



## Board Report

**File #:** 2023-0016, **File Type:** Contract

**Agenda Number:** 5.

### PLANNING AND PROGRAMMING COMMITTEE APRIL 19, 2023

**SUBJECT: COMMUTER OPTIONS & REGULATORY COMPLIANCE SUPPORT**

**ACTION: APPROVE RECOMMENDATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute a five-year firm, fixed price Contract No. PS95419000 to Innovative TDM Solutions (ITS) for Rideshare Services and Regulatory Compliance Support in the amount of \$6,145,965.36, subject to resolution of protest(s), if any.

#### **ISSUE**

Metro has a proven and well-established Commuter Options and Regulatory Compliance Support Program (Program) since April 2005 and a robust customer- and ride-matching database to support a carpool- and vanpool-formation function in the region. Under this program, Metro assists 878 worksite/employer Employee Transportation Coordinators (ETCs) participating on a variety of levels within Los Angeles County. Metro partners with Orange County Transportation Authority (OCTA), Ventura County Transportation Commission (VCTC), Riverside County Transportation Commission (RCTC), and San Bernardino County Transportation Authority (SBCTA) to create an inter-county database of 407,977 commuter registrants, which provides a cross-regional ride-matching function for congestion reduction purposes. Metro also works closely with the South Coast AQMD and Los Angeles County ETCs in complying with air quality regulation Rule 2202 as well as working with employers mandated by local city congestion management ordinances.

Metro's current Contract No. PS42183000, Metro Rideshare/Shared Mobility Program Support expires on May 31, 2023. To keep these services intact to support employer ETCs, the South Coast AQMD, Transportation Management Associations/Organizations (TMA/Os), and commuters who have come to depend on these services, staff recommends extending the Program by awarding the contract to the above-mentioned contractor.

#### **BACKGROUND**

The Metro Commuter Options and Regulatory Compliance Support team is a one-stop multifaceted Transportation Demand Management (TDM) resource for Los Angeles County employers/ETCs, TMA/Os and individual commuters interested in reducing vehicle-miles traveled (VMT), easing their

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commute time and improving air quality by decreasing single-occupancy vehicles (SOV).

Services are wide-ranging and include assisting employers in developing a telecommuting plan, carpooling ride-matches, and vanpool formation and seat filling. Promotions include Commuter Tax Benefits, flex/tiered work schedules, employer-based transit subsidies, Metro's vanpool subsidy program, and incentive/rewards programs, such as Metro Rideshare Rewards and Go Metro to Work Free for new hires.

The Program has a quantifiable reputation for providing high quality personalized assistance to employers that are mandated to comply with the South Coast AQMD's Rule 2202, and specifically the chosen option of implementing an on-site Employee Commute Reduction Program (ECRP). Under the ECRP, employers need to submit an annual Trip Reduction Plan (TRP) and a yearly Average Vehicle Ridership (AVR) survey. Along with assisting with the ECRP requirements, the services include the production and distribution of customized RideGuides (carpool and vanpool matches and transit information), conducting semi-annual congestion management certification workshops and assisting with outreach events/activities throughout the year.

The program is a branch of the five County Transportation Commissions (CTC) partnerships, which includes OCTA, RCTC, SBCTA and VCTC. The collective CTCs share a regional database that is used by ETCs and commuters throughout the five counties. This collaborative effort also allows for systematic multi-regional information to be distributed through the "On The Go" newsletter(s), and fosters seamless regional publicity, assists with outreach activities, and works in concert with TMA/Os and the SCAQMD. This TDM program is part of Metro's Long Range Transportation Plan to assist the region in reducing traffic congestion and improving air quality.

## **DISCUSSION**

Managing congestion-reduction strategies and air quality compliance regulations is complex and requires a specific TDM professional knowledge base as well as industry-related working relationships. Metro utilizes a trained and specialized consultant service to provide a broad range of services to customers. This contract will enable Metro to continue to deliver South Coast AQMD Rule 2202 regulatory compliance support and mobility options to ETCs in Los Angeles County, employers mandated under local city congestion reduction ordinances and individual commuters seeking commute reduction options. The active customer base reaches across the entire Los Angeles County demographic and up to the regional borders. Staff works closely with neighboring CTCs to ensure seamless cross regional customer support.

