



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
www.edcgov.us/bos/

Legislation Text

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Transportation Department recommending Chairman be authorized to sign the following pertaining to Transportation Development Act Monies granted from Tahoe Regional Regional Planning Agency:

- (1) Amendment IV to Agreement for Services AGMT 05-841 with Area Transit Management, Inc. increasing compensation by \$122,781 to \$1,151,124 and extending the term three additional months through June 30, 2008;
- (2) Resolution **67-2008** authorizing the filing of Transportation Development Act (TDA) claims;
- (3) Budget transfer 28131 for same; and
- (4) Adopt the recommended findings.

FUNDING: Transportation Development Act Monies granted through the Tahoe Regional Planning Agency.

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|---------------------------|-----------|--|
| BUDGET SUMMARY: | | |
| Total Estimated Cost | \$531,124 | |
| | | |
| Funding | | |
| Budgeted | \$440,000 | |
| New Funding | \$91,124 | |
| Savings | \$ | |
| Other | \$ | |
| Total Funding Available** | \$531,124 | |
| Change To Net County Cost | \$0.00 | |

**For clarification, this amount represents the FY 2007-08 budget for the ATM contract. Total amount of the agreement is \$1,151,124 covering multiple fiscal years.

Fiscal Impact/Change to Net County Cost:

The proposed increased compensation for the Area Transit Management (ATM) agreement is \$122,781. When the FY 2007-08 budget was set up, the department was unsure of the annual cost of these services due to the fact that the services still needed to go out to bid. The department assumed going back to Board with a budget transfer at the time a new bid was awarded. In order to fully fund the remainder of the fiscal year assuming the rates in the Area Transit Management agreement, the department is requesting an additional \$91,124 in Transportation Development Act (TDA) Funding. Additionally, Federal Transit Administration (FTA) funding was anticipated in the amount of \$46,011 for FY 07-08 but only \$23,634 will be realized resulting in a reduction of \$22,377. Caltrans withheld the \$22,377 due to the fact that our transit provider (ATM) was not selected through a competitive process. The County is about to finalize a competitive process for the selection of a transit provider and as such FTA funding will be available to the County in future cycles. The

combination of the \$91,124 for the transit service agreement and the \$22,377 for the FTA funding reduction totals a funding shortfall of \$113,501. An increase of \$113,501 in TDA Funding is proposed to fund the agreement for the remainder of FY 2007-08 and to cover the loss of FTA revenue.

The resolution authorizing the FY 2007-08 TDA claim will allow an increase in TDA funding for transit operations in the amount of \$435,574. This amount consists of \$133,416 in State Transit Assistance Funds (STA) and \$302,158 in Local Transportation Funds (LTF). The remaining TDA carryover funding will be \$230,670 (detailed calculations available on attachment 9, TDA funding summary). The carryover of \$230,670 is projected to be sufficient, along with new TDA allocations, to sustain the current level of service for three years (FY 08-09 through FY 10-11), assuming the bid amounts for transit services are not significantly more than the amount currently paid to ATM.

The proposed budget transfer will result in an amended budget for SLT Transit of \$549,668. The attached South Lake Tahoe Transit Program, Proposed Activities and Funding, 2007/2008 shows the detail of this budget. Transit riders pay a bus fare based on ATM's fare box rate that is retained by ATM and not a part of the County budget. With the addition of the fare box receipts the total cost of the SLT Transit program is \$594,668.

Reason for Recommendation:

With the approval of Amendments II and III, the Department anticipated that adequate time would be available from July 1, 2007 to March 31, 2008 (the duration provided by the extensions) to draft an RFP, conduct the solicitation process, select a vendor, and draft and enter into a new agreement with a transit services provider. Although the County has issued the RFP, the current schedule is very tight and provides little time for contract negotiations or any unforeseen problems or setbacks in the RFP/agreement process. The County had to extend the closing date of the RFP due to the inquiries received from interested proposers.

The Department is requesting this Amendment to serve as a contingency should there be any additional unforeseen issues, as there would not be enough time to complete the RFP/agreement process prior to the expiration of AGMT 05-841. This would jeopardize the County's ability to provide transit services within the Basin. Prior to moving forward with this proposed Amendment, Department staff contacted Caltrans to obtain approval of an additional 3-month extension to June 30, 2008, which was granted by Ms. Helen Louie of Caltrans' Division of Mass Transportation.

The terms of this Agreement include cost control and audit provisions requiring ATM to provide statistical reporting of performance indicators on a monthly basis. Performance indicators include reports on the number of passengers, service hours, service miles, employee hours and fare box revenues, subject to County audit.

Section 6630 of the TDA regulations requires that a claim be filed with the local transportation planning agency to receive funds from the LTF and Section 6732 of the TDA regulations requires that a claim be filed to receive funds from the STA Fund. The TRPA requires a resolution by the Board authorizing the Department to submit claims. The Department proposes to use these funds to operate the South Lake Tahoe Transit program, which provides public transit services in the unincorporated area of the Tahoe Basin for seniors, the disabled, and the general public.

