

# access

## BOARD OF DIRECTORS MEETING

MONDAY, JANUARY 22, 2018

Closed Session: 12:00 p.m.

General Session: Immediately Following

The meeting is expected to end by or  
before 3:00 p.m.

**Los Angeles County Metro Board Room  
One Gateway Plaza, 3<sup>rd</sup> Floor  
Los Angeles CA 90012**

### **MISSION STATEMENT**

*Access Services promotes access to all modes of transportation and provides quality and safe ADA paratransit service on behalf of public transit agencies in Los Angeles County.*

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	<u>DISPOSITION</u>
1. CALL TO ORDER	ACTION
2. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS	
3. CLOSED SESSION	DISCUSSION/ POSSIBLE ACTION
A) CALIFORNIA GOV. CODE §54957	
1. <i>PUBLIC EMPLOYMENT: Discussion of appointment of General Counsel/Legal Services Provider(s)</i>	
B) CONFERENCE WITH LEGAL COUNSEL: CAL. GOV. CODE §54956.9	

1. Anticipated Litigation: Gov. Code §54956.9 (b)
  - (i) *Significant exposure to litigation pursuant to subdivision (b) of Gov. Code §54956.9 (b) a situation where, based on the advice of counsel taking into account "existing facts and circumstances," there exists a "significant exposure to litigation"*

2. Pending Litigation:

1. *Reynaga v. LACMTA, Access et al. BC673040*

C) CALIFORNIA GOV. CODE §54957 (b) - PERSONNEL MATTERS:

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|---|--|
| <p>4. <b>REVIEW &amp; APPROVAL OF MINUTES FROM THE BOARD MEETING ON DECEMBER 11, 2017</b> (page 6)<br/>[Staff Recommendation: Approve minutes as written.]</p>  | <p>ACTION<br/>[Vote Required: majority of quorum by roll call]</p>                   |
| <p>5. <b>REPORT FROM EX-OFFICIO BOARD MEMBERS</b></p>   | <p>INFORMATION</p>   |
| <p>6. <b>GENERAL PUBLIC COMMENT</b></p>   | <p>INFORMATION</p>   |
| <p>7. <b>SUPERIOR SERVICE AWARD</b></p>   | <p>PRESENTATION</p>  |
| <p>8. <b>CONSENT CALENDAR</b></p> <ol style="list-style-type: none"> <li>a) Consideration to Extend Term and Increase Funds - Data Services Contract (AS-3705) (page 14)</li> <li>b) Consideration to Establish an Ad Hoc Budget Subcommittee for Fiscal Year 2018/19 (page 16)</li> <li>c) Consideration to Approve Audio Recording on Access Vehicles (page 18)</li> </ol> <p>[Staff Recommendation: Approve Consent Calendar.]</p> | <p>ACTION<br/>[Vote Required: majority of quorum by roll call]</p>                   |
| <p>9. <b>CONSIDERATION TO AWARD CONTRACT FOR VOICE OVER INTERNET PROTOCOL SYSTEM (AS-4055)</b> (page 22)<br/>[Staff Recommendation: Authorize staff to execute a three (3) year base contract beginning February 1, 2018 and ending</p>   | <p>PRESENTATION/<br/>ACTION<br/>[Vote required: majority of quorum by roll call]</p> |

January 31, 2021 with Packet Fusion in an amount not-to-exceed \$273,757.71]

10. **CONSIDERATION TO AWARD CONTRACT FOR TRAVEL TRAINING SERVICES (AS-4051)** (page 28)

[Staff Recommendation: Authorize staff to execute a three (3) year base contract beginning March 1, 2018 and ending February 28, 2021 with Mobility Management Partners (MMP) in an amount not to exceed \$2,558,063 (see *item for rate chart*).]

PRESENTATION/  
ACTION

[Vote required:  
majority of quorum  
by roll call]

11. **CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE OF FUNDS AND SCOPE OF WORK CHANGES FOR SAN FERNANDO VALLEY REGION SERVICE PROVIDER CONTRACT (AS-3341)** (page 33)

[Staff Recommendation: Authorize the addition of funds by \$1,127,330 and change in the fixed rate, the variable per trip rates and a change in the scope of work to add liquidated damages for ETA Calls for the Northern Region Service Provider, MV Transportation, Inc. Authorize the extension of the base contract by up to four months through November 30, 2018 so that a provider transition, should that become necessary, can occur during a period of non-peak rider demand (see *item for rates*).]

PRESENTATION/  
ACTION

[Vote required:  
majority of quorum  
by roll call]

12. **CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE OF FUNDS AND SCOPE OF WORK CHANGES FOR EASTERN REGION SERVICE PROVIDER CONTRACT (AS-3421)** (page 37)

[Staff Recommendation: Authorize the addition of funds by \$1,680,802, a change in the fixed rate, the variable per trip rates and a change in the scope of work to add liquidated damages for ETA Calls for the Eastern Region Service Provider, San Gabriel Transit (see *item for rates*).]

PRESENTATION/  
ACTION

[Vote required:  
majority of quorum  
by roll call]

13. **CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE OF FUNDS AND SCOPE OF WORK CHANGES FOR SOUTHERN REGION SERVICE PROVIDER CONTRACT (AS-2967)** (page 40)

[Staff Recommendation: Authorize the addition of funds by \$2,637,214 and a change in the fixed rate, the variable per trip rates and a change in the scope of work to add

PRESENTATION/  
ACTION

[Vote required:  
majority of quorum  
by roll call]

liquidated damages for ETA Calls for the Southern Region Service Provider, Global Paratransit, Inc. (see *item for rates*).]

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|---|---|
| 14. <b>CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATION, INCREASE OF FUNDS AND SCOPE OF WORK CHANGES FOR WEST CENTRAL REGION SERVICE PROVIDER CONTRACT (AS-2364)</b> (page 43)<br><br>[Staff Recommendation: Authorize the addition of funds by \$110,689 and a change in the variable per trip rates (see item for rates).] | PRESENTATION/<br>ACTION<br>[Vote required:<br>majority of quorum<br>by roll call] |
| 15. <b>CUSTOMER SERVICE UPDATE</b>  | INFORMATION   |
| 16. <b>UPCOMING BOARD ITEMS</b> (page 45)   | INFORMATION   |
| 17. <b>EXECUTIVE DIRECTOR'S REPORT</b>  | INFORMATION   |
| 18. <b>BOARD MEMBER COMMUNICATION</b>   | INFORMATION   |
| 19. <b>NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA</b>   | DISCUSSION/<br>POSSIBLE<br>ACTION   |
| 20. <b>ADJOURNMENT</b>  | 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 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 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.



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

**Metro  
One Gateway Plaza, 3<sup>rd</sup> Floor  
Los Angeles CA 90012**

**Monday, December 11, 2017  
12:07p.m.**

**1. CALL TO ORDER**

Meeting called to order by Chair Nalini Ahuja at 12:07 p.m.

**BOARD MEMBERS PRESENT REPRESENTING A QUORUM**

Present: Chair Nalini Ahuja, Vice Chair Art Ida, Treasurer Kim Turner, Secretary Theresa DeVera, Directors Doran Barnes, Martin Gombert and Dolores Nason. Ex-Officios: CAC Chair Michael Conrad, TPAC Vice Chair Giovanna Gogreve and Access Services Legal Counsel Jim Jones.

**BOARD MEMBER(S) EXCUSED FROM THE MEETING**

Not Present: Directors John Troost and Angela Nwokike.

