

KINGS COUNTY AREA PUBLIC TRANSIT AGENCY
Board of Directors
Hybrid Meeting (Time and Place)

610 W. 7th Street - Hanford, California 93230 (559) 852-2692 www.kartbus.org

Meeting Date: May 24, 2023

Time: 2:00 PM

In Person: City of Hanford Council Chambers
400 N Douty Street
Hanford, CA 93230

Avenal City Hall, Conference Room
919 Skyline Blvd.
Avenal, CA 93204

Zoom Meeting: <https://us06web.zoom.us/j/88470167447?pwd=Q0F6YnlKTHY3TTJLQ3JDa25XamdFQT09>

Meeting ID: 884 7016 7447

Passcode: Kart0524

Link to our Website: <https://www.kartbus.org/category/board/>

If you need special assistance to participate in this meeting or language assistance, please contact the Clerk of the Board at (559) 852-4623 by 4:00 PM on the Monday before this meeting. The Agenda backup information and any public records provided to the Board after the posting of the agenda for this meeting will be available for public review at 610 W. 7th Street, Hanford, CA 93230.

HYBRID MEETING AGENDA

KINGS COUNTY AREA PUBLIC MEETING PROTOCOL

KCAPTA hereby provides notice that effective March 1, 2022, it will return to in-person and public meetings.

Members of the public who wish to participate in this meeting can do so in one of the following three ways: **(1) by attending the meeting in person, (2) via Zoom Meeting, or (3) by submitting written comments** on any matter within the KCAPTA Board's subject matter jurisdiction, regardless of whether it is on the agenda for KCAPTA's consideration or action and those written comments will be entered into the administrative record of the meeting.

To submit written comments by U.S. Mail or email for inclusion in the meeting record, they must be received by the KCAPTA Office no later than 11:00 a.m. on the day of the noticed meeting. To submit written comments by email, please forward them to info@kartbus.org. To submit such comments by U.S. mail, please forward them to Clerk of the Board, KCAPTA at 610 W. 7th Street, Hanford, CA 93230.

| <u>ITEM #</u> | <u>DESCRIPTION</u> | <u>ACTION</u> |
|---------------|---|--------------------|
| 1. | CALL TO ORDER <i>Roll Call – Clerk of the Board</i> | |
| 2. | UNSCHEDULED APPEARANCE <i>Any person may directly address the Board at this time on any item on the agenda or on any other topics of interest to the public that is within the subject matter jurisdiction of the Board. Five (5) minutes are allowed for each item.</i> | |
| 3. | CONSENT ITEMS <i>All items listed as consent items are considered routine and will be enacted by one motion. Any discussion of any consent item will be removed at the request of any Board member and made a part of the regular agenda.</i> | ACTION |
| | <ul style="list-style-type: none"> A. Summary Minutes of Hybrid Meeting April 26, 2023 B. Adopt Resolution 23-07 Accepting MV’s Substance Abuse Policy C. KART Operational Statistics | |
| 4. | UNMET NEEDS REPORT | INFORMATION |
| 5. | AWARD TRANSIT OPERATION SERVICES AND MAINTENANCE CONTRACT TO MV TRANSPORTATION, INC. | ACTION |
| 6. | APPROVE ENTERING INTO AN AGREEMENT WITH SCE FOR THEIR CHARGE READY PROGRAM | ACTION |
| 7. | APPROVE PURCHASE OF 6 CHARGEPOINT CT 4021-GW1 GATEWAY UNITS | ACTION |
| 8. | APPROVE KCAPTA FY 2023/24 OPERATING AND CAPITAL BUDGET | ACTION |
| 9. | MISCELLANEOUS COMMENTS FROM STAFF | INFORMATION |
| 10. | CLOSED SESSION Conference with Labor Negotiator/Meet and Confer:[Govt. Code Section 54957.6] Negotiator: Angie Dow <ul style="list-style-type: none"> • Unrepresented Employees and Management | |

Attachments:

