

County Connection

2477 Arnold Industrial Way Concord, CA 94520-5326 (925) 676-7500 countyconnection.org

BOARD OF DIRECTORS MEETING AGENDA

**Thursday, July 18, 2013
9:00 a.m.**

**CCCTA Paratransit Facility
Gayle B. Uilkema Memorial Board Room
2477 Arnold Industrial Way
Concord, California**

The CCCTA Board of Directors may take action on each item on the agenda. The action may consist of the recommended action, a related action or no action. Staff recommendations are subject to action and/or change by the Board of Directors.

1. Call to Order/Pledge of Allegiance
2. Roll Call/Confirm Quorum
3. Public Communication
4. Consent Calendar
 - a. Approval of Minutes of Regular Meeting of June 20, 2013*
 - b. Approval of Disadvantaged Business Enterprise (DBE) Overall Goal for FY2014-2016*
Resolution No. 2014-001*
 - c. Minor Service Change Policy*
Resolution No. 2014-002*
 - d. Minor Service Change to Routes #2, #5, and #25*
5. Report of Chair
6. Report of General Manager
 - a. Update on AB160
 - b. Report on SB556
 - c. Report on BART Strike
7. Report of Standing Committees
 - a. Marketing, Planning & Legislative Committee
(Committee Chair: Director Schroder)
 - 1) Midday Free Fares for Seniors and Disabled*
(The MP&L Committee recommends that the Board send this to the Administration & Finance Committee to analyze Midday Free Fares.)

Clayton • Concord • Contra Costa County • Danville • Lafayette • Martinez
Moraga • Orinda • Pleasant Hill • San Ramon • Walnut Creek

CENTRAL CONTRA COSTA TRANSIT AUTHORITY

b. Operations & Scheduling Committee
(Committee Chair: Director Simmons)

- 1) Paratransit Workshop and Request for Proposal (RFP) Timeline.*
(The O & S Committee recommends that the Board hold the Paratransit Workshop at the September 19, 2013 Board Meeting following O & S review of the presentation.)

8. Board Communication

Under this item, Directors are limited to providing information, asking clarifying questions about matters not on the agenda, responding to public comment, referring matters to committee or staff for information, or requesting a report (on any matter) be made at another meeting.

9. Closed Session

a. Conference with Labor Negotiator

Pursuant to Government Code Section 54957.6

Employee Organizations:

- Amalgamated Transit Union, Local 1605, AFL-CIO, Bus Operators
- Teamsters Union, Local 856, AFL-CIO, Transit Supervisors

10. Open Session

a. Report of Action(s) Taken During the Closed Session

b. Consider Action to Ratify Memorandum of Understanding with Amalgamated Transit Union Local 1605.

c. Consider Action to Ratify Memorandum of Understanding with Teamsters Union, Local 856, AFL-CIO, Transit Supervisors

11. Adjournment

*Enclosure

General Information

Possible Action: The Board may act upon any item listed on the agenda.

Public Comment: Each person wishing to address the County Connection Board of Directors is requested to complete a Speakers Card for submittal to the Clerk of the Board before the meeting convenes or the applicable agenda item is discussed. Persons who address the Board are also asked to furnish a copy of any written statement to the Clerk. Persons who wish to speak on matters set for Public Hearings will be heard when the Chair calls for comments from the public. After individuals have spoken, the Public Hearing is closed and the matter is subject to discussion and action by the Board.

A period of thirty (30) minutes has been allocated for public comments concerning items of interest within the subject matter jurisdiction of the Board. Each individual will be allotted three minutes, which may be extended at the discretion of the Board Chair.

Consent Items: All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Board Member or a member of the public prior to when the Board votes on the motion to adopt.

Availability of Public Records: All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available for public inspection at 2477 Arnold Industrial Way, Concord, California, at the same time that the public records are distributed or made available to the legislative body. The agenda and enclosures for this meeting are posted also on our website at www.countyconnection.com.

Accessible Public Meetings: Upon request, County Connection will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service so that it is received by County Connection at least 48 hours before the meeting convenes. Requests should be sent to the Board Clerk, Lathina Hill, at 2477 Arnold Industrial Way, Concord, CA 94520 or hill@cccta.org.

Shuttle Service: With 24-hour notice, a County Connection LINK shuttle can be available at the North Concord BART station for individuals who want to attend the Board meetings. To arrange for the shuttle service, please call Robert Greenwood – 925/680 2072, no later than 24 hours prior to the start of the meeting.

Currently Scheduled Board and Committee Meetings

Board of Directors:	Thursday, August 15, 9:00 a.m., County Connection Board Room
Administration & Finance:	Wednesday, August 7, 9:00 a.m. 1676 N. California Blvd., Suite 620, Walnut Creek
Advisory Committee:	Friday, September 13, 9:30 a.m., County Connection Board Room
Marketing, Planning & Legislative:	Thursday, August 1, 9:00 a.m., 3338 Mt. Diablo Blvd. in Lafayette
Operations & Scheduling:	Friday, August 2, 8:00 a.m., Walnut Creek City Offices

The above meeting schedules are subject to change. Please check the County Connection Website (www.countyconnection.com) or contact County Connection staff at 925/676-1976 to verify date, time and location prior to attending a meeting.

This agenda is posted on County Connection's Website (www.countyconnection.com) and at the County Connection Administrative Offices, 2477 Arnold Industrial Way, Concord, California

County Connection

2477 Arnold Industrial Way

Concord, CA 94520-5326

(925) 676-7500

countyconnection.com

Agenda Item No. 4.a.

COUNTY CONNECTION BOARD OF DIRECTORS

MINUTES OF THE REGULAR MEETING

June 20, 2013

CALL TO ORDER/ROLL CALL/CONFIRM QUORUM

Chair Horn called the regular meeting of the Board of Directors to order at 9 a.m. Board Members present were Directors Andersen, Dessayer, Manning, Schroder, Weir, Worth and Alternate Member Haskew (representing the City of Walnut Creek). Director Hoffmeister arrived after the meeting convened. Directors Hudson, Simmons and Storer were absent.

Staff: Ramacier, Conneran, Glenn, Barnes, Barrientos, , Bates, Bowron, Brander, Burdick, Casenave, Churchill, Dean, Hill, Mitchell, Moran, Muzzini, Oliva, Owens, Perry, Powell, Rettig, Robinson, Smith, Thompson, Vassallo, Wilson-Cash

Guest: Don Swain (First Transit), Howard Der (AC Transit).

Chair Horn would like to move Agenda Items 11 and 12 to be heard between Agenda Items 3 and 4, due to Legal Counsel's need to leave by 10am.

MOTION: Director Manning moved that Agenda Items 11 and 12 to be heard between Agenda Items 3 and 4. The motion was seconded by Director Worth and it received the following vote of acceptance.

Aye: Directors Andersen, Dessayer, Haskew, Horn, Schroder, and Weir.

No: None

Abstain: None

Absent: Directors Hoffmeister, Hudson and Storer

PUBLIC COMMUNICATION: None
(Director Hoffmeister arrived.)

CLOSED SESSION

Consultation with Labor Negotiator Pursuant to Government Code Section 54957.6
Employee Organizations: Amalgamated Transit Union, Local 1605, AFL-CIO, Bus Operators, and Teamsters Union, Local 856, AFL-CIO, Transit Supervisors

At 9:04 a.m. Chair Horn announced the Board would take a four minute break and reconvene for a closed session to consult with its Labor Negotiator, Pat Glenn, Esq., pursuant to Government Code Section 54957.6, regarding negotiations with the Amalgamated Transit Union, Local 1605, AFL-CIO, Bus Operators, and Teamsters Union, Local 856, AFL-CIO, Transit Supervisors.

OPEN SESSION

A. REPORT OF ACTION(s) TAKEN DURING THE CLOSED SESSION

The Board reconvened in open session at 9:40 a.m. Chair Horn announced the Board met in closed session with its Labor Negotiator, pursuant to Government Code Section 54957.6, regarding negotiations with the two employee organizations. Direction was given to the labor negotiating team. No action was taken.

PUBLIC HEARING: CCCTA FY2014 OPERATING AND CAPITAL BUDGET

At 9:41 a.m., Chair Horn opened the public hearing regarding the CCCTA FY2014 Operating and Capital Budget. He stated that the public hearing is being held for the purpose of discussing and receiving citizen input on the budget. Kathy Casenave, Director of Finance, advised the public hearing was properly noticed in the *Contra Costa Times*. The proposed FY2014 Operating and Capital Budget is \$58,629,606. The operating budget is \$33,873,906, which is funded 81% with local funds, 15% from the farebox and special fare revenue, 2% with federal funds, and 2% with other revenue. The operating budget will support approximately 209,000 revenue hours of fixed-route service and 82,000 revenue hours of County Connection LINK service. Chair Horn asked if there were any comments from the public regarding the FY2014 Operating and Capital Budget. No comments were received and the public hearing was closed at 9:43 a.m.

PUBLIC HEARING: Proposed Title VI Policies

At 9:43 a.m., Chair Horn opened the public hearing regarding the Proposed Title IV Policies. He stated that the required legal notices inviting the public to attend this hearing were published in the *Contra Costa Times* and notices were posted as required by law. Laramie Bowron, Manager of Planning, advised that this public hearing is being conducted to receive comments on the proposed Major Service Change, Disproportionate Burden, and Disparate Impact policies as required by the FTA as part of the revised Title VI guidelines released in October 2012. These policies, required to be adopted prior to the implementation of any fare or service changes, define when an agency is required to analyze the effects of potential service changes and proposed fare changes for potential discriminatory effects against low-income and minority populations. No comments were received and the public hearing was closed at 9:50 a.m.

CONSENT CALENDAR

MOTION: Director Manning moved that the approval of the Consent Calendar, consisting of the following items: (a) Approval of Minutes of Regular Meeting of April 18, 2013, (b) Approval of Minutes of Regular Meeting of May 16, 2013, (c) Authorize FY 2014 Annual Adjustment to Administrative Staff Salaries and Establishment of a Management Merit Pool and Resolution No. 2013-023, (e) Adoption of GANN Appropriations Spending Limitation for FY 2014 and Resolution No. 2013-020, (f) Authorize Extension of Professional Services Agreement for ADA Paratransit Services, BART ADA Service and Gael Rail Shuttle with First Transit, Inc. For FY 2014 and Resolution No. 2013-021. Director Schroder seconded the motion and it received the following vote of approval.

Aye: Directors Andersen, Dessayer, Haskew, Hoffmeister, Horn, Weir and Worth.

No: None

Abstain: Director Worth abstained for item (a) Approval of Minutes of Regular Meeting of April 18, 2013. Director Haskew abstained for items, (a) Approval of Minutes of

Regular Meeting of April 18, 2013 and (b) Approval of Minutes of Regular Meeting of May 16, 2013

Absent: Directors Hudson and Storer

REPORT OF CHAIR

Chair Horn acknowledged the beautiful plaque of all the names of County Connection's past Board of Directors that is on display inside the County Connection Board Room.

REPORT OF GENERAL MANAGER

General Manager Rick Ramacier discussed the possibility of BART employees going out on strike. If that does happen County Connection will work with local jurisdictions on setting up temporary bus stops outside of BART stations.

General Manager Rick Ramacier mentioned that the APTA Annual Conference will be the first week in October, and that two Board Members can go. He requested that in the next few weeks, the Board identify who will go so that they may be registered as soon as possible. Director Dessayer is interested in going, and he will double check his schedule and inform staff in the near future.

Recognition of Employees of the 1st Quarter, 2013

General Manager Rick Ramacier recognized Fernanado Oliva. He has been an employee for six years. He is a pleasure to work with and definitely an asset to County Connection.

General Manager Rick Ramacier recognized Carl Ford, a service worker in the maintenance department. He takes great pride in his work and has never missed a day of work in one and half years.

General Manager Rick Ramacier recognized bus operator Ron Brander. He has three years of safe driving and is always going above and beyond his duties. He is well liked and respected by fellow employees and managers.

General Manager Rick Ramacier recognized bus operator Lisa Wilson-Cash. She always comes to work with a positive attitude and continues to receive several accommodations from her passengers.

Recognition of Departing Employee

General Manager Rick Ramacier recognized bus operator Bill Smith. He has been an employee for County Connection for 27 years and active in the military for 25 years. He has always represented County Connection in a very professional and courteous manner. He also has 15 years of safe driving.

General Manager Rick Ramacier recognized mechanic Tim Bates. He has been an employee with County Connection for 13 years. He has been a great asset.

