BOARD OF DIRECTORS MEETING
MONDAY, APRIL 28, 2014
Closed Session: 12:00
General Session: Immediately Following
Closed Session to 3:00 p.m.

Los Angeles County MTA
One Gateway Plaza, 3rd Floor
729 Vignes Street, Los Angeles CA 90012

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.

DISPOSITION

1. CALL TO ORDER

2. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS

3. CLOSED SESSION

   A) CONFERENCE WITH LEGAL COUNSEL: CAL. GOV. CODE §54956.9

      1. Existing Litigation: Gov. Code § 54956.9(a)

         (i) Minnis v. Access Services: LASC #BS145949

         (ii) Debra Mitchell v. Access Services: claim #11-99356

      2. Anticipated Litigation: Gov. Code § 54956.9 (b)

         (i) Significant exposure to litigation against the Agency

      3. Initiation of Litigation: Gov. Code § 54956.9 (c)

4. SUPERIOR SERVICE AWARDS
5. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON MARCH 17, 2014 (page 5)  
   [Staff Recommendation: Approve minutes as written.]  

6. REPORT FROM EX-OFFICIO BOARD MEMBERS  
   INFORMATION  

7. GENERAL PUBLIC COMMENT  
   INFORMATION  

8. CONSENT CALENDAR  
   a) Consideration to Purchase Up to 11 Service Vehicles For Paratransit Service (page 15)  
   b) Consideration to Amend Contract Language, Increase Rates and Add Funds For Antelope Valley Region Service Contract (AS-3116) Diversified Transportation, LLC (page 17)  
   c) Consideration to Extend and Increase Funds For Internet Services With Cogent Communications (AS-2940) (page 20)  
   d) Consideration of The Employee Handbook Revisions and Policy Updates (page 22)  
   e) Consideration to Eliminate Self-Insured Retention Provider Incentive Program (page 58)  
      [Staff Recommendation: Approve Consent Calendar]  

9. CONSIDERATION TO ASSUME FACILITY SPACE LEASE (page 60)  
   [Staff Recommendation: Authorize Staff to assume the CARE Evaluators, Inc. lease agreement with Mateo Industrial Investments, LLC. and KF Holdings, LLC. for facility space located at 528 S. Mateo Street, Los Angeles, CA 90013. The assumptions will be for the period of June 1, 2014 through June 30, 2018. The total commitment will be $1,037,488.]  

10. CONSIDERATION TO APPROVE THE REVISIONS TO THE DRIVER INCENTIVE PROGRAM (page 62)  
    [Staff Recommendation: Authorize staff to modify the current driver incentive program to reduce the number of awards from every 10,000 miles to every 25,000 miles and extend the top tier to now include awards at 150,000 miles and 200,000 miles.]
11. CONSIDERATION TO APPROVE THE AMENDED FISCAL YEAR 2014/2015 FUNDING REQUEST (page 65)  
[Staff Recommendation: Ratify a revised funding request to Metro of $131,646,834. This amount includes FY2014/2015 service demand projections, agency program expenses, capital fleet service vehicles.]

12. ACCESS SERVICES FISCAL YEAR 13/14 BUDGET UPDATE  
PRESENTATION

13. STATUS UPDATE ON METRO’S REVIEW OF ACCESS SERVICES (page 67)  
INFORMATION

14. EXECUTIVE DIRECTOR’S REPORT  
INFORMATION

15. BOARD MEMBER COMMUNICATION  
INFORMATION

16. NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA  
DISCUSSION/POSSIBLE ACTION

17. 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 to facilitate communication. In determining the type of auxiliary aids and services for communication that will be provided, primary consideration is given to the request of the individual with disabilities. However, the final decision belongs to Access Services. To help ensure availability of those 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 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 agendized 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 yellow Public Comment Form and submit it to the Secretary to 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 the
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 in 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 will respond to all public comment in writing prior to the next board meeting.

"Alternative accessible formats available upon request."
The Access Services Board of Directors meeting convened at 12:02 p.m. on Monday, March 17, 2014 in the third floor Council Chamber Conference Room at Access Services Headquarters (Metro Division 9) Building located at 3449 Santa Anita Avenue in the City of El Monte, California. The presiding Board Member was Doran Barnes, Chairperson. Board Members present included: Dolores Nason, Vice Chair, Martin Gombert, Treasurer, John Troost, Art Ida, Daniel Levy, and Angela Nwokike. Ex-Officio, Michael Arrigo, CAC Chair, and Jim Jones, Access Services Legal Counsel.

Directors Theresa DeVera, Secretary, Kim Turner and Kathryn Engel, TPAC Chair, were excused from the meeting.


PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS

No public comments were heard regarding the closed session items.

CLOSED SESSION REPORT

The Board met in Closed Session and reconvened the general portion of the meeting at 1:04 p.m. at which time Michael Arrigo, Chair of the CAC joined the general session.

Chairperson Barnes asked Mr. Jones, Access Services Legal Counsel, to brief the audience on the outcome of the closed session.

Mr. Jones reported that prior to taking the dais, the Board met in closed session to consider and discuss the existing litigation of Minnis versus Access Services and Debra Mitchell versus Access Services. No reportable action was taken by the Board with respect to both matters. The Board also discussed potential initiation of litigation and no reportable action was taken by the Board with respect to this matter.

Mr. Jones explained the general 3 minute limitation on public comment and that anyone who by reason of a specific disability which prevented them from speaking with normal rapidity and who wished to request an accommodation should so indicate on the speaker request form so that the Chairperson could consider and potentially
grant additional time to make their statement but due to the amount of public comments submitted for today’s meeting the Chairperson would only allow three minutes for public comments.

Mr. Jones also explained that individual speakers may not cede their time to anyone else, if someone else had an issue they would need to speak for themselves or if they are unable to speak for themselves the Board should receive written communications to make them part of the record.

**SUPERIOR SERVICE AWARDS**

Richard Cabrera, a Mechanic from Santa Clarita Transit, was the recipient of the Superior Service Award for the month of March 2014.

**REVIEW & APPROVAL OF THE BOARD MEETING MINUTES FROM JANUARY 27, 2014**

Chairperson Barnes asked if there were any changes or corrections to the January 27, 2014 Board meeting minutes.

**Motion:** Director Nason moved approval of the January 27, 2014 Board meeting minutes.

**Second:** Director Troost seconded the motion.

**Discussion:** None.

**Vote:** Via Voice Vote.

**In Favor:** Directors Gombert, Troost, Levy, Nwokike, Nason, and Ida.

**Opposed:** None.

**Abstention:** None.

**Pass/Fail:** The motion carried.

**REPORT FROM EX-OFFICIO BOARD MEMBERS**

Michael Arrigo, Chair of the Community Advisory Committee (CAC), began his report by thanking Directors Gombert and Troost for attending the previous CAC meeting for this year, which he felt they both enjoyed. He also reported that the topic of discussion was the performance standards review, a presentation on the relationship between Metro and Access Services and a report on the upcoming survey that Metro would be conducting on Access Services.

Mr. Arrigo concluded his presentation by stating that Access Services Chief Operating Officer, F Scott Jewell provided a presentation on the TAP card regarding some of the upcoming minor changes. He wished everyone a happy Saint Patrick’s Day.

Chairperson Barnes thanked Mr. Arrigo for his continued leadership of the CAC and added that the Board appreciated all his contributions.
GENERAL PUBLIC COMMENT

Maryann Cuevas requested that the Board allow her to receive transportation. She stated that it was very difficult for her to walk without a cane or walker. She also stated that she had discussed the issue with Mr. Louis Burns from Access Services and requested that Access send a Road Supervisor to conduct a site evaluation but nothing had been done. Ms. Cuevas briefly went over her recent medical conditions and concluded her public comment by requesting that Access Services send someone out to conduct a site evaluation.

Ms. Verrinder informed Ms. Cuevas that Access Services Manager of Eligibility, Kurt Hagen would follow-up with her after the meeting.

CONSENT CALENDAR

Motion: Director Ida moved approval of all the Items on the Consent Calendar.
Second: Director Nwokike seconded the motion.
Discussion: None.
Roll Call: Chairperson Barnes asked for a roll call.
In Favor: Directors Levy, Nwokike, Nason, Ida, Troost, and Gombert.
Opposed: None.
Abstention: None.
Pass/Fail: The motion carried.

CONSIDERATION TO EXTEND THE ELIGIBILITY DETERMINATION SERVICE CONTRACT (AS-2441)

Access Services Deputy Executive Director of Planning and Governmental Affairs, Andre Colaiace and Kurt Hagen, Manager of Eligibility provided a brief presentation on the staff recommendation for the Board to consider the approval to extend the eligibility determination service contract.

Board Questions & Comments: Director Levy stated that on page 28 of the Board agenda the item stated that the extension would be funded with funds that were budgeted for survey work that would not be occurring this year. He asked what kind of survey work would be.

Ms. Verrinder replied that staff had budgeted for the Customer Satisfaction survey that takes place every other year but this year it would not be taking place so there was $60,000 in funds available for that line item.
Director Levy stated that the next item on the Board agenda was related to the survey, he asked if it would make more sense to utilize the funds there. Ms. Verrinder replied that it could be done that way but she wanted to list all the possibilities. She added that staff did not transfer directly from one line item to the next because staff moved money around as the year progressed depending on circumstances. Ms. Verrinder stated that she wanted to list all the available items that show money available. Mr. Jewell added that the next agenda item regarding the survey was just under $20,000 so there would be $40,000 that would not be used in that category.

Director Levy mentioned that it stated in the agenda item that there was no money available for the survey so staff was asking for money. Ms. Verrinder replied that the next agenda item stated that there was not enough money available to fund the scope of work being requested. She added that there was $4,000 left in the contract and staff was requesting Board approval to increase that amount.

Ms. Verrinder stated that in the past staff would calculate the projections for eligibility but starting with next fiscal year’s budget the projections for eligibility would be done by HDR using a modeling technique similar to the technique that was used for ridership. Staff also hoped that those projections would be more accurate; to about one to three percent like the ridership projections. This would help the contractor C.A.R.E. Evaluators and Access Services plan for the future of eligibility.

Director Levy reiterated that it did state in the next item that the costs were not programmed and would be covered by the $150,000 from the Volunteer Driver Program. He added that it would be nice if it was covered out of the $60,000 from the Customer Satisfaction survey that was not going to take place this year. Ms. Verrinder replied that staff would make a note of that.

Chairperson Barnes stated that in terms of Items nine and ten, you have the Volunteer Driver Program that was not moving forward and a component of the survey that would be moving forward and would fund this item and the next. Ms. Verrinder replied that was correct but there were parts of the Volunteer Driver Program that had moved forward and funds were expended. She added that staff hosted a quarterly Volunteer Driver Coalition so some of the money was spent on that. There was seed money budgeted this year under the Volunteer Driver Program to begin reimbursing individuals for trips but the program had not been implemented. She also added that Access Services line item budget could get very confusing, so she hoped that the new Controller would be able to make it easier to understand.

Director Levy stated that when he reviewed the Board Box it showed that no money had been expended for the Volunteer Driver Program,
he asked if money had been expended. Mr. Colaiace replied that the amount was very minimal and to have that amount as a line item in the budget would have looked like Access Services had a Volunteer Driver Program. He also added that the only thing staff had done was put together the Volunteer Driver Coalition, they had a meeting and the amount of expenditures to do that was very minimal.

Ms. Verrinder added that Director Nason asked if staff applied for a grant for the Volunteer Driver Program. Mr. Colaiace replied that staff applied through Metro which he believed was through the New Freedom Funds a couple years ago and staff was not funded, however when staff started the Volunteer Driver Coalition, it was discussed and decided that it was something that needed to done, so staff was still working through the process.

Ms. Verrinder stated that staff would add an item in the next Board Box on the Volunteer Driver Program to clear up any confusion. She also added that the amount that was expended was for a meeting space at the California Endowment Center, the meeting room was free but you have to purchase catering services, so it was expenses related to that type of occurrence. Ms. Verrinder also mentioned that staff had not retained a consultant but was using the local knowledge base of individuals that were currently providing Volunteer Driver programs. Staff was trying to determine the feasibility of implementing a program as cost mitigation for Access Services.

What staff did not want to do was start a Volunteer Driver Program and end up reimbursing for trips that Access Services was not responsible for or Access trips that were not currently being doing. Staff was looking at this as a way of moving trips from Access Services on to a Volunteer Driver pool. Ms. Verrinder concluded her comments by stating that staff had overcome the insurance obstacles which staff would include in the Board Box to bring everyone up to date. She added that Access Services new Controller, Hector Rodriguez would make a note to include the Volunteer Driver Coalition meeting expenses in the line appropriate line item.

