access

BOARD OF DIRECTORS MEETING
MONDAY, APRIL 25, 2016
Closed Session: 12:00
General Session: Immediately Following
The meeting is expected to end by or before 3:00 p.m.

ACCESS SERVICES HEADQUARTERS
Council Conference Room, 3rd Floor
3449 Santa Anita Avenue
El Monte, CA 91731

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	ACTION
2.	PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS	
3.	CLOSED SESSION	DISCUSSION/ POSSIBLE ACTION

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

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

(i) Significant exposure to litigation pursuant to subdivision (b) of Gov. Code §54956.9

(ii) Initiation of Litigation pursuant to subdivision (c) of Gov. Code §54956.9

2. <u>Pending Litigation</u>:

(b) a situation where, based on the advice of counsel taking into account "existing facts and circumstances" there exists a "significant exposure" to litigation;"

B) *CALIFORNIA GOV. CODE §54956 – REAL PROPERTY*

1. *Conference with Real Property Negotiators*
   Property: Eligibility Center
   Agency Negotiator: Shelly Verrinder
   Negotiating Parties: Access Services - Prologis & Jones Lang La Salle
   Under Negotiation: price and terms

2. *Conference with Real Property Negotiators*
   Property: Headquarters
   Agency Negotiator: Shelly Verrinder
   Negotiating Parties: Access Services – Jones Lang La Salle
   Under Negotiation: price and terms

C) *CALIFORNIA GOV. CODE §54957 (b)*

Consideration of Third Party Complaint/Charges Against Public Employee

4.	SUPERIOR SERVICE AWARD	PRESENTATION
5.	REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON MARCH 7, 2016 (page 6) [Staff Recommendation: Approve minutes as written.]	ACTION [Vote Required: majority of quorum by voice vote]
6.	REPORT FROM EX-OFFICIO BOARD MEMBERS	INFORMATION
7.	GENERAL PUBLIC COMMENT	INFORMATION
8.	CONSENT CALENDAR a) Authorization to Exceed Aggregate Procurement Limit for Creative Wireless (page 13) [Staff Recommendation: Approve Consent Calendar]	ACTION [Vote Required: majority of quorum by roll call]
9.	PRESENTATION OF METHODOLOGY FOR FINANCIAL ADJUSTMENTS	INFORMATION

10. CONSIDERATION TO APPROVE SCOPE OF WORK CHANGES RELATED TO TRANSPORTATION PROVIDER STAFFING AND TRAINING REQUIREMENTS (page 15)

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

[Staff Recommendation: Authorize staff to execute an amendment to incorporate changes to the staffing and training requirements in the scope of work for the following contracts and contractors (see item for list of contractors)]

11. CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE FUNDS AND EXTENSION OF SANTA CLARITA REGION SERVICE PROVIDER CONTRACT (AS-2602) (page 18)

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

[Staff Recommendation: Authorize an additional $600,000 in funds, a change of rates, and an extension in the period of performance for one year, from August 4, 2016 through August 3, 2017 for Contract AS-2602 with the City of Santa Clarita.]

12. CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE FUNDS AND EXTENSION OF SOUTHERN REGION SERVICE PROVIDER CONTRACT (AS-2967) (page 21)

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

[Staff Recommendation: Authorize the addition of funds by $130,182,237, a change in rates, and an extension in the period of performance for three (3) years, from September 1, 2016 through August 31, 2019.]

13. CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE FUNDS AND EXTENSION OF WEST CENTRAL REGION SERVICE PROVIDER CONTRACT (AS-2364) (page 25)

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

[Staff Recommendation: Authorize the addition of funds by $19,448,767, a change in rates, and an extension in the period of performance for one (1) year, from November 1, 2016 through October 31, 2017.]

14. CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS – SAN FERNANDO VALLEY REGION SERVICE PROVIDER CONTRACT (AS-3341) (page 29)

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

[Staff Recommendation: Authorize a change of rates for Contract AS-3341 with MV Transportation.]

15.	**CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS – MV TRANSPORTATION – PARENTS WITH DISABILITIES PROGRAM (AS-3403)** (page 33) [Staff Recommendation: Authorize an additional $476,568 in funds and extension in the period of performance of up to eighteen months from June 1, 2016, through November 30, 2017. The rate of compensation would be $40.87 per trip.]	PRESENTATION/ ACTION [Vote Required: majority of quorum by roll call]
16.	**CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS AND INCREASE FUNDS – EASTERN REGION SERVICE PROVIDER CONTRACT (AS-3421)** (page 36) [Staff Recommendation: Authorize the addition of funds by $10,679,100 and a change of rates for Contract AS-3421 with San Gabriel Transit.]	PRESENTATION/ ACTION [Vote Required: majority of quorum by roll call]
17.	**CONSIDERATION TO RESTRUCTURE FREE FARE PROGRAM REIMBURSEMENTS** (page 40) [Staff Recommendation: due to the length of the recommendation, please see the item]	PRESENTATION/ ACTION [Vote Required: majority of quorum by roll call]
18.	**UPCOMING BOARD ITEMS FOR FISCAL YEAR 2015/2016** (page 49)	INFORMATION
19.	STATUS UPDATE ON METRO'S REVIEW OF **ACCESS SERVICES** (page 51) [Staff Recommendation: Receive and file]	INFORMATION
20.	EXECUTIVE DIRECTOR'S REPORT	INFORMATION
21.	**BOARD MEMBER COMMUNICATION**	INFORMATION
22.	**NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA**	DISCUSSION/ POSSIBLE ACTION
23.	**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."

ITEM 5

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

Metro
One Gateway Plaza, 3rd Floor
Los Angeles CA 90012

Monday, March 7, 2016
12:08 p.m.

1. CALL TO ORDER

Meeting called to order by Chair Doran Barnes at 12:08p.m.

BOARD MEMBERS PRESENT REPRESENTING A QUORUM

Present: Chair Doran Barnes, Vice Chair Dolores Nason, Treasurer Martin Gombert, Secretary, Theresa DeVera. Directors Valerie Gibson, John Troost, Nalini Ahuja, and Kim Turner. Ex-Officio's CAC Chair Chaplain Dov Cohen, Chair TPAC Linda Evans and Access Services Legal Counsel Jim Jones.

BOARD MEMBERS EXCUSED FROM THE MEETING

Not Present: Director Angela Nwokike.

2. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS

No public comments.

3. CLOSED SESSION REPORT

No reportable action was taken with respect to any pending or threatened litigation and potential initiation of litigation. The Board also discussed certain real estate negotiations including those involving the eligibility center, those negotiations are proceeding but no reportable action was taken with respect to this matter.

4. REVIEW & APPROVAL OF THE BOARD MEETING MINUTES

Approval of the minutes from the Board of Directors meeting held on Monday, February 8, 2016.

Motion made by Vice Chair Dolores Nason to approve the minutes as submitted, seconded by Treasurer Martin Gombert. Via Voice Vote all were in favor, motion passed.

5. REPORT FROM EX-OFFICIO BOARD MEMBERS

Chaplain Dov Cohen, Chair of the Community Advisory Committee (CAC), provided a brief report on some of the topics discussed at the CAC meeting. He stated that the members were very delighted and respectful of the efforts that had been provided by the Access Services staff. The staff had been very informative, they answered the member's questions and if they did not have the answers they always offered to get them. Chair Cohen concluded his report by stating that the CAC was meeting tomorrow, Tuesday, March 8, 2016 in Metro Gateway room and they were more than happy to welcome everyone.

Linda Evans, Chair of the Transportation Professional Advisory Committee (TPAC), provided a brief report on the TPAC meeting held on Thursday, February 11, 2016 where the following discussions took place. A review of the Free Fare Program and the Reimbursement Process, potential transportation contract amendments to modify the language in the scope of work, an update on the customer service contract award to ALTA Resources and a review of the transition schedule. Ms. Evans concluded her report by stating that there was also some discussion on the triennial review on oversite of ADA services.

6. GENERAL PUBLIC COMMENT

Victor Dominguez made public comment by stating that the reservation Spanish line was improving but he was still experiencing some problems. He added that when he called Global Paratransit to book his weekly rides to the Braille Institute, they would send him a taxi and the driver would not help him with his belongings. He also added that this was not the first time he had complained about this issue. Mr. Dominguez also stated that another concern was when calling the provider to verify his vehicle number the dispatcher would tell him that he was calling the drivers line. He stated that since he was blind he did not know which number he was calling. Mr. Dominguez concluded his public comment by thanking Victor Garate for helping him, all of the good work he had accomplished with the standing orders and for putting him in contact with the Spanish speaking individual that had been helping him.

Access Services Operations Administrator Jack Garate was assigned to assist Mr. Dominguez.

Rene Madera made public comment by stating that there were a few issues related to the cleanliness of the vehicles. She stated that the vehicles smelled really bad, were very dirty, the seats were really sticky and she had seen a few bugs in the vehicles. Ms. Madera also stated that she had a very close friend that had Cerebral Palsy and dexterity issues with his hands, which made it impossible for him to fasten his seatbelt so he asked the driver for help and the driver replied that he was disabled too.

Ms. Madera also added that she had made a complaint about a certain driver and asked that they never send that driver to pick her up again. She stated that before her alleged suspension last summer that driver tried to take her ID card away from her. The same driver also told her that she complained about every single driver which Ms. Madera disagreed. She stated that she only complained about the drivers that did not do their job but she also complemented drivers, supervisors, order takers, and others.

Ms. Madera concluded her public comment by stating that one of the representative was very rude to her and they stated that she was going to receive a letter soon permanently removing from Access.

Access Services Director of Client Relations, Steve Chang was assigned to assist Ms. Madera.

Patty Hyland made public comment by stating that her standing rides were never on time and it seemed that the driver(s) did not care if the rider was waiting for a long time because they always tried to put the blame on someone else. Ms. Hyland also stated that she was in a Yellow Cab, and the cab driver got mad at her because she would not put her bags in the trunk of the vehicle. She stated that the last time she put her bags in the trunk she lost a few things. Ms. Hyland concluded her public comment by stating that she was tired of being threatened by the cab drivers, she asked when was Access going to do something about it.

Access Services Deputy Executive Director of Operations, Mike Greenwood was assigned to assist Ms. Hyland.

Elisa Anderson made public comment by stating that most of the taxi drivers would speed, talk on their cell phones while driving and still did not approach the visually impaired riders to let them know that the vehicle had arrived. She also stated that the shared ride passengers were being picked up at their location and being driven in opposite directions and even taken by their home again before heading to their destination.

