

access

BOARD OF DIRECTORS MEETING
MONDAY, JANUARY 23, 2017
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, 3rd Floor
Los Angeles CA 90012

MISSION STATEMENT

Access Service 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.

7233 La Palmas Drive
Fontana, CA 92336

| | <u>DISPOSITION</u> |
|--|-----------------------------------|
| 1. CALL TO ORDER | ACTION |
| 2. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS | |
| 3. CLOSED SESSION | DISCUSSION/ POSSIBLE ACTION |
| A) <i>CONFERENCE WITH LEGAL COUNSEL: CAL. GOV. CODE §54956.9</i> | |
| 1. <i>Anticipated Litigation: Gov. Code §54956.9 (b)</i> | |

- (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:

- (i) *Erik Washington v. Access Services LASC # BC645044*
- (ii) *Lynch v. Access Services et al LASC # KC068609*
- (iii) *Reynaga v. LACMTA, Access et al. BC673040*

B) CALIFORNIA GOV. CODE §54957 - GENERAL COUNSEL

1. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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|----|--|--|
| 4. | SUPERIOR SERVICE AWARD | PRESENTATION |
| 5. | REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON DECEMBER 12, 2016 (page 5) [Staff Recommendation: Approve minutes as written.] | ACTION [Vote Required: majority of quorum by roll call] |
| 6. | REPORT FROM EX-OFFICIO BOARD MEMBERS | INFORMATION |
| 7. | GENERAL PUBLIC COMMENT | INFORMATION |
| 8. | CONSENT CALENDAR | ACTION [Vote Required: majority of quorum by roll call] |
| | a) Consideration to Extend Term and Increase Funds - Voice Telecommunications Contract (AS-3205) (page 13) | |
| | b) Consideration to Extend Term and Increase Funds - Mobility Device Marking Services Contract (AS-4010) (page 15) | |
| | c) Consideration to Establish an Ad Hoc Budget Subcommittee for Fiscal Year 2017/18 (page 17) | |
| | d) Consideration to Extend Term and Increase Funds - General Counsel (AS-3243) (page 19) | |

- e) Consideration to Appoint Community Advisory Committee Member (page 22)

[Staff Recommendation: Approve Consent Calendar]

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| <p>9. CONSIDERATION TO APPROVE CONTRACT RATE MODIFICATIONS, INCREASE FUNDS AND EXTEND TERM OF SANTA CLARITA REGION SERVICE PROVIDER CONTRACT (AS-2602) (page 24)</p> <p>[Staff Recommendation: Authorize an additional \$1,200,000 in funds, a change of rates, and an extension in the period of performance for one year, from August 4, 2017 through August 3, 2018 for Contract AS-2602 with the City of Santa Clarita, (see item for rates).]</p> | <p>PRESENTATION/ ACTION [Vote required: majority of quorum by roll call]</p> |
| <p>10. MID YEAR OPERATIONS REVIEW</p> | <p>PRESENTATION</p> |
| <p>11. WHERE'S MY RIDE UPDATE AND DEMONSTRATION</p> | <p>PRESENTATION</p> |
| <p>12. UPCOMING BOARD ITEMS (page 27)</p> | <p>INFORMATION</p> |
| <p>13. INTERIM EXECUTIVE DIRECTOR'S REPORT</p> | <p>INFORMATION</p> |
| <p>14. BOARD MEMBER COMMUNICATION</p> | <p>INFORMATION</p> |
| <p>15. NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA</p> | <p>DISCUSSION/ POSSIBLE ACTION</p> |
| <p>16. ADJOURNMENT</p> | <p>ACTION</p> |

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 yellow 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, 3rd Floor
Los Angeles CA 90012
Monday, December 12, 2016
12:01 p.m.

1. CALL TO ORDER

Meeting called to order by Chair Nalini Ahuja at 12:01 p.m.

BOARD MEMBERS PRESENT REPRESENTING A QUORUM

Present: Chair Nalini Ahuja, Vice Chair Dolores Nason, Treasurer Kim Turner, Secretary Theresa DeVera, Directors Doran Barnes, Martin Gombert, Valerie Gibson, and John Troost. Ex-Officio CAC Chair Michael Conrad and Legal Counsel Jim Jones.

