



PIERCE TRANSIT BOARD MEETING

**Training Center, Rainier Room
3720 96th Street SW, Lakewood, WA
May 8, 2017, 4:00 PM**

AGENDA

A Special Study Session meeting will be held prior to this meeting at 3:00 p.m.

CALL TO ORDER

ROLL CALL

SPECIAL BUSINESS

- | | |
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| 1. FS 17-028, A Resolution Donating Surplus Vehicle #7030 to Graham-Kapowsin Community Council Pursuant to the Pierce Transit Care-a-van Program | Rob Andreson-Tenance Specialized Transportation Manager |
| 2. FS 17-029, A Resolution Donating Surplus Vehicle #7122 to Tacoma Shine Youth Athletics Pursuant to the Pierce Transit Care-a-van Program | Rob Andreson-Tenance Specialized Transportation Manager |

PRESENTATIONS

- | | |
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| • April 2017 Operator of the Month ~ Sherry Tate | Scott Gaines Transit Operator Assistant Manager |
| • 2016 Financial Year End Report | Brett Freshwaters Executive Director of Finance |
| • Proposed SHUTTLE Fare Adjustment and Presentation on Technology Improvements | Rob Andresen-Tenace Specialized Transportation Manager |

PUBLIC COMMENT

(Citizens wishing to provide comment will be given three minutes to comment on any transit-related matters regardless of whether it is an agenda item or not. The Chair, at his or her discretion, may reduce the comment time allowed to allow sufficient time for the Board to conduct business.)

CONSENT AGENDA

(Items listed below were distributed to Commissioners in advance for reading and study and are enacted with one motion. Item(s) may be moved to the Action Agenda at the request of a Commissioner.)

1. Approval of Vouchers, May 1, 2017
2. First Quarter 2017 Sole Source and 100K Report
3. Minutes: Special Study Session and Regular Board Meeting of April 10, 2017
4. Minutes: Special Board Retreat Meeting of February 22, 2017
5. FS 17-030, Authority to Execute a Sole Source Purchase and Installation Agreement for SHUTTLE Mobile Data Computers and Supporting Equipment for All SHUTTLE Vehicles with StrataGen Systems, Inc.
6. FS 17-031, A Resolution Adopting the Regional Fare Forum Summary Report Recommendations to Assist with Initial Design of Next Generation ORCA
7. FS 17-032, Authority to Execute Task Order No. 8 with Parametrix (Contract PT-58-12C) for a Facilities Condition Assessment as Part of the 2018 Transit Asset Management Plan (TAMP)
8. FS 17-033, Authority to Execute Amendment No. 1 with Metro Glass Co., Inc., (Contract No. PT-35-16) to Allow for an Additional One-Year Contract Extension and Authorizing the Overall Project Expenditure

ACTION AGENDA

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| 1. FS 17-034, Authority for the Chief Executive Officer to Implement a 1.25 Percent General Wage Adjustment (GWA) for Non-Represented Employees, Effective July 1, 2017 | Brett Freshwaters Executive Director of Finance |
| 2. FS 17-035, Authority to Purchase Twenty-Three (23) Forty-Foot Low Floor Compressed Natural Gas (CNG) Replacement Coaches From Gillig Corporation Pursuant to Washington State Heavy-Duty Mass Transit Vehicles Department of Enterprise Services (DES) Contract No. 09214 | Kevin Zinski Fleet Manager |
| 3. FS 17-036, A Resolution Authorizing Revisions to Pierce Transit Code Section 1.28 – Women-Owned and Disadvantaged Business Program to Align the Current Disadvantaged Business Enterprise Program with the Federal Transportation Administration Requirements | Dan Pike E.D. Planning & Community Dev. |

STAFF UPDATES/DISCUSSION

INFORMATIONAL BOARD ITEMS

- Chair Report
- Sound Transit Update
- Commissioners' Comments

Commissioner Strickland

EXECUTIVE SESSION

ADJOURNMENT

FACT SHEET

TITLE: A Resolution Donating Surplus Vehicle #7030 to Graham-Kapowsin Community Council Pursuant to the Pierce Transit Care-a-van Program

DIVISION: Specialized Transportation

ORIGINATOR: Rob Andreson-Tenace, Specialized Transportation Manager

PRECEDING ACTION:

Resolution 15-068 Creating the Care-a-van Van Grant Program for Donation of Surplus Vehicles to Qualifying Non-Profit Organizations

COORDINATING DEPARTMENT: Paratransit; Fleet Maintenance

APPROVED FOR SUBMITTAL:

Chief Financial Officer

APPROVED FOR AGENDA:

Chief Executive Officer

General Counsel

ATTACHMENTS:

Proposed Resolution

BUDGET INFORMATION

2017 Budget Amount
\$0

Required Expenditure
\$0

Impact
\$1,853
Estimated Kelley Blue Book Value in
"good" condition

Explanation: The following vehicle has been identified by the Maintenance Department as being appropriate for donation through the Care-a-van program, the approximate Kelley Blue Book Value of which if sold in "good" condition is:

VIN: 1FBNE31L65HA87773

Make/Model/Year: 2005 Ford E350 Super Duty Passenger XL Van 3D

Mileage: 139,970

Estimated Kelley Blue Book Value in "good": \$1,853

BACKGROUND:

From time to time, Pierce Transit surpluses rolling stock that has exceeded its useful life for public transit and in the past, Pierce Transit has sold surplus rolling stock at auction for relatively small amounts, because when a vehicle is surplussed, it typically is beyond its reasonable service life and usually has little to no appreciable market value. Certain non-profit organizations have expressed a need for and interest in utilizing Pierce Transit's surplussed vehicles to provide transportation services to Pierce County residents and visitors.

Pierce Transit has identified the above-listed surplussed vehicle as having potential to meet the needs of non-profit organizations based on the vehicle's mileage and maintenance history.

By Resolution 15-068, the Board of Commissioners created the Care-a-van program that provides for the donation of surplus vehicles to certain non-profit organizations expected to utilize the vehicle to defray the cost of Pierce Transit's service, since many of those organizations would be providing trips that would otherwise be provided by Pierce Transit, including trips that would be SHUTTLE eligible. Through the Care-a-van vehicle donation program, interested non-profit organizations have applied for the surplus vehicles through a competitive selection process. In the most recent round of applications, Staff received 10 applications, has ranked those applications based on established criteria, and recommends awarding this vehicle to Graham-Kapowsin Community Council based on the strength of this organization's application and ranking.

After review and a competitive assessment of the applications, Staff recommends the award of a Care-a-van vehicle to Graham-Kapowsin Community Council. This organization has demonstrated the financial capacity to follow all state and federal laws regarding maintaining and insuring the vehicle and has provided a description of how the vehicle will best meet the transportation needs of Pierce County residents and visitors. This non-profit organization is also able to sign a contract in substantially the same form as Exhibit A hereto.

Graham-Kapowsin Community Council's mission is to assist all members of their community. They propose to use this vehicle to transport youths and adults to work and education sites, feed programs, medical appointments, community events and other locations as needs occur. The population served will be geographically dispersed with age, economic, and cultural diversity. All trips will occur within Pierce County.

Applications from organizations that meet donation requirements but which did not score high enough to be recommended for a vehicle at this time will be kept on file and considered for future donations.

ALTERNATIVES:

An alternative would be to not award this vehicle, in which case, staff will sell the vehicle(s) at auction.

RECOMMENDATION:

Approve Resolution No. 17-017 awarding a Care-a-van vehicle to Graham-Kapowsin Community Council, subject to the terms and conditions of the Care-a-van Agreement.

RESOLUTION NO. 17-017

1 A RESOLUTION of the Board of Commissioners of Pierce Transit Donating Surplus Vehicle #7030 to Graham-
2 Kapowsin Community Council Pursuant to the Care-a-van Program
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4 WHEREAS, By Resolution No. 15-068, the Pierce Transit Board of Commissioners adopted the Care-A-
5 Van Program pursuant to which the Agency may donate an otherwise surplussed vehicle to a qualified non-
6 profit organization, provided that the recipient organization agrees, among other contractual requirements, to
7 maintain and insure the vehicle and provide and report on a certain level of transportation services to Pierce
8 County residents and visitors sufficient to cover the approximate value of the surplus vehicle if it were
9 otherwise sold at auction; and

10 WHEREAS, an application has been submitted by Graham-Kapowsin Community Council for
11 donation of a surplus vehicle from the Care-A-Van Program; and

12 WHEREAS, Graham-Kapowsin Community Council is a qualified social service agency organized under
13 and existing pursuant to the laws of the State of Washington; and

14 WHEREAS, after a competitive evaluation process, Pierce Transit staff has recommended that
15 Graham-Kapowsin Community Council be the recipient of a vehicle pursuant to the terms of Pierce
16 Transit's Care-A-Van Grant Program Agreement;

17 WHEREAS, Pierce Transit has a surplus 2005 Ford Super Duty Passenger XL 3D Van, VIN no.
18 1FBNE31L65HA87773 (" the Van"), and Pierce Transit's Maintenance Department recommends that the Van
19 be surplussed and has determined that the Van is appropriate for donation through the Care-A-Van program;
20 and

21 WHEREAS, the donation of the Van will aid Graham-Kapowsin Community Council in their work for
22 the community while benefiting Pierce Transit by offsetting transportation services that would otherwise be
23 provided by Pierce Transit at greater expense; and

24 WHEREAS, Graham Kapowsin Community Council is an organization that assists with transportation
25 for a diverse group which includes at-risk youth and low-income seniors to various locations such as work,
26 education sites, feed programs, medical appointments and community events; and

27 WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of
28 Pierce County that the Van be granted to Graham-Kapowsin Community Council.

29 NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pierce Transit as follows:

1 1. The Van is hereby donated to Graham-Kapowsin Community Council pursuant to the terms and
2 conditions of the Care-A-Van Grant Program Agreement.

3 2. Once Graham-Kapowsin Community Council agrees to all terms of the Pierce Transit's Care-A-
4 Van Grant Program Agreement, Pierce Transit staff is authorized to transfer title of said vehicle to Graham-
5 Kapowsin Community Council.

6 ADOPTED by the Board of Commissioners of Pierce Transit at their regular meeting thereof held on
7 the 8th day of May, 2017.

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PIERCE TRANSIT

Kent Keel, Chair
Board of Commissioners

15 ATTEST/AUTHENTICATED

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Deanne Jacobson, CMC
Clerk of the Board

FACT SHEET

TITLE: A Resolution Donating Surplus Vehicle #7122 to Tacoma Shine Youth Athletics Pursuant to the Pierce Transit Care-a-van Program

DIVISION: Specialized Transportation

ORIGINATOR: Rob Andreson-Tenace, Specialized Transportation Manager

PRECEDING ACTION:

Resolution 15-068 Creating the Care-a-van Van Grant Program for Donation of Surplus Vehicles to Qualifying Non-Profit Organizations

COORDINATING DEPARTMENT: Paratransit; Fleet Maintenance

APPROVED FOR SUBMITTAL:

Chief Financial Officer

APPROVED FOR AGENDA:

Chief Executive Officer

General Counsel

ATTACHMENTS:

Proposed Resolution

BUDGET INFORMATION

2017 Budget Amount
\$0

Required Expenditure
\$0

Impact
\$4,020
Estimated Kelley Blue Book Value in
"good" condition

Explanation: The following vehicle has been identified by the Maintenance Department as being appropriate for donation through the Care-a-van program, the approximate Kelley Blue Book Value of which if sold in "good" condition is:

VIN: 1FBSS31LX6DA24700

Make/Model/Year: 2006 Ford E350 Super Duty Passenger XL Extended Van 3D

Mileage: 141,965

Estimated Kelley Blue Book Value in "good": \$4,020

BACKGROUND:

From time to time, Pierce Transit surpluses rolling stock that has exceeded its useful life for public transit and in the past, Pierce Transit has sold surplus rolling stock at auction for relatively small amounts, because when a vehicle is surplus, it typically is beyond its reasonable service life and usually has little to no appreciable market value. Certain non-profit organizations have expressed a need for and interest in utilizing Pierce Transit's surplussed vehicles to provide transportation services to Pierce County residents and visitors.

Pierce Transit has identified the above-listed surplussed vehicle as having potential to meet the needs of non-profit organizations based on the vehicle's mileage and maintenance history.

By Resolution 15-068, the Board of Commissioners created the Care-a-van program that provides for the donation of surplus vehicles to certain non-profit organizations expected to utilize the vehicle to defray the cost of Pierce Transit's service, since many of those organizations would be providing trips that would otherwise be provided by Pierce Transit, including trips that would be SHUTTLE eligible. Through the Care-a-van vehicle donation program, interested non-profit organizations have applied for the surplus vehicles through a competitive selection process. In the most recent round of applications, Staff received 10 applications, has ranked those applications based on established criteria, and recommends awarding this vehicle to Tacoma Shine Youth Athletics based on the strength of this organization's application and ranking.

After review and a competitive assessment of the applications, Staff recommends the award of a Care-a-van vehicle to Tacoma Shine Youth Athletics. This organization has demonstrated the financial capacity to follow all state and federal laws regarding maintaining and insuring the vehicle and has provided a description of how the vehicle will best meet the transportation needs of Pierce County residents and visitors. This non-profit organization is also able to sign a contract in substantially the same form as Exhibit A hereto.

Tacoma Shine Youth Athletics main mission is to mentor and tutor low-income at-risk youth in Pierce County. They provide safe and affordable care before and after school and all day during the summer. They provide food, homework assistance, educational workshops etc. They also participate in trips to museums, sporting events, and other various field trips. T.S.Y.A is provided through Calvary Church which also provides additionally elderly and youth opportunities. T.S.Y.A proposes to use this vehicle to transport nearly 85 children to and from their services and to assist in transportation services needed through Calvary Church.

Applications from organizations that meet donation requirements but which did not score high enough to be recommended for a vehicle at this time will be kept on file and considered for future donations.

ALTERNATIVES:

An alternative would be to not award this vehicle, in which case, staff will sell the vehicle(s) at auction.

RECOMMENDATION:

Approve Resolution No. 17-018 awarding a Care-a-van vehicle to Tacoma Shine Youth Athletics, subject to the terms and conditions of the Care-a-van Agreement.

RESOLUTION NO. 17-018

A RESOLUTION of the Board of Commissioners of Pierce Transit Donating Vehicle #7122 to Tacoma Shine Youth Athletics Pursuant to the Care-a-van Program

WHEREAS, By Resolution No. 15-068, the Pierce Transit Board of Commissioners adopted the Care-A-Van Program pursuant to which the Agency may donate an otherwise surplussed vehicle to a qualified non-profit organization, provided that the recipient organization agrees, among other contractual requirements, to maintain and insure the vehicle and provide and report on a certain level of transportation services to Pierce County residents and visitors sufficient to cover the approximate value of the surplus vehicle if it were otherwise sold at auction; and

WHEREAS, an application has been submitted by Tacoma Shine Youth Athletics for donation of a surplus vehicle from the Care-A-Van Program; and

WHEREAS, Tacoma Shine Youth Athletics is a qualified social service agency organized under and existing pursuant to the laws of the State of Washington; and

WHEREAS, after a competitive evaluation process, Pierce Transit staff has recommended that Tacoma Shine Youth Athletics be the recipient of a vehicle pursuant to the terms of Pierce Transit's Care-A-Van Grant Program Agreement; and

WHEREAS, Pierce Transit has a surplus 2006 Ford E350 Super Duty Passenger XL Extended Van, VIN No. 1FBSS31LX6DA24700 ("the Van"), and Pierce Transit's Maintenance Department recommends that the Van be surplussed and has determined that the Van is appropriate for donation through the Care-A-Van program; and

WHEREAS, the donation of the Van will aid Tacoma Shine Youth Athletics in their work for the community while benefiting Pierce Transit by offsetting transportation services that would otherwise be provided by Pierce Transit at greater expense; and

WHEREAS, Tacoma Shine Youth Athletics is an organization that mentors and tutors low-income and at risk youth; and

WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of Pierce County that the Van be granted to Tacoma Shine Youth Athletics; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pierce Transit as follows:

1. The Van is hereby donated to Tacoma Shine Youth Athletics pursuant to the terms and conditions of the Care-A-Van Grant Program Agreement.

2. Once Tacoma Shine Youth Athletics agrees to all terms of the Pierce Transit's Care-A-Van Grant Program Agreement, Pierce Transit staff is authorized to transfer title of said vehicle to Tacoma Shine Youth Athletics.

ADOPTED by the Board of Commissioners of Pierce Transit at their regular meeting thereof held on the 8th day of May, 2017.

PIERCE TRANSIT

Kent Keel, Chair
Board of Commissioners

ATTEST/AUTHENTICATED

Deanne Jacobson, CMC
Clerk of the Board

FIRST QUARTER 2017

Report to Board of Commissions

Sole Source Over \$10,000

Contracts and Amendments - \$100,000 to \$200,000

Sole Source Over \$10,000

| Name | Explanation | Amount | Eff. Date |
|----------------------------------|--|-----------|-----------|
| Gcomm Inc. | Gcomm Inc. is the regional vendor for installation of the Aviat microwave equipment. They functioned as the subcontractor for Aviat and performed installation and calibration of the microwave site equipment connecting the Pierce Transit/Pierce County 17 radio communications facilities to the master site. | \$12,000 | 01/10/17 |
| KDC Engineers | This is for construction drawings for permitting and bid estimates for repairs to the existing communications shelter at Indian Hill. KDC Engineers produced the original, stamped construction documents for the Indian Hill site. A new vendor would be required to produce a new set of drawings starting from the beginning in order to provide an engineer's certification for those drawings. This would be a very expensive and time-consuming process. | \$20,000 | 01/12/17 |
| Stantec Consulting Services Inc. | Stantec provides consulting support for UHF closeout documentation; Indian Hill Site 2 enhancements (old shelter recondition); and general project management activities. This firm has the knowledge and three years' experience, since they were the original firm competitively selected by Pierce County for the SCWCS implementation. This is a continuation of service and will be needed for the work stated through December 2017, and for less than five years. | \$82,300 | 03/06/17 |
| Conduent | Conduent provides the financial capacity for purchasing CAD/AVL equipment and other equipment related services for supporting Pierce Transit's and Sound Transit's fleets. This equipment is proprietary and can only be supported and modified/enhanced by Conduent "Intelligent Transportation Solutions." The previously approved sole source with Xerox is no longer valid because they sold all rights of this technology to Conduent in 2017. | \$100,000 | 3/7/17 |
| Checkr | This is an automated background check software that includes address history, SSN check, sex offender search, Global Watch List Search, National criminal history check, a seven-year county criminal history check and a Federal criminal history check that is integrated with NEOGOV, our application tracking system. Currently this is the only vendor whose background check software is integrated with NEOGOV. | \$28,000 | 3/9/17 |
| NEOGOV | NEOGOV was built to specifically to allow efficient management of recruitment and selection of publicly funded positions. NEOGOV is not available to private sector employers. It is a web-based recruitment tool that provides customized online job applications, selection functionality, applicant tracking, and reporting and analysis resulting in a reduction in the use of paper and phone call inquiries. It provides potential applicants the opportunity to submit applications electronically and quickly. | \$16,800 | 3/29/17 |

Contracts and Amendments - \$100,000 to \$200,000 awarded from 1/1/17 - 3/31/17

| Name | Explanation | Amount | Eff. Date |
|------|-------------|--------|-----------|
| | None | | |

Sole Source: A circumstance when the vendor is the sole provider of licensed or patented goods or services, or has specialized knowledge or skill needed for a project when there is limited time and vendors with the expertise.