Ms. Anderson concluded her public comment by stating that every time she went grocery shopping she took a fold up shopping cart with her and sometimes she would take her recyclables with her but the driver refused to take her with her cart of recyclables and told her when she made her reservation she had to tell them what she was bringing with her. She stated that the driver told her that her cart

would not fit and left her there. She called the Operations Monitoring Center to tell them what had happened and a couple weeks later she received a no show.

Access Services Operations Administrator, Jack Garate was assigned to assist Ms. Anderson.

7. CONSENT CALENDAR

Recommendation: Approval of all items on the consent calendar:

7-a Consideration to extend Term and Increase Funds – Internet Services with Cogent Communications (AS-2940)

Motion made by Director Kim Turner to approve all the items on the consent calendar, Seconded by Director John Troost. Via Voice Vote all were in favor, motion passed

8. CONSIDERATION TO APPROVE MODIFICATION TO PROCUREMENT POLICIES

Recommendation: Approve the revised procurement policies as presented.

Motion made by Treasurer Martin Gombert to approve staff recommendation, seconded by Director Valerie Gibson. Via Roll Call Vote all were in favor, motion passed.

9. STATUS UPDATE ON REAL ESTATE

Chair Doran Barnes reminded the Board that this was an information item only and no action was needed.

10. CUSTOMER SERVICE TRANSITION UPDATE

Chair Doran Barnes reminded the Board that this was an information item only and no action was needed.

11. VEHICLE OPERATOR RECRUITEMNT, RETENTION, QUALITY, AND PREFORMANCE

Recommendation: Receive and File.

Chair Doran Barnes reminded the Board that this was an information item only and no action was needed.

12. **UPCOMING BOARD ITEMS FOR FISCAL YEAR 2015/2016**

Chair Doran Barnes reminded the Board that this was an information item only and no action was needed.

13. **ACCESS SERVICES FISCAL YEAR 2016 MID-YEAR FINANCIAL UPDATE**

Chair Doran Barnes reminded the Board that this was an information item only and no action was needed.

14. **STATUS UPDATE ON METRO'S REVIEW OF ACCESS SERVICES**

Recommendation: Receive and file Metro's review of Access Services.

Chair Doran Barnes reminded the Board that this was an information item only and no action was needed.

15. EXECUTIVE DIRECTOR'S REPORT

Shelly Verrinder, Access Services Executive Director, began her report by stating that if you listen to KNX radio there was a radio advertisement being announced with Metro but Access Services was mentioned. She stated that it was a very positive ad which tied into creating awareness of Access Services, Metro and the great work that we all do in providing transportation services throughout the county.

Sarah Boden, Access Services Chief Operating Officer provided a brief update on the Customer Service transition with ALTA Resources by stating that she was extremely impressed with ALTA's project management and transition. She added that she was looking forward to receiving feedback from ALTA on some of Access Services technology and Rider360. Ms. Boden also stated that the ALTA team gave staff a 13 page questionnaire on telephony which provided staff a clear vision on the services we provide. Ms. Boden stated that there was a three tier process and working groups, two subcommittees one on telephony, Information technology and a steering committee which she was a part of.

Ms. Verrinder added that Alfredo Torales, Access Services Special Projects Administrator would begin the process of getting riders to register on Rider360 because that would be the porthole that Access Services would be using for the "Where's my Ride" app. Ms. Boden added that the rider would need an email address or cell phone number because currently in Rider360 there were phone numbers that don't differentiate and if the rider did not have a smart phone in there file, they might want to update it. So the rider first needs to register on Rider360 and get a password, then they need to provide a cell phone number or email address so they can receive the updates.

Ms. Verrinder encouraged the Board to provide their feedback on Item 13, Upcoming Board Items for Fiscal Year 2015/2016. She asked that they let staff know if it was helpful, where they would like more information or less information.

Ms. Verrinder concluded her report by stating that staff had equipped each one of the minivans with a large umbrella in preparation of "El Niño." She stated that the umbrella was big enough to cover the passenger and driver as they assist them on and off the vehicles. She stated that sample umbrellas were available for the Board members if they were interested.

16. BOARD MEMBER COMMUNICATION

CAC Chair Cohen stated that tomorrow's CAC meeting was going to be an interesting meeting. He also extended an invitation for everyone to attend the meeting in Metro's Gateway room on the 3rd floor.

Director Kim Turner stated that she attended Metro's transformation event where Director Nalini Ahuja was part of the panel. The event was Metro's moving forward proposal for upcoming services that they were going to provide and they announced their unsolicited proposed program. She thanked Access Services and staff for attending and Faye Moseley, Access Services Deputy Executive Director, Human Resources for accompanying her to the event.

Director John Troost introduced and thanked Carlos Benavides, the Los Angeles County Commission on Disability President for attending today's meeting.

Secretary Theresa DeVera stated that she had not received a Board Box for the last couple of months, she asked what happened to it. Ms. Verrinder replied that the Board Box was being revised to more of a streamlined format and timelier information.

Vice Chair Dolores Nason stated that the Disabled Resources Center would be having their Annual Awards Dinner on June 16, 2016. She stated that they had two weeks to make nominations for the following awards, the Jerry Stein independent Living award, which would honor a person who had demonstrated extraordinary achievements in his/her professional career, the Civic Leadership award, which would honor a person that worked tirelessly helping people with disabilities achieve a higher level of independence through his/her efforts and finally the Community Service award, which would honor a person who committed time and resources towards empowering people with disabilities in the community. She asked if anyone knew of an individual or agency to nominate for these awards, please contact the Disabled Resources Center in Long Beach.

17. NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA

Secretary Theresa DeVera stated that in February an Employee Engagement and Job Satisfaction survey was given to all employees and the board received a

procurement notice for an Employee Satisfaction survey. Secretary DeVera stated that she felt that staff's morale must be at an all-time low given the changes with the recent approval of outsourcing Customer Service, OMC and impending layoffs. She stated that she was aware that the Board could not act on her request because it was not agendized but with the Chair's approval she would like to see an item agendized for a future Board meeting to propose establishing a subcommittee to review the survey questions and details and once the survey was completed to submit the results directly to the board.

18. ADJOURNMENT

Motion made by Vice Chair Dolores Nason, Seconded by Secretary Theresa Devera. Via Voice Vote all were in favor, motion passed. The meeting adjourned at 2:50 p.m.

Approval

_____ _____

Theresa DeVera, Secretary Date

ITEM 8-a

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: AUTHORIZATION TO EXCEED AGGREGATE PROCUREMENT LIMIT FOR CREATIVE WIRELESS

ISSUE:

Board approval is required for aggregate contracts to a single vendor exceeding $75,000 in a fiscal year.

RECOMMENDATION:

Authorize staff to exceed the $75,000 aggregate procurement limit with Creative Wireless for an amount not to exceed $150,000.

IMPACT ON BUDGET:

The costs associated with this action have been budgeted in the current fiscal year.

The funding for this equipment comes from the Prop C Discretionary Fund.

ALTERNATIVES CONSIDERED:

No alternative vendors were considered as Creative Wireless was the lowest responsive bidder.

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 purchase agreement with Creative Wireless for the acquisition of computer/network equipment upon terms and conditions set forth in the request for quotations and no less favorable to Access than those proposed above.

BACKGROUND:

Access uses a Request for Quotations (RFQ) as a competitive proposal method of procurement for goods or services. An RFQ is generally issued to a list of vendors who have the requisite abilities to respond to a particular type of RFQ. Occasionally when similar RFQs are issued over a fiscal year and subsequently awarded to the same vendor the aggregate total exceeds $75,000 and hence requires Board approval.

Creative Wireless has been the lowest cost, most responsive bidder on a number of computer/network hardware RFQs issued this fiscal year. The most recent RFQ won by Creative Wireless will exceed the aggregate total by $4,832.36. Staff will be issuing additional RFQs this year and, if Creative Wireless is the successful bidder, the requested not to exceed amount will allow staff to promptly issue a purchase order without returning to the Board for further authorization.

ITEM 10

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: MIKE GREENWOOD, DEPUTY EXECUTIVE DIRECTOR, OPERATIONS & SAFETY

RE: CONSIDERATION TO APPROVE SCOPE OF WORK CHANGES RELATED TO TRANSPORTATION PROVIDER STAFFING AND TRAINING REQUIREMENTS

ISSUE:

Board approval is needed to approve scope of work changes for transportation service providers to clarify and help avoid joint employer claims arising from staffing and training requirements.

RECOMMENDATION:

Authorize staff to execute an amendment to incorporate changes to the staffing and training requirements in the scope of work for the following contracts and contractors:

Contract	Contractor
AS-2364 (West/Central Region)	California Transit, Inc.
AS-2602 (Santa Clarita Region)	Santa Clarita Transit
AS-2967 (Southern Region)	Global Paratransit, Inc.
AS-3116 (Antelope Valley Region)	Diversified Transportation
AS-3341 (Northern Region)	MV Transportation
AS-3421 (Eastern Region)	San Gabriel Transit

IMPACT ON BUDGET:

The proposed changes will not have an impact on the budget.

ALTERNATIVES CONSIDERED:

None. The changes have been recommended and approved by Legal Counsel to more accurately reflect the relationship between Access and its contractors.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, staff will be authorized, but not required, to negotiate a written amendment to the existing contracts, upon terms that are no less favorable to Access than those proposed herein. Access would not be legally bound to the amendment proposed herein unless and until it is incorporated into a formal written agreement executed by all parties and approved as to form by this entity's legal counsel.

BACKGROUND:

Joint employer claims generally relate to circumstances where two separate entities are found to be joint employers and thereby held jointly and severally liable for alleged statutory employment violations claimed by an individual or individuals. Cases are often brought pursuant to the federal Fair Labor Standards Act or state counterpart statutes. Claims are often related to failure to pay overtime wages, minimum wages or wrongful termination. Contract employees or independent contractors are often the claimants. A 1983 case established certain non-exclusive test criteria for determination of joint employment status:

1. Power to hire and fire workers
2. Determine worker work schedules and conditions
3. Determine rates of pay
4. Maintain employment records

In August 2015, the National Labor Relations Board issued a significant decision in the case of *Browning-Ferris Industries of California, et al. v. Sanitary Truck Drivers*. The case set a new standard for joint-employer issues relative to companies that contract out services, and whether the employees of the contractor can also be considered as employees of the contracting agency. The resulting NLRB standard adopted provides that joint employer status is applicable if two or more entities "share or co-determine those matters governing the essential terms and conditions of employment."