Motion: Director Ida moved approval of staff’s recommendation.
Second: Director Nwokike seconded the motion.
Discussion: None.
Roll Call: Chairperson Barnes asked for a roll call.
In Favor: Directors Nwokike, Nason, Ida, Gombert, Troost, and Levy.
Opposed: None.
Abstention: None.
Pass/Fail: The motion carried.
CONSIDERATION TO AWARD CONSULTING CONTRACT FOR SURVEY CONSULTING SERVICES

Access Services Executive Director, Shelly Verrinder provided a brief presentation on staff’s recommendation for the Board to consider the approval of awarding the consulting contract for survey consulting services. Director Levy recused himself from this item due to a conflict.

Board Questions & Comments: None.

Motion: Director Gombert moved approval of staff’s recommendation.

Second: Director Ida seconded the motion.

Discussion: Chairperson Barnes stated that it was very important to everyone involved to have a good solid survey and that it met all of the best practices requirements. He also stated that we all have to be aware that the community would like to have a higher level of service than what the region could afford which was not a customer service issue but a resource issue. Chairperson Barnes urged everyone to be mindful of this.

Roll Call: Chairperson Barnes asked for a roll call.

In Favor: Directors Nason, Ida, Gombert, Troost, and Nwokike.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

ACCESS SERVICES BUDGET UPDATE

Access Services Chief Operating Officer, F Scott Jewell provided a brief overview of the status of the Access Services budget.

Board Questions & Comments: Ms. Verrinder stated that last month when the budget update was done staff had projected a deficit of $1.2 million. This month staff was projecting a surplus of $190,000, she asked Mr. Jewell how that could happen over a course of one month. Mr. Jewell replied that he projected what Access Services expenses would be at the end of January 2014 for just that month. Ms. Verrinder asked what were Access Services projections for the rest of the fiscal year. Mr. Jewell replied if the ridership continued to be at 4.5% over budget and staff was able to maintain all other program expenses within the budget then it would be around $900,000 over budget by the end of the year.

Ms. Verrinder explained that when you talk about 1 or 2% you are talking about a significant number of trips or a significant dollar
amount, so although they sound like small numbers they have a significant impact on the budget. She also mentioned that when she talked about moving money around staff would have to find all the areas with surplus items to move them into the operations or capital areas in order to balance the budget. Mr. Jewell added that this year staff was committed to purchase all the capital vehicles for this year, so that would not be a line item to report additional funds for fiscal year 2013/2014.

Ms. Verrinder added that Antelope Valley seemed to be a very big topic of discussion in terms of growth. Though the Antelope Valley was growing the focus was on the Southern Region where up to 5,000 trips per day were being reserved.

Chairperson Barnes thanked Mr. Jewell for his detailed presentation on Access Services budget and reminded the Board that this was an information item only and no action was needed.

**STATUS UPDATE ON METRO’S REVIEW OF ACCESS SERVICES**

Access Services Manager of Planning and Coordination, Matthew Avancena, provided a brief update on each of the recommendations.

**Board Questions & Comments:** Director Levy stated that item number two of the Metro Review on Access Services, the projections, was requested by one of the Metro Board of Directors. Ms. Verrinder replied that staff just received the final draft and it was scheduled to go into the next Board Box but staff would send him a copy.

Chairperson Barnes thanked Mr. Avancena for his detailed presentation on Metro’s Review of Access Services and reminded the Board that this was an information item only and no action was needed.

**EXECUTIVE DIRECTOR’S REPORT**

Access Services Executive Director, Shelly Verrinder, began her report by stating that she removed the financial component from her report which would now be handled as a separate item under the budget update. She also mentioned if any of the Board members would like to see any other information that staff was not currently providing to please let Mr. Jewell know. Ms. Verrinder also mentioned if any of the Board members were interested, staff could also include a copy of her report in the Board Box, as a separate email, or on the website.

Ms. Verrinder reported that total trips for the month of February decreased by 2.6% which had an effect on Access Services over/under from a budget prospective. She added for the month of March Access Services reached a number of record ridership days including one in the Antelope Valley and one in the Southern region. Global Paratransit Inc. booked and performed more trips than Access had ever done before in a single region. Ms. Verrinder also reported that Access Services on-time
performance was still struggling in some areas but staff was working on it. She explained that part of the struggle had to do with vehicles, some of the scheduling systems and the way in which the implementation of the software has gone. Staff was currently recovering, Mr. Chang and his group had an excellent path to try and finish the year out at the standard of 91%.

Ms. Verrinder continued to report that the average initial hold time for reservations increased slightly but was still a positive number at 83 seconds. Average initial hold time was something that staff paid a lot of attention to from a reservation and customer service standpoint because you cannot look at one number without the others. Staff wanted to look at the calls on hold over five minutes because you could have a very low average initial hold time but have a lot of calls on hold. For reservations 4.6% were below Access Services standard and eligible riders increased by 2% to 149,430. Ms. Verrinder stated that when they received the HDR report she encouraged them to review either the first or second appendix that contained the projections for the eligibility numbers moving forward.

Ms. Verrinder stated that as for the Metro Review, staff was reporting the average initial hold times for customer service and the numbers showed a dramatic decrease to 59 seconds. Ms. Verrinder stated that the interesting thing was that staff had not received a lot of complaints regarding the customer service representatives trying to hurry them off the phone and calls on hold over five minutes were at 4.2%. Ms. Verrinder added that the other statistics staff was looking into with customer service was abandoned calls. Abandoned calls had decreased to 3.2% which was a very positive number and significantly below the industry standard.

Faye Moseley, Deputy Executive Director of Administration stated that Access Services was hosting a group of undergraduates and graduate externships students from USC school of Public Policy and Transportation as Access Services continued to focus on generating the next group of employees. Ms. Moseley introduced the group to the Board of Directors. Ms. Verrinder offered a few words of advice to the externships by stating that she strongly encouraged them to consider a career in ADA paratransit.

Ms. Verrinder informed the Board that Access Services Annual Membership meeting was coming up on Wednesday, March 26, 2014 which was also Access Services 20th Anniversary and staff had a great journey planned to look at the past and into the future with some good food and some very special guests. She also introduced a few new Access Services employees, Hector Rodriguez, Access Services new Controller who was responsible for managing and administering finance, accounting, treasuring, payroll, data analytics and procurements. Mr. Rodriguez previously worked as the City Manager of Barstow and Cudahy and had previously worked with Metro. Access Services new Senior Manager of Information Technology, William “Bill” Tsuei, who would be responsible for the management of technological applications and moving forward with technology.

Ms. Verrinder concluded her report by encouraging everyone to read the next Behind the Scenes Newsletter. She stated that she wrote an interesting article because she was interested to see where Access Services fell in terms of the number of individuals that were associated with providing our services on a day-to-day basis. She added that this would not include consultants or anyone that was not involved in the day-to-
day business of Access Services. Ms. Verrinder stated that as of Friday, March 14, 2014 there were 2,255 that worked full time on behalf of providing the service and the largest employer was Global Paratransit in the Southern region with 660 employees followed by the Eastern region San Gabriel Transit, who employed 654 employees and Antelope Valley with 58 employees.

**BOARD MEMBER COMMUNICATION**

Director Nwokike stated that she was very happy to report that she attended the Diamond Bar Community meeting which was very well attended. She added that the presentation provided by Jack Garate and Rogelio Gomez on how the riders could book their reservations was excellent.

Director Troost stated that he attended the CAC meeting on March 11, 2014 as the Board representative and really enjoyed how Chairperson Arrigo handled the meeting. He also mentioned that he learned a lot at this meeting.

Director Nason stated that she was informed that Access Services Manager of Customer Support Services, David Foster’s brother passed away recently. She offered her condolences to Mr. Foster and his family.

Director Ida stated that he also wanted to welcome the students from USC School of Public Policy and Transportation and stated that they should not totally rule out the fixed route service because it was also very exciting and they were in need of some young professionals. He also stated that this past Christmas he was at the Mall which was very crowded and he saw an Access vehicle picking up a rider which made him feel really proud to have a seat on the Access Services Board of Directors.

Director Gombert stated that on Tuesday, February 11, 2014 he attended the CAC meeting with Director Troost which was a very good meeting. He also stated that he attended the community meeting held in the Southern region on February 8th which was extremely well attended and was a very spirited meeting.

Chairperson Barnes stated that it was great to hear that so many of the Board members were attending the various meetings of Access Services. He added that he appreciated the outreach which helped to educate each of the Board members and witness firsthand what went on at a community. Chairperson Barnes also stated that he would like to congratulate Ms. Verrinder on her efforts to build a truly remarkable Management Team. He stated not only with the additions of Hector Rodriguez and Bill Tsuei but with the work she had been doing over the last several months to continue to strengthen the team which he felt was quite remarkable.

Chairperson Barnes mentioned that he had the chance to get to know Mr. Tsuei through the Leadership APTA program. He stated that the Leadership APTA program was a very prestigious and competitive program and very difficult to get into. Twenty-five of the most talented up and coming professionals in the industry participate and Mr. Tsuei was a participant. He also mentioned that he had the chance to work with Mr. Rodriguez through Metro and if Ms. Verrinder had not hired him to be part of her management team he would had been coming after him next.
NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA

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

ADJOURNMENT

Motion: Director Nason moved to adjourn the meeting in memory of Mr. Foster’s Brother, Doug Foster.

Second: Director Troost seconded the motion.

Vote: Via Voice Vote.

Pass/Fail: All were in favor and the meeting adjourned at 2:08 p.m.

Approval

Theresa DeVera, Secretary                    Date
APRIL 22, 2014

TO: BOARD OF DIRECTORS

FROM: RICK STREIFF, MANAGER OF FLEET DESIGN AND MAINTENANCE

RE: CONSIDERATION TO PURCHASE UP TO 11 SERVICE VEHICLES FOR PARATRANSIT SERVICE

_______

ISSUE:

Board approval is required to purchase up to eleven vehicles for paratransit service during Fiscal Year 2013-2014.

RECOMMENDATION:

Authorize staff to purchase up to 11 2012 CNG-powered ADA-accessible paratransit vehicles not to exceed $667,000.00.

IMPACT ON BUDGET:

The funds needed for the purchase of up to eleven (11) vehicles will be from the FY 2014 capital budget. Using local Prop C funds, the estimated total expenditure includes applicable sales tax, license and fees.

ALTERNATIVES CONSIDERED:

No alternatives were considered as the vehicles proposed are needed to replace a similar number of vehicles which have reached or surpassed their established useful lifespan. Due to the immediate availability of the vehicles (ready for service within 30 days) staff is recommending procurement of the vehicles rather than waiting for a new build cycle from the CalAct/MBTA Purchasing Cooperative.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

Board approval of this recommendation would authorize staff, but not require them, to negotiate and enter into a written contract for the purchase of vehicles upon terms and conditions no less favorable to Access Services than those proposed above. Access Services would not be legally bound to the vehicle purchase contract unless such contract is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity’s legal counsel.
BACKGROUND:

Fleet replacement of our service vehicles is a significant component of delivering safe and reliable service. However lead time associated with the manufacturing process can delay actual delivery until late into the current or next fiscal year. Access’ current build of 121 vehicles will not be fully delivered until October 2014. However Access was informed that Creative Bus Sales has control of 11 CNG MV1 units THAT are available immediately. There remains sufficient capital budget to purchase these vehicles and replace high-mileage service vehicles.

The MV1, with a range of 280 miles, is the first purpose-built ADA-accessible vehicle with a CNG power option. It was designed in Michigan and built at a South Bend, Indiana assembly plant by AM General. The MV1 can seat three ambulatory passengers and one passenger using a mobility device.
APRIL 22, 2014

TO: BOARD OF DIRECTORS

FROM: GEOFFREY OKAMATO, PROJECT ADMINISTRATOR
       MARK GLANZMAN, PROCUREMENT AND CONTRACTS ADMINISTRATOR

RE: CONSIDERATION TO AMEND CONTRACT LANGUAGE, INCREASE RATES AND ADD FUNDS FOR ANTELOPE VALLEY REGION SERVICE CONTRACT (AS-3116) DIVERSIFIED TRANSPORTATION, LLC

ISSUE:

The Antelope Valley Region transportation service provider contract contains a clause allowing for re-negotiation of contract rates based on significant variation in revenue miles/hours. The revenue miles/hours measure is not reflective of the existing variable compensation to the contractor and hence requires updating. Additionally the Antelope Valley Region has seen a significant increase in the number of annual trips and the current service provider, Diversified Transportation, LLC has requested a renegotiation of rates based upon this increase.

RECOMMENDATION:

1. Authorize the following change in language to the contract:
   
   "Access Services reserves the right to increase or decrease passenger trips by up to twenty percent (20%) without any change in compensation rates agreed to be paid to the contractor. If the number of passenger trips decreases or increases in excess of 20% of the estimated number set forth in the Estimated Trip Projections, as measured over a one year period, either the contractor or Access Services can request a re-negotiation of the proposed rates. If the contractor is entitled to and desires to negotiate rates and mutually agreeable terms cannot be reached, Access Services will release the contractor from this agreement within 60 days of such a determination."

2. Authorize an amendment to the transportation service provider contract that changes the rates of compensation based upon the table below.

