



# AGENDA REPORT

**TO:** Steven Falk  
Interim City Administrator

**FROM:** Scott Means  
Interim Director, Human  
Services

**SUBJECT:** Paratransit Measure BB Funds  
For Fiscal Year 2023-2024

**DATE:** May 19, 2023

City Administrator Approval

Date: Jun 1, 2023

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution:**

- 1. Accepting Direct Local Program Distribution Measure BB Funds In The Amount Of \$3,159,778 For Fiscal Year (FY) 2023-2024 From The Alameda County Transportation Commission To Provide Paratransit Services; And**
- 2. Awarding Agreements For Paratransit Services For FY 2023-2024 In The Amounts Of \$850,000 (Five Rivers Transit Solutions, Inc.), \$600,000 (Quality Transit, LLC), \$250,000 (Bay Area Charters, Inc.), \$25,000 (One Access Medical Transportation), And \$100,000 (GoGo Technologies, Inc.); And**
- 3. Awarding Grant Agreements In The Amounts Of \$25,000 (Life Eldercare) And \$50,000 (City Of Emeryville) For Paratransit Services; And**
- 4. Authorizing The City Administrator To Accept And Appropriate Any Additional Direct Local Distribution Funds That May Become Available For FY 2023-2024 And Amend The Aforementioned Agreements To Increase The Amounts Within The Limits Of The Funding.**

## **EXECUTIVE SUMMARY**

The City of Oakland is an eligible recipient of Measure BB funds, and as such, staff is seeking City Council approval to receive and administer revenue from the Alameda County Transportation Commission (Alameda CTC) in the amount of \$3,159,778 to provide non-mandated (due to the absence of Federal regulations) paratransit services aimed at improving the mobility of seniors and persons with disabilities within respective service areas through the Oakland Paratransit for the Elderly and Disabled (OPED) Program.

Life Enrichment Committee  
June 13, 2023

## **BACKGROUND / LEGISLATIVE HISTORY**

The City of Oakland began operating City-based paratransit services in 1978 with State Transportation Development Act (TDA 4.5) funds to assist frail-elderly and adult persons with disabilities who experience public transportation access challenges.

In November 1986, Alameda County voters approved the Measure B half-cent sales tax initiative dedicated for expansion of mass transit systems, improved highway infrastructure, local street and road improvement, bicycle and pedestrian safety and expanded special transportation for seniors and persons with disabilities or disabling health conditions. The Alameda County Transportation Authority (ACTA) was formed to administer the funds as outlined in the Measure B Expenditure Plan through 2002. The City of Oakland was an eligible recipient of Measure B funds and utilized the source to supplement its existing services.

The Americans with Disabilities Act (ADA), effective July 26, 1990, mandates that all public transit operators provide complementary or corresponding paratransit services for persons who cannot use fixed-route transit due to a disability. Therefore, in 1994, to fulfill the ADA requirements, Alameda-Contra Costa Transit District (AC Transit) and San Francisco Bay Area Rapid Transit (BART), major public transit operators in this service area, formed the East Bay Paratransit Consortium (EBPC) and developed a Coordinated Paratransit Plan. Thus, launched East Bay Paratransit as the primary ADA paratransit provider in Alameda County and adjacent West Contra Costa County.

In December 1996 the City of Oakland began offering supplemental paratransit services solely funded by Measure B. The program was designed to meet the needs of Oakland and Piedmont residents who require assistance beyond the parameters of the EBPC program.

In November 2000, voters approved the reauthorization of Measure B through March 31, 2022 to be administered by the Alameda County Transportation Improvement Authority (ACTIA) and then later by the newly formed Alameda County Transportation Commission (Alameda CTC) as of July 2010.

In November 2014, voters approved Measure BB, a supplemental half-cent sales tax for transit funding to run concurrently with Measure B through March 31, 2022 and then transition to a whole-cent Measure BB initiative April 1, 2022 through March 31, 2045. The City of Oakland receives Measure BB funding as an eligible recipient.

