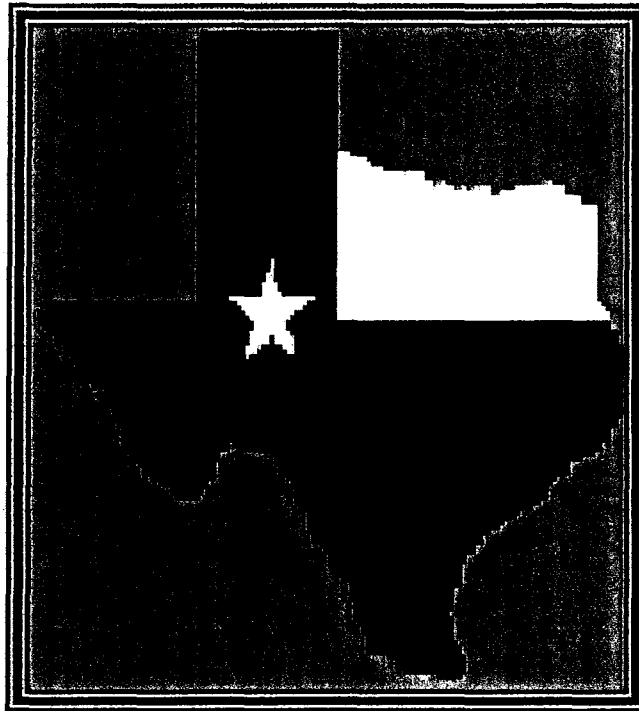




**Fort Bend County**  
(Name of Agency)

**Fiscal Year 2010  
Grant Application Part I  
For Transit Providers and Service Agencies**



**Texas Department of Transportation  
Public Transportation Division**

8-13-09 copy received

## Introduction

The application for public transportation funds includes the following elements:

- Grant Application Part I - Applicant and Project Information
- Grant Application Part II - Federal Requirements (if applicable)
- New Applicant information (if applicable)

Attach additional sheets as needed, for forms, tables and/or charts.

This Fiscal Year 2010 Grant Application Part I (Part I) will be used by all entities applying and/or requesting Public Transportation Formula Program Funding: e.g. Local Governmental Entities, Metropolitan Planning Organizations, Rural Transit Districts, Urban Transit Districts, and Native American Tribes or Indian Tribal Organizations.

By submission of this application, the applicant will be certifying that the proposed public transportation project is consistent with the continuing, cooperating, and comprehensive regional transportation planning requirements. Federal approval of a proposed public transportation project will be accepted as a determination that all federal planning requirements have been met.

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## Section I: Information

### A: Agency Information

Name of Agency: <b>Fort Bend County</b>	Legal Name on Grant Agreement (if different):
Physical Address: <b>301 Jackson, Ste 719</b> Street: City: <b>Richmond</b> County: <b>Fort Bend</b> State: Texas (change if different) Zip: <b>77469</b>	Mailing Address (if different): <b>12550 Emily Court, Ste 400</b> Address: City: <b>Sugar Land</b> County: <b>Fort Bend</b> State: Texas (change if different) Zip: <b>77478</b>
Agency Telephone: <b>281-633-7433 EXT 5</b>	Email: <b>sheltonp@co.fort-bend.tx.us</b>
Agency Fax: <b>281-243-6715</b>	Website: <b>www.FortBendCountyGov.com</b>
Payee Identification (PIN) Number (14 digits): <b>17460019692031</b>	
<b>Primary Agency Contact Person</b>	<b>Secondary (Backup) Contact</b>
Name: <b>Paulette Shelton</b>	Name: <b>Tennille Jones</b>
Title: <b>Director</b>	Title: <b>Assistant Director</b>
Telephone #: <b>281-633-7433 Ext 5</b>	Telephone #: <b>281-633-7433 Ext 5</b>
Email: <b>sheltonp@co.fort-bend.tx.us</b>	Email: <b>jonesten@co.fort-bend.tx.us</b>
Other (pager, etc.): <b>281-303-1734</b>	Other (pager, etc.):

### B. Emergency Operations Contact

Enter the name of the primary and secondary person to contact in the event of an emergency.  
A 24 hour access phone number must be provided.

Primary Contact	Secondary Contact
Name: <b>Paulette Shelton</b>	Name: <b>Tennille Jones</b>
Office Telephone # <b>281-633-7433 Ext 5</b>	Office Telephone # <b>281-633-7433 Ext 5</b>
Home or Cell Telephone # <b>282-303-1734</b>	Home or Cell Telephone # <b>832-858-1973</b>
Email: <b>sheltonp@co.fort-bend.tx.us</b>	Email: <b>jonesten@co.fort-bend.tx.us</b>
Other (pager, etc.):	Other (pager, etc.):

### C: Signature Authority

Enter the name of the designated official representative(s) of the agency who can legally sign applications, contracts and commit resources.

Name: <b>Robert E Hebert</b>	Name:
Title: <b>County Judge</b>	Title:
Address: <b>301 Jackson, Ste 719</b> <b>Richmond, TX 77469</b>	Address:
Telephone: <b>281-341-8608</b>	Telephone:

### D: Subcontractor(s)

If a subcontractor provides transit services, provide the information below. If there is more than one subcontractor provide this information for each one.

Is any part of the agency's service subcontracted to another agency?  Yes  No If Yes, provide the following information:

Name of Agency: <b>TREK</b>	Name of Parent Agency (if different):
Physical Address: <b>4 Greenway Plaza, Ste C950</b> <b>Houston, TX 77046</b>	Mailing Address (if different):
Agency Contact Person: <b>Janet Redeker</b>	Telephone:
Title: <b>Executive Director</b>	Fax:
Email: <b>jr@trekhouston.org</b>	Website:
What type of service is provided? <b>Management and Provision of Commuter Services</b>	

Name of Agency: <b>GBJ, Inc. dba AFC Corporate Transportation</b>	Name of Parent Agency (if different):
Physical Address: <b>15734 Aldine Westfield Rd. Houston, TX 77032</b>	Mailing Address (if different):
Agency Contact Person: <b>John Ferrari</b>	Telephone:
Title: <b>Vice President</b>	Fax:
Email: <b>john@afchouston.com</b>	Website:
What type of service is provided? <b>Contracted Bus Services</b>	

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[End of Section I](#)

## Section II: Funding

### A: Eligibility

Eligibility for the following programs is contingent on agency type. Check all the appropriate box(es) to identify agency type.

Existing Agency	New Agency
<input checked="" type="checkbox"/> Rural Transit District <input type="checkbox"/> Urban Transit District <input type="checkbox"/> Metropolitan Planning Organization <input type="checkbox"/> Metropolitan Transit Authority <input checked="" type="checkbox"/> Governmental Entity <input type="checkbox"/> Native American Tribes or Indian Tribal Organization <input type="checkbox"/> Non-Profit Agency <input type="checkbox"/> Private For-Profit Agency	<input type="checkbox"/> Rural Transit District <input type="checkbox"/> Urban Transit District <input type="checkbox"/> Metropolitan Planning Organization <input type="checkbox"/> Metropolitan Transit Authority <input type="checkbox"/> Governmental Entity <input type="checkbox"/> Native American Tribe or Indian Tribal Organization <input type="checkbox"/> Non-Profit Agency <input type="checkbox"/> Private For-Profit Agency  New Recipients <u>are</u> required to provide additional information regarding eligibility (such as a copy of Non-Profit Status - I.R.S. Form # 501(c)(3)). Contact the TxDOT District Public Transportation Coordinator (PTC) in your area for assistance.

### B. Programs

Indicate the different funding sources the applicant **will apply** for with this TxDOT application, include a description and/or explanation for each program selected:

**§5304 Statewide Planning**

The Federal Transit Act, codified at 49 USC §5304, provides grants for planning activities

Describe/explain what funds will be used for: **Planning funds will be used for transportation planning activities to include but not be limited to service planning, feasibility studies, financial planning, advanced planning activities for construction projects (preliminary engineering, design, environmental, construction management), service coordination, short and long range planning (TIP/RTP), etc.**

**§5307 State - Small Urbanized Area** (CFDA Number 20.507)

State public transportation funds are allocated to municipalities that are designated recipients or transit providers in urbanized areas. (TAC 43 Rule §31.11)

Describe/explain what funds will be used for: \_\_\_\_\_

**§5309 Vehicle Capital Replacement (VCR)** (CFDA Number 20.500)

The Federal Transit Act, codified at 49 USC §5309, provides capital investment grants. Section 5309 funds are available to local public bodies. (TAC 43 Rule §31.16)

Describe/explain what funds will be used for: **As funding becomes available, vehicle replacement will be requested as well as facility improvements, acquisition and/or construction. Facility projects may include park and ride facilities, ITS equipment, passenger transfer stations, bus stops, maintenance facilities, operating and administrative facilities, etc.**

**§5310 Elderly and Persons with Disabilities (E&D)** (CFDA Number 20.513)

The Federal Transit Act, codified at 49 USC §5310(a)(2), provides capital grants to meet the special needs of the elderly and persons with disabilities. (TAC 43 Rule §31.31)

Describe/explain what funds will be used for: **Purchase of service funding will be requested to cover the costs of transportation services for the elderly and persons with disabilities.**

**§5311 State - Non-Urbanized Area**

Transportation Code, Chapter 456 provides grant funds for public transportation projects in non-urbanized areas (TAC 43 Rule §31.11)

Describe/explain what funds will be used for: **Purchase of service as well as capital, administrative and operating cost funding will be pursued to support provision of general public demand response, commuter and point deviation transportation services.**

**§5311 Federal - Non-Urbanized Area** (CFDA Number 20.509)

The Federal Transit Act, codified at 49 USC §5311, provides grants for public transportation projects in non-urbanized areas. (TAC 43 Rule §31.11)

Describe/explain what funds will be used for: **Purchase of service as well as capital, administrative and operating cost funding will be pursued to support provisions of general public demand response, commuter and point deviation transportation services.**

**Other: 5307 Large Urbanized Funds, American Recovery and Reinvestment Act Funds**

Describe/explain what funds will be used for: **Purchase of service as well as capital, planning and operating expense funding will be pursued to support provision of general public demand response, commuter and point deviation transportation services**

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**[End of Section II](#)**

### Section III: Identification of Needs

#### A: Project Need

1. Describe the current need for service/equipment in your area. All applicants, non-profit and public entities, are to provide current documentation supporting the stated transportation needs must be attached as an appendix and its relevance discussed within the narrative (e.g., testimonies, hearings Regional Service Plans etc.) Section 5310 projects should explain in detail, how the project supports special facilities, special planning or design so as to utilize mass transportation facilities and services as effectively as persons who are not so affected. See Attachment A for a detailed description of project needs, service and equipment in our area.

#### Section 5310 only

Mark the appropriate box below as applicable. One box must be checked.

- Unavailable**  
There is no existing public transportation
- Insufficient**  
Available mass transportation services are insufficient to meet the needs of the target population or equipment needs replacement to ensure continuance of service. (Examples: capacity, routes, hours, paratransit eligibility and/or trip criteria, projected future need, vehicles inaccessible, etc.)
- Inappropriate**  
Target population has unique or special needs, which are difficult or impossible to serve on available mass transportation.

Describe how existing public transit do not serve the population in your service area. \_\_\_\_\_

#### **SPECIFICATION AND ESTIMATED BUDGET FOR TRANSPORTATION CAPITAL PROJECTS**

The table represents the estimated net project cost, the amount of the requested Federal grant (80 percent of net project cost), and the amount of local contribution (20 percent of net project cost).