REPORT OF STANDING COMMITTEES

Administration and Finance Committee:

FY2014 Proposed Budget and FY2013 Estimated Actual

Director Dessayer discussed that there were two minor changes made to update the third and final version of the FY2014 Operating and Capital Budget. The first change is on the Federal operating side, regarding rules and regulations on how to spend the funds. The Lifeline Revenue we expected in 2013 did not materialize and it was not renewed for 2014-2015. We do see it coming back in 2015, but the exact amount is tough to figure out so we have put a marker of a couple hundred thousand dollars until then. The second change relates to a bill that was passed in order to change and improve pension problems that we have had in the past. Historically we have been very good about our pension accrual. On an actual or real basis, we are about 105% funded and on a market basis we are about 95-98% funded. We are in very good shape as of now.

MOTION: Director Dessayer moved to adopt Resolution No. 2013-022, Adoption of the Final FY2014 Operating and Capital Budget in the amount of \$58,629,606 The motion was seconded by Director Manning and it received the following vote of acceptance.

Aye: Directors Andersen, Haskew, Horn, Hoffmeister, Schroder, Weir, and Worth
No: None
Abstain: None
Absent: Directors Hudson and Storer

Establishment of Retiree Health Savings Plan Trust

Director Dessayer discussed that the Retiree Health Savings Plan Trust will provide individual retiree health savings accounts in the amount of \$15,000 each for ten employees who were hired prior to March 1990, who had been in the PERS medical program since March 1, 1990, to provide them with some security for their health needs during retirement, and to recognize the impacts of earlier changes County Connection made to offset the cost of employee retiree health benefits to the agency.

MOTION: Director Dessayer moved to approve Resolution No. 2013-024, Adopting A Retiree Health Savings Plan Trust. The motion was seconded by Director Worth and it received the following vote of acceptance.

Aye: Directors Andersen, Haskew, Horn, Hoffmeister, Manning, Schroder, and Weir
No: None
Abstain: None
Absent: Directors Hudson and Storer

Establishment of Effective Date for potential Compensation Adjustment for the General Manager for FY2013-14

Director Dessayer advised that the General Manager's annual performance review is underway and will not be completed before the beginning of the FY 2013-2014 fiscal year. Accordingly, as the Board has authorized in the past, action is required so that any compensation changes that the Board may approve will be effective as of July 1, 2013.

MOTION: Director Dessayer moved approval of Resolution No. 2013-025, Declares and Effective Date for Compensation Adjustment for the General Manager for FY 2013-2014 The motion was seconded by Director Manning and it received the following vote of acceptance.

Aye: Directors Andersen, Haskew, Horn, Hoffmeister, Schroder Weir, and Worth
No: None
Abstain: None
Absent: Directors Hudson and Storer

Marketing, Planning, & Legislative Committee:

Proposed Title VI Policies

Director Schroder stated that Laramie Bowron explained the Title VI policies during the public hearing and he had nothing to add. There was some discussion among the Board.

MOTION: Director Schroder moved approval of Resolution No. 2013-019, Adoption of Major Service Change, Disparate Impact, and Disproportionate Burden Policies Required for Compliance with Title VI of the Civil Rights Act of 1964. The motion was seconded by Director Worth and it received the following vote of acceptance.

Aye: Directors Andersen, Haskew, Horn, Hoffmeister and Manning
No: Directors Dessayer and Weir
Abstain: None
Absent: Directors Hudson and Storer

BOARD COMMUNICATION:

Director Weir asked Legal Counsel about the Brown Act and how we ask all speakers to identify themselves before they speak. It was mentioned that maybe we should change our procedures so that we only ask them to identify themselves if they would like to.

ADJOURNMENT: Chair Horn adjourned the regular Board meeting at 10:32 a.m.

Minutes prepared by

Lathina Hill
Assistant to the General Manager

Date

To: Board of Directors

Date: July 8, 2013

From: Kristina Vassallo

Reviewed by: Rick Ramacier

SUBJECT: Disadvantaged Business Enterprise (DBE) Overall Goal for FY2014 through FY2016

Background: The Board of Directors adopted the revised *DBE Program* on February 16, 2012 pursuant to U.S. Department of Transportation directives and guidelines in the regulations, 49 CFR Part 26. The Federal Transit Administration (FTA) approved the *DBE Program* on March 8, 2013.

Summary of Issues: The regulations were amended to require grantees to establish a three-year DBE overall goal setting schedule and to submit it to FTA by August 1, 2013. To that end, staff completed the *FY2014 through FY2016 DBE Overall Goal and Goal Setting Methodology (DBE Report)* and recommended a goal of seven percent (7%) for FTA-assisted contracts. The previous three-year overall goal was set at 7% and CCCTA achieved the following DBE participation: FY2011 (15.5%) and FY2012 (10%). Achievement for the first six months of FY2013 was 9.2%.

At their May 1, 2013 meeting, the A&F Committee authorized staff to begin the public review and comment period by advertising the proposed goal. This action was taken with the understanding the Board would consider final adoption of the DBE goal following the public review and comment period. The public notice advised that information on the development of the proposed DBE goal and rationale is available for inspection for thirty days. Comments could be submitted to CCCTA and the U.S. Department of Transportation for a period of forty-five days from the date of publication.

The public notice was published in the following general circulation and minority-focused newspapers: *Contra Costa Times* (May 11, 2013) and *El Mensajero* (May 12-18, 2013). The notice was also mailed to the DBE resource agencies, posted at CCCTA's office in Concord and posted on the CCCTA website on May 2, 2013. Based on the notice date of May 11, 2013, the forty-five day public review and comment period expired on June 25, 2013. As of the deadline for receipt of comments, CCCTA received no requests from the public for information regarding development of the proposed goal and no comments about the goal setting methodology.

Financial

Implications: An approved *DBE Program*, which includes a three-year overall DBE goal, will enable CCCTA to continue to be eligible for federal financial assistance.

Recommendation The A&F Committee recommends that the Board approve the attached Resolution No. 2014-001, which adopts a three-year overall DBE goal of 7% for federally assisted contracts and authorizes staff to forward the *DBE Report* to FTA.

Options:

1. Approve the A&F Committee recommendation
2. Decline to approve the A&F Committee recommendation
3. Other action as determined by the Board

Action Requested: Approve the A&F Committee recommendation

RESOLUTION NO. 2014-001

**CENTRAL CONTRA COSTA TRANSIT AUTHORITY
BOARD OF DIRECTORS**

**ADOPTING A DISADVANTAGED BUSINESS ENTERPRISE
OVERALL GOAL FOR FY2014 THROUGH FY2016**

WHEREAS, the County of Contra Costa and the Cities of Clayton, Concord, the Town of Danville, Lafayette, Martinez, the Town of Moraga, Orinda, Pleasant Hill, San Ramon and Walnut Creek (hereinafter "Member Jurisdictions") have formed the Central Contra Costa Transit Authority ("CCCTA"), a joint exercise of powers agency created under California Government Code Section 6500 *et seq.*, for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions; and

WHEREAS, CCCTA filed applications for funding under the Moving Ahead for Progress in the 21st Century Act (MAP-21); and

WHEREAS, the U.S. Department of Transportation (DOT) issued Regulations (49 CFR Part 26) effective March 4, 1999, as amended, regarding the participation of Disadvantaged Business Enterprises (DBEs) in federally assisted contracts; and

WHEREAS, the Regulations were amended on March 3, 2010, which require that CCCTA establish a three-year DBE overall goal for FY2014-2016, which is due to be submitted to U.S. DOT by August 1, 2013; and

WHEREAS, staff prepared the *FY2014 through FY2016 DBE Overall Goal and Goal Setting Methodology (DBE Report)*, which recommends the establishment of the DBE overall goal of seven percent (7%) applicable to contracting opportunities assisted by the U.S. DOT pursuant to requirements set forth in the Regulations; and

WHEREAS, the Regulations prescribe that CCCTA provide for public participation by soliciting input from minority, women and general contractor groups, community organizations and other organizations and by publishing a legal notice providing for a thirty-day public inspection period and a forty-five day public comment period prior to adoption of the DBE overall goal; and

WHEREAS, staff participated in a public participation session on April 23, 2013, sponsored by the Business Outreach Committee, at which representatives of minority, women and general contractor groups, community organizations and other U.S. DOT grantees were invited to attend; and

WHEREAS, at their May 1, 2013 meeting, the Administration and Finance Committee found that the proposed FY2014 through FY2016 DBE overall goal to be appropriate and reasonable and authorized staff to begin the public review and comment period by advertising the proposed goal; and

WHEREAS, the legal notice was published in one general circulation newspaper on May 11, 2013 and one minority-focused newspaper during the week of May 12, 2013 announcing the proposed 7% DBE overall goal for FY2014 through FY2016 for federally assisted contracts, and advising the public that the *DBE Report* is available for inspection for thirty days and public comments will be accepted for forty-five days from the date of publication; and

WHEREAS, at the conclusion of the forty-five day public review and comment period on June 25, 2013, no comments or requests were received from the public for information regarding development of the proposed goal.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the 7% DBE overall goal for FY2014 through FY2016 applicable to U.S. DOT assisted contracts; and

BE IT FURTHER RESOLVED that the Board of Directors directs the General Manager, or his designee, to submit the *DBE Report* to the U.S. DOT through the Federal Transit Administration by August 1, 2013 so as to assure continued eligibility for the receipt of federal financial assistance.

Regularly passed and adopted this 18th day of July, 2013 by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Erling Horn, Chair, Board of Directors

ATTEST:

Lathina Hill, Clerk to the Board

County Connection

2477 Arnold Industrial Way Concord, CA 94520-5326 (925) 676-1976 countyconnection.com

Central Contra Costa Transit Authority

**FY2014 through FY2016
Disadvantaged Business Enterprise
Overall Goal and Goal Setting Methodology
(DBE Report)**

Adopted by the
CCCTA Board of Directors
Date:
Resolution No. 2014-001

Submitted to the
U.S. Department of Transportation
Federal Transit Administration
San Francisco, California
Date:

Clayton • Concord • Contra Costa County • Danville • Lafayette • Martinez
Moraga • Orinda • Pleasant Hill • San Ramon • Walnut Creek

TABLE OF CONTENTS

	<u>Page No.</u>
EXECUTIVE SUMMARY	1
METHODOLOGY FOR SETTING OVERALL DBE GOAL	2
A. Contracting Opportunities in FTA-Assisted Contracts	2
B. Consideration of Data Sources for Establishing the Base Figure of DBE Availability	3
1. U.S. Census Bureau Data	3
2. California UCP DBE Database	4
3. U.S. Small Business Administration Certified Firms	4
4. Bidders List	4
5. Another U.S. DOT Recipient's Goal	4
C. Step 1: Establishing a Base Figure	4
1. Analyzing Available Businesses in the Relevant Contracting Markets	4
2. Analyzing Available DBEs in the Relevant Contracting Markets	5
3. Calculating the Base Figure	5
D. Step 2: Adjusting the Base Figure	5
1. U.S. Census Bureau Data	6
2. History of DBE Disparity Studies	6
3. Previous Experience in Meeting the DBE Goal with FTA-Assisted Contracts	7
4. DBE Participation in Contracts Currently Underway	7
5. DBE Participation in New Contracts	8
6. Consultation with DBE Firms, Resource Agencies and Other Organizations	8
PROJECTION OF PERCENTAGE OF THREE-YEAR OVERALL DBE GOAL TO BE ACHIEVED THROUGH RACE-NEUTRAL MEASURES	9
PUBLICATION OF PROPOSED THREE-YEAR OVERALL DBE GOAL	10
COMPLIANCE WITH CALIFORNIA PROPOSITION 209	10
ADDITIONAL BACKGROUND ON COMPLIANCE STANDARDS	11
CALIFORNIA UNIFIED CERTIFICATION PROGRAM	12
ATTACHMENTS	
Attachment 1: Budgeted Capital Grants and Paratransit Operating Funds with FTA-Assisted Contracting Opportunities	
(a). FY2013-2014	
(b). FY2014-2015	
(c). FY2015-2016	
Attachment 2: DBE Availability, Step 1 and Step 2	
Attachment 3: Past Results in Contracting with DBEs	
Attachment 4: Public Participation	
Attachment 5: Projected DBE Participation for FY2014 through FY2016	
Attachment 6: Publication of Proposed Overall Three-Year DBE Goal	
Attachment 7: DBE Firms Currently Certified by CCCTA	

EXECUTIVE SUMMARY

The U.S. Department of Transportation (U.S. DOT) revised its Disadvantaged Business Enterprise (DBE) program by issuing a rule to help ensure fair competition for U.S. DOT-assisted contracts. Based on a provision in the Moving Ahead for Progress in the 21st Century Act (MAP-21) that reauthorized the U.S. DOT DBE Program, the rule ensures a level playing field on which minority, women and other disadvantaged small businesses can compete for federally assisted contracts. The rule, 49 CFR Part 26 (Regulations) titled, "Participation by Disadvantaged Business Enterprises in Department of Transportation Programs," was published in the *Federal Register* on February 2, 1999 and became effective March 4, 1999. The DBE Regulations were amended at various times and now require recipients to establish and submit overall goals for review every three years.

