

# access

BOARD OF DIRECTORS MEETING  
MONDAY, AUGUST 21, 2017  
Closed Session: 12:00 p.m.  
General Session: Immediately Following  
The meeting is expected to end by or  
before 3:00 p.m.

**ACCESS SERVICES HEADQUARTERS**  
**Council Conference Room, 3<sup>rd</sup> 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.*

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	<u>DISPOSITION</u>
1. CALL TO ORDER	ACTION
2. BOARD OFFICER ELECTIONS (page 6) [Staff Recommendation: Elect Officers [Chairperson, Vice Chairperson, Secretary, Treasurer] as provided in Bylaws Article VII B to serve for a term beginning August 21, 2017 and ending June 30, 2018 or the election of their successor, whichever last occurs.]	ACTION [Vote Required: majority of quorum by voice vote waiving term limit requirement for this election; Majority of quorum by voice vote for election of slate]
3. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS	

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| <p>4. <b>CLOSED SESSION</b></p> <p>A) <i>CONFERENCE WITH LEGAL COUNSEL: CAL. GOV. CODE §54956.9</i></p> <p>1. <i>Anticipated Litigation: Gov. Code §54956.9 (b)</i></p> <p style="padding-left: 20px;">(i) <i>Significant exposure to litigation pursuant to subdivision (b) of Gov. Code §54956.9</i></p> <p style="padding-left: 40px;"><i>(b) a situation where, based on the advice of counsel taking into account "existing facts and circumstances" there exists a "significant exposure to litigation"</i></p> <p>2. <i>Pending Litigation:</i></p> <p style="padding-left: 20px;">1. <i>Washington v. Access Services LASC# BC645044</i></p> <p style="padding-left: 20px;">2. <i>Reynaga v. LACMTA, Access et al. BC673040</i></p> <p>B) <i>CALIFORNIA GOV. CODE §54957(b) - PERSONNEL MATTERS:</i></p> | <p>DISCUSSION/<br/>POSSIBLE<br/>ACTION</p>                         |
| <p>5. <b>REVIEW &amp; APPROVAL OF MINUTES FROM THE BOARD MEETING ON JUNE 26, 2017</b> (page 12)<br/>[Staff Recommendation: Approve minutes as written.]</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>ACTION<br/>[Vote Required: majority of quorum by roll call]</p> |
| <p>6. <b>REPORT FROM EX-OFFICIO BOARD MEMBERS</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>INFORMATION</p>                                                 |
| <p>7. <b>GENERAL PUBLIC COMMENT</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>INFORMATION</p>                                                 |
| <p>8. <b>SUPERIOR SERVICE AWARD</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>PRESENTATION</p>                                                |
| <p>9. <b>CONSENT CALENDAR</b></p> <p>a) Consideration to Approve Board of Directors' Committee Appointments (page 21)</p> <p>b) Consideration to Approve Extension of Term for Disadvantaged Business Enterprise (DBE) Consulting Services (AS-3801) (page 23)</p> <p>c) Consideration to Reappoint Transportation Professionals Advisory Committee (TPAC) Members (page 25)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>ACTION<br/>[Vote Required: majority of quorum by roll call]</p> |

- d) Consideration to Increase Funds to Add Additional Licenses and Add a New Feature to the Procurement Module of the Financial Software ERP System (AS-3753) (page 27)
  - e) Consideration to Increase Funds and Extend Term for Internet Services Contract (AS-2940) (page 29)
  - f) Consideration to Approve Internet Services Contract with AT&T (AS-4058) (page 31)
  - g) Consideration to Authorize Additional Reimbursement for Antelope Valley Transit Authority's Free Fare Program (page 33)
- [Staff Recommendation: Approve Consent Calendar.]

**10. CONSIDERATION TO APPROVE PROPOSED BUDGET POLICIES** (page 35)- *(Held over from the June 26, 2017 Board Meeting)*

[Staff Recommendation: Approve the maximum number of FTEs allowed to be hired during Fiscal Year 2018 as stated in the adopted budget (71) and provide authority to the Executive Director to hire new staff at a salary not to exceed \$175,000 per year.]

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

**11. CONSIDERATION TO APPROVE THE PURCHASE OF 230 VEHICLES FOR PARATRANSIT SERVICE** (page 37)

[Staff Recommendation: Authorize staff to purchase through a contract with the CalACT/Morongo Basin Transit Authority (MBTA) Vehicle Purchasing Cooperative up to 230 paratransit vehicles at a cost not to exceed \$12,290,474.72.]

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

**12. INFORMATION TECHNOLOGY UPDATE/ CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS "WHERE'S MY RIDE" SOFTWARE AND SERVICES CONTRACT (AS-3998)** (page 40)

[Staff Recommendation: Authorize \$70,000 in funds and an extension in the period of performance with Information Technologies Curves (IT Curves) for six (6) months through February 21, 2019.]

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

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| 13. CONSIDERATION TO AUTHORIZE STAFF TO ISSUE REQUEST FOR PROPOSALS FOR ALL SERVICE PROVIDER CONTRACTS AT THE END OF THEIR CURRENT CONTRACT TERM (page 42)   | PRESENTATION/<br>ACTION           |
| [Staff Recommendation: Authorize staff to issue Request For Proposals for all service provider contracts at the conclusion of each contract's current term.] |                                   |
| 14. ELIGIBILITY UPDATE AND UPCOMING BOARD ITEMS (page 45)                                                                                                    | INFORMATION                       |
| 15. EXECUTIVE DIRECTOR'S REPORT                                                                                                                              | INFORMATION                       |
| 16. BOARD MEMBER COMMUNICATION                                                                                                                               | INFORMATION                       |
| 17. NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA                                                                                                     | DISCUSSION/<br>POSSIBLE<br>ACTION |
| 18. ADJOURNMENT                                                                                                                                              | ACTION                            |

Access Services does not discriminate on the basis of disability. Accordingly, Access Services seeks to ensure that individuals with disabilities will have an equal opportunity to participate in the range of Access Services events and programs by providing appropriate auxiliary aids and services for communications. Primary consideration is given to the request of individuals with disabilities. However, the final decision belongs to Access Services. To help ensure the availability of 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 meeting are held pursuant to the Ralph M. Brown Act [Cal. Gov. Code §54950] and are open to the public. The public may view and obtain all written information supporting this agenda provided to the Board both initially and supplementally prior to the meeting at the agency's offices located at 3449 Santa Anita Avenue, El Monte, California and on its website at <http://accessla.org>. Documents, including Power Point handouts distributed to the Board members by staff or Board members at the meeting, will simultaneously be made available to the public. Three opportunities are available for the public to address the Board during a Board meeting: (1) before closed session regarding matters to be discussed in closed session, (2) before a specific agenda item is debated and voted upon regarding that item and (3) general public comment. The exercise of the right to address the Board is subject to restriction as to time and appropriate decorum. All persons wishing to make public comment must fill out a goldenrod Public Comment Form and submit it to the

Secretary of the Board. Public comment is generally limited to three (3) minutes per speaker and the total time available for public comment may be limited at the discretion of the Chairperson. Persons whose speech is impaired such that they are unable to address the Board at a normal rate of speed may request 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 at the discretion of the Chair.

The Board of Directors will not and cannot respond during the meeting to matters raised under general public comment. Pursuant to provisions of the Brown Act governing these proceedings, no discussion or action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. However, the Board may direct staff to investigate and/or schedule certain matters for consideration at a future Board of Directors Meeting and the staff may respond to all public comment in writing prior to the next Board meeting.

Alternative accessible formats are available upon request.