BOARD MEMBER(S) VIA TELECOMMUNICATION

Present Via Telecommunication: Director Angela Nwokike.

BOARD MEMBER/EX-OFFICIOS EXCUSED FROM THE MEETING

Not Present: Ex-Officio TPAC Vice Chair Linda Evans.

2. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS

No public comments.

3. CLOSED SESSION REPORT

No reportable action was taken with respect to any pending or threatened litigation and potential initiation of litigation.

4. SUPERIOR SERVICE AWARD

Superior Service Award Presentation:

San Gabriel Transit Driver Michael Moore was the Superior Service Award recipient for the month of September 2016.

5. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON NOVEMBER 14, 2016

Approval of the minutes from the Board of Directors meeting held on Monday, November 14, 2016.

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

6. REPORT FROM EX-OFFICIO BOARD MEMBERS

Michael Conrad, Chair of the Community Advisory Committee (CAC), stated that he had nothing to report since the CAC meeting was scheduled to take place tomorrow, Tuesday, December 13, 2016. Mr. Conrad stated that throughout the new year the CAC would like to assist Access Services in any way it could to further their goals for 2017 and to assist the Board of Directors. He concluded his report by stating that he would have two reports, December and January, for the January 2017 Board meeting.

7. GENERAL PUBLIC COMMENT

Renee Madera made public comment by stating that she had Beyond the Curb service and, with one of her recent rides, she tried to reach the operations manager at MV Transportation but was unable to. She stated that she was told by the driver that she did not have to pick her up in front of where she needed to be. The driver also told her that she read the notes on her reservation and if she did not feel like picking her up where she was, she did not have to. Ms. Madera stated that she did not like to waste her time coming to the Board meetings to complain over the last few years.

Ms. Madera concluded her public comment by stating that at last month's Board meeting she was told by the Board members "do not think that we are not listening to you when you make your public comments," she thanked the Board for stating that and added that she had been going through these issues for over six years.

Access Services Senior Manager of Client Relations Sherry Kelley was assigned to assist Ms. Madera after the meeting.

Rochelle Goeman made public comment by stating that she had been traveling with a service animal over the past 20 years on Access Services and everyone was aware that she had been attending the Board meetings making public comments about the problems with the service but today she had good news. The drivers are actually understanding the issues that the riders were having regarding the service animals. Ms. Goeman thanked the Board and staff for the progress.

Belinda Conrad made public comment by stating that this morning she had a really good driver who brought her to Metro and all the way into the third floor cafeteria. She stated that there were many accommodating and good drivers and everyone needs to hear about them as well. Ms. Conrad also added that she **made a comment at last month's meeting stating that drivers, providers, and staff should sit in a wheelchair for a day or wear a blindfold for a couple hours so they could identify with the disabled rider.**

Ms. Conrad concluded her public comment by stating that the blind travel to the Braille Institute on Fridays and she felt that the drivers did not know how to deal with them. She added that she was aware that Access staff knew how to work with and walk with a blind person but she did not see a lot of staff there, most of them were drivers so she felt that the providers should be trained on how to work and walk with the blind so they could instruct their drivers on how to work and walk with them.

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 - Internet Services with Cogent Communications (AS-2940)
- 8-b Consideration to Extend Term and Increase Funds - Travel Training Contract (AS-3355)
- 8-c Consideration to Approve 2017 Board of Directors Meeting Calendar
- 8-d Consideration to Reappoint Community Advisory Committee (CAC) Members

- 8-e Consideration to Extend Term and Increase Funds TAP Card Production Memorandum of Understanding (MOU)
- 8-f Consideration to Approve Extension of Facility Sublease (AS-3261)
- 8-g Consideration to Authorize the Purchase of up to 33 Vehicles for Paratransit Service
- 8-h Consideration to Approve Increase of Funds for Appeal Evaluation Service Contract AS-3574 (Lemus Medical Center)

Director Gombert requested that Item 8-g be pulled for purposes of discussion. Treasurer Turner requested that item 8-h be pulled for purposes of discussion.

Motion made by Vice Chair Nason to approve the remaining Items, 8-a thru 8-f on the consent calendar, Seconded by Director Troost. Via Roll Call Vote all were in favor, motion passed.