**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: Reynaga v. LACMTA, Access et al. No reportable action was taken with respect to this matter. The Board also discussed the case of

Washington v. Access Services and the Board was advised that the matter had been settled on a confidential basis.

Mr. Jones then explained the public comment process.

4. **REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON OCTOBER 23, 2017**

Motion made by Director Nason to approve the minutes as submitted, seconded by Vice Chair Ida. Via Roll Call all were in favor, motion passed.

5. **REPORT FROM EX-OFFICIO BOARD MEMBERS**

Giovanna Gogreve, Vice Chair of the Transportation Professionals Advisory Committee (TPAC), stated that, since the committee did not have a meeting in November, she had nothing to report. She also mentioned that the committee would be meeting on Thursday, December 14, 2017 so she would provide a report at the January 22, 2018 Board meeting.

Michael Conrad, Chair of the Community Advisory Committee (CAC), stated that since the committee did not meet in November he also had nothing to report. Mr. Conrad also stated that the Annual Membership meeting was great and he would like to compliment Secretary DeVera on the great job she did chairing the meeting.

6. **GENERAL PUBLIC COMMENT**

Albert Contreras made public comment by stating that he made a mistake by going to the Access Services office in El Monte for today's meeting. He also thanked Anthony Santiago, Access Services Operations Service Monitor, for bringing him to Metro for the meeting. Mr. Contreras concluded his public comment by stating that he would like to commend Mr. Santiago for getting him to the correct location and for getting him here on time.

Renee Madera made public comment by stating that there needs to be something done about the pick-up and drop-off zones for people who ride Access and are picked up from medical facilities such as dialysis centers, hospitals and clinics because Access vehicles could no longer park in red zones for pick-ups and drop-offs. She stated that there should be certain marked spaces or parking spaces for that purpose only. Something special for Access, Cityride and other transportation modes that provide this type of service or a universal parking space at medical facilities for pick-ups and drop-offs. Ms. Madera stated that another issue was that some of the drivers were still not approaching her for the Beyond

the Curb service as they should. She also complimented some of the drivers and one in particular that she had the other day.

Ms. Madera concluded her public comment by stating that she had to settle on being picked up at another location in Glendale although she was previously told that the pick-up location at the Glendale Galleria was in front of the McDonalds well over a year ago. Now they were telling her that the McDonalds location was not a pick-up location anymore. Ms. Madera added that she tried to make a reservation for her return trip and was told that the Eastern region did not pick up from that location anymore she asked that staff to please look into this issue.

Access Project Administrator Faustino Salvador was assigned to assist Ms. Madera.

Rachele Goeman made public comment by stating that the "Where's My Ride" app was supposed to be done over a year ago, all the bugs were supposed to be worked out and they should have heard from the people on the pilot project for this app but the Southern and Northern regions were still not working. Ms. Goeman stated that she talked to Mr. Prieto this morning and he informed her that the server was down. She stated this was the third time she was told that in the last nine months. Ms. Goeman added that when the app worked, it was great but when it stopped working, it is hard on the riders because they became too dependent on it, which was also very frustrating.

Ms. Goeman also stated that trying to go from one region to another for the Community Meetings was difficult because the reservationist did not know that the rides to those meetings were free. She added that she spent 30 minutes on the phone trying to get from the Southern region to the West Central region and the issue was finally resolved but she felt that, after all these years, they should know the rides are free.

Ms. Goeman concluded her public comment by stating that she loved Access and has been a customer for 20 years but, in the last month and a half, she was being picked up late, way outside of the pick-up window. She stated that she thought it was ridiculous when she felt that she gave herself plenty of time to get to where she had to be.

Access' Project Administrator Fayma Ishaq was assigned to assist Ms. Goeman.

## 7. **SUPERIOR SERVICE AWARD**

Superior Service Award Presentation:

MV Transportation Driver, Albert Gastine, 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 Extend Term and Increase Funds - Telecommunications Consulting Services Contract (AS-3419)

8-b Consideration for Approval 2018 Board of Directors Meeting Calendar

8-c Consideration to Add Funds and Exercise First Option Year with CorVel (AS-3877)

8-d Consideration to Extend Term and Increase Funds - TAP Card Production Memorandum of Understanding (MOU)

8-e Consideration to Add Funds and Exercise First Option Year with HDR Engineering, Inc. (AS-3393)

8-f Consideration to Reappoint Community Advisory Committee (CAC) Members

Treasurer Turner requested that Item 8-a be pulled for purposes of discussion. Director Barnes pulled Item 8-b for purposes of discussion.

**Motion made by Treasurer Turner to approve items 8-c thru 8-f on the consent calendar, seconded by Director Gombert. Via Roll Call Vote - all were in favor, motion passed.**

**Item 8-a** Treasurer Turner stated that it seemed that Access has been doing business with the same vendor, RTP Group, for 23 years and the last time this contract went out to bid was in 2013. Treasurer Turner asked, how frequently does staff go out to bid on these contracts. Mr. Tsuei replied that the majority of the IT related projects were going out for bid beginning next year and the reason staff had retained this particular vendor was because a lot of the technology projects were going on at the same time. For example, he stated that the Voice Over IP (VOIP) system was currently out for bid, an IT service contract that was awarded to a new vendor was currently undergoing a transition, and a cybersecurity evaluation of the Agency was taking place right now.

Mr. Tsuei also stated that the performance of the current vendor has been good and they have been delivering projects on time and within budget. Staff would

like to retain the current vendor for another year and next year staff would be issuing an RFP for these services. Treasurer Turner stated that given that technology changes so rapidly and the fact that there was something stated about the "Where's My Ride" app during public comment, she just wanted to make sure that this was only for a one year extension and staff would look for other vendors that could provide the same service. Mr. Tsuei replied that staff would only need this one-year extension to prepare to transition over to another vendor if that ends up being the case.

**Motion made by Treasurer Turner to approve items 8-a on the consent calendar, seconded by Secretary DeVera. Via Roll Call Vote - all were in favor, motion passed.**

**Item 8-b** Director Barnes stated that there were two dates on the proposed 2018 Board Meeting Calendar that he wanted to bring to the attention of the Board and staff: the September 24, 2018 Board meeting and November 28, 2018 Annual Membership meeting. He stated that the September 24<sup>th</sup> Board meeting would fall in the middle of the APTA Annual meeting and the November 28 meeting would fall during the week of the first APTA Leadership Summit, which was a new event that would replace the Transit CEOs Seminar and the Transit Board Member Seminar. Director Barnes also mentioned that, if the Board decided to go forward with the following dates, then they could potentially run into some scheduling conflicts.

**Motion made by Director Barnes to approve items 8-b on the consent calendar with the possibility of moving the September 24 and November 28, 2018 meeting dates, seconded by Vice Chair Ida. Via Roll Call Vote - all were in favor, motion passed.**

## **9. CUSTOMER SATISFACTION SURVEY**

After a presentation provided by Mr. Todd Remington from Fairfax Research Group, Chair Ahuja reminded the Board that this was an information item only and no action was needed. She also thanked Mr. Remington for his overview on the item.

## **10. STRATEGIC PLAN PROCESS**

Chair Ahuja stated that she wanted to table this item until the next Board of Directors meeting to allow staff and the Board to review the information.