The recommended contractor, ITS, a Medium Sized 1 business, has a proven and effective work performance in managing the nine defined tasks and deliverables needed for this program. Since 2001, ITS has successfully been an integral part of the multi-regional TDM arena in the development and management of the associated ridesharing/ridematching and AVR software database. They provide detailed monthly, quarterly, mid-year and year-end reports outlining their Metro-related accomplishments and have met or exceeded program expectations. ITS has a documented history of managing up to or under budget and has an established work history with Metro for close to 18 years. They are the incumbent contractor and under a current contract, which was awarded in October 2017. This contractor has a customer-centric ideology and has a long running documented

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rating/score of 4.8 out of 5 stars in relation to customer satisfaction.

In the past, the Program and its services were labeled as “Rideshare”. However, since many app-based ride-hailing services have now repurposed the term “Rideshare” for the mobility option that their services provide, this has caused confusion with the ride-matching function, such as the carpooling and vanpool formation function. Therefore, staff has changed the label to “Commuter Options and Regulatory Compliance Support” for the services provided by the program, and under this contract.

Products and services that the contractor will be responsible for include but are not limited to: software and database maintenance; TRP and AVR transportation survey and reporting; RideGuide processing and distribution; respond to in/outbound calls, emails and online inquiries; incentive program eligibility and fulfillment; personalized support to commuters; one-on-one training and support to employer ETCs and TMA/Os; organize and assist at county Rideshare events; and support overall program growth initiatives, as well as conduct monthly ETC briefings and database training.

In addition, the contractor will oversee the Los Angeles County’s portion of the regional proprietary database software, which ensures a standardized operating system with OCTA, SBCTA, RCTC and VCTC, thus providing a seamless experience for users across all counties.

### **DETERMINATION OF SAFETY IMPACT**

The program/services will not have any safety impacts.

### **FINANCIAL IMPACT**

The total estimated project cost is \$6,145,965.36, including five years of annual operating costs. First year expenses are budgeted through the FY23 in cost center 4320, Project 405547, Professional Services. The cost center manager and executive officer in charge of Regional TDM will be responsible for budgeting in future years.

#### **Impact to Budget**

The source of funds for this action is Proposition C 25% Streets and Highway, which is not eligible to fund bus and rail operating and capital expenditures. The program is using Prop C 25% funds to exclusively support Los Angeles County ETCs, employer/businesses, TMA/TMOs and commuters. OCTA, SBCTA, RCTC and VCTC employ their own separate contractors to perform similar regulatory support and ridesharing services for the demographic within their respective regions, and within their own budget/s.

### **EQUITY PLATFORM**

This program works directly with the South Coast AQMD, TMA/TMOs and cities mandated by air quality and congestion management regulations in offering regulatory compliance and commuter support/assistance. The services are free of charge on all levels, which makes it accessible to all

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interested parties (employers/businesses, cities, and commuters) on an equitable basis.

Staff is conducting Geographic Information Systems (GIS) analysis to design heat and/or density maps that will indicate which employers and their corresponding employees are located in Equity Focused Communities (EFCs). The objective of this analysis is to identify any patterns or access barriers that employers or commuters in EFCs might be experiencing. This analysis is anticipated to be completed by the end of 2023.

Under this program's initiatives, employers/businesses are encouraged to market Metro's commuter options programs and resources to their employees. Through this program, staff refer customers to state and federal incentives, local small business resources, and internal Metro programs, such as the Bike and Vanpool subsidy programs. Since customers are employers/businesses and TMA/TMOs that have primary and direct working relationships with their workforce and/or clients, they are entrusted to reach out in ways that best meet their demographic needs. Workshops and training-related activities conducted within this program are offered both in person and virtually, which offers improved access for attendees with disabilities and ETCs with limited labor resources and/or travel budgets. The ETC and Commuter newsletter/s are produced in English and Spanish.

This was an open solicitation under the Medium Size Business Enterprise Program (MSZ-1) and included a Small Business Enterprise (SBE) goal of 22% and a Disabled Veteran Business Enterprise (DVBE) of 3% for the Rideshare Services and Regulatory Compliance Support contract.

The recommended contractor has met the required goals.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendation supports the following Strategic Plan goals:

1. Provide high-quality mobility options that enable people to spend less time traveling.
2. Deliver outstanding trip experiences for all users of the transportation system; and
3. Enhance communities and lives through mobility and access to opportunity.

## **ALTERNATIVES CONSIDERED**

The Board can choose not to approve the award of this Rideshare Services and Regulatory Compliance Support contract. However, this is not recommended as Metro would no longer be able to provide critical South Coast AQMD Rule 2202 program support for our LA County employers' ETCs and/or assistance to commuters. One such client is the County of Los Angeles with whom staff work with to process annual surveys for over 150 of their worksites. It will also discontinue the Ride-matching carpooling and vanpool formation function.