The Browning-Ferris case, as well as several other cases that have attempted to conjoin Access with our service providers, necessitated a fresh look at the service provider's scope-of-work. The result are these proposed changes to the scope-of-work concentrated on staffing and training requirements for certain contractor staff positions, including driver, call taker (reservationist) and dispatcher. Rather than require a specific training regimen that detailed a specific number of hours for each subject, Access is shifting to a "train-to-proficiency" model where Access requires the contractor to set the standard for exactly what subjects will be covered and how many hours of training will be given. This model allows the employer (Access' contractors) to tailor the training to an employee's job experience, knowledge and how quickly they grasp the material. After training is completed, Access will continue to regularly monitor the performance of our contractor's employees by auditing driver records,

reviewing SmartDrive video, and by directly observing drivers in their operating environment.

To further this process, Access has requested and received training plans from each service provider for the positions of driver, call taker and dispatcher. In some cases, a moderate level of negotiation has taken place to address concerns and a training plan has been accepted. If approved by the Board, the training plans would be amended into the contracts and then audited for compliance by Access staff. Access' high standards for training would continue, while legal concerns over joint employer liability would be significantly reduced.

In conclusion, Access does not and never has had control over provider employee's wages, hours, or working conditions. Access does not interview, hire or fire provider employees. Access does not train provider employees or determine the provider employee's rates of pay, hours of work, or work locations. Finally, Access does not track work hours or handle discipline, benefits, workers compensation claims, human resources, or payroll for provider employees. The modification of staffing and training requirements, requiring training-to-proficiency, is consistent with Access' other methods of providing oversight of its contracted operations and is in no way intended to diminish the required proficiency of those serving Access riders.

ITEM 11

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: BRUCE FRINK, SENIOR MANAGER OF FINANCE
F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE FUNDS AND EXTENSION OF SANTA CLARITA REGION SERVICE PROVIDER CONTRACT (AS-2602)

ISSUE:

Board approval is necessary to exercise an option year of contract AS-2602 with the City of Santa Clarita (Santa Clarita Transit - SCT) for service in the Santa Clarita Region.

The City of Santa Clarita declined any rate changes due to minimum wage and affordable health care laws and elected to adhere to the contract rate escalator as defined by the contract.

RECOMMENDATION:

Authorize an additional $600,000 in funds, a change of rates, and an extension in the period of performance for one year, from August 4, 2016 through August 3, 2017 for Contract AS-2602 with the City of Santa Clarita.

The rates are as follows –

	Year 9 8/4/2016-8/3/2017
Variable per trip rate	$17.75
% change	1.64%
Fixed monthly rate	$32,797.79
% change	1.64%

IMPACT ON BUDGET:

This action will result in an increase in the previously approved contract amount of $8,003,589 to $8,603,589. Per the terms of the contract, the proposed percentage change in the fixed and variable rates (1.64% in this case) is equivalent to the indexed annual percentage change in the Consumer Price Index for the Los Angeles area (U.S.

Department of Labor, Bureau of Labor Statistics, November 2015). The increase in the contract amount will be appropriately programmed for subsequent out years.

Rate Comparison (blended fixed and variable)
The table below depicts the change in total dollars with the rate changes for the extension years.

	Year 8 8/4/2015-8/3/2016	Year 9 8/4/2016-8/3/2017
Annual Cost	$946,616	$962,257
% Change	n/a	1.64%

*same number of annual trips for comparative reasons only

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

ALTERNATIVES CONSIDERED:

Staff could opt not to negotiate the option year, however doing so would require the contract to be put out to bid. Based on the negotiated rates and the successful performance of the contract itself, staff does not recommend that option. Staff is confident that the contractor has met the terms of the Contract and thus merits consideration for an extension of its term. There is one additional option year left to exercise.

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 the City of Santa Clarita for 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:

The Santa Clarita region service contract, AS-2602, began service operated by Santa Clarita Transit (SCT) on August 4, 2008.

The tables below provide current performance indicators and anticipated growth through the base term. This growth has been accounted for in the new not-to-exceed contract value.

Key Performance Indicator	Access Standard	Actual (FY 2016 through April 15, 2016)
On Time Performance	>91%	96.1%
Reservation Calls on Hold Over 5 Minutes	<5%	1.7%
Reservation Calls – Average Initial Hold Time	<120 seconds	45 seconds
Late 4 Trips	<0.10%	0.03%

Trip Growth	Trips	% Increase
Year 4 (8/15-8/16)	41,744	n/a
Year 5 (8/16-8/17)	45,302	8.5%

*based on HDR projections

ITEM 12

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: BRUCE FRINK, SENIOR MANAGER/FINANCE
F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE FUNDS AND EXTENSION OF SOUTHERN REGION SERVICE PROVIDER CONTRACT (AS-2967)

ISSUE:

Scheduled and enacted changes in minimum wage and affordable health care laws will continue to impact service provider wage scales over the next few years. While component costs rise and fall over contracts, staff feels that the minimum wage and affordable health care legislation is policy that should be supported by Access. In accordance with that view, staff recommends that the impact of these changes be mitigated for our providers. These changes are necessary to address changed circumstances that could not have been reasonably anticipated at the time they were entered into.

The Southern Region contract, operated by Global Paratransit, has wage and health care components in its fixed monthly fee and variable per trip rate and variable hour rate (Rancho Los Amigos). Accordingly, staff is recommending adjustments to the rates effective July 1, 2016.

The current contract is also in the last (5th) year of its base term with up to five (5) option years available to exercise. Staff feels that the upcoming Operations Review might generate significant changes in the Access operating model over the next two years. It would therefore be prudent to retain our current service providers during this transition as opposed to bringing in a new provider during a period of change. Therefore, staff is also recommending exercising three of the five option years available.

Additionally, the contract not-to-exceed value needs to be increased due trip demand. The contract value is based on a number of factors, one of which is the projected number of trips. The latest HDR projections predict that Global will carry an 8.9% increase in trips over the prior prediction.
Staff will be bringing items related to software systems utilized in the performance of this contract at a future Board meeting. Access was providing the Stratagen Adept Platform to Global but Access staff has elected to discontinue the maintenance

agreement with Stratagen based upon the lack of appropriate functionality. Access and Global staff are investigating alternative options to maximize productivity and communications for GPI.

RECOMMENDATION:

Authorize the addition of funds by $130,182,237, a change in rates, and an extension in the period of performance for three (3) years, from September 1, 2016 through August 31, 2019.

The rates are as follows –

	Year 5 7/1/2016 – 8/31/2016	Year 6 9/1/2016- 8/31/2017	Year 7 9/1/2017- 8/31/2018	Year 8 9/1/2018- 8/31/2019
Variable	$24.14	$24.62	$25.78	$26.78
% change	1.2%	2.0%	4.7%	3.8%
Fixed	$660,457	$680,959	$728,807	$778,113
% change	1.7%	3.1%	7.0%	6.8%
Rancho	$34.78	$35.48	$37.15	$38.58
% change	1.2%	2.0%	4.7%	3.8%

IMPACT ON BUDGET:

Minimum Wage/Affordable Health Care Impact

Access' service providers, as part of their proposals to run their respective service areas, detail wage scales and benefits that are intended to attract qualified applicants. These wage scales vary slightly from service provider to service provider as they are based on local economic conditions.

The State of California, County of Los Angeles, and City of Los Angeles have all implemented minimum wage laws up to $15.00 per hour. A summary of the combined progression of these ordinances is as follows –

1/1/2014 $ 9.00/hr
1/1/2016 $10.00/hr
7/1/2016 $10.50/hr
7/1/2017 $12.00/hr
7/1/2018 $13.25/hr
7/1/2019 $14.25/hr
7/1/2020 $15.00/hr

Staff performed a detailed analysis of the original proposal submitted by the contractor in terms of the impact both the minimum wage progression and affordable health care

legislation has had on wages and benefits. The analysis provided the framework to establish the new rates for the affected contract years.

It was initially the intent of Access staff to have an effective date of January 1, 2016. Due to a lack of adequate funding, the effective date was modified to July 1, 2016. If adequate funding becomes available staff will bring an item to the Board for consideration. The cost of a retroactive increase is approximately $7 million. The cost of the system-wide increase effective July 1, 2016 is $2.8 million; this includes $812,029 for Global. It is important to note that the F Y 18 financial impact is $7.4 million system-wide, of which $2,450,182 is related to GPI.

The increase in the contract amount has been programmed into the FY 16/17 draft budget and will be included in subsequent out years.

In terms of the extension year beginning September 1, 2016, costs excluding those affected by the minimum wage and affordable health care adjustment were increased for each year of the three-year option by 2.40% based on the average year-over-year increase in the Consumer Price Index for the Los Angeles Metropolitan Region.

Rate Comparison (blended fixed and variable – does not include Rancho)
The table below depicts the change in total dollars with the rate changes for the extension years.

	Year 5 9/1/2015 – 8/31/2016	Year 6 9/1/2016-8/31/2017	Year 7 9/1/2017-8/31/2018	Year 8 9/1/2018-8/31/2019
Annual Cost	$34,719,936	$35,885,550	$37,764,101	$39,472,903
% change	n/a	3.4%	5.2%	4.5%

*same number of annual trips for comparative reasons only

This action will result in an increase in the previously approved contract amount of $150,514,789 to $280,697,026.

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

ALTERNATIVES CONSIDERED:

Staff could opt not to negotiate the option period, however doing so would require the contract to be put out to bid. If the rate changes related to minimum wage and affordable health care are not approved, then the service provider would continue to operate through the base term under the rates previously approved by the Board. However, this forces the burden of these changes on our service providers which staff feels is not consistent with our support for legislative policy and also weakens the cost

margins approved in the contract. Based on the negotiated rates and the successful performance of the contract itself, staff feels the recommendation is appropriate.

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 Global for specialized transportation services on terms and conditions no less favorable to Access than those set forth in the existing contract and modified as in this item proposed. Access Services would not be legally bound to the revised terms or the extension period 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

The Southern region service contract, AS-2967, was awarded to Global Paratransit, Inc. (GPI) in June 2011. The base term of the contract runs through August 31, 2016 and allows for five (5) additional option years.

The tables below provide current performance indicators and anticipated growth through the base term. This growth has been accounted for in the new not-to-exceed contract value.

