

## Transportation Committee

For the Metropolitan Council meeting of February 26, 2020

**Subject:** *Metro Mobility Demand South Zone Contract 2020-2025*

### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract with Transit Team, Inc. to provide Metro Mobility Demand South Zone service from August 1, 2020 to July 31, 2025 with an option to extend one additional year in an amount not to exceed \$100,778,685.

### Summary of Committee Discussion/Questions

Metropolitan Transportation Services Metro Mobility Senior Manager Christine Kuennen presented this item.

Atlas-Ingebretson commented on DBE and workforce goals. Office of Equal Opportunity Senior Manager Tracey Jackson said OEO reviews and evaluates all procurements, identifying funding and also looking for subcontracting opportunities. Jackson added that the Department of Human Rights sets the workforce goals. Metropolitan Transportation Services Director Nick Thompson shared that the Metropolitan Council has asked providers to voluntarily provide workforce goals in addition to their required report to the Department of Human Rights. Ferguson asked for clarification on the contract expectations regarding capacity. Zeran asked who provides the current service. Kuennen said the current provider is First Transit. Zeran asked if any weight is assigned to the incumbent. Kuennen answered that in order to maintain fairness and an open process, no weight is given to incumbents. Chamblis asked about transition plans. Kuennen said she intends that this transition plan follow closely to previous transition plans.

Teamsters Local 120 Director of Politics & Organizing Paul Slattery said his concerns are the same as when he spoke in April of 2018: driver retention, driver continuity, and the relationships that the drivers have with the vulnerable results they serve. Slattery said the Teamsters believe First Transit is the best provider to serve the South Zone Metro Mobility contract based on their years of service, on-time performance, and rate. Slattery added that the Teamsters question why the service provider would be changed when the bids are so close. Slattery stated that the new service provider is non-union, and the Teamster members do not want to work in a non-union environment, he said this will cause a disruption in the workforce. Slattery mentioned that in the April 2018 interaction he had asked Transit Team if they would retain current drivers and rates, he asked to again have in writing assurances for the protection of drivers and the vulnerable adults they serve and he asked that the Committee and Council implement labor piece and driver retention language in all Metropolitan Council contract proposals.

First Transit General Manager Paul Johnson said over 30 years of working with the Metropolitan Council, First Transit has proven themselves as dependable, responsive, and a trusted member of the Twin Cities community. Johnson expressed disappointment over the award of the contract and that his 220 employees may be displaced due to only a 2% price difference in bids. Johnson said First Transit is asking the Transportation Committee to take another review of this recommendation and consider the significant message it delivers.

Transit Team President & CFO Mike Richter said this is similar to April 2018 and that startup went smoothly, over 100 drivers were hired in a five-month period. Richter said when Transit Team approached First Transit to transition drivers, First Transit was uncooperative and only through grass-roots recruiting were 26 drivers able to be

recruited, in addition to the other 75 drivers hired. Richter said they would like to transition as many First Transit drivers as possible but it partially depends on First Transit allowing them access to the drivers. Richter added that Metro Mobility and paratransit service is core to Transit Team's business and the money earned from services stays local.

Fredson expressed concern over the timing of this item. Fredson also said he is concerned that the disruption of service is not considered as part of the evaluation and he thinks that the Council should consider the cost of disruption.

There was a motion by Fredson, seconded by Zeran to amend the proposed action as follows:

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract with First Transit to provide Metro Mobility Demand South Zone service from August 1, 2020 to July 31, 2025 with an option to extend one additional year in an amount not to exceed \$116,422,094.

Zeran said it seems clear from testimony that First Transit employees do not want to work for Transit Team since last time they were unable to be retained and brought over. Zeran added that there is no guarantee drivers will be reconnected to employment. Barber asked if service was considered in the contract review. Kuennen said it was considered and explained that if the proposer is not the incumbent, they must propose with information on how they would transition a service.

Ferguson said it is a dangerous precedent to make a judgement over the procurement team. Office of General Counsel Deputy General Counsel Dave Theisen said the Council must comply with FTA guidelines with procurements, it has to be an open and fair competition and equally accessible to any responsive proposer or bidder. Cummings asked if the evaluation panel had a unanimous recommendation, Kuennen said it was. Atlas-Ingebretson said she will be voting no on both the amendment and project in general because in order for her to vote yes, she requires information about the goals and that it be explicit and provided to the public. Gonzalez asked if the customers are asked about current satisfaction and stated that should be an important criterion in evaluating contracts. TAAC Chair David Fenley shared that disability ought to be included in the equity discussion and it was discussed as part of the selection process. Thompson said there is a strong monitoring of customer experiences and there are also contractual ways to bring vendors into compliance. Chamblis said the processes should be done with integrity and accountability and she will not be voting yes on this amendment.

Motion failed.

Motion by Ferguson, seconded by Cummings. Motion carried, with Atlas-Ingebretson, Gonzalez, and Zeran voting in opposition.