The DBE Regulations are intended by U.S. DOT to pass the strict scrutiny required in the 1995 U.S. Supreme Court ruling in *Adarand v. Peña*. Many of the changes respond to the Court's requirement that affirmative action programs must be narrowly tailored to remedy past discrimination that could not otherwise be remedied through race-neutral means. Key provisions of 49 CFR Part 26 applicable to the goal-setting methodology include:

- Establishment of DBE goals based on evidence of relative availability of DBEs as a percentage of firms in the relevant contracting markets.
- Use of race-neutral means to meet overall agency DBE goals to the maximum extent feasible. For contracts with subcontracting opportunities, contract-specific goals should only be used if race-neutral methods are insufficient to achieve the annual DBE goal.
- Increased reporting and monitoring during contract performance to ensure actual expenditure of contract funds with DBEs listed in the bid/proposal and contract.

The Central Contra Costa Transit Authority (CCCTA) has had a *DBE Program* in place since October 20, 1983. Pursuant to further changes in the Regulations, CCCTA revised its *DBE Program* on February 16, 2012 and the Federal Transit Administration (FTA) approved it on March 8, 2013. As a recipient of federal financial assistance from FTA, CCCTA is now required to establish an overall DBE goal for FY2014 through FY2016 and to submit it to FTA by August 1, 2013. To that end, CCCTA developed a three-year overall goal for the participation of small, disadvantaged business enterprises in FTA-assisted contracts.

The recommended overall goal for DBE participation is seven percent (7%). Calculation of this goal was based on a percentage of all FTA-assisted contracting funds anticipated to be expended between July 1, 2013 and June 30, 2016. CCCTA anticipates receiving FTA Section 5307 grants for preventive maintenance which will be used for operating assistance in the paratransit division. CCCTA also anticipates receiving Section 5303 planning grants that will be used for updates to the Short-Range Transit Plan. CCCTA does not anticipate receiving any capital grants in FY2016; however, we do anticipate receiving Section 5307 capital grants for the procurement of replacement revenue vehicles in FY2014 and FY2015.

When establishing this three-year overall goal, CCCTA reviewed its operating budget for FY2014 for the paratransit division. The operating budgets have not been developed for the two outlying fiscal years. However, it is anticipated the contracting opportunities will be similar to those identified for FY2014. Thus, the goal is based on CCCTA's operating budget for FY2014. The planning and capital grants are not included in the calculations because they will be used for non-contracting opportunities.

The 7% overall goal identifies the relative availability of DBEs based on evidence of ready, willing and able DBEs in relationship to comparable businesses known to be available to compete for CCCTA's FTA-assisted contracts. The goal reflects staff's determination of the level of DBE participation expected to be achieved absent the effects of discrimination.

CCCTA intends to meet this three-year goal to the maximum extent feasible through race-neutral measures. To ensure public participation in the goal-setting process, CCCTA staff participated in outreach efforts with the DBE and contracting communities. The proposed overall goal was advertised in the media and on the CCCTA website and it was posted at CCCTA's office in Concord, California.

METHODOLOGY FOR SETTING OVERALL DBE GOAL

The proposed three-year overall goal of 7% DBE participation is based on current and prior-year contracting opportunities in grants received or anticipated to be received from FTA that CCCTA will expend in FY2014 through FY2016. As mentioned previously, operating budgets for FY2015 and FY2016 have not been developed. While the amounts of FTA assistance and budgeted items will differ each year, it is anticipated the types and percentages of contracting opportunities will be similar to those projected for FY2014. The total adjusted FTA-assisted funds for FY2014 are \$19,411,508 with \$628,546 in contracting opportunities and \$18,782,962 in non-contracting opportunities (see Attachment 1).

This methodology includes an assessment of (1) the number, type and total dollar value of FTA-assisted contracting opportunities; (2) a two-step process prescribed in the U.S. DOT Regulations consisting of an analysis of the availability of DBE contractors/subcontractors relative to all businesses that are ready, willing and able to participate (referred to as "relative availability of DBEs"); and (3) the use of race-neutral methods to achieve the three-year goal.

A. Contracting Opportunities in FTA-Assisted Contracts

Construction, professional and other services, and procurement of supplies and equipment (except transit revenue vehicles) constitute CCCTA contracting opportunities. The total dollar value of each contracting opportunity has the following major components--the bid or proposal items that are performed by prime contractors and the specific bid or proposal items that could be accomplished by available subcontractors.

To determine FTA-funded contracting opportunities, budgets were reviewed for prior-year and current grants expected to be expended for the three-year term of FY2014 through FY2016. For the Section 5307 preventive maintenance grants to be used for paratransit operations, only the dollar value was calculated of the contracting opportunities equal to FTA's share of the total budget in the paratransit division. In this case, the total FY2014 operating budget is \$5,477,046 and the FTA-funded grant is \$676,696. Thus, FTA's share of the total paratransit operating budget equates to 12.4%. The total projected operating budgets in FY2015 and FY2016 are \$5,640,000 and \$5,809,000 respectively. The corresponding projected FTA Section 5307 preventive maintenance grants are \$694,000 (12.3%) in FY2015 and \$711,000 (12.2%) in FY2016. The operating budgets for FY2015 and FY2016 have not been determined, but it is anticipated that the contracting opportunities will be similar to FY2014.

Capital grants are projected for FY2014 and FY2015 that will be used to purchase replacement transit revenue vehicles. CCCTA does not anticipate receiving any capital

grants in FY2016. The Section 5303 planning grants projected for all three years will be used for updates to the Short-Range Transit Plan. The capital and planning grants will be used for non-contracting opportunities so they are not included in this calculation.

The specific contracting categories (construction, professional and other services, and supplies/equipment) were then determined for the total paratransit operating funds available during FY2014. These FTA-assisted contracting opportunities of \$628,546 are anticipated to be used for paratransit operating services. Non-contracting opportunities are \$18,782,962 and include \$48,150 for paratransit operating services, \$30,000 for the Section 5303 planning grant as CCCTA staff will perform the work, and 18,704,812 to replace transit revenue vehicles, as shown on Attachment 1.

For most of its FTA-assisted contracts, CCCTA will not require DBE firms to provide extensive bonding, insurance or other financial requirements to perform the work. For example, the DBE subcontractors for the paratransit services contract will not be required to provide bonding or insurance, as that is the obligation of the prime contractor. On a prior contract where bonding was required, CCCTA worked with the DBE prime contractor to identify and use bonding sources (including U.S. DOT's Bonding Assistance Program) and otherwise assisted the firm in complying with the bonding requirements.

B. Consideration of Data Sources for Establishing the Base Figure of DBE Availability

CCCTA developed its three-year overall DBE goal based on the two-step process outlined in the Regulations. In Step 1, a base figure was calculated to determine the relative availability of DBEs in specific areas of expertise applicable to CCCTA's contracting activities using data from the U.S. Census Bureau for the State of California. In Step 2, an assessment of relevant evidence available to CCCTA was analyzed to determine what adjustments, if any, were needed to narrowly tailor the base figure to CCCTA's contracting markets. The following is a review of data sources considered when establishing the base figure in Step 1.

1. U.S. Census Bureau Data

The Regulations suggest that one method of establishing the DBE base figure is to develop a percentage of DBE availability based upon the number of minority- and women-owned firms relevant to CCCTA's contracting activities as the numerator and data from the U.S. Census Bureau's County Business Patterns (CBP) Database on all businesses in the same SIC Codes as the denominator.

To determine the base figure of ready, willing and able DBEs in its marketplace, CCCTA analyzed the number of minority- and women-owned firms statewide using 2007 data from the U.S. Department of Commerce, Bureau of the Census. Data from this source, rather than the CBP Database, was used because it identifies the number of minority- and women-owned businesses, per major NAICS categories, which is not available currently from the CBP Database.

A review of CCCTA's prior FTA-assisted contracts awarded to DBEs revealed that most of those firms had paid employees. For its previous three-year goal, CCCTA used U.S. Census data on firms with paid employees. The types of contracts expected to be awarded for the three-year term of FY2014 through FY2016 are

similar to those issued previously. Current information from the U.S. Census Bureau only indicates data for the number of firms with or without paid employees and it does not identify separately the number of firms with paid employees. CCCTA believes this is a significant factor when comparing the 24% availability in FY2011 with the 49% availability for FY2014.

2. California UCP DBE Database

Currently, the California Unified Certification Program (UCP) Database consists of 4,585 DBE firms. This Database was not used to establish DBE availability in Step 1 because the small number of firms listed in each NAICS Code is not representative of the full DBE community.

3. U. S. Small Business Administration Certified Firms

A business currently certified under the U.S. Small Business Administration (SBA) 8(a) Program or the Small Disadvantaged Business (SDB) Program is considered eligible for certification as a DBE in the California UCP, providing it meets the business size standard and other eligibility criteria established by U.S. DOT. Several SBA 8(a) and SDB certified firms are included in the California UCP DBE Database.

Information from the U.S. Small Business Administration was not used to determine the availability of DBE firms because (a) some firms are listed in both SBA programs, which may lead to double counting and (b) some firms may not meet the U.S. DOT business size standard and/or other eligibility criteria.

4. Bidders List

CCCTA will compile a bidders list for use as an analytical tool in the future. At this time, however, CCCTA does not have a comprehensive bidders list that includes all DBEs and non-DBEs that submitted bids/proposals on prior contracts or subcontracts.

5. Another U.S. DOT Recipient's Goal

CCCTA has considered using the DBE goal of another U.S. DOT recipient for the goal-setting process; however, CCCTA's contracting opportunities do not closely mirror those of another agency.

C. Step 1: Establishing a Base Figure

A base figure was developed for FY2014 contracting opportunities to express the relative availability of DBEs as a percentage of all firms in the relevant contracting markets, as delineated by NAICS Codes.

1. Analyzing Available Businesses in the Relevant Contracting Markets

CCCTA's vendor listing indicates several contracts are awarded to vendors/contractors located within Contra Costa County, and many of these firms are located within CCCTA's service area. A review of projected contracts revealed

there are five major NAICS Codes with contracting and subcontracting opportunities. While several of these contracts are expected to be awarded to local firms, the remainder will be awarded to regional, statewide and national firms.

Due to limited information on minority- and women-owned firms for specific NAICS Codes in Contra Costa County, it was decided to broaden the geographical area and use statewide data from the U.S. Census Bureau. This approach complies with a requirement in the Regulations to use as close as possible the same NAICS Codes and geographical base when determining the base figure for the overall goal.

2. Analyzing Available DBEs in the Relevant Contracting Markets

A similar analysis was conducted to determine the number of ready, willing and able DBEs available to participate as prime contractors or subcontractors on CCCTA's projected contracts. The 2007 Economic Census, Survey of Business Owners, from the U.S. Census Bureau provided data on firms owned by males and females who are minorities or non-minorities. When calculating the total number of minority- and women-owned firms, CCCTA used the number of firms owned by all females plus the number of firms owned by minority males in all racial/ethnic groups (refer to Attachment 2, Step 1).

3. Calculating the Base Figure

CCCTA compared the available minority- and women-owned firms and all businesses in the relevant contracting markets. To determine the base figure of DBE availability, the calculation includes a weighting factor according to the FTA-assisted contracting expenditure patterns.

The percentage of DBE availability was determined for each NAICS Code by dividing the total number of minority- and women-owned firms by the number of all companies in that major NAICS Code. The base figure for total availability was calculated to be 49%, as shown on Attachment 2, Step 1.

The budgeted contract amounts were determined and a percentage of the total contracts was calculated for each NAICS Code to give a higher weight to areas where more dollars will be expended. The percentage of the total contracts was then multiplied by the percentage of availability for each NAICS Code. Attachment 2, Step 2, delineates the contracting opportunities for each NAICS Code.

D. Step 2: Adjusting the Base Figure

CCCTA adjusted the base figure based on evidence that indicates the availability of DBEs for FTA-assisted contracts will be lower than the calculated availability figure of 49%. To determine an adjusted base figure, staff reviewed information related to the proven capacity of DBEs to perform similar contracts. This included information from the U.S. Census Bureau, DBE disparity studies, DBE achievements on CCCTA's prior and current contracting opportunities, and public comments received from representatives of DBE firms, resource agencies and other organizations.