Key Performance Indicator	Access Standard	Actual (FY 2016 through April 15, 2016)
On Time Performance	>91%	90.1%
Reservation Calls on Hold Over 5 Minutes	<5%	4.6%
Reservation Calls – Average Initial Hold Time	<120 seconds	102 seconds
Late 4 Trips	<0.10%	0.10%

Trip Growth	Trips	% Increase
Year 5 (9/15-8/16)	1,125,450	n/a
Year 5 (9/16-8/17)	1,225,918	8.9%
Year 5 (9/17-8/18)	1,333,940	8.8%
Year 5 (9/18-8/19)	1,441,228	8.0%

*based on HDR projections

ITEM 13

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: BRUCE FRINK, SENIOR MANAGER OF FINANCE
F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE FUNDS AND EXTENSION OF WEST CENTRAL REGION SERVICE PROVIDER CONTRACT (AS-2364)

ISSUE:

Scheduled and enacted changes in minimum wage and affordable health care laws will continue to impact service provider wage scales over the next few years. While component costs rise and fall over contracts, staff feels that the minimum wage and affordable health care legislation is policy that should be supported by Access. In accordance with that view, staff recommends that the impact of these changes be mitigated for our providers. In accordance with that view, staff recommends that the impact of these changes be mitigated for our providers. These changes are necessary to address changed circumstances that could not have been reasonably anticipated at the time they were entered into.

The West Central Region contract, operated by California Transit, has wage and health care components in its fixed monthly fee and variable per trip rate and variable hour rate (Braille Coordinator). Accordingly, staff is recommending adjustments to the rates effective July 1, 2016 through the base term of this contract.

The current contract is in the 9th option year (through October 31, 2016) with one (1) option year remaining to exercise. Staff feels that the upcoming Operations Review might generate significant changes in the Access operating model over the next two years. It would therefore be prudent to retain our current service providers during this transition as opposed to bringing in a new provider during a period of change. Therefore, staff is also recommending exercising the last option year.

RECOMMENDATION:

Authorize the addition of funds by $19,448,767, a change in rates, and an extension in the period of performance for one (1) year, from November 1, 2016 through October 31, 2017.

	7/1/2016 – 10/31/2016	11/1/2016 – 10/31/2017
Variable per trip rate	$28.26	$29.31
% change	1.3%	3.7%
Fixed monthly rate	$324,262	$341,858
% change	2.0%	5.4%
Variable per hour rate (Braille)	$17.00	$17.63
% change	1.3%	3.7%

IMPACT ON BUDGET:

Minimum Wage/Affordable Health Care Impact

Access' service providers, as part of their proposals to run their respective service areas, detail wage scales and benefits that are intended to attract qualified applicants. These wage scales vary slightly from service provider to service provider as they are based on local economic conditions.

The State of California, County of Los Angeles, and City of Los Angeles have all approved minimum wage laws up to $15 per hour. A summary of the combined progression of these laws is as follows –

1/1/2014 $ 9.00/hr
1/1/2016 $10.00/hr
7/1/2016 $10.50/hr
7/1/2017 $12.00/hr
7/1/2018 $13.25/hr
7/1/2019 $14.25/hr
7/1/2020 $15.00/hr

Staff performed a detailed analysis of the original proposal submitted by the contractor in terms of the impact both the minimum wage progression and affordable health care legislation has had on wages and benefits. The analysis provided the framework to establish the new rates for the affected contract years.

It was initially the intent of Access staff to have an effective date of January 1, 2016. Due to a lack of adequate funding, the effective date was modified to July 1, 2016. If adequate funding becomes available to fund a retroactive start date of January 1, 2016, staff will bring an item to the Board for consideration. The cost of the retroactive increase is approximately $7 million. The cost for FY 16/17 is $2.8 million with $544,476 associated to CTI. The cost in FY 2016/17 for CTI is $217,036.

In terms of the extension year beginning November 1, 2016, costs were increased by 0.71% based on the average year-over-year increase in the Consumer Price Index for the Los Angeles Metropolitan Region, after the minimum wage was applied to the base rate.

Rate Comparison (blended fixed and variable)
The table below depicts the change in total dollars with the rate changes for the extension year.

	11/1/2015-10/31/2016	11/1/2016-10/31/2017	% change
Annual Cost	$18,472,517	$19,402,298	5.0%

*same number of annual trips for comparative reasons only

This action will result in an increase in the previously approved contract amount of $133,669,225 to $153,117,992.

The above action will also extend the Braille Coordinator services provided by CTI. This cost is split between Access and the Braille Institute.

The increase in the contract amount will be accommodated by the current budget and will be appropriately programmed for subsequent out years.

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

ALTERNATIVES CONSIDERED:

Staff could opt not to negotiate the option year, however doing so would require the contract to be put out to bid. If the rate changes related to minimum wage and affordable health care are not approved, then the service provider would continue to operate through the current term under the rates previously approved by the Board. However, this forces the burden of these wage changes on our service providers which staff feels is not consistent with our support for legislative policy and also weakens the cost margins approved in the contract. Based on the negotiated rates and the successful performance of the contract itself, staff feels the recommendation is appropriate.

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 CTI for specialized transportation services on terms and conditions no less favorable to Access than those set forth in the existing contract and modified as in this item proposed. Access Services would not be legally bound to the revised terms or the extension period 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

The West Central region service contract, AS-2364, was awarded to California Transit, Inc. (CTI) on August 1, 2007. This action exercises the last available option year available under this contract.

The tables below provide current performance indicators and anticipated growth through the base term. This growth has been accounted for in the new not-to-exceed contract value.

Key Performance Indicator	Access Standard	Actual (FY 2016 through April 15, 2016)
On Time Performance	>91%	89.8%
Reservation Calls on Hold Over 5 Minutes	<5%	5.7%
Reservation Calls – Average Initial Hold Time	<120 seconds	77 seconds
Late 4 Trips	<0.10%	0.17%

Trip Growth	Trips	% Increase
Year 9 (11/15-10/16)	522,045	n/a
Option Year 10*	553,445	6.0%

*based on HDR projections

ITEM 14

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: BRUCE FRINK, SENIOR MANAGER OF FINANCE
F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS – SAN FERNANDO VALLEY REGION SERVICE PROVIDER CONTRACT (AS-3341)

ISSUE:

Scheduled and enacted changes in minimum wage and affordable health care laws will continue to impact service provider wage scales over the next few years. While component costs rise and fall over contracts, staff feels that the minimum wage and affordable health care legislation is policy that should be supported by Access. In accordance with that view, staff recommends that the impact of these changes be mitigated for our providers. These changes are necessary to address changed circumstances that could not have been reasonably anticipated at the time the contract was entered into.

The San Fernando Valley Region contract, operated by MV Transportation, has wage components in its fixed monthly fee and variable per trip rate. The current contract is in the 3rd year of its base term with two full years remaining. Accordingly, staff is recommending adjustments to the rates effective July 1, 2016 through the base term of this contract.

RECOMMENDATION:

Authorize a change of rates for Contract AS-3341 with MV Transportation.

The rates are as follows –

	Year 3 7/1/2016-7/31/2016	Year 4 8/1/2016-7/31/2017	Year 5 8/1/2017-7/31/2018
Variable per trip rate	$23.58	$24.69	$27.07
% change from old rate	0.4%	3.7%	12.0%
Fixed monthly rate	$502,877	$534,920	$588,453
% change from old rate	0.3%	2.2%	7.4%

IMPACT ON BUDGET:

Minimum Wage/Affordable Health Care Impact

Access' service providers, as part of their proposals to run their respective service areas, detail wage scales and benefits that are intended to attract qualified applicants. These wage scales vary slightly from service provider to service provider as they are based on local economic conditions.

The State of California, County of Los Angeles, and City of Los Angeles have all implemented minimum wage laws up to $15.00 per hour. A summary of the combined progression of these laws is as follows –

1/1/14	$ 9.00/hr
1/1/2016	$10.00/hr
7/1/2016	$10.50/hr
7/1/2017	$12.00/hr
7/1/2018	$13.25/hr
7/1/2019	$14.25/hr
7/1/2020	$15.00/hr

Staff performed a detailed analysis of the original proposal submitted by the contractor in terms of the impact both the minimum wage progression and affordable health care legislation has had on wages and benefits. The analysis provided the framework to establish the new rates for the affected contract years.

It was initially the intent of Access staff to have an effective date of January 1, 2016. Due to a lack of adequate funding, the effective date was modified to July 1, 2016. If adequate funding becomes available to fund a retroactive increase, staff will bring an item to the Board for consideration. The cost of the retroactive increase is approximately $7 million. The system cost of the July 1, 2016 increase is $2.8 million of which $625,812 is associated with MV. The FY 2016/17 financial impact for MV is $2,262,931.

Rate Comparison (blended fixed and variable)
The table below depicts the change in total dollars with the rate changes.

	Year 3 8/1/2015-7/31/2016	Year 4 8/1/2016-7/31/2017	Year 5 8/1/2017-7/31/2018
Annual Cost	$19,807,256	$20,915,039	$22,952,857
% Change	n/a	5.6%	9.7%

*same number of annual trips for comparative reasons only

This action will not require an increase in the previously approved contract amount of $105,435,580 due to lower trip demand than was originally projected by HDR.

The increase in the contract rates will be accommodated by the current budget and will be appropriately programmed for subsequent out years.

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

ALTERNATIVES CONSIDERED:

If the rate changes related to minimum wage and affordable health care are not approved, then the service provider would continue to operate through the base term under the rates previously approved by the Board. However, this forces the burden of these changes on our service providers which staff feels is not consistent with our support for legislative policy and also weakens the cost margins approved in the contract. Based on the negotiated rates and the successful performance of the contract itself, staff feels the recommendation is appropriate.

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 MV Transportation for specialized transportation services on terms and conditions no less favorable to Access than those set forth in the existing contract and modified as in this item proposed. Access Services would not be legally bound to the revised terms 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

The Northern region service contract, AS-3341, was awarded to MV Transportation, Inc. (MV) on May 1, 2013. The base term of the contract runs through July 31, 2018, 2017 and allows for five (5) additional option years.

The tables below provide current performance indicators and anticipated growth through the base term.

Key Performance Indicator	Access Standard	Actual (FY 2016 through April 15, 2016)
On Time Performance	>91%	91.9%
Reservation Calls on Hold Over 5 Minutes	<5%	4.8%
Reservation Calls – Average Initial Hold Time	<120 seconds	117 seconds
Late 4 Trips	<0.10%	0.04%

Trip Growth	Trips	% Increase
Year 3	587,028	n/a
Year 4	615,242	4.8%
Year 5	659,302	7.2%

*based on HDR projections

ITEM 15

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: FAYMA ISHAQ, PROJECT ADMINISTRATOR
F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS – MV TRANSPORTATION – PARENTS WITH DISABILITIES PROGRAM (AS-3403)

ISSUE:

Board approval is necessary to exercise a final option on contract AS-3403 for the Parents with Disabilities Program with MV Transportation, Inc. (MV Transportation).