- A – MINUTES OF APRIL 26, 2023
- B – RESOLUTION 23-07
- C – MV SUBSTANCE ABUSE POLICY
- D – UNMET NEEDS REPORT
- E – TRANSIT OPERATION SERVICES AND MAINTENANCE AGREEMENT #2305
- F – SCE PROGRAM PARTICIPATION AGREEMENT
- G – CHARGEPOINT CT4021-GW1 GATEWAY UNIT QUOTE
- H – BUDGET APPROPRIATION
- I – FISCAL YEAR 23/24 OPERATIONS AND CAPITAL BUDGET
- J – KCAPTA CAPITAL IMPROVEMENT PLAN

STAFF REPORT

3. CONSENT ITEM:

A. Summary Minutes of Special Meeting April 26, 2023

B. Adopt Resolution 23-07 Accepting MV's Transportation Inc., Substance Abuse Policy

As a recipient of Federal transit dollars, KCAPTA and our contractor(s) are required to maintain a drug-free workplace and have an ongoing drug-free awareness program. KCAPTA and our contractor(s) with "safety-sensitive" employees (bus drivers, dispatchers, and mechanics) must also have a drug and alcohol testing program in place. These drug and alcohol policies must be adopted and accepted by the KCAPTA Board.

The United States Department of Transportation (USDOT) – Office of Drug and Alcohol Policy and Compliance (ODAPC) issues updates to USDOT's drug and alcohol testing regulation. (49 CFR Parts 40, 655 and 382). KCAPTA does not directly employ any safety-sensitive employees working in public transit, so while updated regulation does not apply KCAPTA employees, KCAPTA is responsible for ensuring compliance of its transit operations contractor using the same testing requirements.

Staff has reviewed MV Transportation's Substance Abuse Policy and their Random Testing Procedures to ensure that it is in compliance with Parts 40, 655, and 382 for all "safety-sensitive" employees and has no recommended revisions. With the adoption of Resolution 23-07, the Board will formally accept MV Transportation's Substance Abuse Policy.

C. KART Operational Statistics

The Transportation Development Plan (TDP) for Kings County establishes operational performance standards for KCAPTA transit operations. Staff uses these standards to evaluate specific needs for transit services and develop plans for improvements and service revision. Monthly, Staff evaluates KCAPTA operational performance and compares them to the standards set in the TDP. Performance monitoring is also required as part of our Title VI Program.

Per KCAPTA Title VI Program (June 2022-2025), on-time performance and farebox recovery rates should be reported monthly to the Board. Monitoring and reporting of these standards allow Staff and the Board to ensure operational practices do not result in discrimination on the basis of race, color, or national origin. In the past, this was information included in the Annual Financial Report; however, it was noted in our review of our Title IV Program that this information should be reported to the Board monthly. Below is our YTD (Fiscal Year 2022/2023) farebox recovery and on-time performance by route and service type.

| ROUTE | FAREBOX % (Standard 15%) | ON-TIME PERFORMANCE (Standard 85%) |
|-------|-----------------------------|---------------------------------------|
| 1 | Hanford Routes 7.99% | 97.18% |
| 2 | | 97.51% |
| 3 | | 98.20% |
| 4 | | 97.63% |
| 5 | | 98.17% |
| 6 | | 97.47% |
| 7 | | 98.21% |

| | | |
|---------------|--------|--------|
| 9 | | 96.47% |
| 12 | 7.68% | 97.30% |
| 13 | 7.04% | 89.67% |
| 14 | 6.91% | 96.29% |
| 15 | 2.51% | 97.91% |
| 17 | 27.42% | 96.88% |
| 20 | 7.74% | 98.16% |
| PARATRANSIT | 6.87% | 96.15% |
| MICRO TRANSIT | 7.30% | 99.29% |

Due to the effects that COVID has had on ridership, the KART system is not meeting the required 15% farebox recovery. The State of California has waived this requirement until the end of FY 2023.

4. UNMET TRANSIT NEEDS REPORT (Mark Pedreiro):

KCAPTA held public hearings before the KCAPTA Board on February 22, 2023, and March 22, 2023, to solicit comments from the public on any unmet transit need that may exist in Kings County.