The specialized transit Measure B and Measure BB funds have historically been divided among the four zones of Alameda County (North, Central, South and East) by legislation, and allocated to the respective cities and eligible transit agencies on a formula basis developed by the Paratransit Planning and Advisory Committee (PAPCO) and as adopted by the Alameda CTC. This will continue with the sole Measure BB funding.

## **ANALYSIS AND POLICY ALTERNATIVES**

### **Programming**

The City of Oakland is currently under Master Funding Agreement #A16-0061 with Alameda CTC for the period July 1, 2016 to June 30, 2026. The Agreement authorizes Alameda CTC to

allocate Direct Local Distribution (DLD) funds derived from Measure B and Measure BB as described in their respective voter-approved expenditure plans.

Staff submitted the FY 2023-2024 Program Plan to Alameda CTC (**Attachment A**) staff on March 13, 2023, which outlines the City's plan for service provision as an eligible recipient of Measure BB funds to provide access to specialized transportation services for seniors and persons with disabilities. Oakland has successfully coordinated these services prior to and since the passage of Measure B in 1986.

The Alameda CTC Paratransit Program Implementation Guidelines provides program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details that the City has complied with successfully over the years. The City has appropriate policies, procedures and accounting systems in place to comply with all Alameda CTC rules for the sole purpose of coordinating the transportation services described in this report.

### **Contracting**

As in previous years, the Request for Proposals/Qualifications (RFP/Q) requirement is not applicable because the agreements herein are not professional services agreements, as the City of Oakland reimburses vendors for the service they provide to the public at large with Direct Local Distribution (DLD) funding received from the Alameda CTC.

The City of Oakland enters reimbursement agreements, on a non-exclusive basis, with taxi companies with a minimum fleet of five or more vehicles; accessible van, accessible shuttle or charter bus companies with adequate fleet capacity and design; and supplemental service and/or coordination transportation entities qualified, capable and permitted to provide specialized transportation services for seniors, frail-elderly and adult persons with disabilities in Oakland.

Over the years, smaller taxi providers have approached staff to contract, but were deemed unable to qualify due to small fleet sizes, lack of 24-hour dispatch capabilities, insurance requirements, etc. They have also been unsuccessful in partnering with other small companies to form co-ops.

Driver/Owner Leasing Co., Inc., approached staff to provide expanded taxi scrip service beginning FY 2019-2020. However, the company ultimately decided not to pursue an agreement with the City. St. Mini Cab Corporation dba Veterans Cab suspended services with OPED during FY 2019-20 based on business feasibility.

It should be noted that competition from Transportation Network Companies (TNCs) such as Uber and Lyft have had an adverse impact on the taxi industry over the years causing many taxi companies to fold. COVID-19 also impacted both taxi companies and TNCs due to the dramatic decline in business demand due to shelter-in-place orders and social distance cautions. As a safety net and supplemental service to enhance additional transportation availability, the City contracted with GoGo Technologies, Inc. dba GoGo Grandparent to launch a pilot TNC service during FY 2020-2021.

GoGo Grandparent operates a call center for OPED's 70 years and older clients that do not have or have difficulty using smart phones to hail Uber or Lyft rides. Upon receiving a call from a client, GoGo Grandparent call center staff contacts Uber or Lyft and coordinates the rides for

the caller. OPED currently applies an \$8.00 subsidy for the first two rides each month with a carryforward rule so no subsidies are lost month to month. The program has continued in good standing since its inception.

In relation to wheelchair accessible van and shuttle services, there are other operators within Oakland, but they have their own independent business focus and function; thus, have not expressed interest to provide services through OPED.

Alameda CTC was also a potential source to identify other contracting possibilities. The agency conducted a county-wide call for transportation projects during FY 2016-2017 for five-year funding opportunities that yielded no respondents interested in providing new or expanded transportation services in Oakland. Staff's intent was to identify potential new contracting opportunities or to support new, innovative and viable transportation programs beyond the Alameda CTC grant expiration periods. This will remain the approach for any future call-for-projects they may conduct.