1. U.S. Census Bureau Data

It is noted that there are shortcomings in using data from the U.S. Census Bureau. These limitations include: (a) the data is not current; (b) listings of NAICS Codes for minority- and women-owned firms are available nationally and statewide but not locally; (c) the two-digit major industry group NAICS Codes do not refine the classifications enough to apply closely to CCCTA's contracts; (d) the data includes firms that are not eligible for certification using criteria in 49 CFR Part 26; (e) the availability percentages may be too large because they include firms with no paid employees.

2. History of DBE Disparity Studies

The Minority Affairs Committee (MAC) of the Regional Transit Coordinating Council (RTCC) conducted a *DBE Disparity Study* to comply with the U.S. Supreme Court's ruling in *City of Richmond v. J. A. Croson Co.* This decision challenged the local goals program for contracts with minority-owned businesses. The Court found that race-based preference programs would be constitutionally valid only if there is evidence that discrimination in the marketplace caused the underutilization of minority-owned firms and that race-based preferences are necessary to remedy such discrimination. In addition, the Court ruled that any race-based remedies must be narrowly tailored.

To satisfy requirements of the Court's ruling, a professional services contract was awarded on October 21, 1991 to National Economic Research Associates, Inc. (NERA) to conduct a *DBE Disparity Study*. Their final report was submitted in May 1993 titled, *The Utilization of Minority and Women-Owned Business Enterprises by Member Agencies of the Regional Transit Association (DBE Disparity Study)*. NERA completed additional work in February 1994 related to updated information in the *DBE Disparity Study*. The overall results of the *DBE Disparity Study* supported the continuation of CCCTA's goals-based *DBE Program* for federally assisted contracts by providing statistical and anecdotal evidence of discrimination and the underutilization of DBE firms in the geographical areas which constitute CCCTA's marketplace.

Information from the *DBE Disparity Study* was not used to adjust availability figures derived in Step 1 because the data is not current and it is compiled in broad contracting categories that are not specific to the SIC Codes identified in the *Study*.

In May 2005, the U.S. Court of Appeals for the Ninth Circuit, in the case of *Western States Paving Co. Inc. v. Washington State Department of Transportation*, ruled that WSDOT applied its DBE program unconstitutionally because it did not have sufficient evidence of discrimination in its marketplace to justify its annual overall DBE goal. Subsequent to this Court decision and further guidance from U.S. DOT, Caltrans, BART, SamTrans, and VTA completed contracts for their own availability/utilization studies in the geographical areas directly relevant to their contracting markets.

Results of these studies were reviewed and relevant to CCCTA's DBE program in whole. However, it was noted in particular that the study measured construction

and engineering services for highway and rail contracting opportunities, which do not pertain to CCCTA's projected contracting opportunities.

3. Previous Experience in Meeting the DBE Goal with FTA-Assisted Contracts

The CCCTA Board of Directors adopted the FY2011 through FY2013 DBE overall goal of 7% on July 15, 2010 for FTA-assisted contracting opportunities. CCCTA achieved 9.2% DBE participation for the first six months of the federal fiscal year 2013 (October 1, 2012 through March 31, 2013). Previous DBE achievements were 10% for FFY2012, 15.5% for FFY2011 and 6% for FFY2010 (see Attachment 3).

CCCTA will be using federal grants in its paratransit division for operating assistance. Procurement opportunities for operating funds are similar to FY2011-FY2013 and prior years; however, the capital projects differ each year based on new and ongoing contracts. CCCTA did not adjust the final availability figure based on past participation because the capital contracting opportunities in FY2014 through FY2016 are not identical to prior years.

4. DBE Participation in Contracts Currently Underway

a. Paratransit Services

CCCTA will use a preventive maintenance grant under FTA Section 5307 to augment its operating revenue used to provide services in the paratransit division. Contracting opportunities during FY2014-FY2016 are expected to be similar to the last three fiscal years.

On May 21, 2009, the CCCTA Board of Directors awarded a contract to its previous contractor, First Transit, Inc., for maintenance and operation of paratransit services for a two-year term effective July 1, 2009. The contract was extended for three additional one-year terms. No DBE goal was set on this project; however, the contractor indicated it would utilize two DBE subcontractors at their previous total DBE participation level of 7%. During the past twenty-three years (FY1991 through the first six months of FY2013) the contractor's DBE achievement ranged from 4% to 11% with an average and median of 8%.

According to data from the 2010 County Business Patterns for California, Major Industry Groups 48-49: Transportation and Warehousing, shows a total of 20,876 firms; whereas, NAICS Code 485113: Bus and Other Motor Vehicle Transit Systems, has 143 firms, or .7% of the total firms. Only one firm certified in the CUCP DBE Database under NAICS Code 485113 may have the expertise to provide this type of service. Thus, the minority- and women-owned firms identified for Major Industry Groups 48-49 may be overstated significantly for this particular contracting opportunity.

CCCTA determined that Major Industry Groups 48-49, as related to the paratransit contract, required an adjustment due to the level of funds committed to this project, historical evidence of DBE achievements in this contracting marketplace, and evidence that indicates the availability figure for these Groups may be overstated. Based on these factors, CCCTA changed its

DBE availability for Major Industry Groups 48-49 from 56% to 7% to reflect more accurately the DBE subcontracting opportunities available for this project. (Please refer to Attachment 2, St ep 2.)

b. Legal Services

On April 18, 1996, the CCCTA Board of Directors approved a resolution awarding a contract for legal services to Hanson, Bridgett, Marcus, Vlahos & Rudy. When the RFP was issued, no DBE goal was established and there has been no known DBE participation on this contract.

CCCTA determined that Major Industry Group 54: Professional, Scientific and Technical Services, as it relates to this contract, required an adjustment due to the level of funds committed to this project and lack of DBE subcontracting opportunities. Based on these factors, CCCTA changed its DBE availability for Major Industry Group 54: Professional, Scientific and Technical Services, from 44% to 0% to reflect more accurately the lack of DBE subcontracting opportunities available. (Please refer to Attachment 2, Step 2.)

5. DBE Participation in New Contracts

No adjustments were made on new contracts because the amounts in each NAICS code are small, or a total of \$693 (.11%) of the total contracting opportunities for the paratransit division and it is anticipated some of these contracts may be awarded to DBE firms.

6. Consultation with DBE Firms, Resource Agencies and Other Organizations

In an effort to provide public participation in the goal-setting process, CCCTA worked in concert with members of the Business Outreach Committee to solicit and receive public comments. (Refer to Attachment 4 for information regarding the public participation sessions.)

Notices of the public participation sessions were mailed and emailed in April 2013 to DBE firms in the UCP Database as well as minority, women and general contractor groups and community organizations seeking input and/or consultation in establishing our three-year overall goals. Most of these diverse groups are included in the DBE Resources and Information List that CCCTA uses in its ongoing outreach efforts. They are knowledgeable about the availability of disadvantaged and non-disadvantaged businesses and the effects of discrimination in contracting opportunities for DBEs in CCCTA's marketplace.

Agency staff members held two public participation sessions on April 23, 2013. The purpose of these sessions was to provide the public with a forum for commenting on the three-year goal-setting process for participating agencies. Agency staff members briefly described their contracting opportunities for FY2014 through FY2016 and requested specific information on the availability of ready, willing and able DBEs for their projects. In response to the Notice inviting their participation, 160 representatives from DBE and non-DBE companies as well as representatives from resource agencies attended the meeting. Representatives provided comments and/or requested information on agency contracting

opportunities. No comments or questions were received regarding CCCTA's specific contracts or DBE goal-setting process.

CCCTA staff also consulted with other U.S. DOT recipients in California regarding methodologies used by them to establish their three-year overall goals. These agencies included members of the Business Outreach Committee and the California UCP. Inasmuch as comments received from these sources did not address CCCTA's specific contracting opportunities projected for FY2014 through FY2016, no additional adjustments were made to the base figure derived in Step 1 or the adjustments made in Step 2.

The identified adjustments made in Step 2 of the goal-setting process reduced the total availability from 49% to 7%, as shown in Attachment 2, Step 2. CCCTA recommends a 7% overall DBE goal applicable to FTA-assisted contracts of \$628,546, which equates to \$44,250 for DBE participation for FY2014. (Refer to Attachment 5.)

PROJECTION OF PERCENTAGE OF THREE-YEAR OVERALL DBE GOAL TO BE ACHIEVED THROUGH RACE-NEUTRAL MEASURES

The U.S. DOT Regulations require that the maximum feasible portion of the DBE overall goal be met by using race-neutral methods. Race-neutral methods include efforts made to assure that bidding and contracting requirements facilitate participation by DBEs and other small businesses, such as unbundling large contracts to make them more accessible, encouraging prime contractors to subcontract portions of the work, and providing technical assistance, outreach and communications programs. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures, a DBE is awarded a subcontract on a prime contract that does not carry a DBE goal, or a DBE wins a subcontract, even if there is a DBE goal, from a prime contractor that did not consider its DBE status in making the award.

Because of the emphasis placed on race-neutral methods and the small dollar amounts of projected new formal contracts with subcontracting opportunities, CCCTA anticipates setting no contract-specific DBE goals on new contracts to be awarded in FY2014 through FY2016. In conjunction with the Small Business Element in its *DBE Program*, CCCTA will consider setting an SBE goal on the paratransit services contract when it expires in 2014 and on other new contracts with subcontracting opportunities when it is determined that CCCTA will not be able to achieve its DBE overall goal.

In addition, CCCTA will focus on developing, refining and implementing race-neutral methods for facilitating DBE participation by advising prospective contractors of the areas for possible subcontracting and of the availability of ready, willing and able subcontractors, including DBE firms, to perform such work. CCCTA will continue to solicit DBE participation on an ongoing basis, use DBE firms that have successfully completed prior projects, encourage eligible firms to become certified as DBEs, encourage DBE certified firms to maintain their certifications, assist with access and distribution of the California UCP DBE Database, work with the California UCP Executive Committee to refine the DBE certification and annual review processes, and provide requested technical assistance and related services when feasible.

As a member of the Business Outreach Committee (BOC), CCCTA is assisting with their annual projects that include a quarterly newsletter and outreach/networking events. The

newsletter highlights agency contracting opportunities and provides information on resource agencies, contracting issues and upcoming outreach events. The BOC plans to host outreach/networking events and certification workshops each year in addition to the public participation meetings focused on contracting and DBE availability for our goal-setting process. The outreach/networking events bring together agency buyers and project managers as well as prime contractors and subcontractors that may be interested in submitting bids or proposals for agency contracts. These events and the certification workshops have provided certification information to interested firms and encouraged them to apply and/or to maintain their current certification status.

Race-neutral measures will comprise 100% of the total contracting opportunities through various types of contracts, including construction, professional services, procurement of materials, supplies and equipment, and other services. CCCTA will monitor carefully its progress during the course of each year and will consider whether it will establish appropriate contract-specific SBE goals if other race-neutral methods do not appear sufficient to achieve the three-year overall DBE participation goal. All contracts that have DBE commitments will be monitored for compliance.

PUBLICATION OF PROPOSED THREE-YEAR OVERALL DBE GOAL

Federal Regulations require that CCCTA publish a notice in general circulation and DBE-oriented media announcing the proposed goal for FY2014 through FY2016 contracts assisted by U.S. DOT. Legal notices announcing the proposed goal were published in one general circulation newspaper, *Contra Costa Times* (May 11, 2013), and one minority-focused newspaper, *El Mensajero* (May 12-18, 2013). On May 1, 2013, the legal notice was posted on the bulletin board at CCCTA's office in Concord, California and its website, and it was mailed to the DBE resource organizations listed in Attachment 6. The legal notice and proof of publication also are included in Attachment 6.

The legal notice informed the public that information on the proposed goal and methodology is available for inspection during normal business hours at CCCTA's office for thirty days from the date of publication. The notice also advised that CCCTA and U.S. DOT would accept public comments on the proposed goal and methodology for a period of forty-five days from the date of publication. At the conclusion of the public review and comment period on June 25, 2013, CCCTA received no requests from the public for information regarding development of the proposed goal and no comments about the goal-setting methodology.

COMPLIANCE WITH CALIFORNIA PROPOSITION 209

The three-year overall DBE goal complies with the California Civil Rights Initiative, Proposition 209, in that any continuing race-conscious measures for new contracts, or contracts in progress, apply only to U.S. DOT-assisted contracts.

The race-neutral elements of CCCTA's *DBE Program* are applicable to all third-party contracts, regardless of funding source, in a manner that is consistent with Proposition 209. By this means, the administration of CCCTA's contracts to include the participation of DBEs on a nondiscriminatory basis is preserved.

ADDITIONAL BACKGROUND ON COMPLIANCE STANDARDS

In May 2005, the Ninth Circuit Court of Appeals decided a case (*Western States Paving Co. Inc. v. Washington State Department of Transportation*) that has an impact on the goal-setting methodology of CCCTA's DBE Program. The Court ruled that the Washington State Department of Transportation (WSDOT) was applying its DBE program unconstitutionally because it did not have sufficient evidence of discrimination in its marketplace to justify its annual overall DBE goal.