Item 8-g: Director Gombert stated that he was aware that the previous purchases of MV-1s were powered by CNG and he noticed that the vehicles listed in the item were powered by gasoline; he asked if Mr. Streiff could explain to the Board why there was a change in the type of fuel.

Mr. Streiff replied that in 2016 the new MV-1s were built with a newer Ford engine that could not be certified with Compressed Natural Gas, so Mobility Ventures was unable to supply any vehicles with CNG engines for 2016 and 2017 and currently nothing in a light chassis vehicle is available in CNG. Mr. Streiff also stated that the original grant was written as a CNG project and staff had to ask for permission to switch to unleaded fuel due to the situation and the FTA was allowing Access to move forward.

Motion made by Director Gombert to approve Item 8-g, Seconded by Secretary DeVera. Via Roll Call Vote all were in favor, motion passed.

Item 8-h: Treasurer Turner stated that the reason she pulled this item was because it was added to the agenda on Friday, November 9, 2016 just a few days before the Board meeting. She asked staff to explain the addition of this item to the Board.

Mr. Chang replied it was an oversight on behalf of staff and we did not catch that the contract amounts were low. Treasurer Turner stated that the contract had a not-to-exceed amount and asked if that amount had been exceeded. Mr. Chang replied there were still funds available but additional funds needed to be added to ensure that staff did not exceed the amount for the month of November.

Chair Ahuja asked if Mr. Chang was stating that there was a report that the eligibility team did not receive. Mr. Rodriguez explained the transition to the Oracle system and how it worked and stated that the spreadsheets were also included, staff just needed to look further down to see that information.

Treasurer Turner added that she was also able to see the spreadsheets that were attached to the invoices, so what happened with this particular contract. Mr. Rodriguez replied that the manager did not look far enough down to see it. Chair Ahuja added that staff needed to look into their processes to insure that there are internal controls built into the system. She also stated that this was an exception and she did not want to see this happen again.

Motion made by Treasurer Turner to approve Item 8-h, Seconded by Director Gombert. Via Roll Call Vote all were in favor, motion passed.

9. **CONSIDERATION TO ADD FUNDS AND MODIFY SCOPE – SOUTHERN REGION SERVICE PROVIDER CONTRACT (AS-2967)**

Recommendation: Authorize the reimbursement of one-time software and call center migration costs of \$506,845 and monthly Trapeze license fees of \$39,710 for the period of January 1, 2017 through August 31, 2019. This represents a total of \$1,777,565 that will increase the total contract value from \$278,825,517 to \$280,603,082.

Motion made by Vice Chair Nason to approve staff recommendation, Seconded by Director Nwokike. Via Roll Call Vote all were in favor, motion passed.

10. **CONSIDERATION TO ADD FUNDS AND MODIFY SCOPE – SAN FERNANDO VALLEY REGION SERVICE PROVIDER CONTRACT (AS-3341)**

Recommendation: Authorize the reimbursement of one-time software migration costs of \$348,041 and monthly Trapeze license fees of \$32,112 for the period of July 1, 2016 through August 31, 2018. This represents a total of \$1,150,841 that will increase the total contract value from \$106,421,249 to \$107,572,090.

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

11. WEST/CENTRAL SERVICE REGION RFP REVIEW

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

12. CONSIDERATION TO AWARD COMPREHENSIVE OPERATIONAL REVIEW CONTRACT (AS-4033)

Recommendation: Authorize staff to execute a one (1) year contract with Nelson/Nygaard Consulting Associates, Inc. in an amount not to exceed \$250,001, beginning January 1, 2017 and ending December 31, 2017.

Motion made by Vice Chair Nason to approve staff recommendation, Seconded by Director Gombert. Via Roll Call Vote all were in favor, motion passed.

13. UPCOMING BOARD ITEMS

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

14. INTERIM EXECUTIVE DIRECTOR'S REPORT

Access Services Interim Executive Director, Andre Colaiace began his report by providing an operational update. He stated that the performance overall year to date had been good with the service providers meeting their on-time performance at 91.1% which was a full percentage point above last year and the only KPI that they were not meeting was the Late4s at 0.11%, which was a small fraction above the standard.

Mr. Colaiace stated that Measure M was approved last month and how it was good for the region going forward. Access was going to be involved in developing the guidelines for its portion of Measure M. Mr. Colaiace reminded the Board that Access Services was going to receive approximately 2% of the funds from Measure M. He thanked the Board Chair and Metro's CEO Phillip Washington for giving Access a seat at the table.