Amendments: Master agreements sometimes have amendments. This could be due to time extensions to a contract, or a situation where changing a contractor before the work is complete could cause delays, hardships and/or added costs.

**PIERCE TRANSIT
BOARD OF COMMISSIONERS SPECIAL STUDY SESSION
MINUTES**

April 10, 2017

CALL TO ORDER

Vice Chair Henderson called the Special Study Session meeting to order at 3:06 p.m.

Commissioners present:

Nancy Henderson, Vice Chair of the Board, Town of Steilacoom Councilmember
(*representing Auburn/Gig Harbor/Fircrest/Pacific/Ruston/Steilacoom*)
Daryl Eidinger, City of Edgewood Mayor (*representing Fife/Milton/Edgewood*)
Bruce Dammeier, Pierce County Executive
Ryan Mello, City of Tacoma Councilmember
Marilyn Strickland, Mayor of the City of Tacoma

Commissioners excused:

Kent Keel, Chair of the Board, City of University Place Mayor Pro Tem
Rick Talbert, Pierce County Councilmember
Heather Shadko, City of Puyallup Councilmember
Don Anderson, City of Lakewood Mayor

Staff present:

Sue Dreier, Chief Executive Officer
Dana Henderson, General Counsel
Deanne Jacobson, Assistant to the CEO/Clerk of the Board
Kristol Bias, Records Coordinator/Deputy Clerk of the Board

DISCUSSION

Review and Discuss Proposed Strategic Plan

Lean Administrator Samantha Einarson provided an updated overview of the proposed Strategic Plan which included practical definitions of Pierce Transit's proposed vision, value proposition, mission and customers. Ms. Einarson's presentation also covered Pierce Transit's proposed priorities of service excellence, customer-focused decisions, financial stewardship and engaged employees with regards to where the agency currently stands on each measure and demonstrating a vision for the future. The proposed Strategic Plan includes categories of Board input, objective, capabilities, outcomes, strategic initiatives, current data, goals and will be a live document rather than one being re-created every two years.

A discussion ensued with regards to Board members providing further input and suggested verbiage changes to the proposed Strategic Plan. The Board also stressed the importance of Pierce Transit tracking service cost per mile or cost per rider to ensure the agency is bench-marking itself with other transit agencies and utilizing resources in the best way possible.

Chief Executive Officer Sue Dreier noted staff will be creating a data warehouse and this information would be available on the agency's website to increase accountability to the public. Ms. Dreier stated it is the agency's goal to strive to have this comparable data on the website in the next six months.

Further discussion ensued with regards to the agency's proposed mission statement. The Board wavered more toward the 2015 mission statement rather than the proposed mission statement as it entailed key verbiage they felt was too essential to let go.

With scheduled time still remaining in the Special Study Session meeting, Chief Executive Officer Sue Dreier offered to discuss low income fares and noted that this element is part of the Strategic Plan/Vision for the agency.

Transit Development Manager Jay Peterson presented on the item, providing background and impacts on the Low Income Fare Programs of King County Metro, Sound Transit and Kitsap Transit. Mr. Peterson's presentation also covered the potential impacts to Pierce Transit if a Low Income Lift Program were to be implemented.

A discussion ensued with regards to tracking methods of the other local transit agencies and whether the programs have been successful. Mr. Peterson noted that metrics are available; however, he would confirm as to whether the agencies have determined the programs to be successful.

The Board expressed interest in receiving tracking data, specifically with regards to what proportion of Pierce Transit riders in comparison to King County Metro riders are transit dependent. The Board also stressed the importance of better being able to gauge whether the Low Income Lift Program has the potential to be successful and setting goals for the program so that the administrative costs can be kept down as much as possible and more individuals get the sense of being self-sufficient and empowered.

Chief Executive Officer Sue Dreier noted that the agency is planning to introduce an application based ticket and the Board expressed an interest in seeing some proposals come forth in the future with regards to this if the application has the potential to be of benefit to individuals.

Mr. Peterson noted he would compile answers to discussion questions that arose with regards to tracking data and would relay them back to the Board.

ADJOURNMENT

Commissioners Strickland and Eiding **moved** and seconded to adjourn the meeting at 3:53 p.m.

Motion **carried**, 5-0.

Kristol Bias
Records Coordinator/Deputy Clerk of the Board

Nancy Henderson, Vice Chair
Board of Commissioners

**PIERCE TRANSIT
BOARD OF COMMISSIONERS
MINUTES**

April 10, 2017

CALL TO ORDER

Chair Keel called the meeting to order at 4:02 p.m.

Commissioners present:

Kent Keel, Chair of the Board, City of University Place Mayor Pro Tem
Nancy Henderson, Vice Chair of the Board, Town of Steilacoom Councilmember
(representing Auburn/Gig Harbor/Fircrest/Pacific/Ruston/Steilacoom)
Daryl Eidinger, City of Edgewood Mayor *(representing Fife/Milton/Edgewood)*
Don Anderson, City of Lakewood Mayor *(arrived at 4:10 p.m.)*
Bruce Dammeier, Pierce County Executive
Ryan Mello, City of Tacoma Councilmember
Heather Shadko, City of Puyallup Councilmember
Marilyn Strickland, Mayor of the City of Tacoma

Commissioners excused:

Rick Talbert, Pierce County Councilmember

Staff present:

Sue Dreier, Chief Executive Officer
Dana Henderson, General Counsel
Deanne Jacobson, Assistant to the CEO/Clerk of the Board
Kristol Bias, Records Coordinator/Deputy Clerk of the Board

PRESENTATIONS

March 2017 Operator of the Month ~ Gary Zies

Transit Operator Assistant Manager Scott Gaines honored Gary Zies for being selected March 2017 Operator of the Month. Mr. Gaines recognized Mr. Zies for nineteen years of accident-free driving, achieving honor roll and perfect attendance for several years, receiving numerous passenger compliments and providing exemplar customer service since being hired in 1994. Mr. Gaines read three positive supervisor and passenger comments that Mr. Zies has received.

The Board members extended their appreciation to Mr. Zies for his service. Mr. Zies stated that he is highly honored to receive the award and extended his appreciation to the Board members and Chief Executive Officer for all the work that they do.

Best Workplaces for Commuters Recognition

Marketing/Communications Specialist Charmaine Riley introduced Debbie Germer from Pierce County. Ms. Germer presented Pierce Transit with the National Best Workplaces for Commuters Award for implementing “Pierce Trips,” a program that offers outstanding commuter benefits, such as fully subsidized vanpools and transit passes for employees, ride-matching assistance, bike racks, onsite amenities like food vending and ATMs and much more.

Ms. Riley noted that the agency sees the Best Workplaces for Commuters not just as an award, but as a tool to retain employees, solve parking challenges, reduce environmental impacts, save company funds and distinguish Pierce Transit as a competitive benefits leader. (*Commissioner Don Anderson arrived at 4:10 p.m.*)

Ms. Riley concluded her presentation with stating that by the next survey done in Spring 2018, Pierce Transit’s drive alone rate must be down to 86 percent to maintain the designation of a Best Workplace for Commuters. As of Spring 2016, the agency’s drive alone rate is 89 percent.

Chair Keel accepted the award on behalf of Pierce Transit.

PUBLIC HEARING

Surplus of 78 Vehicles

Fleet Manager Kevin Zinski presented on the item. Mr. Zinski gave a short overview of the vehicles scheduled for surplus and noted that they are at the end of their useful life. He also noted that two of the vans are eligible to be donated to nonprofit organizations through Pierce Transit’s Care-a-van program.

Commissioner Henderson inquired as to what the current demand for caravans is and what the agency’s allotment has been. Chief Executive Officer Sue Dreier stated staff would gather and provide the information at the next Board meeting scheduled for May 8, 2017.

Chair Keel provided instructions for the public hearing to citizens.

At 4:14 p.m., the public hearing was opened. No individuals expressed desire to comment.

At 4:15 p.m., the public hearing was closed.

PUBLIC COMMENT

Chair Keel provided direction for participating in public comment and the following individuals spoke:

- Cinderella Helga, Lakewood, expressed her desire for additional pedestrian safety. Ms. Helga also submitted written comments to the Clerk of the Board, expressing her desire for the return of certain bus routes with regards to the recent new service implementation.

- Tammie Cox, Tacoma, reported her experience while riding the 206 bus. Ms. Cox also reported receiving feedback from fellow citizens with regards to strollers still being left in the middle of bus aisles.
- Walt Hurd, Tacoma, reported that the smoking ordinance is still not being enforced. Mr. Hurd also expressed his desire for additional bus seating and more frequent bus service during events.
- Kristina Walker, Executive Director of Downtown On the Go Tacoma, reported receiving positive feedback from employers and citizens on behalf of Downtown On the Go with regards to Pierce Transit's recent new service implementation. Ms. Walker also expressed desire for earlier service hours with regards to Pierce Transit's Downtown to Defiance trolley that is schedule to run June 2, 2017 – September 3, 2017 to encourage earlier morning bus ridership.

Commissioner Strickland requested a list of upcoming events and transportation options to be included in Chief Executive Officer Sue Dreier's next monthly email newsletter to the Board.

CONSENT AGENDA

(Items listed below were distributed to Commissioners in advance for reading and study and are enacted with one motion. Item(s) may be moved to the Action Agenda at the request of a Commissioner.)

Commissioners Dammeier and Mello **moved** and seconded to approve the consent agenda as presented.

Motion **carried**, 8-0.

(Commissioner Marilyn Strickland departed at 4:28 p.m.)

1. Approval of Vouchers, April 4, 2017
Operating Fund #10
Self- Insurance Fund #40
Capital Fund #90
Voucher CK Nos. 354869 through 355506
Advance Travel CK Nos. 1171 through 1183
Wire Nos. 1913 through 1936
Total \$11,282,814.83
2. Minutes: Regular Board Meeting of March 13, 2017
3. FS 17-022, Approved Resolution No. 17-012, declaring 78 vehicles as described as surplus vehicles and authorizing the sale or donation thereof
4. FS 17-023, Authorized Pierce Transit to enter into and execute Task Order No. 9 with Gray & Osborne for A&E services for the Electric Bus Deployment Project in an amount not to exceed \$162,659.85

5. FS 17-024, Approved Resolution No. 17-013, authorizing amendments to the applicable sections of the Pierce Transit Code and Personnel Manual for purposes of aligning employee titles and responsibilities with the current organization structure and other minor housekeeping changes as proposed in Exhibit A and B
6. FS 17-027, Approved Resolution No. 17-016, authorizing the First Amendment to Memorandum of Understanding between Pierce County and Pierce Transit Supporting Beyond the Borders in substantially the same form as Exhibit A

ACTION AGENDA

1. FS 17-025, A Resolution Authorizing Pierce Transit to Enter Into and Execute an Agreement with Clover Park Technical College for a Pilot Student Bus Pass Program

Commissioners Shadko and Dammeier **moved** and seconded to approve Resolution 17-014 authorizing the Chief Executive Officer to enter into and execute an agreement with Clover Park Technical College for a Pilot Student Bus Pass Program retroactive to April 1, 2017 and ending June 29, 2018.

Sr. Employer Services Coordinator Sharon Stockwell presented on the item. Ms. Stockwell's presentation covered the reasoning for identifying community colleges as potential partners, logistics of the bus pass program and program pricing. Ms. Stockwell noted that the student bus pass program seeks to build Pierce Transit ridership, support economic development by giving access to post high school education and assist low income and minority populations by giving them an affordable transportation option. Ms. Stockwell also noted that the nearby University of Washington, Pacific Lutheran University and the University of Puget Sound institutions of higher education all have bus programs in place and that there is the potential for working in the long run with Community and Technical Colleges such as Pierce College, Tacoma Community College and Bates Technical College to provide a universal bus program for all registered students. Pierce Transit is planning to expand the program to other colleges, and will evaluate it at the end of the pilot (June 2018) to decide whether to recommend it as a permanent program.

Ms. Stockwell concluded her presentation with stating that Clover Park Technical College is Pierce Transit's first partnership with regards to the student bus pass program. Should the contract be approved, the agreement would be retroactive to when the college began their Spring Quarter on April 1, 2017 and a Bus Pass Program Celebration would be held at the college on April 12, 2017.

A short discussion ensued regarding the potential to collect data more efficiently by adding a bar code sticker to the bus pass. The Board expressed their excitement for the pilot student bus pass program and possible expansion with other institutions as it coincides with Pierce Transit's goal of growing ridership. The Board also encouraged cross marketing with Uber Application customers.

Motion **carried**, 7-0.

(Commissioner Ryan Mello exited the room at 4:44 p.m.)

2. **FS 17-026, A Resolution Amending Pierce Transit Code Section 3.72.030 – Tickets; Pierce Transit Code Section 3.72.070 – Free Riding Privileges; and Pierce Transit Code Section 3.72.100 – Special Rates of Fare, to Allow More Flexibility to Modify Fares for Special Events and Other Transit Related Services and Programs**

Commissioners Shadko and Dammeier moved and seconded to approve Resolution 17-015, authorizing amendments to various sections contained in Pierce Transit Code Section 3.72, Fare Schedule, as presented in Exhibit A.

Transit Development Manager Jay Peterson presented on the item noting that the Pierce Transit code changes are strictly housekeeping measures and do not involve any fare price changes. If approved, the Chief Executive Officer would have flexibility to provide reduced or free fares in circumstances that warrant it, up to a capped amount each year. This will give Pierce Transit the opportunity to do things like provide free service on specific days or for certain events, and explore using mobile (smart phone) ticketing. *(Commissioner Ryan Mellow re-entered the room at 4:46 p.m.)*

Mr. Peterson noted that the agency is finalizing a pilot project contract with mobile ticketing vendor Hopthru and introduced Pierce Transit's Chief Technology Officer Keith Messner, who gave a short demonstration of the application. Mr. Messner noted that Hopthru assists the agency in tracking onboarding's and helps bus Operators validate tickets more efficiently. The application also assists riders in getting the best transit experience by being able to purchase a ticket from any location at any time with route optimization, allows riders to avoid in person lines and does not require riders to carry cash.

A discussion ensued with regards to the logistics of the application including data tracking capabilities, bus ticket expiration dates and processing transaction fee. The Board expressed interest in capturing data for when riders exit the bus and the possibility to integrate this data with the agency's farebox upgrade. Mr. Peterson noted that the agency has considered exploring the option of a QR code on the fareboxes; however, wanted to conduct this pilot project first to compile data.

The Board also expressed interest in the possibility of shortening the pilot project contract from twelve to six months to keep costs down and for earlier evaluation of the data. Mr. Peterson noted that there is the flexibility to halt the contract at an earlier time point; however, the agency wants to ensure there is enough data prior to analyzing.

The Board inquired as to what outreach would be conducted. Mr. Peterson noted staff is coordinating with internal Marketing and Public Relations departments in addition to Hopthru offering their services to come up with a plan.

The discussion concluded with the Board expressing desire for further conversation and explanation with regards to more definitive costs prior to implementation of the mobile ticketing application.

Motion carried, 7-0.

Chair Keel requested staff to integrate the Board's inquiries into a presentation for the Board prior to proceeding with the Hopthru contract.

STAFF UPDATES/DISCUSSION

Regional Fare Forum

Transit Development Manager Jay Peterson provided an update on the recent Regional Fare Forums, where representatives from ORCA agency board have been meeting to discuss how to simplify fares and therefore make the design of next generation ORCA easier and less expensive. *(Commissioner Bruce Dammeier departed at 5:30 p.m.)* Mr. Peterson noted that there will be a Resolution to adopt the recommendations coming out of the fare forum at the May 8, 2017 Board meeting.

Commissioner Mello reported on his experience representing Pierce Transit while participating in the Regional Fare Forums. Commissioner Mello noted the forums focused on thinking ahead and being flexible while keeping costs down with regards to future transit needs.

A short discussion ensued with regards to the elimination of King County Metro and Sound Transit zone-based fares and how the elimination could impact fare allocation for intersystem transfers between Pierce Transit, King County Metro and Sound Transit. The Board expressed interest in learning more about the potential impact of this item at a possible May 8, 2017 work session prior to proceeding further.

CEO's Report

Chief Executive Officer Sue Dreier reported on the following items:

- Positive feedback has been received with regards to the recent new service implementation and Pierce Transit is already experiencing ridership gains. The agency is working with the City of Tacoma to make the lingering temporary stops in the North end of Tacoma permanent and still plans to contract with Joint Base Lewis-McChord for the GO Transit Route 7 following the government hiring freeze.
- There has been a recent outage involving over two hundred ORCA machines; however, most of the connection issue has been resolved and agency staff has found a work around until the issue can be fully contained.
- Government Relations Officer Alexandra Fastle will be getting in contact with each of the Board members to promote "Transit Tuesday." This will be an opportunity for each Board member to ride and experience transit first hand.
- A new piece of artwork has been placed at the front of Pierce Transit's Training Building. The artwork originated from the Bonney Lake Park and Ride station and was repurposed after the sale of the property to Sound Transit.
- The Pierce Transit Roadeo is scheduled to be held on May 21, 2017. The event entails Operators participating in a course challenge contest to where they can test their safety skills and receive awards.

INFORMATIONAL BOARD ITEMS

Chair Report/Sound Transit Update

Chair Keel reported on the two current Sound Transit capital projects with regards to the East Link Extension and the rebuild of the University of Washington transit station. Mr. Keel also noted Sound Transit being in negotiation talks with regards to providing solution to the Mercer Island HOV lane.