The Court concluded that the U.S. DOT DBE program was constitutional as written because it was a "narrowly tailored" means of remedying the effects of race- and sex-based discrimination within the transportation contracting industry. However, the Court held that WSDOT, in order to justify an annual DBE goal, needed to go beyond the requirements of the federal Regulations and independently establish the existence of racial/gender discrimination in the state's transportation contracting industry for each group included in its DBE program. The Court reviewed WSDOT's annual goal setting process, determined it was flawed, and concluded that the WSDOT DBE program was unconstitutional.

In this Court case, the majority opinion concluded that a disparity study or other documentation of discrimination in the contracting industry in the relevant geographical area for the groups covered by the DBE program should be the basis for an annual DBE goal rather than statistics based only on U.S. Census data. In response to this Court ruling and further guidance from U.S. DOT, Caltrans and some of the transit agencies in the San Francisco Bay Area awarded consultant contracts for availability/utilization studies.

In January 1989, the U.S. Supreme Court in *City of Richmond v. J. A. Croson Co.* set constitutional limits on the use of race-conscious programs by nonfederal entities. The Court found that race-based preferences would be constitutionally valid only if there is evidence that discrimination in the marketplace has caused the underutilization of minority-owned firms and that race-based preferences are necessary to remedy that discrimination. In addition, the Court held that race-conscious remedies must be narrowly tailored to remedy such discrimination.

A joint *DBE Disparity Study* was conducted by National Economic Research Associates, Inc. (NERA) in 1994 on behalf of the RTCC MAC agencies (including CCCTA). It found disparities for each major race and gender group in each of the major industries examined in the RTCC member agency's geographical market. It also found that no minority- and woman-owned business enterprise group received its expected share of private-sector procurement dollars although these disparities vary greatly for each group and across each agency.

Anecdotal evidence in the *Study* provided additional support that marketplace discrimination in the greater San Francisco Bay Area limits the opportunities for minority- and women-owned businesses to obtain work. Evidence of discrimination was presented in various areas, including education, housing, banking, bonding, employment, and union apprenticeship programs, which have a negative effect on individuals who want to establish and expand their businesses. The *DBE Disparity Study* concluded that statistical and anecdotal findings strongly support the view that discrimination would lead to the underutilization of minority- and women-owned businesses by the RTCC agencies in the absence of their goals programs. Therefore, these goal-based programs are a reasonable remedy for ensuring that RTCC procurement spending is not used to help perpetuate discriminatory practices.

CALIFORNIA UNIFIED CERTIFICATION PROGRAM

The Regulations require all U.S. DOT recipients in their state to participate in a Unified Certification Program (UCP). The major requirements for a UCP are: (a) U.S. DOT recipients must participate in a UCP within three years of March 4, 1999; (b) U.S. DOT recipients must ensure that the UCP has sufficient resources and expertise to carry out the Regulations; (c) the UCP shall make all certification decisions on behalf of all U.S. DOT recipients in the state with respect to participation in the U.S. DOT DBE Program; (d) UCP certifications shall be pre-certifications; (e) a UCP is not required to process a certification application from a firm having its principal place of business outside the state if it is not currently certificated in its home state; and (f) each UCP shall maintain and distribute a unified DBE directory.

U.S. DOT designated the California Department of Transportation (Caltrans) as the lead agency for development and implementation of the California UCP. To accomplish that task, statewide meetings were held and a Memorandum of Agreement (MOA) was developed outlining California's plan for implementation of the UCP. Caltrans submitted the California UCP MOA on May 1, 2001 to U.S. DOT, and the U.S. DOT Secretary approved the MOA on March 13, 2002. Initial implementation of the California UCP began on January 1, 2002, and full implementation was accomplished within 18 months of the U.S. DOT approval date.

As required by the California UCP MOA, CCCTA submitted a Declaration Letter to Caltrans advising it is a U.S. DOT recipient with an approved DBE Program in place, acknowledging it is in agreement with the MOA, including funding requirements, and declaring it will be a certifying agency.

CCCTA is impacted by the California UCP as follows: (a) the MOA proposes an annual membership fee between \$1,000 and \$2,000 per agency, to be reviewed annually; (b) CCCTA and other certifying agencies certify firms as DBEs or ACDBEs; (c) all certified firms are included in the UCP DBE Database; (d) CCCTA is responsible for inputting and updating its own certification activities in the UCP DBE Database; and (e) CCCTA staff participates as a member of the UCP Executive Committee.

Firms currently certified by CCCTA, as authorized by and on behalf of the California UCP, are listed in Attachment 7 and included in the UCP DBE Database. These firms are certified per the certification standards in 49 CFR Part 26, Subpart D, and in concurrence with procedures approved by the California UCP Executive Committee.

Attachment 1 (a)

Budgeted Capital Grants and Paratransit Operating Funds
With FTA-Assisted Contracting Opportunities, FY2013-2014

Type of Grant/ Budgeted Line Item		Professional Services	Equipment/ Supplies	Other Services	Construction	Non- Contracting	Contracting Total
Operating Grants							
Section 5307, Preventive Maintenance, Paratransit							676,696
Total FTA Operating Grants							676,696
Total Operating Budget Paratransit Division		5,081,720	3,000	2,611	0	389,715	5,477,046
FTA % of Total Operating Budgets							12.4%
NAICS	Contracting Opportunities, Operating Budgets	Professional	Equipment	Services	Construction	NonContract	Contracting
31-33	Manufacturing/Printing			530			530
44-45	Retail Trade		3,000				3,000
48-49	Transportation and Warehousing (Contract)	5,071,720					5,071,720
54	Legal Services (Contract)	10,000					10,000
56	Administrative and Support and Waste Management			2,081			2,081
	Total Paratransit Operating Budget	5,081,720	3,000	2,611	0	389,715	5,087,331
	@12.4%	627,853	371	323	0	48,150	628,546
Total FTA Assisted Contracting & Noncontracting Opportunities, Operating Budget							676,696
Planning Grant		Professional	Equipment	Services	Construction	NonContract	Contracting
	FTA Section 5303 Planning Grant					30,000	30,000
	Total Planning Grants					30,000	30,000
Capital Grants		Professional	Equipment	Services	Construction	NonContract	Contracting
	FTA Section 5307 Capital Grant						0
	Revenue Fleet, 33 FR buses					18,704,812	18,704,812
	Total Capital Grants					18,704,812	18,704,812
Total Contracting & Noncontracting Opportunities						18,782,962	19,411,508
						628,546	19,411,508

Attachment 1 (c)

Budgeted Capital Grants and Paratransit Operating Funds
With FTA-Assisted Contracting Opportunities, FY2015-2016

Type of Grant/ Budgeted Line Item		Professional Services	Equipment/ Supplies	Other Services	Construction	Non- Contracting	Contracting Total
Operating Grants							
Section 5307, Preventive Maintenance, Paratransit							711,000
Total FTA Operating Grants							711,000
Total Operating Budget Paratransit Division							5,809,000
FTA % of Total Operating Budgets							12.2%
NAICS	Contracting Opportunities, Operating Budgets	Professional	Equipment	Services	Construction	NonContract	Contracting
31-33	Manufacturing						-
44-45	Retail Trade						-
48-49	Transportation and Warehousing (Contract)						-
54	Legal Services (Contract)						-
56	Administrative and Support and Waste Management						-
	Total Paratransit Operating Budget	0	0	0	0	0	0
	@ 12.2%	0	0	0	0	0	0
Total FTA Assisted Contracting & Noncontracting Opportunities, Operating Budget							0
Planning Grant		Professional	Equipment	Services	Construction	NonContract	Contracting
	FTA Section 5303 Planning Grant					30,000	30,000
	Total Planning Grants					30,000	30,000
Capital Grants		Professional	Equipment	Services	Construction	NonContract	Contracting
						-	0
						-	0
						-	0
Total Capital Grants						-	0
Total Contracting & Noncontracting Opportunitie						30,000	0
							30,000
							30,000

Attachment 2

DBE Availability, Overall DBE Goal for FY2014 Through FY2016

Step 1: Base Figure for DBE Availability Using California Data for Relevant NAICS Codes

NAICS Code	Major Industry Group	All Companies	Male Minority Owned Firms	Women Owned Firms	Total Minority & Women Owned	Percent Minority & Women Availability
31-33	Manufacturing	85,070	14,393	14,691	29,084	34.19%
44-45	Retail Trade	305,808	49,223	103,546	152,769	49.96%
48-49	Transportation and Warehousing	144,399	67,087	14,328	81,415	56.38%
54	Professional, Scientific & Technical Services	579,994	76,949	175,398	252,347	43.51%
56	Administrative and Support and Waste Management	255,952	61,764	95,898	157,662	61.60%
	Total NAICS Codes Listed	1,371,223	269,416	403,861	673,277	49.10%

Source: U.S. Census Bureau, 2007 Economic Census, Survey of Business Owners, State of California

Step 2: Adjusted Base Figure for DBE Availability for FTA-Assisted Contracts in Process and New Contracts

NAICS Code	Major Industry Group	Contracts in Process			New Contracts			Adjusted Percent Total DBE Availability
		Percent DBE Availability	Budgeted Contract Amount	Percent Total Contracts	Percent DBE Availability	Budgeted Contract Amount	Percent Total Contracts	
31-33	Manufacturing				34.19%	65	0.01%	0.00%
44-45	Retail Trade				49.96%	371	0.06%	0.03%
48-49	Transportation and Warehousing (Contract)	7.00%	626,617	99.69%				6.98%
54	Legal Services (Contract)	0.00%	1,236	0.20%				0.00%
56	Administrative and Support and Waste Management				61.60%	257	0.04%	0.03%
	Subtotals		\$627,853	99.89%		\$693	0.11%	
	Totals					\$628,546	100.00%	7.04%

Attachment 3

Past Results in Contracting with DBEs

FEDERAL FISCAL YEAR 2012-13 10/1/12 - 3/31/13 (First Six Months)

FTA-Assisted Contract Categories	Number of DBE Contracts and Subcontracts	Total FTA Dollars All Contracts	Total FTA Dollars DBE Contracts	Percent DBE
Construction	0			
Professional Services	0	239,970	-	0.0%
Materials/Supplies/Equipment	1	37,922	21,139	55.7%
Other Services	2	18,693	6,273	33.6%
Total	3	\$ 296,585	\$ 27,412	9.2%

FEDERAL FISCAL YEAR 2011-12 10/1/11 - 9/30/12

FTA-Assisted Contract Categories	Number of DBE Contracts and Subcontracts	Total FTA Dollars All Contracts	Total FTA Dollars DBE Contracts	Percent DBE
Construction	0	\$ 93,090	\$ -	0.0%
Professional Services	0	700,601	-	0.0%
Materials/Supplies/Equipment	3	228,024	68,818	30.2%
Other Services	5	106,365	43,683	41.1%
Total	8	\$ 1,128,080	\$ 112,500	10.0%

FEDERAL FISCAL YEAR 2010-11 10/1/10 - 9/30/11

FTA-Assisted Contract Categories	Number of DBE Contracts and Subcontracts	Total FTA Dollars All Contracts	Total FTA Dollars DBE Contracts	Percent DBE
Construction	0	\$ 170,259	\$ -	0.0%
Professional Services	1	570,106	13,200	2.3%
Materials/Supplies/Equipment	2	714,027	55,293	7.7%
Other Services	15	258,477	196,391	76.0%
Total	18	\$ 1,712,869	\$ 264,883	15.5%

FEDERAL FISCAL YEAR 2009-10 10/1/09 - 9/30/10

FTA-Assisted Contract Categories	Number of DBE Contracts and Subcontracts	Total FTA Dollars All Contracts	Total FTA Dollars DBE Contracts	Percent DBE
Construction	1	\$ 912,046	\$ 45,536	5.0%
Professional Services	1	1,029,415	1,600	0.2%
Materials/Supplies/Equipment	2	561,274	65,474	11.7%
Other Services	14	123,898	44,527	35.9%
Total	18	\$ 2,626,634	\$ 157,137	6.0%



Business Outreach Committee (BOC)

A Consortium of Bay Area Transportation Agencies

*****PUBLIC NOTICE*****

The Business Outreach Committee has scheduled a meeting to advise the public of upcoming projects and to receive comments on:

Tuesday, April 23, 2013

4:00 p.m. to 6:00 p.m.

at the following location:


**Metropolitan Transportation Commission (MTC)*
101 8th Street (Auditorium)
Oakland, California 94607**


**directions are attached; public transportation is encouraged as parking is limited.*

Your attendance is strongly encouraged. Please inform businesses that may not have received this notice.