**Motion made by Treasurer Turner to table Item 10 and bring it back to the Board for consideration at the next Board of Directors meeting in January 2018, seconded by Secretary DeVera. Via Voice Vote - all were in favor, motion passed.**

**11. CYBER SECURITY UPDATE**

After a presentation provided by Access Services Director of Information Technology, Bill Tsuei, Chair Ahuja reminded the Board that this was an information item only and no action was required.

**12. UPCOMING BOARD ITEMS**

After a presentation provided by Access Services Director of Administration, F Scott Jewell, Chair Ahuja reminded the Board that this was an information item only and no action was required.

Secretary DeVera requested that staff provide a presentation on Alta Resources performance at a future Board of Directors meeting. Mr. Colaiace stated that staff would review the January 2018 Board agenda and see if they could add it to that agenda.

**13. EXECUTIVE DIRECTOR'S REPORT**

Access' Executive Director, Andre Colaiace, began his report by stating that service year-to-date was good and the service contractors were meeting all of their KPIs. On-time performance was slightly below the 91% standard at 90.7% and staff expects to reach the standard within the next couple of weeks and certainly by the end of the year. Staff has also been dealing with the wild fires from last week and had activated the Emergency Operations Center (EOC), which also dealt with the shutdown of the 405 freeway last Wednesday. Mr. Colaiace also stated that the time they dedicated to emergency preparedness over the last several years had paid off and Access providers were able to keep the customers safe and informed. He stated that an automated message was sent out to about 23,000 customers to let them know what the operational situation was. Mr. Colaiace added that staff was also able to assist the first responders by providing accessible vehicles for evacuation requests. He stated that at one point the Access contractors did evacuate a number of people from various areas to safety. He congratulated the staff members of the EOC.

Mr. Colaiace concluded his report by stating that staff had a successful Annual Meeting on November 30, 2017 and he congratulated Princess Craig, a driver from MV Transportation in Santa Clarita, who won the Jerry Walker Commitment to Quality Service award. He also congratulated Terri Lantz from the United Cerebral Palsy Center and also a CAC committee member, who was awarded the Spirit of Accessibility Award.

#### **14. BOARD MEMBER COMMUNICATION**

Mr. Conrad wished everyone a happy and safe holiday season and he looked forward to seeing everyone in January 2018.

Ms. Gogreve also wished everyone happy holidays and stated that after TPAC meets on Thursday, December 14, 2017 the TPAC Strategic Plan subcommittee group was going to meet, so she will be reporting on the outcome of that meeting at the next Board meeting in January.

Director Barnes thanked the EOC team for stepping up and responding to the emergency. He also stated that the new graphics on the presentations were very nice with a nice fresh look. He concluded his comments by wishing everyone happy holidays.

Director Nason also wished everyone happy holidays and hoped that everyone would stay safe and healthy.

Treasurer Turner wished everyone happy holidays and thanked everyone who assisted with the wild fires over the past few days. She also stated that they received a report this morning that fire fighters have been out there fighting the fires for 14 days straight, so she knows how traumatic the situation was.

Vice Chair Ida also wished everyone happy holidays and thanked the EOC team and the Access contractors for their support during this traumatic time. He also thanked the customers because they were the reason why Access provided this service. He also thanked the customers that were present at today's meeting to provide their comments and concerns.

Secretary DeVera wished everyone happy holidays and thanked all the Access contractors who have helped her, provided her service and listened to her comments constructively.

Director Gombert thanked the entire Access team for the Annual Membership Meeting in November because he realizes how much work goes into an event like

that. He stated that those meetings do a great job of highlighting the very important work that we all do.

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

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

**ADJOURNMENT**

Motion made by Director Nason, Seconded by Treasurer Turner. Via voice vote all were in favor, motion passed. The meeting adjourned at 1:52 p.m.

Approval

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Theresa DeVera, Secretary

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Date

JANUARY 15, 2018

**TO: BOARD OF DIRECTORS**

**FROM: WILLIAM TSUEI, DIRECTOR OF INFORMATION TECHNOLOGY  
MICHAEL PASCUAL, MANAGER, PROCUREMENT AND CONTRACT  
ADMINISTRATION**

**RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - DATA  
SERVICES CONTRACT (AS-3705)**

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**ISSUE:**

Board action is required for the extension and increased funding of the data services contract AS-3705 with Telecom Management Services Inc. (TMSI).

**RECOMMENDATION:**

1. Authorize a one (1) year extension to the contract from June 1, 2018 to May 31, 2019.
2. Authorize an additional \$140,000 in funds thereby increasing the maximum contract value from \$470,000 to \$610,000.

**IMPACT ON BUDGET:**

These services are budgeted in the FY2017/18 budget and will be allocated appropriately in the FY2018/19 budget. There is no change in existing site rates for this extension.

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

**ALTERNATIVES CONSIDERED:**

No alternatives were considered. Staff is confident that 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 would be authorized, but not required, to negotiate and enter into a written extension of the existing contract upon terms and conditions no less favorable to Access Services than those proposed above. Access Services would not be legally bound to the extension herein proposed unless and until it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

**BACKGROUND:**

Access maintains a fiber network that utilizes Multiprotocol Label Switching (MPLS). This is a mature and secured standard technology that is designed for high performance data delivery and superior reliability with smart intelligence built-in for easy management. This network is the backbone that handles data traffic between Access' administrative offices and all of our service providers.

In accordance with procurement practices, this contract was procured through competitive pricing in May 2014 for a three-year term with an option of renewing the agreement for up to three one-year terms with Board approval. This is the second option year available with the contract.

JANUARY 15, 2018

**TO: BOARD OF DIRECTORS**

**FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR, FINANCE**

**RE: CONSIDERATION TO ESTABLISH AN AD HOC BUDGET  
SUBCOMMITTEE FOR FISCAL YEAR 2018/19**

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**ISSUE:**

In past years, the Board has established an Ad Hoc Budget Subcommittee to provide input and advise staff on the draft budget to be presented in June. Staff requests that the Board again authorize the appointment of up to four of its members to meet with staff to review and provide input on the draft budget that will be presented to the full Board in June 2018.

**RECOMMENDATION:**

Appoint Chair Nalini Ahuja, Vice Chair Art Ida, Treasurer Kim Turner, and Director Martin Gombert to serve on the Ad Hoc Budget Subcommittee to review the draft FY 2018/2019 Access Services operating budget and appoint Treasurer Turner as Chair of this committee.

**BUDGET IMPACT:**

There is no impact on the budget.

**BACKGROUND**

In order to facilitate Board participation and understanding of the operating budget, an ad hoc subcommittee of the Board should be established to review and advise staff regarding the proposed budget in preparation for the draft budget approval. This process has been helpful in the past and staff requests that the Board once again establish this ad hoc committee. Metro has requested a preliminary line item budget for Fiscal Year 2018/19 by March 1, 2018. It is anticipated that the Ad Hoc Budget Subcommittee will be part of the process of developing this "place holder" budget for Metro.

Beginning in March 2018, there will be two to three working sessions of the ad hoc subcommittee to discuss major cost centers of the budget. It is then anticipated that the ad hoc subcommittee would have a full budget review in May. Staff will subsequently present a final budget for approval during the June 2018 Board meeting, by which time it is anticipated that the annual Metro Memorandum of Understanding (MOU) regarding funding for FY2018/2019 will have been completed.