August 14, 2017

TO: BOARD OF DIRECTORS

FROM: JAMES G. JONES, ACCESS SERVICES LEGAL COUNSEL

RE: BOARD OFFICER ELECTIONS

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**ISSUE:**

It is necessary to elect new officers of the Board for Fiscal Year 2017-2018. Attached you will find Bylaw Article VII - Officers of the Agency which details each officer's responsibilities and duties on the Board.

**RECOMMENDATION:**

Elect officers to the Board of Directors as per the requirement of the Access Services Bylaws for an approximately one-year term beginning August 21, 2017 and ending June 30, 2018 or the election of their successor, whichever last occurs. The nominees are:

**Slate of Officers:**

Chairperson	Nalini Ahuja
Vice Chair: <sup>1</sup>	Dolores Nason* Art Ida
Treasurer:	Kim Turner
Secretary: <sup>1</sup>	Theresa DeVera*
Executive Director:	Andre Colaiace

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<sup>1</sup> A two-step process is required. First, a vote of directors on whether to waive the term limit requirement. If not waived, then the nominees not subject to term limits would be deemed elected. If passed, then an election between candidates for each contested position would occur in which all directors may vote and a majority vote controls the outcome.

\* Requires term limit waiver by Board

## ARTICLE VII. OFFICERS OF THE AGENCY

### A. Officers of the Agency.

The officers of the agency shall be a Chairperson, Vice Chairperson, Executive Director, Secretary and Treasurer. The agency may also have, at the Board's discretion, such other officers as may be appointed in accordance with this article of these bylaws. Any number of offices may be held by the same person, except that neither the Secretary nor the Treasurer may serve concurrently as Chairperson.

### B. Election of Officers.

The officers of the agency, except those appointed under Article VII, Section C of these bylaws, shall be chosen annually by the Board and shall serve at the pleasure of the Board, subject to the rights, if any, of any officer under any contract of employment.

### C. Other Officers.

The Board may appoint and may authorize the Executive Director to appoint any other officers that the corporation may require, including, without limitation, a Chief Operating Officer. Each officer so appointed shall have the title, hold office for the period, have the authority, and perform the duties specified in the bylaws or determined by the Board.

### D. Removal of Officers.

Without prejudice to any rights or an officer under any contract of employment, any officer may be removed with or without cause by the Board and also, if the officer was not chosen by the Board, by any officer on whom the Board may confer that power of removal.

### E. Resignation of Officers.

Any officer may resign at any time by giving written notice to the agency. The resignation shall take effect as of the date the notice is received or at any later time specified in the notice and, unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to the rights, if any, of the agency under any contract to which the officer is a party.

F. Vacancies in Office.

A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for regular appointments to that office, provided, however, that vacancies need not be filled on an annual basis.

G. Responsibilities of the Officers.

1. Chairperson of the Board:

The chairperson shall preside at meetings of the Board and at meetings of the members and shall exercise such other powers and duties as the Board of Directors shall assign from time to time. In the absence of an Executive Director or Chief Operating Officer, the chairperson shall become the chief executive officer of the corporation and, subject to such supervisory powers as the Board may give to the chairperson of the Board, if any, and subject to the control of the Board, shall direct, **supervise and control the agency's activities, affairs and officers until such time as an Executive Director is elected.**

2. Vice Chairperson of the Board:

If the chairperson is absent or unable to perform the duties of the chair, the vice chairperson shall perform all of the duties of the chairperson. When so acting, the vice chairperson shall have the powers of and be subject to all the restrictions applied on the chairperson. The vice chairperson shall have such other powers and perform such other duties as the Board may prescribe.

3. Executive Director:

The Executive Director shall be the Chief Executive Officer of the agency and, subject to such limits as the Board may place on the supervisory powers of the Executive Director, if any, and subject to the control of the **Board, shall direct, supervise and control the agency's day-to-day activities, affairs and non-board appointed officers.**

4. Chief Operating Officer:

In the absence or disability of the Executive Director, the Chief Operating Officer, if any, shall perform all the duties of the Executive Director, and when so acting shall have all the powers of, and be subject to all the restrictions upon the Executive Director. The Chief Operating Officer shall have such other powers and perform such other duties as from time

to time may be prescribed for them respectively by the Board of Directors, the Bylaws or the Executive Director.

5. Secretary:

a. Book of Minutes:

The secretary shall keep, or cause to be kept, at the corporation's principal office or other such place as the Board may direct, a book of minutes of all meetings, proceedings, and actions of the Board, of committees of the Board and of members' meetings. The minutes of meetings shall include the time and place that the meeting was held, whether the meeting was annual, regular, or special, and, if special, how authorized, the notice given, the names of those present at Board and committee meetings, and the number of members present or represented at members' meetings. The secretary shall keep or cause to be kept, at the principal office in California, a copy of the articles of incorporation and bylaws, as amended to date.

b. Membership Records:

The secretary shall keep or cause to be kept, at the agency's principal office or at a place determined by resolution of the Board, a record of the agency's members, showing each member's name, address, and class of membership.

c. Notices, Seal and Other Duties:

The secretary shall give, or cause to be given, notice of all meetings of members, of the Board and of committees of the Board required by these bylaws to be given. The secretary shall keep the corporate seal in safe custody and shall have such other powers and perform such other duties as the Board or the bylaws may prescribe.

6. Treasurer:

a. Books of Account:

The treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the agency's properties and transactions. The treasurer shall send or cause to be given to the members and directors such financial statements and reports as are required to be given by law, by these

bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

b. Deposit and Disbursement of Money and Valuables:

The treasurer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositories as the Board may designate, shall disburse the corporation's funds as the Board may order, shall render to the chairperson of the Board and the Board, when requested, an account of all transactions as treasurer and of the financial condition of the agency, and shall have such other powers and perform such other duties as the Board or the bylaws may prescribe.

c. Disbursement of Funds:

The following signatures shall be required on corporate checks:

- (i) The Board of Directors may from time to time open an account or accounts with banks or other financial institutions and shall designate which officers or other designees shall have the authority to execute checks and other items for an on behalf of the agency.
- (ii) The Treasurer shall disburse or cause to disburse the funds of the agency with such banks or the financial institutions as designated by the Board of Directors. The Treasurer shall periodically review or cause to be reviewed the disbursements of funds to ensure that all disbursements are undertaken in a manner consistent with procedures established by or under the authority of the Board of Directors.



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

Access Services Headquarters  
3449 Santa Anita Avenue  
El Monte, CA 91731

Monday, June 26, 2017  
10:07 a.m.

1. CALL TO ORDER

Meeting called to order by Vice Chair Dolores Nason at 10:07 a.m.

BOARD MEMBERS PRESENT REPRESENTING A QUORUM

Present: Vice Chair Dolores Nason, Treasurer Kim Turner, Secretary Theresa DeVera, Directors Doran Barnes, Martin Gombert, Valerie Gibson, and Angela Nwokike. Ex-Officios: CAC Chair Michael Conrad, TPAC Vice Chair Linda Evans and Access Services Legal Counsel Jim Jones.

BOARD MEMBER(S) EXCUSED FROM THE MEETING

Not Present: Chair Nalini Ahuja.

2. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS

No public comments.

3. CLOSED SESSION REPORT

Access Services Legal Counsel Jim Jones briefed the audience on the outcome of the closed session. Mr. Jones stated that the Board met in closed session and discussed the following items: Washington v. Access Services, Lynch v. Access Services, Reynaga v. LACMTA, Access et al, and certain personnel issues. No reportable action was taken with respect to these matters.

Mr. Jones then explained the public comment process.

4. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON MAY 22, 2017

Approval of the minutes from the Board of Directors meeting held on Monday, May 22, 2017.