<table>
<thead>
<tr>
<th>Period of Performance</th>
<th>Fixed Monthly Rate</th>
<th>Variable Trip Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 1, 2014 – April 30, 2015</td>
<td>$138,499</td>
<td>$17.43</td>
</tr>
<tr>
<td>May 1, 2015 – April 30, 2016</td>
<td>$149,191</td>
<td>$16.64</td>
</tr>
<tr>
<td>May 1, 2016 – April 30, 2017</td>
<td>$157,648</td>
<td>$16.24</td>
</tr>
</tbody>
</table>
3. Authorize the addition of funds by $7,472,502.52 thereby increasing the maximum contract value from $11,953,369.48 to $19,425,872.

**IMPACT ON BUDGET:**

The net impact of the rate increase based upon the FY13/14 budgeted service for the Antelope Valley Region is an additional $69,000 for May and June 2014. This amount will be offset by cost savings related to lower start-up costs for the Eastern Region.

The new maximum contract value of the contract has been calculated based upon actual service delivered for the first two years of the contract and years 3-5 demand projections.

**ALTERNATIVE CONSIDERED:**

The contract allows for the renegotiation of rates under the criteria that has been listed above. Staff could at its option determine not to renegotiate however doing so would require the contract to be put out to bid. Based on evaluation of the revised cost sheets of the contractor, the projected level of demand, and the successful performance of the contract itself, staff does not recommend that option.

**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 Diversified Transportation, LLC specialized transportation services on terms and conditions set forth in the existing contract and modified as in this item proposed. Access Services would not be legally bound to the revised terms of the contract unless and until they are incorporated into a formal written amendment to the contract executed by all parties thereto and approved as to form by this entity's legal counsel.

**BACKGROUND:**

Access regional provider contracts contain a clause permitting renegotiation of rates under certain circumstances. This clause was changed in 2008 from a revenue mile/hour basis to a trip basis. However the RFP for the Antelope Valley did not accurately reflect this change, hence the request by Board action to amend the contract appropriately.

The Antelope Valley Region Contract, AS-3116 was awarded to Diversified Transportation, LLC in February 2012. During their tenure as the regional service provider, Diversified has committed their operational focus to providing safe, reliable, cost-effective and customer-oriented transportation to our customers and constituents. The performance over the past two years has been stellar, despite operational challenges presented by an unprecedented increase in ridership which has more than doubled from the original projections when the RFP was released. The chart below clearly reflects the significant increase in the level of ADA/subscription service.
This level of service has required Diversified to increase staff to manage day-to-day service in terms of dispatch, clerical, call center and maintenance staff. These costs are traditionally allocated within the fixed monthly rate which has resulted in the higher proposed rates according to the table below.

<table>
<thead>
<tr>
<th></th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Fixed</td>
<td>$87,222</td>
<td>$90,661</td>
<td>$94,227</td>
</tr>
<tr>
<td>Revised Fixed</td>
<td>$138,499</td>
<td>$149,191</td>
<td>$157,648</td>
</tr>
</tbody>
</table>

Additionally the increase in the number of trips leads to variable cost efficiency which will allow for a lower cost per trip rate according to the table below.

<table>
<thead>
<tr>
<th></th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Variable</td>
<td>$20.42</td>
<td>$20.66</td>
<td>$20.91</td>
</tr>
<tr>
<td>Revised Variable</td>
<td>$17.43</td>
<td>$16.44</td>
<td>$16.24</td>
</tr>
</tbody>
</table>

Staff has reviewed all levels of the proposed pricing and, based upon the significant increase in the demand and associated costs, staff recommends the contract changes
APRIL 22, 2014

TO: BOARD OF DIRECTORS

FROM: F SCOTT J EVELL, CHIEF OPERATING OFFICER

RE: CONSIDERATION TO EXTEND AND INCREASE FUNDS FOR INTERNET SERVICES WITH COGENT COMMUNICATIONS (AS-2940)

__________________________________________________________

ISSUE:

Board action is required for the extension and increased funding of the internet services contract (AS-2940) with Cogent Communications.

RECOMMENDATION:

Authorize $26,400 in funds and an extension in the period of performance for one (1) year, effective May 1, 2014 through April 30, 2015.

IMPACT ON BUDGET:

The costs associated with this contract were budgeted in the current fiscal year and will be allocated in the FY2014/15 budget. This action will result in an increase of the contract not-to-exceed amount from $111,400 to $137,800. There is no increase to the rates through the term of this extension.

ALTERNATIVES CONSIDERED:

None, as the services provided are critical to the business operations of Access.

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 enter into a written extension of the existing services agreement with Cogent Communications for the provision of internet service upon terms and conditions set forth and no less favorable to Access than those proposed above.

BACKGROUND:

Access maintains a high speed, high capacity internet services line that has been scaled to meet its extensive technology needs. This line not only encompasses normal day-to-day business internet needs but also carries traffic associated with public access to Rider360 and the support to a number of enterprise level applications used by the agency.
Cogent Communication has provided this service since Access relocated from downtown Los Angeles. This service is being evaluated as part of Access’ disaster recovery project for potential replacement/revision during FY2014/15.
APRIL 22, 2014

TO: BOARD OF DIRECTORS
FROM: FAYE MOSELEY, DEPUTY EXECUTIVE DIRECTOR, ADMINISTRATION
RE: EMPLOYEE HANDBOOK REVISIONS AND POLICY UPDATES

ISSUE:

It is necessary to revise and update some of the policies in the Employee Handbook and create additional policies based upon changes in regulations, best practices and business need. Staff is also recommending the removal of certain policies from the handbook and have them stand alone.

RECOMMENDATION:

Approve the attached policies to be bifurcated from our current Employee Handbook related to:

- Employment Categories
- Agreement to Arbitrate Claims
- Internet, E-mail, and Electronic Communications Policy
- Personal Digital Assistant Policy
- Leave of Absence Policy
- Solicitation Policy
- Access Services Non-Revenue Service Vehicle Policy & Procedures
- Educational Assistance
- Paid Time Off Policy
- Holiday
- Team Work and Mutual Respect

Approve the attached new and updated policies which will be stand-alone policies related to:

- Illness and Injury Prevention Program (IIPP)
- Office Visitor Policy
- Employee Social Media Policy
- Drug & Alcohol Policy
IMPACT ON BUDGET:

There is no expected impact on the budget due to the proposed changes and updates to the Employee Handbook and new policies created.

BACKGROUND:

It is necessary to update the Access Services Employee Handbook based upon changes to regulations, best practices in the industry and business need. Only policies that are being modified, deleted, or added to the Handbook are being presented to the Board for approval. The current Employee Handbook was made available to the Board of Directors via the Board Box in October 14, 2011.

- **Illness and Injury Prevention Program (IIPP)** - This policy allows Access Services to implement a health and safety program that will reduce and prevent occupational injuries and illnesses. The policy complies with all applicable occupational health and safety regulations. The Injury and Illness Prevention Program (IIPP) establishes the methods and processes to identify and eliminate unsafe conditions or practices, and to control workspace safety hazards. The IIPP is required by Cal/OSHA and enforced by the Division of Occupational Safety and Health.

- **Office Visitor Policy** - This policy provides guidance for visitors to Access Services’ premises, as well as for the employees sponsoring visitors to Access Services.

- **Employee Social Media Policy** - Access Services recognizes the importance of participating in social media and encourages employees to communicate openly and transparently on the Internet. The Social Media Policy provides guidelines for Employees who communicate through social media.

- **Drug and Alcohol Policy** - This updated policy assures worker fitness for duty and protects employees, passengers and the public from the safety and health risks posed by the misuse of alcohol and use of prohibited drugs. This policy also is intended to comply with all applicable State and Federal regulations governing workplace anti-drug use and alcohol misuse programs in the transportation industry.
ILLNESS & INJURY PREVENTION PROGRAM

I. PURPOSE

The purpose of this policy is to implement a health and safety program that will reduce and prevent occupational injuries and illnesses. A good program will help keep employees safe and healthy on the job and reduce costly accidents and illnesses at work.

II. ORGANIZATIONAL UNITS AFFECTED

This policy applies to all Access Services employees. A copy of this policy shall be available to all employees and, for new employees, shall be highlighted as part of new employee orientation.

III. POLICY

It is the policy of Access Services to maintain a safe and healthy work environment for each employee, and to comply with all applicable occupational health and safety regulations. The written Injury and Illness Prevention Program (IIPP) is intended to establish the methods and processes to identify and eliminate unsafe conditions or practices, and to control workspace safety hazards. The IIPP is required by Cal/OSHA and enforced by the Division of Occupational Safety and Health. The IIPP addresses all of the compliance requirements in the California Labor Code Sections 6401.7 (SB198, Chapter 1369, Statutes of 1989) and California Code of Regulations (CCR) Title 8, General Industry Safety Order Section 3203.

IV. DEFINITIONS

Not applicable.

V. PROCEDURE

A. Responsibilities

1. The Executive Director has the responsibility to ensure all departments within Access Services are implementing the IIPP to its fullest extent. The Executive Director has the final authority to make substantive program changes.

2. The Director of Safety and Risk Management (SRM) will manage the elements of this Program.

3. Management (all Management staff) responsibilities are listed below:
a. Implementing the elements of the IIPP and communicating the provisions of the program. Managers and supervisors are expected to enforce the rules fairly and uniformly.

b. Ensure that the work force, equipment, materials and training necessary to meet SRM requirements for the job are available at the facility or project, when needed, including financial support for program components.

c. Review all SRM findings in their department, and ensure actions are taken to correct reported deficiencies.

d. Review (and investigate when necessary) all employee occupational injuries and illnesses to ensure that proper reports are completed and appropriate action is taken to prevent reoccurrence.

e. Ensure supervision is accountable for implementation of all safety and environmental policies and procedures within his/her department.

f. Participate in SRM processes, such as audits, inspections, reviews, and training.

g. Report safety concerns, safety suggestions, or safety infractions to the SRM Department.

h. Ensure active employee involvement in SRM concerns, protect all employees from harassment for reporting safety problems, and enforce established disciplinary procedures to address safety matters.

i. Evaluate the safety performance of all their employees.

j. Establish annual management goals and programs focused towards the reduction of occupational injuries and illnesses.

4. SRM Department

a. Serve as a liaison between management and regulatory agencies

b. Create a system for communicating with all employees on matters relating to safety. The system shall consist of the following activities:

   i. Safety issues will be discussed during staff meetings

   ii. Formal SRM training

   iii. Posting of legally-mandated notices, safety rules, safe work procedures, inspection results, and other safety awareness related materials

c. Develop an inspection and audit program for safety issues
d. Review all injury and illness investigation reports and verify that corrective actions have been completed, as required, to prevent recurrence

e. Ensure that all Cal/OSHA recordkeeping and accident reporting requirements are maintained by the Human Resources Department

f. Conduct analysis of injury and illness reports, injury and illness logs, to determine injury trends and corrective actions

g. Establish safety training programs for:

i. New employees

ii. Employees assigned to new job/task assignments for which safety training has not been provided

iii. New substances, processes, procedures, or equipment introduced into the workplace that represent a new hazard

iv. Any new or previously unrecognized hazard

v. Supervisors to familiarize employees with the safety and health hazards to which employees under his/her immediate direction and control may require

h. Monitor and advise management on the development of new SRM laws to ensure timely compliance by Access Services

5. Employees’ responsibilities are listed below:

a. Comply with Access Services SRM compliance rules and regulations

b. Wear required personal protective equipment (PPE)

c. Only operate equipment that is in good condition, with all safety guards in place

d. Report all occupational injuries and illnesses, no matter how minor, immediately to a supervisor

e. Encourage co-workers to work safely

f. Report unsafe acts and conditions to a supervisor or the SRM Department

g. Cooperate and/or participate in employee action teams

B. Identification and Evaluation of Hazards

1. Safety Inspections - Inspections shall be made by the SRM department to identify and evaluate hazards as often as needed, but at least quarterly, and
a. Whenever new substances, equipment, operations, or procedures are introduced to Access Services
b. Whenever management is made aware of new or previously unrecognized hazards

2. Each formal inspection is to be documented using the appropriate tracking log or system to ensure that adequate and timely action is taken to correct hazards.

3. Unsafe conditions should be immediately corrected, if practical. When an imminent hazard exists which cannot be immediately abated, it shall be clearly identified and isolated with security barricades, locked or tagged out of service, or all employees removed from the area as required by the condition. Employees shall use the required safeguards to correct the hazardous condition.

4. Supervisor(s) must provide a status of corrective actions for the deficiencies identified in the inspections.

C. Compliance

1. All workers, including managers and supervisors, are responsible for complying with safe work practices. The system for ensuring that all workers comply with these practices include the following practices:

   a. Educating employees on the provisions of this IIPP
   b. Evaluating the safety performance of all employees
   c. Recognizing employees who work safely and provide input into elements of the IIPP
   d. Training employees
   e. Disciplining employees for failure to comply with safe work practices

D. Employee Hazard Identification and Resolution System

Access Services has established a system that encourages employees to openly communicate hazards without fear of reprisal. This system is designed to identify hazardous conditions, locations, operations, procedural deficiencies, design inadequacies, or equipment failures, which could be detrimental to safe operations.

