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OAKLAND

CITY OF OAKLAND 2014 MAR 27 PM 2:59

# AGENDA REPORT

**TO:** FRED BLACKWELL  
CITY ADMINISTRATOR

**FROM:** Sara Bedford

**SUBJECT:** Paratransit Agreement for FY 2013-2014

**DATE:** March 17, 2014

City Administrator  
Approval

Date 3-26-14

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the City Administrator to negotiate and execute a reimbursement agreement in the amount of \$180,000 with Wheelcare Express, Inc. to provide Paratransit Services through June 30, 2014.

## OUTCOME

Approval of the Resolution will authorize the City Administrator to negotiate and execute an agreement with Wheelcare Express Inc., which will allow Oakland Paratransit for the Elderly and Disabled Program (OPED) to continue to provide vital subsidized wheelchair accessible van transportation services for the elderly and adults with disabilities should any service gaps occur due to the uncertain immediate future of VIP Express, Inc.

This is a contingency action, as the owner of VIP Express Transport, Inc. (VIP) is recently deceased and VIP staff is uncertain of the future of the company and its ability to continue transporting riders to dialysis and medical appointments. If VIP is unable to meet the scope or volume of services detailed in the current reimbursement agreement, the City may use Wheelcare Express, Inc. (WC) to provide transportation services.

Transitioning to WC for whole or supplemental services may be prompted by either the City determining that VIP is unable to provide adequate paratransit rides or notice from VIP management informing the City that they are unable to continue services. At that point, with an agreement in place with WC, staff would inform any impacted riders of the change and provide WC with any pertinent transport information in order to avoid any interruption of service for the remainder of the fiscal year. Prior to the current circumstances staff planned to add WC as a supplemental vendor for FY 2014-15. If they became a replacement for VIP entirely, then staff would plan accordingly for next fiscal year.

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**BACKGROUND/LEGISLATIVE HISTORY**

Wheelcare Express, Inc. (WC) has expressed interest in entering into an agreement with the City of Oakland to provide paratransit services in recent years; however, staff could not pursue the action because of the economic downturn that reduced the OPED's Measure B operating revenue in recent years.

Upon being approached this fiscal year by WC, City staff evaluated the program's fiscal position and decided to target FY 14/15 to add WC as a wheelchair transportation option on a small scale. City staff explained to WC that the program was not planning on expanding the van voucher program, but it would be desirable to secure an additional local business to supply our riders with another option.

WC's interest in entering into an agreement with the City could not have been more timely. In addition to the unexpected passing of the VIP owner, VIP has also recently been subject to a court ordered financial judgment that could potentially impact its ability to continue services for the duration of the agreement for the remainder of the year. Therefore, WC is a viable contingency to have in place in the event any near future occurrences adversely impact the continuation of service delivery by VIP.

WC meets all applicable laws and regulations and complies with City contracting requirements such as possession of appropriate business permits, proof of vehicle insurance, workers compensation insurance, drug and alcohol testing for drivers, drivers training and other outlined conditions.

**ANALYSIS**

Staff does not foresee any significant concerns or key issues that will adversely impact Oakland Paratransit for the Elderly and Disabled Program to function at full capacity for the remainder of the fiscal year.

**PUBLIC OUTREACH/INTEREST**

This is an unforeseen contingency action; thus public outreach/interest has not been sought.

**COORDINATION**

In preparation of this report and resolution, the City Attorney's Office, Budget Office, DHS Budget & Fiscal, DHS Director, and the Aging & Adult Services Manager have been consulted.

**COST SUMMARY/IMPLICATIONS**

TOTAL AGREEMENT/CONTRACT AMOUNT ..... **\$180,000**

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1. **SOURCE OF FUNDING:** Funding for this action will be derived from the FY 2013-2014 Adopted Policy Budget for Oakland Paratransit for the Elderly and Disabled Program which includes its Measure B pass-through fund allocation and fare revenue. ACTC Fund (2213); Oakland Paratransit for the Elderly, Disabled Organization (75621); OPED Van Project (G462430); YS14.
2. **FISCAL IMPACT:** There will be no adverse fiscal impact, as this action is a reassignment of all or a portion of funds previously budgeted within the VIP Express Transport, Inc Reimbursement Agreement.