The contractor staff members are bilingual and are South Coast AQMD certified Employee Transportation Coordinators (ETCs) with over 18 years of Regulatory Compliance Support and Ridesharing Services experience. If Metro takes the alternative of bringing the service in-house, increase staff capacity with South Coast AQMD ETC certifications and bilingual capabilities will be needed.

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Awarding this program to an outside source (contractor) also allows Metro the opportunity to support a local Medium-Sized business 1 as well as a local SBE and DVBE.

### **NEXT STEPS**

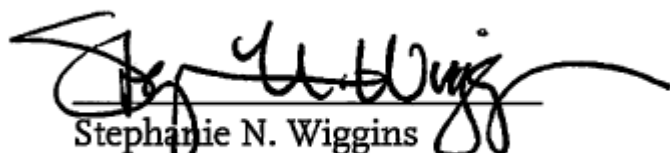
Upon approval by the Board, staff will execute Contract No.PS95419000 with Innovative TDM Solutions (ITS) for the Rideshare Services and Regulatory Compliance Support which will reside under Regional TDM Program and Policy (CC4320),

### **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - DEOD Summary

Prepared by:           Martin Buford, Senior Manager, (213) 922-2601  
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Reviewed by:           James de la Loza , Chief Planning Officer, (213) 922-2920



Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

## RIDESHARE SUPPORT AND REGULATORY COMPLIANCE SUPPORT/PS95419000

|    |  |                                     |
|----|--|-------------------------------------|
| 1. | Contract Number: PS95419000  |                                     |
| 2. | Recommended Vendor: Innovative TDM Solutions   |                                     |
| 3. | Type of Procurement (check one): <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E<br><input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order |                                     |
| 4. | Procurement Dates:   |                                     |
|    | A. Issued: October 26, 2022  |                                     |
|    | B. Advertised/Publicized: October 26, 2022   |                                     |
|    | C. Pre-Proposal Conference: November 3, 2022   |                                     |
|    | D. Proposals Due: November 21, 2022  |                                     |
|    | E. Pre-Qualification Completed: February 17, 2023  |                                     |
|    | F. Conflict of Interest Form Submitted to Ethics: November 22, 2022  |                                     |
|    | G. Protest Period End Date: April 25, 2023   |                                     |
| 5. | Solicitations Picked up/Downloaded:<br><br>27  | Bids/Proposals Received:<br><br>1   |
| 6. | Contract Administrator:<br>Yamil Ramirez Roman   | Telephone Number:<br>(213) 922-1064 |
| 7. | Project Manager:<br>Martin Buford  | Telephone Number:<br>(213) 922-2601 |

**A. Procurement Background**

This Board Action is to approve Contract No. PS95419000 issued in support of Rideshare Support and Regulatory Support services which assists Los Angeles County based Transportation Management Association and Organization and Employee Transportation Coordinators of participating employers, to manage and comply with the South Coast Air Quality Management District (SCAQMD) Rule 2202, On-Road Mitigation Options. Board approval of contract awards are subject to resolution of any properly submitted protest(s).

The Request for Proposal (RFP) was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price. The RFP was issued under the Medium-Size Business Enterprise Program 1 (MZ-1) with a Small Business Enterprise (SBE) goal of 22 percent and a Disabled Veteran Business Enterprise (DBVE) goal of 3 percent. It was also subject to the Local Small Business Enterprise Preference program, which awards a bonus of 5 preference points for the utilization of local small business firms.

One (1) amendment was issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on November 15, 2022 clarified the language of the Medium Size 1 (MSZ 1) Program that incorrectly stated the RFP was issued without an SBE/DBVE Goal.

A total of 27 firms downloaded the RFP and were included in the planholder's list. A virtual pre-proposal conference was held on November 3, 2022 that was attended by 3 participants representing 3 firms. There were 15 questions asked, and responses were released prior to the proposal due date.

One (1) proposal was received on the due date of November 21, 2022. A market survey was conducted of planholders that did not submit a proposal to ascertain the reason(s) for non-submittal. Reasons given for not submitting proposals included contractor's unavailability due to other commitments, unable to meet the capabilities required by the scope of services, and unavailability of staff to complete a proposal for personal reasons.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro's Shared Mobility and Implementation Department, Orange County Transportation Authority (OCTA), and Ventura County's Transportation Commission (VCTA) was convened and conducted a comprehensive technical evaluation of the proposal received.