This meeting will provide the opportunity for members of the public to learn about upcoming transportation projects and provide input in the goal-setting process, specifically on the relative availability of Disadvantaged Business Enterprises (DBEs) that are ready, willing and able to compete for U.S. Department of Transportation (DOT) -assisted contracts to be let by transportation agencies throughout the region.

Representatives from the agencies listed to the left will be presenting their agency's upcoming contract opportunities.

The Santa Clara Valley Transportation Authority  will also provide a special presentation on their SVBX Parking Structures Design Build (Contract C730)

The San Francisco Bay Area Rapid Transit District  will provide a special presentation on its Hayward Maintenance Complex Project (HMC)

The Business Outreach Committee hereby notifies all interested parties that the agencies listed to the left are beginning the process of establishing annual overall goals for participation by DBEs in contracts and procurements which may be financed in whole or in part by the DOT for FY 2014 – FY 2016.

Business
OUTREACH
Committee

Business Outreach Committee (BOC)
A Consortium of Bay Area Transportation Agencies

April 23, 2013
2:30 p.m. – 3:30 p.m.

Metropolitan Transportation Commission
101 8th Street (Auditorium)
Oakland, CA 94607

COLLABORATIVE MEETING TO DISCUSS HOW TO INCREASE AVAILABILITY OF
MINORITY AND WOMEN OWNED FIRMS IN TRADES THAT HAVE HISTORICALLY
BEEN LOW IN DBE PARTICIPATION

Agenda

1. Introduction/Background
2. Agency Goal Setting Practices
3. DBE Participation Challenges
4. Input/Dialogue
5. Open Forum



Business Outreach Committee (BOC)

Public Participation Meeting for Establishing Annual Overall DBE Goal for FY 2014-FY 2016

Tuesday, April 23, 2013
4:00 p.m. to 6:00 p.m.

Metropolitan Transportation Commission
101 8th Street (Auditorium)
Oakland, CA 94607

1. Welcome and brief overview of BOC, Lauren Gularte (WETA)
2. Introduction about VTA and SVBX Contract Manager, Liz Brazil (VTA)
3. Introduction about BART and Hayward Maintenance Complex Project (HMC), Linda Wells-Grogan (BART)
4. Overview of contracting opportunities from each participating agency:
 - a) Alameda County Transportation Commission (Alameda CTC)
 - b) Water Emergency Transportation Authority / San Francisco Bay Ferry (WETA)
 - c) Golden Gate Transportation District (GGBHTD)
 - d) Transbay Joint Powers Authority (TJPA)
 - e) Metropolitan Transportation Commission (MTC)
 - f) Alameda Contra Costa Transit District (AC Transit)
 - g) Western Contra Costa Transit Authority (WestCat)
 - h) Contra Costa County Transit Authority (CCCTA)
 - i) San Francisco Municipal Transportation Agency (SFMTA)
 - j) San Mateo County Transit District (SamTrans)
5. Q & A
6. Public Comments

CCCTA List of Resource Agencies for Mailing the Public Outreach Notice

Bay Area Women Entrepreneurs
Office of Community Relations
Laney College
900 Fallon Street
Oakland, CA 94607

Clayton Business and Community Association
P. O. Box 436
Clayton, CA 94517

Concord Chamber of Commerce
2280 Diamond Boulevard, Suite 200
Concord, CA 94520-5745

Contra Costa PIC/Business Resource Center
2425 Bisso Lane, Suite 100
Concord, CA 94520

Danville Area Chamber of Commerce
117 Town and Country Drive, Suite E
Danville, CA 94526-3942

Hispanic Chamber of Commerce
1515 Locust Street
Walnut Creek, CA 94596

Lafayette Chamber of Commerce
100 Lafayette Circle, Suite 103
Lafayette, CA 94549

Martinez Chamber of Commerce
603 Marina Vista
Martinez, CA 94553

Orinda Chamber of Commerce
31 Orinda Way, Suite C
Orinda, CA 94563

Pleasant Hill Chamber of Commerce
91 Gregory Lane, Suite 11
Pleasant Hill, CA 94523

San Ramon Chamber of Commerce
2410 Camino Ramon, Suite 125
San Ramon, CA 94583

Service Corps of Retired Executives (SCORE)
c/o Los Medanos College
2700 East Leland Road
Pittsburg, CA 94565

Solano County Private Industry Council
320 Campus Lane
Suisun, CA 94585

Walnut Creek Chamber of Commerce
1777 Botelho Drive, Suite 103
Walnut Creek, CA 94596

Attachment 5

Projected DBE Participation

FTA-Assisted Contracting Categories	NAICS Code	FTA Funds with Contracting Opportunities	Race-Neutral		Projected DBE Participation
			Total Contract	DBE Dollars	
Professional Services	48-49	626,617	626,617	43,873	6.98%
	54	1,236	1,236	0	0.00%
Materials/Supplies/Equipment	44-45	371	371	189	0.03%
Other Services	31-33	65	65	0	0.00%
	56	257	257	189	0.03%
Total		\$ 628,546	\$ 628,546	\$ 44,250	7.04%
Projected DBE Participation					
				\$ 44,250	
				100%	
					7.04%

*Contracting Opportunities based upon Fiscal Year 2013-2014

Attachment 6

Publication of Proposed Overall Three-Year Goal

NOTICE OF PROPOSED THREE-YEAR OVERALL DBE GOAL

The Central Contra Costa Transit Authority (CCCTA) announces a 7% proposed overall goal for participation by Disadvantaged Business Enterprises (DBEs) in CCCTA contracting opportunities for the period July 1, 2013 through June 30, 2016 that are budgeted to receive financial assistance from the U.S. Department of Transportation (DOT), Federal Transit Administration (FTA).

Information on development of the proposed goal and rationale is available for inspection from 9:00 a.m. to 4:00 p.m., Monday through Friday, at the CCCTA office, 2477 Arnold Industrial Way, Concord, CA 94520 for 30 days following the date of this notice.

Any person may submit comments regarding the proposed goal to the Civil Rights Administrator at the above address or to the Civil Rights Officer, U.S. DOT, FTA Region IX, 201 Mission Street, Suite 1650, San Francisco, CA 94105 for 45 days from the date of this notice.

Rick Ramacier, General Manager, CCCTA
May 11, 2013

NOTICE OF PROPOSED THREE-YEAR OVERALL DBE GOAL THE CENTRAL

NOTICE OF PROPOSED THREE-YEAR OVERALL DBE GOAL The Central Contra Costa Transit Authority (CCCTA) announces a 7% proposed overall goal for participation by Disadvantaged Business Enterprises (DBEs) in CCCTA contracting opportunities for the period July 1, 2013 through June 30, 2016 that are budgeted to receive financial assistance from the U.S. Department of Transportation (DOT), Federal Transit Administration (FTA). Information on development of the proposed goal and rationale is available for inspection from 9:00 a.m. to 4:00 p.m., Monday through Friday, at the CCCTA office, 2477 Arnold Industrial Way, Concord, CA 94520 for 30 days following the date of this notice. Any person may submit comments regarding the proposed goal to the Civil Rights Administrator at the above address or to the Civil Rights Officer, U.S. DOT, FTA Region IX, 201 Mission Street, Suite 1650, San Francisco, CA 94105 for 45 days from the date of this notice. Rick Ramacier, General Manager, CCCTA CCT# 4851112 May 11, 2013

Appeared in: **Bay Area News Group** on Saturday, 05/11/2013

Powered by myPublicNotices.com

Attachment 7

DBE Firms Currently Certified by CCCTA & Accepted by the California Unified Certification Program
As of June 1, 2013

Name of Firm	Gender and Race/Ethnicity	Month/Year Certified
A and M Sales	Female (APA)	December, 2010
A Train Enterprises, Inc.	Female (C)	October, 2002
Alisto Engineering Group	Male (APA)	June, 1992
Bradley Tanks, Inc.	Female (APA)	November, 2010
Brookwater, Inc.	Female (C)	November, 2010
California Trouble Shooters	Male (NA)	February, 2010
Chou's Image, Inc.	Female (APA)	February, 2003
Cordoba Consulting, Inc.	Male (H)	December, 2010
East Bay Sign Co., Inc.	Female (APA)	December, 1991
Electrolink Engineering Services, Inc.	Male (APA)	June, 2004
Felix's Maintenance Gardening	Male (H)	September, 1984
Gail Murray, Consultant	Female (C)	September, 1991
Garaventa Consulting	Female (O)	December, 2010
General Engineering Construction Co.	Female (C)	April, 2011
Geotecnia	Male (H)	March, 1996
Heartwood Studios, Inc.	Male (SA)	November-09
Hi-Voltage Splicing Co.	Male (H)	November, 2010
Initial Koncepts dba Six Dimensions	Male (APA)	July-09
Insight Strategies, Inc.	Female (C)	December, 2000
J & M Fasteners	Male (B)	February, 2011
John Sarmiento & Associates	Male (H)	March, 2011
Kameko & Krammer Corp. dba, Koff & Associates, Inc.	Female (C)	September, 2000
Labat's Tree Care	Female (C)	April, 2007
Labor Compliance & Monitoring Pro	Male (H)	August, 2011
Lansor Associates	Female (C)	May, 2005
Pree's Professional Painting	Male (B)	October, 2010
Priscilla J. Silvey, Ph.D.	Female (H)	June, 2012
Professional Dynamics, Inc.	Female (C)	May, 2004
Raymundo Engineering Co.	Male (APA)	September, 2005
RJRB Enterprises, dba, Pacheco Blvd BP	Male (SA)	March, 1990
SAO, Inc., dba, You Name It Promotions	Female (C)	April, 1995
Summit Associates	Male (APA)	May, 2000
T. Y. Custom Design	Female (APA)	November, 1987
Walker's Auto Body	Female (C)	December, 1988

Race/Ethnicity Codes:

Asian Pacific American (APA), Black (B), Caucasian (C), Hispanic (H), Other (O), Subcontinent Asian (SA)

To: Board of Directors

Date: July 9, 2013

From: Anne Muzzini, Director of Planning

Reviewed by:

Subject: Minor Service Change Policy

Summary of Issues:

In light of recent Board discussions and actions that defined Major Service Changes, staff wanted to review the policies affecting Minor Service Changes. Major service changes require public hearings and a Title VI analysis and are triggered when more than 25% of the route miles, daily revenue miles, or route passengers are affected. A Minor service change is one that is below the 25% threshold.

Minor service changes haven't traditionally gone to the Board for approval. There is however a Board adopted the Productivity Standards Policy which set thresholds for route-level performance and establishes a methodology for considering service changes. At the time of the 1995 productivity policy adoption, the budget was expanding and service was being added. The policy was designed to corral expansion into non-productive corridors and ensure that new service was achieving certain productivity levels.

When the major service cuts were made in 2009 the Productivity Standards Policy was not used as the thresholds established were no longer relevant given the depth of cuts necessary. Ridership patterns, passenger per hour, TDA/STA subsidy per passenger, and service area equity were the methods used to evaluate where service should be cut.

Staff recommends that the 1995 productivity policy be replaced with a new Minor Service Change policy that is more flexible and useful in both times of growth and times of restriction. The recommended policy is attached and establishes that minor service changes are authorized by the General Manager. It further specifies that minor service changes will be done to improve productivity as measured in terms of the TDA/STA/Special fund subsidy per passenger. Routes and route trips with high fare revenue and/or private funding will have a low subsidy per passenger. Routes and trips with low ridership and high public subsidy will be considered unproductive. No thresholds are set for performance and will change depending upon budget constraints.

The recommended policy also states that minor service changes deemed impactful by the General Manager due to public perception or Board interest will be brought to the

Operations and Scheduling committee for review. The Committee will determine whether Board action is desired.

Recommendation:

The O&S Committee recommends that the Board approve the Minor Service Change policy through adoption of Resolution #2014-002.

Attachments:

1. Existing Productivity Standards Policy
2. Minor Service Change Policy
3. List of policies adopted by the Board related to service changes

SUBJECT: Minor Service Change Policy

POLICY: This policy provides Authority staff and the Board of Directors with the criteria guiding minor service changes and replaces the productivity standards policy adopted in 1995. Minor service changes are defined as those that fall below the 25% miles, hours and passengers thresholds set for major service changes. This definition of a minor service change will supersede and replace any prior definitions that may exist in Board policies.

Major service changes have been defined by the Board in their public hearing and Title VI policies as route changes where there is more than a 25% change in route miles, daily revenue miles, or will impact more than 25% of the passengers.

The General Manager has the authority to implement minor service changes without a public hearing, Title VI analysis, or Board approval.