RECOMMENDATION:

Authorize an additional $476,568 in funds and extension in the period of performance of up to eighteen months from June 1, 2016, through November 30, 2017. The rate of compensation would be $40.87 per trip.

IMPACT ON BUDGET:

Funds will be included in the annual budget for the entire term of the proposed contract. Fifty percent of the project cost will be funded by an FTA New Freedom grant, with Prop. C local funds covering the balance of the project cost.

The recommended cost and per trip rate were negotiated and are based on previous ridership actuals and an anticipation that future ridership will increase no more than 10% in the next year. If ridership exceeds projections, both parties would renegotiate the per trip rate and request Board approval to implement. The requested extension to November 30, 2017 will exhaust the remaining funds of the FTA New Freedom Grant.

ALTERNATIVES CONSIDERED:

None. Access applied for and was awarded a New Freedom grant in September 2010, to specifically provide this project for eligible Access customers in the Northern service region. It is incumbent on Access to continue a service contract with a qualified service provider in order to spend grant funds.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

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

CURRENT RIDERSHIP AND TRIP RATE:

Ridership
Year 1 of program: 795 trips
Year 2 of program: 5,049 trips
Year 3 of program: 5,695 trips (first nine months)
Year 4 of program (estimated): 7,017 trips

Trip Rate
Year 1: $41.59 per trip
Year 2: $37.75 per trip
Year 3: $37.36 per trip
Year 4 (proposed): $40.87 per trip

BACKGROUND:

On January 23, 2013, Access issued a Request for Proposals (RFP) in order to find a vendor capable of, and interested in, undertaking a project involving the transportation of Access customers traveling with their children. MV Transportation, the current provider of ADA paratransit service in the area, submitted the only response to the RFP. The proposal was deemed both responsive and responsible. Following the receipt of a best-and-final offer and subsequent negotiations, staff determined that the vendor was capable of undertaking this work at a reasonable rate of compensation. Service began on June 1, 2013, and is currently capped at forty-six participants.

The New Freedom grant-funded program allows Access riders with children to engage in child-care related activities such as school, recreation, healthcare and other social activities (such as play-dates). Currently, Access riders must book all trips a day in advance, which can be difficult for parents with children who often have to take unplanned trips, such as picking-up a sick child from school or taking them to the doctor.

Due to limited grant funding, the program is limited to qualified Access riders who travel within the Northern service area. The program includes the following service enhancements that exceed the ADA minimum paratransit provisions:

- Door-to-door service;

- Provision for some same-day reservations for non-emergency medical necessities;
- Appointment-based next-day reservations;
- Extended dwell time; and
- Provision for multi-legged trips or intermediary stops,

The current three-year contract will end May 31, 2016, and the extension would continue the service for another eighteen months. MV Transportation's option year price proposal includes cost adjustments for wage increases and program enhancements as detailed below:

- Increase in driver and minimum wage: MV Transportation's driver wage increases annually to comply with the Collective Bargaining Agreement with Teamster Local 848. The Teamster Union's ratification for wage increase went into effect August 2014. The State of California increased the minimum wage requirement to $10.00 effective January 1, 2016; the city and county of Los Angeles will both increase the minimum wage to $10.50 by July 1, 2016. The minimum wage increase not only impacts driver positions that receive the minimum, but also displays a ripple effect on other employment positions for MV Transportation.

- Increase staff: In order to assist riders efficiently, MV Transportation has added reservation and dispatch staffing resources to accommodate the customer experience process for Access riders

ITEM 16

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: BRUCE FRINK, SENIOR MANAGER OF FINANCE
F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS AND INCREASE FUNDS – EASTERN REGION SERVICE PROVIDER CONTRACT (AS-3421)

ISSUE:

Scheduled and enacted changes in minimum wage and affordable health care laws will continue to impact service provider wage scales over the next few years. While component costs rise and fall over contracts, staff feels that the minimum wage and affordable health care legislation is policy that should be supported by Access. In accordance with that view, staff recommends that the impact of these changes be mitigated for our providers. The Eastern Region contract, operated by San Gabriel Transit, has wage and affordable health care components in its fixed monthly fee, variable per trip rate, and variable hour rate (certification). The current contract is in the 3rd year of its base term with two full years remaining. Accordingly, staff is recommending adjustments to the rates retroactive to July 1, 2016 through the base term of this contract. These changes are necessary to address changed circumstances that could not have been reasonably anticipated at the time they were entered into.

Additionally, the contract not-to-exceed value is being increased to reflected the latest demand projections. The estimated trip count is 12.3% higher than what was originally projected by HDR when the contract was issued.

RECOMMENDATION:

Authorize the addition of funds by $10,679,100 and a change of rates for Contract AS-3421 with San Gabriel Transit.

The rates are as follows –

	Year 3 7/1/2016-3/31/2017	Year 4 4/1/2017-3/31/2018	Year 5 4/1/2018-3/31/2019
Variable per trip rate	$26.72	$27.74	$28.79
% change from old rate	1.0%	4.1%	7.4%
Fixed monthly rate	$615,004	$664,498	$717,018
% change from old rate	1.6%	6.6%	11.8%
Cert. variable per hour rate	$32.40	$33.92	$35.54
% change from old rate	1.3%	5.7%	10.2%

IMPACT ON BUDGET:

Minimum Wage/Affordable Health Care Impact

Access' service providers, as part of their proposals to run their respective service areas, detail wage scales and benefits that are intended to attract qualified applicants. These wage scales vary slightly from service provider to service provider as they are based on local economic conditions.

The State of California, County of Los Angeles, and City of Los Angeles have all implemented minimum wage laws up to $15.00 per hour. A summary of the progression is as follows –

1/1/2014 $ 9.00
1/1/2016 $10.00/hr
7/1/2016 $10.50/hr
7/1/2017 $12.00/hr
7/1/2018 $13.25/hr
7/1/2019 $14.25/hr
7/1/2020 $15.00/hr

Staff performed a detailed analysis of the original proposal submitted by the contractor in terms of the impact both the minimum wage progression and affordable health care legislation had on wages and benefits. The analysis provided the framework to establish the new rates for the affected contract years.

It was initially the intent of Access staff to have an effective date of January 1, 2016. Due to a lack of adequate funding, the effective date was modified to July 1, 2016. If adequate funding becomes available, staff will bring an item to the Board for consideration. The cost of a retroactive increase is approximately $7 million. The system-wide cost of the adjustment effective July 1, 2016 is $2.8 million, of which $632,609 is associated with the Eastern Service Region and $67,997 is related to the

provision of eligibility trips. The FY 16/17 costs for SGT are $1,845,306 for Eastern and $200,715 for eligibility. The system-wide cost for FY 16/17 is $7,401,318.

Rate Comparison (blended fixed and variable)
The table below depicts the change in total dollars with the rate changes (excluding certification hours).

	Year 3 4/1/2016-3/31/2017	Year 4 4/1/2017-3/31/2018	Year 5 4/1/2018-3/31/2019
Annual Cost	$30,660,169	$32,314,185	$33,870,819
% Change	n/a	5.4%	4.8%

*same number of annual trips for comparative reasons only

The increase in the contract amount will be accommodated by the current budget and will be appropriately programmed for subsequent out years.

This action will result in an increase in the previously approved contract amount of $155,734,372 to $166,413,472.

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

ALTERNATIVES CONSIDERED:

If the rate changes related to minimum wage and affordable health care are not approved, then the service provider would continue to operate through the base term under the rates previously approved by the Board. However, this forces the burden of these changes on our service providers which staff feels is not consistent with our support for legislative policy and also weakens the cost margins approved in the contract. Based on the negotiated rates and the successful performance of the contract itself, staff feels the recommendation is appropriate.

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 San Gabriel Transit for specialized transportation services on terms and conditions no less favorable to Access than those set forth in the existing contract and modified as in this item proposed. Access Services would not be legally bound to the revised terms 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

The Eastern region service contract, AS-3421, was awarded to San Gabriel Transit (SGT) on January 1, 2014. The base term of the contract runs through March 31, 2019, and allows for five (5) additional option years. This proposed action will only impact the last three years of the base term.

The tables below provide current performance indicators and anticipated growth through the base term. This growth has been accounted for in the new not-to-exceed contract value.

Key Performance Indicator	Access Standard	Actual (FY 2016 through April 15, 2016)
On Time Performance	>91%	90.3%
Reservation Calls on Hold Over 5 Minutes	<5%	5.7%
Reservation Calls – Average Initial Hold Time	<120 seconds	76 seconds
Late 4 Trips	<0.10%	0.26%

Trip Growth	Trips	% Increase
Year 2 (4/15-3/16)	825,546	n/a
Year 3 (4/16-3/17)	877,504	6.3%
Year 4 (4/17-3/18)	931,749	6.2%
Year 5 (4/18-3/19)	976,390	4.8%

*based on HDR projections

ITEM 17

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: MATTHEW AVANCENA, MANAGER OF PLANNING AND COORDINATION
ANDRE COLAIACE, DEPUTY EXECUTIVE DIRECTOR, PLANNING AND GOVERNMENTAL AFFAIRS

RE: CONSIDERATION TO RESTRUCTURE FREE FARE PROGRAM REIMBURSEMENTS

ISSUE:

Due to the increased costs of reimbursements to Free Fare partners and other issues related to the program, Access staff, in close collaboration with Metro and other regional partners, is recommending that the current system of Free Fare reimbursements be restructured.

RECOMMENDATIONS:

1. For the upcoming FY 2017 fiscal year, Free Fare reimbursements to partner agencies will be capped at FY 2015 funding amounts and reviewed annually, until such time as either Access or the participating Free Fare agency terminates the agreement. This will require an amendment to the MOUs between each Member Agency that receives reimbursement under the Free Fare program and Access.

2. Free Fare partners may submit reimbursement invoices to Access for the remainder of FY 2016. Invoices will be paid in accordance with the terms of the current Free Fare MOU with the exception of Antelope Valley Transit Authority (AVTA) for its local routes, which were negotiated separately.

3. For FY 2016, AVTA will receive a one-time payment of $120,000 for eligible Access boardings recorded on their *local routes* effective September 2015 through June 30, 2016. AVTA will continue to be reimbursed for boardings on commuter routes in accordance with the terms of the MOU.