ITEM DESCRIPTION	COST
Purchase of Service - Existing Senior Services	\$223,852
Purchase of Service - Texana Center Expansion	\$234,511
	\$
	\$
<b>NET PROJECT COST:</b>	<b>\$458,363</b>
LOCAL SHARE (Itemize by Source Type & Amount)	AMOUNT
Fort Bend County	\$91,672
	\$
	\$
	\$
<b>TOTAL LOCAL SHARE* = Allowable Percentage 20%</b>	<b>\$ 91,672</b>
<b>TOTAL FEDERAL SHARE* = Allowable Percentage 80%</b>	<b>\$366,691</b>

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[End of Section III](#)

## Section IV: Utilization of Services

### A. Vehicle Availability and Capacity

1. How many vehicles are:  Available for passenger service? 25  
 Required in peak periods? 25
2. Can all requests for service be accommodated with the existing fleet?  Yes  No If No, explain **Fort Bend County's fleet distribution by mode for peak hour service is as follows:**

<b>Mode</b>	<b>Peak Vehicles Required</b>	<b>Vehicle Available</b>
<b>Demand Response</b>	<b>13</b>	<b>13**</b>
<b>Commuter</b>	<b>9*</b>	<b>9*</b>
<b>Point Deviation</b>	<b>3</b>	<b>3</b>
<b>Spare</b>	<b>3</b>	<b>0</b>
<b>Awaiting Auction</b>		<b>3</b>
<b>Total</b>	<b>25</b>	<b>25</b>

\* Operating Contractor Provides Vehicles

\*\* Operating Contractor Provides One Vehicle

**Fort Bend County currently has three (3) vehicles on inventory that are decommissioned and awaiting disposal and replacement. All three vehicles were used in demand response services. Upon receipt of the replacement vehicles, we will be able to provide an appropriate spare ratio with County owned vehicles and begin addressing current demand for services in peak hours. The vehicle replacements will also allow all demand response services to be provided with County owned vehicles instead of a portion of the service being provided with contractor owned buses. Fort Bend County's contracted rate with our bus service provider costs \$20/hour more for vehicles provided by the contractor.**

### B. Service Changes

1. If the agency is proposing to change services (changing routes, increasing or decreasing service), describe the changes and why they are proposed, or enter N/A for not applicable.  
**In a 2003 comprehensive transportation and mobility study which was later developed into the Fort Bend County Transit Plan, the Texas Medical Center was identified as the third largest employment complex for residents of Fort Bend County. Fort Bend County is proposing to increase its commuter service by providing connections between the Texas Medical Center in Harris County and park-n-ride locations along the SH 59 corridor in Fort Bend County. The proposed service will utilize existing park-n-ride locations in Sugar Land (facilities that currently service the Greenway Plaza and Galleria Area commuter routes) and extend service to include a new park-n-ride facility in Rosenberg at the Fort Bend County Fairgrounds. Implementation of the service will require construction of the Rosenberg park-n-ride facility and the acquisition of six (6) medium-duty buses for dedicated use. Two (2) additional light-duty vehicles will be utilized to provide connections from the Rosenberg facility to the Sugar Land locations during peak activity.**

**Fort Bend County has coordinated with Workforce Solutions to provide training and work related transportation service for approved riders. This service began in May 2009 with one contracted vehicle. Demand for this service is anticipated to increase and require two vehicles within the next year. Fort Bend County will seek acquisition of additional vehicles in support of this service when the existing service reaches capacity.**

**Please refer to Attachment A for additional information on Fort Bend County public transportation services.**

### C. Vehicle Replacement / Service Expansion

1. Will vehicle(s) be used for:  service expansion  
 vehicle replacement
2. For the proposed replacement / expansion vehicle  
 What is the estimated total vehicle mileage (1 year)? \_\_\_\_\_  
 What is the estimated total passengers (1 year)? \_\_\_\_\_

**Replacement vehicles will not be requested in FY10 as we received ARRA funding for replacement vehicles in FY09.**

### D. Total Fleet - Vehicle Inventory and Condition

1. Attach the most current agency inventory list or attach a copy of the most recent PTMS.

Fort Bend County Vehicle Inventory					
Plate No.	VIN	Make/Model	Year	County ID	Mileage
209-473	1FDWE35P65HB39086	El Dorado	2005	K-003	141,493
225-805	1FDXE45P66HB07251	El Dorado	2006	K-022	100,585
225-806	1FDXE45P46HB01285	El Dorado	2006	K-039	117,866
227-343	1FDXE45P36HB29885	El Dorado	2006	K-124	190,710
227-344	1FDXE45P56HB29886	El Dorado	2006	K-125	112,289
103-7293	1FDXE45S27DB43502	Ford/Goshen	2007	M-030	72,201
103-7295	1FDXE45S57DB43509	Ford/Goshen	2007	M-043	59,704
225-807	1FDXE45P26HB01284	El Dorado	2006	K-040	137,866
103-7294	1FDXE45S47DB43498	Ford/Goshen	2007	M-029	83,618
103-7292	1FDXE45S67DB43504	Ford/Goshen	2007	M-042	69,000
*753-541	1FDXE40F1WHC13105	Ford	1998	FB2	244,948
*753-542	1FDXE40F0WHC13077	Ford	1998	FB4	269,041
*103-7349	1FDWE35S21HA13550	Ford	2001	M-104	169,702
103-7347	1FDWE35S01HA78641	Ford	2001	M-102	164,879
103-7348	1FDWE35S21HA78642	Ford	2001	M-103	180,502
**105-0105	1GBDV13W28D184164	Chevrolet	2008	M-155	18,642
**105-0106	1GBDV13W38D184125	Chevrolet	2008	M-156	20,867
**105-0104	1GBDV13W38D184660	Chevrolet	2008	M-157	17,780

\* These vehicles are no longer in service and are scheduled for disposal.

\*\* These vehicles are utilized for the Rural New Freedom Services.

### E. Demographics

Please complete the following demographic information for your service area. Exact counts are preferred, but estimates are acceptable. For this section, you are describing the same group of people two different ways, so your total number of clients by ethnicity should equal the total number of clients by elderly or disabled status.

Category	# of Clients	%
American Indian or Alaska Native	637	.4%
Asian or Pacific Islander	23099	14.5%
Black	32976	20.7%
American Indian or Alaskan Native	159	.1%
White (including Hispanic)	100362	63.0%
Other	2071	1.3%
	159304	100%

%	# of Clients	Category
16%	25388	Elderly (non-disabled)
		Persons with disabilities (including elderly)
84%	133916	Other (everyone else)

= TOTAL \* = 100% 159304

\* These totals should equal.

2. Describe the process for determining demographic of the service area.  
**2000 Census data was used to determine the diversity of population within Fort Bend County.**

3. Describe how the current service meets the needs of the targeting population.  
**Fort Bend County provides general public demand response transportation service for any trip purpose. The service is operated on a first-call, first-served basis and allows scheduling of service up to thirty days in advance. The service operates in both the urban and rural areas of the county for appointment times between the hours of 8:00 am and 5:00 pm, Monday through Friday (excluding county holidays). All vehicles for this service are ADA compliant. Coordination of services via the Section 5310 Elderly and Disabled program is also provided within the demand response system.**

**Fort Bend County provides commuter services along the SH 59 corridor from Fort Bend County to the Greenway Plaza and Galleria Mall areas of Harris County. This service is available to all Fort Bend County residents for any trip purpose. Vehicles for these services are ADA compliant.**

**Fort Bend County provides additional services to low income and disabled residents of the county through its point-deviation operations. Point-deviation services for disabled residents in the rural areas are currently in place utilizing three (3) wheelchair equipped mini-vans. Services are offered for any trip purpose. Through JARC and New Freedom programming for our urbanized area, six (6) additional point deviation routes will be added in the later part of FY09. JARC services will be offered to low income residents for work or vocational rehabilitation trips and to the general public for reverse commute and suburban to suburban work and vocational rehabilitation trips. New Freedom services will mirror those provided in the rural area. Targeted to individuals with disabilities, any trip purpose will be accomodated on a space available basis. Some service to qualified New Freedom Urban residents is currently being coordinated on the rural New Freedom routes however, this is limited to space available basis. All vehicles for these services are or will be ADA compliant.**

**Please reference Attachment A for further information on services.**

4. Does your Agency provide equivalent levels of service for disabled and non-disabled passengers?  
 Yes  No If No, explain: \_\_\_\_\_

## F. Fare Structure

1. Enter the Fare for each of the following services.

Fare Type	Amount	Comments:
Regular Fare:	<u>Demand Response \$1.00/ Trip/ Person</u> <u>New Freedom \$1.00/ Trip / Person</u> <u>TREK Commuter Service \$2.25/ Trip / Person</u> <u>TREK Commuter Service Transfer to Metro \$1.00/ Trip/ Person</u>	
Senior Fare:	<u>Demand Response \$1.00/ Trip / Person</u> <u>New Freedom \$1.00/ Trip / Person</u> <u>TREK Commuter Service \$2.25/ Trip / Person</u> <u>TREK Commuter Service Transfer to Metro \$1.00/ Trip/ Person</u>	
Persons with Disabilities (non-Paratransit):	<u>Demand Response \$1.00/ Trip / Person</u> <u>New Freedom \$1.00/ Trip / Person</u> <u>TREK Commuter Service \$2.25/ Trip / Person</u> <u>TREK Commuter Service Transfer to Metro Service \$1.00/ Trip/ Person</u>	
Personal Care Attendant	<u>No Charge</u>	
Paratransit:	<u>N/A</u>	
Student Fare:	<u>Demand Response \$1.00/ Trip / Person</u> <u>New Freedom \$1.00/ Trip / Person</u> <u>TREK Commuter Service \$2.25/ Trip / Person</u> <u>TREK Commuter Service Transfer to Metro \$1.00/ Trip/ Person</u>	
Monthly Pass:	<u>N/A</u>	
Tickets or Tokens:	<u>Demand Response \$1.00/ Trip / Person</u> <u>TREK Commuter Service \$2.00/ Trip / Person</u>	
No Fare Charged:	<u>N/A</u>	
Other: _____	_____	

2. Does the agency prioritize service?  Yes  No If Yes, explain \_\_\_\_\_

3. Are requested trips or reservations denied?  Yes  No If Yes, describe why denied and how tracked: Trips are reserved on a first call first served basis. Peak hours requested are between 8 am and 12 pm and between 4 pm and 6 pm. Demand Response services are currently at capacity during peak hours. Reservations denied are recorded on a waiting list and individuals are contacted as openings occur.

New Freedom services in the rural area are currently at capacity during peak service hours. Those that cannot be accommodated on New Freedom are referred to the Demand Response program.

## G. Incidental Services

1. Does the agency provide incidental transit services, such as charter service, school tripper service, meal delivery, or special services such as sight-seeing?  Yes  No If Yes, describe the services.  
**Fort Bend County will provide charter services for elected officials, the elderly and/or to people with disabilities as is allowed under the new charter regulations. Fort Bend County may also provide Charter services to these same groups and/or other groups utilizing 100% local funding. Federally funded vehicles will not be used for charter services provided with 100% local funding.**

## H. Complementary Paratransit Information

1. Is the agency a Rural Transit District that operates a fixed route service?  Yes  No If Yes, attach the most recent Complementary Paratransit Plan.

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**[End of Section IV](#)**

## Section V: Coordination of Efforts

### A. Coordination of Service

es,  
eryj

1. What human service agencies, employment / training programs, or other transportation providers has the agency met with in the last year to discuss transit service coordination? Explain the outcomes.