Minor service changes may be made in response to budget constraints, passenger needs and travel patterns. Ongoing adjustments may be made to improve productivity while retaining service area equity. The primary indicator for determining productivity will be the TDA/STA/Regional fund subsidy per passenger.

This subsidy per passenger measures the amount of public funding that is required for each passenger trip. If passenger fares, private funds, or other special funds for the route are high, then the subsidy per passenger is low. Routes with low ridership and high subsidy will be considered unproductive.

Minor service changes deemed by the General Manager to be impactful due to public perception or Board interest will be brought to the Operations and Scheduling committee for review. The Committee will determine whether Board action is desired.

Board Adopted Policies on Service Changes

Joint Powers Authority (JPA) Appendix C – Basic Level of Service (BLS)

In the original JPA (1980) the basic level of service was defined in terms of routes, headways and operating hours. The basic level of service for each jurisdiction was defined and based on a share of 409 total revenue hours a day. Currently we operate 787 revenue hours a day on a route system that has changed significantly. In 1994 a detailed analysis was done that showed that no jurisdiction had fallen below their original BLS. In the 2009 major service cuts an analysis was done to show that there was not a negative effect on the share of service in any jurisdiction.

Public Hearing Policy

The public hearing policy requires public input and Board action on Major Service Changes which are defined as route changes where there is more than a 25% change in route miles, daily revenue miles, or will impact more than 25% of the passengers.

Title VI

The Board has adopted policies related to Title VI whereby an analysis is done on Major Service Changes to determine if there is a disproportionate burden on minorities or low income individuals. Title VI requires Board review, action, on Major Service Changes as well as Fare Changes.

SUBJECT: Productivity Standards Policy

POLICY: In the past, the standard of passengers per revenue hour (pax/rvhr) was used exclusively to evaluate route and system productivity. The Productivity Standards Policy adopts more than one standard in order to more fully analyze true productive at the route level. The Policy provides Authority staff and the Board of Directors with a viable tool with which to analyze each route's performance.

This tool utilizes six quantitative indicators, four of which will be applied to an overall, or composite, system ranking. These indicators are weighted evenly and measure cost efficiency and service effectiveness. Two indicators will not be factored into the composite ranking. They will be displayed in the report for informational purposes, and will also have some bearing on the evaluation process. These two indicators are shaded gray in the attached Exhibits A and B.

The Policy includes a monitoring program for the new standards, encompasses new transit services as well as existing ones, discusses what special attention will be given to routes or service that fail to meet set standards, and defines under which conditions exceptions to the standards will be considered.

Data collection for this effort will begin in January 1996. The Productivity Report will be presented to the O&S Committee and the full Board on a quarterly basis beginning in May 1996.

The following six standards provide a balance between cost efficiency and service effectiveness indicators, as well as a quantifiable number for measuring the number of transit-dependent persons per route.

Performance Standards

Passengers per Revenue Vehicle Hour (PAX/RVHR)

This measure was identified by transit operators as the most used and most critical standard by which to judge productivity at the route level. Its universal appeal is based on the fact that wages, typically 80 percent of an operating budget, are paid on an hourly basis. Therefore, this measure provides a common basis when examining costs. In addition, it measures how well transit services are able to attract riders to the system, thereby measuring route effectiveness.

Passengers per Revenue Vehicle Mile (PAX/RVMI)

This indicator is useful on routes where there is high potential for frequent turnover (i.e., on a route that makes frequent stops where passengers have the opportunity to board and alight at each stop made). It also measures route effectiveness.

Subsidy per Passenger Trip (SUB/PAX TRIP)

This indicator measures the public funding portion that is required to make up the difference between cost per passenger and revenue per passenger. Most operators who use this indicator state that two to three times their system average was the acceptable subsidy per passenger. In systems such as ours that charge different fares (i.e., express bus premiums), the cost per passenger can be constant across services but the premium collected makes the subsidy less for the express route. This indicator measures route efficiency.

Farebox Recovery per Route (FAREBOX/ROUTE)

This indicator is the inverse of Subsidy per Passenger Trip and, likewise, takes into account the fixed costs associated with operating each route. Most properties that utilize this indicator at the route level have established minimum standards. These standards range from 10 percent to 100 percent, with most utilizing a rate of below 25 percent. The next most frequently used range was 25 to 40 percent. A higher minimum ratio should be expected on those routes that are premium routes (i.e., express/commuter routes and employer-subsidized routes). This indicator measures route efficiency.

Load Factor per Route per Revenue Hour (LOAD FACTOR/HR)

This indicator is another quantitative factor and measures service effectiveness. It is quite useful in accurately comparing the different types of fixed-route services we are likely to provide in the future: route deviations, service substitutions, and van or shuttle services, as well as conventional fixed-route services. Its utility lies in the fact that it is considered a “normalizing” evaluation tool because it is a measure of how much seat capacity is being used per trip or per hour. Therefore, the size of the vehicle is irrelevant because this factor measures only what percentage of seats is being utilized.

Transit Dependent per Route (TRANSIT DEP/ROUTE)

There are a variety of factors that could determine transit dependency, such as car ownership, number of cars per household, number of working persons per household, and age of household occupants. This indicator has no figures in the attached charts because the indicator requires a tremendous level of data compilation that will take time to complete. Staff has begun this process, and this data will be available in future reports.

The exhibits show how this system of indicators can be used. Exhibit A is sorted by route. Each route has a rank in each of the four indicators, as well as a composite ranking based on the average of these four indicators. Exhibit B lists the routes according to their composite ranking, from number 1 (the most productive) to number 29 (the least productive). It also shows those routes that fall in the bottom 30 percent of the system productivity as a whole. Assessing the routes and listing them in this manner gives one the ability, at a glance, to determine a route’s overall productivity as compared to other routes in the system, as well as to see how a particular route is doing in any one particular indicator.

Application of Performance Standards

Utilizing the four indicators allows us to regard a route’s composite ranking as the measure of its overall performance when compared to other routes in the system, regardless of the type of service (local, express, or alternative). This is because the four indicators were chosen based on their ability to balance the different operating characteristics of the different types of services provided.

Some express routes have longer routes with fewer opportunities for passenger turnover; whereas, alternative routes may utilize vans versus standard 40’ coaches. Further, the mix of indicators favors some operating characteristics over others. For example, the Passengers per Revenue Vehicle Mile indicator favors those local routes that make frequent stops and have high turnover, while the Load Factor per Route per Revenue Hour indicator normalizes the capacity differences between routes that use different size vehicles.

Express, Local and Alternative Routes

The goals and standards for the four indicators utilized in the composite ranking are shown below. They were derived using financial and ridership projections generated in the most recent SRTP. The standards are to be applied to all routes except new or demonstration routes, where another set of standards will be applied.

<u>Indicator</u>	<u>Goal</u>	<u>Standard</u>
Passengers per Revenue Vehicle Hour	16.7	14.2
Passengers per Revenue Vehicle Mile	1.26	1.07
Subsidy per Passenger Trip	\$2.32	\$2.67
Load Factor per Route per Revenue Hour	0.38	0.32

These standards represent 8.5 percent of each indicator's goal. Routes will be expected to achieve these standards in three of the four indicators. In addition, a route's composite ranking will need to fall within the top 70 percent of the system as a whole. **Those routes where their composite ranking falls in the bottom 30 percent, or do not achieve the standard in three out of four indicators for longer than two bid periods (six months), will be examined for possible remedial action.** Those routes will be highlighted on the data tables (see attached).

If a route is achieving the standard in three out of four indicators, but performs in the bottom 30 percent in its composite ranking for two successive bid periods, it would not necessarily be subject to remedial action. This is because the composite ranking system will always have a bottom 30 percent in the tables. The composite ranking could be a factor utilized under a more financially constrained scenario when, for example, we may in the future be forced to consider route cuts in order to balance the budget or shifts in service due to continued implementation of the Resource Reallocation Plan. The purpose of this evaluation tool is to be able to monitor the ongoing performance of each route and have quantitative data to support all future service allocation decisions.

For the following indicators, no goals are established because they will not be factored into the composite ranking. They will, however, be listed in the reports as shaded columns.

Farebox Recovery per Route
Transit Dependent per Route

New and Demonstration Routes

New and demonstration routes will be listed separately (see attached charts). The following will be the standards and timeframes for evaluation of new routes:

New Service: 60% of system goal for 3 out of 4 indicators within 6 months.
80% of system goal for 3 out of 4 indicators within 12 months.
85% of system goal for 3 out of 4 indicators within 18 months.

Corrective Actions

Routes that fail to meet the standards will be listed in the report as probationary (see attached charts). The route will be evaluated to determine causes of poor performance and special attention will be given to these routes in an attempt to improve performance. Corrective actions will be taken, including some or all of the following: adjustments to route length, running time, route alignment, route interlining, trip cuts, headway adjustments, or marketing of the route to an identified population segment. If these efforts are not successful, staff will make a recommendation to the Board to terminate the route at the earliest possible time.

Each route will be evaluated in view of its particular operating characteristics, and any remedial actions will be given an appropriate amount of time to produce results. The amount of time given for a route to succeed will vary according to the route and will be determined on a case-by-case basis.

Guidelines for Exceptions to the Standards

For some routes, a strict comparison to system productivity as a whole is unfair for a variety of reasons. There are sometimes other factors that affect route performance, as well as make the route a candidate for continuance in spite of performance below standards. They are:

- ◆ Routes that provide service for a large transit-dependent population.
- ◆ Routes that provide service to social services, such as public health clinics, day treatment, work sites for the developmentally disabled, food banks, homeless shelters, and city and county services.
- ◆ Routes that serve to close an identified “gap” in regional service (i.e., Route 950).
- ◆ Routes that are partially or wholly subsidized through regional or local funding sources (i.e., Air District, Measure C, or the private sector).
- ◆ Routes that are operated in cooperation with other transit operations (i.e., Route 930).

Any evaluation of services that have any of the above conditions must take these conditions into account, in addition to the quantitative performance factors. Based on the above conditions, they may be considered exempt from being held to the same standards as other fixed route services. That determination would be made on a case-by-case basis, with the final decision made by the Board of Directors.

DATE OF ADOPTION: December 21, 1995

RESOLUTION NO. 2014-002

**CENTRAL CONTRA COSTA TRANSIT AUTHORITY
BOARD OF DIRECTORS**

Adoption of Minor Service Change Policy

WHEREAS, the County of Contra Costa and the Cities of Clayton, Concord, the Town of Danville, Lafayette, Martinez, the Town of Moraga, Orinda, Pleasant Hill, San Ramon and Walnut Creek (hereinafter "Member Jurisdictions") have formed the Central Contra Costa Transit Authority ("County Connection"), a joint exercise of powers agency created under California Government Code Section 6500 *et seq.*, for the joint exercise of certain powers to provide coordinated and integrated public transportation services within the area of its Member Jurisdictions;

WHEREAS, County Connection has adopted a definition for major service changes and policies for conducting public hearings and Title VI analysis for major service changes;

WHEREAS, the Operations and Scheduling Committee (Committee) has reviewed past practice and policies related to minor service changes;

WHEREAS, a new policy was desired to clarify the definition of a minor service change and confirm the authority of the General Manager to implement minor service changes without a public hearing, Title VI analysis, or Board approval;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby adopts the Minor Service Change Policy, effective July 18, 2013 attached hereto, which defines minor service changes, confirms the delegation of authority to of the General Manager to make minor service changes, and establishes that the primary indicator for evaluating performance shall be the subsidy per passenger;

BE IT FURTHER RESOLVED that the definition of minor service change as contained in the Minor Service Change Policy shall supercede and replace any prior definitions of minor service change that may be contained in Board policies or procedures.

Regularly passed and adopted this ____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Erling Horn, Chair, Board of Directors

ATTEST:

Lathina Hill, Clerk to the Board

To: Board of Directors

Date: July 9, 2013

From: Laramie Bowron, Manager of Planning

Reviewed by:

Subject: Proposed Service Cuts in Light of the Transit Performance Initiative

Background:

Staff is proposing minor cuts to the least productive routes to improve productivity. The Operations and Scheduling Committee reviewed the minor cuts in May and recommended Board approval. Action was delayed until after Board approval of the Title VI policy which defined Major Service Changes and until a Minor Service Change Policy was developed.

Summary of Issues:

In 2010 the Metropolitan Transportation Commission (MTC) launched the Transit Sustainability Project (TSP), a regional study designed to improve the financial condition of transit agencies by containing costs and using fare revenue to cover greater percentages of operating and capital costs.

Last year MTC adopted the TSP recommendations, which included the Transit Performance Initiative (TPI). The TPI is a new funding program rewarding transit agencies that improve ridership and service productivity.

