

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 5/10/2023

Staff Report No. 23-237

TO: AC Transit Board of Directors
FROM: Michael A. Hursh, General Manager/Chief Executive Officer
SUBJECT: Contract Extension for EBPC Consultant Services

ACTION ITEM

AGENDA PLANNING REQUEST:

RECOMMENDED ACTION(S):

Consider authorizing the General Manager to enter into a one (1) year contract extension with Paratransit, Inc. for consultant coordination services for the East Bay Paratransit Consortium (EBPC).

Staff Contact:
Ramakrishna Pochiraju, Executive Director of Planning & Engineering

STRATEGIC IMPORTANCE:

Goal - Financial Stability and Resiliency
Initiative - Service Quality

The Program Coordinator's Office (PCO) provides the critical function of impartial, independent review for accuracy and the tracking of trends and indicators as they relate to the EBPC. The PCO focuses exclusively on East Bay Paratransit (EBP) services and is necessary to ensure financial stability, efficiency, and service quality.

BUDGETARY/FISCAL IMPACT:

Prior to July 1, 2010, AC Transit's responsibility for funding the PCO was 69% percent of the total cost. It was determined, and BART agreed, that both agencies derive equal benefit from the services performed by the PCO. The costs for the PCO are now a 50/50 split between the agencies. The total contracted cost is \$225,000 of which AC Transit is responsible for 50% percent or \$112,500.

BACKGROUND/RATIONALE:

The Americans with Disabilities Act (ADA) requires all fixed-route operators to provide "complementary paratransit service" to persons who are unable to use fixed-route service due to a physical or cognitive disability. AC Transit and BART chose to meet this federal requirement by forming the East Bay Paratransit Consortium (EBPC) via a Joint Powers Agreement (JPA) to provide ADA-mandated paratransit services in the agencies' overlapping service area.

The PCO was created at the inception of the EBPC to serve as a neutral, central point of contact between AC Transit and BART, coordinate the activities of the paratransit program, prepare and analyze financial and

detailed operating data, and oversee activities of the Paratransit Broker. The PCO provides the critical function of impartial, independent review for accuracy and the tracking of trends and indicators in the Broker's performance, service quality and budget. The PCO focuses exclusively on EBPC issues. The PCO function is well received by both internal and external auditors as an effective method of providing checks and balances to the EBPC.

The PCO performs, among other activities, the following functions:

- Review and oversight of all financial and operating data from the Broker
- Development of all Claims and Compliance reports, including Measure BB, Measure J, FTA and NTD reporting
- Development of Agency Budgets and Budget Projections
- Collection of all audit materials and data to ensure consistency between the agencies

- Development of the Broker/Service Provider RFP in 2022
- Oversight of the Annual Customer Satisfaction Survey
- Oversight and facilitation of the Service Review Advisory Committee (SRAC)
- Auditing of the Customer Services/Call Center complaint process
- Special Projects as assigned by the Program Managers such as Emergency Planning

The District awarded a one-year contract with a one-year option to Paratransit, Inc. (PI) in April 2020. An option was awarded in June 2022 and two (2) additional six (6) month extensions were signed in July and December 2022. The initial contract and subsequent extensions were not brought to the Board for approval as the dollar amount fell within the General Manager's spending authority.

Staff released a Request for Proposals (RFP) in October 2022. Despite having notified 48 agencies/firms from the California Association for Coordinated Transit's (CalAct) member directory, no proposals were received, even from the current contractor, PI. PI has agreed to a one (1) year extension with a new subcontractor, Clutch, to perform some of the functions and activities of the PCO. This gives PI the capacity to conduct this important work for the Consortium for another year. This will also allow the District time to re-solicit or transition the PCO services, help the District transition the knowledge of PI, and have PI assist in the review of the larger Broker/Service Provider RFP, in particular, conducting the detailed cost analysis required.

Although AC Transit holds the contract with the PCO, BART is a co-signatory to the contract and supports the continuation of this critical function.

ADVANTAGES/DISADVANTAGES:

There are many advantages to this approach:

- The proposed new subcontractor, Clutch, is a certified micro and women-owned business.
- Accessible Services is comprised of two (2) individuals. The District does not have the capacity to train and oversee the work of a subcontractor if directly contracted. PI will take on this effort as part of the contract extension.
- PI is in the best position and has the best knowledge of the requirements to perform the PCO function as the prime to train and oversee the subcontractor.

- The one-year contract extension will ensure continuity of operations and provide the District the time to re-solicit the PCO RFP.

Given the lack of bids for the initial RFP, there are no disadvantages to entering into a one (1) year contract with PI.

ALTERNATIVES ANALYSIS:

With BART's approval, either BART or AC Transit could bring this function in-house. However, over the years, staff has analyzed the cost of in-house versus a contracted position and has found that the cost of the contracted position(s) has always been more cost-effective. This is largely due to the required skill level of the PCO and the fringe costs of each of the agencies. Additionally, the agencies would lose the benefit of an independent third-party liaison to coordinate the functions of the EBPC.

PRIOR RELEVANT BOARD ACTION/POLICIES:

SR 21-461 Board Authorization to release the PCO RFP - October 2021

ATTACHMENTS:

None

Prepared by:

Mallory Nestor-Brush, Accessible Services Manager

In Collaboration with:

Dora English, Assistant Contracts Specialist

Michael Silk, Assistant Director Procurement & Materials Management

Approved/Reviewed by:

Ramakrishna Pochiraju, Executive Director of Planning & Engineering

Robert del Rosario, Director of Service Development and Planning

Chris Andrichak, Chief Financial Officer

Jill A. Sprague, General Counsel/Chief Legal Officer