4. For FY 2017, the annual Free Fare reimbursement to AVTA will be capped at $475,000 for both its local and express routes.

5. Authorize Access staff to enter into an agreement with the city of Burbank to allow Burbank Bus into the Free Fare program, effective July 1, 2016. Free Fare reimbursements to the city will be capped at a maximum of $9,000 annually.

6. Conduct a statistically-valid Free Fare Program survey of Access customers to get a better understanding of customer behavior in their usage of paratransit, fixed route, rail and commuter rail services.

IMPACT ON BUDGET:

These changes are expected to reduce Free Fare program costs by approximately $350,000 in FY 17 from a projected $4.069 million in FY 16 costs (which assumes the approval of an additional $120,000 for AVTA) to $3.7 million in FY 17.

The estimated cost to conduct a Free Fare survey of Access customers is $25,000 and is included in the FY 16 budget.

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

ALTERNATIVES CONSIDERED:

None.

BACKGROUND:

Access Services' Free Fare program was established in 2000 as a paratransit ridership diversion strategy to encourage Access customers to use accessible bus or rail service when they are able to. The Free Fare Program allows Access customers to ride the bus or rail free of charge. In return, Access reimburses many free fare partners for the cost of the trip, typically the cash fare for elderly and/or disabled riders charged by the participating transit agency. By doing so Access believes it is able to realize cost savings by encouraging Access customers to use significantly less expensive fixed route service for some or most of their trips.

The program, which began in 2000 with three partner agencies and 732 boardings in its first year, has now expanded to 22 participating agencies and over 2.7 million boardings per month.

Access customers use their Transit Access Pass (TAP) enabled customer identification card when boarding fixed route, rail or commuter rail. For non-TAP enabled systems, customers present their ID card as a flash pass. TAP allows Free Fare partners to accurately track and record the number of Access customer boardings on their system. In non-TAP systems, boardings are generally tallied manually by the driver on the farebox. The following municipal, local transit and commuter rail operators are participants in the Free Fare program:

Reimbursed

Antelope Valley Transit Authority
Beach Cities Transit
Culver City Bus
El Monte Transit
Foothill Transit
Gardena Bus Lines
Huntington Park COMBI
LADOT Dash and Commuter Express
Long Beach Transit
Metrolink*
Montebello Bus Lines
Monterey Park Spirit
Norwalk
Pasadena Transit
Santa Monica's Big Blue Bus

Not Reimbursed

Carson Transit
Metro
Palos Verdes Peninsula Transit Authority
Santa Clarita Transit
West Hollywood Transit

***** Metrolink is directly reimbursed by Metro at a flat rate of $2.1 million per year plus an annual CPI adjustment. The following table represents the number of Free Fare boardings and annual reimbursement costs for FY 2015.

Fixed Route Agency		Total Annual Passengers	Monthly Average Reimbursement	Total Annual Reimbursement
1	Antelope Valley Transit Authority	43,870	$ 20,449.92	$ 245,399.00
2	Beach Cities Transit	12,734	$ 530.58	$ 6,367.00
3	City of El Monte	58,279	$ 2,428.29	$ 29,139.50
4	City of Gardena	276,127	$ 8,053.70	$ 96,644.45
5	City of Glendale	276,596	$ 11,631.33	$ 139,576.00
6	City of Norwalk	139,971	$ 6,998.55	$ 83,982.60
7	City of Pasadena	161,750	$ 4,717.71	$ 56,612.50
8	City of Torrance	203619	$ 4,242.06	$ 50,904.75
9	Culver CityBus	265,871	$ 7,754.57	$ 93,054.85
10	Foothill Transit	1,106,832	$ 46,118.00	$ 553,416.00
11	LADOT	1,539,897	$ 35,270.88	$ 423,250.50
12	Long Beach Transit	1,227,664	$ 61,383.20	$ 736,598.40
13	Montebello Bus Lines	948,453	$ 39,518.88	$ 474,226.50
14	Monterey Park	79,525	$ 1,745.48	$ 20,945.75
15	Santa Monica Big Blue Bus	879638	$ 38,073.08	$ 456,877.00
	Fixed Route Operators Total	**7,220,826**	**$ 288,916.23**	**$ 3,466,994.80**
16	Metrolink			$ 2,100,000.00
	Total with Metrolink Reimbursement			**$ 5,566,994.80**

During FY 2015 Access spent $3,466,994 on Free Fare reimbursements to fixed route partners, excluding Metrolink. Since Free Fare reimbursement costs have been

increasing and other questions were being raised about the program, staff felt it was prudent to convene a regional Free Fare Working Group.

Regional Paratransit Free Fare Working Group

In December 2015, staff reached out to the chairpersons of the Bus Operators Subcommittee (BOS) and Local Transit Systems Subcommittee (LTSS) to seek member agency representatives to participate in a Free Fare Working Group. As a result, representatives from Metro, Long Beach Transit, Santa Monica's Big Blue Bus, Palos Verdes Peninsula Transit Authority, LADOT, Torrance, Beach Cities, Culver City, Glendale, Pasadena, Gardena, AVTA, Norwalk and LA County Public Works volunteered to participate.

Staff convened two working group meetings on January 11 and February 22, 2016. The meetings were held at Metro and a tele-conference option was made available for those unable to attend in-person.

At the January 11th meeting, staff presented an overview of the program, including customer trip usage. The working group members agreed that the program has its benefits but understood the regional cost implications if changes were not implemented.

At the February 22nd meeting, staff distributed handouts that detailed which agencies allow PCAs to board their systems for free and annual reimbursements paid to each Free Fare partner. Staff shared reimbursement totals from FY 2015 and the first six months of FY 2016 (July through December). Discussion centered around ways to address the increasing costs of reimbursements, Access' eligibility policies, and potential Title VI impacts on fixed route operators should they decide to start charging fares to Access customers.

It was at this meeting that Metro presented its proposal to cap Free Fare reimbursements at FY 2015 amounts, effective July 1, 2016 and beyond. While the working group did not take a position on the proposal, everyone agreed that the proposal ought to be presented to BOS and LTSS for further discussion.

BOS and LACMOA

As a follow-up from the February 22nd working group meeting, staff presented a draft Free Fare proposal to BOS and LTSS on March 15 and March 17, respectively. During the March 15 BOS meeting, BOS members expressed concerns about the cap and its implications if free fare boardings increased in future years. BOS asked Metro and Access to consider amending the proposal to add annual CPI adjustments to accommodate anticipated ridership increases. Metro was unable to accommodate BOS' request for CPI adjustment. BOS postponed its vote on the proposal until the members had an opportunity to discuss it with their agency director or general manager.

On April 6, Access received a letter addressed to the Access Board of Directors from the L.A. County Municipal Operators Association (LACMOA), which is attached. In its letter, LACMOA supported the recommendation as presented to BOS with the stipulation that LACMOA reserve the right to annually review the reimbursement cap and its participation in the Free Fare program. A copy of the letter is attached to this item.

On April 7, BOS voted via e-mail to approve capping Free Fare reimbursement at FY 15 levels as long as there is an annual review of the reimbursement cap. Staff has incorporated LACMOA's proposed language in *Recommendation #1* listed above.

LTSS

During the Mach 17 LTSS meeting, LTSS members expressed similar concerns about the cap and its implications if free fare boardings increased in future years. LTSS did not have a quorum and therefore agreed to vote via email by April 7th. To date, one member voted in favor and one against; the rest of the members did not vote.

AVTA Fare Change

On September 2015, AVTA changed its fare structure and began charging its senior and disabled passengers a reduced fare of $0.75 cents for their local routes. Prior to this change, AVTA allowed seniors, persons with disabilities and Access customers with valid TAP cards to board for free and only invoiced Access for boardings on its commuter express lines.

As a result of the fare change, AVTA, per the terms of the MOU, requested full reimbursement for Free Fare boardings on its local routes, which were projected to amount to over $410,000 in additional reimbursements for the remainder of FY 2016. Since Access did not budget these funds, staff reached out to AVTA to negotiate a lower amount of $120,000 for boardings on its local routes for FY 16 (Recommendation #3).

For FY 2017, Metro, Access and AVTA mutually agreed upon a reimbursement cap of $475,000 for boardings in its commuter express and local routes (Recommendation # 4). The amount negotiated with AVTA for FY 2017 is lower than the projected reimbursement of $593,186, the amount that Access would be obligated to pay if there were no cap.

Burbank Bus

Burbank Bus is the local fixed route system for the city of Burbank and adjacent areas. Burbank Bus has been allowing Access customers with a valid ID card to board their system free of charge since 2014 but has never requested reimbursement from the agency up until now. Burbank Bus charges a flat fare of $1.00 per boarding for all

customers. Based on the most recent year of TAP data Burbank bus averages 750 boardings per month which equates to approximately $9,000 per year.

Community Advisory Committee (CAC) Outreach

During the period that Access staff worked with Free Fare partner agencies, staff also reached out to Access' Community Advisory Committee (CAC). Staff requested the CAC form a Free Fare Subcommittee in order to look at the benefits and opportunities for improvements from a customer and advocate perspective.

The CAC Free Fare Subcommittee was formed with volunteers from the CAC and met for the first time following the February 9th meeting of the CAC. The Subcommittee met again on March 8th and again following the April 12th CAC meeting. The Subcommittee has brought a valuable perspective to how the Free Fare program benefits Access customers and has also discussed ways to improve the program. Staff intends to continue to meet with the subcommittee in the months ahead and any recommendations with respect to improving the Free Fare program will be shared with the Board of Directors.

Next steps

If approved by the Board, staff will conduct the survey cited above in the recommendation. The results will then be presented to the Free Fare Working Group and other regional partners to continue discussions about the future of the Free Fare program.