This process allowed individuals to comment in person at public hearings or to submit comments by phone, mail, or email.

Four comments were received and analyzed by staff. Staff addressed all comments received and has issued our report (Attachment D).

Staff has submitted our report to KCAG and the SSTAC.

Recommendation

This is an information item; no action is required.

5. AWARD TRANSIT OPERATION SERVICES AND MAINTENANCE CONTRACT TO MV TRANSPORTATION (Angie Dow):

Kings County Area Public Transit Agency’s Transit Operation Services and Maintenance Contract will expire on June 30, 2023. In January 2023, Staff began the procurement process required for a new contract. Prior to releasing the RFP, Staff completed the following steps.

- Determine which method of procurement was suitable.
- Determine the length of the Contract
- Complete an independent cost estimate.
- Review the current scope of work and update the scope of work to include additional requirements
- Complete the Request for Proposals, including all attachments
- Sent the required documents to Caltrans for review and approval

Once these steps were completed, Staff released the Request for Proposals (RFP). During the RFP process, a total of 10 Addendums were issued to provide additional information and answer questions received from prospective Proposers.

A Scoring Committee was established to review and score each proposal, conduct interviews and recommend award based on the highest quality of service proposed that best matches KCAPTA’s requirements. The Scoring Committee included two staff members and two outside members f other transit agencies with similar operational services.

KCAPTA received three (3) proposals, all were reviewed and scored by the Scoring Committee. Each Proposer was invited to participate in the interview process with the Scoring Committee. At the conclusion of the interview process, the Scoring Committee finalized their scores, ranked each Proposer, and determined that MV Transportation Inc.'s Proposal represented the Best Value to KCAPTA. The Scoring Committee recommends the Contract be awarded to MV Transportation. The Score Tabulation is listed below:

| | MAX PTS | Responsive and Responsible Bidders | | |
|--|------------|------------------------------------|----------|---------------------|
| | | MV Transportation | TransDev | National Express |
| Technical Qualifications | | AVERAGE SCORE | | |
| Management Structure & Key Personnel, Experience & References, & Corporate Support | 20 | 20 | 17 | 14 |
| Transition & Startup Plan | 5 | 5 | 4 | 5 |
| Staffing & Personnel, Field Supervisions, Dispatch & Operation Management Plan | 20 | 19 | 18 | 16 |
| Employee Training | 15 | 15 | 14 | 13 |
| Vehicle & Equipment Maintenance | 20 | 19 | 18 | 17 |
| Safety, Security & Emergency Management Program | 20 | 20 | 19 | 17 |
| Innovation Solutions, Community Partner, Workforces Recruitment (90 Points) | | | | |
| Creative Innovative Solutions | 5 | 5 | 5 | 5 |
| Workforce Recruitment & Retention | 20 | 20 | 18 | 16 |
| Service Delivery Plan | 5 | 5 | 5 | 5 |
| Price Proposal | 60 | 57 | 44 | 48 |
| TOTAL | 190 | | | |
| POINT RANK | | 1 | 3 | 2 |

Following the Scoring Committee recommendation, Staff had to complete a Determination of Responsibility for MV Transportation. Staff based this determination on reviewing the following items:

- Reviewed Organization Chart to determine if MV had sufficient staff/resources
- Dun & Bradstreet report and two years of financial data were reviewed to determine if MV had sufficient financial resources
- Requested and reviewed references and analyzed past performance on the current contract to determine if MV has a proven track record of completing work on time and within budget.
- Staff searched SAM to determine if MV has been debarred or suspended.

Staff met with MV Transportation and discussed their request for exceptions and deviations to the draft agreement and their price proposal. On April 17, 2023, Staff requested MV Transportation Best and Final Offer.

The last step in the process was determining that MV Transportation Price Proposal was fair and reasonable. This determination was based on two price comparisons, The Independent Cost Estimate (ICE) and Market analysis.

