



## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>		<b>GENERAL MANAGER ACTION REQ'D:</b>	
DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...			
<b>DATE:</b> 4/25/2023		<b>5/18/2023</b>	
<b>BOARD INITIATED ITEM:</b> Yes			
<b>Originator/Prepared by:</b> Laura Timothy <b>Dept:</b> Customer Dev & Station Access <b>Signature/Date:</b> 5/17/2023	<b>General Counsel</b> DocuSigned by: <i>Jana Belan</i> F8FD7B3A73E74E8... 5/17/2023 [ ]	<b>Controller/Treasurer</b> DocuSigned by: <i>Chris Gan</i> EE11C8CEEEA04FD... 5/17/2023 [ ]	<b>District Secretary</b> [ ]
			<b>BARC</b> DocuSigned by: <i>Val Menotti</i> AA8F1409A8F748E... 5/18/2023 [ ]

### Authority to extend Agreement No. 6M6148 to Continue East Bay Paratransit Consortium (EBPC) Program Coordinator's Office (PCO) for One Year

**PURPOSE:** To obtain Board authorization for the General Manager to execute a one (1) year contract extension with Paratransit, Inc. (PI) for consulting services to provide Program Coordinator's Office (PCO) services for the East Bay Paratransit Consortium (EBPC).

### DISCUSSION:

Since 1996, BART and AC Transit have been working in collaboration to provide ADA paratransit services in their overlapping service area as the East Bay Paratransit Consortium (EBPC). An EBPC Procurement Update providing a roadmap on activities was presented to the BART Board on January 26, 2023.

The PCO was created at the inception of the EBPC to serve as a neutral, central point of contact between AC Transit and BART; to coordinate the activities of the paratransit program; to prepare and analyze financial and detailed operating data; and to oversee activities of the Paratransit Broker. The PCO provides the critical function of impartial, independent review for accuracy and the tracking of trends and indicators in the Broker's performance, service quality and budget. The PCO focuses exclusively on EBPC issues. The PCO function is well received by both internal and external auditors as an effective method of providing checks and balances to the EBPC.

A one-year contract with a one-year option was awarded to Paratransit, Inc. (PI) in April, 2020. The option was exercised in June 2022 and two (2) additional six (6 month) extensions were signed in July and December 2022. The dollar value of the initial contract and subsequent extensions were within the General Managers authority.

AC Transit released a Request for Proposals (RFP) in October 2022. Despite having notified forty-eight (48) agencies/firms from the California Association for Coordinated Transit's (CalAct) member directory, no proposals were received even from the current contractor, PI. PI has agreed to a one (1) year extension with the addition of a new subcontractor, Clutch, to perform some of the functions and activities of the PCO. This will allow AC Transit time to refine and re-solicit the RFP, or transition the PCO services if no viable bids are received.

The continuation of support from PI is critical at this time as PI has the knowledge and background to assist staff in the review of the larger Broker/Service Provider RFP, in particular, conducting the required detailed cost analysis.

The AC Transit Board of Directors considered and approved the one year contract on May 10, 2023.

**FISCAL IMPACT:**

The total contracted cost for this extension is \$225,000 for the period July 1, 2023, through June 30, 2024. The costs will be split under the EBPC agreement for PCO services, with AC Transit and BART each contributing fifty (50%) percent or \$112,500. The maximum obligation for BART under the one (1) year extension of the agreement with Paratransit Inc. will not exceed \$112,500 for FY 2024.

The cost to BART for this expense is budgeted in the FY2024 and FY2025 district operating budget within the Customer Access Department operating budget (Department #1102492, Account No. 686630). The cost for this one-year extension is \$21,900 less than the current year budget of \$134,400. Because this is a cost reimbursement contract, actual expenses may be less than the budgeted or contract amount and will be adjusted accordingly.

This action is not anticipated to have any Fiscal impact on unprogrammed District reserves in the current Fiscal Year. Funding for subsequent years will be included in the proposed annual operating budget, which is subject to Board approval.

**ALTERNATIVES:**

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

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion:

The General Manager is authorized to execute, jointly with AC Transit, a one (1) year extension to BART Agreement No. 6M6148 (AC Transit Agreement 2023-1573) for East Bay Paratransit Consortium's (EBPC) Paratransit Coordinator's Office (PCO) for (BART's share) an amount not to exceed \$112,500 for FY 2024.