Commissioners' Comments

Commissioner Anderson extended his excitement for the increased ridership due to Pierce Transit's recent new service implementation and expressed interest in seeing tracking data on the routes or origins of the increased ridership.

ADJOURNMENT

Commissioners Mello and Henderson **moved** and seconded to adjourn the meeting at 6:12 p.m.

Motion **carried**, 6-0.

Kristol Bias
Records Coordinator/Deputy Clerk of the Board

Kent Keel, Chair
Board of Commissioners

**PIERCE TRANSIT
BOARD OF COMMISSIONERS
SPECIAL BOARD MEETING (RETREAT)
MINUTES**

February 22, 2017

CALL TO ORDER

Chair Keel called the meeting to order at 9:03 a.m.

Commissioners present:

Kent Keel, Chair of the Board, City of University Place Mayor Pro Tem
Nancy Henderson, Vice Chair of the Board, Town of Steilacoom Councilmember
(*representing Auburn/Gig Harbor/Fircrest/Pacific/Ruston/Steilacoom*)
Daryl Eidinger, City of Edgewood Mayor (*representing Fife/Milton/Edgewood*)
Don Anderson, City of Lakewood Mayor
Heather Shadko, City of Puyallup Councilmember
Marilyn Strickland, Mayor of the City of Tacoma
Rick Talbert, Pierce County Councilmember
Ryan Mello, City of Tacoma Councilmember (*arrived at 12:30 p.m.*)

Commissioners excused:

Bruce Dammeier, Pierce County Executive

Staff present:

Sue Dreier, Chief Executive Officer
Deanne Jacobson, Assistant to the CEO/Clerk of the Board
Dana Henderson, General Counsel (*present during Executive Session only*)

SPECIAL BUSINESS

- 1. FS 17-011, Authority to Enter into a Funding Agreement with Joint Base Lewis McChord (JBLM) to Test GO Transit Route 7 and to Allow Use of Pierce Transit Facilities;**

This item was pulled from the agenda, and staff noted that it would come back at a later date.

EXECUTIVE SESSION

At 9:05 a.m., the meeting was recessed into Executive Session to discuss matters relating to potential litigation with General Counsel Dana Henderson present, pursuant to 42.30.110 (1) (i) for approximately 10 minutes. No formal action will occur after the session. (*Commissioner Strickland arrived at 9:09 a.m.*) At 9:15 a.m. the Executive Session was extended five minutes. The announcement was made to citizens in the lobby.

RECONVENE

At 9:20 a.m., the special meeting was reconvened. (*General Counsel Dana Henderson left the meeting.*)

STRATEGIC PLAN

Overview of Meeting

Commissioner Keel kicked off the retreat, noting that it's a good time for the Agency to be reviewing its Strategic Plan.

CEO Dreier noted that the Agency has had a hard time aligning itself with the existing Strategic Plan and now is a good time to better align/streamline the Plan.

Past Strategic Plan Overview and Update (Orientation to the options and activities to gain consensus and feedback)

Lean and Workforce Development Manager Chris Saffer gave an overview on how the meeting would flow through the afternoon and outcomes to achieve, noting the three outcomes to achieve are to develop a "True North" vision statement, develop a Customer Value Proposition, and define who is Pierce Transit's customer.

A PowerPoint presentation was provided, detailing the current vision and current Strategic Plan. Mr. Saffer also reviewed Board initiatives requested in 2015 versus the initiatives that were approved.

Lean Administrator Samantha Einarson reviewed the progress/accomplishments that have occurred to date on the seven strategic initiatives that were approved in the 2015 Strategic Plan which are as follows:

1. Service Excellence
2. Financial Stability
3. Community Engagement
4. Innovative Solutions
5. Economic Development
6. Sustainability
7. Engaged Workforce

Mr. Saffer noted that some of the measures listed on Goal 7 may be difficult to measure.

Ridership

CEO Dreier addressed the current loss in ridership Pierce Transit has been experiencing versus neighboring agencies. She provided encouraging remarks that the service restoration scheduled to occur in March 2017 should help with increasing ridership. A discussion ensued about the demographics and conditions that drive transit ridership in the Seattle area versus Pierce County, noting that pay for parking and population densities influence higher ridership.

She noted that the March service restoration will most likely be Pierce Transit's last service increase based on its current resources. She noted that Pierce Transit will need to purchase approximately 25 buses this year.

Ms. Dreier then discussed the employee process utilized to develop the Strategic Plan.

FACILITATED STRATEGIC WORK SESSION

Consultants from the Athena Group, Jennifer Haury, Steve Gorcester, and Mike De Luca introduced themselves and gave an overview of their qualifications.

Consultant De Luca reviewed the concepts used to develop an agency's vision compass such as the "true north" statement.

He noted that the three outcomes to define today are the "true north" statement, who is Pierce Transit's customer, and what is the Agency's "value proposition."

He provided examples of other agencies' "true north" statements.

Consultant Jennifer Haury provided examples of businesses with "Value Proposition" statements. She reviewed the concepts of "Balanced Scorecard" and gave examples of other agencies' vision statements.

Vision Statement

Chair Keel noted the importance of defining the Agency's vision statement.

Executive Director of Planning and Community Development Dan Pike reviewed the Vision Statement entitled "Your Transportation Choice of Today and Tomorrow" (Option A) and provided a short overview of the Service Leadership Value Propositions contained in the document.

Finance Manager Kathy Sullivant reviewed the handout entitled "Where and When You Want to Go" (Option B) and provided a short overview of Operational Excellence Value Proposition contained in the document.

A short discussion ensued about the purpose of the meeting and the benefits to have a vision statement that provides clarity to how the Agency should move forward.

RECESS

From 10:40-10:55 a.m. the meeting was adjourned into recess.

RECONVENE

At 10:55 a.m., the meeting was reconvened.

The consultants continued to review the Operational Excellence Value Proposition.

Upon inquiry from Commissioner Anderson, Ms. Einarson provided clarification on how/who developed option A and B vision statements.

BREAKOUT SESSION

From 11:07 a.m. to 12:15 p.m., the Commissioners broke into work groups to discuss and evaluate vision statements A and B. Option A, Your Transportation Choice (for Today and Tomorrow); Option B, Where and When You Want to Go.

LUNCH RECESS

From 12:15 p.m. to 12:45 p.m., the meeting was recessed for lunch. (*Commissioner Mello arrived at 12:45 p.m.*)

RECONVENE - CONTINUE FACILITATED STRATEGIC WORK SESSION (Consensus building, alignment and commitments on outcomes)

At approximately 12:45 p.m. the meeting was reconvened. The consultants recapped the key discussion points from the Break Out sessions. The themes included items such as, how do we cater to seniors, how do we attract teenagers to take the system, how do we become the “preferred” transportation leader.

Commissioner Strickland noted that the overarching theme is to increase/attract more choice riders.

Chair Keel noted that Service Excellence should be the foundation of everything that Pierce Transit does.

Commissioner Mello commented that focusing on attracting “choice” riders would lead staff in a different matter in utilizing its resources.

There was overall consensus that operational/service excellence should always be the minimum standard that Pierce Transit follows and Pierce Transit’s goal should be to attract “choice” riders.

CONCLUSION/NEXT STEPS

There was overall consensus to support Option A with Option B being the foundation to our service and operation - Pierce Transit – your preferred transportation choice.

The Agency’s priorities borne from the break-out session are attached as Exhibit A.

Commissioner Henderson noted that safety is the foundation to the system and should be a key priority. (*Commissioner Eidinger left the meeting at 1:05 p.m.*)

Commissioner Strickland inquired whether Pierce Transit has “actual” safety concerns or is it a “perception” of safety.

Discussion ensued about the possibility that people who don’t ride the bus may have a perception that the bus is not safe; however, people who ride the bus may feel safe.

Commissioner Anderson noted that he would like the Board to discuss its partnership with Sound Transit. Does Pierce Transit collect additional revenue from them? Do we have funding deficiencies? Is Pierce Transit just a hired hand? He recommended that a policy be created with regards to the relationship and costs.

Commissioner Mello emphasized that Pierce Transit needs to participate in regional partnerships.

Executive Director of Planning and Community Development Dan Pike commented that Pierce Transit and Sound Transit are conducting a Base Master Plan study.

Finance Direct Kathy Sullivant gave a brief explanation about how Sound Transit costs are captured.

Chair Keel noted that there will be a Sound Transit discussion at a future Board meeting.

Commissioner Strickland noted the importance of having an easy-to-read financial document so that people understand the cost model of the partnership as well as for the different modes of transportation that are provided by Sound Transit.

Commissioner Mello noted that monitoring cost statistics is important.

CEO Sue Dreier noted that Pierce Transit does have ridership costs for its different modes of transportation it provides.

Commissioner Anderson noted that he would like the financial information to include a life cycle cost model of capital assets would be helpful. He also inquired whether Sound Transit monies collected from within the Pierce Transit boundary could be allocated to local agencies to increase ridership locally.

NEXT STEPS

Staff was directed to bring back the Strategic Plan to the March 23, 2017, Executive Finance meeting, followed by full Board review at the April 10, 2017 Study Session, with materials to be sent to the Board a week prior.

ADJOURNMENT

Adjourned at 1:45 p.m.

Deanne Jacobson
Assistant to the CEO/Clerk of the Board

Kent Keel, Chair
Board of Commissioners

True North and Value Proposition

Your Preferred Transportation Choice of Today and Tomorrow

Service Leadership

Customer Perspective – To achieve our vision, what must we do for our customer?

- Safety
 - Includes Perception of safety
 - Customer safety and security
 - Invest in Public safety
 - Invest in Operators safety
 - Pedestrian and community safety
- Service area
 - Coverage
 - Reliability
- Choice
 - Benefits of Pierce Transit vs. personal vehicle
 - Account for rural vs. urban preferences

Internal Perspective – To satisfy our customers and stakeholders, what must we excel at internally?

- Users and non-users
 - Understand barriers to “choice”
 - Understand (travel) patterns of users/non-users
- Create culture of continuous improvement
- Facility improvement (incl. tools and technology systems)
- Vehicle cleanliness and reliability
- Partnerships
 - Other Transportation Agencies
 - Others (i.e. Chambers of Commerce)

Your Preferred Transportation Choice of Today and Tomorrow

Service Leadership

Employee Perspective – To achieve our vision, how must our organization learn and improve?

- Recruit the right people
- Retain the right people
 - Engage
 - Trust
 - Empower
- Professional growth and development
 - Well-trained staff
 - Customer-focused employees
- Align information with strategy

Financial Stewardship – If we succeed in realizing our vision, what will stakeholders expect from us?

- Communicate value to taxpayers
 - Transparency
 - Solve for congestion
 - Provide youth transport
- Monitor cost statistics
 - Make best use of funds
 - Provide context to taxpayers
 - Trending with other agencies?
- Capital replacement/lifecycle (cost-measure)
- Develop reliable financial systems
- Enhance revenue
 - ST reimbursement
 - Unpack partner revenue model
- Put the money where it matters

FACT SHEET

TITLE: Authority to Execute a Sole Source Purchase for SHUTTLE Mobile Data Computers and Supporting Equipment for All SHUTTLE Vehicles with StrataGen Systems, Inc.

DIVISION: Project Management Office

ORIGINATOR: Monica Adams, Project Manager

PRECEDING ACTION:

COORDINATING DEPARTMENTS: The PMO, SHUTTLE and Information Technology

APPROVED FOR SUBMITTAL:

Chief Financial Officer

APPROVED FOR AGENDA:

Chief Executive Officer

General Counsel

ATTACHMENTS:

None

BUDGET INFORMATION

2017 Budget Amount
\$303,197

Required Expenditure
\$218,861.58 (including tax)
\$21,886.16 (10% contingency)
\$240,747.74 (purchase limit)

Impact
\$0

Explanation: This is a request to purchase mSlate Mobile Data Computers in all Agency SHUTTLE vehicles. It also includes the costs a communications server. The units will be installed by Pierce Transit Radio personnel, saving the agency approximately \$57,000 over having the units installed by StrataGen. This project is funded in the 2017 Capital Budget and total costs for the purchase of the Mobile Data Computers and supporting equipment is \$218,861.58 (including tax).

BACKGROUND:

This Fact Sheet requests authority to execute a sole source purchase agreement for Mobile Data Computers and supporting equipment for all Agency SHUTTLE vehicles. The Current Driver Display Units in Agency SHUTTLE vehicles do not effectively communicate information to the vehicle operators. The current Driver Display Units communicate SHUTTLE information to and from the Adept Scheduling and Dispatch System using a communications link through our TRAX CAD/AVL System.

These systems cannot be fully integrated to work seamlessly together to pass data between the Adept system and the Driver Display Unit leading to inaccurate passenger manifests, odometer updates and poor data communication with the vehicle operator. This results in missing updates to passenger manifests and missing passenger trips, extra manual entry by vehicle operators to keep odometer readings updated, and several Driver Display Unit reboots throughout the day to synchronize the Driver Display Units with the Adept Scheduling and Dispatch System.

Purchasing and installing StrataGen's mSlate Mobile Data Computers will provide a direct cellular connection to the Adept scheduling and dispatch system eliminating the need to use the TRAX CAD/AVL system for pass-through communications. The Mobile Data Computers are designed to work seamlessly with the Adept scheduling and dispatch software – ensuring timely and accurate passenger manifest updates, accurate odometer readings via an internal GPS unit and timely data communications between the vehicle operator and the communications center. Data to and from the Mobile Data Computers is processed by a communications server which is connected directly to the Adept system – this communications server is included in this request.

The mSlate Mobile Data Computer is an Android tablet device, and it is the only device certified to fully integrate with StrataGen's Adept Scheduling and Dispatch software. StrataGen is the proprietary vendor for this device, and they are the only firm that can provide maintenance and support for both the mSlate and the Adept system. Staff conducted a price comparison with other users and has found that the price proposed for the purchase and installation of these devices is fair and reasonable.

ALTERNATIVES:

Continue to use the current Driver Display Units and communication links with our TRAX CAD/AVL System. Passenger manifests and data communications will continue to be adversely affected by the poor communication integration between the TRAX CAD/AVL system and the Adept Scheduling and Dispatch systems. We will continue to miss some passenger trips.

RECOMMENDATION:

Authorize the Chief Executive Officer to enter into and execute the sole source purchase agreement for Mobile Data Computers and Supporting Equipment for All SHUTTLE Vehicles with StrataGen Systems, Inc. in an amount not to exceed \$240,747.74.

FACT SHEET

TITLE: A Resolution Adopting the Regional Fare Forum Summary Report Recommendations to Assist with Initial Design of Next Generation ORCA

DIVISION: Planning and Community Development

ORIGINATOR: Jay Peterson, Transit Development Manager

PRECEDING ACTION: N/A

COORDINATING DEPARTMENT: Transit Development

APPROVED FOR SUBMITTAL:

Chief Financial Officer

APPROVED FOR AGENDA:

Chief Executive Officer

General Counsel

ATTACHMENTS:

Proposed Resolution
Exhibit A, Regional Fare Forum Summary Report

BUDGET INFORMATION

2017 Budget Amount
N/A

Required Expenditure
N/A

Impact
N/A

BACKGROUND:

The ORCA Joint Board called for a Regional Fare Forum in 2016 to discuss and provide recommendations on regional fare structure and fare simplification and help guide the initial design of next generation ORCA. The Fare Forum Representatives were comprised of two members from each of the ORCA agencies governing boards. Pierce Transit was represented by Commissioners Talbert and Mello. Commissioner Strickland also participated and represented Sound Transit. Forums took place in September, October and December of 2016.

The ORCA agencies have worked together on regional fare coordination for many years. In 1997, the agencies met for the first regional fare forum to look at options for fare coordination. Subsequent fare forums were held in 2007 to address the introduction of ORCA. The outcome of past fare forums was the development of regional passes (PugetPass), common transfer window policies, revenue reconciliation and standardized customer categories. The main objectives of the 2016 forums were to:

- Reaffirm a commitment to regional fare coordination.
- Provide guiding principles for the next generation ORCA system's fare structure design.
- Discuss strategies to further integrate and simplify fares for regional travel.

Ultimately, three recommendations emerged:

1. Elimination of zone. Zone fares use a boundary such as a county line to set fares. Sound Transit, Community Transit and Metro all currently have zone fares.
2. Elimination of trip based peak fares but allow for time based peak fares. Currently Metro is the only agency that charges peak period fares. However they are currently assigned based on specific trips and applies the higher fare to all passengers on the trip regardless of the actual time they board the bus. The recommendation is to allow an agency to implement peak period fares but apply them to the time customers actually board the bus.
3. Do not pursue fare capping in initial design of next generation ORCA. Fare capping "caps" the total amount a customer pays for transit fares each month based on the number of trips or value of trips taken. It's becoming popular and works well for systems with one or two agencies. It doesn't work well for seven agencies with over 80 different fares. It would be very complicated to implement in our region, would cost a lot of money and would most likely impact the schedule for next generation ORCA).

None of these recommendations affect Pierce Transit in that we do not have zone or peak based fares. What it means is that we are committing to the recommendations for the initial design of next generation ORCA. Fare Forum participants met on March 3, 2017 to continue the discussion on regional fare simplification. It was agreed that each agency would formally adopt the recommendations of the report.

Staff reviewed the recommendations that emerged from the series of Regional Fare Forum meetings at the April 10, 2017 Board meeting with further review and discussion scheduled for the May 8, 2017 Board meeting.

ALTERNATIVES:

The alternative would be not to adopt the Fare Forum Summary Report recommendations. This is not recommended for it would not be in the spirit of regional cooperation and integration and could increase the design costs of next generation ORCA and adversely impact the schedule.

RECOMMENDATION:

Approve Resolution No. 17-019, adopting the Regional Fare Forum Summary Report recommendations to assist with initial design of next generation ORCA, as presented in Exhibit A.