The proposal was evaluated based on the following evaluation criteria and weights:

- Contractor's Regulatory Compliance Support & Ridesharing Services Experience 30 percent
- Experience, Staffing and Coordination 25 percent
- Effectiveness of Project Management Team and Work Plan 25 percent
- Price 20 percent
- Local Small Business Enterprise (LSBE) Preference Program 5 percent

The evaluation criteria are appropriate and consistent with criteria developed for other, similar transportation demand management services procurements. Several factors were considered when developing these weights, giving the greatest importance to the Contractor's Regulatory Compliance Support & Ridesharing Services experience.

During the period of December 1, 2022 to December 7, 2022 the PET independently evaluated and scored the technical proposal. The PET determined that oral presentations were not needed and on December 7, 2022, Innovative TDM Solutions was determined to be technically qualified to perform the work.

### **Qualifications Summary of Firm:**

#### **Innovative TDM Solutions**

Innovative TDM Solutions (ITS) is a Medium Size 1 transportation demand management firm. ITS has staff who are bilingual, SCAQMD certified Employee Transportation Coordinators (ETCs), and assisted in the creation of the Average

Vehicle Ridership software program utilized by over 1000 employers in Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties. ITS has been successfully providing Metro with Rideshare/shared mobility program support for the past 17 years.

ITS' proposal demonstrated over 18 years of Regulatory Compliance Support and Ridesharing Services experience, and the proposed Project Manager has 42 years of experience in the TDM industry. Their Regulatory Compliance Support and Ridesharing Services. Their proposal also identified progress indicators, which are critical for the program success.

ITS' proposal includes staff assigned full time to the project with decades of experience in the TDM industry and providing Rideshare support services. The proposed staff responsibilities and work plan include running surveys, providing training to ETCs, assisting employers with rideshare/shared mobility programs, providing outreach and education, and growing the program through additional participating employers and rideshare/shared mobility users.

A summary of the PET scores is provided below:

| 1 | Firm   | Average Score | Factor Weight  | Weighted Average Score | Rank     |
|---|--|---------------|----------------|------------------------|----------|
| 2 | <b>Innovative TDM Solutions</b>  |               |                |                        |          |
| 3 | Contractor's 'Regulatory Compliance Support & Ridesharing Services' experience | 91.10         | 30.00%         | 27.33                  |          |
| 4 | Experience, Staffing and Coordination  | 90.00         | 25.00%         | 22.50                  |          |
| 5 | Effectiveness of Project Management Team and Work Plan                         | 92.68         | 25.00%         | 23.17                  |          |
| 6 | Cost Proposal  | 100.00        | 20.00%         | 20.00                  |          |
| 7 | Local Small Business Enterprise (LSBE) Preference Program (Bonus 5%)           | 0.00          | 5.00%          | 0.00                   |          |
| 8 | <b>Total</b>   |               | <b>105.00%</b> | <b>93.00</b>           | <b>1</b> |

### **C. Cost Analysis**

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate (ICE), cost analysis, technical analysis, and negotiations. Metro successfully negotiated a cost savings of \$319,756.63 from reductions in the proposed costs of travel, and profit.



|    | <b>Proposer Name</b>     | <b>Proposal Amount</b> | <b>Metro ICE</b>      | <b>Negotiated or NTE amount</b> |
|----|--------------------------|------------------------|-----------------------|---------------------------------|
| 1. | Innovative TDM Solutions | \$6,465,721.99         | <b>\$5,403,917.74</b> | <b>\$6,145,965.36</b>           |

The variance between the ICE and final negotiated amount reflects the rapid inflation caused by the COVID-19 Pandemic that has resulted in a rise of labor and material costs for most services. In addition, Metro's ICE inadvertently did not account for other direct costs or profit.

#### **D. Background on Recommended Contractor**

The recommended firm, Innovative TDM Solutions (ITS), located in Riverside, CA has been in business for thirty-four years with experience in the regional rideshare industry. ITS is the incumbent contractor for the Metro Rideshare/Shared Mobility Program Support and has provided Metro with these services for the past 17 years. The proposed team is comprised of staff from ITS and two subcontractors, one is SBE certified, and the other is DBVE certified. Cumulatively, the team has over 100 years of experience in the TDM industry. The president and founder of ITS has served as the Project Manager for Metro's rideshare program since 2005 and has 42 years of experience in the industry. The proposed on-site supervisor has 28 years of experience in the TDM industry, including 17 consecutive years working with the Metro Rideshare Program Support project. SBE subcontractor, The Van Stratten Group, has over 40 years of experience in TDM. Bayfish Creative Management, the DVBE subcontractor, has 24 years of experience providing marketing related support.

ITS is the incumbent provider for these services, and their services have been satisfactory.