1. Final pricing compared against ICE.

| | KCAPTA ICE | MV Transit | % Difference (Higher/(Lower)) | \$ Difference (Higher/(Lower)) |
|------------|---------------|--------------|----------------------------------|-----------------------------------|
| BASE YEARS | \$30,952,987 | \$33,016,382 | 6.67 % | \$2,063,395 |
| Option Y1 | \$7,275,823 | \$7,438,124 | 2.23% | \$162,301 |
| Option Y2 | \$7,532,026 | \$ 7,719,326 | 2.49% | \$187,300 |
| Option Y3 | \$7,797,595 | \$8,070,812 | 3.50% | \$273,217 |

2. Final Price Compared to Market Analysis

The Market Analysis was only conducted for the Base Years (1-5). Before awarding any option year, KCAPTA must complete a Market Analysis for those years.

KCAPTA pricing was compared to three other transit systems for the same period. A calculated Cost per Hour for each system was determined. Based on the average Cost Per Hour of the three systems, KCAPTA pricing was 39% lower. Compared to a neighboring transit system, KCAPTA pricing was 10% lower.

Staff concurs with the Scoring Committees Recommendation that MV Transportation Proposal represents the Best Value for KCAPTA and recommends the 5-Year Transit Operation Services and Maintenance Contract be awarded to MV Transportation.

KCAPTA Legal and MV Transportation have reviewed Agreement 2305 (Attachment E). Below are the highlights of significant sections:

- Article 9: Establishes the price formula of each of the 5-base years and the 3-option years.
- Article 9.8: Requires 75% of any cost savings at the end of the Base Term to be returned to KCAPTA.
- Article 10: Establishes the Maximum Obligations of \$32,912,606 for the Base Year Contract (Years 1-5).
- Article 12: Defines the Term of the Contract, Base Year July 1, 2023 – June 30, 2028. Option Term, three 1-year extensions; each extension would be the sole election of KCAPTA and would require an amendment to the original agreement.

Recommendation

Staff recommends the Board award the Transit Operation Services and Maintenance Agreement to MV Transportation Inc, and Authorize the Board Chair to execute Agreement #2305.

6. APPROVE ENTERING INTO AN AGREEMENT WITH SCE FOR THEIR CHARGE READY PROGRAM (Angie Dow):

Southern California Edison (SCE) has two(2) electric vehicle charging programs. The Charge Ready Transport Program is only for Medium- and Heavy Duty Fleets such as buses, and the Charge Ready Program is for public sector charging stations.

At the April Board meeting, the Board authorized the Executive Director to execute our Agreement with Southern California Edison (SEC) for the Charge Ready Transport Program contingent on receiving a 5339 competitive grant.

The Charge Ready Program is similar to the Charge Ready Transport Program, but it is designed for light-duty passenger vehicles.

Like the Charge Ready Transport, KCAPTA could choose between SCE Build (Option 1) or the Customer Build (Option 2). In August of 2022, KCAPTA staff applied to SCE Charge Ready Program for six dual ports EV chargers to be installed in the Park N Ride lot on 8th Street. In our grant application, we selected SCE Build Option 1. SCE has approved our application.

The next step in the process is to execute the Program Participation Agreement. The Agreement must be fully executed before SCE will reserve and Program funds. KCAPTA will be required to purchase and install the EV chargers.

KCAPTA has a San Joaquin Valley Air Pollution Control District Grant in the amount of \$36,000 that will be used to purchase the EV Chargers; the remaining cost will be funded with our Park-N-Ride Construction funds already reserved for the project.

If approved, the Executive Director will execute all the required documents in SCE online Program website. Also, as required, staff will order the 6-dual port EV Chargers. SCE anticipates completing the project in 2024.

Recommendation

Staff recommends the Board approve The SCE Charge Ready Charging Infrastructure Participation Agreement and authorize the Executive Director to execute all required documents.

7. APPROVE PURCHASE OF 6 CHARGEPOINT CT 4021-GW1 GATEWAY UNITS (Angie Dow):

As part of our agreement with SCE, within 45 days of executing our agreement, KCAPTA has to procure 6 Duel-Port Chargers. As part of the application process, KCAPTA had to select the make and model of the chargers from SCE approved product list. Since KCAPTA already has a Chargepoint Charger, we picked the Chargepoint CT4021 Duel-Port Charger.