FY 2017 Projected Reimbursements

Fixed Route Agency	FY 2017
Antelope Valley Transit Authority	$ 475,000.00
Beach Cities Transit	$ 6,367.00
City of El Monte	$ 29,139.50
City of Gardena	$ 96,644.45
City of Glendale	$ 139,576.00
City of Norwalk	$ 83,982.60
City of Pasadena	$ 56,612.50
City of Torrance	$ 50,904.75
Culver CityBus	$ 93,054.85
Foothill Transit	$ 553,416.00
LADOT	$ 423,250.50
Long Beach Transit	$ 736,598.40
Montebello Bus Lines	$ 474,226.50
Monterey Park	$ 20,945.75
Santa Monica Big Blue Bus	$ 456,877.00
Burbank Transit	$ 9,000.00
Fixed Route Operators Total	**$ 3,705,595.80**

LACMOA

Los Angeles County
Municipal Operators
Association

antelope valley transit authority
beach cities transit
commerce municipal bus lines
culver citybus
foothill transit
gardena municipal bus lines
long beach transit
los angeles d.o.t
montebello bus lines
norwalk transit system
santa clarita transit
santa monica's big blue bus
torrance transit
arcadia transit
claremont dial-a-ride
la mirada transit

April 6, 2016

Board of Directors
Access Services, Inc.
3449 Santa Anita Avenue
El Monte, CA 91731

RE: Access Free Fare Program Reimbursement

Dear Access Services Board of Directors:

The members of the Los Angeles County Municipal Operators Association (LACMOA) continue to appreciate the ability to participate in the Regional Paratransit Free Fare Working Group, convened to address the increased costs of reimbursements under the Free Fare Program (Program). During the course of recent discussions, Metro proposed and Access staff has put forward for consideration at the Bus Operations Subcommittee (BOS) meeting of March 15, 2016, recommendations to modify the reimbursement program for participating agencies. Please see the attached recommendation, provided by Access staff.

At this time, the members of LACMOA support the recommendation as presented to BOS, with the stipulation that we reserve the right to review that support at any time in the future, including, but not limited to, an annual reevaluation of the Program. Further, we are in full agreement with the continuation of the collaborative activity of the Free Fare Working Group on a going-forward basis to keep the Program viable, as well as continued negotiations between Metro and AVTA.

As Access member agencies, the members of LACMOA remain committed to supporting Access' mission, and we support the use of regional funds to pay for the complementary ADA paratransit service it provides on behalf of member agencies. Furthermore, LACMOA recognizes the benefit that the Program brings to the region, particularly as it helps alleviate some of the regional cost by encouraging those who are able, to utilize participating fixed route transit service in their area.

Nevertheless, the recommended changes may have an adverse impact on the future revenues of municipal operators because of continued growth in Program ridership; thus, LACMOA members plan to reevaluate their participation in the Program as they begin preparations for each fiscal year budget, from July 1 to June 30 each calendar year.

As referenced in your recommendation, participating agencies may terminate their agreement for participation in the Program per the terms of the MOU between the member agencies and Access.

LACMOA is committed to ensuring it has the resources and capacity to continue to provide transit service to all members of the community in this time of challenging and declining revenue and ridership in the Los Angeles County region

Thank you for the opportunity to provide perspective in this matter. Please contact Art Ida, LACMOA Chair, at 310-253-6545 if you have any questions.

Sincerely,

Art A. Ida, Chair
Transportation Director
Culver CityBus

Len Engel
Executive Director
Antelope Valley Transit Authority

Joyce Rooney
Transit Operations Manager
Beach Cities Transit

Claude McFerguson
Director of Transportation
City of Commerce

Doran Barnes
Executive Director
Foothill Transit

Ernie Crespo
Director of Transportation
Gardena GTrans

Kenneth McDonald
President and CEO
Long Beach Transit

Jim Parker
Director of Transportation
Norwalk Transit Systems

Adrian Aguilar
Transit Manager
City of Santa Clarita

Edward L. King
Director of Transit Services
Santa Monica's Big Blue Bus

Kim Turner
Transit Director
Torrance Transit

ITEM 18

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: UPCOMING BOARD ITEMS FOR FISCAL YEAR 2015/2016

ISSUE:

The following items are tentatively scheduled to be addressed by the Board through the remainder of the fiscal year 2015/2016 at the regularly scheduled Board meetings.

May 23, 2016
Board Meeting – Metro

Agenda Items:	Disposition:
Consideration to Approve Eligibility Contract Extension (AS-2441)	Action
Consideration to Approve Tethering and Marking Contract	Action
Consideration to Approve Employee Health and Benefit Insurance Contracts	Action
Draft Budget for Fiscal Year 2016/2017	Information
Consideration to Renew Self-Insured Retention Automobile Policy Liability Policy	Action
Consideration to Amend Smart Drive Contract (AS-3906)	Action
Consideration to Approve Staff Vehicle Purchase	Action
Consideration to Approve Marketing Consulting Services Contract	Action
Consideration to Approve Extension and Increase Funds for Software Licensing Agreement with Transportation Software Solutions (AS-1250)	Action
Consideration to Approve Rate Changes and Extension for Software Consulting Services With Transportation Software Solutions (AS-1288)	Action
Consideration to Approve Participation in Los Angeles County's Medi-Cal Administrative Activities Program	Action
Draft Strategic Plan	Information

Employee Survey Results	Information

June 27, 2016
Board Meeting – Access Services Headquarters

Agenda Items:	Disposition:
Consideration to Approve Back-Up Service Provider Funding	Action
Consideration to Approve Budget for Fiscal Year 2016/2017	Action
Final Strategic Plan	Action

July 25, 2016
Annual Membership Meeting – California Endowment Center

Agenda Items:	Disposition:
TBD	

ITEM 19

APRIL 20, 2016

TO: BOARD OF DIRECTORS

FROM: ALFREDO TORALES, SPECIAL PROJECTS ADMINISTRATOR

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

ISSUE:

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, nine of the recommendations have been closed.

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 progress on implementing the remaining recommendations that are still open.

RECOMMENDATION:

Receive and File.

STATUS REPORT ON THE IMPLEMENTATION OF THE AUDIT RECOMMENDATIONS

Recommendation #1 - CLOSED in August 2014

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.

January – 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.
May -14	The phone customer surveys have been completed and results are being tabulated. The Town Hall meetings were completed as scheduled. A final report of the survey responses will be shared with the Board in June/July 2014.
June -14	The final report on the phone survey responses and town hall meetings is scheduled to be presented at the June 2014 Metro Board of Directors meeting. A presentation to the Access Board of Directors is scheduled for August 2014.
August-14	Staff is scheduled to present the phone survey results at the August 2014 Board meeting along with an action plan to address issues identified in the survey. Staff would like to close this recommendation at the end of August.
	CLOSED in August 2014

Recommendation #2 – CLOSED in February 2014:

Access Services should refine their ridership demand projections to provide more accurate estimates of demand by service area.

January – 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 – CLOSED in August 2014

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.

<table>
<tr><td>January – 14</td><td>Access has already begun contacting customers who take frequent, short trips to see if they would be interested in Travel Training.</td></tr>
<tr><td>April – 14</td><td>Access' Travel Training contractor Mobility Management Partners (MMP) 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 on-going, Access will close this recommendation at the end of April.</td></tr>
<tr><td>May – 14</td><td>CLOSED</td></tr>
<tr><td>June -14</td><td>Director Levy asked to re-open this recommendation pending additional data on high use riders who have been contacted and offered Travel Training. Access Services provided MMP with a list of the highest volume of "short trip" users during the month of September 2013. A short trip was defined as less than two miles one-way. The list contained a total of 2,894 users. Out of the riders on this list, the number of short trips taken per month ranged as follows:
<table>
<tr><th>Number of Short Trips</th><th>Count</th><th>Percent</th></tr>
<tr><td>12 or more trips</td><td>202</td><td>7%</td></tr>
<tr><td>7 – 11 trips</td><td>235</td><td>8%</td></tr>
<tr><td>6 trips or less</td><td>2,457</td><td>85%</td></tr>
</table>
Between November 2013 and February 2014 MMP attempted to contact the 202 highest users of short trips to present the travel training program. The results were as follows:
<table>
<tr><th>Contact Results</th><th>Count</th><th>Percent</th></tr>
<tr><td>No response</td><td>107</td><td>53%</td></tr>
<tr><td>Not interested - medical concerns</td><td>53</td><td>26%</td></tr>
<tr><td>Not interested – no reason given</td><td>26</td><td>13%</td></tr>
<tr><td>Interested</td><td>8</td><td>4%</td></tr>
<tr><td>Maybe later</td><td>6</td><td>3%</td></tr>
<tr><td>Have already been trained</td><td>2</td><td>1%</td></tr>
</table></td></tr>
</table>

	Note: "No response" results include cases of a wrong number, or where two attempts were made by leaving messages and no return call was received. Applications were provided for the 8 riders showing interest in the program, and to date none have resulted in assessments and/or trainings. Access will ask MMP to further evaluate the list and continue to make calls to the 8% of riders who have taken between 7-11 trips.
August-14	As time allows, Access and MMP staff will call the remaining high use riders from the original list and offer them travel training. Since staff would like to make this a continuous component of the Travel Training program, staff would like to close this recommendation going forward.
	CLOSED in August 2014

Recommendation #4 – CLOSED in August 2014:

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

January – 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.
May – 14	Staff has contacted its travel training contractor to discuss cost options for group travel training. Staff has included funding in the FY 2015 budget.
June-14	Staff has budgeted funds in the proposed FY 2015 budget for group travel training.
August-14	Staff has budgeted funds in the FY 2015 budget for group travel training. Staff will work with the contractor to start group travel training sessions no later than Fall 2014. Therefore, staff would like to close this recommendation going forward.
	CLOSED in August 2014

Recommendation #5 – CLOSED in August 2014:

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

January – 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 riders from Access to fixed route transportation.
May – 14	The travel training contractor has developed and presented a proposed methodology to demonstrate the cost savings of the travel training program. Staff will review the proposed methodology and other cost/benefit models utilized in the industry.
June-14	Since there is no universally accepted formula to determine cost savings, it is common for other agencies that offer travel training programs to adopt different approaches to determine cost savings. Access Services has approached Easter Seals Project Action for assistance on best practices on evaluating Travel Training Programs. The methodology is based on a number of assumptions: MMP performs follow-up interviews with clients at one week, one month, two months and six months after the training program is completed. During these interviews, participants are asked how many one-way trips they have taken on public transit instead of using Access Services during the time since they completed their training. Based on follow-up with participants who have recently completed the program, riders who have been trained are using fixed route transit for an average of 7 one-way trips per month. These are believed to be conservative numbers. Had these same riders not been trained, they would have used Access Services to take the same seven (7) one-way trips. The average cost savings per trip diverted to fixed route is $31.33 (the difference between the average cost per trip on fixed route and the average cost per trip on Access). Based on these assumptions, the Access Travel Training Program provides training to 250 individuals per year, or 21 trainings per month on the average. The cost per training is approximately $2,000, resulting in a monthly cost of roughly $42,000 to maintain the program. It is important to note that savings are cumulative, in that as

	more individuals are trained, the number of trips diverted monthly continues to grow. For example, after one month of training, 21 individuals have been trained and 147 trips are being diverted to fixed route on a monthly basis. After 12 months of training, 250 individuals have been trained and 1,750 trips monthly are being diverted to fixed route, and so on. After one full year, the ongoing monthly savings resulting from the program has increased to $54,828 ($31.33 x 1,750). Offset by the monthly cost of $42,000, this now shows a net savings of $12,828 per month moving forward. These savings continue to grow as more individuals are trained, resulting in over $5.6 million in cumulative savings by the completion of the 5th year of the project, or an average savings of $1.1 million per year. These are net savings after accounting for the cost of the program.
August-14	Staff has approached Easter Seals Project Action (ESPA) for assistance on best practices on evaluating Travel Training Programs. ESPA staff indicated that MMP's methodology to project cost-benefit is common among agencies that offer these programs. ESPA staff also suggests reviewing actual fixed route trip data to validate customer travel usage. Based on ESPA and Director Levy's suggestion, Access has reviewed TAP data on customers who have been through the travel training program. Based on an analysis of customer TAP data from July 2013 through May 2014, customers' fixed route usage confirms MMP's methodology to demonstrate the cost savings of the travel training program. A summary of this effort is contained in the August 2014 Board Box. Moving forward, Access will continue to compare MMP's survey results with actual TAP data. Access will provide this information on an annual basis in the Board Box. Therefore, staff would like to close this recommendation.
	CLOSED in August 2014

Recommendation #6 - CLOSED in September 2014:

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.