JANUARY 15, 2018

**TO: BOARD OF DIRECTORS**

**FROM: MIKE GREENWOOD, DEPUTY EXECUTIVE DIRECTOR, OPERATIONS & SAFETY**  
**RANDY JOHNSON, MANAGER, OPERATIONS**

**RE: CONSIDERATION TO APPROVE AUDIO RECORDING ON ACCESS VEHICLES**

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**ISSUE:**

Board approval is requested to enable the activation of audio recording on Access-owned and dedicated revenue vehicles.

**RECOMMENDATION:**

Authorize staff: (i) to implement a rider and driver information campaign; (ii) thereafter activate the audio recording capabilities of all SmartDrive equipped video cameras on the current 823 revenue vehicles and all additions or replacements.

**IMPACT ON BUDGET:**

Impact on the budget will be minor as the only expense will be supply costs (seat drop flyers and vehicle decals) which can be accommodated within the existing FY 2018 budget.

**ALTERNATIVES CONSIDERED:**

No alternatives were considered.

**EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

If this staff recommendation is approved by the Board, staff will implement an informational campaign to inform riders and drivers that audio recording will take place on Access vehicles. A software update to each vehicle's camera, enabling audio recording, would follow.

## **BACKGROUND:**

Access began recording video on its vehicles in 2010 with the implementation of the SmartDrive video system. A decision was made at the time to not enable the audio recording function, citing rider privacy. However, in recent years, the videotaping of most public spaces has become commonplace. Public transit vehicles are no exception and many transit agencies in California are recording both video and audio in their vehicles. In recent years, staff has found it challenging to thoroughly investigate certain in-vehicle incidents without audio recording. Staff anticipates that audio will be helpful in investigating complaints and mitigating inappropriate driver and rider behavior.

The enabling of audio recording was among the short-term recommendations of the Comprehensive Operational Review. Audio recording has also been reviewed by Legal Counsel, who considered Federal and California privacy laws and other factors. The proposed enabling of audio recording was reviewed by both the CAC and TPAC in December and was received favorably.

If approved, an informational campaign will be rolled out in late January and will include:

- Messaging on the reservation line describing the change;
- A seat drop flyer describing the change;
- A website bulletin describing the change;
- Updating the eligibility safety orientation script;
- Inclusion in the next update to the Rider's Guide; and
- Informational decals placed on vehicles.

It is anticipated that audio recording can be activated in the first week of March 2018. Access' Video Surveillance Chain of Custody Policy will also be updated to incorporate Counsel's recommendations.

The following memo, prepared at the request of Legal Counsel, documents staff's justification for this change.

To James E. Jones  
Counsel

From Mike Greenwood  
Deputy Executive Director  
Operations & Safety

Date 1.10.18

Subject Audio Recording on Vehicles

Staff is seeking Board approval to activate the audio feature on the SmartDrive Camera System, in Access owned and dedicated vehicles. Staff has determined that the enabling of audio will enhance rider and driver safety, and be helpful in investigating complaints and mitigating inappropriate rider and driver behavior. Enabling audio was on the list of short-term recommendations in the recently completed Comprehensive Operations Review (COR). The COR revealed that Access was among the few comparable peer agencies that were not utilizing the audio capability.

Given that most of the engagement and interaction with our riders occurs in the vehicle, Access' greatest insurance expense is with vehicle claims. The availability of audio would be of great assistance with investigating and settling claims. In addition, the majority of actionable incidents that require an investigation happen inside the vehicle:

- Sexual harassment allegations
- Rider-to-rider incidents
- Driver-to-rider incidents
- Rider-to-driver assaults
- Complaints against drivers
- Cell phone usage
- Rider (or PCA) policy or conduct violations

It behooves Access to take advantage of the audio feature, to get as complete a picture as possible to assist with investigations, to resolve disputes, and promote rider and driver safety on our vehicles. The on-board camera system equipment not only assists with determination of fault with vehicle collisions, and corroborates rider injury claims, it also serves as an on-

board supervisor to assess driver training. Agencies that use audio recording, often promote that it is a deterrent to rider-abuse against drivers, and should reduce driver complaints, as drivers will be less likely to make rude or inappropriate comments if they are being recorded.

The proposed activation of audio recording was reviewed by both the CAC and TPAC in December and was received favorably.

Counsel reviewed the issue of audio recording on transit vehicles. California Penal Code 632 provides limitations to audio recording of confidential communications without consent subject to certain enumerated exceptions. Constitutional and common law based rights of privacy are implicated in recording private communications. The public transit industry, however, has widely endorsed the use of video and audio surveillance in recent years on the basis that there can be no reasonable expectation of privacy on public transit vehicle.

Access intends to take extensive steps to educate riders on the presence of audio recording. Additionally, Access intends to modify its Video Surveillance Policy to include audio recording and apply additional safeguards against inappropriate access, use of, and storage of audio recordings. The data collected through the recording system is subject to strict protocols designed to protect the content of the recordings from scrutiny absent reasonable cause and to restrict access to the recordings to those with a need to know.

If approved, the informational campaign will be rolled out in late January and will include:

- Messaging on the reservation line describing the change;
- A seat drop flyer describing the change;
- A website bulletin describing the change;
- Updating the eligibility safety orientation script;
- Inclusion in the next update to the Rider's Guide; and
- Informational decals placed on vehicles.

JANUARY 15, 2018

**TO: BOARD OF DIRECTORS**

**FROM: WILLIAM TSUEI, DIRECTOR, INFORMATION TECHNOLOGY  
MICHAEL PASCUAL, MANAGER, PROCUREMENT AND CONTRACT  
ADMINISTRATION**

**RE: CONSIDERATION TO AWARD CONTRACT FOR VOICE OVER  
INTERNET PROTOCOL SYSTEM (AS-4055)**

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**ISSUE:**

Board approval is required for the selection of a firm to provide a Voice Over Internet Protocol (VoIP) phone system.

**RECOMMENDATION:**

Authorize staff to execute a three (3) year base contract beginning February 1, 2018 and ending January 31, 2021 with Packet Fusion in an amount not-to-exceed \$273,757.71.

**IMPACT ON BUDGET**

The cost for these services is programmed in the FY2018-FY2021 budgets. If staff exercises the option years, the cost will be programmed in the appropriate year's budget request. The not-to-exceed contract amount is comprised of contractor's cost proposal of \$248,870.65 plus a 10% contingency amount of \$24,887.06. The contingency is necessary for this new technology since unexpected costs not reasonably foreseen by staff may occur in the implementation stage of the project.

The Request for Proposal provides for up to two (2) one-year extensions so, following the successful completion of the three-year base period, Access may request that the Board grant a one-year extension of this agreement based on rates set forth in the proposal for the option years.

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

## ALTERNATIVES CONSIDERED

### VoIP Project Financial Analysis

	Per Year	3 Years
<b>Projected Telecommunication Related Expense Savings:</b>		
Telecommunication expense savings	\$1,000,000	\$3,000,000
Telecommunication services fees savings	\$120,000	\$360,000
<b>Total projected telecommunication savings</b>	<b>\$1,120,000</b>	<b>\$3,360,000</b>
<b>Projected VoIP Systems Related Costs:</b>		
VoIP solution implementation costs/annual support (3 years)		\$273,758
New data network annual fees	\$120,000	\$360,000
Network equipment costs (one time charge)		\$60,000
New data network implementation services costs (one time charge)		\$30,000
Network equipment annual support licenses	\$25,000	\$75,000
<b>Total projected VoIP system related costs</b>		<b>\$798,758</b>
<b>Total Projected Project Savings (\$3,360,000-\$798,758)</b>		<b>\$2,561,242</b>
<b>Projected VoIP project ROI over 3 years period</b>		<b>76%</b>
<b>Projected VoIP project payback period</b>		<b>8.64 months</b>

Staff conducted a thorough analysis, projecting the total implementation costs, potential savings on the telecommunication expenses, return on investment (ROI) and payback period. While the current phone systems and contracts could be extended, the potential cost savings are compelling reasons to undertake this project.

### EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

Staff requests authorization from the Board to negotiate a contract with Packet Fusion on terms that are no less favorable to Access Services than those proposed herein. Access Services would not be legally bound to this contract unless it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

### BACKGROUND

Access' 800 toll-free service for reservations, contracted through TMSI/Verizon, allows riders to select via a menu the service provider they wish to book a trip with. The system

also allows for the rider, if they are traveling between regions, to be transferred to another service provider without the need to hang up and redial the 800 number. The contract for this service, which costs \$1.9 million annually, expires July 31, 2018. Migrating to a VoIP system will continue to provide these features but at a lower cost for the agency compared to the current system. Additionally, the recently-completed Comprehensive Operational Review stated that, *"...it may make sense for Access to begin planning for a future in which there is only a single phone system hosted in the cloud, as that approach will provide the most flexibility and functionality for the role of the phone system in the overall technology solution."* This reasoning, along with the projected cost savings outlined in the section above, has prompted staff to move forward with procuring a new system.

A Request for Proposals (RFP) was issued on October 18, 2017 to all vendors registered on the Access website. The RFP was also posted on Access' eProcurement system called Public Purchase. Questions from potential proposers were received and one (1) addenda was issued.

Four (4) proposals were received by the deadline from: (a) ConvergeOne, (b) IntelesysOne; (c) Packet Fusion; and (d) Vector USA. All proposals were reviewed and were deemed responsive and responsible to the RFP. Proposals were evaluated using the following criteria:

- 1) Quality of Technical Approach - 40 pts.
- 2) Qualifications of the Firm - 20 pts.
- 3) Cost/Price Proposal (Including BAFO) - 40 pts.

ConvergeOne is a Minnesota corporation that is a provider of advanced technology solutions, IT lifecycle and network infrastructure services with offices located in Ontario, California. ConvergeOne has been in business for over 22 years and serves several municipal governments, school and water districts and an association of governments. ConvergeOne is a Cisco Gold Partner.

IntelesysOne is a California corporation headquartered in Ontario, California. IntelesysOne has been in business for 36 years and specializes in municipal agencies such as the Cities of Santa Clarita and Rancho Cucamonga, the Anaheim Union School District and the Antelope Valley Transit Authority (AVTA).

Packet Fusion, Inc. is a California corporation headquartered in Pleasanton, California. The company has been in business since 2001 and currently provides telecommunication services to Sunline Transit Agency, Victor Valley Transit Authority and Paratransit, Inc. (the designated CTSA in Sacramento).

Vector Resources, Inc., dba VectorUSA, is California corporation headquartered in Torrance, California. VectorUSA has been in business since 1988 and has been providing a wide variety of technology-based voice/data communication services to diverse customers such as school districts, universities, major hospitals and shipping and logistics companies.

To review the proposals, an evaluation panel was formed comprised of two (2) Access in-house staff and three (3) outside raters who are from Access member agencies.

The four (4) proposers were scored are as follows:

<b>PROPOSER</b>	<b>TECHNICAL</b>	<b>COST SCORE</b>	<b>TOTAL SCORE</b>
IntelesysOne	45.80	40.00	85.80
Packet Fusion	50.08	32.74	82.82
VectorUSA	48.08	22.41	70.49
ConvergeOne	47.44	16.35	63.79

\* Cost Score is determined by using the following formula:

Points = Lowest Cost Proposal ÷ Cost Proposal of Proposer Under Consideration x 100%

**COST PROPOSAL SUMMARY:**

<b>PROPOSER</b>	<b>COST PROPOSAL RANKING FROM LOWEST TO HIGHEST (BASE YEARS ONLY)</b>
IntelesysOne	\$203,692.40
Packet Fusion, Inc.	\$248,870.65
VectorUSA	\$363,496.55
ConvergeOne	\$498,251.05

Although IntelesysOne received the highest total score, it received the lowest technical score among the four (4) proposers. Packet Fusion, on the other hand, had the highest technical score and the second highest total score. Although Packet Fusion’s proposed cost is higher, staff believes their technical approach is the better value for Access. The following are reasons why Packet Fusion has better technical capabilities:

1. Packet Fusion is a Platinum partner of Mitel Connect.
2. Their proposed solution is best suited to not only to replace the existing system, but also to provide future scalability.

3. They are the only vendor to provide a detailed project plan outlined with tasks, deliverables and timeline.
4. They have extensive public transit VoIP implementation experience, including Sacramento's paratransit services.
5. They have received several industry awards proving their technical capabilities.
6. The engineering team members assigned to the project have extensive telecommunication/VoIP system implementation experience.

Based on this, staff recommends awarding contract AS-4055 to Packet Fusion for the period and under the terms specified above. In addition, this recommendation to award the contract to Packet Fusion is conditioned upon Board approval and acceptance by Packet Fusion of Access form agreement without any revisions, changes or modifications.

Packet Fusion, as the recommended vendor, shall be tasked with the following assignments for this contract:

1. Provide hardware, software, maintenance and service support;
2. Provide automated attendant/caller menu application;
3. Provide Session Initiation Protocol (SIP) trunking;
4. Provide interfaces at each service provider location;
5. Provide caller menu reporting;
6. Provide unified communications and messaging;
7. Other tasks reasonably related to the provision of VoIP services.

In conjunction with the VoIP system implementation, staff will be establishing a new data network to carry the VoIP traffic. This data network will also be available as a redundant data path to Access' existing data network. The advantages of establishing this secondary data network are:

1. Provide data network redundancy in case the primary data network fails;
2. Reduce the risk of interference with the existing data network and allow easier diagnosis of the VoIP system;
3. Balance the data traffic to avoid data bandwidth congestion;
4. Provide a high availability network environment that is scalable for future growth.

This new data network will be procured based on the California State Contract, National Association of State Procurement Officials (NASPO) ValuePoint Cooperative Purchasing Organization Contract (formally, Western States Communication Association (WSCA) - NASPO Contract or General Services Administration (GSA) Schedule 70 List. Additionally, staff will procure the local, long distance and 800 toll free services that are necessary to carry calls to and from the new system. This includes

the Customer Service and TDD toll-free numbers. Staff will also bring these items to the Board for approval.

#### Next Steps

1. VoIP project implementation will start in February 2018 and go live in June 2018;
2. The data network will start in March 2018 and go live in early May 2018.

In the event of a schedule delay, staff will negotiate with the existing vendor to provide services on a month-to-month basis.

JANUARY 15, 2018

**TO: BOARD OF DIRECTORS**

**FROM: ERIC HAACK, STRATEGIC PLANNER  
MICHAEL PASCUAL, MANAGER, PROCUREMENTS AND CONTRACTS  
ADMINISTRATION**

**SUBJECT: CONSIDERATION TO AWARD CONTRACT FOR TRAVEL TRAINING  
SERVICES (AS-4051)**

**ISSUE:**

Board approval is required for the selection of a firm to conduct travel training services of Access eligible customers beginning on March 1, 2018.