OPED staff conducted an informal Request for Interest (RFI) during early 2018 and attracted one new vendor, One Access Medical Transportation, that launched a pilot same-day and door-through-door assistance wheelchair van service in August 2018 and has continued providing service to date. Staff plans to conduct another RFI call in January 2024.

All contractors proposed herein have passed preliminary qualification and will undergo final contracting verification. Staff will provide on-going monitoring of contractors to ensure continued compliance with meeting all applicable laws and regulations and compliance with City contracting requirements, such as but not limited to, possession of appropriate business permits, insurance, driver/operator drug and alcohol testing, hire and in-service driver/operator trainings, and other outlined conditions.

### **Summary**

The City of Oakland targets paratransit services towards seniors and adult persons with disabilities by historically filling service gaps in the community such as same-day service, underserved geographic areas and supplemental wheelchair accessible van services for trips that cannot be provided or can be made more conveniently than through other local services.

These types of services have been selected to meet the trip needs of consumers over other eligible services based on historical and current consumer feedback and the input of knowledgeable staff and consumer advocate input.

The City of Oakland services continue to be important for persons connecting with the community at-large, as well as, accessing social and community services. It has and continues to be essential for transit dependent adults with disabilities and seniors to be able to access medical services, grocery stores, friend and family visits, school attendance, etc., which leads to enhanced independent living and prevents social isolation in many cases.

COVID-19 had significant impacts on public transportation services. The impacts will be analyzed, and staff will work with Alameda CTC staff to address any issues that may arise with the goal of evaluating and implementing any possible service adaptations to the City's service model to alleviate service gaps and address needs that may arise. Otherwise, staff does not foresee any additional significant concerns or key issues that will adversely impact the OPED

Program to function effectively for the upcoming fiscal year and continue to offer essential and impactful transportation options. To date, the proposed transportation entities herein have reaffirmed commitment to coordinate and provide service for the upcoming year.

OPED will enter the programming year with a general focus on providing essential transportation services through the proposed paratransit providers and grantees herein.

The approval of the staff recommendation herein allows for non-interruption and continuance of valuable accessible transportation services for seniors and adult persons with disabilities which advances the Citywide priority of **responsive, trustworthy government**. Therefore, services would continue and be readily available city-wide to eligible residents in need of specialized transportation for access to medical, social and other important destinations that allow for healthier living and fuller participation in the community.

### **FISCAL IMPACT**

There is no General Fund impact or cost. Transportation operations are supported by Alameda County Measure B reserve funds and continuing Measure BB sales tax revenue.

The FY 2023-2024 Proposed Budget for OPED Program includes an appropriation of \$3,159,778 in FY 2023-2024 for Measure BB direct local distribution funds in Measure BB Paratransit Fund (2220), Oakland Paratransit for Elderly and Disabled Organization (75621), OPED FY 2023-2024 Measure B/BB Projects (1006713 and 1006714), and Empowering Seniors & People With Disability Program (YS14).

The funding for OPED contracts is included in the FY 2023-2024 Proposed Budget under the Human Services Department (HSD). Approval of the resolution will authorize reimbursement agreements with the following paratransit providers for the amounts specified below:

- |                                       |            |
|---------------------------------------|------------|
| • Five Rivers Transit Solutions, Inc. | \$ 850,000 |
| • Quality Transit, LLC                | \$ 600,000 |
| • Bay Area Charters, Inc.             | \$ 250,000 |
| • One Access Medical Transportation   | \$ 25,000  |
| • GoGo Technologies, Inc.             | \$ 100,000 |

The approval of the resolution will also authorize the awarding of a grant agreements to Life ElderCare in the amount of \$25,000 and the City of Emeryville in the amount of \$50,000 as paratransit coordination entities.

If additional funds become available from the same funding source, for the same purposes and within the agreements' terms, staff is seeking authorization for the City Administrator or designee to accept and appropriate funds for the OPED program and amend the agreements by increasing award amounts herein.