Staff also applied for a San Joaquin Valley Air Pollution Control District (SJVAPCD) grant to assist in funding the Chargers. This application also required that we select the make and model of the chargers.

In accordance with California Public Utility Commission (CPUC) requirements for the Charge Ready Program, all charging equipment procured after July 1, 2023, must be ISO 15118 compliant. ISO 15118 is an industry technological communication standard for charging stations. It will also enable bi-directional energy transfer to realize vehicle-to-grid applications by feeding energy from the EV back to the grid when needed.

The CT4021 charger is not ISO 15118 compliant. A limited number of chargers currently fulfill this requirement and are on SCE approved equipment list. To meet our SCE 45-day procurement requirements and not have to comply with the ISO 15118 requirement, KCAPTA can issue a purchase order to Chargepoint for the CT4021 chargers with a 6 to 8-month delivery date.

The total cost of the units is \$60,676.22 and would be funded with the SJVAPCD grant (\$36,000) and our Low Carbon Transit Operations Program (LCTOP) funds (\$24,677) and would require the Board to approve the related budget appropriation for the encumbrance of the funds.

Recommendation

Staff recommends the Board approve the purchase of the 6-Dual Port EV Chargers from ChargePoint, approve the related Budget Appropriation, and authorize the Executive Director to issue the Purchase Order in the amount of \$60,677

8. APPROVE KCAPTA FY 2023/24 OPERATING AND CAPITAL BUDGET (Heather Corder)

The attached budget (Attachment I) is presented for approval. The total budget for fiscal year 22/23 is \$11,880,309 and is balanced. This is a decrease of \$10.3 million. The reduction is in the Capital Asset budget, which does not include the KART Transit Center budget, as this will be rolled over from fiscal year 22/23.

A detailed discussion of the budget line items and the increase or decrease from the fiscal year 2022/2023 follows. The budget is separated into four parts, Salary and Benefits, Services and Supplies, Capital Assets, and Revenues.

Salary and Benefits – Salary and benefits increased from the prior fiscal year. This is due in part to adding the Custodial and Maintenance Position. The Health insurance cost has been received from Kings County, which will increase in fiscal year 2023/2024.

Services and Supplies’ total fiscal year 2023/2024 budget is \$8,964,810, increasing by \$1.7 million or 23%. Below is a short discussion of each line item with a variance of 5% from the fiscal year 2022/2023 budget.

- Supplies and Materials decreased from \$12 thousand to \$9,500 or -21%. This decrease is due to the reduced number of signs that KCAPTA plans to purchase.
- Communication increased from \$46 thousand to \$51,660 or 12%. This increase is due to adding new buses and tablets.
- Insurance has increased from \$45 thousand to \$75 thousand or 67% in the fiscal year 2023/2024. This increase is due to an anticipated higher insurance cost for the new property as it is under construction.
- Office Expenses decreased from \$18 thousand to \$16.5 thousand or -8%. This decrease is due to KCAPTA renegotiating our deal with the cable provider and reducing the amount of supplies purchased.
- Maintenance Equipment increased from \$115 thousand to \$125 thousand or 9%. The increase is due to the increased cost of repairing shelter glass.
- Fuel and Oil – The budget for 2023/2024 reflects a significant increase over the prior year for Fuel and Oil. With the steady Fuel cost increase in FY 2022/2023 and an unexpected spike in natural gas mid-year, KCAPTA has reviewed multiple websites, and experts say that prices are “unlikely to turn around any time soon.” For this reason, staff increased the fuel line item.
- Memberships – The budget for memberships decreased from \$5,500 to \$5,100, or -7%. This is due to KCAPTA adjusting the budget to align with the actual cost.
- Bank Charges – Bank charges increase from \$400 to \$450 or 13%. This increase is due to an expected increase in the cost of bank charges.
- Professional and Special Services – This line item increased by \$1.115 million or 18% over fiscal year 22/23. Most of this increase is due to an increase in the contract with MV Transportation.
- Legal – A decrease of \$10,600 as KCAPTA entered into a new five-year contract with the attorney, and the price is set.
- Outreach - A decrease of \$20,000 or 48% reflects a reduction of the purchase of SWAG. Staff purchased new SWAG in FY 21/22 and does not expect to need more in FY23/24.
- Auditing has decreased by \$15 thousand or 38% due to a one-year agreement.
- Purchasing charges increase from \$2,500 to \$3,000, or an increase of 20%. Kings County provides this number.
- Utilities increased from \$30K to \$40K or 33% to reflect a potential increase in the cost of utilities.