**RECOMMENDATION:**

Authorize staff to execute a three (3) year base contract beginning March 1, 2018 and ending February 28, 2021 with Mobility Management Partners (MMP) in an amount not to exceed \$2,558,063.

The rates for the three year term are as follows -

	3/2018-2/2019	3/2019-2/2020	3/2020-2/2021
Fixed Monthly	\$22,496.84	\$23,171.74	\$23,866.89
Travel Training per Individual	\$1,353.06	\$1,393.65	\$1,435.46
Travel Training per Group	\$1,524.92	\$1,570.67	\$1,617.79
Post Eligibility Follow-Up per Call	\$6.84	\$7.05	\$7.26

In comparison to the previous contract, the first year rates represent a 9.6% increase. The second and third year rates rise 3% annually.

## **IMPACT ON BUDGET**

The cost for these services is programmed in the current FY 2018 budget and will be programmed in future years budget for FY 2019 through FY2021. The funding for will come from Prop C 40 Local and Measure M funds.

## **ALTERNATIVES CONSIDERED**

No alternatives were considered. Travel training services are an important tool in reducing overall paratransit trip demand by providing specialized instruction to customers on how to safely and effectively use local public transit resources. These services also provide additional mobility options to our customers and enhance their independence.

Travel training is a specialized field that requires extensive experience in working with persons with physical and cognitive disabilities. Staff does not possess the expertise to perform this function in-house.

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

Staff requests authorization from the Board to negotiate a contract with Mobility Management Partners (MMP) on terms that are no less favorable to Access Services than those proposed herein. Access Services would not be legally bound to this contract unless it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

## **BACKGROUND**

Access Services has had a Travel Training Program since 2005. The program has been available to those Access Services clients that have gone through the eligibility process. The program has effectively trained thousands of clients to use fixed route bus and rail services throughout Los Angeles County. Trainees are typically given individual training that emphasizes the skills required to ride the fixed route; travel planning; and extensive practice in the use of the fixed route system.

In light of the passage of the Measure M sales tax guidelines and their mandate to increase the number of individuals who benefit from Travel Training instruction, staff expanded the scope from 120 to 300 individual trainings per year.

Individual Travel Training provides one-on-one instruction with an instructor and an Access-eligible customer (and their personal care assistant if desired). The bus and/or

rail route utilized is one that is designed to get the customer to a destination that they regularly visit.

Access staff has regularly analyzed the results of travel training through post-training data provided by Access' contractor as well as examining Access trip and Free Fare TAP data. The results generally show that customers who complete travel-training sessions will use fixed route resources for some of their trips and utilize paratransit resources less frequently than the average paratransit customer.

For example, studying the patterns of graduates from one-on-one travel training sessions in FY 2017, the 128 Access-eligible customers took approximately 17,500 fixed route trips during the fiscal year according to TAP data. This resulted in a savings of nearly \$612,500 assuming that one fixed-route trip replaced a comparable \$35 paratransit trip. Additionally, these Travel trained customers on average used Access just under 2.4 times per month. This was far less than the average 8.5 trips per month, which is the average for Access customers who take paratransit trips.

A Request for Proposals (RFP) was issued on September 27, 2017 to all vendors registered on Access' website. The RFP was also posted on Access' eProcurement system called Public Purchase. Questions from potential proposers were received and two (2) addenda were issued.

Three (3) proposals were received: (a) Innovative Paradigms (a division of Paratransit, Inc.), (b) Medical Transportation Management (MTM); and (c) Mobility Management Partners (MMP). All proposals were reviewed and were deemed responsive and responsible to the RFP. Proposals were evaluated using the following criteria:

- 4) Qualifications and Availability of Proposed Staff - 40 pts.
- 5) Quality of Technical Approach - 30 pts.
- 6) Qualifications of the Firm - 10 pts.
- 7) Financial Qualifications of the Proposer - 5 pts.
- 8) Cost/Price Proposal (Including BAFO) - 15 pts.

Innovative Paradigms is the consulting and contract services division of Paratransit, Inc., a non-profit entity and the ADA paratransit service provider for Sacramento County.

Medical Transportation Management (MTM) is a Missouri corporation that has been in business since 1995. MTM provides functional assessments, travel training, customer service operations and transportation brokerage services to several public transit agencies.

Mobility Management Partners (MMP) is a private, non-profit company headquartered in Camarillo, California. MMP provides eligibility certification, travel training, community outreach and marking/tethering services. MMP is the current provider of Access' Travel Training program. MMP's clients include the Ventura County Transportation Commission (VCTC), Orange County Transportation Authority (OCTA) and Los Angeles Metro.

An evaluation panel was formed comprised of two (2) Access in-house staff and one (1) outside rater who is from an Access member agency.

All three (3) proposers were invited to interview with the evaluation panel. After the interviews, best-and-final offers were requested from all three (3) proposers. The resulting scores are as follows:

<b>PROPOSER</b>	<b>TECHNICAL</b>	<b>COST SCORE AFTER BAFO *</b>	<b>TOTAL SCORE</b>
Mobility Management Partners (MMP)	76.40	15.00	91.40
Innovative Paradigms	60.80	12.82	73.62
Medical Transportation Management (MTM)	50.43	9.07	59.51

\* Cost Score is determined by using the following formula taking into account the proposed costs for both the base year and the two (2) option years:

Points =  $\frac{\text{Lowest Cost Proposal}}{\text{Cost Proposal of Proposer Under Consideration}} \times 100\%$

**COST PROPOSALS SUMMARY:**

<b>PROPOSER</b>	<b>COST PROPOSAL RANKING FROM LOWEST TO HIGHEST (BASE YEARS ONLY)</b>
Mobility Management Partners (MMP)	\$2,558,063
Innovative Paradigms	\$3,029,769
Medical Transportation Management (MTM)	\$4,349,947

Based upon receiving the highest total score among the three (3) proposers, staff recommends award of contract AS-4051 to Mobility Management Partners for the period and under the terms specified above.

The successful bidder will be tasked with the following assignments for Access Services under their contract:

- 1) Individual Travel Training - MMP will be responsible for conducting three-hundred (300) one-on-one individual travel trainings annually. These trainings will provide instruction and in-the-field experience to Access-eligible customers to develop the skills and confidence necessary to use accessible fixed route public transportation. MMP will also conduct follow-up telephone surveys with graduates of the individual travel training programs at 1 week, 1 month, 2 month and 6 month intervals to respond to any questions the graduate may have and to record the frequency that the graduate is using fixed route following the training.
- 2) Post-Eligibility Evaluation Follow-Up Calls - MMP will be responsible for conducting seventy-five (75) completed telephone calls per weekday (up to 19,500 calls per year) of applicants who recently went through the Access paratransit eligibility process. MMP educates and informs these applicants regarding all transit options available to them that they may not have been aware of when initially applying for Access.
- 3) Optional Task: Group Travel Training - Access may request MMP to provide up to twelve (12) group travel-training workshops per year if a community, social service agency, or similar organization asks for a workshop. Group travel training includes classroom and practical application sessions.

MMP will also provide monthly documentation of the results of their Individual Travel Trainings, post-training telephone surveys, and Post-Eligibility Evaluation calls. This data will provide insight into Access' ongoing evaluation on the success of the Travel Training program.

The Request for Proposal provides for up to two (2) one-year extensions following the successful completion of the three-year base period. Staff may request the Board to grant a one-year extension of the contract based on rates set forth in MMP's proposal for the option years.