1. Procedure for reporting a hazard:
   a. General hazards or unsafe conditions can be reported to a supervisor verbally or in writing. The Report of Unsafe Condition
or Hazard (Attachment A) can be used for this purpose. Employees can also submit safety concerns directly to the SRM Department by using the Form.

b. Specific unsafe conditions involving Access Services vehicles shall be reported to the Manager of Fleet Design & Maintenance.

c. Employees may also file an anonymous report of a hazard or unsafe condition. Such reports should be made to the attention of the SRM Director.

d. Access Services management will attempt to correct all reported hazards, which are within their control as soon as possible. For those hazards that cannot be immediately rectified (e.g. a hazard at a contract facility), estimated completion dates shall be established, affected employees notified of the hazard, and the corrective action monitored until the hazard has been corrected.

e. When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, all exposed workers will be removed from the area except those necessary to correct the existing condition. Workers who are required to correct the hazardous condition shall be provided with the necessary protection.

2. Resolution involving other departments and/or outside agencies

a. Each department will determine both the urgency of the problem and the lead-time needed to implement a solution. Each department shall maintain records of written complaints of reported hazards and corrective action taken. Support from the SRM Department will be available. NOTE: Those conditions that have the potential for serious injury to employees must be reported to the SRM Director. A verbal notification may be given initially, but must be followed up by a documented notification when possible.

b. For those issues that require immediate attention, the SRM Department shall coordinate with the appropriate department(s) and outside agencies to implement corrective actions.

c. If the problem requires long lead-time and/or action from other departments and/or agencies outside Access Services, there shall be a designated person to coordinate implementation of the approved recommendations. All correspondence sent to SRM regulatory agencies shall be coordinated by the SRM Department.
E. Safety Training and Communication Methods

1. Supervisory Safety Training
   a. Supervisor Safety Training is an ongoing element of the IIPP, and supervisors will be held accountable for the training programs in their sections. Supervisors shall be trained on awareness of potential health and safety hazards, as well as how to control such hazards.
   b. Supervisor Safety Training will be coordinated by the SRM and/or Training & Development Departments and may be conducted by staff, outside contractors or consultants.

2. Employee Safety Training and Communication
   a. Safety training will be provided to all employees upon hire or transfer to a new position. The new employee safety orientation is used to convey Access Services’ policies and expectations. Compliance with SRM policies is a required condition of employment at Access Services. New employees will receive employee safety orientation from SRM staff and a briefing regarding general/specific safe work procedures relative to his/her job assignment from his/her supervisor.
   b. Employee safety training and instruction shall be provided:
      i. To all employees given new job assignments for which training has not been previously received
      ii. Whenever new substances, operations, procedures or equipment are introduced to the workplace and represent a new hazard
      iii. Whenever the employer is made aware of a new or previously unrecognized hazard
   c. Access Services trains its employees on a variety of safety subjects, depending on job classification, including but not limited to:
      i. Emergency evacuation and fire prevention
      ii. Hazard Communication (Workers’ Right-to-Know)
      iii. Facility specific hazards
      iv. Personal protective equipment
      v. Drug and Alcohol Policy
      vi. Workplace Security and Anti-Violence Policy
vii. Electronic Device Policy
viii. Housekeeping
ix. Provisions for medical services and first aid
x. Prevention of musculoskeletal disorders including proper lifting techniques
xi. Proper reporting of hazards
xii. Prohibition of horseplay or other acts that can adversely impact safety
d. All training will be documented and a copy will be placed in the employee’s training file.

F. Employee Meetings and Communication Program

1. Staff Meetings

a. Supervisors should include important safety topics or changes in policy that impact safety at staff meetings. The meetings should include any reported or observed safety concerns, unsafe acts or conditions, and the corrective actions. The results of any formal inspections conducted in the department, selected safety and health related information impacting employees’ safety policies and procedures, or a short discussion of specialized safety information topics.

b. Meetings should be documented by recording the following information:

i. Where and when the meeting was held
ii. Who chaired the meeting
iii. Who attended the meeting
iv. Topics of discussion
v. Corrective actions
vi. Assigned responsibilities

2. Employee Safety Communication Methods

a. Employee safety communication methods include the use of emails, handouts with paychecks, use of AccessPoint, information bulletins and notices, postings on employee bulletin boards, etc.

G. Occupational Injury and Illness Reporting and Investigation
Per the Access Services Employee Handbook, employees must immediately report on-the-job injuries to his or her supervisor or the Human Resources Department. The following procedures provide guidance on reporting and investigation of workplace injuries and illnesses.

1. Reporting Workplace Accidents
   a. Employees can seek medical treatment at Access Services’ designated occupational medical clinic
   b. Any time an Access Services employee is hospitalized due to a job-related injury or illness, the employee’s manager, the SRM department, and the Human Resources Department must be notified immediately, 24-hours a day
   c. All employee injuries, no matter how small, must be reported to a supervisor
   d. An injury must be reported in writing on the Employee’s Report of Work-Related Injury or Illness (Attachment B).

2. Procedures for investigating workplace accidents and hazardous substance exposures include:
   a. Visiting the accident scene as soon as possible, and interviewing injured workers and witnesses
   b. Examining the workplace for factors associated with the accident/exposure
   c. Determining the cause of the accident/exposure
   d. Taking corrective action to prevent the accident/exposure from reoccurring
   e. Recording the findings and corrective actions taken

H. Motor Vehicle Accident Reporting Procedures

Motor Vehicle Accidents - specific guidelines and procedures for reporting motor vehicle accidents and incidents are contained in the Access Services Staff Vehicle Fleet Safety Manual. Procedures for reporting an accident are also included in the vehicle’s backpack.

I. Motor Vehicle Fleet Safety and Accident/Incident Review

Accident/Incident Review Team - The driving record of each employee (authorized to drive a company vehicle per self-insurance auto liability insurance program of Access) is administered by the SRM Department and is maintained in a database. The Accident/Incident Review Team meets upon on any accident involving an Access Services fleet vehicle to determine preventability. The Accident/Incident Review Team will include,
at a minimum, a member of the SRM Department, a member of the Human Resources Department, the Fleet Manager, and the involved employee’s supervisor.

J. Disciplinary Policy

Any non-compliance or violation of the IIPP or associated safety policies can result in disciplinary action. Disciplinary measures shall be conducted in accordance with established policies as outlined in Access Services Employee Handbook.

Employees WILL NOT be disciplined or suffer any retaliation for reporting a safety concern or violation.

K. Recordkeeping

1. To assure that Access Services’ IIPP is being administered in order to satisfy Cal/OSHA requirements, the following records are required to be timely and properly maintained.
   a. Records of periodic inspections to identify unsafe conditions and unsafe work practices including:
      i. Person(s) conducting the inspection
      ii. The unsafe condition/practice identified
      iii. Corrective action taken to prevent recurrence

2. Documentation of SRM compliance training (all training records are to be kept on file for a minimum of three years) including:
   a. Employee name or other identifier
   b. Training dates
   c. Subject of training
   d. Name of provider of the training
   e. Documentation on all work related injuries including the OSHA Form 300 (Log of Work-Related Injuries and Illnesses). OSHA 300 Logs are to be kept for at least the previous five (5) calendar years. The OSHA Form 300A (Annual Summary of Work-Related Injuries and Illnesses) is to be posted at all Access Services worksites during the required posting period of February 1 through April 30 of each calendar year.

VI. EXCEPTIONS

Not Applicable.
VII. PROVISIONS AND CONDITIONS

Not Applicable.

VIII. RELATED DOCUMENTS

A. Access Services Employee Handbook
B. OSHA Forms 300 and 300A

END OF POLICY

ATTACHMENTS

A. Acknowledgment of Receipt
B. Report of Unsafe Condition or Hazard
C. Employee’s Report of Work-Related Injury or Illness
OFFICE VISITOR POLICY

I. PURPOSE

The purpose of this document is to provide guidance for visitors to Access Services’ premises, as well as for the employees sponsoring visitors to Access Services.

II. ORGANIZATIONAL UNITS AFFECTED

This policy applies to all Access Service employees. A copy of this policy shall be available to all employees, and for new employees, shall be highlighted as part of new employee orientation.

III. CANCELLATION OR EXPIRATION

The processes and statements in this document do not have an expiration date. However, this document is reviewed annually, and is maintained with other Access Services policies.

IV. BACKGROUND

Access Services is a local public entity that administers the Los Angeles County Coordinated Paratransit Plan on behalf of 44 public fixed route operators (i.e., bus and rail). Pursuant to the Plan, Access facilitates the provision of complementary ADA paratransit services to certain persons with disabilities as required by Title 42 of the U.S. Code.

V. SCOPE

This policy applies to all visitors to any premise of Access Services and to employees who sponsor visitors.

VI. PROCEDURES

A. Parking

Visitors are encouraged to use parking spots on the third level of the parking structure immediately west of the Access Services agency office.

B. Badge Types

For purposes of this policy, an employee is defined as a person who holds a full-time, part-time, or internship position with Access Services. All employees are required to have an “Employee Badge” in their possession at all times while in the Agency Office building (2nd and 3rd Floors). Employee badges include a photograph of the employee as well as their name.
A visitor is defined as a vendor, consultant, employment candidate, guest of an employee, service personnel or anyone, other than an employee, requiring access to the Agency Office building for a short duration, usually not more than one day. All visitors are required to have a “Visitor Badge” in their possession at all times while in the Agency Office building.

For the purposes of this policy, a “temp” refers to a temporary employee, assigned to Access Services through a temporary staffing agency. A “long-term consultant” is a contract employee who will be working at Access Services for an extended period of time (more than one week). A “Temp/Consultant Badge” will be issued to all temps and long-term consultants, will include the person’s photograph, and will be distinctly different from an Employee Badge.

C. Arrival

All visitors at the Agency Office must be identified by name, company affiliation and the staff employee that they are visiting in order to be granted access to the Agency Office building (via front entrance at the intercom system). During office hours, Reception will confirm each visitor prior to granting access through the exterior entrances. Visitors must park in the parking structure on the third level.

D. Check-in

All visitors at the Agency Office must enter the front door and are required to check-in at the Receptionist Desk on the 2nd Floor. All visitors are required to show ID. All members of a group (2 or more) must sign-in individually and show separate ID’s. After confirmation of ID, the visitor is required to sign in (Visitor Sign-In Log) providing their name, date, time, company affiliation and name of the staff employee they are visiting. After signing in, the visitor will be assigned a “Visitor Badge”.

Each visitor badge will be printed out of the DYMO label machine in the form of a sticker and include the visitor’s name. Visitor badges must be worn and visible throughout the duration of the visit/stay.

After the visitor checks in and is issued a Visitor Badge, the staff employee will be called to the Receptionist Desk to receive the visitor. If the staff employee is not available and/or not able to receive the guest, the visitor badge should be revoked/returned unless the guest is received by an alternate staff employee. Visitors must be escorted throughout the Agency Office building at all times. Any individual(s) in the Agency Office building without a visible Employee Access badge or Visitor badge will be required to immediately check in at the Receptionist Desk.

E. Check-out
Visitors must leave through the Reception area in which they entered and log out. All visitors must sign-out and surrender their visitor badge to the Receptionist upon exiting the Agency Office building. Visitor badges expire within 24 hours and are void for reuse.

F. Multiple Day Visits

Visitors who are at Access Services for multiple days must follow all procedures associated with this policy (check-in, check-out, etc.) on each day of their visit.

G. Photographs

No photographs may be taken by visitors without prior approval from the Executive Office. Furthermore, any permitted photographs may not be published without prior approval from the Executive Director.

H. Emergency Evacuation

In the event of an emergency, it is the sponsoring employee’s responsibility to ensure that the visitor evacuates to the appropriate gathering area. Floor Wardens will account for all visitors during an evacuation, based on a list of visitors printed by the receptionist. The receptionist will print a list of all visitors and deliver the list to a Floor Warden in the evacuation area.

I. Noncompliance

Visitors who fail to follow these guidelines will have their visiting privileges revoked and be asked to leave the Agency Office premises.

J. Agency Office Required Badges

1. Access Services employee - Employee badge
2. Temporary employee, long-term consultant, etc. - Temp/Consultant badge
3. Visitor, short-term consultant, employment candidate, etc. - Visitor badge

VII. EXCEPTIONS

Not Applicable.

VIII. PROVISIONS AND CONDITIONS

Not Applicable.

IX. RELATED DOCUMENTS

Not Applicable.

