

*Michael J. Scott*

City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION No. 88188 C.M.S.

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**A RESOLUTION TO:**

1. **ACCEPT AND APPROPRIATE DIRECT LOCAL PROGRAM DISTRIBUTION MEASURE B FUNDS IN THE AMOUNT OF \$1,117,748 AND MEASURE BB FUNDS IN THE AMOUNT OF \$1,044,481 FOR FISCAL YEAR (FY) 2020-2021 FROM THE ALAMEDA COUNTY TRANSPORTATION COMMISSION TO PROVIDE PARATRANSIT SERVICES; AND**
2. **AWARD AGREEMENTS FOR PARATRANSIT SERVICES FOR FY 2020-2021 IN THE NOT TO EXCEED AMOUNTS OF \$600,275 (FIVE RIVERS TRANSIT, INC.), \$465,000 (QUALITY TRANSIT, LLC), \$169,385 (BAY AREA CHARTERS, INC.), \$100,000 (BELL TRANSIT CORPORATION), \$25,000 (ONE ACCESS MEDICAL TRANSPORTATION), AND \$151,885 (GOGO TECHNOLOGIES, INC.); AND**
3. **ACCEPT AND APPROPRIATE ANY ADDITIONAL DIRECT LOCAL DISTRIBUTION FUNDS THAT MAY BECOME AVAILABLE FROM THE SAME SOURCES FOR FY 2020-2021; AND**
4. **INCREASE THE AWARD AMOUNTS AND AUTHORIZE AMENDMENTS OF THE AFOREMENTIONED AGREEMENTS ACCORDINGLY FOR FY 2020-2021, WITHOUT RETURNING TO CITY COUNCIL**

**WHEREAS**, voters in Alameda County passed Measure B in November 1986, reauthorized Measure B in November 2000, and passed Measure BB in November 2014, thereby providing sales tax revenues for paratransit services; and

**WHEREAS**, Measure B and Measure BB funds will be required by the City of Oakland for Fiscal Year (FY) 2020-2021 for the purpose of providing subsidized transportation to the frail-elderly and persons with disabilities who have limited access or are deemed unable to use public transit; and

**WHEREAS**, The City of Oakland is an eligible recipient for Alameda County Measure B and Measure BB funds; and

**WHEREAS**, The City of Oakland's FY 2020-2021 Proposed Budget for FY 2020-2021 includes Measure B fund appropriation in Measure B Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED FY 2020-2021 Administration Project Award (23371), OPED FY 2020-2021 MEASURE B Project (1004535), Empowering Seniors & People With Disability Program (YS14); and

**WHEREAS**, The City of Oakland's FY 2020-2021 Proposed Budget for FY 2020-2021 includes Measure BB fund appropriation in Measure BB Paratransit – ACTC Fund (2220), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED FY 2020-2021 Administration Project Award (23372), OPED FY 2020-2021 MEASURE BB Project (1004536), Empowering Seniors & People With Disability Program (YS14); and

**WHEREAS**, The City's RFP/RFQ process is not applicable because these agreements are not professional services agreements and the City of Oakland enters into agreements, on a non-exclusive basis, with taxi companies with a minimum fleet of five or more vehicles; service or coordination entities, van, shuttle or charter bus companies with adequate fleet capacity and design to provide specialized transportation services seniors, frail-elderly and adult persons with disabilities; companies permitted to provide service in Oakland; and companies that meet the City's other requirements for paratransit services; and

**WHEREAS**, The City desires to maintain this service without interruption; and

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

**WHEREAS**, all of the companies for which agreement authorization is being requested meet the City's requirements for paratransit services; and

**WHEREAS**, The City wishes to award and enter into reimbursement agreements with the following paratransit providers in the not to exceed amounts for FY 2020-2021, as specified below:

- |                                     |           |
|-------------------------------------|-----------|
| • Five Rivers Transit, Inc.         | \$600,275 |
| • Quality Transit, LLC              | \$465,000 |
| • Bay Area Charters, Inc.           | \$169,385 |
| • Bell Transit Corporation          | \$100,000 |
| • One Access Medical Transportation | \$ 25,000 |
| • GoGo Technologies, Inc.           | \$151,885 |

; now, therefore, be it

**RESOLVED:** That the City Council hereby accepts and appropriates FY 2020-2021 Measure B direct local program distribution funds in the amount of \$1,117,748 for the Oakland Paratransit Program to be deposited into Measure B – Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly and Disabled Organization (75621),

OPED FY 2020-2021 Administration Project Award (23371), OPED FY 2020-2021 Measure B Project (1004535), Empowering Seniors & People With Disability Program (YS14); and be it

**FURTHER RESOLVED:** That the City Council hereby accepts and appropriates FY 2020-2021 Measure BB direct local program distribution funds in the amount of \$1,044,481 for the Oakland Paratransit Program to be deposited into Measure BB – Paratransit – ACTC Fund (2220), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED FY 2020-2021 Administration Project Award (23372), OPED FY 2020-2021 Measure BB Project (1004536); Empowering Seniors & People With Disability Program (YS14); and be it

**FURTHER RESOLVED:** That the City awards to and authorizes reimbursement agreements with the following paratransit providers in the not to exceed amounts for FY 2020-2021, as specified below:

- |                                     |           |
|-------------------------------------|-----------|
| • Five Rivers Transit, Inc.         | \$600,275 |
| • Quality Transit, LLC              | \$465,000 |
| • Bay Area Charters, Inc.           | \$169,385 |
| • Bell Transit Corporation          | \$100,000 |
| • One Access Medical Transportation | \$ 25,000 |
| • GoGo Technologies, Inc.           | \$151,885 |

; and be it

**FURTHER RESOLVED:** That estimated fees to be collected in the amount of \$115,000 by Oakland Paratransit for the Elderly and Disabled (OPED) in conjunction with van voucher sales, taxi scrip sales and other service fares for OPED transportation services included in the Proposed Policy Budget FY 2020-2021, in accordance with the terms of the existing agreements are designated for the exclusive use of OPED to Measure B Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED FY 2020-2021 Measure B Project (1004535), Empowering Seniors & People With Disability Program (YS14); and be it.

**FURTHER RESOLVED:** That should additional Measure B and/or Measure BB funds become available during FY 2020-2021 for paratransit services, the City Council accepts and appropriates those funds to Measure B/Measure BB – Paratransit –ACTC Fund (2213 and 2216), Oakland Paratransit for the Elderly and Disabled Organization (75621), Empowering Seniors & People With Disability Program (YS14), and authorizes amendments of the aforementioned FY 2020-2021 agreements to increase the not to exceed amounts of the agreements for FY 2020-2021, subject to the availability of funding, without returning to Council; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is hereby authorized to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, modifications, and payment requests, to conduct all related actions that may be necessary for the completion of the delivery of Measure B and Measure BB transportation service to the elderly and person with disabilities; and be it

**FURTHER RESOLVED:** That the Office of the City Attorney will approve the agreements as to form and legality and copies will be filed in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUN 30 2020

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN → 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REED

Acting City Clerk and Clerk of the Council  
of the City of Oakland, California

Date of Attestation:

7/3/20