



Agenda Item No. (4)

To: Transportation Committee/Committee of the Whole
Meeting of November 17, 2022

From: Jon Gaffney, ADA Compliance and Program Manager
Ron Downing, Director of Planning
James P. Swindler, Deputy General Manager Ferry Division
Denis J. Mulligan, General Manager

Subject: **AUTHORIZE EXECUTION OF A THIRD AMENDMENT TO CONTRACT NO. 2022-F-085, VIVALON ADA SHUTTLE BUS SERVICES, WITH VIVALON, FOR EMERGENCY ADA BACKUP SERVICE FOR THE LARKSPUR FERRY**

Recommendation

The Transportation Committee recommends that the Board of Directors (Board) authorize execution of the third Amendment to Contract No. 2022-F-085, *Vivalon ADA Shuttle Bus Services*, with Vivalon, San Rafael, CA, in the amount of \$759,000 for Emergency ADA Backup Service for the Larkspur Ferry, with the understanding that the funds will be available in the Ferry Division Operating Budget.

This matter will be presented to the Board of Directors at its November 18, 2022, meeting for appropriate action.

Summary

Due to the suspension of operations at the Golden Gate Bridge, Highway and Transportation District's (District) San Francisco berthing facilities to accomplish needed repairs, the District transferred its ferry operations to the adjacent Gate "B", which has a different boarding configuration that makes the District's vessels inaccessible to passengers with disabilities. The District contracted with Vivalon for emergency ADA backup services, which now must be extended to assure continued ADA complementary service for persons with disabilities.

Background

In July 2021, the District's ferry terminal located at the San Francisco Ferry Building was shut down due to mechanical difficulties. An investigation of the facilities identified several significant cracks in the structural members and the decision was made to suspend operations until a thorough investigation could be accomplished. To continue scheduled ferry service without interruption, the District transferred ferry operations to Gate "B", approximately 100 yards north. This was made possible by an agreement with the Port of San Francisco.

The District’s ferry terminal at Larkspur is designed for upper deck boarding and debarkation only. Using Gate B requires passengers to disembark on the lower deck of the vessel. As the District’s high-speed Catamarans are not equipped with elevators, passengers boarding in Larkspur must use the stairs within the vessel to move from one deck to another to complete their trip. This renders those vessels inaccessible to individuals with disabilities who cannot traverse the internal staircase.

To remain compliant with the Americans with Disabilities Act of 1990 (ADA), the District elected to provide emergency backup service for individuals with disabilities who wish to travel from Larkspur to San Francisco. In January 2022, the Bus Division was no longer able to provide the emergency backup service due to staffing constraints. As a replacement for the Bus Division coverage, an emergency backup van service was contracted to Vivalon so that the District could remain compliant with the ADA. As the service had to be implemented quickly, a short-term contract was entered into with Vivalon under the General Manager’s authority. That contract was for a period of five months at an estimated cost of \$41,000 per month. In April 2022, the emergency backup service contract was amended to include six weekend days, due to the need to use the Spalding vessels for Giants games service. In May 2022, the contract with Vivalon was extended through December 31, 2022.

As the completion date for repairs to the San Francisco Ferry Terminal is yet to be determined, the Transportation Committee recommends that the Board approve an extension to the contract No. 2022-F-085, *Vivalon ADA Shuttle Bus Services*, for an additional period of twelve months. This extension would extend the contract through December 31, 2023. This extension would constitute a third amendment in the not to exceed amount of \$759,000. It is anticipated that repairs would be completed before the end of 2023.

Contract History

If approved, this amended contract would remain in place until repairs are completed. The current contract with Vivalon contains a cancellation clause in which either party may cancel the contract with one-week advance notice.

CONTRACT INITIAL AWARD AND AMENDMENTS TO-DATE			
Type	Date Approved	Description	Amount
Contract Award	01/22	Initial Award	\$47,500
First Amendment	04/22	Increase NTE and Addition of Limited Weekend Service	\$195,775
Second Amendment	05/22	Extension of Service	\$253,935
Third Amendment	Pending	Extension of Service	\$759,000
Total:			\$1,256,210

Fiscal Impact

If approved, funds are available in the Ferry Division Operating Budget in FY 21/22, FY 22/23 and will be included in the Ferry Division Operating Budget for FY 23/24. The following table provides the history of the project budget:

PROJECT BUDGET	AMOUNT	DISTRICT FUNDS IN TOTAL PROJECT (%)
<i>Project Name -</i> Project Budget at Contract Award (Including amendment for weekend service)	\$243,275	100%
Increase Budget to Continue Compliance with the ADA (Board Resolution No. 2022-035)	\$253,935	100%
Increase Budget to Continue Compliance with the ADA (Board Resolution No. TBD)	\$759,000	100%
Total Funds	\$1,256,210	100%

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