RESOLUTION NO. 17-019

A RESOLUTION of the Board of Commissioners of Pierce Transit Adopting the Regional Fare Forum Summary Report Recommendations to Assist with Initial Design of Next Generation ORCA

WHEREAS, the ORCA agencies have a long history of working together for regional fare coordination and simplification; and

WHEREAS, the ORCA Joint Board called for a Regional Fare Forum in 2016 to discuss and provide recommendations on regional fare structure and fare simplification; and

WHEREAS, the Forum was comprised of two elected officials from each of the agency governing Boards; and

WHEREAS, Commissioner Talbert and Mello represented Pierce Transit at the forums; and

WHEREAS, the main objectives of the 2016 forums were to: reaffirm a commitment to regional fare coordination; provide guiding principles for the next generation ORCA system's fare structure design; and discuss strategies to further integrate and simplify fare for regional travel; and

WHEREAS, the recommendations were to: eliminate zone fares; eliminate trip based peak fares but allow for time based peak fares; and do not pursue fare capping in initial design for next generation ORCA; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pierce Transit as follows:

Section 1. Adopt the Regional Fare Forum Summary Report Recommendations to assist with initial design of next generation ORCA.

ADOPTED by the Board of Commissioners of Pierce Transit at their regular meeting thereof held on the 8th day of May, 2017.

PIERCE TRANSIT

Kent Keel, Chair
Board of Commissioners

ATTEST/AUTHENTICATED

Deanne Jacobson, CMC
Clerk of the Board

Regional Fare Forum Summary Report

1. Executive Summary

The existing ORCA regional fare collection system, implemented in 2009, is approaching the end of its useful life. In 2015, the ORCA Joint Board initiated Next Generation ORCA, a regional program to replace the existing system's aging and obsolete technology. This program will build upon the success of the existing ORCA system and implement a scalable, modern solution to improve customer experience, prepare for expected regional transit growth, and provide flexibility to adapt to emerging transportation possibilities.

As the ORCA agencies embark on the development of a new fare system, it is an opportune time to evaluate the region's fare structure, so that any potential changes can be incorporated into the new system design. Recognizing this opportunity, the ORCA Joint Board called for a Regional Fare Forum ("Forum") in 2016 to discuss and provide recommendations on regional fare structure and fare simplification. The Joint Board nominated Forum Representatives from the governing bodies of each of the ORCA agencies to participate.

Based on the work of fare experts within the ORCA agencies, three options for fare structure changes were presented to the Representatives. Through the course of three Forum meetings, consensus recommendations were achieved for all three options.

The first Forum recommendation was to simplify the regional fare structure by eliminating zone-based fares. The benefits of this change are expected to include reduced customer confusion and operator interactions, decreased boarding times, and simplified system design and lower development costs for the Next Generation ORCA system. Agencies directly impacted by this change would be Community Transit, King County Metro and Sound Transit.

The second Forum recommendation was to simplify the fare structure by eliminating trip-based peak fares. The benefit of this change are expected to include a more consistent fare structure across the region, as well as a simplified system design and lower development costs for the Next Generation ORCA system. King County Metro is the only agency that currently uses a peak fare structure.

The third Forum recommendation was not to pursue a new structure of fare capping in the near term. Representatives considered this new "pay-as-you-go" concept that would replace current ORCA period passes (e.g., monthly) with gradual E-purse payments that would be "capped" at a pre-defined limit. After further investigation and comparisons with peers, this change was determined to be too confusing for customers, likely to limit the number of vendors who could demonstrate experience with such strategies, and too costly to pursue, given the current fare complexity in the region. However, the Forum Participants recommended the system not preclude this type of innovation from being implemented down the road.

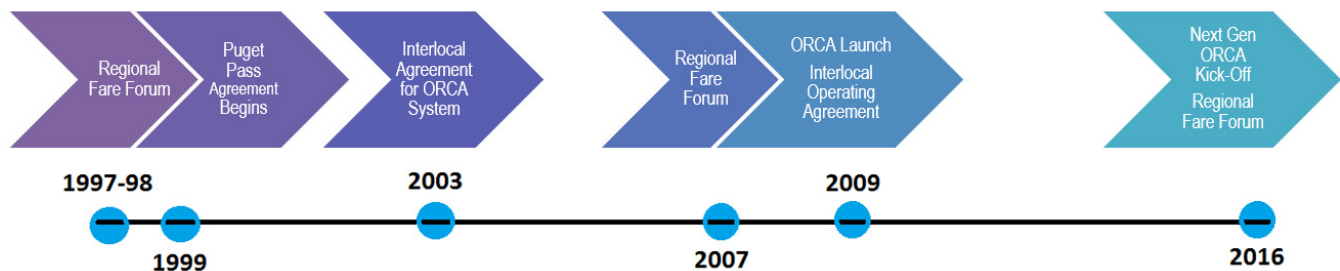
This Regional Fare Forum Summary Report explains each of these consensus recommendations and provides a brief background on the work that was done through the course of the 2016 Forum meetings.

2. Background: Why was the Regional Fare Forum held?

2.1. Introduction and Framework

The ORCA agencies have a history of working together for regional fare coordination, starting in 1997 when agencies gathered for the first Regional Fare Forum to consider what fare coordination could look like for the Central Puget Sound region. As a result of that effort, and subsequent Forum meetings in 2007, the Forums achieved: the introduction of regional passes, transfers, and revenue reconciliation; standardized customer categories; and a recommitment to regional fare coordination with the introduction of ORCA.

History of Regional Fare Coordination



The motivation to call for a 2016 Regional Fare Forum was to bring together board and council representatives across the ORCA agencies once again and provide the Next Generation ORCA program with guidance on the regional fare structure to be included in the new system design. The mission of the 2016 Forum was to:

- Reaffirm a commitment to regional fare coordination
- Provide guiding principles for the Next Generation ORCA system's fare structure design
- Discuss strategies to further integrate and simplify fares for seamless regional travel

2.2. Decision-Making Timeline

The Forum was timed to coincide with critical phases in the Next Generation ORCA program: planning for the new fare collection system and developing requirements for procurement of the system. By meeting early in the program, the Forum had the opportunity to provide recommendations for simplifying fare structures to improve the customer experience and simplify system design, as well as consider fare innovations such as fare capping. The end of 2017 is the critical point in the Next Generation ORCA program where these fare simplification and innovation decisions must be made for consideration in the new system, prior to the award of vendor contracts and the start of system design.

2.3. Participants

The Next Generation ORCA Regional Program Manager, Brittany Esdaile, and Facilitator, John Howell, were joined by representatives from the governing bodies of each of the seven ORCA agencies:

- Community Transit – Dave Earling (Mayor, City of Edmonds), Mike Todd (Mill Creek City Council)
- Everett Transit – Scott Bader (Everett City Council)
- King County Metro – Claudia Balducci (King County Council), Rod Dembowski (King County Council)
- Kitsap Transit – Robert Gelder (Kitsap County Board of Commissioners), Robert Putaansuu (Mayor, City of Port Orchard)

- Pierce Transit – Ryan Mello (Tacoma City Council), Rick Talbert (Pierce County Council)
- Sound Transit – Paul Roberts (Everett City Council), Marilyn Strickland (Mayor, City of Tacoma)
- Washington State Ferries – Debbie Young (Washington State Transportation Commission)

2.4. Work Plan

The group met for a series of three Regional Fare Forum Meetings in 2016:

- Meeting #1 – September 23, 2016
- Meeting #2 – October 28, 2016
- Meeting #3 – December 2, 2016

The following was accomplished during the Forum sessions:

- Agreed on Shared Policy Values
- Developed shared understanding of fare simplification and innovation options
- Reached consensus recommendations on fare simplification options
- Determined level of interest in fare capping
- Identified path forward for working with councils and boards

3. **Consensus Recommendations: *What were the outcomes of the 2016 Regional Fare Forum?***

3.1. Shared Policy Values

The Forum Representatives defined the shared policy values below to serve as guiding principles for the Next Generation ORCA system's fare structure design. These values reaffirmed the ORCA Agencies' commitment to regional fare coordination.

| Policy Value | Description |
|---|--|
| Simple and easy to use for our customers | Simpler fare structure and media, easier to understand for infrequent customers |
| Enhance user experience | Improved customer service, real-time account information |
| Better access/availability to all users | Greater distribution of fare media, convenient access to all |
| Seamless travel in the region | Extend regional integration, seamless regional branding |
| Innovative technology | Anticipate new technology, learn from peers, be an international model |
| Fiscal responsibility | Reduce fare evasion, collect fares to continue to provide service, appropriate distribution of revenue |
| Operational efficiency | Better data/analytics, improved security, move away from cash collection |
| Promote equity and social justice | Eliminate barriers that limit access to transportation, support programs such as low income fares |

3.2. Fare Structure Options

Forum Representatives were asked to consider two opportunities for simplifying the regional fare structure as well as one fare innovation idea. The options and resulting recommendations are summarized in the following subsections.

3.2.1. Eliminate Zones

Currently, Community Transit, King County Metro, and Sound Transit all have routes with zone-based pricing. Passengers are charged based upon the zone associated to their route, with multi-zone routes having higher fares. The zone boundaries differ for each of the three agencies. While it is possible for passengers to make a one zone or local trip on a multi-zone route, if they want to pay the lower fare, in most cases passengers must ask the operator to override the higher fare.

Forum participants were asked to consider simplifying the fare structure by eliminating zone fares.

Recommendation: Eliminate Zones

The consensus recommendation was to eliminate zone-based fares. In addition to a simplified Next Generation ORCA design and reduced system development time and costs, the operational benefits from eliminating zones include reduced customer confusion, fewer operator interactions regarding fares, and improved boarding times. Revenue impacts are expected to be relatively minimal, but will vary for impacted agencies.

3.2.2. Eliminate Trip-Based Peak Fares

Currently, King County Metro charges a higher fare on adult trips scheduled to arrive or depart downtown Seattle during peak hours (6-9 AM and 3-6 PM on non-holiday weekdays). Higher peak fares are intended to reflect the higher cost of peak service and to provide a price incentive for passengers to travel during off-peak periods.

Metro's "trip-based" peak fare assigns a higher fare to a specific scheduled trip and applies that fare to all passengers on the trip, regardless of the actual time they board the bus. For example, if a trip is designated as a "peak hour trip," all passengers on that trip pay the higher fare whether they board and pay at 5:44 AM or 6:30 AM.

Forum participants were asked to consider simplifying the fare structure by eliminating trip-based peak fares. Participants additionally discussed an option to include within the Next Generation ORCA design only "time-based" peak fares – fares based solely on the actual time of day when a customer boards or a fare is paid. Time-based peak fares are currently used for off-board fare payment on King County Metro, such as at RapidRide stations.

Recommendation: Eliminate Trip-Based Peak Fares

The consensus recommendation was to eliminate trip-based peak fares, but build time-based peak fares into Next Generation ORCA system capabilities. The primary benefits to adopting time-based peak fares are a simplified Next Generation ORCA design and reduced system development costs, in addition to making fare payment more consistent across regional modes and easier for customers to understand.

King County Metro has not found peak fares to significantly alter demand, and will consider whether to eliminate peak pricing entirely or move to time-based peak fares, which would be much easier to design and implement in Next Generation ORCA. Although King County Metro is currently the only agency with peak fares, other agencies have expressed interest in keeping the option open for future consideration. While eliminating peak fares may have a relatively moderate impact on fare revenue, implementing a change from trip-based peak to time-based peak is not expected to impact revenue. Any change will require coordination with bus operators and outreach to customers.

3.2.3. Fare Innovation – Fare Capping

Forum participants were asked to consider a system design for Next Generation ORCA that would replace the current ORCA passes with “fare capping.” Customers under a fare capping program would pay for each trip using E-purse value, but once a pre-defined cap (or limit) is reached, the remainder of the customer trips at the corresponding fare level would be “free.” Fare capping’s pay-as-you-go scheme would offer customers the benefits of a) not having to pay the up-front cost of a period pass and b) being guaranteed they will pay the optimal fare for their trips. The caps would be variable based on the cost of the transit services used and could be set for both daily and monthly accumulations to match current ORCA pass discounts.

The three options considered for fare capping were the following:

- Do not pursue fare capping (no change to fare structure)
- Adopt full fare capping
- Include fare capping framework in the requirements and design of the new ORCA system

Recommendation: Do Not Pursue Fare Capping in Initial System Design

The consensus recommendation was to not pursue fare capping at this time. An assessment of the Puget Sound region’s fare complexity was performed compared with the fare structures of other transit agency peers considering or implementing fare capping. Given the numerous fares, passenger types, and pricing levels that the Next Generation ORCA system must support, it would be complex and costly to implement as well as highly challenging for customers to understand. Fare capping would also be expected to have a large negative impact on agency revenue. Finally, including fare capping in the requirements for the new fare system would limit the number of vendors who could demonstrate implementation experience and feasibly bid on the project. While it was determined that fare capping should not be pursued at this time, the Next Generation ORCA system will be designed in a flexible manner so that it will not preclude the introduction of fare capping and other innovative fare strategies for future phases of fare system development.

4. Next Steps: *Where should we go from here?*

The following sections describe the actions to be brought forward to the governing bodies that support the seven ORCA Agencies.

4.1. Regional Fare Forum Alignment

All ORCA Agencies will be taking the Regional Fare Forum Summary Report document to their governing bodies in the second quarter of 2017 for adoption in acknowledgement of the work achieved by the Forum.

4.2. Zone Fare Structure Changes

Community Transit, King County Metro, and Sound Transit will commit to work with their governing bodies, conducting any additional analysis and outreach, to take a formal action to their boards/councils for eliminating zone fares, working towards a decision by the end of 2017. If the elimination of zone fares is approved by the agencies' governing bodies, the actual timeline for implementation will be as directed by the boards and council.

4.3. Peak Fare Structure Changes

King County Metro will commit to work with their council, conducting any additional analysis and outreach, to take a formal action to their council for elimination of trip-based peak fares, working towards a decision by the end of 2017. If a change to peak fares is approved by the King County Council, the actual timeline for implementation will be as directed by the council.

4.4. Fare Capping Innovation

No action is required by the ORCA Agency governing bodies at this time, aside from acknowledgement of the Forum consensus recommendation on fare capping through the adoption of the Regional Fare Forum Summary Report.

4.5. Further Fare Simplifications

Building off shared policy values, Forum Representatives expressed a strong interest in continuing to work on fare simplification for the region. While no further actions are required by the boards/councils at this time, the ORCA Joint Board Chair will take a discussion to the Transit Executive Committee and ORCA Joint Board to determine their support of continuing a regional fare coordination effort.

5. 2016 Regional Fare Forum Representatives



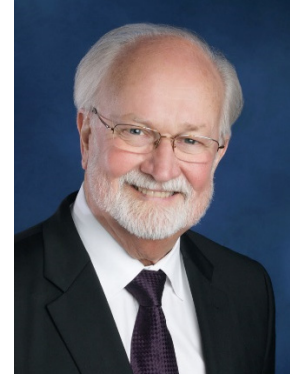
Scott Bader
Everett Transit
Everett City Council



Claudia Balducci
King County Metro
King County Council



Rod Dembowski
King County Metro
King County Council



Dave Earling
Community Transit
Mayor, City of Edmonds



Robert Gelder
Kitsap Transit
*Kitsap County Board
of Commissioners*



Ryan Mello
Pierce Transit
Tacoma City Council



Robert Putaansuu
Kitsap Transit
*Mayor, City of Port
Orchard*



Paul Roberts
Sound Transit
Everett City Council



Marilyn Strickland
Sound Transit
Mayor, City of Tacoma



Rick Talbert
Pierce Transit
Pierce County Council



Mike Todd
Community Transit
Mill Creek City Council



Debbie Young
Washington State Ferries
*Washington State
Transportation Commission*

FACT SHEET

TITLE: Authority to Execute Task Order No. 8 with Parametrix (Contract PT-58-12C) for a Facilities Condition Assessment as Part of the 2018 Transit Asset Management Plan (TAMP) DIVISION: Transit Development
ORIGINATOR: Darin L. Stavish, Principal Planner

PRECEDING ACTION: Master Contract No. PT-58-12C approved by the Executive Finance Committee on 3/27/2013

COORDINATING DEPARTMENT: Transit Development, Purchasing

APPROVED FOR SUBMITTAL:

Chief Financial Officer

APPROVED FOR AGENDA:

Chief Executive Officer

General Counsel

ATTACHMENTS:

N/A

BUDGET INFORMATION

2017 Budget Amount
\$0

Required Expenditure
\$91,998 for this Task Order
\$9,200 for Contingency
Total: \$101,198

Impact
\$101,198

Explanation: This is a multi-year master on-call agreement for Architecture/Engineering and related services. It expires May 2018. There is a fiscal impact of \$101,198 since the project was not identified in the 2017 budget as adopted. Therefore, funding for Task Order No. 8 will come from the current Maintenance and Operating budget.

BACKGROUND:

Pierce Transit requires Consultant Services to conduct a Facilities Condition Assessment of all Headquarters buildings plus all customer-facing properties owned and operated by Pierce Transit (e.g., Transit Centers, Transit Stations, and Park-and-Ride lots). The Consultant will use the services of a sub-consultant for the fire protection components.

As part of the Agency's Transit Asset Management Plan (TAMP), a Condition Assessment, which is a rating (e.g., good/fair/poor or a percentage of residual or remaining useful life) of the condition of assets in the inventory is required. The Consultant will visually assess the assets identified in this Scope of Work to document the conditions and assess the remaining lifecycle of major asset systems. This work will be completed using the methodology for defining, gathering, and reporting information outlined in the Federal Transit Administration (FTA) Facility Condition Assessment Guidebook, to fulfill the data requirements outlined in Title 49 §5335 of the U.S. Code National Transit Database.

The work will include all on-base facilities at Pierce Transit Headquarters, plus all Transit Centers and Park-and-Ride lots, for a total of six (6) vertical structures and thirteen (13) passenger-facing facilities.

Task Order No. 8 with Parametrix is for a separate Facilities Condition Assessment as part of the 2018 Transit Asset Management Plan (TAMP) in the amount of \$91,998.00.

ALTERNATIVES:

Do not authorize Task Order No. 8 with Parametrix. If the Task Order were not executed, the Agency would still have to conduct the facilities conditions assessment using existing employees and available internal resources only. Under the requirements for creating the Agency's TAMP, the FTA recommends an outside or objective assessment be conducted. The data and report's recommendations will also be used to meet an NTD requirement that transit agencies' facilities' conditions are reported in the database annually, beginning in the 2018 Reporting Year (RY)

Are there any other alternatives? Yes, conduct a full Request for Proposals and Qualifications (RFP/Q). However, that option is not recommended as it could delay the project into 2018, meaning the Agency risks not meeting a key TAMP milestone in 2017. There is also the possibility that bids could come in as high – or even higher – than the cost that has already been negotiated with the on-call consultant for this assessment.