## Transportation Committee

Meeting date: February 24, 2020

For the Metropolitan Council meeting of February 26, 2020

**Subject:** Metro Mobility Demand South Zone Contract 2020-2025, Contract 19P212

**District(s), Member(s):** All

**Policy/Legal Reference:** Council Policy 3-3 Expenditures – Procurement of Goods and Services over \$500,000.

**Staff Prepared/Presented:** Christine Kuennen, Senior Manager Metro Mobility, 651-602-1689

Jody Jacoby, Director of Purchasing Metropolitan Council, 651-602-1144

Gerri Sutton, Assistant Director MTS, 651-602-1672

Nick Thompson, Director of MTS, 651-602-1754

**Division/Department:** Metropolitan Transportation Services

### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract with Transit Team, Inc. to provide Metro Mobility Demand South Zone service from August 1, 2020 to July 31, 2025 with an option to extend one additional year in an amount not to exceed \$100,778,685.

### Background

Metro Mobility is a shared ride, demand response public transportation service for certified riders who are unable to use regular fixed-route buses due to a disability or health condition.

Under the Americans with Disabilities Act (ADA) every public entity operating a regular-route system must provide complementary paratransit service to individuals with disabilities who are unable to use regular-route. This federally mandated service must be provided within three-quarters of a mile of any all-day, local bus or rail route in the Twin Cities with comparable hours of availability.

In addition, Minn. Stat. 473.386 requires the Metropolitan Council to provide greater access and door-through-door transportation for the elderly, people with disabilities, and others with special transportation needs within the Transit Taxing District as it existed on March 1, 2006. In 2019, Governor Walz signed legislation to amend the statute to expand the Metro Mobility service area, integrating the city of Lakeville.

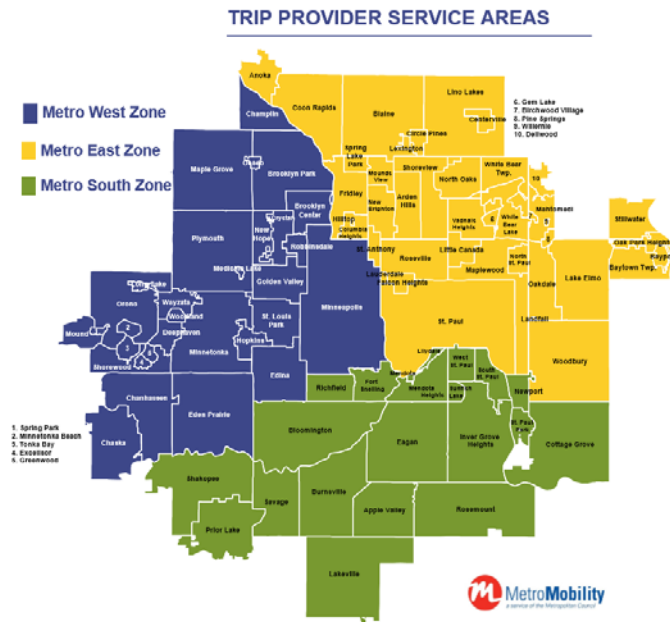
The Metro Mobility service area has three geographic zones (Metro West, Metro East and Metro South) that are served under three separate service contracts. Each of these contracts were last executed in 2015 with a five-year term and an option to extend by one year. Annually, over 2.3 million rides are delivered under these contracts. This contract will continue services for the entirety of Zone 3-Metro South beginning August 1, 2020.

A Request for Proposals was issued on November 15, 2019. There were eleven (11) plan holders, and three (3) proposals were received on January 9, 2020. Three proposals were received and evaluated by a five-member panel consisting of staff from Metro Mobility, MTS Contracted Services, Metro Transit, Washington County, and the Minnesota Council on Disability. Five criteria were used to evaluate the proposals: proposal quality, proposer's qualifications and experience, proposer's capabilities and ability to deliver the service, overall compliance and proposal price. The panel then evaluated the

financial submittals for each proposer. The evaluation panel recommended Transit Team, Inc. as the proposer with the proposal most advantageous to the Council.

Transit Team had the highest rated financial submittals, the highest rated technical proposal, and the lowest proposed cost. The proposed pricing is within the budget and appears to be fair and reasonable for the five-year contract term with an option for a sixth year. Additionally, Transit Team’s proposal demonstrated a strong approach to customer service in a paratransit environment and a continual driver wage progression plan that will help retain a qualified workforce through the term of the contract.

The Office of Equal Opportunity (OEO) did not assign any Disadvantaged Business Enterprise (DBE) goals for this project. To advance the Council’s commitment to providing opportunity to underutilized Businesses, Procurement staff contacted transit providers to make them aware of the solicitation as part of due diligence efforts.



### Rationale

Procurement of Goods and Services over \$500,000 in value requires Metropolitan Council authorization.

### Thrive Lens Analysis

Metro Mobility supports the outcomes and principals of Thrive MSP 2040 by promoting prosperity and livability of our region through the delivery of safe, reliable and equitable public transportation service.

### Funding

Funding for this service is included in the 2020 operating budget.

### Known Support / Opposition

There is no known opposition.