END OF POLICY
EMPLOYEE SOCIAL MEDIA POLICY

I. PURPOSE

Access Services (Access) recognizes the importance of participating in social media and encourages employees to communicate openly and transparently on the Internet. This Social Media Policy (the “Policy”) has been developed to provide guidelines for Employees who communicate through social media. Violations of the guidelines set forth in this Policy may result in disciplinary action, up to and including termination of employment.

II. ORGANIZATIONAL UNITS AFFECTED

This policy applies to all Access Service employees. A copy of this policy shall be available to all employees, and for new employees, shall be highlighted as part of new employee orientation.

III. CANCELLATION OR EXPIRATION

The processes and statements in this document do not have an expiration date. However, this document is reviewed annually, and is maintained with other Access Services policies.

IV. BACKGROUND

Access Services is a local public entity that administers the Los Angeles County Coordinated Paratransit Plan on behalf of 44 public fixed route operators (i.e., bus and rail). Pursuant to the Plan, Access facilitates the provision of complementary ADA paratransit services to certain persons with disabilities as required by Title 42 of the U.S. Code.

V. SCOPE - SPEAKING “ABOUT” ACCESS VS. SPEAKING “ON BEHALF OF” ACCESS

Unless specifically designated by a Public Information Officer (Deputy Executive Director of Planning & Governmental Affairs or Deputy Executive Director of Administration), Employees are not authorized to speak on behalf of Access. Even where Employees are not speaking on behalf of Access and are engaging in personal activities on social media, it is important that Employees are aware of the implications of engaging in communications where Access or its brand is referenced.

VI. POLICY

Access respects the rights of its Employees to use online social media tools as a form of self-expression; however, Access’ Policy requires that its Employees adhere to Access’ Core Values and our Social Media Guidelines when communicating via Social Media tools and applications.
Our Core Values and Social Media Policy are noted herein to ensure your awareness and understanding of the Policy. Please note that we reserve the right to periodically update the Policy as new Social Media trends, practices and technologies evolve.

Core Values

- **Respect** - Treat each other and our customers the way we, ourselves, would want to be treated.
- **Quality** - Deliver results that exceed expectations.
- **Responsive** - Be sensitive to the needs of our internal and external customers and respond to requests in a timely manner.
- **Professional** - Demonstrate a measured and expert approach to the business at hand.
- **Leader** - Develop and implement innovative ideas as part of a nationally recognized team.

Social Media Policy

- **Always use good judgment and common sense.** Anything you post will ultimately be your responsibility so it is important that Employees exercise discretion.

- **Always be transparent.** If you are endorsing Access or its services, be open about your affiliation with Access and the position you hold. If you reference Access and its services in an online communication, ensure that you include the following disclaimer:

  “The views expressed in this post are my own and do not represent the opinion or position of Access Services."

- **Always abide by the law.** Do not post copyrighted or trade secret materials and do not use trademarks owned by a third party (including Access).

- **Always be respectful of Access’ stakeholders.** Access appreciates your loyalty to our services. If you comment on the services of one of Access’ stakeholders, ensure that you are professional and respectful in conveying your opinion.

- **Always report important Access-related information.** Employees are a valuable resource in monitoring the social media landscape. If you come across remarks about Access which you feel are important, please send them to: hr@accessla.org. Refrain from responding to negative comments about Access - Allow the designated Public Information Officer or their designee to respond instead.

- **Never share proprietary Access information.** Do not post non-public information about Access; i.e. financial information, personal information (including photos) concerning our employees or customers, etc.
• **Never engage in personal online activities while on the clock.** As a reminder, engaging in personal social media activities during working hours is prohibited.

• **Never engage in conduct that is prohibited at work.** Access’ zero-tolerance policy for harassing, discriminatory and retaliatory conduct extends to social media activities. Do not engage in this type of behavior online or in any other activities that are inappropriate or prohibited in the workplace.

VII. **MONITORING**

Access reserves the right to use search tools and software to monitor comments or discussions on the Internet about Access, our Employees, customers and the industry, including services and stakeholders, posted by anyone, including current and former Employees and non-employees. Access also reserves the right to use content management tools to review or block content on Internet forums that violate our policies. Access *strongly* urges Employees to report any violations of this Policy, or possible perceived violations, to your Manager and/or Human Resources.

VIII. **PROTECTED ACTIVITIES**

Notwithstanding anything to the contrary contained in this Policy, this Policy does not limit any Employee’s right to engage in activity protected by Section 7 of the National Labor Relations Act.

IX. **EXCEPTIONS**

Not Applicable.

X. **PROVISIONS AND CONDITIONS**

Not Applicable.

XI. **RELATED DOCUMENTS**

Not Applicable.

END OF POLICY
DRUG AND ALCOHOL POLICY

I. PURPOSE

The purpose of this policy is to assure worker fitness for duty and to protect employees, passengers, and the public from the safety and health risks posed by the misuse of alcohol and use of prohibited drugs. This policy also is intended to comply with all applicable State and Federal regulations governing workplace anti-drug use and alcohol misuse programs in the transportation industry. They include DOT 49 CFR Part 40, as amended (“Procedures for Transportation Workplace Drug and Alcohol Testing Programs”); FTA 49 CFR Part 655 as amended (“Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations”); DOT 49 CFR Part 29 (“Drug-Free Workplace Act of 1988”); and CA Govt. Code Section 8350 et. Seq. (“Drug-Free Workplace Act of 1990”). This policy incorporates the requirements of above regulations for safety-sensitive employees and others when so noted.

NOTE: Additional requirements and/or disciplinary actions established under Access’ authority are entered in bold-faced. Requirements of the Drug-Free Workplace Act (not covered under Part 655) are in Italics.

II. ORGANIZATIONAL UNITS AFFECTED

Unless otherwise noted in specific provisions, this policy applies to all Access’ employees regardless of his or her functions. It applies to off-site lunch periods and breaks when an employee is scheduled to return to work or is on-call. The application of this policy to non-safety employees is under Access Services’ own authority.

Pre-emption of State and Local Laws

If any conflict occurs between State and local laws and any requirement of the above-mentioned Federal regulations, the Federal regulations prevail. However, Federal regulations do not preempt provisions of State criminal laws that impose sanctions for reckless conduct attributed to prohibited drug use or alcohol misuse, whether the provisions apply specifically to transportation employees, employers, or the public in general.

To learn more about Drug & Alcohol Employee Testing, please visit: http://www.dot.gov/odapc/employer_handbook to read basic information regarding what “Employees need to know about DOT Drug & Alcohol Testing”

III. POLICY

Access is dedicated to providing safe, dependable and efficient transportation services to its customers. Access recognizes that safety-sensitive employees'
use of illegal drugs and misuse of alcohol poses a significant risk to public safety, as well as the employee's health and well-being, and can cause loss of efficiency, productivity, or a disruptive work environment. In view of this, Access has adopted this policy that is designed to:

a. Create a work environment free from the adverse effects of drug abuse and alcohol misuse;
b. Deter and detect employees' use of illegal drugs and misuse of alcohol;
c. Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances; and
d. Encourage employees to seek professional assistance when personal problems, including drug or alcohol dependency, adversely affect his or her ability to safely perform duties assigned.

IV. DEFINITIONS

a. Adulterated Specimen

A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

b. Alcohol Use

The drinking or swallowing of any beverage, liquid mixture or preparation (including any medication) that contains alcohol. For purposes of this policy, alcohol is alcohol regardless of source.

c. Breath Alcohol Technician (BAT)

An individual who instructs and assists employees or applicants in the alcohol testing process and operates an Evidential Breath Testing (EBT) device.

d. Canceled Test

A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which Part 40 requires to be canceled. A canceled test is neither a positive nor a negative result.

e. Collector

A person who instructs and assists individuals at a collection site, who receives and makes an initial inspection of the specimen provided by the individual, and who initiates and completes the Custody and Control Form (CCF).

f. Controlled Substances

Any drug classified by the U.S. Drug Enforcement Agency (DEA) into the five schedules or classes on the basis of their potential for abuse, accepted medical use, and accepted safety for use under medical supervision.

g. Designated Employer Representative
An employee or employees authorized by Access to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from such duties, following a positive test, test refusal, or other policy violations.

h. Dilute Specimen
A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

i. Disabling Damage
Damage, which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs, including damage to motor vehicles that could have been driven, but would have been further damaged if so driven.

"Disabling damage" does not include:
  i. Damage which can be remedied temporarily at the scene of the accident without special tools or parts;
  ii. Tire disablement without other damage even if no spare tire is available;
  iii. Headlamp or taillight damage; or
  iv. Damage to turn signals, horn, or windshield wipers, which make them inoperative.

j. DHHS
Department of Health and Human Services.

k. DOT
Department of Transportation.

l. Drug
The drugs for which tests are required under DOT and FTA regulations. They are marijuana, cocaine, amphetamines (including methamphetamines & ecstasy, phencyclidine (PCP) and opiates, including codeine, morphine, and heroin).

m. Drug Abuse
Use of any illegal drug or controlled substance without a valid prescription, misuse of legally prescribed drugs, or use of illegally obtained prescription drugs. This includes use of prescription drugs legally prescribed to another individual.

n. Evidential Breath Testing (EBT) Device
A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath under DOT Part 40 and placed on the NHTSA's Conforming Products List.

o. FTA
Federal Transit Administration.
p. Invalid Drug Test
The result reported by an HHS-certified laboratory in accordance with the criteria established by HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

q. Medical Review Officer (MRO)
A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory drug test results, who has knowledge of substance abuse disorders, and has the appropriate medical training to interpret and evaluate an individual's confirmed drug and/or validity test results together with the individual's medical history and any other relevant biomedical information. (See Appendix B for a detailed discussion of the MRO's roles and responsibilities)

r. Non-Negative Specimen
A urine specimen that is reported as adulterated, substituted, positive for drug(s) or drug metabolite(s), and/or invalid.

s. Positive Alcohol Test
The presence of alcohol in the body at a concentration of 0.04 or greater as measured by an evidential breath testing (EBT) device.

t. Positive Drug Test
Any urine that is chemically tested (screened and confirmed) at a HHS-certified laboratory, shows the presence of a drug or drug metabolite equal to or greater than the cutoff concentrations, and is verified by the MRO.

u. Public Transportation Vehicles
Vehicles used for public transportation or ancillary services. The vehicle can be a bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel.

v. Refusal to Test
Includes circumstances or behaviors such as:

i. Failure to appear at the collection site for any test (except pre-employment) in the time allotted;

ii. Leaving the collection site before the testing process is completed, except in pre-employment situations where leaving the site before the testing process begins is not deemed to be a test refusal

iii. Failure to provide a urine, breath, or saliva specimen as required by DOT Part 40;

iv. Failure to permit the observation or monitoring of specimen collection when it is required;

v. Failure to provide a sufficient amount of urine or breath specimen without a valid medical explanation;
vi. Failure or refusal to take a second test when required;
vii. Failure to undergo a medical evaluation when required. (In the case of a pre-employment test, the individual is deemed to have refused to test only if the test is conducted following a contingent offer of employment.)
viii. Failure to cooperate with any part of the testing process (i.e., refusal to empty pockets when directed; behaving in a confrontational manner that disrupts the collection process; or failure to wash hands after being directed to do so by the collector.)
xix. For an observed collection, failure to follow the observer’s instructions to raise clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the individual is wearing a prosthetic or other device that could be used to interfere with the collection process.
x. Possession or wearing of a prosthetic or other device that could be used to interfere with the collection process.
xi. Admitting adulteration or substitution of the specimen to the collector or the MRO.
 xii. If the MRO reports a verified adulterated or substituted test result.
xiii. During alcohol testing, refusal to sign Step 2 of the alcohol testing form.
xiv. Leaving the scene of the accident without just cause prior to submitting to a test; or

Note: A refusal to test is equivalent to a positive test result.

w. Specimen Validity Testing
A test to determine if a urine specimen is adulterated, diluted or substituted.

x. Split specimen
In drug testing, a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second HHS-certified laboratory for testing upon employee request following a verified positive or a verified adulterated or substituted test result from the primary specimen.

y. Substance Abuse Professional (SAP)
A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

z. Substituted Specimen
A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.
V. PROCEDURE

1. Education and Training

The education and ongoing awareness component of this policy will include displaying posters, distributing the drug and alcohol policy and other informational materials to all employees, and periodic informational seminars.

As required by FTA regulation, Access will provide all safety-sensitive employees a minimum of 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, the work environment, and on the signs and symptoms that may indicate prohibited drug use.

Supervisors and other select company officials who may make reasonable suspicion referrals shall receive a minimum of 60 minutes of training on the physical, behavioral, and performance indicators of probable drug use, and at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

2. Contact Person

Any questions about this policy or any aspect of Access' drug- and alcohol-free program should be referred to:

Drug & Alcohol Program Manager (DAPM)
Mike Greenwood
3449 Santa Anita Ave., 2nd Floor
El Monte, CA 91731
Phone: (213) 270-6000

3. Covered Employees

As a condition of employment, all employees are required to submit to drug and alcohol tests administered in accordance with Part 40 and Part 655. (Non-safety-sensitive employees are covered under Access' own authority) A refusal to submit to a test as directed will be considered to be a positive test result and the employee will be subject to all the attending consequences as stated in this policy. (See section IV. DEFINITIONS for specific circumstances or behaviors that are considered refusal to test.)