**Fort Bend County continues planning discussion with the two primary human service agency transportation providers in the County, The Texana Center and Fort Bend County Senior Citizens. The Fort Bend County Senior Citizens agency elected to re-new their operating contract with the County and TEXANA continues to express a desire to prevent the duplication of service currently in place if funding can be obtained. The partnerships developed with The ARC of Fort Bend, The United Way, The Worksource and The George Foundation under the New Freedom and JARC initiatives saw service start up in FY09. Fort Bend County entered into a formal agreement with Workforce Solutions to provide training and work related transportation service for approved riders. This service began in May 2009 with one contracted vehicle. Demand for this service is anticipated to increase and require two vehicles within the next year. Fort Bend County will seek acquisition of additional vehicles in support of this service when the existing service reaches capacity.**

**Please refer to Attachment A for a comprehensive list of our coordination efforts.**

2. Check the statements below for which the agency presently coordinates or shares services or vehicles with other agencies and those which the agency is willing to consider in an effort to increase coordination.

ity h:  
ner

	Currently Do	Would Consider
Sending drivers to training held by others	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Inviting other drivers to attend training	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sharing back-up vehicles with other agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Providing information to riders/patrons on other available services.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Working with other agencies to identify when there is space available on their vehicles.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Purchasing rides from other agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Selling rides to other agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other: _____		

3. Describe the agency's role in the regional public transportation coordination planning efforts?  
**Fort Bend County's Public Transportation Director has continued the County's efforts to stay involved in the region's public transportation coordination efforts. The Director was a member of the area's original steering committee for the regional coordination plan and Chairs the MPO's current committee charged with the responsibility of implementing projects recommended in the plan..**

## Section VI: Financial Management / Grant Capability

### A. Fiscal / Managerial Capabilities

1. Has the agency expended \$500,000 or more in federal awards in a year?  Yes  No If Yes, were annual audits completed in accordance with OMB Circular A-133 and submitted to the TxDOT district?  
 Yes  No If Yes, attach copy
2. Were there any unresolved audit findings?  Yes  No If Yes, explain

**The County Auditor's office has furnished the following information on the County's overall audit findings:**

#### **Finding #06-04 – Grant Administration**

**The County does not have an effective, centralized grant administration function. This results an increased risk of grant resources not being properly accounted for, utilized, or recognized. This also increases the risk of grantees not meeting the grant compliance requirements or meeting its objectives and reporting requirements.**

#### **Updated Corrective Action Plan**

**The County assigned the interim responsibility to the Director of Special Services in the County Judge's Office. The Grants Management module of the Financial Accounting Software is being used to document the information necessary to administer all grants centrally.**

#### **Finding #07-01 – Formal, Written Year-End Closing Procedures**

**The County does not have formal, written year-end closing procedures. The lack of formal, written procedures resulted in the County not adjusting all account balances to reflect appropriate year-end balances. The unrecorded amounts were, in our judgment, material to the financial statements. We concluded there is a material weakness in the County's control policies and procedures required to be reported under professional standards.**

#### **Updated Corrective Action Plan**

**The County has begun to consolidate the documented software procedures into a single procedure manual with the addition of the processes which occur outside of the software. This proof of concept has provided the necessary information to streamline the year-end closing process documentation to ensure timely annual reporting. This procedure manual will be maintained to represent the most current process.**

3. Describe the experience your agency has in managing grants and/or other governmental grant programs.

**Fort Bend County is a unit of local government as defined in the Texas Administrative Code. As such, the County's governing structure includes several different departments with specific responsibilities designed to appropriately manage and account for public funds. The County's organizational structure includes a County Auditor, County Treasurer, County Attorney and Purchasing Department. As a recipient of numerous federal and state grant funding programs, the County has the experience and organizational structure necessary to provide stewardship for these programs. Ms. Shelton will serve as Primary Contact for all TxDOT programs and is the Department Head for the Fort Bend County Transportation Department. Ms. Shelton brings over 18 years of experience in transportation management and operations to the project. She has served as the County's Transportation Director for four years. Prior to joining Fort Bend County, Ms. Shelton directed a demand response public transit system operating 26 routes at peak service for 14 years and initiated capital projects valued at over 11 million dollars. Ms. Shelton's significant experience and training in public transportation will ensure program regulations and objectives are achieved.**

➤ **Cost Allocation Plans**

4. Will indirect costs be charged to the proposed grant?  Yes  No Indirect costs are defined as those costs that cannot be identified readily and specifically with a particular transit grant. Examples of indirect costs include, but not limited to taxes, administration, personnel and security costs. If Yes, are costs supported by a cost allocation plan in accordance with OMB Circular A-87 and approved by the cognizant agency?

Yes  No If Yes, attach the Cost Allocation Plan Certification.  
If No, explain

**Fort Bend County does not have an approved cost allocation plan and so does not charge indirect costs to our grant programs. Costs related to support services are charged as direct cost to grant when applicable.**

**B. Program Management**

➤ **General**

1. In the last fiscal year has the agency requested a contract extension(s) from TxDOT for a Public Transportation grant?  Yes  No If Yes, explain  
**An extension was requested to accommodate delivery of vehicles.**

➤ **Procurement**

2. Does the agency have written procurement policies and procedures?  Yes  No  
**A copy of our procurement policies are attached and labeled as Attachment B.**

➤ **Maintenance**

3. Does the agency's have a vehicle preventive maintenance program?  
 Yes  No

**A copy of our Operational Standards is attached. These standards detail the minimum requirements our bus operating contractor must maintain for services and vehicle maintenance. Please refer to Attachment C for details.**

**C. Intelligent Transportation System (ITS) Project**

1. Will ITS equipment (such as computer software, communications equipment, etc) be purchased during the fiscal year covered by this application? Yes  No  If Yes, list the ITS equipment funded by this application. **While not anticipated at this writing, it is possible there may be a need to purchase additional software and/or hardware for the department. Recent funding awards under the ARRA will allow acquisition of ITS equipment. System Engineering Design Analysis is currently underway to determine feasibility and operability of adding electronic fare collection equipment, mobile data terminals, automatic vehicle locators, passenger counters, and if funding allows, security camera systems. Once final analysis has been completed and reviewed, final decisions will be made regarding the types of equipment to be purchased and related acquisition processes implemented. It is also possible we may need to purchase supplemental and/or software or software upgrades to accommodate implementation of the ARRA ITS funded project.**
2. Identify the Regional ITS Architecture and Deployment Plan(s) that includes this agency.  
**Houston Region ITS Strategic Plan**

#### D. Civil Rights

1. Subrecipient must describe any lawsuits or complaints that have been received or acted on in the last year relating to Title VI or other relevant civil rights requirements; and subrecipient must provide a status of lawsuits or an explanation of how complaints were resolved including corrective actions taken.  
 The applicant has no lawsuits or complaints received in the last year relating to Title VI or other Civil Rights requirements.  
 The applicant had lawsuits and/or complaints that were received in the last year relating to Title VI or other Civil Rights requirements. The applicant acted upon these as described below. \_\_\_\_\_
2. Does the agency have an Equal Employment Opportunity Policy?  Yes  No
3. Number of transit-related employees: 12 (An employee is considered a transit-related employee if they are classified as such (full or part-time) or if part of their salary is paid with transit funds.)

#### E. Local Support

1. Describe the local support received by the agency (such as resolutions by local governing bodies, and endorsement letters from other organizations or individuals).  
**With the creation of the Fort Bend County Rural Transit District, resolutions of support were passed by each city located in Fort Bend County. Copies of these resolutions are on file in the District's Public Transportation Coordinator's office. Letters of support include but are not limited to letters from private business owners, Mayors, and human service agencies.**

#### F. Public Involvement

1. How has the agency engaged the public to provide input for agency service planning and project selection (e.g. route changes, fare structure, new service and capital expenses).  
**Fort Bend County, as a member of the Houston Galveston Area Council (HGAC), the area's Metropolitan Planning Organization, participates and accepts public input through the planning processes performed by HGAC. HGAC has amended their public outreach effort publications to include specific information on the regions public transportation providers and programs. This is to ensure the public is aware of the opportunities for input in the Transportation Improvement Program and Regional Transportation Plan public input processes and meetings. All applications are approved by Fort Bend County's Commissioner's Court in open session. Each session provides an opportunity for public input. As part of the County's routine annual operations, numerous community presentations are given by Transportation Department staff. These venues are utilized to promote the transportation services provided as well as to gain input from the community regarding service preferences or problems.**

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**[End of Section VI](#)**

**Section VII: WARRANTIES AND ASSURANCES**

**Agency Signature Warranty and Assurance**

The undersigned signatory for the Agency hereby represents and warrants that the information provided in this Application is accurate to the best of my knowledge. The undersigned signatory for the Agency hereby represents and warrants that he/she is an officer of the organization for which he/she has executed this agreement and that he/she has full and complete authority to enter into an agreement on behalf of the organization. The undersigned signatory for the Agency further represents and warrants the Agency is in compliance with all statutory requirements and regulations.

**Fort Bend County**  
Agency Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Robert E. Hebert, County Judge**  
Typed or Printed Name and Title



**TxDOT District Review**

The undersigned signatory hereby represents and warrants that the information provided in this Application has been reviewed, and is complete and accurate to the best of my knowledge

\_\_\_\_\_  
Typed / Printed Name of TxDOT District PTC

\_\_\_\_\_  
District

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**[Return to Table of Contents](#)**

**[End of Section](#)**

# *Attachment A*

## Attachment A

### Existing Services

~~Fort Bend County provides general public demand response and commuter services as well as elderly and disabled demand response transportation services. Demand Response Services are provided via a contract agreement between the County and GBJ, Inc. dba AFC Corporate Transportation. General public Demand Response and Commuter Services are paid for with grant funding received from the Texas Department of Transportation's (TxDOT) Section 5311 Rural Public Transportation Program and Federal Transit Administration (FTA) Section 5307 Urban Area Program Funding. Program expenses are allocated among the various funding sources using a cost allocation plan based on trip origin.~~

**Fort Bend County provides Demand Response services to elderly and disabled patrons utilizing TXDOT Section 5310 funding. Additional point deviation services are provided for disabled residents of the county through New Freedom program funding. Elderly and Disabled demand response services are coordinated on the County's general public demand response vehicles. Due to funding limitations, three of the demand response vehicles dedicated to senior services are operated only 3 hours per day. New Freedom program funding provides three point deviation routes in the rural areas of Fort Bend County. These services began in early 2009 using three 6-passenger wheelchair equipped min-vans. Similar services are planned under the New Freedom program for our urbanized area. Urbanized area services are scheduled to begin in FY10 under the same configuration as the rural service with the provision of vehicles to support three point-deviation routes. Registrations for New Freedom Urban services are already being accepted. Some service to qualified residents is currently being coordinated with our demand response and rural New Freedom program however, it is limited to space availability.**

**Commuter Services are provided using vehicles owned by our bus service contractor. Operating as the TREK Express, commuter services are provided into the Greenway Plaza and Galleria areas of Houston from two park and ride locations in Sugar Land. Services operate in the morning and evening peak hours, Monday through Friday (excluding County holidays). Nine contractor owned vehicles are used to provide six hours of service each day.**

**Demand Response and Elderly and Disabled Services are operated Monday through Friday (excluding County holidays) to accommodate first drop offs by 8:00 am and last pick ups by 5:00 pm. Passengers may request service up to 30 days in advance of the need for service or as late as the day before service is needed. Requests are taken on a first come, first serve basis and denied trips are put on a waiting list for contact later should an opportunity for service open. Demand Response services are provided in 22-passenger buses and each bus is wheelchair accessible. In mid FY08, two demand response vehicles were added using rural funding, three vehicles were transferred from the Fort Bend County Senior Citizens program and three (3) mini-vans were procured through the New Freedom program bringing the total fleet owned by Fort Bend County to 18 vehicles. Due to funding constraints, three vehicles are only operated 3 hours per day. All other vehicles are operated 12 hours per day.**

**Utilizing funding obtained through the Houston Galveston Area Council's Commute Solutions Program, in FY10 Fort Bend County will expand commuter services to include service into the Texas Medical Center. Texas Medical Center Services will be known as the Fort Bend Express and include destinations to major employers and hospitals in the medical center area of Houston. Service planning includes implementation of service using a fleet of six vehicles. Vehicles will operate approximately 7 hours on workdays during peak hours with accommodations for mid-day service and medical trips to the Veteran's hospital also provided.**

Also, in FY10, all commuter services will be expanded to Fort Bend County's rural residents via opening of a park and ride lot in Rosenberg. Rural area residents will be able to access both the TREK Express and The Fort Bend Express from this location.

<b>Service Type</b>	<b>FY05 Trips</b>	<b>FY06 Trips</b>	<b>FY07 Trips</b>	<b>FY08 Trips</b>
<b>Demand Response</b>	<b>4,210</b>	<b>7,042</b>	<b>31,004</b>	<b>50,452</b>
<b>Commuter</b>	<b>52,723</b>	<b>76,440</b>	<b>91,059</b>	<b>116,354</b>
<b>Total Trips</b>	<b>56,933</b>	<b>83,482</b>	<b>122,063</b>	<b>166,806</b>

**Project Need/Availability of Service**

As one of the fastest growing counties in the State, Fort Bend County's public transportation service continues to work diligently to keep up with the unmet demand for public transportation services. Fort Bend County's population currently exceeds 500,000. With over 77,000 elderly and disabled residents service demand continues to outpace the funding availability to provide services. The Department currently operates 13 buses providing in-county demand response services. In FY08, the demand response service provided over 50,400 trips. Currently, the fleet is at capacity during morning and afternoon peak periods. There is some availability in the early afternoon, generally between 1:00 p.m. and 4:00 p.m. Estimates are approximately 25 additional daily trips could be accommodated during this time however; the demand for service is in the peak hours, not in the early afternoon.