RECOMMENDATION:

Authorize Pierce Transit to enter into and execute Task Order No. 8 with Parametrix for Architectural/Engineering services in an amount not to exceed \$101,198.

FACT SHEET

TITLE: Authority to Execute Amendment No. 1 with Metro Glass Co., Inc., (Contract No. PT-35-16) to Allow for an Additional One-Year Contract Extension and Authorizing the Overall Project Expenditure

DIVISION: Maintenance

ORIGINATOR: Larry McCarty, Facilities Maintenance Manager

PRECEDING ACTION: N/A

COORDINATING DEPARTMENT: Maintenance, Purchasing

APPROVED FOR SUBMITTAL:

Chief Financial Officer

APPROVED FOR AGENDA:

Chief Executive Officer

General Counsel

ATTACHMENTS:

N/A

BUDGET INFORMATION

2017 Budget Amount
\$75,000

Required Expenditure
2016-2017 \$168,594
2017-2018 \$75,680
2018-2019 100,000
Total Cost for including optional
years will be \$344,274

Impact
N/A

Explanation: The Current contract expires on May 31, 2017 and includes the option for two (2) additional one-year contract extensions. This also represents an increase in the original contract budget of \$159,274.00 to bring the new total contract budget to \$344,274.00 for the contract term if both option years are taken. If we do not process the extension to the existing contract we will have to conduct a new solicitation for Bus Shelter Glass.

BACKGROUND:

Pierce Transit solicited a bid for Bus Shelter Glass on April 21, 2016. Three bids were received by the deadline of May 3, 2016. Pierce Transit found adequate price competition existed. The award was based on the lowest bid of

a responsive bidder. Metro Glass, Inc. pricing was fair and reasonable and it was in the best interest of the Agency to award the Bus Shelter Glass to Metro Glass Co., Inc.

This contract allows the Facilities department to purchase bus shelter glass for our normal replacement due to vandalism and new shelter installations as well as supporting the previous 2016 system refresh project. The glass replacement portion of the refresh project was to address deferred replacement of approximately 1200 vandalized glass panels in 400 Pierce Transit bus shelters. That expense was originally estimated to be \$91,000.00 for the project based on our previous contract pricing and our estimated piece count which was completed in March 2016. The actual contract pricing based on this solicitation was higher than that used in the estimate of project cost. Additionally the rate of vandalism that occurred was higher than expected during 2016 timeframe post to our March audit and cost estimate. Due to those factors, the bus shelter glass replacement expenditure totals \$168,594.00 from May 31, 2016 through March 31, 2017.

To support the ongoing glass replacement due to vandalism as well as glass for new bus shelter installation, the cost estimate is \$100,000 for each 12 month contract extension period. There is currently a warehouse glass inventory value of \$24,320. which will reduce the additional expenditure for the first option year by that amount. The second option year is estimated at \$100,000.00. The current total contract expenditure required including both option years is now estimated at \$344,274.00.

ALTERNATIVES:

Do not authorize the extension of Contract No. PT-35-16. If the Contract is not extended, Pierce Transit will have to conduct a new Solicitation which we do not recommend as this will take time in which staff has already established a fair and reasonable contract through a fair, competitive procurement.

RECOMMENDATION:

Authorize the Chief Executive Officer to enter into and execute Amendment No. 1 with Metro Glass Co., Inc., allowing for a one year contract extension for June 1, 2017 – May 31, 2018 and authorizing an overall project expenditure of \$344,274 for bus shelter glass replacement.

FACT SHEET

TITLE: Authority for the Chief Executive Officer to Implement a 1.25 Percent General Wage Adjustment (GWA) for Non-Represented Employees, Effective July 1, 2017

DIVISION: Finance

ORIGINATOR: Brett Freshwaters, Executive Director of Finance

PRECEDING ACTION: Resolution 14-076 Authorizing a Revision of the Non-Represented Employee Salary Structure and Benefits for Non-Represented Employees

COORDINATING DEPARTMENTS: Employee Services and Finance

APPROVED FOR SUBMITTAL:

Chief Financial Officer

APPROVED FOR AGENDA:

Chief Executive Officer

General Counsel

ATTACHMENTS:

None

BUDGET INFORMATION

2017 Budget Amount
see explanation below

Required Expenditure
\$79,000 for 2017

Impact
\$0

Explanation: The 2017 budget included a placeholder of up to a 3% non-represented wage increase effective July 1, 2017 with an impact of \$183,000, resulting in 2017 savings of \$104,000. This expenditure is also in alignment with the Agency's six-year financial plan and will allow the agency to align the GWA with the budget process and the calendar year starting in 2018.

BACKGROUND:

Pierce Transit would like to provide non-represented employees with a 1.25% GWA, effective July 1, 2017. Thereafter, GWAs will be incorporated into the budget approval process and be effective January 1 of each calendar year (absent extenuating economic circumstances). The proposed GWA is one-half of the amount that would otherwise be proposed, in order to balance out the financial impact of moving up the 2018 increase to January 1. Putting subsequent GWAs on the calendar year will align with our fiscal year, improve the budget and long-term forecast analysis process and provide new employees with consistency (most other entities adjust on a calendar year). Additionally, aligning the GWA with the budget year provides greater opportunity for adjustment in times of changing economic conditions.

Non-represented Pierce Transit employees received a 3% GWA effective May 1, 2016. Therefore, the annualized increase for 2017 would be approximately 2.55%.

Following is a sample of other local government GWA (or COLA) increases for 2017:

| Agency | Amount | Effective Date |
|-------------------|-----------------------|--------------------|
| Pierce County | 1.50% and 1.25% | 1/2/17 and 6/19/17 |
| City of Puyallup | 2.20% | 1/1/17 |
| City of Lakewood | 3.00% (salary ranges) | 1/1/17 |
| King County Metro | 2.25% | 1/1/17 |
| Kitsap Transit | 2.50% | 1/1/17 |
| Whatcom Transit | 3.00% | 1/1/17 |
| Intercity Transit | 3.00% | 1/1/17 |

As an additional point of reference, the Dec 2015 to Dec 2016 Seattle-Tacoma-Bremerton CPI increase was 2.6%.

ALTERNATIVES:

The alternative is to reject the proposal provided or approve a different amount. Staff believes that the proposal is consistent with other agencies, will help keep staff wages competitive and will increase efficiencies and effectiveness for the budget.

RECOMMENDATION:

Authorize the Chief Executive Officer to implement the General Wage Adjustment of 1.25 percent, effective July 1, 2017.

FACT SHEET

TITLE: Authority to Purchase Twenty-Three (23) Forty-Foot Low Floor Compressed Natural Gas (CNG) Replacement Coaches From Gillig Corporation Pursuant to Washington State Heavy-Duty Mass Transit Vehicles Department of Enterprise Services (DES) Contract No. 09214

DIVISION: Maintenance

ORIGINATOR: Kevin Zinski, Fleet Manager

PRECEDING ACTION: 16-047, Adoption of the 2017 Budget

COORDINATING DEPARTMENT: Finance, Procurement

APPROVED FOR SUBMITTAL:

Chief Financial Officer

APPROVED FOR AGENDA:

Chief Executive Officer

General Counsel

ATTACHMENTS:

None

BUDGET INFORMATION

2017 Budget Amount
\$15,946,131

Required Expenditure
Local: \$11,058,626
Grant: \$3,735,429
Total Expenditure: \$14,794,055

Impact
\$0

Explanation: Authorizes the purchase of twenty-three (23) forty-foot compressed natural gas (CNG) replacement coaches.

BACKGROUND:

Pierce Transit seeks authority to purchase twenty-three (23) forty-foot low floor compressed natural gas (CNG) replacement coaches from Gillig Corporation pursuant to Washington State Department of Enterprise Services (DES) Heavy-Duty Mass Transit Vehicles Contract No. 09214 competitively procured by DES. Expected delivery in fourth quarter 2018 with anticipated in-service beginning first quarter of 2019.

The Agency budget for 2017 includes funding for twenty-five (25) forty-foot compressed natural gas (CNG) replacement coaches. However, pricing came in higher than originally planned due to additional options taken, such as extended vehicle warranty and rear facing wheelchair restraint system, as well as an increase in the price of the ISL G Near Zero (NZ) engine mandated by the EPA. Therefore, twenty-three (23) buses will be replaced. The buses being replaced are currently 19-years old with average mileage of 770,000. Replacement is consistent with Pierce Transit's Replacement Policy. These vehicles are becoming more unreliable and expensive to maintain.

The State of Washington has established vehicle contracts currently available to Pierce Transit; and the Agency has received twenty three formal assignment options. Staff has reviewed the contracts available and has identified vehicles appropriate for our intended purpose.

Staff recommends, in accordance Pierce Transit Code Section 3.12.050, the purchase of coaches competitively procured by DES instead of engaging in Pierce Transit own procurement, which would be duplicative of the DES procurement process and contracts. The Pierce Transit requested options are being reviewed by DES for inclusion in the state contract, with approval anticipated in the near future.

Staff has thoroughly reviewed the updated pricing received from Gillig Corporation and are satisfied that pricing for the DES contract is fair and reasonable, remains competitive in the market place. In addition, pre-award Buy America information has been received from Gillig Corporation which exceeds the Buy America regulations for American assembly and content.

The total price quoted by Gillig for the DES option is \$14,794,055 which includes the base price, additional options selected by Pierce Transit, and 10.2% sales tax. Gillig has provided an excellent product and service in the past.

ALTERNATIVES:

Develop specifications and solicit bids through at Pierce Transit administered procurement; however, in the past the Agency has not been able to achieve the deep discounts offered in the state contracts due to statewide purchasing volume.

RECOMMENDATION:

Authority to Purchase Twenty-Three (23) Forty-Foot Low Floor Compressed Natural Gas (CNG) Replacement Coaches From Gillig Corporation Pursuant to Washington State Heavy-Duty Mass Transit Vehicles Department of Enterprise Services (DES) Contract No. 09214, contingent upon Pierce Transit options being included in the state contract.

FACT SHEET

TITLE: A Resolution Authorizing Revisions to Pierce Transit Code Section 1.28 – Women-Owned and Disadvantaged Business Program to Align the Current Disadvantaged Business Enterprise Program with the Federal Transportation Administration Requirements

DIVISION: Planning & Community Development

ORIGINATOR: Dan Pike, Executive Director of Planning & Community Development

PRECEDING ACTION: Resolution No. 13-011 Authorizing A Revised Disadvantaged Business Enterprise (DBE) Policy Incorporating A Small Business Enterprise (SBE) Element And Race-Neutral DBE Goal Attainment, In Order To Comply With 49 CFR 26; Resolution 99-073 Adopting Pierce Transit's Disadvantaged Business Enterprise (DBE) Policy; Resolution 81-52 Establishing And Women And Minority Business Enterprise Program.

COORDINATING DEPARTMENT: Purchasing

APPROVED FOR SUBMITTAL:

Chief Financial Officer

APPROVED FOR AGENDA:

Chief Executive Officer

General Counsel

ATTACHMENTS:

Proposed Resolution
Exhibit A, Pierce Transit DBE Policy and Program
Exhibit B, Proposed changes to the Pierce Transit Code Chapter 1.28
Exhibit C, Clean version of the Pierce Transit Code Chapter 1.28

BUDGET INFORMATION

2015 Budget Amount
\$0

Required Expenditure
\$0

Impact
\$0

Explanation: N/A

BACKGROUND:

This action seeks to revise the Pierce Transit Code to reflect the Agency's current practices and program with regard to Disadvantaged Business Enterprises (DBEs). Pierce Transit's Disadvantaged Business Enterprise Policy and Program (hereinafter, "Program") was last adopted by the Board in 2013 to incorporate small business requirements, and since that time, it has become apparent that the attendant sections of the Code are significantly outdated and do not reflect the current state of Federal Transit Administration requirements for Disadvantaged Business Enterprises

(DBE) or the Agency's Program. The Agency's Program was most recently reviewed and concurred with by the Federal Transit Administration in September of 2014.

The Pierce Transit Code needs to be revised to reflect the current Program. The proposed revisions are intended to have higher level Board policy statements with regard to DBEs set forth in the Pierce Transit Code while delegating to the CEO and DBE Liaison Officer (DBELO) the responsibility for establishing and administering the day to day elements of Program which will reside in a separate program and procedures document. Attached as Exhibit A for the Board's reference and information is the proposed 2017 Pierce Transit DBE Policy and Program. Since concurrence with this Program by the FTA in 2014, any changes to this Program have been provided to the FTA Region 10 Civil Rights Officer. Substantive changes from the prior version of the Agency's Program that was adopted by the Board in 2013 include: further description of the responsibilities of the DBELO; appointment/naming of the DBELO; updated forms; update to the on-site review form to meet monitoring and compliance requirements; revisions to the Small Business Program to reflect the Agency's practices; inclusion of the Agency's remedies for non-compliance by prime contractors or DBEs; and other housekeeping items.

Proposed changes to the Pierce Transit Code are reflected in the revised version of Pierce Transit Code Chapter 1.28 attached as Exhibit B. A clean version of the proposed changes to the Pierce Transit code Chapter 1.28 is attached as Exhibit C for ease of review.

ALTERNATIVES:

There is no alternative to revising the Pierce Transit Code because it is necessary for the Code to reflect the current FTA DBE requirements.

RECOMMENDATION:

Approve Resolution No. 17-020, authorizing revisions to Pierce Transit Code Section 1.28 - Women-Owned and Disadvantaged Business Program as described in Exhibit B to Align the Current Disadvantaged Business Enterprise Program with the Federal Transportation Administration Requirements.

RESOLUTION NO. 17-020

A RESOLUTION of the Board of Commissioners of Pierce Transit Authorizing Revisions to Pierce Transit Code Section 1.28 – Women-Owned and Disadvantaged Business Program to Align the Current Disadvantaged Business Enterprise Program with the Federal Transportation Administration Requirements

WHEREAS, Pierce Transit's Disadvantaged Business Enterprise (DBE) Policy and Program was last adopted by the Board in 2013 to incorporate small business requirements, and since that time, it has become apparent that the attendant sections of the Pierce Transit Code are significantly outdated and do not reflect the current state of Federal Transit Administration requirements for DBE or the Agency's DBE Program;

WHEREAS, The Agency's DBE Program was most recently reviewed and concurred with by the Federal Transit Administration in September of 2014.

WHEREAS, The Pierce Transit Code needs to be revised to reflect the Agency's current DBE practices and Program;

WHEREAS, proposed Code revisions are intended to have higher level Board policy statements with regard to DBE set forth in the Pierce Transit Code while delegating to the CEO and DBE Liaison Officer (DBELO) the responsibility for establishing and administering the day to day elements of the Program which will reside in a separate policy and procedures document; and

WHEREAS, staff recommends changes to the Pierce Transit Code as reflected in the revised version of Pierce Transit Code Chapter 1.28 attached as Exhibit B; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pierce Transit as follows:

Section 1. The Pierce Transit Code is hereby revised as set forth in Exhibit B; and

Section 2. Resolution Nos.81-52, 99-073 and 13-011 are hereby repealed in their entirety.

ADOPTED by the Board of Commissioners of Pierce Transit at their regular meeting thereof held on the 8th day of May, 2017.

PIERCE TRANSIT

Kent Keel, Chair
Board of Commissioners

ATTEST/AUTHENTICATED

Deanne Jacobson, CMC
Clerk of the Board



Exhibit A
Resolution No. 17-022

Pierce Transit Disadvantaged Business Enterprise (DBE) Program



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PIERCE TRANSIT DISADVANTAGED BUSINESS ENTERPRISE POLICY STATEMENT

OBJECTIVES AND POLICY STATEMENT

Pierce County Public Transportation Benefit Area Corporation (hereinafter referred to as "PIERCE TRANSIT"), a municipal corporation, has established a Disadvantaged Business Enterprise (DBE) Program in accordance with U.S. Department of Transportation (DOT), 49 CFR Part 26. Pierce Transit receives Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, Pierce Transit has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy and objective of Pierce Transit to ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. The following are also our objectives and policies:

- To ensure non-discrimination in the award and administration of DOT-assisted contracts;
- To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- To help remove barriers to the participation of DBEs in DOT-assisted contracts; and
- To support small businesses to ensure free and open access to Pierce Transit contracting opportunities

The Executive Director of Planning and Community Development, Dan Pike, serves as the Disadvantaged Business Enterprise Liaison Officer (DBELO). He will assure that the objectives of Pierce Transit's DBE Program are met; however, the Executive and Management Staff shall have the responsibility of assisting the DBELO in carrying out the Agency's DBE Program and goals. Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations incurred by Pierce Transit in its financial assistance agreements with the Department of Transportation.

As CEO, I have disseminated this Policy Statement to the Pierce Transit Board of Commissioners and all of the Departments of our Organization. Upon significant changes to the DBE Program, Pierce Transit will notify the Federal Transit Administration's Regional Civil Rights Officer and publicize the revised DBE Program on Pierce Transit's website. The Policy Statement and DBE Program are available on Pierce Transit's website and are available to DBE and non-DBE firms on our bidder's list that perform work for Pierce Transit on DOT-assisted contracts. The DBE Program emphasizes Pierce Transit's commitment to providing maximum opportunity to all DBE businesses, including Small Business Enterprises (SBEs), in accordance with 49 CFR Part 26 as amended.

Sue Dreier
Chief Executive Officer

Date



DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

SUBPART A - GENERAL REQUIREMENTS

Objectives

The objectives are found in the Policy Statement on the first page of this Program.

Applicability

Pierce Transit is the recipient of Federal transit funds authorized by Titles I, III, V, and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, II and V of the Teas-21, Pub. L. 105-178.

Definitions

Pierce Transit will adopt the definitions contained in 49 CFR Part 26.5 for this Program.

Non-discrimination Requirements

Pierce Transit will not exclude any person, business, firm or enterprise from participation in, or deny any person, business, firm or enterprise the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering the DBE Program, Pierce Transit will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE Program with respect to individuals of a particular race, color, sex, or national origin.

Record Keeping Requirements

Pierce Transit will report DBE participation to the FTA on a semi-annual basis using the Uniform Report of DBE Commitments/Awards and Payments, found in Appendix B to the DBE regulation as required by 49 CFR Part 26.

Pierce Transit will maintain a bidders' list, consisting of information about DBE and non-DBE firms that bid on DOT-assisted contracts for the purpose of calculating overall goals in accordance with 49 CFR Part 26.11(c). The bidders' list will include the firms' name, address, DBE/non-DBE status, age, and annual gross receipts.

