



## Legislation Text

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**File #:** 2022-0324, **Version:** 1

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**To:** Board of Supervisors

**Department or Agency Name(s):** Transportation and Public Works - Transit

**Staff Name and Phone Number:** Johannes J. Hoevertsz, 707-565-2231

**Vote Requirement:** Majority

**Supervisorial District(s):** Countywide

**Title:**

FY 2022-23 ADA Paratransit Services Agreement

**Recommended Action:**

The Department of Transportation and Public Works is requesting authorization for the Chair to execute an Agreement with Center for Volunteer & Non-Profit Leadership (formerly Volunteer Center of Sonoma County) for countywide Americans with Disabilities Act Paratransit Services for the period of July 1, 2022 through June 30, 2023, in an amount not to exceed \$2,405,820.

**Executive Summary:**

As a fixed-route public transit operator, and in compliance with Americans with Disabilities Act (ADA) requirements, Sonoma County Transit provides complementary paratransit service within  $\frac{3}{4}$  mile of all its routes during the same days and hours as its fixed-route service. To meet federal ADA requirements, all paratransit trip requests, made by eligible clients, must be provided regardless of trip purpose, cost or number of trips taken within any period of time.

The proposed Agreement would renew services with the Center for Volunteer & Nonprofit Leadership (CVNL) to provide countywide ADA-compliant paratransit services. Under this agreement, CVNL will continue to serve as Sonoma County Transit's ADA paratransit services provider through FY 2022-23, under the name of "Sonoma County Paratransit".

**Discussion:**

CVNL (and its predecessor) has provided Americans with Disabilities Act paratransit service, on an annual basis, for Sonoma County since 2002.

Under the Americans with Disabilities Act and its implementing regulations, fixed-route transit operators are required to provide complementary paratransit service within  $\frac{3}{4}$  of a mile of their fixed-route service during the same hours and days that fixed-route services are provided. All trip requests, made by eligible passengers, must be met regardless of their trip purpose. Operators are required to provide, at a minimum, all next-day requested trips.

The Americans with Disabilities Act requires transit operators to provide a sufficient level of paratransit service such that no eligible passenger is denied paratransit service due to capacity limitations. Transit operators that

do not meet the required “no-denial” level of service jeopardize their federal funding eligibility and expose themselves to potential legal liability.

Within Sonoma County, there are approximately 8,287 individuals that have qualified and signed up for paratransit services. Of those, approximately 2,906 are active users. For many of these individuals, the services provided under this Agreement are their sole access to on-going medical care, as-well-as, social activities, shopping and educational opportunities.

Sonoma County Paratransit operates a fleet of 31 vehicles including: 21 minibuses, 5 accessible minivans, and 5 sedans.

The impacts of COVID-19 on paratransit services began in March 2020 when daily ridership fell to 23% of its pre-pandemic level. Today, paratransit ridership is recovering and is approximately at 50% of its pre-pandemic level with slow, but gradual increases as Sonoma County continues to return to normal. Although ridership is increasing, it’s not anticipated to return to its pre-pandemic level until FY 2024-25. The recommended budget for paratransit assumes approximately 80% of its pre-pandemic level of service. If ridership should grow beyond projections, an amendment will be brought back to the Board for consideration. It is estimated that paratransit services will provide approximately 30,000 passenger trips in the next fiscal year.

The proposed FY 2022-23 agreement permits up to a total of 46,175 paid driver hours (wheelchair accessible fleets) and 3,000 volunteer driver hours (sedan fleet).

The proposed Agreement would provide for a maximum payment of \$2,405,820, reflecting a 2.4% increase over FY 2021-22’s agreement maximum of \$2,348,833. Fares are collected by CNVL, and Sonoma County’s provides a subsidy under this agreement compensating CNVL for its operating deficit. The operating deficit is the cost of services provided less passenger fares.

It should be noted that CVNL provides volunteer drivers to the County at no cost to support this service. Based on CVNL’s hourly rate, the annualized value of this volunteer service for FY 2022-23 is projected at \$85,680. Due to their scheduling flexibility, CVNL’s use of volunteer drivers has been a key contributor to achieving and maintaining a “no-denial” level of service. The ability to “right-size” the level of service each year due to passenger demand is a benefit of utilizing CVNL for this service.

CVNL is the preferred vendor based on their non-profit status and experience, and that their use of volunteer drivers reduces the County’s overall operating costs and provides the back-up necessary to maintain the federally required “no-denial” level of service. Each year, Transit staff prepares a cost analysis that compares the cost of paratransit services provided by the Center with Transdev, the County’s fixed-route operations contractor. As projected in the analysis, using Transdev or a similar for-profit transit contracting firm, the County's cost for paratransit services would increase approximately \$1.2M annually.

County Purchasing has reviewed this request and has approved a Single Source Waiver for the proposed agreement, in accordance with Sonoma County Code 2-58.

**Strategic Plan:**

NA

**Prior Board Actions:**

5/11/21 - Board approved agreement with Center for Non-Profit Leadership for FY 2021/22 Americans with Disabilities Act Paratransit services in the amount of \$2,348,833.

5/19/20 - Board approved agreement with Center for Non-Profit Leadership for 2020-21 Americans with Disabilities Act Paratransit services in the amount of \$2,506,592.

5/14/19 - Board approved agreement with Volunteer Center for FY 2019-20 Americans with Disabilities Act Paratransit services in the amount of \$2,435,758.

5/08/18 - Board approved agreement with Volunteer Center for FY 2018-19 Americans with Disabilities Act Paratransit Services in an amount not to exceed \$2,2333,292.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 21-22 Adopted</b>	<b>FY22-23 Projected</b>	<b>FY 23-24 Projected</b>
Budgeted Expenses		\$2,405,820	
Additional Appropriation Requested			
<b>Total Expenditures</b>		<b>\$2,405,820</b>	
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal		\$2,405,820	
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>		<b>\$2,405,820</b>	

**Narrative Explanation of Fiscal Impacts:**

Funding for the FY 2022-23 agreement was included in the FY 2022-23 Transit Division Recommended Budget and is consistent with Sonoma County Transit’s annual TDA/STA funding claim with the Metropolitan Transportation Commission

**Narrative Explanation of Staffing Impacts (If Required):**

None.

**Attachments:**

None.

**Related Items “On File” with the Clerk of the Board:**

Agreement, Sole Source Waiver.