As defined by the FTA, safety-sensitive employees include those who perform, or may be called upon to perform, the following safety-sensitive functions.

a. Operating a revenue service vehicle, even when it is not in revenue service;
b. Operating a non-revenue service vehicle when required to be operated by a Commercial Driver's License (CDL) holder;
c. Controlling dispatch or movement of a revenue service vehicle;
d. Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service.

Supervisors are considered safety-sensitive only if they perform, or may be called upon to perform any of the above safety-sensitive functions.

Access has analyzed actual job duties performed, or may be called upon to perform, by all of its employees and has determined that the following job classifications are considered safety-sensitive for the purposes of this policy:

- Customer Support Representative
- Fleet Maintenance Supervisor
- Operations Supervisor
- Manager of Fleet Design and Maintenance

4. Drugs (or their Metabolites) Tested for Type of Drug

- Marijuana
- Cocaine
- Opiates
  - Codeine
  - Morphine
  - Heroin (6-AM)
- Amphetamines
  - Methamphetamine
  - Ecstasy (MDMA)
- Phencyclidine (PCP)

5. Illegal Drugs

Unless legally prescribed, the prohibited drugs listed on Section IX are illegal and employees are prohibited from consuming any of them at all times. Employees may be tested for illegal drugs anytime they are on duty or subject to duty. (Note: There is no legitimate medical explanation for the presence of PCP, 6-AM, MDMA, MDA, or MDEA in a specimen).

a. Prescription or Over-the-Counter Medication

Under Access’ policy, the appropriate use of legally prescribed drugs and nonprescription medications is not prohibited. However, a safety-sensitive employee must notify his or her Manager and may not work if the medication carries a warning label that mental functioning, motor skills or judgment may be adversely affected, unless the medication is being used in accordance with the instructions of a physician who has
provided a written determination that the substance will not adversely affect the employee's ability to safely perform safety-sensitive functions.

A prescription is considered valid only if it is in writing and indicates the employee's name, date, the name of the substance, quantity or amount to be taken, and the period of authorization. Controlled substances obtained illegally outside the United States are not considered valid medical prescriptions under this policy. It is a violation of this policy to use any controlled substance in a manner that is inconsistent with the prescription. Any covered employee who violates this section of the policy is subject to disciplinary action, up to and including termination.

b. Alcohol

Safety-sensitive employees are prohibited from consuming alcohol in any form:

i. While performing safety-sensitive functions;
ii. Within 4 hours prior to performing safety-sensitive functions;
iii. While they are on call; or
iv. Within eight hours following an accident requiring a post-accident alcohol test, unless the test was completed within 8 hours.

Alcohol tests are conducted only just before, during, and just after the employee's performance of a safety-sensitive function. An alcohol test is considered positive if the employee's BAC is at 0.04 or greater. If a safety-sensitive employee tests positive for alcohol at a concentration equal to or greater than 0.02 but less than 0.04, he or she cannot continue to perform any safety-sensitive function until 8 hours have passed, or the employee was re-tested and the result was less than 0.02.

Under Access' own authority, the same prohibitions as stated above for both drugs and alcohol are applicable to non-safety-sensitive employees as well.

6. Types of Testing

a. Pre-Employment Testing

All candidates for employment or any employee transferring from a non-safety-sensitive to a safety-sensitive position will be required to undergo a pre-employment drug test at a time and place designated by Access. A verified negative drug test result must be
received from the MRO before an employee can perform any safety-sensitive function for the first time. If a pre-employment test is canceled, the individual will be required to undergo another test and successfully pass the test with a verified negative result.

Subject to the individual’s written consent, Access will check on the drug and alcohol testing background of employment candidates and other employees being considered for hire into a safety-sensitive position if the individual previously worked in a safety-sensitive capacity for a DOT-covered employer in the last two years. If the individual refuses to provide the written consent, he or she will not be hired into the safety-sensitive position. In addition, if the individual has had a positive DOT pre-employment drug or alcohol test, or has refused such a test, he or she will not be hired until and unless the individual has provided a documentation of successful completion of the return-to-duty process, which includes a SAP referral, evaluation and treatment plan.

In addition, any employee who has not performed any safety-sensitive function for at least 90 consecutive calendar days regardless of the reason, and has been out of the random testing pool during that period, must pass a pre-employment test before he or she is allowed to return to safety-sensitive duty.

b. Reasonable Suspicion Testing

Whenever a trained supervisor or company official has reason to believe that an employee has used a prohibited drug and/or engaged in alcohol misuse, reasonable testing will be conducted. The referral will be made by the employee’s immediate supervisor, management or an appointed & trained designee based on the specific, contemporaneous, and articulable observations concerning the appearance, behavior, speech, or body odors of the employee. The Supervisor who makes the referral need not be the employee’s own Supervisor, as long as he or she has received training in detecting the signs and symptoms of drug use and alcohol misuse. The supervisor’s observations will be documented on the Reasonable Suspicion Testing Determination Form and shall be kept in the employee’s confidential drug and alcohol testing file. A reasonable suspicion alcohol test will be conducted only if the reasonable suspicion observation is made just before, during, or just after the employee’s performance of safety-sensitive function.

Once a Supervisor has made a reasonable suspicion determination, he or she must remove the employee from performing any safety-sensitive functions, including all work
related tasks/functions and arrange to have the employee accompanied to the testing site immediately. If the alcohol test is not conducted within two hours, reason for the delay must be documented and kept in the employee’s reasonable suspicion test file. All attempts to complete the alcohol test must cease after eight hours.

c. Post-Accident Testing

Any covered employee driving an Access public transportation vehicle or a non-revenue vehicle will be required to submit to drug and alcohol tests as soon as practicable after the accident. The “Post Accident Drug & Alcohol Testing Decision Maker Form shall be completed by the employee’s immediate supervisor, management or an appointed & trained designee. The form can be located on the “O” Drive (O:\StrategicPlanning\2014 Drug & Alcohol\Forms).

For purposes of this policy, "accident" is defined as an accident involving an Access public transportation vehicle where the result is:

   i. An individual dies;
   ii. An individual suffers a bodily injury and immediately receives medical treatment away from the scene;
   iii. The public transportation vehicle (if bus, electric bus, van, or automobile) or any other vehicle(s) involved in the accident suffers a disabling damage (see definition for disabling damage) as a result of the accident and is transported away from the scene by a tow truck or other vehicle.

d. Fatal Accidents

When there is a loss of human life, any surviving employee operating Access’ public transportation vehicle at the time of the accident shall be tested for drugs and alcohol. Any safety-sensitive employee not in the vehicle but whose performance could have contributed to the accident also shall be tested.

e. Non-Fatal Accidents

Following non-fatal accidents, the employee operating the vehicle at the time of the accident shall be tested unless his or her performance can be completely discounted as a contributing factor to the accident. Any other safety-sensitive employee whose performance could have contributed to the accident also shall be tested.
f. Other Post-Accident Testing Requirements

Employees involved in an accident that requires testing must remain readily available for testing, including notifying Access Services DAPM including your immediate supervisor of his or her location if they leave the scene of the accident before testing to obtain emergency medical care, or to obtain assistance in responding to the accident. They will be considered to have refused to submit to testing if they fail to do so.

Employees are prohibited from using alcohol for eight hours following an accident or until the post-accident testing is completed, whichever occurs first. Every effort will be made to conduct alcohol testing within two hours after the accident. In the event the alcohol test is delayed beyond two hours, Access will prepare and maintain a record stating the reason(s) for the delay. If an alcohol test is not administered within eight hours following the accident, Access will cease all efforts to administer the test and document the reason for the inability. In the event a drug test is not administered within 32 hours from the time of the accident, Access will cease all attempts to administer the drug test. This requirement should not be construed to delay the necessary medical attention for injured people following the accident.

If Access is unable to perform post-accident tests within the required period of compliance, Access will use the post-accident test results administered by State or local law enforcement personnel under its own authority, provided the test results are obtained by Access in conformance with State and local law.

Employees undergoing post-accident tests shall be escorted to the collection site. Following the tests, the employee is not allowed to perform any safety-sensitive function until Access has received negative test results. An employee whose drug test and/or alcohol test produces a negative result shall be promptly returned to his or her regular work and be made whole for any lost wages, unless the employee is suspended for any additional purposes concurrent with the waiting of the test results.

g. Random Testing

As required by FTA regulations, safety-sensitive employees are required to undergo random drug and alcohol tests to deter use of prohibited drugs and misuse of alcohol. The random selection will be conducted using a scientifically valid method, such as a random number table or a computer-based random number generator which gives each covered employee an equal chance of
being selected every time a selection is made. As is the nature of random selection, some employees may be tested several times in one year, and other employees not tested for several years. Management does not have any discretion on who will be selected.

Every effort will be made by Access to spread random testing reasonably throughout the calendar year, all days of the week, and all hours when safety-sensitive functions are performed. The testing dates and times are unannounced and employees are required to immediately proceed to the designated collection site following notification.

Random alcohol tests will be only conducted during, just before, or just after the covered employee’s performance of safety sensitive duty.

Access will conduct random drug and alcohol tests at a minimum annual percentage of covered employees as required by the FTA. The rates are subject to change on an annual basis, depending on the industry-wide positive rate determined by the FTA from the annual reports submitted by covered employers.

h. Return-To Duty Testing

An employee, who has refused a required test, has a verified positive, adulterated or substituted drug test result, or tests positive for alcohol at 0.04 or greater, shall not be allowed to return to duty until after he or she has completed the return-to-duty process. This includes evaluation by a SAP, successful completion of the rehabilitation, treatment or education program outlined by the SAP, and obtaining a verified negative return-to-duty drug test and/or alcohol test under 0.02.

i. Follow-Up Testing

In addition to the Return-to-Duty test described in Section XI.H above, an employee who previously tested positive, or refused to take the test, shall be subject to follow-up testing for drugs and/or alcohol, as prescribed by the SAP, for a minimum period of 12 months to a maximum of five years. As mandated by the FTA, the minimum number of tests during the first 12 months of the employee's return to work is six. Although they are both unannounced, follow-up testing is apart and separate from random testing. The duration and frequency of testing will be designated by the SAP, but the actual follow-up testing dates will be decided by the Access Services’ DAPM. The employee is
responsible for payment of all costs associated with follow-up testing.

7. Drug and Alcohol Testing Procedures

All DOT drug and alcohol tests required under this policy will be administered in accordance with the "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" (49 CFR Part 40, as amended).

Throughout the testing process, the privacy of the employee will be protected and the integrity and validity of the process will be maintained. The drug testing procedure will include a split specimen collection method and a DOT Chain of Custody and Control Form with a unique identification number to ensure that the correct test result is attributed to the correct employee. An initial screening test using an immunoassay technique will be performed. If the specimen is positive for one or more of the drugs tested, then a confirmation test will be performed using a state-of-the-art analytical procedure such as gas chromatography/mass spectrometry (GC/MS) or liquid chromatography/mass spectrometry (LC/MS). If the test is confirmed positive, the MRO shall conduct a verification process, which includes giving the employee an opportunity to provide a valid medical explanation for the positive test result. The laboratory is required to keep positive, adulterated, substituted or invalid specimens for one year, or longer if requested.

Additionally, the laboratory will conduct specimen validity testing to determine if a urine specimen has been adulterated, diluted, or substituted. Access requires its safety-sensitive employees to take a second test with no advance notice if the MRO reports a "negative-dilute" test result. Depending on the creatinine level reported to the MRO by the laboratory, the MRO might order the second collection to be done under direct observation. Should this second test result in a negative-dilute, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

If the laboratory reports to the MRO an "Invalid Result" or "Rejected for Testing" (because of a fatal or uncorrectable flaw), a recollection may be required and depending on the circumstances, the MRO may require a directly-observed collection.

Tests for alcohol concentration will be conducted using an alcohol screening device and an evidential breath testing (EBT) device if the screen test is at 0.02 BAC or greater. A DOT Alcohol Testing Form will be used and a unique sequential number will be assigned to each test.
Copies of the detailed drug and alcohol specimen collection procedures are available upon request from the Contact Person identified in Section VII of this policy

8. **Directly - Observed Urine Specimen Collection**

Under the following circumstances, the employee will be directed to undergo an immediate urine specimen collection under direct observation with no advance notice:

a. If the laboratory reported to the MRO that a specimen is invalid and there was no adequate medical explanation for the result;

b. If the MRO reported that the original positive, adulterated, or substituted test result had to be canceled because the split specimen testing could not be performed;

c. If the MRO reported a negative-dilute test result where creatinine level reported by the laboratory was greater than or equal to 2 mg/dL but equal to or less than 5 mg/dL;

d. If the drug test is a return-to-duty or a follow-up test;

e. If the collector observes materials brought to the collection site or employee conduct that clearly indicate an attempt to tamper with a specimen;

f. If the temperature on the original specimen was out of range; or

g. If the original specimen appeared to have been tampered with.