Capital assets total budget for the fiscal year 2023/2024 is proposed at \$1,513,724. This is a decrease over the fiscal year 2022/2023 capital budget of \$10,507,162. This decrease is due to the construction portion of the Transit Center being budgeted in FY 2022/23; as the construction did not start in 2022/2023, this budget will be rolled over into FY 2023/2024 and does not need to be budgeted in this fiscal year. The Budget book is a detailed description of each capital asset and how the project is being funded.

The fiscal year 2022/2023 budget is balanced. While the expenses increased over the fiscal year 2022/2023, so have the revenues. A significant factor in the increase of the revenues is KCAPTA using a large number of grants in fiscal year 2022/2023. Of the \$11.3 million in revenues, 52% is from Federal funds, 35% from State and local, and 11% from Fares. Listed below is a detailed description of the revenue streams, the amount of funding projected to be received from that revenue stream, and, if relevant, a discussion of the use of the revenue stream.

- Sales and Use Tax (LTF) - \$2,000,000 – Received from a ¼ cent of the general sales tax created statewide.

- Rents and Concessions - \$60,000 – This contains the rent received each month and the revenue from the sales of concessions at the Terminal and Admin office.
- Federal Assistance 5311 - \$200,000 – The 5311 program provides supplemental funding for public transit service in non-urbanized areas. These funds are used to offset the cost of the rural portion of the system.
- State Transit Assistance Funds - \$1,631,645 – Funding provided by the State of California for the day-to-day operations of public transit.
- Federal Assistance 5307 - \$5,097,842 – This funding makes federal resources available to urbanized areas for operating assistance and transportation-related planning.
- State of Good Repair - \$216,746 – This grant provides capital assistance for maintenance, replacement, and rehabilitation projects to help transit agencies maintain assets in a state of good repair. These funds are being used for CNG Engine Rebuilds.
- Low Carbon Transit Operations Program (LCTOP) - \$331,923 – These funds are provided to public transportation agencies throughout California for operations that reduce greenhouse gas emissions. These funds must be programmed and approved.
- Other Governmental Funds - \$40,000 – Funds received from other governmental entities to KCAPTA.
- Passenger Fares – This revenue stream has been broken into two parts for further clarity.
 - Passenger Fares received from Van Pools – \$919,200 - This is the amount of fares expected to be received from the Van Pool voucher program. It offsets the expense of Professional and Special Services.
 - Passenger Fares - \$400,000 – These are the funds received from passengers on the bus and through the sale of monthly passes. This projection is 21% higher than the fiscal year 22/23 budget and considers the recovery in ridership due to the recovery from the impact of COVID-19.
- Advertisement Revenue – \$34,195 - These funds are received from vendors to pay for Advertising on KCAPTA buses and shelters.

KCAPTA Capital Improvement Plan

Included with the budget in Fiscal Year 2023/2024 is KCAPTA’s Capital Improvement Plan. A Capital Improvement Plan (CIP) is a planning tool used to create a long-term plan for all projects. Capital improvement planning helps to bridge the gap between the planning process and the budget process. The CIP is a working document and will be reviewed and updated annually to reflect any changes in funding opportunities, regulations or agency needs.

Included in KCAPTA’s CIP is a list of assets and projects, a detailed description page, and an overview of all the project expenses and funding for the next five years.

Recommendation

Staff recommends the Board Adopt the fiscal year 2023/2024 Budget.

9. MISCELLANEOUS COMMENTS FROM STAFF: