. The TPA is also involved in the processing of claims against Access as required by the Governmental Claims Act and the Tort Claims Act.

CorVel spends an average of 12.5 hours on each claim and the number of claims and hours are projected to be the same going forward.

Below is a summary of the number of claims processed per fiscal year.



CorVel’s hourly rate during the first two years of the contract was \$89 and increased to \$90 during the third year of the contract. The proposed rate for the first renewal term is \$91 an hour.

CorVel was selected through a competitive procurement process which was awarded by the Board on April 13, 2020. The award was for a three-year base term contract which ends on June 30, 2023. If approved by the Board, this contract may be extended up to two (2) years in one-year increments. In order to continue with these services, it is necessary to increase funds and extend the term for another year through June 30, 2024.