The Public Transportation Department continues to seek additional funding sources for provision of services for our residents. As is detailed in the existing services section, the County has been successful in obtaining funding to support additional commuter services and disabled resident transportation services. At this writing, the Rural New Freedom services which have been initiated are at capacity. Urbanized area New Freedom services will be started upon delivery of vehicles; however, applications for service are already being accepted and indications are this service will be at capacity once it is implemented. Traditional funding sources for general public transportation services have not increased at the rate in which demand for services have increased. As a result, we have been limited in our ability to expand general public demand response service and we are currently moving trips requested during peak hour service into off peak openings wherever possible. Fort Bend County residents typically commute to work over 30 miles each day. Transportation Corridors within the county are some of the most heavily congested corridors in the region. Daily single occupancy vehicle trips on these corridors exceed 80,000 trips per day. With gas prices continuing to increase and employees in the Houston Area paying for daily parking there is continued public requests for increased commuter services. The Department has responded to these requests with implantation of our Greenway, Galleria and Medical Center services, however operating along the SH59 corridor, however both federal and local funding is needed to address commuter issues along other corridors leading into the Houston metropolitan area.

Fort Bend County has also continued each year to request Section 5310 funding to support existing and new services for our elderly and disabled residents. Section 5310 funding for the region is not sufficient to keep up with demand in the region. While successful in receiving awards with each application, funding has not been available to fully fund the application requests submitted by us as well as other agencies in the region. As a result, service expansion has been limited while the demand continues to grow. More recently, Fort Bend County was successful in receiving stimulus funding to support our vehicle replacement needs. With just over 4 years in operation, our FY10 Section 5310 would have needed to include funding to replace vehicles which have been in service since our start-up had we not received stimulus funding. Fort Bend County currently has three (3) vehicles on inventory that are decommissioned and awaiting disposal and replacement. All three vehicles are part of the demand response fleet and the lack of sufficient vehicles limits the capacity of the system to support demand. Receipt of the stimulus funding allows our application to be focused on maintaining and expanding service as opposed to vehicle replacement needs. Replacement vehicles meeting are now on order and delivery is projected in October 2009.

**There are two other non-profit agencies in Fort Bend County who provide transportation services for people with disabilities, Caring People and Texana. Caring People, located in Rosenberg, serves people with cognitive disabilities utilizing a small fleet of wheelchair equipped vans. With the implementation of Fort Bend County's New Freedom program, we were able to accommodate some of the trips the agency was not able to provide with their fleet. More recently the agency has indicated an interest in entering in to a more formalized coordination agreement with the County. Initial discussions indicate the agency is interested in contracting a portion of their service needs with us. Texana is the Mental Health Mental Retardation Authority for Fort Bend County. Current transportation services provided by Texana are limited to trips into Texana training centers. Texana patrons need transportation for access to shopping, employment and medical trips. The FY10 Section 5310 application includes funding to accommodate this need.**

### **Needs Assessments**

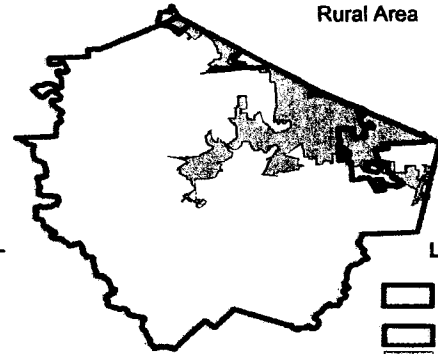
**In 2005, Fort Bend County accepted the Fort Bend County Transit Feasibility Study. This comprehensive planning document included numerous public outreach meetings as well as data analysis of travel patterns and trips within Fort Bend County. With a county population of over 500,000 people and significant elderly and disabled population needs, the study recommended both commuter and special needs transportation services. Most recommended service modes are either currently being operated or planned for the future. Copies of the plan are available from the Public Transportation Department and the Houston-Galveston Area Council.**

**We are currently reviewing a final draft of a Circulator Feasibility Study for the City of Sugar Land. Neighborhood, worksite and web-based outreach studies were conducted to determine community transportation needs and desires. Study findings reveal a demand for worksite to worksite and lunch time shuttles in the Sugar Land Town Square area. With one of the most successful pedestrian friendly environments in the County, the Town Square area has become a focal point for shopping, recreational and business activities for Sugar Land residents and visitors. Located just off the SH6 corridor, the area continues to experience delayed travel times due to traffic congestion on Highway 6. The proposed circulator will help to relieve congestion and provide residents and visitors with an opportunity to promote environmentally friendly transportation options. The City has informally indicated willingness to pursue the service recommendations contained in the study. Once the study is finalized, it will be presented to the City Council for approval and direction.**

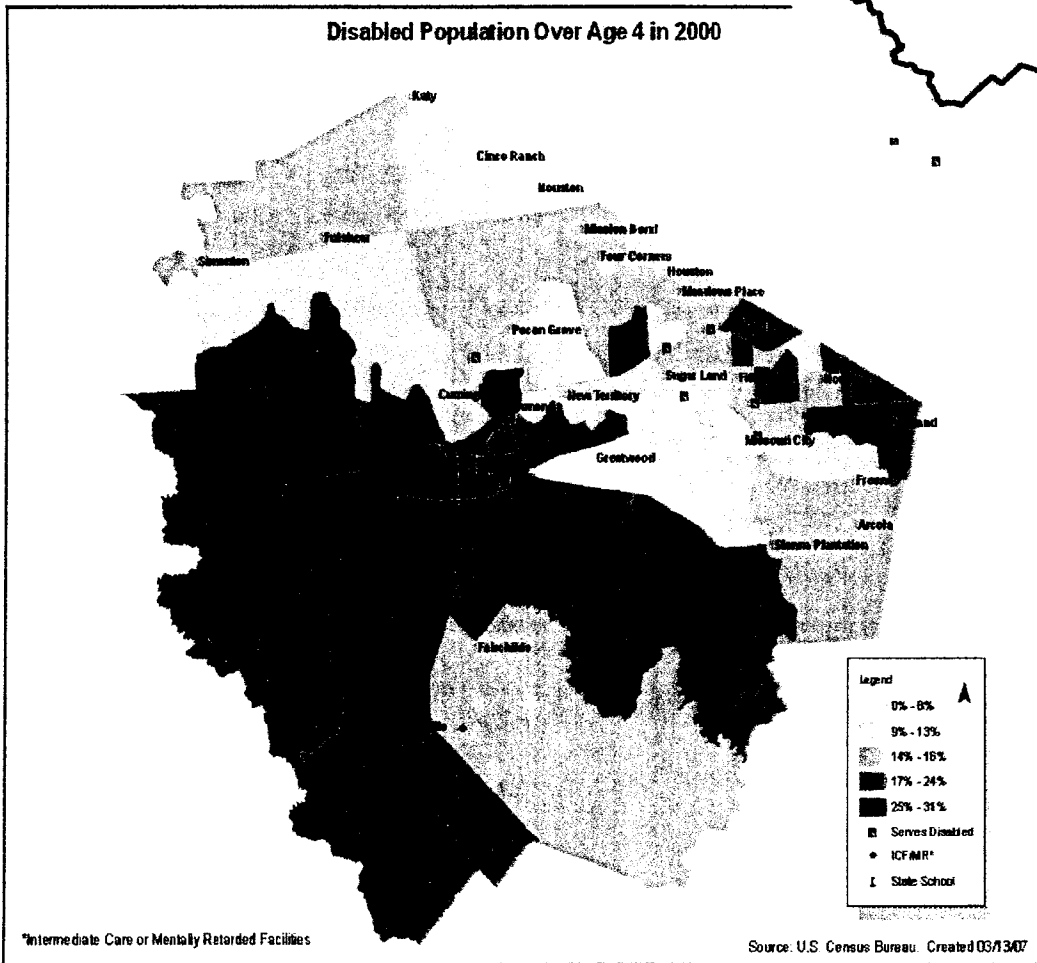
**Another community feasibility study was launched for the City of Rosenberg during the third quarter of FY09. Completion of the study scope will result in a transit plan for the City which includes analysis of transit oriented development opportunities, assessment of pedestrian and bicycle amenities and needs and recommended transit services. Request for proposals have been issued with contractor selection expected by September of 2009 and study completion within 190 days.**

**A more detailed assessment of the needs of our transit dependent populations was performed in the fall of 2006, by The George Foundation, a local philanthropic organization. The Foundation engaged the University of Texas LBJ School of Public Affairs to conduct a comprehensive "Needs Assessment of Fort Bend County." The study reveals the lack of transportation options and magnifies problems in the areas they researched which included: Health, Education and Human Services. As the maps below indicate, the rural areas of Fort Bend County house a significant portion of the disabled population of Fort Bend County.**

Fort Bend County  
Rural Area

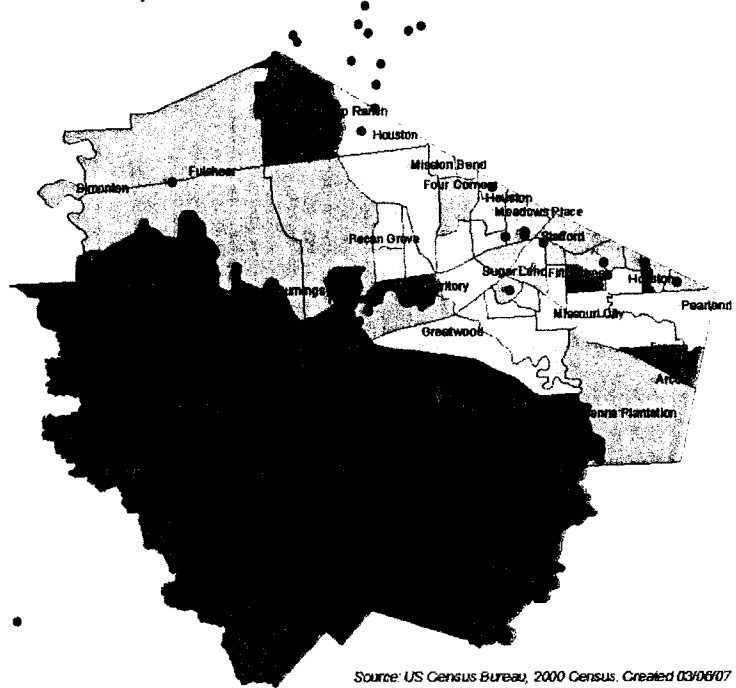
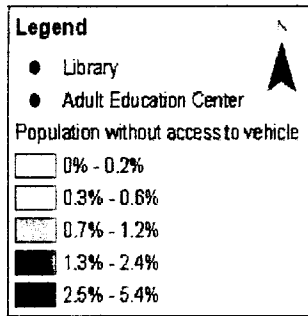


Disabled Population Over Age 4 in 2000



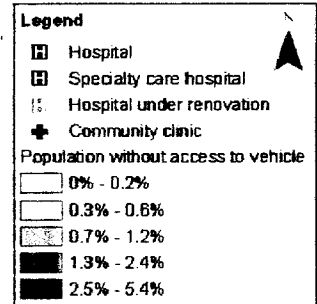
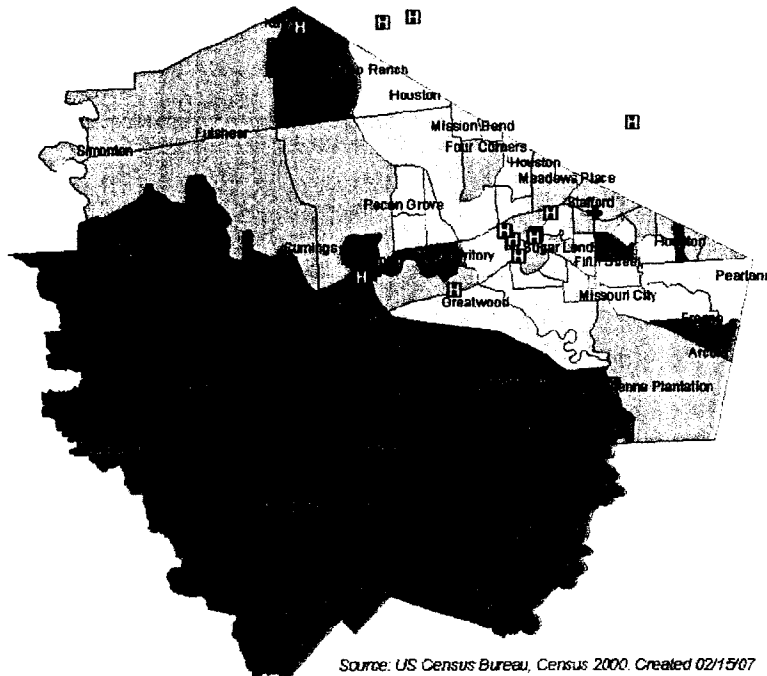
**In addition, The George Foundation Needs Assessment Study demonstrates service providers are located in urbanized areas while the transit dependent populations needing to access those services are located in rural areas. (Page 6, Fort Bend County Needs Assessment Report)**