The Washington State Office of Minority and Women Business Enterprises (OMWBE) is the Unified Certification Program (UCP) for Washington State. The OMWBE DBE directory is available online and will be utilized by Pierce Transit in the development of plan holders lists for IFBs, RFPs and Quotes. In addition, the OMWBE website will be utilized by Pierce Transit to attract potential DBE firms by advertising procurement opportunities on the OMWBE website and to identify available DBE contractors and sub-contractors.



On DOT-assisted contracts, successful prime contractors will be required to provide to Pierce Transit, within forty-eight (48) hours after bid opening, the name and address of all sub-contractors that have submitted bids whether accepted by the prime contractor or not (Attachment B). Additional information to be submitted by the prime contractor, or to be obtained by Pierce Transit directly, will be the sub-contractors' status as S/DBE or non-S/DBE, age of firm and annual gross receipts.

Assurances

Pierce Transit has signed the following Assurance per 49 CFR Part 26.13(a), applicable to all DOT-assisted contracts and their administration:

Pierce Transit shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. Pierce Transit shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in the award and administration of DOT-assisted contracts. Pierce Transit's DBE Program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this Program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to Pierce Transit of its failure to carry out its approved program, DOT may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

Contract Assurance

Pierce Transit will ensure that the following clause is placed in every DOT-assisted contract and subcontract per 49 CFR Part 26.13(b):

The contractor or sub-contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as Pierce Transit deems appropriate.

SUBPART B - ADMINISTRATIVE REQUIREMENTS

DBE Program Updates

Pierce Transit will continue to carry out this Program until all funds from DOT financial assistance have been expended. Pierce Transit will provide to DOT updates representing significant changes to the Program.

DBE Liaison Officer (DBELO)

The Executive Director of Planning and Community Development, Dan Pike, (Pierce Transit, PO Box 99070, Lakewood WA 98499-0070, 253-983-3325, dpike@piercetransit.org), will serve as the DBELO and is responsible for implementing all aspects of the DBE Program and ensuring that Pierce Transit complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to the CEO concerning DBE Program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment A.



The DBELO will be responsible for developing, implementing and monitoring the DBE Program in coordination with the Procurement Manager, who will devote part of his/her time to the Program. The duties and responsibilities of the DBELO, or as delegated to the Procurement Manager or other designee, include the following:

- Gathers and reports statistical data and other information as required by the DOT
- Reviews third party contracts and purchases for compliance with this Program
- Prepares Uniform Report of DBE Commitments/Awards and Payments as required by the DOT
- Sets participation goals every three (3) year term as required by the DOT and evaluates appropriateness of future goals on an annual basis
- Analyzes progress towards goal attainment and identifies opportunities for improved participation
- Ensures Pierce Transit's bids and proposals are advertised and available to DBEs in a timely manner
- Identifies contract and procurement opportunities to increase DBE participation
- Participates in pre-bid meetings when applicable
- Advises the CEO and the Board of Commissioners on DBE matters and achievements
- Considers and reviews appropriate and reasonable insurance and bonding requirements and monitors enforcement of prompt payment procedures
- When applicable, provides assistance to DBEs in understanding specifications and completing bid documents
- Maintains the ability to access up-to-date DBE directory listings from OMWBE
- Provides outreach to DBEs and attends community events that support DBE/SBE businesses
- Communicates commitment to the DBE Program within the Agency
- Participates in DBE training opportunities
- Maintains Pierce Transit's bidders list in accordance with 49 CFR Part 26.11(c).

DBE Financial Institutions

It is the policy of Pierce Transit to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contract to make use of these institutions. Pierce Transit has identified some financial programs that may be available and of benefit to S/DBE firms in our area. This information is included in the Small Business Participation section of this Program as well as posted on Pierce Transit's website. Pierce Transit researches availability of DBE financial institutions every three (3) years in conjunction with the overall goal setting process.

Prompt Payment Mechanisms

Pierce Transit's payment policy is net thirty (30) days from date of receipt of a correct invoice after work has been accepted. Progress payments are allowed under certain contracts and are handled on the same basis. In some circumstances, Pierce Transit may agree to shorter payment terms to reduce the cash flow burden on small businesses. Pierce Transit's policy is to use the payment and performance bonds in lieu of retainage held for all contracts so as to not negatively affect small and disadvantaged businesses. Pierce Transit will include in its contracts a prompt payment clause per 49 CFR Part 26.29 as follows:



The prime contractor agrees to pay each sub-contractor under this prime contract for satisfactory performance of its contract no later than thirty days from the receipt of each payment the prime contractor receives from Pierce Transit. The prime contractor agrees to not withhold retainage from sub-contractors payments. Any delay or postponement of payment from the above time frames may occur only for good cause following written approval of Pierce Transit. This clause applies to both DBE and non-DBE subcontractors.

Pierce Transit will require contractors to submit regular reports of the actual payments made to DBE firms for work that was committed to them at the time of contract award. Pierce Transit will review the reports submitted by the prime contractor and seek confirmation, as needed, that payment was actually made to the DBE firm.

If a prime contractor is found to be out of compliance with its DBE commitment, it shall be so notified by Pierce Transit and directed to cure the problem within an appropriate time period. Failure by the prime contractor to comply may result in monetary penalties and partial or total termination for default with re-solicitation costs to be borne by the prime contractor or its bond. In addition, Pierce Transit may consider a contractor's non-compliance when evaluating contractor responsibility in future bids or proposals.

DBE Directory

Pierce Transit relies on the Washington State Office of Minority and Women Business Enterprises (OMWBE) to perform DBE certification and is able to view real-time data as well as download a static version of the DBE directory. This directory is utilized in the development of mailing lists for IFBs, RFPs and other methods of procurement. In addition, the directory is used to provide assistance to potential prime contractors in the identification of available DBE sub-contractors. Interested persons may obtain access to the OMWBE directory by contacting the following or visiting the websites listed below:

Pierce Transit
Purchasing Department
3701 96th Street SW
P.O. Box 99070
Tacoma, WA 98496-0070
Tel: (253) 581-8086
Fax (253) 581-8075
www.piercetransit.org/Purchasing

OMWBE
1110 Capitol Way South, Suite 150
P.O. Box 41160
Olympia, WA 98501
Tel: (360) 664-9750
Fax (360) 586-7079
www.omwbe.wa.gov

Overconcentration

Pierce Transit has not identified that over-concentration exists in the types of work that DBEs perform. If Pierce Transit should determine there is an over-concentration of DBEs in certain business areas to the extent that small non-DBE businesses can no longer effectively participate in Pierce Transit's contracting opportunities, the Agency will contact the FTA Regional Civil Rights Officer for approval of the over-concentration determination and to request assistance in devising measures to address the over-concentration.



Business Development and Mentor-Protégé Programs

Pierce Transit does not have a Business Development and Mentor-Protégé Program at this time; however, will reevaluate the need for such a program in conjunction with every three (3) year DBE goal setting term.

Monitoring and Enforcement Mechanisms

Pierce Transit's project manager or representative will monitor the work performed to verify that the work committed to a DBE firm at contract award or subsequently is actually performed by the DBE named in the contract (Attachment D). A clause will be included in all contracts that the prime contractor cannot substitute subcontractors without Pierce Transit concurrence. In addition, if a DBE subcontractor is unable to perform the work contracted for, the prime contractor must either replace such subcontractor with another DBE, or show Pierce Transit that good faith efforts to do so have been made. As provided for in 49 CFR Part 26, Pierce Transit will provide a written certification for the project file confirming that the Authority has reviewed contracting records and monitored work sites. The file will note the findings from this effort and any action taken if required.

Pierce Transit will require contractors to submit regular reports of the actual payments made to DBE firms for work committed to them at the time of contract award. The Verification of Prompt Payment form is used for on-site verification of prompt payment (Attachment E). Pierce Transit will review the reports submitted by the prime contractor and seek confirmation, as needed, that payment was actually made to the DBE firm.

If a prime contractor is found out of compliance with its DBE commitment, contractor shall be so notified by Pierce Transit and directed to cure the problem within an appropriate time period. Failure by the prime contractor to comply may result in monetary penalties and partial or total termination for default with re-solicitation costs to be borne by the prime contractor or its bond. In addition, Pierce Transit may consider a contractor's non-compliance with its stated good faith efforts when evaluating contractor responsibility in future bids or proposals.

Pierce Transit will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

Pierce Transit will bring to the attention of the Washington State OMWBE and the DOT any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g. referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided for in 49 CFR Part 26.

Small Business Participation

Pierce Transit has incorporated a non-discriminatory small business element to its DBE Program per 49 CFR Part 26.39, in order to facilitate competition on DOT-assisted projects by both DBEs and non-DBE small businesses. Pierce Transit is committed to providing equal and open access for small businesses and ensuring all businesses receive adequate opportunities to participate in contracting and procurement activities.



Small Business Element

Pierce Transit will utilize the OMWBE website to identify SBEs when soliciting quotes for small projects under thirty five thousand dollars (\$35,000.00). End-users and Project Managers are encouraged to utilize the OMWBE website as well for projects under \$35,000 to foster small business participation from certified SBE firms. Other businesses may be invited to provide quotes for these projects when certified SBEs are unavailable, when quotes are not received from SBEs, or when piggy-backing opportunities are more advantageous to the needs of the Agency. When an DBE or SBE contractor is awarded a Contract, end-users obtaining their own quotes will provide the documentation of SBE and non-SBE firms invited to participate in the quote and all back-up documentation to the Procurement Manager or designee for the purpose of calculating overall goals in accordance with 49 CFR Part 26.11(c).

Per 49 CFR Part 26.39, Pierce Transit will carefully review future contracting opportunities and take reasonable steps to eliminate obstacles faced by small businesses including unnecessary contract requirements that may preclude small business participation. For multi-year design-build contracts or other large contracts, Pierce Transit may require the Project Manager or prime contractors to specify elements of the contract or specific subcontracts that are of a reasonable size that small businesses including DBEs may perform.

Outreach:

The Pierce Transit website includes links to the following Small Business Support Programs:

- Business Impact NW empowers a talented and diverse community of entrepreneurs; supporting the continuing growth of local small businesses through micro-enterprise.
www.businessimpactnw.org
- The Washington State OMWBE general website www.omwbe.wa.gov and the Linked Deposit Program for the purpose of providing the borrowers (the businesses) a loan interest-rate reduction of up to two percent (2%). <http://omwbe.wa.gov/linked-deposit-program/>
- The King County Small Contractors and Suppliers (SCS) Program assists small business with SBE certification, training and development.
<http://www.kingcounty.gov/exec/BusinessDev/disadvantaged.aspx>
- WSDOT has a Small Business Services Program webpage with information on training and support. <http://www.wsdot.wa.gov/Business/opportunities/BusinessServices.htm>
- The USDOT Small Business webpage provides additional information on programs available small to businesses. <http://www.dot.gov/osdbu>
- The Procurement Technical Assistance Center's (PTAC) mission is to maximize the number of capable U.S. companies participating in the government marketplace. Washington PTAC guides companies through the process of applying for and fulfilling government contracts.
<http://washingtonptac.org/>

Pierce Transit will include on its website a link to our eBids website for vendor registration where firms can view open procurements, recurring procurements and contract award information. Also listed on our website are our current DBE Program and other pertinent information to foster small business participation.



Pierce Transit will continue to participate in the Greater Pierce County Purchasing Forum and similar forums offered by King County, WSDOT, NW Alliance and other programs and events that promote reaching out to S/DBEs.

Small Business Certification:

The SBE Certification Program is administered by OMWBE in a manner similar to the administration of the DBE Certification Program. The certification criteria (49 CFR Part 26) will remain similar to that of the DBE Program, without the consideration of gender and/or ethnicity. For example, the firm will be required to be:

Fifty one percent (51%) or more owned and controlled by an economically disadvantaged individual. The firm is not an eligible SBE if the firm has had a three-year average annual gross receipts, as defined by SBA regulations (13 CFR 121.402) in excess of \$23.98 million. A SBE firm must control the managerial and day-to-day operations and possess the power to direct management and policies of the business. The Owner must also be a U.S. citizen or permanent U.S. resident.

Regardless of gender and ethnicity of the firm's owner, the company and OMWBE will follow the certification procedures and application process outlined in 49 CFR Part 26. However, the certification determination will not be appealable to the DOT. After initial appeal to OMWBE, all certification determinations will be binding.

SUBPART C - GOALS, GOOD FAITH EFFORTS, AND COUNTING

Set-asides or Quotas

Pierce Transit does not use set-asides or quotas in the administration of this DBE Program due to the race and gender neutrality of the Program.

Overall Goals

In accordance with 49 CFR Part 26.45, Pierce Transit will develop and submit overall triennial DBE participation goals by August 1 of the year specified by the FTA. The DBE goal will be established based on the demonstrable evidence of DBE firms ready, able, and willing to participate in contracting opportunities in DOT-assisted projects. Pierce Transit intends to meet its overall goals through race-neutral means in the following manner:

Bidders competing for Pierce Transit contracts are primarily from within Pierce and King Counties. Therefore, goals are established by comparing overall business availability for Pierce and King Counties utilizing the U.S. Census Bureau database with Pierce and King County DBEs certified through OMWBE. DBE firms are identified according to North American Industry Classification System (NAICS) code from the list of certified DBE firms issued by the Washington State OMWBE.

Step One: The base figure is determined by the total number of Pierce and King County businesses available under the identified NAICS codes for the types of contract awards anticipated. That figure is divided by the total number of ready, willing and able DBE firms in the two counties weighted by the dollars expected to be expended in each project resulting in the DBE availability, and base figure.



Step Two: Pierce Transit's past participation and experience is examined in Step Two. The historical median from the current and a minimum of two previous years is determined. Historical data regarding successful/unsuccessful DBE and non-DBE contractors is analyzed. The results are compared with Step One results. If substantially different, the methods and statistics are reviewed and results adjusted as appropriate.

Pierce Transit has considered the research and analysis of local Disparity Studies and recognizes there are quantifiable barriers for minority businesses in the local transportation industry and will seek DOT guidance on adopting a race-conscious program if established DBE Goals are not attainable by race neutral measures.

Outreach Process

Pierce Transit will consult with and seek comment from members of the contracting community, prime contractors, subcontractors and agencies that support small business communities and small business development centers to obtain information regarding DBE and non-DBE availability for the types of work Pierce Transit plans to procure during the triennial period.

Not later than July 1 of each goal-setting year, Pierce Transit will post its proposed overall goal on its web site informing the public of the proposed goal and its rationale. The goal will be available for public comment for thirty (30) days. The website will address how comments may be submitted. Comments received will be considered and the Program will be adjusted if appropriate. The Goal Methodology will include a summary of information and comments received during the consultative and public participation processes and Pierce Transit's response to such input. Unless other instructions are received from the FTA, the overall goals will be used beginning October 1 of the triennial period.

Goal Setting and Accountability

If the awards and commitments shown on Pierce Transit's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall goal applicable to that fiscal year:

Pierce Transit will analyze in detail the reason for the difference between the overall goal and the actual awards/commitments. Pierce Transit will establish specific steps to correct the obstacles identified in the analysis, establish a corrective action plan, and maintain information and records regarding the analysis and efforts made. If Pierce Transit is a top 50 transit authority as determined by the FTA, a short-fall analysis is required to be submitted to the FTA Regional Civil Rights Officer.

Transit Vehicle Manufacturers (TVM):

Pierce Transit will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on DOT-assisted transit vehicle procurements, to certify that it has complied with the requirements of 49 CFR Part 26.

Meeting Overall Goals

Pierce Transit will use the following race-neutral methods to meet its overall goal and facilitate DBE participation:



- Use the OMWBE website to determine S/DBE firms and invite firms to participate in formal procurements and quotes
- Encourage prime contractors to subcontract portions of work to DBEs
- Consider (subject to state law and Pierce Transit needs) alternatives to stated specifications, such as bonding, insurance limits, and financing, which may limit DBE participation
- Provide technical assistance as needed
- Provide information regarding Washington State OMWBE
- Upon request, provide prime contractor with potential DBE subcontractors
- Provide information about Pierce Transit's contracting opportunities and procedures to DBEs and post recurring projects on Pierce Transit's website as well as open solicitations and contract award information on the Agency's eBids website accessible through www.piercetransit.org
- Participate in regional governmental procurement programs for minority and woman-owned businesses
- Use contract language which supports S/DBE participation
- Assist firms to contact local agencies who provide services to help S/DBEs and identify current Pierce Transit SBE vendors and encourage them to become a certified DBE firm

Good Faith Efforts Procedures

Good Faith Effort procedures in regards to contract goal-setting do not apply because Pierce Transit's DBE Program is race-neutral; however, Pierce Transit has adopted the following good faith efforts when obtaining information from bidders/proposers:

- Name, address and OMWBE Certification Number of DBE firm(s) that will participate in the contract
- A description of the work the DBE firm(s) is expected to perform
- The value of the subcontract

Bidders/proposers shall be required to submit the following information within 48 hours after the bid opening:

- The percentage and value of the subcontract to be performed by the DBE
- Written and signed confirmation from the DBE that is participating in the contract as provided in the prime contractor's commitment
- Prime contractor's completion of the Bidder Disclosure Form or verification that the form was completed on eBids
- Staff will ensure that all information is complete and accurate and adequately documented prior to contract award

Good Faith Efforts when a DBE is Terminated/Replaced on a Contract

Additionally, Pierce Transit requires prior written consent when terminating a DBE subcontractor listed in a bid/contract even though no contract goals have been established. Pierce Transit must determine "good cause" for termination of the DBE firm, as established by Section 26.53(f)(3) of the DBE regulation.



Before transmitting to Pierce Transit its request to terminate, the prime contractor must give notice in writing to the DBE of its intent to do so. A copy of this notice must be provided to Pierce Transit prior to consideration of the request to terminate. The DBE will then have five (5) days to respond and advise Pierce Transit of why it objects to the proposed termination.

In those instances where “good cause” exists to terminate, Pierce Transit will require the prime contractor to make good faith efforts to replace a DBE with another certified DBE. Pierce Transit will require the prime contractor to notify the Procurement Manager or designee immediately of the DBEs inability or unwillingness to perform and provide reasonable documentation of the circumstance.

Pierce Transit will require the prime contractor to obtain prior approval of the substitute DBE and provide copies of new or amended subcontracts, and documentation of good faith efforts.