Mr. Colaiace concluded his report by thanking everyone that attended the Access Services Membership Meeting on November 28, 2016 at the California Endowment Center. He also thanked Congresswomen Grace Napolitano for attending the meeting to receive the Spirit of Accessibility Award and thanks to the efforts of the Congresswomen and her staff Access Services had been able to focus their efforts and attention on a number of important projects. He

announced the tentative date for next year's Annual Membership meeting is Thursday, November 30, 2017.

15. BOARD MEMBER COMMUNICATION

Director Barnes thanked Mr. Colaiace and the entire Access Services staff for a wonderful Annual Membership Meeting and stated that he felt it was a great event and it was good to see everyone there. Director Barnes also commented on Measure M by stating that it was very exciting and there was lots of work to be done with on-going challenges. He concluded his comment by wishing everyone Happy Holidays.

Treasurer Turner concurred with Director Barnes' comment regarding the Annual Membership meeting. She thanked Mr. Colaiace and staff for a job well done, she also thanked Chair Ahuja for attending the meeting and Director Barnes for presenting the award to Congresswomen Napolitano. Treasurer Turner concluded her comments by also thanking Congresswomen Napolitano because she was not aware of how much Congresswomen Napolitano was involved with Access Services until the meeting. She also wished everyone Happy Holidays.

Vice Chair Nason concurred with Director Barnes and Turner's comments. She stated that she felt very privileged to be a part of the Access Services Annual Membership meeting. Vice Chair Nason wished everyone Happy Holidays and hoped that 2017 would be a wonderful year for everyone.

Secretary DeVera stated that she also concurred with the previous Directors' comments. Secretary DeVera asked if staff could look into the rider complaint policy because she had held her tongue for fear of retaliation by the drivers. Secretary DeVera also thanked Global Paratransit for providing vehicles to the Ms. Wheelchair California Foundation for the Long Beach Daisy parade on Saturday. She wished everyone Happy Holidays.

Director Troost also wished everyone Happy Holidays.

Director Gombert also concurred with all the Directors' comments regarding the Annual Membership Meeting. He stated that everyone appreciates and understands all the hard work that goes into planning an event like that. Director Gombert also stated that he was excited about the potential upcoming technology improvements that would result from the Trapeze implementation in the Southern and Northern regions. He thanked staff for the work they had done on the presentations for today's meeting.

Chair Ahuja also wished everyone Happy Holidays.

16. 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 Vice Chair Nason, Seconded by Secretary DeVera. Via Voice Vote all were in favor, motion passed. The meeting adjourned at 2:15 p.m.

Approval

Theresa DeVera, Secretary

Date

JANUARY 16, 2017

TO: BOARD OF DIRECTORS
FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR, FINANCE
RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - VOICE TELECOMMUNICATIONS CONTRACT (AS-3205)

ISSUE:

Board action is required for the extension and increased funding of the voice communications (800 toll free numbers) contract AS-3205 with Telecom Management Services Inc. (TMSI).

RECOMMENDATION:

1. Authorize a one (1) year extension to the contract from August 1, 2017 to July 31, 2018.
2. Authorize an additional \$2,000,000 in funds thereby increasing the maximum contract value from \$9,420,000 to \$11,420,000.

IMPACT ON BUDGET:

These services will be allocated in the FY2017/18 and FY2018/19 budgets. The only change in rates is a decrease in the dedicated T1 cost per minute rate from \$0.027 to \$0.0265 and a decrease in the non-dedicated T1 cost per minute from \$0.03 to \$0.028. The current monthly cost of the service is budgeted on historical usage.

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:

Voice telecommunication services provide local and 800 phone service for reservations and customer service. The existing network uses complex cloud technology to determine the correct routing of over 500,000 calls every month. Access' toll-free numbers are hosted on a Verizon Enhanced Call Routing (ECR) platform. When callers dial the reservations toll free number, they are routed to a cloud-based menu that offers options for reaching Access' various service providers. Once a caller chooses the appropriate service provider, the call is delivered by Verizon to the circuits at the contractor's location via specific DNIS (Dialed Number Identification Service) that are out-pulsed with each call in order for it to be routed to the appropriate queues at the contractor's location. A similar process is used for the customer service toll free number which routes the call to the proper queue at ALTA.