There is no additional fiscal impact on the General Purpose Fund.

### **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

This will be the first agreement entered into with WC, therefore, this area cannot be addressed at this time. However, WC has been established in Oakland for over 30 years transporting elderly and persons with disabilities. Staff is unaware of any negative performance issues.

### **SUSTAINABLE OPPORTUNITIES**


**Economic:** Funds from Measure B will be used for contracts with local vendors to improve current paratransit services. Vendors will subscribe to the City's Living Wage Ordinance.

**Environmental:** The Paratransit Program encourages shared ride transportation that decreases levels of air pollution and lessens traffic congestion.

**Social Equity:** Paratransit funds will make services accessible for residents who due to age or disability would not be able to have access. Access to services will improve the quality of life for paratransit participants.

For questions regarding this report, please contact Hakeim McGee, Senior Services Supervisor at 510-238-2311.

Respectfully submitted,

  
Sara Bedford, Director  
Department of Human Services

AGING & ADULT SERVICES DIVISION

Reviewed by: Scott Means, Manager

Prepared by: Hakeim McGee, OPED Supervisor

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City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

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**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF \$180,000 WITH WHEELCARE EXPRESS, INC. TO PROVIDE PARATRANSIT SERVICES THROUGH JUNE 30, 2014**

**WHEREAS**, the City of Oakland receives Measure B sales tax revenue approved by Alameda County voters in 2000 to provide paratransit services ; and

**WHEREAS**, the City of Oakland Adopted Policy Budget for Fiscal Year 2013-2014 includes Measure B fund appropriation in Measure B Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly, Disabled Organization (75621), and OPED Administration Project (G462410), OPED Taxi Project (G462420), OPED Van Project (G462430); and

**WHEREAS**, the RFQ/RFP process is not applicable because this agreement is not a professional services contract and the City of Oakland enters agreements on a non-exclusive basis, with any taxi and van companies that provide paratransit services for the elderly and disabled, have a minimum fleet of five or more vehicles, permitted to provide taxi/van service in Oakland, and meet the City's other requirements for paratransit services; and

**WHEREAS**, the City desires to maintain this service without interruption for the remainder of FY 2013-14; and

**WHEREAS**, the City lacks the fleet, the van equipment and the support structure to operate this service with City employees and has never provided or operated such a service; and

**WHEREAS**, the company for which agreement authorization is being requested meets the City's requirements for paratransit services; and

**WHEREAS**, the City wishes to enter into an agreement with the following paratransit provider for the amount as specified below:

- Wheelcare Express, Inc. \$180,000

; now, therefore, be it

**RESOLVED:** That the City Administrator or his designee is hereby authorized to negotiate and execute a reimbursement agreement in the amount of \$180,000 with Wheelcare Express, Inc. to provide paratransit services for the Oakland Paratransit Program for the remainder of FY 2013-14 through Measure B – Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly and Disabled organization (75621); and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to enter into a reimbursement agreement with the following paratransit provider for the amounts as specified below:

- Wheelcare Express Transport, Inc., \$180,000

; and be it

**FURTHER RESOLVED:** That fees collected by Oakland Paratransit for the Elderly and Disabled (OPED) in conjunction with the sale of van vouchers and taxi scrip to OPED clients be appropriated in accordance with the terms of the existing contracts, for the exclusive use of OPED; and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is hereby authorized and directed to conduct all negotiations, agreements, amendments, modifications, and payment requests, and to conduct all related actions that may be necessary for the completion of the delivery of Measure B paratransit service to the elderly and disabled.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and  
PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California