If the contractor fails or refuses to comply in the time specified, the contracting officer will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

Counting DBE Participation

When a DBE is participating in a DOT-assisted contract, only the work performed by the DBE will be counted toward Pierce Transit’s annual goals. Pierce Transit will count DBE participation toward overall goals as provided in 49 CFR Part 26.55.

SUBPARTS D & E - CERTIFICATION

Unified Certification Programs

Pierce Transit is a member of the Unified Certification Program (UCP) administered by the Washington State Office of Minority and Women’s Business Enterprises (OMWBE). The OMWBE is the sole certifying entity in the State of Washington, consistent with 49 CFR Section 26.81. The UCP will meet all of the requirements of this section. OMWBE manages the certification process and maintains the DBE directory. Information about certification as well as the updated directory can be found on <http://www.omwbe.gov>. Pierce Transit will use and count for DBE participation only for those DBE firms certified by OMWBE.

Procedures for Certification Decisions

Any firm or complainant may appeal a State of Washington decision in a certification matter to DOT. Such appeals may be sent to:

U.S. Department of Transportation
Office of Civil Rights Certification Appeals Branch
1200 New Jersey Ave. SE
Washington, D.C. 20590

Pierce Transit will promptly implement any DOT certification appeal decisions affecting the eligibility of DBEs for our DOT-assisted contracting.



Decertification

In addition to the performance of the certification function in the State of Washington, OMWBE is responsible for decertification for DBEs that no longer qualify for the Program under 49 CFR Part 26 and Small Business Administration criteria. Pierce Transit will cooperate with OMWBE as needed to assist in the decertification process. Once decertified, a DBE contractor will no longer be counted towards the Agency's overall goal.

SUBPART F - COMPLIANCE AND ENFORCEMENT

Information, Confidentiality, Cooperation

Records provided to Pierce Transit may be public records subject to disclosure under the Washington State Public Records Act and/or other laws requiring disclosure or discovery of records. Pierce Transit, in its sole discretion, may withhold or redact all or portions of records that are subject to exemption, consistent with Federal, state and local laws. In the event Pierce Transit receives a request for disclosure of records that are marked by contractor as "confidential" or "proprietary", Pierce Transit will provide at least ten (10) business days' written notice prior to release of responsive records.

Monitoring Payments to DBEs

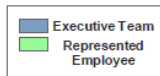
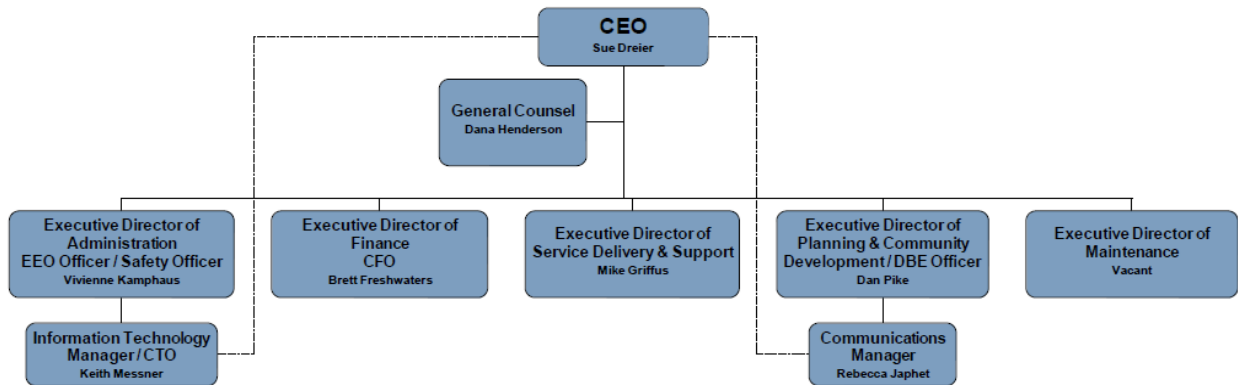
Pierce Transit will require prime contractors to maintain records and documents of payments to DBEs for (3) three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of Pierce Transit or DOT. This reporting requirement also extends to any certified DBE subcontractor.

Pierce Transit will perform interim audits of contractor payments to DBE subcontractors. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to the DBE subcontractor equals or exceeds the dollar amounts stated in the Disadvantaged Business Participation Form and contract.



Attachment A

Executive Team



As of 04/03/17



Attachment B:

DISADVANTAGED BUSINESS PARTICIPATION

The Contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. Failure by the Contractor to carry out these requirements is a material breach of this Contract, which may result in the termination of this Contract or such other remedy as Pierce Transit deems appropriate.

Pierce Transit's Disadvantaged Business Enterprise (DBE) participation is to be achieved through race-neutral means. Contractors who have difficulty identifying disadvantaged or small business subcontractors for this project, or have questions in regard to Pierce Transit's DBE Program should contact Spiro Manthou, Procurement Manager, via email at smanthou@piercetransit.org.

To be eligible for award of this Contract, the Bidder must submit with the bid the Disadvantaged Business Utilization Table below listing the DBEs to be contracted with, including all information required. DBEs listed must be certified by the Washington State Office of Minority and Women Business Enterprises (OMWBE) at the date and time bids/proposals are due.

The successful Contractor shall enter into a contract with the firms identified on these tables as successful subcontractors. Failure to complete this section of the bid proposal or the inclusion of false information shall be considered as evidence that the proposal is nonresponsive and shall not receive further consideration.

DISADVANTAGED BUSINESS UTILIZATION TABLE

| Name Of Subcontractor | Address | Telephone | Description of Work To Be Performed | Will Contract Be Awarded: (Yes/No) | \$ Value Of Subcontract | Percent of Subcontract Work Actually Performed by DBE Subcontractor |
|--|---------|-----------|-------------------------------------|------------------------------------|-------------------------|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| TOTAL DISADVANTAGED BUSINESS UTILIZATION | | | | | \$ | % |

NOTE: Written confirmation from each DBE firm that is participating in the Contract as shown above must be received by Pierce Transit within forty eight (48) hours after the bid due date and time.

Note: In the category of supplies, please inform Pierce Transit if the business is the dealer, broker, re-packager, or manufacturer. Pierce Transit will verify eligibility of disadvantaged business subcontractors.



Attachment C:

The following checklist and Bidder Disclosure below must be completed by the Contractor. It will be used to assist Pierce Transit in determining if efforts have been made by the contractor to award subcontracts under this project to Small Business Enterprises (SBEs).

| | YES | NO |
|---|-------|-------|
| 1. Did Contractor notify Small Businesses in writing that bids were being solicited? | _____ | _____ |
| 2. Did Contractor follow up initial contact to determine if Small Businesses were interested? | _____ | _____ |
| 3. Did Contractor allow sufficient time for Small Businesses to respond? | _____ | _____ |
| 4. Were portions of work to be subcontracted of a type and size to facilitate Small Businesses' participation? | _____ | _____ |
| 5. Did Contractor provide to the Small Businesses sufficient information about the plans, specifications, and requirements of the Contract? | _____ | _____ |
| 6. Did Contractor reject interested Small Businesses as unqualified without sound reason based on investigation of their capabilities? | _____ | _____ |

Additional Required Bidder Disclosure (per 49 CFR Part 26.11):

Is this company a certified Disadvantaged Business Enterprise (DBE) or a certified Small Business Enterprise (SBE)? No___ Yes___ DBE___ SBE___

Certification No. _____

How many years has this company been in business? _____ years.

What are the annual gross receipts for this company? (Please circle one item)

| | |
|---------------------------|----------------------------|
| Less than \$500,000 | \$500,000-\$1,000,000 |
| \$1,000,000-\$2,000,000 | \$2,000,000 to \$5,000,000 |
| \$5,000,000-\$10,000,000 | \$10,000,000-\$23,000,000 |
| \$23,000,000-\$50,000,000 | Greater than \$50,000,000 |



Attachment D:

Disadvantaged Business Enterprise (DBE) On-site Review Form

| PROJECT INFORMATION | | |
|--|-----------------------|------------------|
| Name of DBE being reviewed: | | |
| Project Title: | | |
| Today's Date: | Award Date: | Est. % Complete: |
| Description of project and work being performed by DBE: | | |
| | | |
| CONTRACTOR INFORMATION | | |
| Prime Contractor Name: | Is the Prime a DBE? | |
| Sub-Contractor Name: | Is the Sub a DBE? | |
| ON-SITE PERSONNEL OBSERVED | | |
| Name of Employee Interviewed: | Length of Employment: | |
| Name of Employee Interviewed: | Length of Employment: | |
| Name of Employee Interviewed: | Length of Employment: | |
| What is the name of the Supervisor that the employees report to? | | |
| Are the employee's exclusively employed by the DBE? | | |
| DBE INTERVIEWEE QUESTIONS | | |
| Do DBE employees appear to have knowledge of and skills of the work they are performing? | | |
| Does the work the DBE is performing appear to be what they are Contracted to do? | | |
| Does the DBE Sub effectively manage their work without interference from Prime? | | |
| Has the DBE Owner been present? | | |
| Are any of the DBE employees working for any other Contractor on this same project? | | |
| With what you've observed, does it appear that the DBE is in compliance and performs a CUF? | | |
| EQUIPMENT OR MATERIALS USED | | |
| What equipment, if any, did you witness the DBE using? | | |
| Does the equipment appear to be owned solely by the DBE? | | |
| If the equipment is leased, is there a formal agreement identifying the terms and parties? | | |
| AGENCY CERTIFICATION | | |
| I certify that the on-site performance of the Disadvantage Business Enterprise has been MONITORED. | | |
| Project Manager or Agency Representative: | Date: | |
| Printed Name: | Received by & Date: | |



Attachment E:

PIERCE TRANSIT | *Project Management Office*

Verification of Prompt Payment to Sub-Contractors

After the work has been accepted, Pierce Transit is to pay invoices within 30 days of receipt of a correct invoice. The Contractor agrees to pay each Sub-Contractor under this prime contract for satisfactory performance of work no later than thirty days from the receipt of each payment the Prime Contractor receives from Pierce Transit.

The Prime Contractor agrees to not withhold retainage from Sub-Contractors payments. Any delay or postponement of payment from the above time frames may occur only for good cause following written approval of Pierce Transit. This clause applies to both DBE and non-DBE Sub-Contractors.

In lieu of retainage being withheld, Pierce Transit's DBE policy states that the Agency will rely on the Payment and Performance Bonds in lieu of retainage held for all contracts so as to not negatively affect Small and Disadvantaged Businesses.

Project:

Project Manager:

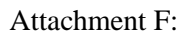
Prime Contractor:

Sub-Contractor(s):

Verification Done By:

| Company | Contact | Phone Number | Certified DBE? <i>Yes or No</i> | Date of Verification of Prompt Payment * |
|---------|---------|--------------|------------------------------------|--|
| | | | | |
| | | | | |
| | | | | |

**Documentation of cancelled checks must be attached.*



PIERCE TRANSIT | Project Management Office

Date of Interview(s):

[illegible]

3701 96th St SW Lakewood WA 98499-4431 ~ PO Box 99070 Lakewood WA 98496-0070 ~ 253.581.8080 ~ FAX 253.581.8075 ~ piercetransit.org

Chapter 1.28

~~WOMEN-OWNED AND~~ DISADVANTAGED BUSINESS ENTERPRISE (DBE)
PROGRAM POLICY

Sections:

ARTICLE I. GENERAL PROVISIONS

- 1.28.010 Adoption.
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ARTICLE I. - GENERAL PROVISIONS

1.28.010 - Adoption.

The ~~women-owned and disadvantaged business enterprise program~~ Small and Disadvantaged Business Enterprise (DBE) Policy ~~Program incorporated by reference and as~~ set forth in Sections 1.28.040 through 1.28.440 ~~90 is is~~ adopted by the Pierce Transit Board of Commissioners.

(Res. 84-080 §1(Ex. I(part)))

1.28.020 ~~— DBE Program,~~ Rules and ~~P~~procedures.

The ~~chief executive officer~~ Disadvantaged Business Enterprise Liaison Officer (DBELO) is authorized to develop and implement the Agency's DBE Program and such rules and procedures ~~as may be necessary to effect~~ as may be necessary to ~~effect~~ affect the intent of the Board's ~~women-owned and disadvantaged business enterprise DBE P~~ program ~~Policy as set forth herein and to meet the requirements of the Federal Transit Administration (FTA).~~

(Res. 84-080 §1(Ex. I(part)); Res. 00-019 §1)

1.28.030 - Submission to ~~United States Department of Transportation,~~ the Federal Transit Administration

The ~~chief executive officer~~ DBELO is authorized to submit the Agency's ~~women-owned and DBE Policy, disadvantaged business enterprise P~~ program, the Uniform Report of DBE Commitments/Awards and Payments, the DBE Goal Methodology and any other requested documentation or records that are requested regarding the DBE Program to the FTA, ~~m to the Secretary of the United States Department of Transportation for approval.~~

(Res. 84-080 §1(Ex. I(part)); Res. 00-019 §1)

ARTICLE II. - PROGRAM POLICY SPECIFICATIONS

1.28.040 - Policy.

- ~~A. It will be the policy of Pierce Transit to actively seek out those portions of the community that historically have been socially and economically disadvantaged and utilize the services of these groups whenever possible for construction, service, and supply requirements of the agency.~~
- ~~B. Pierce Transit will be committed to initiating new women-owned and disadvantaged business participation in the agency's day-to-day operation. Pierce Transit will maintain the use of existing women-owned and disadvantaged businesses participants and will attempt to strengthen the existing women-owned and disadvantaged businesses. Existing barriers to increased participation will be identified and eliminated in order to strengthen the women-owned and disadvantaged business community. Additionally, Pierce Transit will require that prime contractors for construction, supplies, and services make maximum efforts to utilize women-owned and disadvantaged business enterprises or at least provide documentation that every attempt was made to utilize women-owned and disadvantaged businesses and that reasonable goals were established with some criteria for meeting those established goals. The vice president of finance and administration reports directly to the chief executive officer and will bear the responsibility to assure that the objectives of Pierce Transit are met. In addition to the vice president of finance and administration, the entire executive staff which includes the chief executive officer, clerk of the board, vice president of operations and development, vice president of human resources and labor relations and vice president of maintenance, shall have the responsibility of assisting the vice president of finance and administration in carrying out the women-owned and disadvantaged business program and goals.~~
- ~~C. Pierce Transit's women-owned and disadvantaged business program, as adopted, has been circulated throughout the agency with copies available in the Pierce Transit library. Copies of the program have been provided to minority organizations in the community and are made available to any individual or organization upon request.~~
- ~~D. Since Pierce Transit is a new agency, the establishment of this program emphasizes Pierce Transit's commitment to providing maximum opportunity for minority business enterprises to participate in all Department of Transportation-assisted contracts pursuant to 49 CFR Part 23. The Pierce Transit DBELO shall establish and administer the Pierce Transit DBE Program in accordance with U.S. Department of Transportation (DOT), 49 CFR Part 26. Pierce Transit receives Federal financial assistance from the DOT, and as a condition of receiving this assistance, Pierce Transit has signed an assurance that it will comply with 49 CFR Part 26.~~

It is the policy of Pierce Transit to ensure that DBEs as defined in 49 CFR Part 26, have an equal opportunity to compete for, receive and participate in DOT-assisted contracts.— Procedures in the Agency's DBE Program shall assure that federally-funded procurements and contracts are awarded and administered without

discrimination on the basis of race, color, sex, or national origin. It is also our Pierce Transit's policy:

To ensure non-discrimination in the award and administration of DOT-assisted contracts;

To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;

To ensure that the DBE Program is narrowly tailored in accordance with applicable law;

To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;

To help remove barriers to the participation of DBEs in DOT-assisted contracts; and

To support small businesses to ensure free and open access to Pierce Transit contracting opportunities

Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations incurred by Pierce Transit in its financial assistance agreements with the DOT.

(Res. 84-080 §1(Ex. I(part)); Res. 00-019 §1)

1.28.050 - Definitions.

~~A. — A "disadvantaged business" is defined as an unincorporated or incorporated small business or joint venture whereby control and ownership of the business by a socially and economically disadvantaged group or individual equates to or exceeds 51 percent of the business. In the event that the disadvantaged business is publicly owned, at least 51 percent of the stock must be owned by one or more economically and social disadvantaged individuals. Further, there must be legitimate control over the management and daily business operations by such individuals in direct proportion to the percentage of ownership of the enterprise.~~

~~B. — A business is legitimately owned and controlled by a disadvantaged group member or members if the disadvantaged business ownership interests are real and continuing and command control over management, interest in capital, and interest in earnings commensurate with the percentage of ownership upon which the claim of disadvantaged business enterprise status is based. (Similarly, disadvantaged individual's participation in a joint venture must also be based on the sharing of real economic interest and must include proportionate control over management, interest in capital, and interest in earnings. A business or joint venture is not a disadvantaged~~

business if the real economic interest of the business or joint venture is in debt securities, leasehold interest management contracts or other interest owned or controlled by nondisadvantaged group members). In addition a business is not a disadvantaged business if non-disadvantaged owners of an aggregate of at least 30 percent of the business or joint venture are the owners, in whole or in part, of a business or engaged in the same or similar type of business or activity as the applicant for disadvantaged business status.

C. — A "disadvantaged business" is a small business concern as defined by Section 3 of the Small Business Act and may include socially and economically disadvantaged individuals identified in the following categories. The definition also includes those individuals not defined in the following categories; however, on the basis of investigation, are determined to be socially and economically disadvantaged:

1. — Black: persons having origins in any of the black racial groups of Africa;
2. — Hispanic Americans: persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race;
3. — Native American: persons who are American Indians, Eskimos, Aleuts, or native Hawaiians;
4. — Asian-Pacific Americans: persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific, and the Northern Marianas;
5. — Asian-Indian Americans: persons whose origins are from India, Pakistan and Bangladesh.

Other social groups who have historically been deprived of economic and social parity may apply for status in the socially and economically disadvantaged groups with the determination of their status being determined by staff in accordance with Title 49 of the Code of Federal Regulations, Part 23 and as amended. Further, all social groups must be lawful citizens of the United States or be lawfully admitted permanent residents.

D. — A "women-owned business" is defined as an unincorporated or incorporated business or joint venture whereby control and ownership of the business by a woman or a group of women equates to or exceeds fifty-one percent of the entire business. If the business is publicly owned, at least fifty-one percent of the stock shall be owned by women. For the purpose of computing percentage of ownership, a woman's ownership interest will be excluded from consideration where her spouse is an owner of the business or joint venture other than by reason of his community property interest in her share of the business or joint venture.