In accordance with procurement practices, staff released a Request for Proposals (RFP) in January 2012. The contract was awarded to TMSI for a three-year period that began in August 2012. This contract also provided the option of renewing the agreement for up to five one-year option years with Board approval. This is the third option year available with the contract. These services are being evaluated as part of the Comprehensive Operational Review.

JANUARY 16, 2017

TO: BOARD OF DIRECTORS

FROM: JACK GARATE, PROJECT ADMINISTRATOR
MICHAEL PASCUAL, MANAGER, PROCUREMENT AND CONTRACT
ADMINISTRATION

RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS –
MOBILITY DEVICE MARKING SERVICES CONTRACT (AS-4010)

ISSUE:

Board approval is necessary to extend the period of performance and increase funds for the mobility device marking services contract (AS-4010) with C.A.R.E. Evaluators, Inc. (CARE). This extension will only be necessary if there is a delay in the construction of the eligibility facility in Commerce or the start of the new eligibility determination contract.

RECOMMENDATION:

1. Authorize staff to exercise up to two (2) months of the available one (1) year extension to the contract from July 1, 2017 to August 31, 2017.
2. Authorize an additional \$48,650 in funds thereby increasing the maximum contract value from \$294,774 to \$343,424.

IMPACT ON BUDGET:

The contract amount will be programmed into the FY2017/18 draft budget. This project is funded with a combination of local Prop C funds and Federal New Freedom grant funds. The grant, which is specifically earmarked for operating assistance, funds 50% of the project.

ALTERNATIVES CONSIDERED:

None. Mobility device marking service needs to be provided in conjunction with the eligibility determination services. This action provides an alternative plan in the event of facility construction or contract start delays. These services will become part of the

eligibility determination services contract scheduled to be awarded at the February Board of Directors meeting.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, staff would be authorized, but not required, to negotiate and amend the written contract with CARE for mobility device marking services on terms and conditions set forth in the existing contract and modified as proposed in this item. Access would not be legally bound to the revised terms of the contract until embodied in a written amendment executed by all parties thereto and approved as to form by this entity's legal counsel.

BACKGROUND:

During the May 2016 Board meeting, staff requested authorization to execute a contract with CARE for the performance of the Agency's mobility device marking service for the period of July 1, 2016 through June 30, 2017 at an amount not to exceed \$294,774, with an option to extend the contract for one year. The contract period would coincide with the timing of the construction of a new eligibility facility in Commerce and the RFP for Eligibility Services.

During the November 2016 Board meeting, staff requested authorization to add up to a two-month extension to the current eligibility determination contract that would serve as a backup plan in the event that either the facility or the new contract start date is delayed. The request was approved.

An extension to the mobility device marking services contract will serve as a backup plan in the event that either the facility construction or the new eligibility determination contract start date is delayed. Access will notify CARE no later than May 1, 2017, as to whether an extension will be necessary.

JANUARY 16, 2017

TO: BOARD OF DIRECTORS
FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR, FINANCE
RE: CONSIDERATION TO ESTABLISH AN AD-HOC BUDGET
SUBCOMMITTEE FOR FISCAL YEAR 2017/18

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 2017.

RECOMMENDATION:

Appoint Chairperson Nalini Ahuja, Treasurer Kim Turner, and Directors Martin Gombert and Valerie Gibson to serve on the Ad-Hoc Budget Subcommittee to review the draft FY 2017/2018 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 2017/18 by March 1, 2017. 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 2017, 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 2017 Board meeting, by which time it is anticipated that the annual Metro Memorandum of Understanding (MOU) regarding funding for FY2017/2018 will have been completed.

JANUARY 16, 2017

TO: BOARD OF DIRECTORS

FROM: ANDRE COLAIACE, INTERIM EXECUTIVE DIRECTOR

RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS -
GENERAL COUNSEL (AS-3243)

ISSUE:

Board approval is required to extend the existing contract for general and special legal counsel services in order to continue the Agency's legal representation while these services are competitively procured.

RECOMMENDATION:

Authorize \$250,000 in funds and an extension in the period of performance for six (6) months through December 31, 2017 for general counsel/special counsel legal services with Jones and Lester, LLP (AS-3243).