JANUARY 15, 2018

**TO: BOARD OF DIRECTORS**

**FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR, FINANCE  
BRUCE FRINK, SENIOR MANAGER, FINANCE**

**RE: CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS,  
INCREASE OF FUNDS AND SCOPE OF WORK CHANGES FOR SAN  
FERNANDO VALLEY REGION SERVICE PROVIDER CONTRACT (AS-3341)**

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**ISSUE:**

At the May 2016 and December 2016 Board meetings, the Board approved certain adjustments to the providers' contracts that addressed impacts related to the implementation of the Affordable Care Act (ACA) and recently passed minimum wage laws. Full wage compression adjustments were made based on the number of drivers on file as of February 2016 for each of the minimum wage increases that went into effect July 1, 2016 and July 1, 2017. There is a new minimum wage threshold of \$13.25 per hour that will take effect on July 1, 2018 which this item addresses.

A secondary issue stems from the fact that this region's contract is currently out to bid and the five-year base term is scheduled to end on July 31, 2018. This is a sub-optimal time for a transition to occur between providers due to high trip volume, should that be the outcome of the RFP process.

**RECOMMENDATION:**

Authorize the addition of funds by \$1,127,330 and a change in the fixed rate, the variable per trip rates and a change in the scope of work to add liquidated damages for ETA Calls for the Northern Region Service Provider, MV Transportation, Inc.

Authorize the extension of the base contract by up to four months through November 30, 2018 so that a provider transition, should that become necessary, can occur during a period of non-peak rider demand.

The rates are as follows:

	Year 5 7/1/2018- 11/30/2018
Variable per trip	\$27.70
% change from old rate	4.6%
Fixed Monthly Fee	\$572,953
% change from old rate	3.2%

The liquidated damage thresholds for ETA calls, effective July 1, 2018, is:

KPI	CONTRACTUAL STANDARD	LD THRESHOLD	PROPOSED LD
Telephone Hold Time - ETA Calls	The percentage of ETA calls that are on hold five minutes or longer before being answered.	10%	\$5K - >10.0%-15.0% \$10K - 15.1%-20.0% \$25K - exceeds 20.0%

**IMPACT ON BUDGET:**

The system-wide cost of the adjustment effective July 1, 2018 is \$5,445,346, of which \$1,127,330 is associated with the San Fernando Valley Service Region.

The funding for these services in FY 2019 comes from a combination of Federal Section 5310 Grant and Prop C Discretionary Funds. In FY 2019, the impact of these revised rates will be incorporated into the budget process.

This action will result in an increase in the previously approved contract amount of \$107,580,090 to \$108,707,420.

Staff performed a detailed analysis of the original proposal submitted by the contractor in terms of the impact that increases in the minimum wage have had on wages. The analysis provided the framework to establish the new rates for the affected contract years. The rate changes equate to adding \$1.25/hour to each tier of the driver wage scale only effective July 1, 2018 for the equivalent of 229 Driver FTEs. For the Fixed Fee portion, a total of 48 Back-office staff were found to be at a wage under \$13.25. The proposed adjustment will enable the provider to raise the hourly wage for those staff up to the new minimum wage of \$13.25 on July 1, 2018. Additionally, a total of

one (1) new CSR FTE was added to assist in meeting the new KPI for the ETA Call Queue.

**ALTERNATIVES CONSIDERED:**

If the rate changes related to wage compression due to minimum wage increases are not approved, then the service provider would continue to operate under the rates previously approved by the Board. However, this forces our service providers to bear the burden of these minimum wage changes which were not anticipated when the contracts were entered into. This may also have a negative effect on the retention of experienced drivers who are essential to providing a quality, efficient paratransit service. Based on the negotiated rates and the successful performance of the contract itself, staff believes the recommendation to be 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 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:**

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.

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

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

These changes could not have been reasonably anticipated by the service providers at the time their individual contracts were procured. The Board Budget Subcommittee met on October 10, 2016 to discuss the issue of wage compression. Their recommendation was to authorize rate adjustments based on the service provider driver employee population in conjunction with the July 1, 2016 and July 1, 2017 minimum wage law changes. It is important to note that these adjustments were for Fiscal Years 2017 and 2018 only. This item addresses the impact of the new requirement going into effect on July 1, 2018.

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JANUARY 15, 2018

**TO: BOARD OF DIRECTORS**

**FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR, FINANCE  
BRUCE FRINK, SENIOR MANAGER, FINANCE**

**RE: CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS,  
INCREASE OF FUNDS AND SCOPE OF WORK CHANGES FOR EASTERN  
REGION SERVICE PROVIDER CONTRACT (AS-3421)**

**ISSUE:**

At the May 2016 and December 2016 Board meetings, the Board approved certain adjustments to the providers’ contracts that addressed impacts related to the implementation of the Affordable Care Act (ACA) and recently passed minimum wage laws. Full wage compression adjustments were made based on the number of drivers on file as of February 2016 for each of the minimum wage increases that went into effect July 1, 2016 and July 1, 2017. There is a new minimum wage threshold of \$13.25 per hour that will take effect on July 1, 2018 which this item addresses.

**RECOMMENDATION:**

Authorize the addition of funds by \$1,680,802, a change in the fixed rate, the variable per trip rates and a change in the scope of work to add liquidated damages for ETA Calls for the Eastern Region Service Provider, San Gabriel Transit.

The rates are as follows:

	Year 5 7/1/2018-3/31/2019
Variable per trip	\$28.57
% change from old rate	2.3%
Fixed Monthly Fee	\$679,851
% change from old rate	6.5%

The liquidated damage thresholds for ETA calls, effective July 1, 2018, is:

KPI	CONTRACTUAL STANDARD	LD THRESHOLD	PROPOSED LD
Telephone Hold Time - ETA Calls	The percentage of ETA calls that are on hold five minutes or longer before being answered.	10%	\$5K - >10.0%-15.0% \$10K - 15.1%-20.0% \$25K - exceeds 20.0%

**IMPACT ON BUDGET:**

The system-wide cost of the adjustment effective July 1, 2018 is \$5,445,346, of which \$1,680,802 is associated with the Eastern Service Region.

The funding for these services in FY 2019 comes from a combination of Federal Section 5310 Grant and Prop C Discretionary Funds. In FY 2019, the impact of these revised rates will be incorporated into the budget process.

This action will result in an increase in the previously approved contract amount of \$161,914,066 to \$163,594,868.

Staff performed a detailed analysis of the original proposal submitted by the contractor in terms of the impact that increases in the minimum wage have had on wages. The analysis provided the framework to establish the new rates for the affected contract years. The rate changes equate to adding \$1.25/hour to each tier of the driver wage scale only effective July 1, 2018 for the equivalent of 183 Driver FTEs. For the Fixed Fee portion, a total of 72 Back-office staff were found to be at a wage under \$13.25. The proposed adjustment will enable the provider to raise the hourly wage for those staff up to the new minimum wage of \$13.25 on July 1, 2018. Additionally, a total of two (2) new CSR FTEs were added to assist in meeting the new KPI for the ETA Call Queue.

**ALTERNATIVES CONSIDERED:**

If the rate changes related to wage compression due to minimum wage increases are not approved, then the service provider would continue to operate under the rates previously approved by the Board. However, this forces our service providers to bear the burden of these minimum wage changes which were not anticipated when the contracts were entered into. This may also have a negative effect on the retention of experienced drivers who are essential to providing a quality, efficient paratransit

service. 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 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**

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.