Motion made by Director Nwokike to approve the minutes as submitted, seconded by Director Gombert. Via Roll Call – seven were in favor with one abstention from Director Troost, motion passed.

5. REPORT FROM EX-OFFICIO BOARD MEMBERS

Michael Conrad, Chair of the Community Advisory Committee (CAC), provided a brief report on the CAC meeting held on Tuesday, May 9, 2017. Chair Conrad stated that the following items were discussed: Board report provided by Board Treasurer Turner; Budget Overview provided by Mr. Rodriguez; Comprehensive Operational Review provided by Nelson/Nygaard. Mr. Conrad stated that since the Committee only got through half of that presentation, they were going to continue the Nelson/Nygaard presentation at the July meeting instead of canceling the meeting.

Chair Conrad concluded his report by stating that there was also a sub-committee meeting via telephone conference and another sub-committee meeting after the last CAC meeting to discuss the QSS bylaws.

6. GENERAL PUBLIC COMMENT

Rachele Goeman made public comment by stating that she had an incident on June 23, 2017, which happened in the Southern region. She stated that she had a 12:30pm pick up from her veterinarian's office going home and she found out that her trip was rebooked to 1:30pm without her knowledge. Ms. Goeman stated that she had her two cats with her and that she could have been sunburned waiting outside in 80-degree weather.

Ms. Goeman concluded her public comment by stating that if this type of service continued, the rider(s) needs to be informed that their vehicle was running late or their trip had to be rescheduled, so they could go back inside and wait.

Access' Operations Manager Randy Johnson was assigned to assist Ms. Goeman.

Janet Johnson made public comment by stating that she had experienced a similar situation as Ms. Goeman. She stated that she had a ride scheduled for 8:00 p.m. but her ride was rescheduled for 9:10 p.m. and no one informed her. Ms. Johnson stated that if she knew she was being picked up at a certain time she would wait outside for the vehicle so she could avoid getting a no-show, but if the ride was rescheduled or late and no one told her it would be very frustrating.

Ms. Johnson concluded her public comment by stating that these type of incidents were happening too many times.

Access' Deputy Executive Director of Operations and Safety, Mike Greenwood, was assigned to assist Ms. Johnson.

Albert Contreras made public comment by stating that the same situation happened to him on a couple of occasions, and today on his way to the Board meeting. He stated that he was at home waiting for his ride and expected a call out but did not receive one. He stated that he received a call but it was from dispatch telling him that the vehicle was at the location and had been waiting for 11 minutes but left because he was not there. Mr. Contreras explained that he was in the restroom and was getting ready to come out.

Mr. Contreras concluded his comment by stating that, on another occasion, he was waiting outside for his vehicle to arrive and he did not receive a call out, nor did anyone approach him. He was told that the vehicle arrived and he was not there, so he called to make a complaint. He was also glad he was able to attend today's meeting so he could let everyone know what was going on with the service.

Access' Project Administrator Jack Garate was assigned to assist Mr. Contreras.

Renee Madera made public comment by stating that she was told by several drivers in the Eastern Region numerous times that "Beyond the Curb" did not mean that the driver would physically approach the rider. She also stated that when she called to get an Estimated Time of Arrival (ETA) she would remind them that she needed to be physically approached. She was also told that she had anger issues. Ms. Madera stated that this issue needed to be addressed because she should not have to play 20 questions with the representatives or receive an attitude from them.

Ms. Madera concluded her public comment by adding that in the Northern Region, as soon as she provides her name to the representatives, they start to play 20 questions with her regarding information that was already provided in her file.

Project Administrator Fayma Ishaq was assigned to assist Ms. Madera.

Victor Dominguez made public comment by stating that he was attending a meeting last week by the Eastern Region and his pick-up was at the Braille Institute going to South Townson Street. Instead of putting South Townson Street, the reservationist or dispatcher put North Townson Street, so the driver dropped him off ten miles away from his location. Mr. Dominguez stated that he checked his GPS on his cell phone to see where he was and his phone ran out of power. He stated that he found someone in that area to help him contact a friend or family member because he was lost and did not know what to do. Mr. Dominguez asked if staff would look into this issue further.

Senior Manager Customer Relations Sherry Kelley was assigned to assist Mr. Dominguez.

7. SUPERIOR SERVICE AWARD

Superior Service Award Presentation:

San Gabriel Transit driver, Vartan Mikaelian, was the Superior Service Award recipient.

8. CONSENT CALENDAR

Recommendation: Approval of all items on the Consent Calendar (list of items provided below):

8-a Consideration to Approve Extension of Term and Increase Funds for Website Services (AS-3221).

8-b Consideration to Approve Purchase of Replacement Paratransit Vehicle.

Motion made by Director Barnes to approve all items on the consent calendar, seconded by Secretary DeVera. Via Roll Call Vote - all were in favor, motion passed.

9. CONSIDERATION TO APPROVE PROPOSED BUDGET POLICIES

Recommendation: Approve the maximum number of FTEs allowed to be hired during Fiscal Year 2018 as stated in the proposed budget, (71), and provide authority to the Executive Director to hire new staff at a salary not to exceed \$150,000 per year. Proposed salaries over this amount will have to receive Board approval.

Motion made by Director Barnes to table this item and refer to the staff to further clarify the ability to make changes to the organizational chart versus the 71 FTEs and for further analysis on the not-to-exceed FTE count. Seconded by Secretary DeVera. Via Roll Call Vote - six were in favor with Treasurer Turner opposed, motion passed.

10. CONSIDERATION TO APPROVE PROPOSED BUDGET FOR FISCAL YEAR 2017/2018

Recommendation: Approve the FY 2017/2018 budget as presented.

Motion made by Director Troost to approve staff recommendation, Seconded by Treasurer Turner. Via Roll Call Vote - all were in favor, motion passed.

11. PARENTS WITH DISABILITIES PILOT PROGRAM UPDATE, SERVICE MODIFICATION, AND ANTICIPATED SERVICE END

Recommendation: Authorize an additional \$198,272 in funds and an extension in the period of performance for seven months from December 1, 2017 to June 30, 2018 with MV Transportation.

Public Comment

Yael Hagen made public comment by thanking the Board for their support of this program at the last Board meeting. Ms. Hagen stated that she had written a document and submitted it to staff that proposed a few changes on how to make the rides a little more efficient. She stated that the one of the biggest issues with this program was time because these trips take a little more time. She added that there was a block of time for these trips and there was a way to make that block of time more useful and accurate. She stated that she had not heard anything from staff regarding the issues she mentioned or whether they were being considered.

Ms. Hagen concluded her public comment by stating that there was room for improvement without changing the structure or the experience for the rider, which she felt was very important. She asked that the Board please approve staff's recommendation for this program.

Dina Garcia made public comment by thanking the Board for tabling this item at last month's Board meeting so that staff could come up with a better solution for this program. She also added that this program was amazing and helped her family get around but without it, she did not know how she would get her seven year old around.

Ms. Garcia concluded her public comment by stating that she and other riders that use this program were very grateful for the program and she felt that there were ways to make this program more efficient. She thanked staff for looking for a better solution to continue this program.

**Motion made by Secretary DeVera to approve staff recommendation, seconded by Director Nwokike. Via Roll Call Vote - all were in favor, motion passed.**

12. CONSIDERATION TO INCREASE FUNDS FOR TENANT IMPROVEMENT CONSTRUCTION SERVICES CONTRACT (AS-4037)

Recommendation: Authorize an additional \$120,000 in funds for contract (AS-4037) with Norm Wilson & Sons Inc. (NWS).