IMPACT ON BUDGET:

The costs associated with this contract will be included in the budget for fiscal year 2017/18. The fee is based on a fixed monthly retainer in addition to rates specifically tied to litigation and non-litigation expenses. The retainer and rates (with a small increase tied to the increase in the Consumer Price Index consistent with the existing contract) for the six-month extension will be as follows:

| | Non-Litigation Rate | Litigation Rate |
|--|---------------------|-----------------|
| James Jones, Partner (and other Partners of the Firm) | \$375 per hour | \$400 per hour |
| Senior Associates | \$300 per hour | \$325 per hour |
| Junior Associates | \$275 per hour | \$300 per hour |
| Paralegals | \$145 per hour | \$165 per hour |
| Retainer | \$11,550 per month | n/a |

ALTERNATIVES CONSIDERED:

A formal procurement for legal services has not been undertaken at Access since 1995, when our current counsel's prior law firm (Knapp, Marsh, Jones & Doran) was retained. While staff is pleased with the services being provided by Jones & Lester LLP, staff also believes it is prudent and a best practice to competitively procure these professional services at this time. Staff will be codifying these practices regarding all professional services in a revision of the Agency's procurement policies, which will be brought to the Board later this year.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If the staff recommendation is approved by the Board, staff will be authorized, but not required, to negotiate and amend the contract with Jones & Lester LLP for general counsel and special legal services under terms that are no less favorable to Access Services than those proposed above. Access Services would not be legally bound to this contract unless it is incorporated into a formal written agreement executed by all parties thereto.

BACKGROUND:

Mr. Jones, under his practice with partner Mark Lester, has been providing legal services directly for Access Services since July 2001 and has produced consistently effective results in a highly responsive manner. Mr. Jones has more than 43 years of experience in both litigation and transactional law, is a nationally recognized expert in the laws and regulations governing complementary ADA paratransit, has been "AV" peer rated [highest possible rating] for more than 30 years and is listed in Preeminent Lawyers of the United States.

Mr. Jones is assisted in his office by Mr. Matthew LaVere and Mr. Paul Huff, both of whom have worked on issues related to Access. Mr. LaVere has also acted as legal counsel at previous Access Board meetings and could provide general and special legal counsel services in the event of Mr. Jones' absence.

Notwithstanding the high quality services Jones and Lester, LLP has provided, it is the intent of staff to issue a procurement. As indicated above, best practices should be followed as a matter of course for a public agency in the awarding of contracts for any services, including legal and other professional services. While a procurement could be accomplished prior to the existing end date of the current contract, it is staff's opinion that a permanent Executive Director should be in place to assist the Board in the selection of legal counsel. Accordingly, the tentative timeline for this procurement will be as follows:

| | |
|--|-----------------|
| Board subcommittee - Legal Services formed | June 2017 |
| Legal Services RFP issued | July 2017 |
| Legal Services RFP due | September 2017 |
| Legal Services contract awarded | October 2017 |
| Legal Services contract start date | January 1, 2018 |

JANUARY 16, 2017

TO: BOARD OF DIRECTORS
FROM: SHERRY KELLEY, SENIOR MANAGER, CUSTOMER RELATIONS
RE: CONSIDERATION TO APPOINT COMMUNITY ADVISORY
COMMITTEE (CAC) MEMBER

ISSUE:

There is currently one vacancy on the CAC. The CAC Nomination Subcommittee has reviewed applications to identify members who can best represent Access customers, both in terms of various disabilities and in scope of influence/representation.

RECOMMENDATION

The CAC bylaws require Board appointment of CAC members. Staff requests the Board to appoint the following CAC member.

Ms. Olivia Almalel - Group B

IMPACT ON BUDGET

None

BACKGROUND

The CAC Bylaws outlines the process for membership application and selection as outlined below:

ARTICLE 3.1 - MEMBERSHIP APPLICATION PROCESS

- Section 1 - All applications will receive an initial review by a subcommittee of the CAC and the Access Services staff liaison.
- Section 2 - Applicants will be required to have attended at least two (2) meetings of the CAC as a member of the general public within a recent six-month period.

Section 3 - Applicants must participate in an in-person meeting with a nominating subcommittee of the CAC, which include two-to-three voting CAC members plus the Access Services staff liaison.

