

**Board Report**

File #: 2017-0158, **File Type:** Contract**Agenda Number:** 37.

**EXECUTIVE MANAGEMENT COMMITTEE
APRIL 20, 2017****SUBJECT: METRO MYSTERY RIDER PROGRAM****ACTION: AWARD CONTRACT FOR MYSTERY RIDER PROGRAM****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a 3-year, with two, one year options, firm fixed price Contract No. PS6224700 to **Mobility Advancement Group, for Metro's Mystery Rider Program** in the amount of \$565,516 for the (3) year base period and \$408,128 for the (2) one year options, for a total contract amount of \$973,644, subject to resolution of protest(s), if any.

ISSUE

Metro's current Mystery Rider Program (MRP) contract, which was issued in December 2011, is approaching the end of its term in April 2017. MRP monitors and reports on the effectiveness of Metro's fixed route bus services and all Metro's contracted bus services (operated by outside bus contractors) in their adherence to Americans with Disabilities Act (ADA) requirements, accessibility, Title VI of the Civil Rights Act of 1964 (Title VI), Executive Order 13166, and other operating policies and procedures. In addition, Metro must ensure that its many subrecipients of federal funding are in compliance with the ADA, Title VI, and Executive Order 13166.

DISCUSSION

The purpose of the Mystery Rider Program (MRP) is to monitor and test Metro's fixed route bus services, as well as Metro's contracted bus services, for compliance with the requirements of the ADA, additional accessibility-related policies and procedures, and Title VI of the Civil Rights Act of 1964. Metro is also required to ensure that its subrecipients of federal funding are compliant with required regulations and policies.

Accessibility / ADA MRP Observations

On a quarterly basis, Metro requires 600 observations of Metro's bus services and 120 observations of its contracted bus services for ADA and accessibility compliance. Metro uses these 720 quarterly observations to generate statistical data for reports.

In addition to these observations, up to 120 “Special Rides” will be required of the Contractor each quarter. Special Rides are as-needed observations of Metro’s bus services and those services provided by the participants of Metro’s ADA Oversight Program for Subrecipients Program.

The primary point of contact for all Accessibility-related MRP contract issues will be the Mystery Rider Program Manager.

Title VI MRP Observations

In order to ensure that Metro and its subrecipients are in compliance with the Limited English Policy under Title VI, Metro requires 100 quarterly observations and contacts (75 in-person observations and 25 telephone contacts) of Metro employees through its system.

The observations and contacts will help Metro monitor and evaluate the compliance of Metro employees who have contact with the public with the Language Assistance Program of Metro as mandated by Title VI and Executive Order 13166. This will include evaluating Metro’s bus services, contracted bus services, and other frontline employees having direct contact with customers.

An additional 75 in-person observations and 25 telephone contacts of Metro’s subrecipients will be required of the Contractor each quarter. The observations and telephone contacts of Metro’s subrecipients will begin January 1, 2018.

The primary point of contact for all Title VI MRP contract issues will be the Title VI Program Manager.

DETERMINATION OF SAFETY IMPACT

MRP will help ensure that patrons with disabilities and other needs will receive the safest and most accessible service from Metro, its contracted lines, and its subrecipients. MRP will address potential accessibility-related maintenance and operations issues, and will help in improving safety for Metro staff and customers who ride the system.

FINANCIAL IMPACT

The funding of \$148,360 for this service is included in the FY17 budget in cost center 2413, Office of Civil Rights, under project number 100002, and project name Mystery Rider Program.

Since this is a multi-year contract/project, the cost center manager and Chief Civil Rights Programs Officer will be accountable for budgeting the cost in future years, including any options exercised.

Impact to Budget

The source of funds is Prop A, Prop C and TDA Administration, which is not eligible for bus and rail Operating and capital uses.

ALTERNATIVES CONSIDERED

One alternative is to reduce the scope of work to encompass mystery rides for solely Metro's fixed route system; however, this alternative is not recommended as Metro's contracted lines and subrecipients are required to adhere to the Americans with Disabilities Act and Title VI of the Civil Rights Act of 1964. The Mystery Rider Program is a vital tool in monitoring the adherence to the aforementioned statutes; improving Metro's services, contracted services, and subrecipients; and ensuring compliance with federal regulations.

NEXT STEPS

Upon approval by the Board, staff will execute Contract No. PS6224700 with Mobility Advancement Group for Metro's Mystery Rider Program.

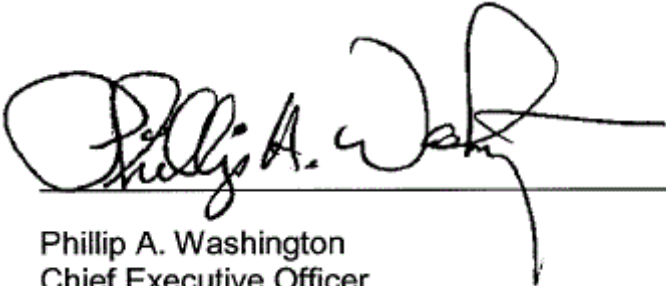
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Paula Guevara, Accessibility Analyst, (213) 922-7495

Reviewed by: Daniel Levy, Chief Office of Civil Rights, (213) 922-8891
Debra Avila, Chief Vendor/Contract Management Officer,
(213) 418-3051



Phillip A. Washington
Chief Executive Officer