**Adult Education Centers and Population without Access to Vehicle**



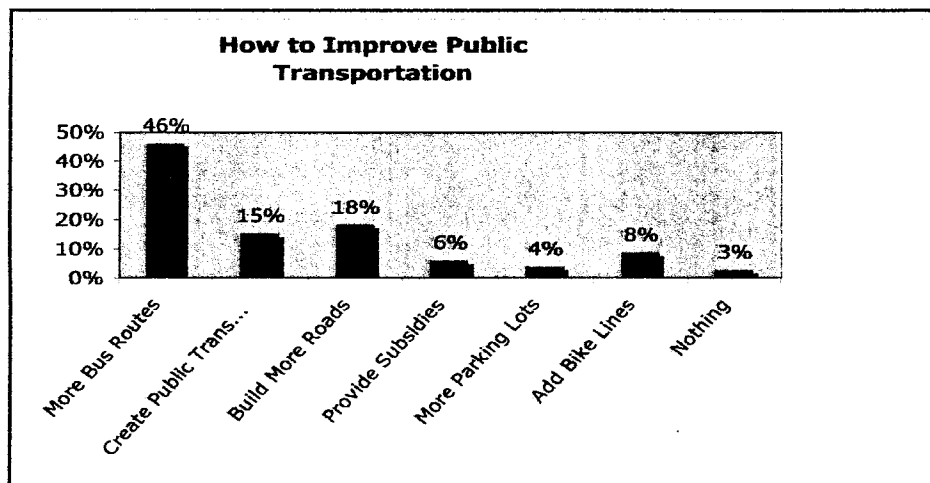
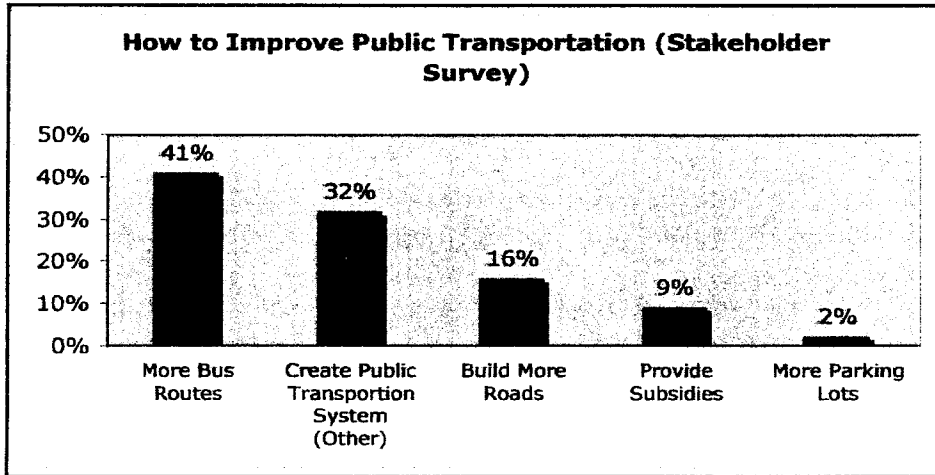
Source: US Census Bureau, 2000 Census. Created 03/06/07

**Health Care Institutions and Population without Access to Vehicle**



Source: US Census Bureau, Census 2000. Created 02/15/07

**Community stakeholders and the general public were polled with the resulting needs assessment representing both the views of the public and stakeholders involved in service provision. When asked "how could the public transportation in Fort Bend County be improved" both stakeholders and the public overwhelmingly indicated more bus routes were needed**



**The purpose of the needs assessment was to investigate those areas of need related to the Foundation's mission and present findings that would help set priorities and guide the grant-making decisions of the foundations trustees.**

**In the Needs Assessment, transportation and service coordination were indicated repeatedly as significant needs. As a result of these findings, Fort Bend County along with area human service agencies stepped up coordination efforts and partnered on numerous grant applications with proposals addressing transportation coordination.**

## **Coordination Activities**

**Fort Bend County continues planning discussion with the two primary human service agency transportation providers in the County, The Texana Center and Fort Bend County Senior Citizens. The Fort Bend County Senior Citizens agency elected to re-new their operating contract with the county and TEXANA continues to express a desire to prevent the duplication of service currently in place if funding can be obtained. The partnerships developed with The ARC of Fort Bend, The United Way, The Worksource and The George Foundation under the New Freedom and JARC initiatives saw service start up in FY09. Fort Bend County entered into a formal agreement with Workforce Solutions to provide training and work related transportation service for approved riders. This service began in May 2009 with one contracted vehicle. Demand for this service is anticipated to increase and require two vehicles within the next year. Fort Bend County will seek acquisition of additional vehicles in support of this service when the existing service reaches capacity.**

**The agencies contacted and activities undertaken by Fort Bend County to expand coordination of services include the following:**

### **The Arc of Fort Bend (contact: Laura Lavigne)**

**Transportation Coordination for clients for social, education and work purposes. Resulted in award and coordination of New Freedom Project Services.**

### **Texana – MHMR (contact: Manuel Lopez)**

**Transportation Coordination for clients for social, education and work purposes. Upon receipt of funding, duplicated services will be eliminated.**

### **United Way (contact: Jan Ridding)**

**Promote transportation coordination, networking of affiliate organizations, providing funding, education and resource information. Following the success of the New Freedom programs, the United Way has continued to express support and interest in funding additional transportation coordination projects in Fort Bend County. Recent activities have included discussions regarding providing partial funding for a coordinated project between Fort Bend County Transit and Colorado Valley Transit for services into the Texas Medical Center.**

### **American Red Cross (contact: Steve Atchison)**

**Collaborative efforts are underway to provide communication between agencies and coordination of trips. Efforts have resulted in coordinated trips via passenger transfers between the two operators.**

### **Caring People (contact: Patrick Friend)**

**FY09 activities have included reducing the agency's transportation waiting list in the rural areas via our New Freedom services. Efforts are now underway to initiate a contract to accommodate other riders the agency is unable to serve in our rural areas. Service will provide trips into day rehabilitation and socialization programs.**

### **Wharton County Community College (contact: Kandace Nasis)**

**The New Freedom Program Funding allowed collaboration with the College for their SUCCESS program. The SUCCESS program is a summer program of occupational classes designed for students with developmental disabilities. New Freedom vans provided service to and from the college for the summer session. Current planning revolves around providing similar service in the urban area via urbanized area funding for New Freedom services.**

### **Alzheimer Association (contact: Jessica Abad Maz)**

**New Freedom initiatives provided funding for passenger attendants. Currently being called the "Ambassador" program, on-board, curbside and hand to hand assistance is being planned for this agency's clients.**

**Fort Bend Center for Independent Living (FBCIL) (contact: John Bickham)**

*Collaborative efforts with this agency have been focused on public outreach and marketing to disabled residents of our county. The agency is providing a monthly forum dedicated solely to transportation outreach and educational efforts. These educational workshops are helping to expand the awareness of transportation services and operators as well as providing attendees with opportunities to receive one-on-one trip consultation.*

**Gateway to Care – Fort Bend Transportation Collaborative (contact: Merriette Manson)**

*In FY09, Gateway to Care expanded outreach efforts into Fort Bend County. The initiative is focused on collaborative efforts promoting healthcare and access to healthcare. Healthcare providers identified the lack of transportation services as a key barrier to healthcare access. Concerns resulted in a sub-committee dedicated to increasing transportation awareness in Fort Bend County. Known as the Gateway to Care – Fort Bend Transportation Collaborative committee members are providing public transportation outreach activities and interactive networking efforts to ensure individuals needing healthcare are aware of the transportation services available to get them to medical appointments.*

**Department of Assistive and Rehabilitative Services (DARS) (contact: Beatrice Bisong-Ashu)**

*Efforts have just begun with this agency and are focused on developing appropriate transportation services for the agency's low income and disabled clients using New Freedom and JARC program funding*

**Katy Area Chamber of Commerce**

*The City of Katy city limit boundaries extend into three counties with transportation services provided by four different public providers. In FY09, planning funding was requested from the Houston-Galveston Area Council to undertake a transportation coordination study which would provide elderly and disabled residents in the County with a seamless transportation system. Collaborative efforts are underway between Fort Bend County Transit, Houston Metro, Harris County Rides, the American Red Cross, the City of Katy and the Katy Chamber of Commerce to achieve this goal.*

**Harris County Rides**

*Currently the Harris County Rides program is operating a highly successful taxi-vouchering program. Collaborative efforts are working towards expansion of this program into Fort Bend County. In addition, through the Regional Transportation Coordination Council's coordination activities, Fort Bend County Transit and the Harris County Transportation Department are working together to research and define the systems necessary to create seamless fare transfers between these programs and Houston Metro.*

**Colorado Valley Transit (CVT)**

*Collaborative efforts are underway to obtain funding support for CVT cross-county transit trips which would connect CVT passenger's to Fort Bend County's Texas Medical Center service. Connections between services would occur at Fort Bend County's Fairgrounds Park and Ride Facility.*

**University of Houston – Sugar Land & Katy Campuses**

*Discussions are currently underway on a proposal to provide connector services between the two U of H campuses located in Fort Bend County.*

**Workforce Solutions**

*Fort Bend County has entered into a formal agreement with Workforce Solutions to provide training and work related transportation service for approved riders. This service began in May 2009 with one contracted vehicle. Demand for this service is anticipated to increase and require two vehicles within the next year.*

## **Proposed Services**

**The Fort Bend County Transportation program does not operate any services directly. Services are provided via contracts with two bus service providers. Because of this, Fort Bend County requests purchase of service funding to continue support of our transportation services. Funding requests also include the capital, administrative, planning and operating funds necessary to support all modes and services offered by the Department.**

**As is indicated in our needs assessment and coordination activities there are both unmet transportation needs and insufficient funding support for the transportation services needed within the County. The County will seek to alleviate a portion of these problems by continuing to seek funding to support expanded operations.**

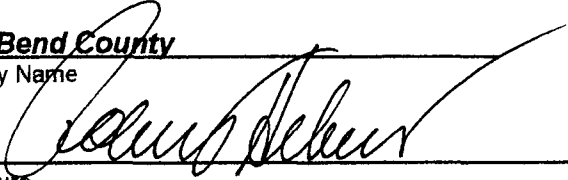
**As funding becomes available, applications will be submitted for existing and expanded general public and elderly and disabled transportation services. Service requests will support all modes offered demand response, commuter and point deviation routes. In addition to request for planning assistance, request for funding to continue and enhance our auxiliary support services will also be completed. These funds will continue mobility management, travel training, trip coordination and passenger assistance services. We also expect to continue our capital improvement program by submitting applications for vehicles, ITS equipment, and construction of facilities. These applications will continue the County's effort to meet the transportation needs of our residents.**

**Section VII: WARRANTIES AND ASSURANCES**

**Agency Signature Warranty and Assurance**

The undersigned signatory for the Agency hereby represents and warrants that the information provided in this Application is accurate to the best of my knowledge. The undersigned signatory for the Agency hereby represents and warrants that he/she is an officer of the organization for which he/she has executed this agreement and that he/she has full and complete authority to enter into an agreement on behalf of the organization. The undersigned signatory for the Agency further represents and warrants the Agency is in compliance with all statutory requirements and regulations.