A business is legitimately owned and controlled by women if the women's interests are real and continuing and command control over the daily management, interest in capital acquired by the business and interest in earnings commensurate with the percentage of ownership upon which the claim of a women-owned business is based. Similarly, women's participation in a joint venture must also be based on the sharing of real economic interest and must include proportionate control over management, interest in capital acquired by the joint venture, and interest in earnings. A business or joint venture is not a women-owned business if the real economic interest of the business or joint

venture is in debt securities, leasehold interests, management contracts, or other interest owned or controlled by men. In addition, a business or joint venture is not a women-owned business if male owners of an aggregate of at least 30 percent of the business or joint venture are the owners, in whole or in part of a business or businesses engaged in the same or similar type of business activity as the applicant for women-owned business status.

Pierce Transit will adopt the definitions contained in 49 CFR Part 26.5 of Part 26 for the DBE Program as may be amended from time to time. Pierce Transit will ensure all definitions from the regulations are included and correct. Pierce Transit will add and include any new and amended definitions as they are provided by the DOT and not include any definitions for terms not included in the definitions found in Section 26.5 of Part 26.

(Res. 84-080 §1(Ex. I (part)))

1.28.060 — Coordinator, Disadvantaged Business Enterprise Liaison Officer (DBELO)

A. — ~~The vice president of finance and administration shall have the responsibility for the coordination of Pierce Transit's women-owned and disadvantaged business program on a day-to-day basis.~~

B. — ~~The coordinator will have the responsibility to oversee the overall women-owned and disadvantaged businesses of Pierce Transit and will implement those policies necessary to assure that the goals of Pierce Transit and the requirements of the U.S. Department of Transportation are met. The vice president of finance and administration will further facilitate the participation of women-owned and disadvantaged businesses by providing assistance in the areas of financial matters to include proper insurance and bonding requirements.~~

C. — ~~Additionally, informational and communication programs will be developed to assure that specific contracting opportunities are made known to the women-owned and disadvantaged business community and such programs will be bilingual, when necessary.~~

D. — ~~The woman-owned and disadvantaged business community will be provided technical assistance in the understanding of specifications, delivery schedules, and preparation of responses for request for bids.~~

The DBELO is responsible for implementing all aspects of the DBE Policy and Program and ensuring that Pierce Transit complies with all provisions of 49 CFR Part 26. The DBELO shall have direct, independent access to the CEO concerning DBE Program matters. The DBELO will be responsible for developing, implementing and monitoring the DBE Program in coordination with the Procurement Manager, or other

designee employee designated by the CEO, who will devote part of his/her time to the Program.

(Res. 84-080 §1(Ex. I (part)); Res. 00-019 §1)

~~1.28.070 - Advisory committee.~~

- ~~A. Pierce Transit is currently meeting an overall goal of 10 percent for women-owned and disadvantaged business for federally funded programs where contracting opportunities exist. In the event that Pierce Transit is unable to meet the overall goal of 10 percent in a fiscal year, the board of commissioners of Pierce Transit will appoint a women-owned and disadvantaged business advisory committee.~~
- ~~B. The purpose of the advisory committee will be to provide assistance in seeking out women-owned and disadvantaged businesses and advice on the methods to attract and assist women-owned and disadvantaged businesses.~~
- ~~C. The advisory committee shall elect a chairman from among its members. The vice president of finance and administration, or his delegate, shall serve as staff to the advisory committee and shall assure clerical support.~~

~~(Res. 84-080 §1(Ex. I(part)); Res. 00-019 §1)~~

~~1.28.0780 - Annual Overall Goals.~~

- ~~A. Pierce Transit has adopted an overall goal of 10 percent applicable to disadvantaged business for federally funded programs where contracting opportunities exist. A goal of 3 percent of federally funded projects where contracting opportunities exist have been established for women-owned business. Pierce Transit will endeavor to continue to meet and exceed these established goals and will be bound by all remedial measures as defined in Title 49 of the Code of Federal Regulations, Part 23, as amended.~~
- ~~B. Pierce Transit's goals shall be computed based upon contracting opportunities in relation to federally funded programs. Contracting opportunities is defined to exclude from the relationship of goals and federally funded programs such areas as public utilities, bus operator salaries, municipal inspection fees and similar costs associated with the general operation of the agency.~~
- ~~C. There are four distinct areas in which agency funds are expended. In order to encourage expending sums of money in all areas, Pierce Transit has established individual goals in each of the main categories of expenditures. While the overall goal for disadvantaged businesses is 10 percent and 3 percent for women-owned businesses, the following goals will provide a spread of expenditures in all categories while meeting the overall goal of 10 percent. The following table outlines~~

the contract area with the appropriate agency percentage of participation for disadvantaged businesses and women-owned businesses:

| Contract Area | Disadvantaged MBE (in percentile) | Women-owned WBE (in percentile) |
|---------------|-----------------------------------|---------------------------------|
| Construction | 10 | 3 |
| Consultants | 10 | 5 |
| Services | 5 | 5 |
| Purchases | 5 | 3 |

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D. ~~Pierce Transit may establish mandatory goals for specific contracts that demonstrate subcontracting possibilities. Bidders will be required to meet or exceed the mandatory goals in order for their bid to be responsive. Bids that do not meet the mandatory goals will not receive further consideration. Mandatory goals may be established for disadvantaged businesses and/or women-owned businesses depending upon subcontracting opportunities that are available at the time that the contract is announced. Further, Pierce Transit will publish notice announcing the goals and will provide the Department of Transportation a submission of goals of each contract. In accordance with 49 CFR [SectionPart 26.45](#), Pierce Transit will develop and submit triennial DBE participation goals by August 1 of the year specified by the FTA and goals will be submitted every three years thereafter. - Establishment of ing-a DBE goal is based on the demonstrable evidence of DBE firms that are ready, willing and able to participate in contracting opportunities for DOT-assisted projects. Pierce Transit intends to meet its goals through race-neutral measures and set overall goals using the two-step process as ~~directed~~set forth by the FTA in 49 CFR Section 26.45.~~

(Res. 84-080 §1(Ex. I(part)))

1.28.0890 - Affirmative action proceduresssurances.

Pierce Transit ~~has signed~~will comply with -the following Assurance in accord with ~~per~~49 CFR Part 26.13(a), ~~applicable to all DOT-assisted contracts and their administration:~~

Pierce Transit shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. Pierce Transit shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in the award and administration of DOT-assisted contracts. Pierce Transit's DBE Program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by

reference in this agreement. Implementation of this Program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to Pierce Transit of its failure to carry out its approved program, DOT may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*). To assist Pierce Transit in meeting its goals for the disadvantaged and women-owned business program, the purchasing and contracting procedures will be amended to include the following:

~~A. Bid Calls. Bid calls will be published in publications with predominantly minority circulation.~~

~~B. Construction Contracts.~~

~~1. Prebid conferences will be held to explain disadvantaged businesses and women-owned business goals for the particular contract.~~

~~2. Disadvantaged business and women-owned business requirements and goals will be included in the contract specifications.~~

~~3. Bid packets will contain a disadvantaged business worksheet which must be completed prior to submission of a bid. Further, the worksheet will require that the contractor identify all disadvantaged and women-owned businesses that have been contacted and identify the minority contractor to whom a contract will be awarded. The bidder will be required to identify the percentage of participation by each disadvantaged business and women-owned business, the dollar amount of the award to each of the disadvantaged businesses and women-owned businesses and indicate in the space provided whether or not a contract will be awarded to the disadvantaged and women-owned business. Bid documents not providing this required information shall be declared nonresponsive and will receive no further consideration.~~

~~C. Consultant Contracts.~~

~~1. Requests for proposals (RFPs) will contain disadvantaged businesses and women-owned businesses requirements and goals for subcontracting.~~

~~2. Consultant responses which address these disadvantaged businesses and women-owned businesses requirements will be given further consideration and those which do not will be deleted from further processing.~~

~~D. Services and Purchases Contracts. No special measures are contemplated for these contracts at this time beyond solicitation targeted to disadvantaged businesses and women-owned businesses. However, if Pierce Transit is unable to meet its disadvantaged businesses and women-owned businesses goals through the usual procurement procedures, consideration may be given to such measures as disadvantaged businesses and women-owned businesses set aside or percentage preferences.~~

~~E. Miscellaneous Affirmative Action Programs as Defined by the Final Interim Amendment of 49 CFR, Part 23.~~

- ~~1. Contracting opportunities shall be provided to disadvantaged businesses and women-owned businesses with timely notice.~~
- ~~2. Consideration will be given to breaking down contracts into economically feasible units to facilitate disadvantaged businesses and women-owned businesses participation.~~
- ~~3. Contractors will be encouraged to provide assistance to disadvantaged businesses and women-owned businesses and, wherever possible, to include the possibility of lines of credit.~~
- ~~4. Contractors shall be encouraged to utilize minority organizations and related resources in order to enhance disadvantaged businesses and women-owned businesses participation.~~

~~E. Disadvantaged Businesses and Women-owned Businesses Set-asides. Pierce Transit may employ a set-aside program should the agency be unable to meet program goals. A set-aside program shall only be implemented in cases where there are at least three disadvantaged businesses and women-owned businesses with capabilities to meet contract requirements. The rule requiring three minority businesses is being established in order to facilitate competition.~~

~~(Res. 84-080 §1(Ex. I(part)))~~

~~1.28.100 - Directory.~~

- ~~A. Pierce Transit has developed a disadvantaged businesses and women-owned businesses directory listing all disadvantaged businesses and women-owned businesses that are currently known to be available within the boundaries of the agency. The directory will be continually updated in order that the agency remains abreast of the current status of the disadvantaged businesses and women-owned businesses community. Pierce Transit also maintains directories of disadvantaged and women-owned businesses that have been developed by the Washington State Department of Transportation, METRO, and other agencies publishing similar directories.~~
- ~~B. All of the directories are available for public inspection by any business wanting to solicit a disadvantaged and women-owned business as a subcontractor.~~

~~(Res. 84-080 §1(Ex. I(part)))~~

~~1.28.09140 - Certification.~~

- ~~A. Pierce Transit does not have sufficient staff personnel available to certify potential disadvantaged businesses and women-owned businesses. However, the U.S. Department of Transportation recognizes that there are similar entities subject to its regulations in various locations and encourages group certification. Accordingly, it is~~

~~Pierce Transit's intention to adopt the certification procedures of Seattle METRO due to the similarity of disadvantaged businesses and women-owned businesses definition and agency function and funding. Sharing certification procedures should eliminate unnecessary administrative efforts and costs.~~

~~B. While Pierce Transit is not able to maintain a full-time certification staff, Pierce Transit will, on a case-by-case basis, certify firms that may not have been certified by agencies whose certification procedures have been adopted by Pierce Transit.~~

~~C. As part of the certification process, Pierce Transit will require prime contractors to make good faith efforts in replacing a disadvantaged businesses and women-owned businesses subcontractor that is unable to successfully perform their contract with another qualified disadvantaged businesses and women-owned businesses. Pierce Transit will require that the prime contractor seek prior approval of all substitutions before bid opening and during contract performance in order to ensure that the disadvantaged businesses and women-owned businesses meets all of the agency's requirements for eligibility.~~

~~Pierce Transit is a member of will retain membership in the Unified Certification Program (UCP) administered by the Washington State Office of Minority and Women's Business Enterprises (OMWBE). The OMWBE is the sole certifying entity for in the State of Washington, consistent with 49 CFR SectionPart 26.81. The UCP will be responsible to meet all of the requirements of this section. OMWBE manages the certification process and maintains the DBE directory and all records related thereto. Pierce Transit will use and count for DBE credit participation only for those DBE firms certified by the Washington State Office of Minority and Women's Business Enterprises (OMWBE).~~

~~(Res. 84-080 §1(Ex. I(part)))~~

~~1.28.120 Use records.~~

~~A. Pierce Transit will maintain continuous records on all women-owned and disadvantaged business program activity. The following data will become a permanent part of the recordkeeping of the women-owned and disadvantaged business coordinator: dollar values of contracts awarded to women-owned and disadvantaged business; dollar value of subcontracts awarded to women-owned and disadvantaged business; specific types of contracts or subcontracts awarded to women-owned and disadvantaged business; level of minority participation in contracts awarded; documented efforts in providing assistance to women-owned and disadvantaged business to include seminars, workshops, and counseling for specific needs of the women-owned and disadvantaged business; and copies of all advertisements.~~

~~B. The above reports and documents shall be made available to representatives of UMTA in accordance with the requirements set forth by UMTA.~~

~~(Res. 84-080 §1(Ex. I(part)))~~

~~1.28.130 – Bank utilization.~~

~~A. — Pierce Transit acknowledges the U.S. Department of Transportation's requirement for utilizing disadvantaged business and women-owned banks, where feasible. It will be the policy of Pierce Transit to survey disadvantaged and women-owned banks in the Pierce Transit service area and to channel UMTA and other Pierce Transit funds through disadvantaged and women-owned banks whenever such banks are able to render needed banking services. Pierce Transit will encourage prime contractors and other recipients of agency funds to use the services of disadvantaged and women-owned and controlled banks.~~

~~{Res. 84-080 §1(Ex. I(part))}~~

~~1.28.140 – Summary.~~

~~Pierce Transit is committed to assuring that disadvantaged and women-owned businesses are given an opportunity to be active vendors for services and goods. This program sets forth the mechanics for assuring that opportunity. The program is meant to be a dynamic one and will be altered periodically to meet new needs or resolve any problems which may occur in the future.~~

~~{Res. 84-080 §1(Ex. I(part))}~~

Chapter 1.28

DISADVANTAGED BUSINESS ENTERPRISE (DBE) POLICY

Sections:

ARTICLE I. GENERAL PROVISIONS

- 1.28.010 Adoption.
- 1.28.020 Rules and Procedures.
- 1.28.030 Submission to Federal Transit Administration.

ARTICLE II. POLICY SPECIFICATIONS

- 1.28.040 Policy.
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- 1.28.070 Overall Goals.
- 1.28.080 Assurances.
- 1.28.190 Certification.

ARTICLE I. - GENERAL PROVISIONS

1.28.010 - Adoption.

The Disadvantaged Business Enterprise (DBE) Policy set forth in Sections 1.28.040 through 1.28.090 is adopted by the Pierce Transit Board of Commissioners.

(Res. 84-080 §1(Ex. I(part)))

1.28.020 – DBE Program, Rules and Procedures.

The Disadvantaged Business Enterprise Liaison Officer (DBELO) is authorized to develop and implement the Agency's DBE Program and such rules and procedures as may be necessary to affect the intent of the Board's DBE Policy as set forth herein and to meet the requirements of the Federal Transit Administration (FTA).

(Res. 84-080 §1(Ex. I(part)); Res. 00-019 §1)

1.28.030 - Submission to the Federal Transit Administration

The DBELO is authorized to submit the Agency's DBE Policy, Program, the Uniform Report of DBE Commitments/Awards and Payments, the DBE Goal Methodology and any other requested documentation or records to the FTA.

(Res. 84-080 §1(Ex. I(part)); Res. 00-019 §1)

ARTICLE II. - POLICY SPECIFICATIONS

1.28.040 - Policy.

The Pierce Transit DBELO shall establish and administer the Pierce Transit DBE Program in accordance with U.S. Department of Transportation (DOT), 49 CFR Part 26. Pierce Transit receives Federal financial assistance from the DOT, and as a condition of receiving this assistance, Pierce Transit has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of Pierce Transit to ensure that DBEs as defined in 49 CFR Part 26, have an equal opportunity to compete for, receive and participate in DOT-assisted contracts. Procedures in the Agency's DBE Program shall assure that federally-funded procurements and contracts are awarded and administered without discrimination on the basis of race, color, sex, or national origin. It is also Pierce Transit's policy:

To ensure non-discrimination in the award and administration of DOT-assisted contracts;

To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;

To ensure that the DBE Program is narrowly tailored in accordance with applicable law;

To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;

To help remove barriers to the participation of DBEs in DOT-assisted contracts; and

To support small businesses to ensure free and open access to Pierce Transit contracting opportunities

Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations incurred by Pierce Transit in its financial assistance agreements with the DOT.

(Res. 84-080 §1(Ex. I(part)); Res. 00-019 §1)

1.28.050 - Definitions.

Pierce Transit adopts the definitions contained in 49 CFR Part 26.5 in its DBE Program and will add and include any new and amended definitions as they are provided by the DOT.

(Res. 84-080 §1(Ex. I (part)))

1.28.060 – Disadvantaged Business Enterprise Liaison Officer (DBELO)

The DBELO is responsible for implementing all aspects of the DBE Policy and Program and ensuring that Pierce Transit complies with all provisions of 49 CFR Part 26. The DBELO shall have direct, independent access to the CEO concerning DBE Program matters. The DBELO will be responsible for developing, implementing and monitoring the DBE Program in coordination with the Procurement Manager, or other employee designated by the CEO, who will devote part of his/her time to the Program.

(Res. 84-080 §1(Ex. I (part))); Res. 00-019 §1)

1.28.070 - Overall Goals.

In accordance with 49 CFR Part 26.45, Pierce Transit will develop and submit triennial DBE participation goals by August 1 of the year specified by the FTA and goals will be submitted every three years thereafter. Establishment of a DBE goal is based on the demonstrable evidence of DBE firms that are ready, willing and able to participate in contracting opportunities for DOT-assisted projects. Pierce Transit intends to meet its goals through race-neutral measures and set overall goals using the process as set forth by the FTA in 49 CFR Section 26.45.

(Res. 84-080 §1(Ex. I(part)))

1.28.080 - Assurances.

Pierce Transit will comply with the following Assurance in accord with 49 CFR Part 26.13(a):

Pierce Transit shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. Pierce Transit shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in the award and administration of DOT-assisted contracts. Pierce Transit's DBE Program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this Program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to Pierce Transit of its failure to carry out its approved program, DOT may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

(Res. 84-080 §1(Ex. I(part)))

1.28.090 - Certification.

Pierce Transit will retain membership in the Unified Certification Program (UCP) administered by the Washington State Office of Minority and Women's Business Enterprises (OMWBE). The OMWBE is the sole certifying entity in the State of Washington, consistent with 49 CFR Part 26.81. The UCP will be responsible to meet all of the requirements of this section. OMWBE manages the certification process and

maintains the DBE directory and all records related thereto. Pierce Transit will use and count for DBE participation only for those DBE firms certified by OMWBE.