Motion made by Treasurer Turner to approve staff recommendation, seconded by Secretary DeVera. Via Roll Call Vote all were in favor, motion passed.

13. CUSTOMER SERVICE UPDATE

Public Comment

Yael Hagen made public comment by stating that she was concerned because she recently filed a complaint on behalf of a board member who experienced an unfortunate incident that should not have been a complaint. Ms. Hagen explained that she called to make a reservation and this person used a scooter so she requested that they send a minivan rather than a sedan, but it took her three calls to try and get a minivan sent out. Ms. Hagen explained that the response that this person received on her first two calls was that they changed their policies and she would get whatever vehicle they send out. She stated that the responses exasperated this person to where she was not able to make her trip. During this experience she asked to speak to a supervisor on two occasions and only after her third request, the reservationist was able to help her.

Ms. Hagen stated that, in her experience, this complaint should have been separated into three different complaints but it was only counted as one complaint, which was disappointing. Ms. Hagen stated that she understood that it might be in the same category but it also made her wonder how Access Services counted their total complaints if something like this was combined into one.

Interim Executive Director Andre Colaiace stated that he would speak to her after the meeting.

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

14. UPCOMING BOARD ITEMS

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

## 15. INTERIM EXECUTIVE DIRECTOR'S REPORT

Access' Interim Executive Director, Andre Colaiace, began his report by providing a brief service overview. He stated that by the end of the year Access would be meeting all of their KPIs, which was something to celebrate but did not negate some of the issues brought up at today's meeting. He stated that staff takes these issues seriously and strives for perfection to make the system as good as it could be.

Mr. Colaiace stated that he had discussions with the Metro Board on Measure M and discussed the two percent pot, which included funding for ADA paratransit and Metro discounts for students and seniors. He explained the way the guidelines were written and stated that ADA paratransit could receive a maximum of 75% and the other category would receive a minimum of 25%. This left open the possibility that, on an ongoing basis, Access could get less than the 75%. Mr. Colaiace added that Access proposed that there be some language added which would basically state that Access would like to receive the 75%/25% split to ensure that Access received stable funding moving forward. Mr. Colaiace added that he was pleased to report that on Thursday, June 22, 2017 at Metro's Board meeting the guidelines were changed to make it 75/25 in that category.

Mr. Colaiace also said, when it came to legislative victories, it was always a team effort so he thanked the City Commission, Director DeVera, the County Commission and many other people that made their voices known. Mr. Colaiace concluded his report by stating that it was Director Valerie Gibson's last meeting, he thanked her for all her hard work and support and stated that it was great getting to know her better.

## 16. BOARD MEMBER COMMUNICATION

Linda Evans, Vice Chair of the Transportation Professionals Advisory Committee (TPAC), provided a brief report on the TPAC meeting held on Thursday, June 8, 2017. Ms. Evans stated that the following items were discussed: Comprehensive Operational Review presented by Nelson/Nygaard; Operations Performance Report provided by Mr. Randy Johnson; Nominating Committee for the upcoming TPAC officer elections provided by Mr. Matthew Avancena. Vice Chair Evans stated that this would conclude her report.

Director Gibson stated that she was appreciative for the experience that she gained serving as an Access Board member for the last couple of years. She stated that it was a great learning experience and as a local provider, she recognized that staff was very appreciative of the service. Director Gibson also

stated that she had a completely new level of respect and appreciation for staff and the service they provide.

Director Gibson concluded her comment by thanking the Board members, staff and everyone involved and stated that she would still be around and involved with Access.

Director Gombert thanked Director Gibson for her years of service as a Board member. He stated that Director Gibson had brought him new and slightly different viewpoints. He added that Director Gibson was also very helpful with some of the topics that the Board had to look into.

Director Barnes also thanked Director Gibson for her service on the Board and stated that it was a pleasure working with her and that the Board appreciated her many contributions.

Director Turner reiterated the sentiments of Directors Gombert and Barnes and stated that she really appreciated her being part of the team. Director Turner also congratulated and thanked CAC Chair Conrad. She stated that she attended the June 13, 2017 CAC meeting as the Board representative and noticed that Mr. Conrad ran a very efficient meeting. Director Turner added that the meeting was quite lengthy due to the Comprehensive Operational Review (COR) but the CAC was going to continue the presentation at their July 11, 2017 meeting so everyone had a chance to review the results of the survey. Director Turner concluded her comment by congratulating Mr. Colaiace and the Access team for moving forward with the FY 2017/2018 budget.

Director DeVera thanked Director Gibson for her years of service on the Board of Directors. She also thanked all of the riders who came out to support or voice their concerns regarding the Parents with Disabilities Program. Director DeVera concluded her comment by commending Rycharde Martindale and Sherry Kelley. She stated that she, the Mayor's office and the Department on Disabilities received a complaint so she reached out to Access staff and Mr. Martindale was very efficient in documenting everything regarding this rider and did a wonderful job.

Director DeVera concluded her comment by thanking Mr. Martindale for doing a great job and being the voice of Customer Service.

Director Troost also thanked Director Gibson for her service on the Board of Directors. He stated that tomorrow was going to be a great day for the County Commission on Disabilities because they were going to award ten to twelve Bernard Siegel & Bill Tainter Memorial Scholarships at the Board of Supervisors meeting. He announced that everyone was welcome to attend.

Director Nwokike thanked Access Services staff for all their presentations. She also thanked Director Gibson for her years of service on the Access Services Board but she knew we would all continue to see Director Gibson since we were all in the transportation world.

Mr. Conrad wished everyone a safe and happy Independence Day. He stated that the fire departments seemed to be very busy around this time of year so he asked that everyone keep their eyes and nose open for fires.

Director Nason thanked everyone who attended the Disabled Resources Centers Annual Awards Dinner on June 15. Director Nason also thanked Eric Haack for attending the Long Beach Transit Board meeting that she chaired. She stated that Mr. Haack did a wonderful job with his presentation. Director Nason concluded her comment by thanking everyone that attended today's meeting to help Access continue to improve the service. She wished everyone a safe and happy Independence Day.

**NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA**

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

**17. ADJOURNMENT**

Motion made by Treasurer Turner, Seconded by Secretary DeVera. Via voice vote all were in favor, motion passed. The meeting adjourned at 1:53 p.m.

Approval

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Theresa DeVera, Secretary

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Date

AUGUST 14, 2017

TO: BOARD OF DIRECTORS  
FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION  
RE: CONSIDERATION TO APPROVE BOARD OF DIRECTORS'  
COMMITTEE APPOINTMENTS

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It is necessary to appoint Board members to the Audit Committee, Quality Services Subcommittee, and Compensation Committee.

**RECOMMENDATION:**

Appoint Board members or their designated appointee to serve on the following committees effective August 21, 2017:

Audit Committee: Michelle Caldwell, Foothill Transit (appointed by Director Doran Barnes), Director Art Ida, Culver City Bus, and Giovanna Gogreve, Metro (appointed by Chair Nalini Ahuja).

Quality Services Subcommittee: TBD

Compensation Committee: Chair Nalini Ahuja, Vice Chair Dolores Nason, Treasurer Kim Turner and Director Martin Gombert.

**BACKGROUND:**

In July of 2005, the Board adopted a resolution forming and appointing an Audit Committee and Compensation Committee. The above individuals are proposed for these committees. In addition, the Board appoints one of its members to the Quality Services Subcommittee (QSS) of the CAC.

The resolution forming the committees does not specify a term and the law does not specifically require it, but good agency governance principles suggest that standing committee members without specific terms be reappointed annually.

California Government Code § 12586(e) (2) requires that:

- a. Certain non-profit entities create an audit committee.