MTC has programmed \$60 million for the TPI over a 4 year period based on the following criteria:

- Year 1(FY13): \$15 million distributed based on annual ridership
- Years 2-4 (FY14-16): 15% of the remaining \$45 million is allocated to small operators based on the following formula:
 - 25% based on passenger increase,
 - 25% based on passenger per hour increase, and
 - 50% for annual passengers.

Using this formula, County Connection was allocated \$103,901 in year 1 and \$335,268 in each of years 2, 3 and 4.

Moving forward, the draft *PlanBayArea*, MTC's long-range plan, dedicates \$500 million to the TPI. Although these funds have not been specified, programmed or committed, the TPI will likely be funded from existing funds rather than new revenue. The draft *PlanBayArea* illustrates a regional focus on productivity and a commitment to the TSP and the TPI.

With this in mind, staff analyzed the implications of cutting unproductive service and selected trips that met the following criteria:

- Routes with high TDA/STA subsidy per passenger (see attached ranking)
- Trips that averaged less than 4 boardings, and
- Trips that that maximized savings and productivity.

The following charts show the current schedules for Routes #2, #5, and #25 along with average boarding data from the Winter bid period. Trips recommended for cut are shown.

Since most of the unproductive service occurs in the mid-day time period and the routes selected all operate out of the Walnut Creek BART station, staff is able to reduce the number of vehicles by interlining routes that terminate there. It should be noted that the Trotter neighborhood served by Route 2 was selected for analysis as part of the ongoing Adaptive Service Plan designed to maximize productivity and cost-efficiency by identifying and implementing service better tailored to the community's needs.

Route 2 South: Walnut Creek BART - Trotter		
Change	Time	Avg. Boardings
	6:25 AM	1
	7:10 AM	4
	7:55 AM	5
Cut	8:40 AM	2
Cut	9:40 AM	2
Add	10:00 AM	New
Cut	11:10 AM	2
	12:40 PM	6
	2:10 PM	4
	3:40 PM	8
	4:40 PM	5
	5:25 PM	6
	6:10 PM	5
Cut	6:55 PM	2

Route 2 North: Trotter - Walnut Creek BART		
Change	Time	Avg. Boardings
	6:39 AM	4
	7:24 AM	6
	8:09 AM	4
Cut	8:54 AM	2
Cut	9:54 AM	2
Add	10:16 AM	New
Cut	11:24 AM	1
	12:54 PM	1
	2:24 PM	2
	3:54 PM	1
	4:54 PM	2
	5:39 PM	3
	6:24 PM	2
Cut	7:09 PM	0

Route 5 South: Walnut Creek BART - Creekside		
Change	Time	Avg. Boardings
	6:22 AM	5
	7:07 AM	3
	7:52 AM	3
	8:37 AM	4
Cut	10:22 AM	4
Cut	11:52 AM	4
	1:22 PM	5
	2:52 PM	7
	4:37 PM	7
	5:22 PM	6
	6:07 PM	5

Route 5 North: Creekside - Walnut Creek BART		
Change	Time	Avg. Boardings
	6:40 AM	4
	7:25 AM	7
	8:10 AM	4
	8:55 AM	2
Cut	10:40 AM	3
Cut	12:10 PM	2
	1:40 PM	1
	3:10 PM	4
	3:40 PM	3
	4:55 PM	2
	5:40 PM	1
	6:25 PM	0

Route 25 East: Lafayette BART - Walnut Creek BART		
Change	Time	Avg. Boardings
	7:30 AM	5
	8:30 AM	3
	9:30 AM	2
Cut	10:30 AM	1
Add	11:20 AM	New
Cut	11:30 AM	1
Cut	12:30 PM	2
	1:30 PM	4
	2:30 PM	2
	3:30 PM	6
	4:30 PM	5
	5:30 PM	5
	6:30 PM	5

Route 25 West: Walnut Creek BART - Lafayette BART		
Change	Time	Avg. Boardings
	8:00 AM	4
	9:00 AM	5
Cut	10:00 AM	2
Add	10:50 AM	New
Cut	11:00 AM	3
Cut	12:00 PM	2
	1:00 PM	6
	2:00 PM	2
	3:00 PM	2
	4:00 PM	3
	5:00 PM	4
	6:00 PM	2

Because the volume of service being cut is only 3% of the total, significant improvement at the route level has a small effect on overall productivity. In addition to productivity gains, staff anticipates these change would save nearly \$150,000 in annual operating cost.

These cuts do not cross the major service change threshold requiring a Title VI analysis.

Current vs. Proposed Productivity *(based on February actual data)*

Route	Current			Proposed	
	Revenue Hours	Ridership	Pass/RevHr	Revenue Hours	Pass/RevHr
2	178	1,193	6.70	153	7.81
5	200	1,641	8.21	162	10.11
25	230	1,156	5.02	191	6.05
System	17,003	268,666	15.80	16,644.48	16.29

Recommendation:

Staff recommends that the Board support the service cuts listed to improve productivity and respond to ridership patterns.

Options:

1. Approve the service changes as presented
2. Differ discussion to a later date
3. Other

Attachments

1. FY12 Subsidy per Passenger Ranking

County Connection Subsidy per Passenger Ranking - FY12

Route	Annual Passengers	Cost (\$49.72/Total Hr + \$2.14/Total Mi)	Fares (\$1.51/Pass)	Contract, Measure J, and other revenue	TDA/STA	TDA/STA Subsidy/Pass
649	147	\$25,149	\$221	\$24,928	\$0	\$0.00
316	27,747	\$149,905	\$41,898	\$107,517	\$491	\$0.02
92X	42,472	\$379,993	\$64,132	\$314,802	\$1,060	\$0.02
14	154,772	\$674,949	\$233,706	\$435,203	\$6,040	\$0.04
98X	84,885	\$633,630	\$128,177	\$493,175	\$12,278	\$0.14
18	109,541	\$621,312	\$165,407	\$435,203	\$20,702	\$0.19
16	176,189	\$993,750	\$266,045	\$688,902	\$38,803	\$0.22
9	142,126	\$787,368	\$214,610	\$525,994	\$46,764	\$0.33
627	12,063	\$23,920	\$18,215		\$5,705	\$0.47
613	5,693	\$12,055	\$8,596		\$3,459	\$0.61
93X	51,525	\$531,994	\$77,803	\$418,821	\$35,370	\$0.69
97X	23,863	\$406,212	\$14,575	\$368,663	\$22,975	\$0.96
96X	122,356	\$986,387	\$52,320	\$801,388	\$132,680	\$1.08
4 (Weekend)	51,684	\$127,430	\$0	\$69,412	\$58,017	\$1.12
95X	44,316	\$362,786	\$66,917	\$244,312	\$51,557	\$1.16
91X	9,077	\$79,988	\$13,706	\$55,011	\$11,271	\$1.24
20	282,499	\$815,557	\$426,574		\$388,982	\$1.38
605	17,008	\$49,261	\$25,682		\$23,579	\$1.39
35	87,045	\$896,012	\$131,438	\$640,161	\$124,414	\$1.43
10	249,890	\$770,033	\$377,334		\$392,699	\$1.57
310	34,037	\$107,204	\$51,397		\$55,807	\$1.64
611	9,216	\$29,339	\$13,917		\$15,423	\$1.67
314	60,877	\$209,899	\$91,925		\$117,974	\$1.94
614	8,683	\$30,194	\$13,111		\$17,082	\$1.97
4	231,578	\$595,637	\$0	\$138,824	\$456,813	\$1.97
623	8,813	\$31,836	\$13,308		\$18,528	\$2.10
615	4,549	\$17,508	\$6,869		\$10,639	\$2.34
602	24,195	\$98,355	\$36,535		\$61,820	\$2.56
619	4,065	\$17,541	\$6,139		\$11,402	\$2.80
601	21,013	\$93,682	\$31,729		\$61,953	\$2.95
320	19,525	\$87,757	\$29,483		\$58,273	\$2.98
11	75,333	\$341,515	\$113,753		\$227,762	\$3.02
15	119,247	\$595,075	\$180,063		\$415,012	\$3.48
612	5,544	\$29,111	\$8,372		\$20,739	\$3.74
636	15,730	\$86,530	\$23,752		\$62,778	\$3.99
606	51,171	\$284,327	\$77,268		\$207,059	\$4.05
622	5,155	\$28,929	\$7,784		\$21,145	\$4.10
311	20,711	\$124,283	\$31,273		\$93,010	\$4.49
17	55,546	\$340,120	\$83,875		\$256,245	\$4.61
1	92,552	\$481,897	\$221		\$481,676	\$5.20
6	106,432	\$733,129	\$160,713		\$572,416	\$5.38
625	7,125	\$49,169	\$10,759		\$38,410	\$5.39
21	151,734	\$1,078,575	\$229,119		\$849,456	\$5.60
321	22,162	\$165,467	\$33,465		\$132,002	\$5.96
19	35,258	\$264,998	\$53,239		\$211,758	\$6.01
6 (Weekend)	11,133	\$85,774	\$16,811		\$68,963	\$6.19
315	6,343	\$53,071	\$9,577		\$43,494	\$6.86
28	71,106	\$621,295	\$107,370		\$513,924	\$7.23
609	2,159	\$19,080	\$3,259		\$15,821	\$7.33
301	7,094	\$69,173	\$10,712		\$58,461	\$8.24
616	3,443	\$34,129	\$5,199		\$28,930	\$8.40
635	2,854	\$28,343	\$4,309		\$24,034	\$8.42
608	2,636	\$27,232	\$3,981		\$23,251	\$8.82
36	61,109	\$653,302	\$92,275		\$561,027	\$9.18
7	56,936	\$662,043	\$85,974		\$576,069	\$10.12
5	15,724	\$191,284	\$23,744		\$167,540	\$10.65
603	4,133	\$51,723	\$6,240		\$45,483	\$11.01
626	4,937	\$61,886	\$7,455		\$54,431	\$11.03
610	2,740	\$34,780	\$4,137		\$30,643	\$11.19
2	15,246	\$206,207	\$23,022		\$183,186	\$12.02
25	14,188	\$232,729	\$21,423		\$211,306	\$14.89
GRAND TOTAL	3,166,932	\$18,281,820	\$4,060,911	\$5,762,317	\$8,458,592	\$2.67

To: Board of Directors

Date: July 9, 2013

From: Anne Muzzini, Director of Planning & Marketing

Reviewed by:

Subject: Mid-Day Free Fares for Seniors and Disabled

Background: Prior to 2009 County Connection offered free rides to seniors (65 years) and disabled when they rode between 10am and 2pm. In response to decreased funding, fares were increased and mid-day free fares were eliminated.

Issues: The Marketing, Planning, and Legislative Committee (MP&L) would like to see mid-day free program for seniors and disabled re-considered in light of a brighter budget picture. They believe that mid-day free fares encourage seniors to use the fixed route bus as opposed to the more expensive ADA paratransit service and that there is a lot of public good will associated with the program. Staff estimates that seniors and disabled riding mid-day will pay approximately \$70,000 in fares out of a total for the year of \$3,629,000.

Recommendation:

The MP&L Committee recommends that the Board support reconsideration of the mid-day free program for seniors and disabled and send the item to the Administration and Finance Committee for evaluation and a recommendation.

To: Board of Directors

Date: July 10, 2013

From: Bill Churchill, Director of Transportation

Reviewed by:

SUBJECT: Paratransit Workshop and RFP Timeline

Background:

In April staff requested the board hold a Paratransit workshop sometime between July 2013 and September 30, 2013. Although the Board was receptive to the idea of having a workshop to discuss Paratransit concepts, a specific date for such a meeting was not given. As staff has worked on developing material for the workshop it has become clear that a September meeting would provide the necessary time to provide the Board of directors with a comprehensive package of information for discussion. Additionally, staff has begun to develop a timeline for the development and release of an RFP for Paratransit services with three primary goals; provide for Board input, create sufficient time to invite competitive bids and complete a contract for a July 1st 2014 start-up.

Proposed Timeline:

1) September 2013, O&S Meeting	Review of Board Paratransit Workshop
2) September 19, 2013 Board Meeting	Paratransit Workshop
3) October 2013, O&S Meeting	Review of Draft RFP Scope of Work
4) November 2013, O&S Meeting	Final Review draft RFP
5) November 21, 2013 Board Meeting	Board of Directors authorizes the release Paratransit RFP
6) December 2013-February 2014	RFP on street
7) March 2014	Bid Evaluation
8) April 2014 O&S	Staff recommendation of Bid Award
9) April 2014, Board Meeting	Selection by Board of Directors
10) April 2014	Completion of Contract
11) May 2014 – June 30 th 2014	Potential Contractor Transition
12) July 1 st 2014	Winning Contractor Starts Service

Recommendation:

The O&S Committee recommends the Board of Directors hold the Paratransit Workshop at the September 19th 2013 Board meeting following O&S review of the presentation.