

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20021126

1. REQUESTED MOTION:

ACTION REQUESTED: Discuss & consider possible termination for cause, the ATC Paratransit, Inc., contract for ADA services approved by the Board under RFP No. 01-07.

WHY ACTION IS NECESSARY: Directed by Commissioner Judah at 10/01/02 BOCC Meeting.

WHAT ACTION ACCOMPLISHES: Provides additional information to the BOCC relating to possible termination of the ADA Paratransit Contract with ATC.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT # ALL

A6B

3. MEETING DATE:

10-15-2002

4. AGENDA:

CONSENT
 ADMINISTRATIVE
 APPEALS

 PUBLIC
 WALK ON
 TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

STATUTE
 ORDINANCE
 ADMIN.
 CODE
 OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER Judah
B. DEPARTMENT Independent
C. DIVISION Transit

BY: Steven L. Myers

7. BACKGROUND:

At the 10/01/02 BOCC Meeting, information was provide regarding the performance of ATC Paratransit, Inc., under the contract for ADA services for Lee Tran. Commissioner Judah directed staff to bring the item back at the next available Board Meeting to consider termination of the contract for cause.

Attachment: Notification of Deficiencies

8. MANAGEMENT RECOMMENDATIONS: Continue the contract with ATC Paratransit Services, Inc. with a follow-up report evaluating the performance at the December 2, 2002 Management & Planning Meeting.

9. RECOMMENDED APPROVAL:

| A Department Director | B Purchasing or Contracts | C Human Resources | D Other | E County Attorney | F Budget Services | | | | G County Manager |
|-----------------------------------|------------------------------------|-------------------------|------------|-------------------------|----------------------|---------------|-----------------|---------------|---------------------|
| <i>Steven L. Myers</i> 10/3/02 | <i>ok per Steve Roman</i> | | | <i>Shout</i> 10/3/02 | OA 10/3/02 | OM 10/3/02 | Risk 10/3/02 | GC 10/3/02 | <i>AM</i> |

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

| |
|-------------------------------------------------------|
| RECEIVED BY COUNTY ADMIN. 10-3-02 L20 |
| COUNTY ADMIN. FORWARDED TO: 10-3-02 12:00 pm |

| |
|----------------------------------------|
| Rec. by CoAtty |
| Date: 10-3-02 |
| Time: 1:15 |
| Forwarded To: City Admin 10-3-02 |

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeqer
County Attorney

Diana M. Parker
County Hearing Examiner

September 27, 2002

FACSIMILE
CERTIFIED MAIL, Return Receipt Requested

Mr. Alan Strand
ATC Paratransit of Lee County
13240 N. Cleveland Avenue, Suite 8
North Fort Myers, FL 33903

**RE: NOTIFICATION OF DEFICIENCIES AND BOARD MEETING TO
DISCUSS ADA/VANCOM PARATRANSIT CONTRACT #2155**

Dear Mr. Strand:

Please be notified that an informational briefing to the Board of County Commissioners ("BoCC") will be heard during the Regular BoCC meeting beginning at 9:30 AM, Tuesday, October 1, 2002, regarding the Local Coordinating Board ("LCB") recommendation to the BoCC to terminate contract #2155 with ATC/Vancom Inc. (ATC).

This letter further serves as formal notification of certain defaults in the performance of ADA paratransit under its contract, and is a follow-up to my September 11, 2002, E-mail to ATC. The following items are required to be addressed by a written response of corrective action from ATC which is due within fifteen (15) days from receipt of this letter:

1. **MISSED TRIPS:**

Missed trips are not acceptable and must be corrected immediately.

There were three (3) missed trips in the month of July. However, there were twenty (20) missed trips in August and four (4) missed trips thus far in September. Pursuant to CFR 49 Part 37.131, you are required to schedule and provide paratransit service to any ADA paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day.

RE: Notification of Deficiencies and Board Meeting to Discuss
ADA/Vancom Paratransit Contract #2155

2. **SCHEDULING/LATE TRIPS:**

Improper scheduling is causing a number of late trips and associated complaints. This has also contributed to the complaints of driver behavior.

3. **STAFFING:**

There is an insufficient number of employees for quality service delivery. In addition, an ATC employee must be on duty for each vehicle while the vehicles are in service. Approximate service times are 5:00 AM to 9:00 PM.

4. **TRAINING:**

Drivers, dispatchers, customer service employees, and management appear to be inadequately trained to carry out the goals and requirements of our contract with respect to passenger sensitivity, scheduling, customer service, dispatching, reports, and billing.

5. **REPORTING:**

A. Daily

Operational Reports - To date we have not received complete operational reports. At the beginning of our contract, you provided us with partial daily operational reports. These reports failed to include all of the required information. Principally, they did not list all of the non Lee County sponsored trips scheduled in Lee County vehicles. They also did not provide totals of which types of trips were provided in the vehicles. We have contacted your office on several occasions outlining what is required in these reports, and have received no positive response.

Total No Show Trips, Total Missed Trips, Total Cancellations - In our meetings with your office after the contract was awarded to ATC/Vancom, it was agreed that these reports can be run after you have checked the drivers manifests. These reports can be submitted weekly. To date, we have not received any of these reports.

RE: Notification of Deficiencies and Board Meeting to Discuss
ADA/Vancom Paratransit Contract #2155

B. Weekly

To date we have not received any weekly reports outlining:

1. Total weekday passenger trips (ambulatory and wheelchair)
2. Total Saturday passenger trips (ambulatory and wheelchair)
3. Total Sunday passenger trips (ambulatory and wheelchair)
4. Total cancellations
5. Total missed trips
6. Total Personal Care Attendants
7. On Time Performance Reports

We have received no-show reports only intermittently.

C. Monthly

1. Summary of monthly accident occurrences
2. Weekday vehicle miles (revenue, deadhead and total)
3. Saturday vehicle miles (revenue, deadhead and total)
4. Sunday vehicle miles (revenue, deadhead and total)
5. Weekday vehicle hours (revenue, deadhead and total)
6. Saturday vehicle hours (revenue, deadhead and total)
7. Sunday vehicle hours (revenue, deadhead and total)
8. Summary report of call volume
9. Summary report of reservation volume

D. Monthly Invoice and Summary

Also, the contract requires that Lee Tran receive a service data summary and monthly invoice for each component of service for the previous month. To date, we have neither received an invoice nor a monthly summary for July and August. This invoice must include, and is not limited to:

1. On time performance reports that compare the actual pick up and drop off times to the schedule for all trips during the month.

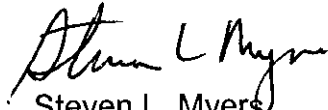
Mr. Alan Strand
September 27, 2002
Page 4

RE: Notification of Deficiencies and Board Meeting to Discuss
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2. The total number of individual trips and multi-load trips including the total number of PCA's.
3. Client billing must be sorted in chronological order by date, vehicle number and pick up times including origin, destination and unit cost per trip.
4. Client billing must also be sorted alphabetically by client, with total trips taken for the month and unit cost per trip.

Please provide Lee County Transit, a *corrective action plan* to remedy this situation no later than Friday, October 11, 2002. Thank you for your anticipated cooperation.

Sincerely,



Steven L. Myers
Director, Lee County Transit

xc: James G. Yaeger, County Attorney
Robert W. Gray, Deputy County Attorney
David M. Owen, Chief Assistant County Attorney
Scott S. Coover, Assistant County Attorney
Donald D. Stilwell, County Manager
Bruce D. Loucks, Assistant County Manager