- b. That no staff member can be a member of that committee.
- c. The audit committee may include persons who are not members of the Board of Directors.
- d. Members of the Audit Committee shall not receive any compensation from the corporation in excess of the compensation, if any, received by members of the Board of Directors for service on the Board and shall not have a material financial interest in any entity doing business with the entity.
- e. Subject to the supervision of the Board of Directors, the Audit Committee shall be responsible for recommending to the Board of Directors the retention and termination of the independent auditor and may negotiate the independent auditor's compensation, on behalf of the Board of Directors.
- f. The Audit Committee shall confer with the auditor to satisfy its members that the financial affairs of the corporation are in order.
- g. The audit committee shall review and determine whether to accept the audit;
- h. The audit committee shall assure that any non-audit services performed by the auditing firm conform with standards for auditor independence; and
- i. The Audit Committee shall approve performance of non-audit services by the auditing firm.

AUGUST 14, 2017

TO: BOARD OF DIRECTORS

FROM: ALVINA NARAYAN, GRANTS ANALYST  
MATTHEW AVANCENA, SENIOR MANAGER OF PLANNING AND  
COORDINATION

RE: CONSIDERATION TO APPROVE EXTENSION OF TERM FOR  
DISADVANTAGED BUSINESS ENTERPRISE (DBE) CONSULTING  
SERVICES (AS-3801)

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**ISSUE:**

Board approval is necessary to exercise the second option year of the contract for Disadvantaged Business Enterprise (DBE) consulting services.

**RECOMMENDATION:**

Authorize an extension with GCAP Services, Inc. in the period of performance for one year, from February 1, 2018 through January 31, 2019.

**IMPACT ON BUDGET:**

None. The funds are programmed in the current FY 2017/2018 budget and planned for FY 2018/2019 budget. There is no change to the not to exceed contract amount of \$232,898.

The funding for these services comes from Prop C Discretionary Funds.

**ALTERNATIVES CONSIDERED:**

Current staffing levels are not adequate to meet the needs of Federal DBE compliance requirements. The staff position responsible for DBE compliance is also responsible for grants and overall compliance with all the FTA grants management requirements. Due to the volume and scope of these duties, it is not feasible to manage the above functions in-house without additional resources and assistance.

## EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

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

## BACKGROUND:

Under Title 49 CFR Part 26, (Participation by Disadvantaged Business Enterprise in Department of Transportation (DOT) Financial Assistance Programs), administration of DOT-assisted contracts shall establish and comply with the provisions of Part 26. The rule is in effect to assist small business owners (minority and/or women owned), controlled by socially and or economically disadvantaged individuals, providing them an equal opportunity for contracting opportunities on DOT assisted programs.

Access Services is required to certify DBE compliance in the form of a biannual report to the Regional Civil Rights Office. Access Services is also required to conduct a triennial analysis, where an annual DBE goal is established through complex research, **following USDOT's established guidelines.** The purpose of the overall goal is to establish anticipated amount of DBE participation on DOT assisted projects, encouraging transit entities to conduct outreach on procurements to DBEs and Small Businesses.

Access Services has been utilizing the services of a qualified consultant in complying with civil rights requirements with the DBE Program. The consultant provides **monitoring and oversight to Access' DOT funded contractors and their sub-contractors** to ensure the DBE program implemented by Access Services is compliant with DOT and FTA rules.

DBE services are also needed to develop recommendations for corrective measures, and provide proactive outreach and ensure good faith efforts toward greater utilization of DBEs. GCAP has played a vital role in ensuring Access' **compliance with the DBE program.** GCAP **successfully established Access' Triennial goal and continues to monitor contractors along with providing critical support with the bi-annual reports.**

AUGUST 14, 2017

TO: BOARD OF DIRECTORS

FROM: MATTHEW AVANCENA, SENIOR MANAGER OF PLANNING AND COORDINATION

RE: CONSIDERATION TO REAPPOINT TRANSPORTATION PROFESSIONALS ADVISORY COMMITTEE (TPAC) MEMBERS

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**ISSUE:**

Eight Transportation Professionals Advisory Committee (TPAC) members are about to complete their terms, which will expire on October 28, 2017. The reappointments recommended below are for two-year terms beginning October 2017. These terms will expire in October 2019.

**RECOMMENDATION:**

The TPAC bylaws require Board reappointment for TPAC members. Staff requests the Board to reappoint the following eight (Group A) members and appoint one new member due to a vacancy.

Group A Reappointments

- Kathryn Engel, Glendale Beeline
- Jesse Valdez, East Los Angeles Regional Center
- Gracie Davis, Orange County Transportation Authority
- Giovanna Gogreve, Metro
- Kevin McDonald, Foothill Transit
- Diane Amaya, Beach Cities Transit
- James Lee, Torrance Transit
- Linda Evans, Los Angeles Department of Transportation

New Member

- Norm Hickling, Antelope Valley Transit Authority (AVTA)

Mr. Norm Hickling, Chief Operations Officer, has served in various leadership roles with Antelope Valley Transit Authority (AVTA) since 2009. He was appointed to the AVTA Board of Directors, which included a period of 5½-years as Chairman of the Board. In

2016, he joined the AVTA management team as Chief Administrative Officer, later transitioning to Chief Operations Officer (COO).

**IMPACT ON BUDGET:**

None.

**BACKGROUND:**

TPAC was created in September 2001 by the Access Services Board of Directors to provide input regarding operational and policy issues. TPAC is comprised of two sets of members, Group A and Group B, which serve two-year terms. Group A members have term expiration dates which occur on odd numbered years. Group B members have term expiration dates which occur on even numbered years. TPAC meets bi-monthly and is comprised of representatives from social service, community transportation and fixed-route transportation providers. The following TPAC members (Group B) have terms continuing through October 2018:

- Aida Douglas, Long Beach Transit
- Sebastian Hernandez, City of Pasadena
- Jose Medrano, Montebello Bus Lines
- Evelyn Galindo, South Central Los Angeles Regional Center
- Eric Hoch, Santa Monica's Big Blue Bus
- Frazier Watts, G-Trans

AUGUST 14, 2017

TO: BOARD OF DIRECTORS

FROM: MICHAEL PASCUAL, MANAGER OF PROCUREMENT AND CONTRACT ADMINISTRATION  
HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR OF FINANCE

RE: CONSIDERATION TO INCREASE FUNDS TO ADD ADDITIONAL LICENSES AND ADD A NEW FEATURE TO THE PROCUREMENT MODULE OF THE FINANCIAL SOFTWARE ERP SYSTEM (AS-3753)

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**ISSUE:**

Board approval is required to increase funds for contract AS-3753 with Oracle America, Inc. for additional user licenses and the addition of a new feature in the procurement module in Access' Financial Software ERP System.

**RECOMMENDATION:**

Authorize a \$73,942 increase in the total not-to-exceed amount of contract AS-3753 for seven (7) additional licenses and the addition of a new procurement module feature from September 1, 2017 through February 11, 2022.

**IMPACT ON BUDGET:**

This action will result in an increase in the previously approved contract amount of \$371,401.95 to \$445,343.95. This action is consistent with Access' approved budget for Fiscal Year 2017/18, and will be programmed in subsequent budget years.

The funding for this purchase comes from Proposition C Discretionary Funds.

**EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

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

## ALTERNATIVES CONSIDERED:

No alternatives were considered.

## BACKGROUND:

The original contract with Oracle America, Inc. was approved by the Board in November 2014 as part of the Financial Software ERP Migration project. Oracle was selected as the application software provider.

Access currently holds thirteen (13) user licenses. Due to changes in internal processes and the engagement of an Oracle ERP consultant, Access has an immediate need of three (3) additional licenses plus four (4) more extra licenses for future expansion. The cost of the seven (7) additional licenses is \$38,992, which covers the remaining term of the contract.

The Procurement Module of the ERP System allows submission of Purchase Requisitions but a license is required for each user. A license costs in excess of \$100 per user per month and because the user only needs to submit Purchase Requisitions, it is not cost effective to buy the additional licenses. Oracle America instead offers a feature that allows submission of Purchase Requisitions without a license called "Procurement Cloud Fusion Self-Service". This add-on is \$34,950 covering the remaining term of the contract and equates to only \$6.40 per user per month, a more cost-effective option than buying additional licenses.

AUGUST 14, 2017

TO: BOARD OF DIRECTORS  
FROM: WILLIAM TSUEI, DIRECTOR OF INFORMATION TECHNOLOGY  
RE: CONSIDERATION TO INCREASE FUNDS AND EXTEND TERM FOR  
INTERNET SERVICES CONTRACT (AS-2940)

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**ISSUE:**

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

**RECOMMENDATION:**

Authorize \$16,284 in funds and an extension in the period of performance through December 6, 2017.

**IMPACT ON BUDGET:**

The costs associated with this contract were budgeted in the current fiscal year. This action will result in an increase of the contract not-to-exceed amount from \$204,910 to \$221,194. The monthly rate of \$2,714/month has not increased.

The funding for these services comes from Prop C Discretionary Funds.

**ALTERNATIVES CONSIDERED:**

The Board, at its option, could request that these services be put out to bid. However, staff does not feel it would be advantageous to potentially transition to a new internet service provider before the migration of the internet services to CALNET3. CALNET3 is a telecommunication contract negotiated and managed by the State of California Department of Technology, on behalf of all local government agencies. Access Services applied for a CALNET3 membership and was recently approved by the state.

**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 a written month-to-month contract with Cogent Communications for the provision of internet services upon terms and

conditions no less favorable to Access Services than those proposed above. Access would not be legally bound to this extension unless it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

**BACKGROUND:**

Access Services maintains a high speed, high capacity internet services line that has been scaled to meet its extensive technology needs. This line not only encompasses normal day-to-day business internet needs but also carries traffic associated with public access to Rider 360 and the support to a number of enterprise level applications used by the agency.

Cogent Communications has provided this service since Access relocated from downtown Los Angeles and the contract was renewed for a three-year period in April 2013 and then was extended through December 2016 to coincide with the expiration of the current lease of Access' administrative office. Since the Board took action to extend the administrative office lease another five (5) years, staff has begun transitioning to the CALNET3 contract. The Board approved the Cogent extension on December 5, 2016 with the anticipation that the transition to CALNET3 could be completed within 3 to 6 months. However, due to some technical issues and resource availability, the transition has not been completed in time as planned. With only a few circuit configurations needing to be completed, staff is confident the transition can be completed within a few months. The month-to-month term of this extension will allow staff to terminate the contract sooner if required.

AUGUST 14, 2017

TO: BOARD OF DIRECTORS  
FROM: WILLIAM TSUEI, DIRECTOR OF INFORMATION TECHNOLOGY  
RE: CONSIDERATION TO APPROVE INTERNET SERVICES CONTRACT  
WITH AT&T (AS-4058)

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**ISSUE:**

Board approval is required for the funding of the internet services contract (AS-4058) with AT&T (CALNET3).

**RECOMMENDATION:**

Authorize \$151,732.80 in funds in the period of performance for five years, effective August 21, 2017 through August 20, 2022.

**IMPACT ON BUDGET:**

The costs associated with this contract were budgeted in the current fiscal year and will be allocated in the future budget. This action will result in a not-to-exceed amount of \$151,732.80 for the five-year contract starting on August 21, 2017. The monthly rate of \$2,528.88/month is fixed throughout the five-year services period.

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

**ALTERNATIVES CONSIDERED:**

The Board, at its option, could request that these services be put out to bid. However, based on past experience, purchasing from state contract schedules expedites the purchasing process, while ensuring that a competitive price is paid for goods and services.

**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 a written month-to-month contract with AT&T for the provision of internet services upon terms and conditions no less favorable to Access Services than those proposed above. Access would not be legally bound to this

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

**BACKGROUND:**

Access Services maintains a high speed, high capacity internet services line that has been scaled to meet its extensive technology needs. This line not only encompasses normal day-to-day business internet needs but also carries traffic associated with public access to Rider 360 and the support to a number of enterprise level applications used by the agency.

The CALNET Program provides services that meet complex and critical telecommunications and network business needs through oversight, statewide policy, and a suite of statewide, competitively bid telecommunications contracts used by both state and local agencies. The CALNET3 agreement allows Access Services to take advantage of the pre-negotiated lower rate for much higher bandwidth. It also allows Access Services to have the flexibility to terminate the agreement without penalty at will. AT&T is an authorized vendor providing the services under the CALNET3 agreement. They are also our existing vendor that provides the wide area network that connects Access with its service providers. By incorporating both services together, it reduces the technical complexity in configuring the network infrastructure services and allows better diagnosis in case connection issues arise.

AUGUST 14, 2017

TO: BOARD OF DIRECTORS

FROM: MATTHEW AVANCENA, SENIOR MANAGER OF PLANNING AND  
COORDINATION  
HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR OF FINANCE

RE: CONSIDERATION TO AUTHORIZE ADDITIONAL REIMBURSEMENT  
FOR ANTELOPE VALLEY TRANSIT AUTHORITY'S FREE FARE  
PROGRAM

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**ISSUE:**

According to the terms of the Free Fare agreement with Access Services, the Antelope Valley Transit Authority (AVTA) is entitled to additional reimbursement above its Board approved cap if there are surplus budget funds at the end of FY 2017.

**RECOMMENDATION:**

Authorize an additional payment of \$106,508 to AVTA for its FY 2017 Free Fare reimbursement invoice.

**IMPACT ON BUDGET:**

None. The funds will come out of Access' FY 2017 budget surplus from the Free Fare Program. The funding for these services comes from Prop C 40% Discretionary Fund.

**ALTERNATIVES CONSIDERED:**

None. As noted above, Access is obligated to pay AVTA in accordance with the agreement.

**BACKGROUND:**

On August 15, 2016, the Access Board took action to amend AVTA's Free Fare agreement by setting a reimbursement cap of \$494,000. In addition, if it was determined that Access has surplus budget funds at the end of the FY 2017 fiscal year, Access staff would request that the Board provide additional reimbursement to AVTA for Free Fare trips. AVTA's FY 2017 Free Fare ridership on its express and local routes

amounted to \$600,508. The amount requested in the item, \$106,508, is the additional reimbursement AVTA is entitled to per the terms of their agreement.

### AVTA Fare Issue

On September 2015, AVTA changed its fare structure and began charging its senior and disabled passengers a reduced fare of \$0.75 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. Because of the fare change AVTA, per the terms of the MOU that was in effect at that time, requested full reimbursement for Free Fare boardings on its local routes. Since Access did not budget for this cost, staff reached out to AVTA management to negotiate an acceptable reimbursement rate.

At the Board meeting on April 25, 2016, the Board approved staff's proposal to: 1) pay AVTA a one-time payment of \$120,000 for its local routes for FY 2016, and 2) cap AVTA's total reimbursement at \$475,000 for FY 2017. Approximately six weeks after the Board meeting, staff was informed by AVTA's Executive Director that the AVTA Board of Directors wanted Access to reconsider the terms of the agreement because it felt AVTA was taking a much greater reduction than other Free Fare participants.

Staff discussed this concern with AVTA management who agreed to accept the FY 16 agreement if changes were made to FY 2017 and FY 2018 reimbursement amounts. These changes, which were mutually agreed upon by both Access and AVTA staff, were presented to the Board and subsequently approved at the August 15, 2016 Board meeting.

AUGUST 14, 2017

TO: BOARD OF DIRECTORS  
FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR OF FINANCE  
RE: CONSIDERATION TO APPROVE PROPOSED BUDGET POLICIES

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**ISSUE:**

It is a best practice for the agency to adopt hiring polices related to the budget. The policies are related to the maximum number of Full Time Equivalent (FTEs) and to the maximum salary that the Executive Director is allowed to approve for new hires before having to seek Board approval.

**RECOMMENDATION:**

Approve the maximum number of FTEs allowed to be hired during Fiscal Year 2018 as stated in the adopted budget (71) and provide authority to the Executive Director to hire new staff at a salary not to exceed \$175,000 per year. Board approval will be required to increase the total number of budgeted FTEs during the fiscal year and/or to hire a new position where the starting salary exceeds \$175,000.

**IMPACT ON BUDGET:**

Funding for staff are allocated annually through the budget process. The funding for staff positions comes from the Prop C 40% Discretionary Fund.

**BACKGROUND:**

Staff, during its presentation to the Budget Subcommittee earlier in the year, agreed to implement tighter controls on both the hiring of staff and to establish a cap on the maximum salary a new hire may be offered by the Executive Director.

At the June 2017 Access Board meeting, staff presented this item. At the meeting, Director Barnes requested that additional information be brought back to the Board before taking action on this item. Specifically, Director Barnes requested information on other agencies that had similar policies and/or practices.

Staff has gathered the additional information requested by the Board and has brought the item back for consideration.

The additional research conducted revealed that a large number of public agencies implement what is more widely known as Position Control which allows an agency to audit salaries and FTE count against the approved budget while also maintaining the history of positions - both vacant and filled.

A limited survey revealed that LACMTA, City of Los Angeles, City of Torrance, Orange County Transportation Authority and San Francisco Muni utilize Position Control as part of their budget best practices. Other agencies such as community colleges and local cities also employ Position Control as a best practice for fiscal and budgetary purposes.

Proposed Policy -

Full-Time Equivalent (FTE) Budget Policy

Effective 7/1/2017, as part of the annual budget process, staff will seek Board approval for the total number of proposed FTEs for the upcoming fiscal year that it believes are necessary to effectively operate the Agency. Staff must receive Board approval prior to hiring any staff above the approved number of FTEs for that fiscal year.

Maximum Employee Salary Budget Policy

The Board will delegate hiring authority to the Executive Director for salaries under \$175,000 per year. The Executive Director will seek Board authorization prior to tendering an offer of employment for a salary that exceeds \$175,000 per year.

Exceptions to both policies may be made in case of emergencies. In case of emergencies, the Executive Director must seek the concurrence of the Board as soon as practicable but no later than ninety (90) after the start of the emergency.

AUGUST 14, 2017

TO: BOARD OF DIRECTORS

FROM: RICK STREIFF, MANAGER OF FLEET DESIGN, MAINTENANCE AND SAFETY  
HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR OF FINANCE

RE: CONSIDERATION TO APPROVE THE PURCHASE OF 230 VEHICLES FOR PARATRANSIT SERVICE

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**ISSUE:**

Board approval is required to purchase vehicles for paratransit service during Fiscal Year 2017/18.

**RECOMMENDATION:**

Authorize staff to purchase through a contract with the CalACT/Morongo Basin Transit Authority (MBTA) Vehicle Purchasing Cooperative up to 230 paratransit vehicles at a cost not to exceed \$12,290,474.72.

**IMPACT ON BUDGET:**

The funds needed for the purchase of vehicles are included in the FY 2017/18 capital budget. Using Toll Roads Grant, Federal 5310 funds, and local Prop C funds, the estimated total expenditure includes applicable sales tax, license and fees.

- FY13-15 Federal 5310
  - LA Basin - Replacement \$144,923.53 3 Vehicles
  - Santa Clarita \$ 8,311.02 1 Vehicle
  - Lancaster-Palmdale \$ 19,876.17 1 Vehicle
  - Local Match \$ 137,813.00
  
- Federal 5310
  - LA Basin - Replacement \$ 8,618,500 200 Vehicles
  - Toll Credits \$ 1,520,911
  - Local Match \$ 98,589

- Toll Revenue Grant (Service Demand)
  - Toll Revenue Grant \$ 1,130,925 20 Vehicles
  - Local Match \$ 300,626
  
- Local Funds
  - Local Funds \$ 310,000 5 Vehicles

**ALTERNATIVES CONSIDERED:**

None. The vehicles proposed for this project are needed to replace a similar number of vehicles which have reached or surpassed their established useful lifespan and to address the need to replace vehicles that have been removed from service. Based on past experience, purchasing from cooperative contract schedules - a practice encouraged by the FTA - expedites the purchasing process, while ensuring that a competitive price is paid for goods and services. As was the case with our most recent vehicle procurement, staff is proposing purchasing these vehicles through an approved vendor of the CalACT/Morongo Basin Transit Authority (MBTA) Purchasing Cooperative. If necessary, a Request for Proposals (RFP) will be issued to secure all or part of the fleet.

**EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

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

**BACKGROUND:**

Paratransit vehicles scheduled for replacement will each have accumulated over 250,000 miles by the time of replacement, or are over four years old. The FTA assumes that vehicles the size of Access minivans and cutaways have a useful life of four (4) years or 100,000 miles.

For FY17/18 Access staff met with the service provider managers to establish a fleet mix that stays within the current fleet size and best serves the needs of our customers. The revenue vehicle replacement schedule consists of low floor modified Dodge vans, Class A Allstar, Class B Allstar, and Class C Allstar Cutaways. Distribution to each of the providers will be based on the age of the fleet as well the demonstrated service demand at the time of vehicle assignment. Authorizing this purchase now will allow staff sufficient time to order chassis and the FY17/18 build can begin as soon as the procurement process is completed and funding becomes available.

MBTA, a member of CalACT, is the lead agency in the CalACT/MBTA Vehicle Purchasing Cooperative. The Cooperative was formed because many of the CalACT member agencies felt that an alternative to the traditional state bid process was necessary in order to create a more competitive marketplace for vehicle purchases in the State of California. The type of procurement used by the cooperative entails the development of a Local Government Schedule, as defined in the FTA third party procurement guidelines (Circular 4220.1F, Chapter V, Part 4), wherein the FTA extends to local governments the opportunity to purchase goods or services at established prices.

AUGUST 14, 2017

TO: BOARD OF DIRECTORS

FROM: WILLIAM TSUEI, DIRECTOR OF INFORMATION TECHNOLOGY

RE: INFORMATION TECHNOLOGY UPDATE/CONSIDERATION TO  
EXTEND TERM AND INCREASE FUNDS FOR "WHERE'S MY RIDE"  
SOFTWARE AND SERVICES CONTRACT (AS-3998)

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ISSUE:

Additional funding is necessary to address implementation items that were not in the original Scope of Work for this project and to add new functionality. In addition, due to the delay in implementing the beta testing of this application, it is necessary to extend the term six months to correspond with the three-year maintenance coverage.

RECOMMENDATION:

Authorize \$70,000 in funds and an extension in the period of performance with Informational Technologies Curves (IT Curves) for six (6) months through February 21, 2019.

IMPACT ON BUDGET:

The costs associated with this contract were budgeted in the current fiscal year and will be allocated in future budgets. The contract not-to-exceed value will increase from \$217,850 to \$287,850.

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

ALTERNATIVES CONSIDERED:

No alternatives were considered. The contractor has met the terms of the contract and thus merits consideration for an extension of its term.

## **EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

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

## **BACKGROUND:**

In January 2016, the Board authorized the development of the "Where's My Ride" application, a smart device and web program that enables our riders to monitor the status and location of their designated vehicle via a smartphone, cell phone, tablet or computer.

Development of the application began in March 2016 and initially focused on the Southern Region provider, who utilized at that time a legacy dispatch system for both its dedicated and taxi subcontractor fleets. Beta testing in this region began in the fall of 2016 and continued with valuable user feedback into 2017. In March 2017, the integration process began for the West/Central and Eastern Regions (who use the 5M paratransit software package) with further testing occurring with riders during the early summer. Staff has begun integration with the San Fernando Valley Region along with reintegration of the Southern Region due to its transition to Trapeze.

The staged transition has allowed staff and its vendor to solve numerous technical challenges in the integration of data from multiple dispatch programs. One such unanticipated challenge was the Southern Region provider greatly expanding the number of subcontractors used in the provision of service, necessitating further integration work that was outside of the original scope. However, this has provided valuable technical information for future subcontract integrations. The Southern Region also has switched to a new dispatch platform that will require additional integration work that was not envisioned in the original scope.

Staff has also taken significant user feedback to refine the product and add other functionality. Specifically a updated interface for large trips generators allows those locations to clearly see when their clientele will be leaving their facility.

The requested additional funds will address the unanticipated change in scope items, potential additional functionality, and provide for maintenance coverage through February 21, 2019. Staff is projecting full rollout of the application starting this Fall in phases by region for all service areas except for the Antelope Valley.

AUGUST 14, 2017

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION  
MICHAEL PASCUAL, MANAGER OF PROCUREMENT AND  
CONTRACT ADMINISTRATION

RE: CONSIDERATION TO AUTHORIZE STAFF TO ISSUE REQUEST FOR  
PROPOSALS FOR ALL SERVICE PROVIDER CONTRACTS AT THE  
END OF THEIR CURRENT CONTRACT TERM

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**ISSUE:**

The Draft Comprehensive Operational Review (COR) has several recommendations related to real estate (facilities), continuing issues with minimum wage and wage compression and the need to update contractual language to include additional Key Performance Indicators (KPIs) and liquidated damages. In response, staff plans to issue Request for Proposals (RFPs) for the Agency's paratransit service provider contracts at the conclusion of each contract's current term.

**RECOMMENDATION:**

Authorize staff to issue Request For Proposals for all service provider contracts at the conclusion of each contract's current term.

**BACKGROUND:**

Staff believes it is necessary to bid out Access' paratransit operations contracts for the following reasons:

Real Estate

In December 2016, the Board approved a contract with Nelson\Nygaard to conduct a comprehensive review of operations. The goals of the review included evaluating existing paratransit functions, including the costs, delivery, efficiency, and performance measures; assess and quantify the current functions considered above and beyond ADA guidelines; and identify solutions and recommendations for improved operational efficiencies based on the operational review and industry best practices. Nelson\Nygaard presented a mid-study report in July 2017 to gather feedback from

stakeholders on a number of recommendations and alternative service delivery models. This feedback will be incorporated into the final report which will be presented in October 2017.

One key issue identified was the need to provide operating facilities in each of the six service areas. Access has long followed the procurement practice of requiring service contractors to provide their own operating facility. Due to a variety of factors, including the scarcity of appropriately sized facilities, participation in service region procurements by vendors has steadily decreased over the last ten years. A case in point, the West Central region procurement only had two vendors bid on the service and an informal survey of other potential proposers indicated that the main reason for not participating was the lack of available facilities. Incumbent contractors possess an advantage against other bidders because they can lock in a long-term lease contract with the landlord and, in effect, prevent competitors any access to the facility.

The COR has made the following recommendation - *"To provide stability and to potentially increase the number of proposers, Access should either (1) procure its own facilities over time; or (2) consider adding contract language that would allow the agency to assume the facility lease if the contract is awarded to another firm. The concept is fairly straightforward: if, for some reason, a contract ends before the end of a lease, Access would have the right to take over the lease. And, similarly, in cases where a contractor owns a facility, the facility is dedicated to Access Paratransit use, and Access has paid for the full cost of a property over time, Access should have the right to use it if the contract ends."*

While the COR is not finalized, staff's position is that this recommendation is key to Access' future success in attracting additional qualified bidders and receiving the best value in a competitive procurement. In order to move this forward, staff needs to begin a facility needs survey and real estate market analysis for each of its service areas. The survey and analysis will be structured to coincide with the current service contract base term end dates in order to allow for proper procurement and funding opportunities.

While it may not be feasible to provide facilities initially for all procurements, staff will insert a requirement in future RFPs that gives Access the option of assuming a facility's lease if it is in Access' best interest. In terms of the Santa Clarita service area, the blended operations of Access Paratransit and Santa Clarita Dial-A-Ride will likely not result in Access either providing or assuming the lease for that facility.

#### Minimum Wage/Wage Compression

While the Board previously took action to address this issue through the current fiscal year, the minimum wage will continue to increase to \$15 an hour. Because of this and the effects of wage compression caused by a rising minimum wage, staff believes it would be more effective to procure new contracts that take into account the current economic environment.

## Contractual Key Performance Indicators (KPIs)

Bidding out the Agency's paratransit operations contracts will also allow the Agency to ensure its providers have to meet the same requirements for the delivery of paratransit service. Specifically, staff plans on conforming future contracts to the KPIs in the recently-approved West Central Contract:

Added into West/Central contract effective October 29, 2017:

- Calls on hold (COH) >5 minutes - reservations, ETAs and cancellations
- Denials (reservations)
- Complaint rate
- Preventable maintenance inspections (PMIs)
- Miles between road calls
- Drug & alcohol audit

In addition, based on recommendations in the Comprehensive Operations Review, staff is planning to add the following KPIs to future contracts:

- Missed trips
- Preventable incident rate
- Excessive travel time

## Next Steps

Staff will initiate procurements based on current contract end dates (which assume that Access will decline any existing options) as listed below:

<u>Service Area Contractor</u>	<u>Base Term End</u>	
San Fernando Valley	MV Transportation	7/31/2018
Santa Clarita	City of Santa Clarita	8/3/2018
Eastern	San Gabriel Transit	3/31/2019
Southern	Global Paratransit	8/31/2019
Antelope Valley	Keolis	4/30/2020

AUGUST 14, 2017

TO: BOARD OF DIRECTORS  
 FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION  
 RE: ELIGIBILITY UPDATE AND UPCOMING BOARD ITEMS

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ISSUE:

The following items are tentatively scheduled to be addressed by the Board through November 2017 at the regularly scheduled Board/Annual meetings.

September 25, 2017 - *DATE CHANGE*  
*Board Meeting - El Monte*

Agenda Items:	Disposition:
Vehicle Inspection Services Contract Extension	Action
Travel Training	Discussion
Telephone System Maintenance Contract Extension	Action

October 23, 2017  
*Board Meeting - Metro*

Agenda Items:	Disposition:
Comprehensive Operational Review	Discussion
Minimum Wage/Wage Compression/ETA KPIs	Action
IT Comprehensive Services Contract Award	Action
IT Consulting Services Contract Extension	Action
Telecommunications Consulting Services Contract Extension	Action

November 30, 2017

*Annual Membership Meeting - California Endowment Center*

Agenda Items:	Disposition:
TBD	