Section 4 - Following this in-person meeting, CAC application(s) may be presented to the Board of Directors for potential review and approval.

Ms. Olivia Almalel has been an Access customer since 2009, and frequently uses the service for work, church, and other events. She has been a participant at CAC meetings, and is involved with The Triumph Foundation (www.triumph-foundation.com), a community of wheelchair users that offer support and supplies to individuals to assist them in recovery and to re-establish their life. She established a blog for Access riders & drivers, which can be found at www.accessla.blogspot.com.

Ms. Almalel currently works as a pharmacy technician for Cedars Sinai Medical Center.

JANUARY 16, 2017

TO: BOARD OF DIRECTORS

FROM: ROGELIO GOMEZ, PROJECT ADMINISTRATOR

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

ISSUE:

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

RECOMMENDATION:

Authorize an additional \$1,200,000 in funds, a change of rates, and an extension in the period of performance for one year, from August 4, 2017 through August 3, 2018 for Contract AS-2602 with the City of Santa Clarita.

The rates are as follows -

| | Year 10 8/4/2017- 8/3/2018 |
|------------------------|----------------------------------|
| Variable per trip rate | \$18.07 |
| % change | 1.82% |
| Fixed monthly rate | \$33,394.71 |
| % change | 1.82% |

IMPACT ON BUDGET:

This action will result in an increase in the previously approved contract amount of \$8,603,589 to \$9,803,589. Per the terms of the contract, the proposed percentage change in the fixed and variable rates (1.82% in this case) is equivalent to the indexed annual percentage change in the Consumer Price Index for the Los Angeles area (U.S. Department of Labor, Bureau of Labor Statistics, November 2016). The increase in the contract amount will be appropriately programmed for subsequent out years. The funding for these services comes from a combination of Federal Section 5310 Grant and Prop C Discretionary Funds.

ALTERNATIVES CONSIDERED:

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

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the Board, the staff would be authorized, but not required, to negotiate and amend the written contract with the City of Santa Clarita for specialized transportation services on terms and conditions set forth in the existing contract and modified as in this item proposed. Access Services would not be legally bound to the revised terms of the contract unless and until they are incorporated into a formal written amendment to the contract executed by all parties thereto and approved as to form by this entity's legal counsel.

BACKGROUND:

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

The table below provides current performance indicators. Trip growth is expected to be 7.9% and has been accounted for in the new not-to-exceed contract value.

| Key Performance Indicator | Access Standard | Actual - July 1, 2016 through Jan 3, 2017 (FY16/17) |
|---|-----------------|---|
| On Time Performance | >91% | 95.9% |
| Reservation Calls on Hold Over 5 Minutes | <5% | 1.2% |
| Reservation Calls - Average Initial Hold Time | <120 seconds | 38 seconds |
| Late 4 Trips | <0.10% | 0.04% |

| Trip Growth | Trips | % Increase |
|---------------------|--------|------------|
| Year 10 (8/17-8/18) | 40,743 | 7.9% |

This is the last option year available to be executed under the contract. Staff will be working with Santa Clarita staff to determine if a joint procurement is appropriate moving forward.

JANUARY 16, 2017

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: UPCOMING BOARD ITEMS

ISSUE:

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

February 27, 2017
Board Meeting - El Monte

| Agenda Items: | Disposition: |
|---|---------------------|
| Consideration to Award Eligibility Determination Services Contract | Action |
| Consideration to Award Eligibility Facility Construction Contract | Action |
| Consideration to Extend Term and Increase Funds - Data Services Contract | Action |
| Consideration to Extend Term, Modify Scope and Increase Funds - Antelope Valley Service Region Contract | Action |

March 27, 2017
Board Meeting - El Monte

| Agenda Items: | Disposition: |
|---|---------------------|
| Consideration to Extend Term and Increase Funds - Software License Agreement | Action |
| Consideration to Extend Term and Increase Funds - Information Technology Consulting Services Contract | Action |

April 17, 2017
Board Meeting - Metro

| Agenda Items: | Disposition: |
|--|--------------|
| Consideration to Approve Modifications to Procurement Policies | Action |
| Consideration to Extend Term and Increase Funds - Passenger Opinion Survey Services Contract | Action |