**Fort Bend County**  
Agency Name

  
Signature

August 11, 2009  
Date

**Robert E. Hebert, County Judge**  
Typed or Printed Name and Title



**TxDOT District Review**

The undersigned signatory hereby represents and warrants that the information provided in this Application has been reviewed, and is complete and accurate to the best of my knowledge

\_\_\_\_\_  
Typed / Printed Name of TxDOT District PTC

\_\_\_\_\_  
District

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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**[End of Section](#)**

***Attachment B***  
***Procurement Policy***

***FORT BEND COUNTY  
PURCHASING DEPARTMENT***



***GUIDELINES FOR FTA  
FUNDED PROCUREMENTS***

***12 NOVEMBER 2008***

## **GUIDELINES FOR FTA FUNDED PROCUREMENTS**

In addition to the County's Purchasing Policies and Procedures, the following Guidelines shall apply to all procurements utilizing funds from the Federal Transit Administration.

### **1.0 Contract Administration System**

The Recipient County Department will maintain a contract administration system that ensures contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

### **2.0 Standards of Conduct and Conflict of Interest Policies**

This section defines responsibility to identify and prevent a real or apparent conflict of interest.

#### **2.1 Conflict of Interest**

In order to promote governmental integrity and to guard against even the appearance of impropriety, all County employees engaged in any vendor-related activity shall comply with the following standards of ethical conduct:

2.1.1 County employees shall discharge their duties impartially so as to assure fair access to governmental procurement by responsible vendors and service providers and to foster public confidence in the integrity of the County procurement system.

2.1.2 County employees shall not solicit, demand, accept or agree to accept a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement, specification, standard or contract.

2.1.3 The following groups shall not participate in or attempt to use their official position to influence any purchasing decisions in which they or persons related to them have a financial interest:

2.1.3.1 The employee, officer, or agent

2.1.3.2 Any member of his/her immediate family

2.1.3.3 His or her partner, or

2.1.3.4 An organization that employs, or is about to employ, any of the above.

2.1.4 In cases where there may be a benefit, either direct or indirect, there is a responsibility to report in writing such benefit to the County. If anyone fails to report such benefit, he or she may be subject to disciplinary proceedings deemed appropriate by the County, as may be permitted by law.

## 2.2 Gratuities, Kickbacks, and Contingent Fees

No member of the groups listed in item (2.1.3) above shall solicit, demand or accept from any person, contractor, potential contractor, or potential subcontractors, anything of a monetary value, including gifts, gratuities, favors, etc. Anyone failing to adhere to the above may be subject to disciplinary proceedings deemed appropriate by the County, as may be permitted by law.

## 2.3 Confidential Information

No member of the groups listed in item (2.1.3) above shall use confidential information for his or her actual or anticipated personal gain, or the actual or anticipated personal gain of any other person related to them by blood, marriage, or by common commercial or financial interest. Anyone failing to adhere to the above may be subject to any disciplinary proceeding deemed appropriate by the County, including possible dismissal, as may be permitted by law.

## 2.4 Organizational Conflict of Interest

Each entity that enters into a contract with the County is required, prior to entering into such contract, to inform the County of any real or apparent organizational conflict of interest. Such organizational conflicts of interest exists when the nature of the work to be performed under a contract may, without some restriction on future activities, result in an unfair competitive advantage to the contractor, or may impact the contractor's objectivity in performing the contract work.

## **3.0 Approval of Purchase Orders**

3.1 Purchase Order numbers may only be assigned by the Purchasing Department and only following receipt of a completed purchase requisition. The Purchasing Department will review the Purchase Order and all documentation to ensure its completeness and accuracy.

3.2 Following the above review, the Purchasing Department will assign the next consecutive Purchase Order number.

## **4.0 Written Record of Procurement History**

4.1 The Purchasing Department shall maintain records detailing the history of each FTA associated procurement.

4.2 These records are placed in a procurement master file and include:

4.2.1 The rationale for the method of procurement.

4.2.2 Selection of contract type.

4.2.3 Reasons for contractor selection or rejection; and

- 4.2.4 The basis for the contract price.
- 4.3 Procurement Documentation Files, where appropriate, the procurement file will contain:
  - 4.3.1 Purchase request, acquisition planning information, and other pre-solicitation documents
  - 4.3.2 Required internal approvals for award
  - 4.3.3 Rationale for the method of procurement (negotiations, formal advertising)
  - 4.3.4 List of sources solicited
  - 4.3.5 Independent cost estimate
  - 4.3.6 Description of work/scope of services
  - 4.3.7 Copies of published notices of proposed contract action
  - 4.3.8 Copy of the solicitation, all addenda, and all amendments
  - 4.3.9 Liquidated damages determination
  - 4.3.10 An abstract of each offer or quote
  - 4.3.11 Contractor's contingent fee representation and other certifications and representations if applicable
  - 4.3.12 Source selection documentation if applicable
  - 4.3.13 Contracting Officer's determination of contractor responsiveness and responsibility
  - 4.3.14 Cost or pricing data
  - 4.3.15 Determination that price is fair and reasonable including an analysis of the cost and price data
  - 4.3.16 Purchase Requisition indicating availability of funding
  - 4.3.17 Notice of award
  - 4.3.18 Notice to unsuccessful bidders or offerors and record of any debriefing,
  - 4.3.19 Record of any protest

- 4.3.20 Bid, Performance, Payment, or other bond documents, and notices to sureties
- 4.3.21 Required insurance documents, and
- 4.3.22 Notice to proceed
- 4.4 Contract Administration File, where appropriate, the contract administration file will contain:
  - 4.4.1 Executed contract and notice of award
  - 4.4.2 Bond-related documents
  - 4.4.3 Insurance documentation
  - 4.4.4 Post-award correspondence
  - 4.4.5 Notice to proceed
  - 4.4.6 Approvals or disapprovals of waivers and deviations

## **5.0 Written Procurement Selection Procedures**

- 5.1 The Purchasing Department shall use written selection procedures for procurement transactions as follows:

Solicitations shall include a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use.
- 5.2 When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equal” description may be used as a means to define the performance or other salient characteristics of procurement. The specific features of the named brand which must be met by offerors shall be clearly stated.
- 5.3 Identify all requirements that offerors must fulfill and all other factors to be used in evaluating bids or proposals.
- 5.4 Bids/Proposals are evaluated by the Purchasing Department to identify the lowest, responsive, and responsible bidder or most advantageous proposer who provides the best value. Contract awards will then be made by the Purchasing Department or Commissioners Court pursuant to their legal authority.

## 6.0 Protest Procedures

- 6.1 Filing of Protests: All Protests must be filed and resolved in a manner consistent with the requirements of FTA Circular 4220.1F Third Party Contracting Guidelines dated June 19, 2003. and the Fort Bend Procurement Policies and Procedures Manual. Upon request, the Contract Administrator (for the subject Bid/Proposal) will provide a copy of the aforementioned documents.
- 6.2 Protest Definitions: These definitions shall only apply to Protest Article in either the Instructions to Bidders or Proposers:
  - 6.2.1 Appeal - Protestor's written summary describing the basis for appeal, provided to the County when requesting reconsideration of the County's Protest denial.
  - 6.2.2 Interested Party - Actual or prospective offeror whose direct economic interest would be affected by the award of a contract or by the failure to award a contract,
  - 6.2.3 Prospective Offerer - Any bidder/proposer that has the actual capability and capacity to submit a bid/proposal meeting all the requirements set forth herein.
  - 6.2.4 Protest - A succinct written description of the Protestor's objections to the content of the solicitation or the award of a contract.
  - 6.2.5 Protestor - An Interested Party that has properly filed a timely protest.
  - 6.2.6 Timely Filed Protest - A written document filed by a Protestor that meets the requirements outlined in PROTEST REQUIREMENTS below, and either the instruction to Bidders or Proposers.
- 6.3 Procedures:
  - 6.3.1 In order for a Protest to be considered properly, the Protestor shall adhere to County's protest procedure by providing a written submission which shall contain at a minimum:
    - 6.3.1.1 Name and address of the Protestor;
    - 6.3.1.2 Its relationship to the procurement sufficient to establish that the protest is being filed by an Interested Party;
    - 6.3.1.3 Written proof that protest has been filed in a timely manner;
    - 6.3.1.4 The specific Contract No. identified in the Letter of Invitation;

- 6.3.1.5 The specific staff recommendation, County action, or inaction that is being protested.
  - 6.3.1.6 The provision(s) of the solicitation, regulations, and/or laws upon which the protest is based, (i.e. identification of the technical specifications or item of content in the solicitation);
  - 6.3.1.7 All documentation supporting the allegations in the protest; and,
  - 6.3.1.8 A statement of the specific relief requested.
- 6.3.2 If the protest does not comply with any of the preceding requirements, it may not be considered for evaluation and may be returned to the Protestor who submitted the written documentation without appropriate substantiating information.
- 6.3.3 At the Protestor's discretion, a protest may be filed by electronic facsimile (with original copy by express mail) or by any other return receipt means. The County is not responsible for lost or otherwise delayed deliveries. A protest not filed within the time limits herein may be rejected without consideration or evaluation.
- 6.3.4 To be considered timely, protests concerning the content of a Bid/Proposal, including all attached documents must be filed with the Purchasing Department within ten (10) calendar days after the Purchasing Department first advertises the Bid/Proposal and received not later than 5:00 p.m. (local time) on the tenth day. If the tenth calendar day falls on a weekend or legal holiday, the protest period ends at 5:00 p.m. (local time) the following business day.
- 6.3.5 The Purchasing Department shall issue a written decision on the protest for content prior to opening or submission of proposals.
- 6.3.6 Protests concerning a recommendation for award, on any ground not based upon the content of the Bid/Proposal, must be filed with the Purchasing Department by an Interested Party within fifteen (15) calendar days after the Purchasing Department mails the recommendation for award notice and received not later than 5:00 p.m. (local time). If the fifteenth calendar day falls on a weekend or legal holiday, the Protest period ends at 5:00 p.m. (local time) the following business day.
- 6.3.7 The Purchasing Department will acknowledge only one protest on Bid/Proposal content. Any additional protests must be filed within the designated time after proposal submittal.

- 6.3.8 An appeal to the Commissioners Court concerning a denial to a protest, relating to a recommendation for award solicited by this Bid/Proposal must be filed by an Interested Party within five (5) calendar days after receipt of the denial of the protest.
- 6.3.9 The date of filing must be the date of receipt by the Purchasing Department.
- 6.3.10 All Protests must be filed in writing to: Fort Bend County Purchasing Agent, 4520 Reading Road, Suite A, Rosenberg, Texas 77471. No other location, or addressee shall be acceptable.
- 6.3.11 Note: Appeals addressed to the attention of the Fort Bend County Commissioners Court must be delivered to the above address for date and time stamping.
- 6.3.12 The Purchasing Department will respond to each substantive issue raised in all timely filed protests concerning content or contract award. The Purchasing Department shall make a written determination of the protest, within forty-five (45) working days from receipt of Protest. Any decision rendered by the Purchasing Department may be appealed to the Fort Bend County Commissioners Court.
- 6.3.13 The Protestor may withdraw its protest or appeal at any time before the Purchasing Department or Fort Bend County Commissioners Court issues a final decision.

## **7.0 Prequalification of Bidders**

The Purchasing Department shall ensure that all lists of prequalified persons, firms, or products that are used in acquiring goods and services are current and include enough qualified sources to ensure maximum full and open competition. In addition, the Purchasing Department shall not preclude potential bidders from qualifying during the solicitation period, which is from issuance of the solicitation to its closing date.

## **8.0 Geographic Preferences**

The Purchasing Department shall conduct procurements in a manner that prohibits the use of statutory or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. This does not preempt State licensing laws. However, geographic location may be a selection criterion in procurements for architectural and engineering (A&E) services, provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

## **9.0 Competitive Awards**

- 9.1 **Procurement by Micropurchases.** Micropurchases are purchases of goods and services for amounts less than \$3,000.00. Micropurchases shall be made in accordance with the requirements of FTA Circular 4220.1F and the Texas Local Government Code.
- 9.2 **Procurement by Small Purchase Procedures.** Small purchases are purchases of goods and services for amounts less \$100,000.00. Small purchases shall be made in accordance with the requirements of FTA Circular 4220.1F and the Texas Local Government Code.
- 9.3 **Procurement by Sealed Bids/Invitations for Bid.** Purchases by sealed bids/invitations for bid shall be made in accordance with the requirements of FTA Circular 4220.1F and the Texas Local Government Code.
- 9.4 **Procurement by Competitive Proposal/Requests for Proposal.** Procurements by competitive proposal/requests for proposal shall be made in accordance with the requirements of FTA Circular 4220.1F and the Texas Local Government Code.
- 9.5 **Procurement of Architectural and Engineering Services.** Procurements of architectural and engineering services shall be made in accordance with the requirements of FTA Circular 4220.1F and the Texas Local Government Code.
- 9.6 **Procurement of Design-Bid-Build.** Procurements of design-bid-build services shall be made in accordance with the requirements of FTA Circular 4220.1F and the Texas Local Government Code.
- 9.7 **Procurement of Design Build.** Procurements of design build services shall be made in accordance with the requirements of FTA Circular 4220.1F and the Texas Local Government Code.