## **PUBLIC OUTREACH / INTEREST**

Program status and activities are continually captured and made available to the public annually by the Alameda CTC through the following requirements:

- Annual article publication in a mass generated print or electronic medium;
- Submission of a year-end program compliance report and financial audit statements that are accessible to the public [here](#);
- Participation in Paratransit Technical Advisory Committee (ParaTAC) meetings that are open to the public; and,
- Participation and attendance at Paratransit Advisory and Planning Committee (PAPCO) meetings that are open to the public.

Staff also continues to attend and participate in meetings held by the Mayor's Commission on Persons with Disabilities and the Mayor's Commission on Aging as necessary. Annual presentations are made for these respective commissions for outreach and feedback from the commissioners and the public that is considered in annual program planning.

Additional consumer input has been derived through verbal and written feedback, as well as information solicited through OPED's annual participant survey process.

## **COORDINATION**

The Human Services Department coordinated with the Budget Bureau, Office of the City Attorney and the City Administrator's Office in the preparation of this report and resolution.

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

Independent of staff evaluation, OPED relies on informal feedback from many of the riders through office visits, phone calls, and letters that inform staff of unmet needs, customer service experiences, and overall impressions of the program.

In addition, staff conducts an annual mail survey of riders to gain additional qualitative information. The survey has been developed for the collection of information for City Council, Alameda CTC and PAPCO. Unfortunately, the survey data for FY 2021-2022, which would have been included in this report, is unavailable due to the ransomware attack. The survey for FY 2022-2023 will be conducted throughout the month of May 2023 and will be included in the next program years' report.

OPED transportation providers Five Rivers Transit Solutions, Inc. (formerly Friendly Transportation, Inc.), Quality Transit, LLC, Bay Area Charters and One Access Medical Transportation are multiyear base program contractors. GoGo Technologies, Inc. is a short term transportation coordinator for OPED entering year three (3).

Assessment of these contractor services will occur as usual in the upcoming contracting year, but they have performed well in the past and are highly recommended by staff moving forward into FY 2023-2024.

LifeEldercare and City of Emeryville operate individual services independent of OPED, but they transport Oakland residents, so partial sponsorship is being extended to support their efforts.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Funds from Measure B reserves and Measure BB continued incoming will be used for agreements with local vendors to provide services. Vendors will comply with the City's Living Wage Ordinance.

***Environmental:*** The Paratransit Program encourages shared ride transportation that reduces the emission of carbon dioxide into the atmosphere and lessens traffic congestion, reduces fuel consumption, improves commute times and reduces the frequency of costly road repairs.

***Race & Equity:*** Paratransit funds will make services accessible for all qualifying residents who only due to age or disability would not otherwise have access.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution:

1. Accepting Direct Local Program Distribution Measure BB Funds In The Amount Of \$3,159,778 For Fiscal Year (FY) 2023-2024 From The Alameda County Transportation Commission To Provide Paratransit Services; And
2. Awarding Agreements For Paratransit Services For FY 2023-2024 In The Amounts Of \$850,000 (Five Rivers Transit Solutions, Inc.), \$600,000 (Quality Transit, LLC), \$250,000 (Bay Area Charters, Inc.), \$25,000 (One Access Medical Transportation), And \$100,000 (GoGo Technologies, Inc.); And
3. Awarding Grant Agreements In The Amounts Of \$25,000 (Life Eldercare) And \$50,000 (City Of Emeryville) For Paratransit Services; And
4. Authorizing The City Administrator To Accept And Appropriate Any Additional Direct Local Distribution Funds That May Become Available For FY 2023-2024 And Amend The Aforementioned Agreements To Increase The Amounts Within The Limits Of The Funding.

For questions regarding this report, please contact Hakeim McGee, Acting Aging and Adult Services Manager at (510) 238-62311.

Respectfully submitted,



SCOTT MEANS  
Interim Director, Human Services Department

Prepared by:  
Hakeim McGee, Supervisor  
Oakland Paratransit for the Elderly &  
Disabled

Attachment (1):  
Attachment A - Oakland Paratransit Annual Program Plan Application FY23-24