## DEOD SUMMARY

## COMMUTER OPTIONS &amp; REGULATORY COMPLIANCE SUPPORT/PS95419000

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 22% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this Medium Sized Business (MSZ-I) solicitation. Innovative TDM Solutions, an MSZ-I prime, exceeded the goal by making a 22.01% SBE and 3.06% DVBE commitment.

|                            |                            |                                  |                                  |
|----------------------------|----------------------------|----------------------------------|----------------------------------|
| <b>Small Business Goal</b> | <b>22% SBE<br/>3% DVBE</b> | <b>Small Business Commitment</b> | <b>22.01% SBE<br/>3.06% DVBE</b> |
|----------------------------|----------------------------|----------------------------------|----------------------------------|

|                             | <b>SBE Subcontractor</b> | <b>% Committed</b> | <b>LSBE</b> | <b>Non-LSBE</b> |
|-----------------------------|--------------------------|--------------------|-------------|-----------------|
| 1.                          | The Van Stratten Group   | 22.01%             |             | X               |
| <b>Total SBE Commitment</b> |                          | <b>22.01%</b>      |             |                 |

|                              | <b>DVBE Subcontractor</b>   | <b>% Committed</b> | <b>LSBE</b> | <b>Non-LSBE</b> |
|------------------------------|-----------------------------|--------------------|-------------|-----------------|
| 1.                           | BayFish Creative Management | 3.06%              |             | X               |
| <b>Total DVBE Commitment</b> |                             | <b>3.06%</b>       |             |                 |

**B. Local Small Business Preference (LSBE)**

Innovative TDM Solutions, a non-LSBE prime, did not subcontract at least 30% of its contract value with eligible LSBE firms and was ineligible to receive the LSBE preference.

**C. Living Wage and Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

**D. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

**E. Project Labor Agreement/Construction Careers Policy**

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.

# Commuter Options & Regulatory Compliance Support



Planning and Programming Committee  
April 19, 2023  
Legistar #2023-0016

# RECOMMENDATION:

## Action

AUTHORIZE the Chief Executive Officer to execute Contract No. PS95419000 to Innovative TDM Solutions (ITS) for Rideshare Services (Commuter Options) and Regulatory Compliance Support.

- Five-year firm fixed contract
- \$6,145,965.36 (Average = \$1.2m per fiscal year)

## Procurement

- Open solicitation under the Medium Size Business Enterprise 1 (MSZ-1) Program
- Contractor fulfilled the Small Business Enterprise (SBE) goal of 22% and Disable Veteran Business Enterprise (DVBE) goal of 3%



## BACKGROUND:

Metro has a successful and well-established Commuter Options & Regulatory Compliance Program since April 2005. The program is supporting ...

- Employers regulated by South Coast AQMD's Rule 2202 air quality compliance mandates
- Businesses required to comply with local city congestion reduction ordinances
- Non-regulated employers interested in reducing single occupancy vehicles into their worksite
- Commuters seeking alternate commute options outside driving alone
- Promotion of internal and external programs, such as: Transit, carpool and vanpool formation, teleworking, bike programs, commuter tax benefits, subsidy programs, etc....



# PROGRAM GOAL & SERVICES:

## Program Goal

- Reduce Single Occupancy Vehicle (SOV) travel through the means of transportation demand management (TDM) effort and multimodal commute options, such as transit, carpooling, vanpooling, biking, walking and promotion of telecommuting

## Services

- Regulatory Compliance Support –
  - Assist Employer Transportation Coordinators (ETCs) with annual SCAQMD Trip Reduction Plan submittal
  - Average Vehicle Ridership (AVR) survey and reporting
  - Local City Ordinances: TDM congestion management mandates and reporting support
- Other Commuter Options Programs and Supporting Services -
  - Guaranteed Ride Home program, Metro Incentives/Rewards, Go Metro To Work Free (new hires)
  - ETC Primary and Post South Coast AQMD Training, RP35 database training, Certification Workshops
  - Rideshare fairs/briefing, Carpool/Vanpool formation assistance
  - On The Go Newsletter (ETC and Commuter editions)
  - Customized RideGuides, Personalized one-on-one commuter assistance
  - Park & Ride multi-regional updates
  - Annual “Bike to Work” Day/Week/Month, Rideshare Week events





## EQUITY:

- Conducting Geographic Information Systems analysis to measure participation on both the employer/business and commuters from Equity Focus Communities (EFC). Objective is to identify any patterns of mobility difficulties, if any, that may be occurring for these community members and provide commuter options assistance
- Workshops and training activities are now routinely offered both in-person and virtually, which offers improved access for attendees with disabilities, limited labor resources and/or travel budgets
- All newsletters and communication material are produced in both Spanish and English
- Contractor staff are bilingual and ETC certified