The observer shall be the same gender as the employee, but need not be the collector. Prior to the collection, the observer must request the employee to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; lower clothing and underpants; and to turn around to show the observer that he or she is not wearing any type of prosthetic or other device that could be used to interfere with the collection process. If none is observed, the employee may return clothing to its proper position for observed urination. The observer must observe the process to ensure that the specimen goes from the employee's body into the collection container. If the employee declines to allow a directly observed collection when required under this policy, it is considered a refusal to test.

9. **Monitored Urine Specimen Collection**

Under those circumstances when a multi-stall restroom has to be used for urine specimen collection and the facility cannot be adequately secured, the collector will conduct a monitored collection. The monitor shall be the same gender as the employee, unless the monitor is a medical professional. The monitor will not watch the employee void into the collection container. However, if the monitor hears sounds or observes attempts to tamper with a specimen, an additional collection under direct observation will be ordered. If the employee declines to
permit a collection to be monitored, the employee is considered to have refused to test.

10. Split Specimen Testing

After notification by the MRO of a verified positive drug test or refusal to test because of adulteration or substitution, the employee has 72 hours to request (verbally or in writing) a test of the split specimen. There is no split specimen testing authorized under Part 40 for an invalid test result. After 72 hours have passed, the request can be considered only if the employee can present to the satisfaction of the MRO information that unavoidably prevented the employee from making a timely request.

Following the employee's timely request, the MRO shall send a written request to the primary laboratory to forward the split specimen to a second DHHS-certified laboratory for testing without regard to the cut-off concentration. If the second laboratory fails to reconfirm the substance detected in the primary specimen or the adulterant identified, or if the split specimen is unavailable for testing, the test shall be canceled. The MRO shall report the cancellation and the reasons for it to the DOT, Access, and the employee. In the case of the split specimen being unavailable, the employee shall be directed, with no advance notice, to submit another specimen under direct observation.

All costs related to split specimen testing will be paid by the employee. The employee shall be reimbursed if the second test invalidates the original test or if the test was canceled.

11. Consequences

As required by FTA regulations, any safety-sensitive employee who has a verified positive drug test result, an alcohol concentration of 0.04 or above, or refuses to submit to a drug or alcohol test (including adulteration or substitution) shall be:

a. Immediately taken out of safety-sensitive duty; and
b. Referred to a SAP for evaluation, education or treatment and provided educational materials.

If an employee tests positive for alcohol at 0.02 to 0.039, he or she will be removed from safety-sensitive duties until his or her next regularly scheduled workday (if at least 8 hours from the completion of the test), or if a re-test shows a result of less than 0.02.

Under Access' own authority, non-safety-sensitive employees also may be removed from duty and referred to a SAP.
FTA regulations allow individual employers to determine the discipline to be imposed on employees who violate the FTA regulations or company policy.

It is the policy of Access to terminate employees after the first offense, except in the following circumstances involving any employee who is not considered a casual, seasonal or temporary employee, and if the violation did not:

a. Cause an injury to or endanger the employee's safety or the safety of others;
b. Result in damage to Access’ property (regardless of the value of the property) or pose a risk of damage;
c. Involve the possession of illegal drugs or other controlled substances;
d. Result from an employee's refusal to sign a re-entry agreement; or
e. Occur as a result of a positive follow-up test.

The decision not to discharge would be further conditioned on the employee's satisfactory completion of an approved substance abuse rehabilitation program recommended by a qualified Substance Abuse Professional. In addition, an employee not discharged for a first violation of this policy will receive a final written warning and an immediate suspension without pay for a minimum of 10 days.

In the event an employee is returned to work, a second violation of this policy shall result in immediate discharge. The employee will not be eligible for rehire by Access.

12. Referral, Evaluation and Treatment

If an employee (including an applicant) tests positive for drug(s) or alcohol or refuses to submit to a test when required, Access shall advise the employee of the resources available for evaluating and resolving problems associated with prohibited drug use and alcohol misuse and document such referral. The employee shall be given the name, address and phone number of SAPs acceptable to Access. The individual will be responsible for any costs associated with the SAP evaluation or recommendation(s).

13. Confidentiality and Access to Facilities and Records

Access will do everything possible to safeguard the confidentiality of drug and alcohol testing records and protect the privacy of the individuals tested. Individual test results or medical information will be released to third parties only with the employee's specific written
consent, or to those parties authorized by the DOT or FTA to receive such information without the employee's consent.

The employee's written consent is not required in administrative or legal proceedings such as:

a. A lawsuit, grievance, or administrative proceeding brought by, or on behalf of the employee, resulting from a positive drug or alcohol test or a refusal to test; or

b. A criminal or civil action resulting from an employee's performance of safety-sensitive duties where the alcohol or drug tests information is deemed relevant.

Access to Access' facilities and drug and alcohol program records also must be provided, without the employee's consent, to DOT or FTA agency representatives; the National Transportation Safety Board as part of an accident investigation; or a Federal, state or local safety agency with regulatory authority over the Company or the employee; or State or grantee required to certify to FTA compliance with 49 CFR Part 655 and Part 40. In addition, DOT has adopted a rule authorizing employers and Third Party Administrators to disclose to state commercial driver licensing (CDL) authorities the drug and alcohol violations of employees who hold CDLs and operate commercial motor vehicles, when a State law requires it.


Under the DFWA, employees are prohibited from the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace. Employees are required to notify management in writing of any criminal drug statute convictions he or she receives for a violation occurring in the workplace, no later than five calendar days after such a conviction. Within 10 calendar days of receiving such notice, Access shall provide written notification of the conviction to the FTA. Within 30 calendar days of receiving notice of the conviction, Access shall take appropriate disciplinary action, or require the employee to participate and successfully complete a drug rehabilitation program.

VI. EXCEPTIONS
Not Applicable.

VII. PROVISIONS AND CONDITIONS
Not Applicable.

VIII. RELATED DOCUMENTS
C. Access Services Employee Handbook
END OF POLICY

ATTACHMENTS
   D. Acknowledgment of Receipt
APRIL 22, 2014

TO: BOARD OF DIRECTORS
FROM: F SCOTT J EWELL, CHIEF OPERATING OFFICER
RE: CONSIDERATION TO ELIMINATE SELF INSURED RETENTION PROVIDER INCENTIVE PROGRAM

 ISSUE:
In May, 2009, the Board approved Access’ Self-Insured Retention (SIR) Automobile Liability Program. One of the program’s components was a Provider Incentive Program that rewarded or penalized providers if their total claims for a particular year were above or below certain monetary targets. Because of the complexity of administering the program staff is recommending that this initiative be eliminated.

 RECOMMENDATION:
Amend the applicable transportation service provider contracts to eliminate the Provider Incentive Program.

 IMPACT ON BUDGET:
The elimination of the Provider Incentive Program will result in moderate savings to the budget. While Access received $57,000 in the first year, it has since paid out $112,000, $122,000 and $134,000 in the second, third and fourth years, respectively.

 ALTERNATIVES CONSIDERED:
Staff considered keeping or amending the Provider Incentive Program but ultimately decided that agency funds could be used in different ways to achieve the same safety goals.

 BACKGROUND:
The concept behind the Provider Incentive Program was that the service providers would share in any savings under the SIR program to incentivize them to operate in a safe manner. In 2009, the Board passed a program designed to allow providers who met certain monetary claim targets to participate in any SIR savings under $1,000,000. Conversely, providers who went over their claim targets had to pay a penalty. (Each year under the SIR program, Access must set aside a certain sum of money to cover expected claims as determined by an actuarial firm.) The credits and debits were calculated multiple times over a multi-year period for each SIR year.
After four years, staff conducted an analysis of the program and decided that, while the program has its merits, it had become an administrative burden due to a variety of factors such as the volatility of claim payments and the assessment of mileage and risk factors. The transportation service providers have agreed to eliminate the program.
APRIL 22, 2014

TO: BOARD OF DIRECTORS

FROM: F SCOTT J EWELL, CHIEF OPERATING OFFICER

RE: CONSIDERATION TO ASSUME FACILITY SPACE LEASE

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ISSUE:

Through contract negotiations Access has the opportunity to assume the existing lease for the Eligibility Center that is currently held by CARE Evaluators, Inc.

RECOMMENDATION:

Authorize Staff to assume the CARE Evaluators, Inc. lease agreement with Mateo Industrial Investments, LLC. and KF Holdings, LLC. for facility space located at 528 S. Mateo Street, Los Angeles, CA 90013. The assumptions will be for the period of June 1, 2014 through June 30, 2018. The total commitment will be $1,037,488.

IMPACT ON BUDGET:

The existing lease costs have been passed through from CARE’s negotiated fixed monthly rate hence the impact to the Access budget will be cost neutral. There is some additional general liability insurance coverage that Access will need to maintain and that cost is estimated to be only $1,100/yr. Access will also have additional security costs estimated to be approximately $25,000. Staff will be working on a long term security plan for future consideration.

ALTERNATIVES CONSIDERED:

Access has traditionally relied upon its contractors to provide facility space to operate their contract services for Access. However, as seen in recent procurements the, ability to find adequate space in the greater Los Angeles area has become much more difficult. Additionally, the design and build out to Access service requirements and on-going lease costs present potential financial challenges to contractors. While the traditional model could continue, staff feels this action provides a more equitable arrangement moving forward and facilitate the future participation of a wider range of eligibility contactors and assure the continuation of adequate facilities necessary to perform the essential eligibility function.
BACKGROUND:

CARE Evaluators, LLC (CARE) has operated out of the 528 S. Mateo facility since 2008. It is a 19,000 sq. ft. facility that has been modified to support Access’ eligibility process including functional testing, application processing, tether marking, and other related eligibility functions. It incorporates a strong transit theme and handles approximately 130-150 in-person evaluations per day.

Through the current negotiation process both Access staff and CARE recognized the mutual benefit of Access assuming the existing facility lease agreement. It allows Access to provide for continuity and development of additional space to meet the growing demand of eligibility and relieves CARE of the need for capacity planning and financial lease support.

Assumption of this lease will require CARE to enter into a sub-lease agreement with Access. Access will not be subleasing the space from CARE but releasing CARE and assuming the entire lease agreement.
TO: BOARD OF DIRECTORS
FROM: MIKE GREENWOOD, DIRECTOR OF SAFETY & RISK MANAGEMENT
RE: CONSIDERATION TO APPROVE THE REVISIONS TO THE DRIVER INCENTIVE PROGRAM

ISSUE:

Board action is required to revise the current Driver Incentive Program.

RECOMMENDATION:

Authorize staff to modify the current driver incentive program to reduce the number of awards from every 10,000 miles to every 25,000 miles and extend the top tier to now include awards at 150,000 miles and 200,000 miles.

IMPACT ON BUDGET:

There will be no changes to the current budget. The funds to accommodate the revised program will be included in the fiscal year 2014-2015 Access Services budget.

ALTERNATIVES CONSIDERED:

The alternatives considered were to discontinue the incentive program completely, maintain the current award levels, or modify the program. Discontinuing the incentive program was rejected because this program has (1) contributed to a safer operation and reduced claim payments and (2) has been in place almost four years and the drivers have come to expect and appreciate the incentive awards.

Maintaining current award levels was rejected after Access conducted a survey of more than 225 drivers asking them what awards were motivating to them. Four awards rose to the top - the Access logo backpack, the Access logo jacket, the flat screen TV, and Disneyland tickets. Lapel pins, coffee mugs, water bottles, and even watches were not as meaningful to drivers.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION

Changing the award levels from every 10,000 safe miles to every 25,000 safe miles will reduce the number of awards from ten award levels to four award levels. The four awards selected to remain in the program were selected based on the results of driver surveys.
In addition, the maximum award miles will be raised from 100,000 miles to 200,000 safe miles driven. Two premium awards will be added to the list of prizes. At 150,000 safe miles, the driver would select a larger flat screen TV, a computer laptop or desktop bundle, a two day weekend stay at Knott's Berry Farm, including admission to the theme park for a family of four, or a two day weekend stay at Universal Studios including admission to the theme park for a family of four.

At 200,000 safe miles driven, the driver would have his/her pick of the same awards. The driver would select the same award or a different award.

In addition to these proposed changes to the award structure, awards will also become harder to achieve as SmartDrive events will be factored in. Besides preventable accidents and verified safety complaints, dangerous driving behaviors captured on SmartDrive will also be used to disqualify drivers from awards. If approved, the program qualifications would include events such as running stop signs and speeding that would set a driver back at zero miles. So while awards will be harder to achieve, the program will truly recognize total safe driving to earn awards.

BACKGROUND:

In late FY 2008/2009, Access implemented an in-house risk management program, which incorporated a self-insured retention (SIR) program and a policy of closely tracking service related incidents/accidents. Since then Access has been studying accident/incident trends in order to mitigate risks. The objective was to minimize preventable incidents, in order to reduce expenses and make the system safer for our customers.

A monthly Safety Steering Committee was initiated with providers’ safety or operations managers to review accident/incident trends and to develop a proactive approach to preventing accidents/incidents. The Steering Committee felt that a strong incentive program would enhance safety awareness and safe driving behaviors. In January 2010, the Access Board of Directors approved the Driver Incentive Program for safe driving with awards given at 10,000 mile intervals.

Since the implementation of this program, Access has realized a reduction in the number of claims incurred by the Agency per 100,000 miles.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Claims</th>
<th>Total Miles</th>
<th>Claims per 100,000 Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-2010</td>
<td>361</td>
<td>33,360,530</td>
<td>1.08</td>
</tr>
<tr>
<td>2010-2011</td>
<td>294</td>
<td>34,808,179</td>
<td>0.84</td>
</tr>
<tr>
<td>2011-2012</td>
<td>274</td>
<td>36,526,152</td>
<td>0.75</td>
</tr>
<tr>
<td>2012-2013</td>
<td>307</td>
<td>39,219,810</td>
<td>0.78</td>
</tr>
<tr>
<td>2013-Present</td>
<td>241</td>
<td>31,378,494</td>
<td>0.77</td>
</tr>
<tr>
<td>Totals</td>
<td>1,477</td>
<td>175,293,165</td>
<td>0.84</td>
</tr>
</tbody>
</table>
As more than 100 drivers have reached the top tier award at 100,000 miles, a decision needs to be made regarding the next step in the program. As discussed above, Access staff surveyed the drivers and obtained valuable feedback. The survey results showed what awards were valued most to the drivers and what awards had less value. In addition, the drivers were asked about awards after a driver reached 100,000 miles.

Driver feedback was a main factor in proposing the new, higher tier awards. Drivers also indicated their desire to be able to choose their award, rather than have it stipulated at a designated mile threshold.
APRIL 22, 2014

TO: BOARD OF DIRECTORS
FROM: SHELLY VERRINDER, EXECUTIVE DIRECTOR
RE: CONSIDERATION TO APPROVE THE AMENDED FISCAL YEAR 2014/2015 FUNDING REQUEST

ISSUE:

Annual funding that Access receives from Metro in its capacity as Regional Transportation Planning Agency (RTPA) has traditionally been determined by a 12 year projection model that was established in 2004. The dollar value projections at Metro have not been modified to meet the growth in service or the capital needs that Access has experienced over the last few years. This funding shortfall has generally been addressed through deferment of capital vehicle replacements on an on-going yearly basis which tends to exacerbate issues related to increased service demand.

RECOMMENDATION:

Ratify a revised funding request to Metro of $131,646,834. This amount includes FY2014/2015 service demand projections, agency program expenses, capital fleet service vehicles.

BUDGET IMPACT:

Approval of this funding request will allow for the development of a fully funded draft FY2014/2015 budget. If the funding is not fully recognized by Metro, then staff and the Ad Hoc Budget Subcommittee will need to develop a restricted budget that ensures sufficient funding to meet the minimum ADA paratransit regulations obligation.

BACKGROUND

Under Title II B of the ADA, public fixed route operators are required to provide or certify that there is provided ADA paratransit service meeting specified minimum service criteria and that is complementary with the fixed routes they operate. That paratransit service must be designed, funded and implemented to fully meet all projected demand for next-day service and be operated so as to be free of capacity constraints. [49 C.F.R.37.131 (b) and (f)] The Los Angeles County public fixed route operators have elected to do that by joining in and supporting the Los Angeles County Coordinated Paratransit Plan which is administered by Access Services.
Metro, in its role as RTPA, allocates Federal STP funds and discretionary Proposition C funds to Access through an annual MOU process. The funds so provided combined represent 91% of available funding for Access for a fiscal year (the remaining 9% of funding consists of grants, fare revenue, and other income). The funds requested are based on budgets and plans which are highly dependent on sophisticated demand projections. Once demand projections are completed in January/February (through a demand forecasting process developed by HDR Engineering) Access staff begins the budget development process.

<table>
<thead>
<tr>
<th>Ridership</th>
<th>3,997,144</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Operating Expenditures</td>
<td>$132,112,381</td>
</tr>
<tr>
<td>Total Capital Expenditures</td>
<td>$9,107,000</td>
</tr>
<tr>
<td>Total Agency FY 14/15 Expenditures</td>
<td>$141,219,381</td>
</tr>
<tr>
<td>Expected Fare Revenue and Other Grants</td>
<td>$9,572,547</td>
</tr>
<tr>
<td>5310 FY14/15 Capital Revenue</td>
<td>$2,533,362</td>
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<tr>
<td>STP (5310) FY14/15 Budget Amount</td>
<td>$60,600,000</td>
</tr>
<tr>
<td>Metro Prop C Budget Amount for FY14/15</td>
<td>$68,513,472</td>
</tr>
<tr>
<td>Total Agency FY14/15 Revenues</td>
<td>$141,219,381</td>
</tr>
<tr>
<td>Net Request (5310 FY14/15 Capital + STP(5310) FY14/15 Budget Amount + Metro Prop C Budget Amount for FY14/15)</td>
<td>$131,514,180</td>
</tr>
</tbody>
</table>

Staff will continue to work closely with Metro to finalize the funding marks and will move forward with the development of the FY2014/2015 budget with the advice and input of the Board Budget Subcommittee.
APRIL 22, 2014

TO: BOARD OF DIRECTORS

FROM: MATHEW AVANCENA, MANAGER OF PLANNING AND COORDINATION

RE: STATUS UPDATE ON METRO’S REVIEW OF ACCESS SERVICES

ISSUE:

In June 2013, the Metro Board of Directors authorized an independent review of Access Services. The final report contained 13 findings which resulted in 12 recommendations including Access’ Management Response to the recommendations. To date, three of the recommendations have been closed. One of the recommendations related to Access’ travel training program will be closed at the end of the month.

The findings and associated recommendations are detailed in the Metro Staff Report and Final Review located on www.accessla.org.

Access staff will be updating the Board on a monthly basis on Agency progress on implementing the report’s 12 recommendations.

RECOMMENDATION:

Receive and File.
STATUS REPORT ON THE IMPLEMENTATION OF THE AUDIT RECOMMENDATIONS

Recommendation #1:
Access Services staff should present its future customer service survey to Access Services’ Advisory Committees and Metro’s Civil Rights for review and input, make additional improvements to the survey procurement and sampling plan, and establish a more formal follow-up process.

| Jan - 14 | The report was discussed and placed under Receive and File by the Metro Subcommittees with the understanding that an independent survey and a series of Town Hall meeting with Access customers will be conducted over the next few months. Access received a letter from the audit firm conducting the outreach on March 5, 2014. |
| April - 14 | The consulting firm retained by Metro MASD (Bazilio Cobb and Associates) started conducting phone customer surveys the week of April 14th. The town hall meetings are scheduled to take place on May 5th, 6th and 7th. Access will close this recommendation at the conclusion of the town hall meetings. |

Recommendation #2 - CLOSED in February 2014:
Access Services should refine their ridership demand projections to provide more accurate estimates of demand by service area.

| Jan - 14 | Access has already implemented this recommendation. The consulting firm that conducts Access’ ADA paratransit demand forecasting (HDR Engineering, Inc.) already incorporates a multi-regional forecasting model to provide more accurate ridership projections. |
| CLOSED | |

Recommendation #3:
Access Services should consider screening potential travel training clients to recruit high-use Access Services riders and/or riders who may be best able to utilize fixed route services.

| Jan - 14 | Access has already begun contacting customers who take frequent, short trips to see if they would be interested in Travel Training. |
| April - 14 | Access’ Travel Training contractor Mobility Management Partners has already contacted high use riders to offer them travel training. To date over 202 customers were called and offered training. As this effort is ongoing, Access will close this recommendation at the end of April. |
**Recommendation #4:**

Access Services should consider using the Transit Evaluation Center to offer more cost effective trainings to a larger group of participants.

| Jan - 14 | Access will be undertaking a review of this recommendation in the near future. |
| April - 14 | Access will be discussing group travel training sessions with its contractor and will include funding in the FY 2015 budget. |

**Recommendation #5:**

Access Services should require a more accurate and reliable evaluation of the Travel Training Program.

| Jan - 14 | Access will be undertaking a review of this recommendation in the near future. |
| April - 14 | Access will be working with its travel training contractor to develop a methodology to demonstrate the overall effectiveness of the travel training program in diverting rider from Access to fixed route transportation. |

**Recommendation #6:**

Access Services should evaluate whether the current fleet mix for contract providers is optimal to balance the need for Access Services vehicles with the desire to maximize fuel efficiency.

| Jan - 14 | Access Services is continuously reviewing its fleet mix and will continue to do so. The Access fleet is comprised of Access owned vehicles, contractor owned vehicles and taxicabs. Staff presented a vehicle formula for Access owned vehicles to the CAC and TPAC in March. The formula is expected to be presented to the Board for consideration in April 2014. |
| April - 14 | Staff is working with the transportation service providers on the base assumptions used to drive the vehicle allocation formula. A revised formula and vehicle service plan will be presented to TPAC and CAC in May 2014. |

**Recommendation #7:**

Access Services should review industry best practices for controlling and containing costs strategies identified from the literature, research and best practices survey responses and determine the feasibility of implementing them for Access Services.
Jan - 14 | Access Services believes that there is no perfect or ideal way to deliver service to a region as large as L.A. County. Each operating model has its pros and cons. While it is apparent in terms of service quality and overall cost (in a national context) that our service model functions well, it is also important to look at other options. Access Services will look at including funds in its FY 14-15 budget to further study the issues brought up in Recommendations 10 and 11.

Recommendation #8: CLOSED in February 2014:
Access Services should conduct a process review of its call center functions with a focus on ensuring that hold times are brought within the established standards. Additionally, Access Services should report quarterly to their Board on OMC and CSC call hold time improvements until it is able to meet its internal standard.

Jan - 14 | The Access Board of Directors approved revised call standards on December 2, 2013. The call standards will ensure that calls to OMC and CSC are served promptly. Call center performance will be published monthly in our Board Box report.

CLOSED

Recommendation #9:
Access Services should review current ADA services provided beyond the minimum required levels and services provided that are not required by the ADA and assess the costs and benefits of continuing these services.

Jan - 14 | Staff will be presenting a list of ADA services provided beyond the minimums to QSS, CAC, and TPAC for review. Any recommendations will be forwarded to the Access Board for consideration.

April - 14 | Staff is developing a list of services provided beyond the minimum ADA and plans to present to CAC and TPAC in May/June.

Recommendation #10:
Access Services should evaluate whether centralizing the reservations and/or routing function would lead to greater system efficiency.

Jan - 14 | Access Services believes that there is no perfect or ideal way to deliver service to a region as large as L.A. County. Each operating model has its pros and cons. While it is apparent in terms of service quality and overall cost (in a national context) that our service model functions well, it is also important to look at other options. Access Services will look at including funds in its FY 14-15 budget to further study the issues brought up in Recommendation 7, 10 and 11.
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<th>Date</th>
<th>Action</th>
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<tr>
<td>April 14</td>
<td>Hold for FY 14/15 Budget Approval.</td>
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</table>

**Recommendation #11:**

Access Services should develop a long-term service strategy that considers alternatives to the current model including a County-wide model that utilizes a larger bench of contractors.

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<tr>
<th>Date</th>
<th>Action</th>
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<tbody>
<tr>
<td>Jan 14</td>
<td>Access Services believes that there is no perfect or ideal way to deliver service to a region as large as L.A. County. Each operating model has its pros and cons. While it is apparent in terms of service quality and overall cost (in a national context) that our service model functions well, it is also important to look at other options. Access Services will include funds in its FY 14-15 budget to further study the issues brought up in Recommendation 7, 10 and 11.</td>
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<th>Date</th>
<th>Action</th>
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<tbody>
<tr>
<td>April 14</td>
<td>Hold for FY 14/15 Budget Approval</td>
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</table>

**Recommendation #12: CLOSED in February 2014:**

Access Services should consider working with Metro Geographic Information Systems (GIS) services to acquire the necessary software and to revise the current service area maps to reflect actual walking distance from the fixed route service. Service changes should be implemented over time to minimize impact on current clients.

<table>
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<tr>
<th>Date</th>
<th>Action</th>
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<tbody>
<tr>
<td>Jan 14</td>
<td>Access Services disagrees with this recommendation as it has no legal basis. Access Service believes that the service area requirement makes it all but clear that the distance is measured as the crow flies by use of diagrams that literally draw a ¼ mile line on either side of the fixed route and a circle with a ¼ mile radius at the terminus of a fixed route.</td>
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<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
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<tbody>
<tr>
<td></td>
<td>CLOSED BY METRO</td>
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