January – 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.
May – 14	The vehicle allocation formula has been presented to CAC and TPAC. Staff is still in the process of finalizing the formula. Depending upon modifications the formula may need to go back to the CAC and TPAC. Currently, the formula is expected to be presented to the Board for consideration in June 2014.
June-14	Access staff has met with each transportation service contractor to review their fleet needs and inventory. The results of these meetings generated the vehicle acquisitions proposed for FY 14/15 and the distribution of vehicles from the fleet build for FY 13/14. Staff will now work with the transportation service providers to refine the vehicle allocation formula. The formula will then be presented to CAC and TPAC for additional input. After CAC and TPAC's review staff will present the formula to the Board for consideration.
August-14	The revised formula was presented at the August CAC and TPAC meeting. If there is Board approval at the August Board meeting staff will close this recommendation going forward.
September-14	The revised formula was scheduled to be presented at the August CAC meeting but the meeting ran over time. Staff will present the item at the September CAC meeting. If there is Board approval at the September Board meeting staff will close this recommendation going forward.
	CLOSED in September 2014

<u>Recommendation #7:</u>

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.

January – 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.
May - 14	Hold for FY 14/15 Budget Approval
August-14	Staff has budgeted funds in the proposed FY 2015 budget for a consultant to further study the issue. The RFP/RFQ will be released this month and anticipate work to begin in October 2014.
September-14	The RFP/RFQ is scheduled to be released in October 2014.
November -14	The RFP for the Comprehensive Operational Review was presented at the October CAC and TPAC meeting for review and comment. It was determined that the RFP should be broken down into specialized areas. The RFPs for Customer Service and Eligibility will be issued in November 2014 and the consulting contract will be brought back for consideration at the January or February 2015 Board of Directors meeting.
January - 15	The RFPs for Customer Service and Eligibility was issued in November 2014 and will be awarded in January 2015.
February – 15	The RFPs for Customer Service and Eligibility was issued in November 2014 and awarded in January 2015. The consultants are expected to start work in February 2015.
March – 15	The consultant firm of McCloud Transportation & Associates, LLC conducted their on-site review of Customer Service as part of the Comprehensive Operational Review. Staff expects a draft report in May 2015. The consulting firm Delta Services Group was awarded the contract for the Comprehensive Operational Review of Eligibility. They have conducted 2 separate site visits and a draft report is expected in May 2015.
April - 15	Eligibility comprehensive review is going well and staff is working with the consultant on the final stages of completion. Highlights from the report are scheduled to be presented to CAC and TPAC in May 2015. A status report on the Customer Service Review will be given to TPAC in April and to the CAC in May.
May – 15	Highlights from the Eligibility Review will be presented to the Access Board of Directors in May 2015. Highlights from the Customer Service Review will be presented to the Access Board in June 2015.

June – 15	An overview of The Final Report Comprehensive Review Customer Service was presented to the Board of Directors for review and comment. The full Comprehensive Review was made available on the Access website.
July – 15	Request for Proposals (RFP) No. AS-3955 Customer Service Center was released. The RFP solicits qualified firms to submit proposals for operating and managing Access Customer Service functions. The contract award is anticipated in September 2015.
August – 15	Staff is reviewing recommendations from the Comprehensive Eligibility Review to incorporate into the RFP for eligibility evaluation services. The RFP is scheduled to be released in November 2015. Meanwhile, short term recommendations are being implemented.
September-15	The Board is scheduled to consider awarding the Customer Service Contract at the October 2015 Board of Directors Meeting.
October–15	The Board tabled consideration of Customer Service Contract to December Board of Directors Meeting.
November-15	The Board is scheduled to consider awarding the Customer Service Contract at the December 2015 Board of Directors Meeting.
December-15	The Board made a motion to defer the awarding of the Customer Service contract for January 2016.
February - 16	The Board approved awarding a contract to ALTA Resources to provide customer service, including Operations Monitoring Center (OMC) services. This action will allow Access to control and contain cost of customer service by managing growth on a per call basis.
	CLOSED in February 2016

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.

January – 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 – CLOSED in August 2014:

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.

January – 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.
May – 14	Staff will present this item to the CAC and TPAC in June.
June-14	Staff presented a list of ADA services and the associated costs and benefits for discussion at the June 2014 CAC and TPAC meeting. Both Committees are supportive of the services that are currently provided and are not in favor of any changes or modifications.
August-14	Staff already presented a list of ADA services at the June 2014 CAC and TPAC meeting. Therefore, staff would like to close this recommendation.
	CLOSED in August 2014

Recommendation #10:

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

January – 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.
April – 14	Hold for FY 14/15 Budget Approval.

May – 14	Hold for FY 14/15 Budget Approval.
June-14	Staff has budgeted funds in the proposed FY 2015 budget for a consultant to further study the issue.
August-14	The RFP/RFQ will be released this month and anticipate work to begin in October 2014.
September-14	The RFP/RFQ is scheduled to be released in October 2014.
November -14	The RFP for the Comprehensive Operational Review related to Operations is still in development. Staff expects to issue the RFP in the near future.
January - 15	The RFP for the Comprehensive Operational Review related to Operations is still in development. Staff expects to issue the RFP in the near future.
February – 15	The RFP for the Comprehensive Operational Review related to Operations is in development. Staff expects to issue the RFP after the completion of the Eligibility and Customer Service Reviews.
March – 15	Staff plans on issuing an RFP for the Comprehensive Operational Review related to Operations in May 2015
April - 15	The release of the RFP for the Comprehensive Operational Review related to Operations is on hold pending discussion of having an APTA Peer Review conducted.
May - 15	No new information.
June - 15	No new information.
July – 15	No new information
August – 15	No new information
September-15	The Board will discuss how to move forward with an operational evaluation, either through an APTA Peer Review and/or a Comprehensive Operational Review, at its Board Retreat scheduled for November 2015. The operational evaluation will look at whether centralizing the reservations and/or routing function will improve efficiency (Rec #10) and evaluate alternatives to the current model (Rec #11).
November–15	The Board participated in a Strategic Planning Workshop at the Board Retreat to review challenges and solutions in front of Access. With regard to operations, the discussion focused on leveraging technology to potentially consolidate reservations. The following will be included in the Strategic Plan: Review the impact of creating a single reservations platform on current productivity and if

	warranted, select the best software platform to accomplish this. At the same time, explore various operating model changes such as increased use of a "bench" of TNCs (Uber, Lyft) and resource utilization during non-peak periods.
December–15	No new information
February – 16	The Strategic Plan will be finalized in the upcoming months and will include plans for an operational review.
April - 16	These items are scheduled to be addressed by the Access Board of Directors in May 2016 as information and in June 2016 for approval and closure.

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.

January – 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 include funds in its FY 14-15 budget to further study the issues brought up in Recommendation 7, 10 and 11.
April – 14	Hold for FY 14/15 Budget Approval.
May – 14	Hold for FY 14/15 Budget Approval.
June-14	Staff has budgeted funds in the proposed FY 2015 budget for a consultant to further study the issue.
August-14	The RFP/RFQ will be released this month and anticipate work to begin in October 2014.
September-14	The RFP/RFQ is scheduled to be released in October 2014.
November -14	The RFP for the Comprehensive Operational Review related to Operations is still in development. The RFP is expected to be released in the near future.
December - 15	The RFP for the Comprehensive Operational Review related to Operations is still in development. The RFP is expected to be released in the near future.

January - 15	The RFP for the Comprehensive Operation Review related to Operations is still in development. Staff expects to issue the RFP in the near future.
February – 15	The RFP for the Comprehensive Operation Review related to Operations is in development. Staff expects to issue the RFP after the completion of the Eligibility and Customer Service Reviews.
March – 15	Staff plans on issuing an RFP for the Comprehensive Operational Review related to Operations in May 2015.
April - 15	The release of the RFP for the Comprehensive Operational Review related to Operations is on hold pending discussion of having an APTA Peer Review conducted.
May - 15	No new information.
June – 15	No new information.
July – 15	No new information
August – 15	No new information
September-15	The Board will discuss how to move forward with an operational evaluation, either through an APTA Peer Review and/or a Comprehensive Operational Review, at its Board Retreat scheduled for November 2015. The operational evaluation will look at whether centralizing the reservations and/or routing function will improve efficiency (Rec #10) and evaluate alternatives to the current model (Rec #11).
November–15	The Board participated in a Strategic Planning Workshop at the Board Retreat to review challenges and solutions in front of Access. With regard to operations, the discussion focused on leveraging technology to potentially consolidate reservations. The following will be included in the Strategic Plan: Review the impact of creating a single reservations platform on current productivity and if warranted, select the best software platform to accomplish this. At the same time, explore various operating model changes such as increased use of a "bench" of TNCs (Uber, Lyft) and resource utilization during non-peak periods.
December–15	No new information
February - 16	The Strategic Plan will be finalized in the upcoming months and will include plans for an operational review.

April - 16	These items are scheduled to be addressed by the Access Board of Directors in May 2016 as information and in June 2016 for approval and closure.

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.

January – 14	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.
	CLOSED BY METRO