



# Broward County

## Legislation Details (With Text)

**File #:** 21-992      **Version:** 1

**Status:** Agenda Ready

**In control:** TRANSPORTATION DEPARTMENT

**On agenda:** 6/15/2021      **Final action:** 6/15/2021

**Title:** MOTION TO AUTHORIZE Transportation Department staff to negotiate, and County Administrator to execute a Fifth Amendment, subject to review for legal sufficiency by the Office of the County Attorney, with Super Nice STS D/B/A Transportation America (Transportation America), for the provision of Paratransit Transportation Services, Request for Proposals (RFP) No. C1231306P1, extending the agreement for three additional year term and authorize the Director of Purchasing to renew the Agreement for an additional two one-year optional periods.

**Sponsors:**

**Indexes:** Established Commission Goals, Penny Surtax (Inactive)

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

### Broward County Commission Regular Meeting

**Director's Name:** Chris Walton

**Department:** Transportation

### Information

#### Requested Action

MOTION TO AUTHORIZE Transportation Department staff to negotiate, and County Administrator to execute a Fifth Amendment, subject to review for legal sufficiency by the Office of the County Attorney, with Super Nice STS D/B/A Transportation America (Transportation America), for the provision of Paratransit Transportation Services, Request for Proposals (RFP) No. C1231306P1, extending the agreement for three additional year term and authorize the Director of Purchasing to renew the Agreement for an additional two one-year optional periods.

#### Why Action is Necessary

In accordance with the Broward County Procurement Code, Sections 21.47(a) and 21.53, the Board of County Commissioners (Board) is required to approve amendments to agreements with a value of more than \$500,000 and extending contracts beyond five years.

#### What Action Accomplishes

Authorizes staff to negotiate and the County Administrator to execute an amendment to the agreement with Transportation America for the provision of Paratransit Transportation Services increasing the term of the agreement for an additional three years with an option for two additional one-year renewal extensions.

#### Is this Action Goal Related

Yes

### **Previous Action Taken**

February 3, 2015, Item No. 16  
January 29, 2019, Item No. 41  
June 16, 2020, Item No. 59  
January 26, 2021, Item No. 21

### **Summary Explanation/Background**

THE TRANSPORTATION DEPARTMENT RECOMMENDS APPROVAL OF THIS ITEM.

This action supports the Board's Value of "Cooperatively delivering an efficient an accessible regional intermodal transportation network."

On February 3, 2015 (Item No. 16), the Board awarded an open-end contract to Super Nice STS dba Transportation America (Transportation America) for the provision of Paratransit Transportation Services, Request for Proposal (RFP) No. C1231306P1, in the five-year estimated amount of \$34,292,394, through December 31, 2019, and authorized the Director of Purchasing to renew the Agreement for up to two additional one-year periods.

On January 29, 2019 (Item No. 41), the Board approved a threshold increase in the estimated amount of \$15,600,000, from the current total base contract threshold of \$34,292,394 to \$49,892,394, due to an increase in the number of trips exceeding the original estimates and authorized the County Administrator to execute an amendment to the agreement, approved as to legal sufficiency by the County Attorney's Office to increase the not-to-exceed amount of the agreement to the amount of the threshold increase.

Additionally, on December 11, 2018 (Item No. 18), the Board amended the Living Wage Ordinance to increase the hourly wage for all covered employees to \$13.27 per hour with health care benefits, and \$13.27 per hour plus an additional \$1.63 per hour without health care benefits (the higher living wage amount). The amended ordinance applied to all new contracts, renewals, amendments, or extensions effective January 1, 2019. On February 26, 2019, (Item No. 43), the Board amended the Living Wage Ordinance to increase the health care benefit to at least \$3.44 per hour, effective January 1, 2020. A second amendment to this agreement was executed in April 2019 implementing the increase in salary requirement of the living wage ordinances and modifying the passenger trip pricing by \$0.91, which increased the not-to-exceed threshold amount of the contract to \$50,179,300.

On June 16, 2020, (Item No. 59), the Board approved the Third Amendment to the Agreement to cover the costs associated with Transportation America assuming the responsibility for providing all Paratransit Transportation Services after the other service provider opted not to renew its agreement with the County. This action increased the contract threshold to a not-to-exceed amount of \$95,229,300.

On January 26, 2021, (Item No. 21), the Board approved the Fourth Amendment, retroactive to January 1, 2021, which increased the reimbursement rates to cover the Living Wage Ordinance health care benefit increase effective January 1, 2021. As a result, the overall contract threshold with Transportation America increased by \$2,414,400, from \$95,229,300 to \$97,643,700.

Through this fifth amendment, the County hopes to extend the Agreement with the current provider until the disruption caused by the COVID-19 pandemic stabilizes and allows staff to plan a future

solicitation with some confidence for future ridership trends. The COVID-19 pandemic has been very disruptive to the transit industry, paratransit ridership reduced as much as 80% at the onset. The year-to-date monthly average Ridership is currently only 56% of pre-pandemic levels. This uncertainty could have a dramatic impact on assumptions used if the County were to solicit new service providers before ridership stabilizes.

**Source of Additional Information**

Chris Walton, Director, Transportation Department, (954) 357-8361

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

All expenses for this action will be appropriated through the Fiscal Year 2022 Budget Process, and will include Transportation Surtax revenues, consistent with the Transportation Surtax Financial Plan, and subject to approvals by the Board of County Commissioners and the Transportation Surtax Oversight Board.