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

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

These changes could not have been reasonably anticipated by the service providers at the time their individual contracts were procured. The Board Budget Subcommittee met on October 10, 2016 to discuss the issue of wage compression. Their recommendation was to authorize rate adjustments based on the service provider driver employee population in conjunction with the July 1, 2016 and July 1, 2017 minimum wage law changes. It is important to note that these adjustments were for Fiscal Years 2017 and 2018 only. This item addresses the impact of the new requirement going into effect on July 1, 2018.

JANUARY 15, 2018

**TO: BOARD OF DIRECTORS**

**FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR, FINANCE  
BRUCE FRINK, SENIOR MANAGER, FINANCE**

**RE: CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS,  
INCREASE OF FUNDS AND SCOPE OF WORK CHANGES FOR  
SOUTHERN REGION SERVICE PROVIDER CONTRACT (AS-2967)**

**ISSUE:**

At the May 2016 and December 2016 Board meetings, the Board approved certain adjustments to the providers’ contracts that addressed impacts related to the implementation of the Affordable Care Act (ACA) and recently passed minimum wage laws. Full wage compression adjustments were made based on the number of drivers on file as of February 2016 for each of the minimum wage increases that went into effect July 1, 2016 and July 1, 2017. There is a new minimum wage threshold of \$13.25 per hour that will take effect on July 1, 2018 which this item addresses.

**RECOMMENDATION:**

Authorize the addition of funds by \$2,637,214 and a change in the fixed rate, the variable per trip rates and a change in the scope of work to add liquidated damages for ETA Calls for the Southern Region Service Provider, Global Paratransit, Inc.

The rates are as follows:

	Year 7 7/1/2018 - 8/31/2018	Year 8 9/1/2018- 6/30/2019
Variable per trip	\$26.76	\$27.32
% change from old rate	2.9%	2.6%
Monthly Fixed Fee:	\$764,573	\$774,574
% change from old rate	11.3%	11.4%

The liquidated damage thresholds for ETA calls, effective July 1, 2018, is:

KPI	CONTRACTUAL STANDARD	LD THRESHOLD	PROPOSED LD
Telephone Hold Time - ETA Calls	The percentage of ETA calls that are on hold five minutes or longer before being answered.	10%	\$5K - >10.0%-15.0% \$10K - 15.1%-20.0% \$25K - exceeds 20.0%

### **IMPACT ON BUDGET**

The system-wide cost of the adjustment effective July 1, 2018 is \$5,445,346, of which \$2,637,214 is associated with the Southern Service Region.

The funding for these services in FY 2019 comes from a combination of Federal Section 5310 Grant and Prop C Discretionary Funds. In FY 2019, the impact of these revised rates will be incorporated into the budget process.

This action will result in an increase in the previously approved contract amount of \$280,603,082 to \$283,240,296.

Staff performed a detailed analysis of the original proposal submitted by the contractor in terms of the impact that increases in the minimum wage have had on wages. The analysis provided the framework to establish the new rates for the affected contract years. The rate changes equate to adding \$1.25/hour to each tier of the driver wage scale only effective July 1, 2018 for the equivalent of 256 Driver FTEs. For the Fixed Fee portion, a total of 89 Back-office staff were found to be at a wage under \$13.25. The proposed adjustment will enable the provider to raise the hourly wage for those staff up to the new minimum wage of \$13.25 on July 1, 2018. Additionally, a total of five (5) new CSR FTEs were added to assist in meeting the new KPI for the ETA Call Queue.

### **ALTERNATIVES CONSIDERED:**

If the rate changes related to wage compression due to minimum wage increases are not approved, then the service provider would continue to operate under the rates previously approved by the Board. However, this forces our service providers to bear the burden of these minimum wage changes which were not anticipated when the contracts were entered into. This may also have a negative effect on the retention of experienced drivers who are essential to providing a quality, efficient paratransit

service. Based on the negotiated rates and the successful performance of the contract itself, staff believes the recommendation to be 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 Paratransit 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**

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.

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

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

These changes could not have been reasonably anticipated by the service providers at the time their individual contracts were procured. The Board Budget Subcommittee met on October 10, 2016 to discuss the issue of wage compression. Their recommendation was to authorize rate adjustments based on the service provider driver employee population in conjunction with the July 1, 2016 and July 1, 2017 minimum wage law changes. It is important to note that these adjustments were for Fiscal Years 2017 and 2018 only. This item addresses the impact of the new requirement going into effect on July 1, 2018.

JANUARY 15, 2018

**TO: BOARD OF DIRECTORS**

**FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR, FINANCE  
BRUCE FRINK, SENIOR MANAGER, FINANCE**

**RE: CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS,  
INCREASE OF FUNDS AND SCOPE OF WORK CHANGES FOR WEST  
CENTRAL REGION SERVICE PROVIDER CONTRACT (AS-2364)**

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**ISSUE:**

At the May and December 2016 Board meetings, the Board approved certain adjustments to the providers’ contracts that addressed impacts related to the implementation of the Affordable Care Act (ACA) and recently passed minimum wage laws. However, the rate for the final four months of the contract for the West Central region was miscalculated and needs to be modified to adequately fulfill the intent of the Board’s desire to address the impact of the minimum wage legislation.

**RECOMMENDATION:**

Authorize the addition of funds by \$110,689 and a change in the variable per trip rates.

The rate is as follows:

	Year 10 7/1/2017 - 10/31/2017
Variable per trip rate	\$29.94
% change	2.0%

**IMPACT ON BUDGET:**

The funding for these services in FY 2018 comes from a combination of Federal Section 5310 Grant and Prop C Discretionary Funds.

This action will result in an increase in the previously approved contract amount of \$153,107,062 to \$153, 217,751.

**ALTERNATIVES CONSIDERED:**

None

**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 California 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 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:**

Typically, staff calculates the new rate change to reflect the impact of the wage compression adjustment by dividing the total wage compression adjustment by the forecasted number of trips. The total wage compression adjustment is calculated by multiplying the number of drivers by the amount of the change in minimum wage, which for FY 2018 was \$1.50. In case of this provider the contract for this region ended after four months into the fiscal year so an adjustment to the total pool needed to occur. However, the adjustment was made in two places in the mathematical formula, thereby artificially reducing the intended increase to the trip rate. This item seeks to change the rate to what it should have been set at in the original Board item of December 2016.

JANUARY 15, 2018

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

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**ISSUE:**

The following items are tentatively scheduled to be addressed by the Board through April 2018 at the regularly scheduled Board meetings.

**February 26, 2018**  
***Board Meeting - El Monte***

<b>Agenda Items:</b>	<b>Disposition:</b>
Santa Clarita Service Region Contract Award	Action
San Fernando Service Region Contract Award	Action
Legal Services Contract Award	Action
Strategic Plan	Action

**March 26, 2018**  
***Board Meeting - El Monte***

<b>Agenda Items:</b>	<b>Disposition:</b>
Engineering/Consulting Services Contract Extension	Action
Software Licensing Contract Extension	Action
Passenger Opinion Survey Services Contract Extension	Action

**April 23, 2018**  
**Board Meeting - El Monte**

<b>Agenda Items:</b>	<b>Disposition:</b>
Vehicle Inspection Services Contract Extension	Action
Renewal of Employee Health and Benefit Insurance Contracts	Action