The Department recommends increasing the not-to-exceed compensation amount of the Agreement

from \$1,028,343 to \$1,151,124. The \$122,781 increase consists of \$40,927 per month (no change to the current monthly rate) for the 3-month extension for General Public Demand Response and Paratransit Service.

Background:

In April 1998, the County entered into a Participation Agreement to implement a Coordinated Transit System (CTS) on the South Shore of Lake Tahoe. CTS participants include the City of South Lake Tahoe, Douglas County (Nevada), the Tahoe Transportation District, various casinos and Heavenly Mountain Resort. Since its inception, CTS has been operated by ATM under separate operating contracts.

ATM has provided transit services in the unincorporated areas of South Lake Tahoe for the last sixteen (16) years. The programs provided through the ATM Agreement are summarized as follows:

General Public Demand Response and Paratransit Service - The General Public Demand Response Blue Go service is a door-to-door service which also transports riders to the City of South Lake Tahoe's fixed route Blue Go system. The Paratransit program provides transportation to riders that are elderly and/or have special needs. Eligibility for the use of Paratransit is determined by the County's Department of Human Services.

Summer Trolley - This is a seasonal fixed route service managed by the Blue Go Partnership and operated by ATM during the summer months.

As previously stated, the City of South Lake Tahoe and Douglas County, Nevada, also contract with ATM for transit services within the City limits and the South Shore portion of Nevada, allowing for an integration of the two systems.

In June 2005, the Board approved Agreement for Services # AGMT 05-841 with ATM in the amount of \$640,000 for the term of July 1, 2005 through June 30, 2007 to provide transit transportation services in the South Lake Tahoe Basin.

In February 2006, the Board approved Amendment I to Agreement for Services # AGMT 05-841 with ATM to add certain contract clauses and to delete a portion of one contract clause as required by the FTA.

In June 2007, the Board approved Amendment II to Agreement for Services # AGMT 05-841 with ATM to increase the compensation for services by \$265,562 to \$905,562 and to extend the term of the Agreement for six additional months from July 1, 2007 to December 31, 2007, during which time the Transportation Department (Department) planned to conduct a Request for Proposals (RFP) process. The Department has not previously conducted an RFP process for these transit services. However, due to the Department recently becoming a recipient of FTA operational funds, Caltrans, the agency responsible for administering the FTA funding, requested that the Department conduct a solicitation process for these services to comply with FTA procurement procedures. Due to the emergency conditions that existed from the Angora Fire which started on June 24, 2007, Departmental priorities shifted to planning, designing, permitting and constructing four (4) emergency erosion control projects in the Angora Fire area.

In December 2007, the Board approved Amendment III to Agreement for Services # AGMT 05-841 with ATM to increase the compensation for services by \$122,781 to \$1,028,343 and to extend the term of the Agreement three additional months through March 31, 2008, during which time the Department has worked with the Procurement and Contracts Division to finalize an RFP. The Procurement and Contracts Division issued the RFP on January 4, 2008 with a closing date of February 15, 2008.

Due to the specialized services to be provided by ATM, the Department recommends the Board make findings pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County classifications, and that the ongoing aggregate of the work performed under this Agreement is not sufficient to warrant the addition of permanent staff. In addition, the work to be performed by ATM requires some equipment that is not identified in available County assets.

In accordance with the Feasibility Analysis, the Department is not required to notify an employees' association regarding this Agreement.

In accordance with Board of Supervisors Policy C-17, Sections 7.4.2, 7.5, and 7.10, the Purchasing Agent concurs with the Department's request to amend the existing Agreement with ATM for the provision of transit transportation services for special needs clients and the general public in the South Lake Tahoe Basin. The Amendment to extend the term through June 30, 2008 is necessary to avoid an interruption of transit services in the South Lake Tahoe Basin. Caltrans and the Purchasing Agent have agreed to the extension with the understanding that the Department will complete the RFP process and enter into a new agreement prior to the expiration of the extended Agreement.

Action to be taken following Board approval:

1. The Board Chairman will sign the two (2) originals of Amendment IV to Agreement for Services # AGMT 05-841 with ATM.
2. The Board Clerk will forward one fully-executed original to the Department for further processing to ATM.
3. The Chairman will sign the attached Resolution and the Board Clerk will forward a certified copy of the Resolution to the Department for further processing to the TRPA.
4. The Department will submit the claims as needed for LTF and/or STA Funds to the TRPA for approval by its Board.
5. The Chairman will sign the budget transfer and forward to the auditor-controller for processing.

Contact:

Richard W. Shepard, P.E.
Director of Transportation

Concurrences: County Counsel and Risk Management