## **10.0 Non-Competitive Awards (Sole Source Procurements)**

- 10.1 A sole source procurement is a purchase accomplished through solicitation or acceptance of a proposal from only one source; or, if after solicitation of a number of sources competition is determined inadequate. A sole source purchase must be documented as to the reasons why only one supplier is acceptable. This documentation is normally furnished by the originating department and verified by the Purchasing Department, which is responsible for making the final determination on sole source procurements.
- 10.2 The following areas must be considered in sole source determinations:
  - 10.2.1 Contract amendment or change order that is not within the scope of the original contract is considered a sole source procurement.

10.2.2 Sole source procurement may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and at least one of the following circumstances applies:

10.2.2.1 The item is available only from a single source;

10.2.2.2 The public exigency or emergency (i.e., a threat to public health, welfare, safety, property or other substantial loss to the County, or a situation requiring immediate action by the County) which will not permit a delay resulting from a competitive solicitation.

10.2.2.3 FTA authorizes noncompetitive negotiations;

10.2.2.4 After solicitation of a number of sources, competition is determined inadequate; or

10.2.2.5 The item is an associated capital maintenance item as defined in 49 U.S.C. § 5307(a) (1) that is procured directly from the original manufacturer or supplier of the item to be replaced. The County must first certify in writing to FTA: (i) that such manufacturer or supplier is the only source for such item; and (ii) that the price of such item is not higher than the price for such item by like customers.

10.2.3 A cost analysis, i.e., verifying the proposed cost data, the projection of the data, and the evaluation of the specific elements of costs and profit, is required.

10.2.4 The Purchasing Department shall conduct negotiations, as appropriate, as to price, delivery, and terms.

## **11. Federal Contract Clauses**

FTA funded contracts and/or purchase orders must include all applicable federal contract clauses.

## **12.0 Price/Cost Analysis**

12.1 In all FTA-funded procurements, a price or cost analysis shall be used to determine the reasonableness of the bid price.

12.2 The Purchasing Department may conduct a price analysis in evaluating a bid price.

12.3 If a valid price analysis cannot be completed, a cost analysis of the bid price may be conducted.

- 12.4 “Price analysis” is the process of examining and evaluating a prospective price without evaluation of the separate cost elements or proposed profit of the prospective supplier.
- 12.5 “Cost analysis” is the review and analysis of a contractor's cost or pricing data and of the factors applied in projection from the data to the estimated costs in order to form an opinion on the degree to which the contractor's proposed costs represent the cost of performance of the contract, assuming reasonable economy and efficiency.
- 12.6 As compared to price analysis, cost analysis involves a more detailed review of the offeror's proposal.
- 12.7 Normally, price analysis may be accomplished through one or more of the following activities:
- 12.7.1 The comparison of prior quotations and contract prices with current quotations for the same or similar end items (to provide a suitable basis for comparison, appropriate allowances must be made for differences in such factors as specifications, quantities ordered, time for delivery, etc.).
- 12.7.2 The use of "yardsticks" (such as dollars per pound, per horsepower, or other units) to point out apparent gross inconsistencies that should be subjected to greater pricing inquiry.
- 12.7.3 The comparison of prices set forth in published price lists issued on a competitive basis, published market prices of commodities, and similar indicators, to the County with discount or rebate arrangements.
- 12.7.4 The comparison of proposed prices with estimates of cost independently developed by personnel within the County.
- 12.7.5 The comparison of prices paid by other users (government or commercial) of the same or similar items to the proposed prices.
- 12.7.6 Normally, cost analysis may be accomplished through the following:
- 12.7.6.1 Verify contractor's cost data.
- 12.7.6.2 Evaluate specific elements of costs and project these elements to determine the effect on prices of such factors as:
- The necessity for certain costs;
  - The reasonableness of amounts estimated for the necessary costs;

- Allowances for contingencies; and
- The basis used for allocations of particular overhead costs to the proposed contract.

12.7.6.3 When the necessary data is available, compare the contractor's estimated cost with:

- Actual costs previously incurred by the contractor;
- The contractor's last prior cost estimate for the same or similar estimates;
- Current cost estimates from other possible sources; and
- Prior estimates or historical costs of other contractors manufacturing the same or similar items.

12.7.6.4 Forecasting future trends in costs from historical experience:

- In periods of either rising or declining costs, an adequate cost analysis must include some evaluation of the trends.
- In cases involving recently developed, complex equipment, even in periods of relative price stability, trend analysis of basic labor and materials costs should be undertaken.

12.7.7 In performing a cost analysis, there are three questions that should be asked in the examination of costs, particularly those in the overhead area:

12.7.7.1 Is the cost allowable in accordance with Federal guidelines?

12.7.7.2 Is the cost allocable to the particular project?; and,

12.7.7.3 Is the cost reasonable?

12.7.8 If only one bid is received, the sole bidder must cooperate with the County as necessary in order for its bid to be considered for award. A new solicitation of bids may be made if the single bid price appears unreasonable or if no determination is made as to the reasonableness of the single bid.

### **13.0 Amendments and Change Orders**

- 13.1 An amendment is any change to a contract, task order, or work order for any professional services including all architectural and engineering services that alters the terms and conditions of the original document. Any change in the scope of a contract that increases the cost of the contract must follow the Sole Source Procurement procedures. Amendments are formal changes that must be approved at the same signature authority level as the original document.
- 13.2 The County shall have the right, based on a clause contained in each contract for construction or the delivery of goods and services, to issue a change order to correct errors, omissions, or discrepancies; to cover acceptable overruns; to expand or reduce the scope of the contract; or to direct other changes in contract execution to meet unforeseen field, regulatory or market conditions. All change orders must be approved in advance in accordance with the value of the change order or the calculated value of the time extension. In addition, the County shall have the unilateral right, based on a clause contained in each contract, to issue an immediate change order and negotiate cost and price for time and materials after the issuance of the change order.
- 13.3 All amendments and change orders shall be submitted to the Purchasing Department by the Project Manager complete with explanations and back up information and, when applicable, a detailed breakdown of charges for review and/or recommendation of approval.
- 13.4 The Purchasing Department will verify all amendments and change orders as to the:
  - 13.4.1 Appropriateness of the modification of the contract and whether it is unreasonable to do a separate bid for the item under consideration.
  - 13.4.2 The methods of calculating the amount of the amendment or change order are in conformance with the terms of the contract.
- 13.5 The issuance of change orders for each individual contract shall be handled by the Purchasing Department.

### **14.0 Use of Time and Materials Type Contracts**

The County shall use time and material type contracts only:

- 14.1 After a determination that no other type of contract is suitable; and
- 14.2 If the contract specifies a ceiling price that the contractor shall not exceed except at its own risk.

## **18.0 Contract Term Limitation**

The County shall not enter into any contract for rolling stock or replacement parts with a period of performance exceeding five (5) years inclusive of options. All other types of contracts (supply, service, leases of real property, revenue and construction, etc.) will be based on sound business judgment. Length of contracts shall be for not more than the amount of time required to accomplish the purpose of the contract, and will also include consideration for competition, pricing, fairness, and public perception. Once a contract has been awarded, an extension of the contract term length that amounts to an out of scope change will require a sole source justification.

## **19.0 Advance Payments**

The County does not authorize and will not participate in funding payments to a contractor prior to the incurrence of costs by the contractor unless prior written concurrence is obtained from FTA.

## **20.0 Progress Payments**

The County may use progress payments provided the following requirements are followed:

- 20.1 Progress payments are only made to the contractor for costs incurred in the performance of the contract.
- 20.2 The County must obtain adequate security for progress payments. Adequate security may include taking title, letter of credit, bonding or equivalent means to protect the FTA's and the County's interests in the progress payment.

## **21.0 Liquidated Damages**

The County may use liquidated damages if it may reasonably expect to suffer damages (increased costs on project involved) from late completion and the extent or amount of such damages would be difficult or impossible to determine. In order to obtain liquidated damages, the County must suffer an actual loss. The amount of liquidated damages must be reasonable in light of the loss suffered. The assessment for damages shall be at a specific rate per day for each day of overrun in contract time; and the rate must be specified in the solicitation and contract documents. Any liquidated damages recovered shall be credited to the project account involved unless the FTA permits otherwise.

## **22.0 Disadvantaged Business Enterprise**

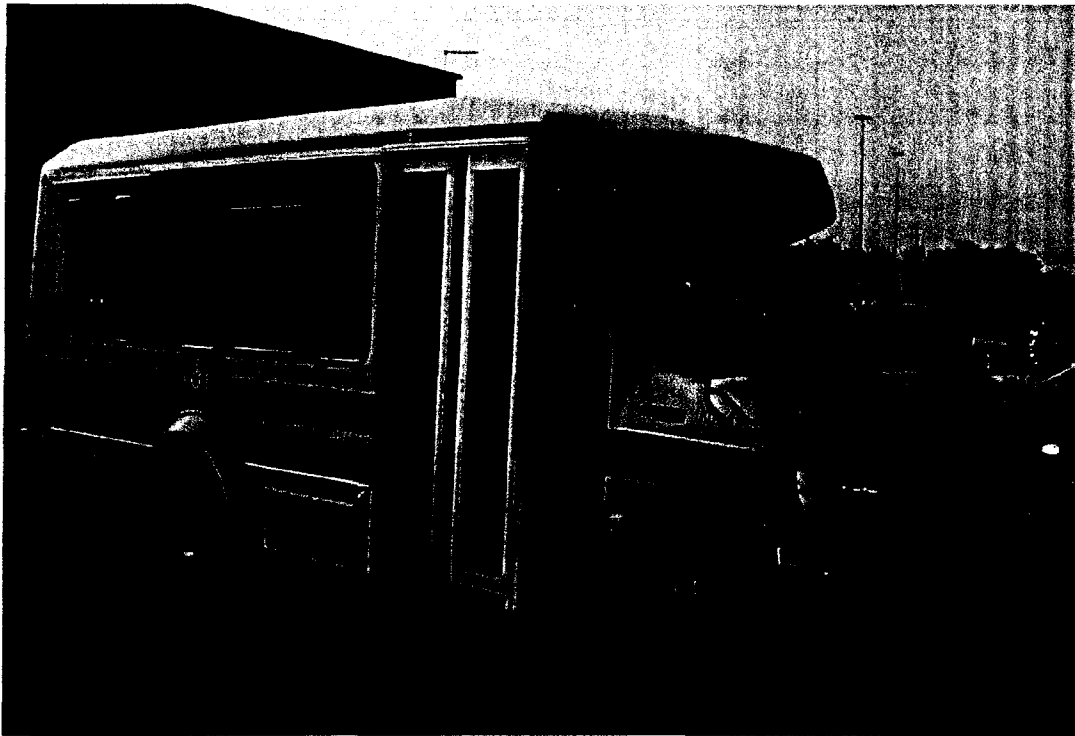
The County has determined that disadvantaged business enterprises as defined in 49 C.F.R. Part 26 shall have the opportunity to compete fairly for contracts financed in whole or in part with FTA funds. Accordingly, all County procurements funded with FTA funds may include, as appropriate, the use of goals for the procurement of all classes of goods and services.

***Attachment C***  
***Operational Standards***

**FORT BEND COUNTY  
PUBLIC TRANSPORTATION DEPARTMENT**

**OPERATIONAL STANDARDS**

**(OCT. 2006)**



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# I. Fort Bend County Operations Standards

## A. Purpose

The purpose of the Fort Bend County operational standards is to implement goals and objectives for Fort Bend County transit operations. Activities necessary for the success of the service are outlined and will be used as an expandable guideline as our transportation service grows. Through effective and cooperative monitoring we intend to maintain the quality and integrity of our transit programs. While this plan is currently sufficient for the scope of service being provided the program it is expandable as fleet size, passenger volume and operational schedules increase. Addendums to this plan will be written as situations warrant.

Contractor shall cause the transit services to be furnished, operated, and performed in a lawful, safe, efficient, economical, and first-class manner, exercising the highest standard of care for its users, and in accordance with the standards, and specifications determined and set forth herein by Fort Bend County.

## B. Goals And Objectives

The main goal of the operations standards are to provide the passengers a transit system that is safe and secure, reliable, cost effective and efficient. To accomplish this goal, transportation operations standards and recommended practices are focused on the following goals and objectives:

<b>Goal:</b>	<b>Objective:</b>
1. Provide efficient and dependable service to meet public needs.	Maintain exemplary operating standards.
2. Provide transit vehicles that are efficient, safe, reliable, comfortable and clean.	Maintain a high quality maintenance program.
3. Minimize equipment failure, vehicle downtime and maintenance/replacement costs.	Adhere to a Preventive maintenance and replacement schedule that utilizes periodic inspections and management oversight.

## C. Oversight Activities

Fort Bend County's Public Transportation Department has established the following primary oversight activities in order to insure that objectives are met:

- Review and approval of contractor operational policies/practices for compliance with contract and grant funding requirements.
- Monitoring and review of operational statistics and related records for compliance with contract requirements.
- On-site inspection of facilities, equipment and process' to insure customer service, safety and security objectives are met.
- Monitoring of fuel and engine oil consumption.
- Review and monitoring of contractor's maintenance schedules, service and repair invoices, and pre/post trip inspection records.
- Review and follow up on customer complaints, incident and accident reports.

## **II. Facilities**

Currently, Fort Bend County Public Transportation is not using any facilities owned or operated by contractors.

Contractors may utilize Fort Bend County Facilities for vehicle storage or staging. Prior approval by the Fort Bend County Transportation Director must be obtained prior to the use of any County property for these purposes. Contractors shall adhere to all County policies related to use of County facilities including operational hours and safety/security procedures.

Contractors are encouraged to utilize County Facilities where such use would provide for greater efficiency and effectiveness in the services being provided.

## **III. Equipment**

Currently, Fort Bend County Public Transportation is not using any automated vehicle information or operational data software or equipment. Contractors should develop systems for capturing and tracking operational data. For monitoring purposes, a simple spreadsheet program is acceptable. Copies of driver's manifests and other documentation will be required as necessary. Contractors are encouraged to utilize automated software or other systems which would provide monitoring and evaluation tools.

Minimum preventive maintenance activities and inspections shall be performed and shall include periodic inspections and follow-up repairs.

## **IV. Vehicle Maintenance and Utilization**

The Fort Bend County Public Transportation Vehicle Maintenance Plan is designed to protect County assets and insure operational goals and standards are met and reduce operating costs. The key components for success are implementation by the contractor, monitoring by Fort Bend County Transportation staff and compliance by both parties to the program.

Contractor shall provide all inspection, repair, maintenance, and replacement vehicles and equipment for transit service vehicles; equipment and property used in the transit services. Maintenance services shall be in accordance with acceptable standards in the industry, performed by qualified/certified personnel and meet service standards and intervals established by the vehicle or equipment manufacturer, Fort Bend County and any applicable law. Minimum preventive maintenance activities and inspections shall be performed and shall include periodic inspections and follow-up repairs. Equipment maintenance and preventative maintenance procedures and activities shall include but not be limited to vehicle interior and exterior surfaces and equipment, vehicle mechanical components (including but not limited to engines, transmissions, electrical components, auxiliary parts, belts, hoses, braking systems, interior/exterior lights, mirrors, bumpers, HVAC - heating/ventilation/air conditioning systems, etc.), wheelchair lifts, tie-downs, straps, etc. and/or fare collection and ticketing equipment.

Contractor is required to have a sufficient fleet size to insure that service is not interrupted due to vehicles being removed from service due to accidents, incidents, breakdowns and/or maintenance activities.

Once notice of repairs needed is given, all repairs are to be completed within 10 days of notice. Contractor shall notify County in writing of any circumstance preventing completion of repairs within the designated time frame.

Continued failure to maintain vehicles at a level acceptable to Fort Bend County may result in denial of payment, reduction in services assigned to the Contractor and/or termination of the contract.

Contractor will be required to furnish related policies, procedures and/or reports, maintenance records, etc. Contractor will allow Fort Bend County and/or funding source representatives' access to vehicles, maintenance facilities, and/or records as necessary to insure compliance with contract provisions, operational standards, and applicable laws. Vehicle and site inspections will occur as needed throughout the course of the contract. At a minimum, one site inspection of contractor storage and maintenance facilities will be conducted each year. Two un-announced on-board vehicle inspection will be conducted each year. Follow up inspections will be conducted as necessary to insure corrections recommended are implemented and maintained.

## **A. Vehicle Maintenance and Service Inspections**

### **1) Daily Inspection**

Daily inspections are to be performed by maintenance staff or drivers and done as part of the pre-trip and post trip inspections. Post and pre-trip logs are to be used to record and report any potential problems or damage to the vehicle. It is the contractor's responsibility to develop procedures to immediately address any problems listed on the inspection sheets related to safety and security before placing vehicles in service. At a minimum, the following items are to be checked/performed daily:

- a. Buses refueled and on full level (pre and post trip).
- b. Engine coolant level checked and refilled as necessary
- c. Engine oil level checked (pre and post trip) and refilled as necessary
- d. Transmission fluid level checked (engine operating temp. in drive)
- e. Front and rear tire air pressure checked daily. Tires tread depth exceeds 3/32 of an inch, and/or other tire damage not evident. Visually and manually inspect vehicle wheel lug nuts
- f. Brake system and master cylinder fluid levels checked (If brake fluid level is low vehicle is pulled from service)
- g. All seat belts, wheelchair straps in good working order, wheelchair securement slots clean of debris, belts/straps stored properly.
- h. Interior clean and swept, no graffiti, trash removed, damaged seats or wall panel damage, all on-board equipment/materials stored and secured.
- i. Mirrors, windshield, windows and passenger doors clean, free of cracks
- j. Power steering fluid levels checked, refilled as necessary.
- k. Headlights, taillights, turn signals, brake lights, hazard lights and horn are all in working order.
- l. ADA lift is cycled completely both on pre-trip and post trip inspections. (if inoperable, vehicle is removed from service)
- m. Radio communication and p.a. system are both working.
- n. Fare boxes and cash removed from the vehicle each evening.
- o. HVAC checked (if inoperable, vehicle is removed from service.
- p. Front and rear window defrosters/defoggers checked (if inoperable, vehicle is removed from service)
- q. Front and Rear windshield wipers checked and working (vehicle removed from service if inoperable).
- r. Windshield wiper fluid level checked and refilled as necessary.

- s. Fire Extinguishers, first aid kits, and bio-hazard kits are on-board, completely filled and operable (where applicable).
- t. Interior of vehicles swept, trash removed and all on-board equipment and materials stored and secured.
- u. Exterior of vehicle is free from body damage, washed and waxed.

Fuel, engine oil and other fluids are to be monitored with the daily driver's pre and post trip inspection logs. Vehicles with excessive oil, low oil, low transmission or brake fluid levels should be taken out of service for immediate repairs. Vehicles with repeated oil, transmission or brake fluid level issues should be scheduled for diagnostic determinations and related repairs completed as appropriate.

**2) Weekly Inspections**

Vehicles are to be inspected weekly by the contractor's maintenance staff or contractors to verify repairs noted on driver post trip logs have been completed or scheduled and to note any conditions which require repair.

**B. Preventive Maintenance Scheduling**

A regularly scheduled maintenance inspection and replacement program is the most important component of Fort Bend County Transportation's preventive maintenance plan. Attached are two inspection sheets for preventive maintenance scheduling to be performed on County vehicles. For vehicles owned by contractor, contractor must develop a program that at a minimum, addresses all items listed herein and/or on the forms and at intervals that meet or exceed manufacturer's suggested intervals.

The maintenance schedule listed below has been established as the minimum schedule for use in maintaining vehicles owned by Fort Bend County. Management may opt not to inspect certain parts or components under a certain mileage category that have been recently repaired. In this situation those components should be tested on the next maintenance cycle even if it falls outside the mileage schedule.

**PM (A)** - Every 3,000 miles

**PM (B)** - Every 6,000 miles

**PM(C)** - Every 9,000 miles

**PM (D)** - Every 12,000 miles

**PM (E)** - At OEM Recommendations or excessive wear indications

**PM (F)** - At OEM Recommendations or excessive wear indications

**PM (A)** - Oil and filter change, check for engine and transmission leaks, check coolant level, pressure cap test, radiator and hose leaks, fan and accessory belt conditions, check and clean cooling fan, shroud and condenser surface, windshield washer and wiper operation, check engine compartment, check drivers seat and safety belt, sun visor, horn operations, check all driver switches, gauges, controls and instruments for illumination and function. Check interior, boarding and courtesy lights as well as passenger door and entry. Check exhaust system for leaks, rear axle fluid level, transmission fluid level, steering linkages and u-joints. Perform battery load and charging test, passenger seat belts and seats, interior coach damage, Verify ADA lift operation and condition is satisfactory. Operate/check, exterior mirrors, decals, body damage, parking brake function, tires and lug nuts, windows and latches. Check fire extinguisher, bio-hazard

and first aid kits and refill as necessary. Insure state inspection sticker current and schedule for renewal as applicable.

**PM(B)** - Change air intake filter, clean and inspect battery connections, check and adjust belt tension, inspect shocks, springs, struts and air ride bags, check air ride compressor and mounting, Test both front and rear A/C system pressures, check both A/C systems for leaks, clean rear a/c filter.

**PM(C)** -Complete chassis lubrication, light lube of upper and lower door bearings, lube passenger door linkage, fuel filter change, complete ADA Lift Inspection Chart.

**PM(D)** - Re-pack Wheel bearings and inspect seals, inspect disc brake hoses and lube caliper slides, check master cylinder fluid level, inspect rear brake line and hoses, check rear suspension ride height, rotate wheels.

**PM (E)** - Change Transmission fluid and filter.

**PM (F)** - Change differential grease.

**C. Parts and Inventory Control**

Vehicle parts inventories for Fort Bend County Transportation service vehicles are not maintained or furnished by Fort Bend County. The contractor is responsible for their respective inventory and parts control.

**D. Use of Manufacturer's Maintenance Manuals and Recommendations**

Contractor maintenance personnel should use manufacturer's manuals and service recommendations as guidelines for vehicle service. Safety bulletins, recall notices and service updates should also be utilized.

**E. Warranty Procedures**

Contractor shall develop a system for monitoring and utilizing warranty repair and parts replacement. Warranty service will usually be coordinated through an arrangement between the warranty vendor, Fort Bend County Maintenance, transit contractor and/or an authorized dealership where and when applicable.

**F. Bus Renovation Program**

Fort Bend County currently utilizes a "replace as needed" program for vehicle replacement. Contractors are encouraged to consult and coordinate with the County's Vehicle Maintenance and Transportation Departments any requests for bus renovations or replacements which would benefit the transit program's operations.

**G. Engine/Transmission Component rebuild**

Contractors are required to use OEM parts as replacements for all parts except alternators. In the event of a total engine or transmission replacement rebuild of the original engine/transmission, replacement with remanufactured units with warranties and/or replacement with OEM units should all be considered. The most cost effective and efficient method of replacement should be utilized.

## **H. Vehicle Information System**

Currently, Fort Bend County Public Transportation is not using any automated vehicle information or operational data software or equipment. Contractors should develop systems for tracking vehicle mileage for Preventive Maintenance thresholds as well as operational data. For monitoring purposes, a simple spreadsheet program is acceptable. For vehicle information and tracking, spreadsheets should include actual mileage at the time service is performed corresponding to the work performed. Contractors are encouraged to utilize Fleet Reporting Software or other systems which would provide further maintenance monitoring and evaluation tools.

## **I. Vehicles**

Each transit vehicle provided must meet the specifications delineated in the Service Plan.

Vehicles provided by contractor shall be in compliance with the design standards set forth in the Americans with Disabilities Act and be maintained in accordance with the standards set forth herein. Flip seats for utilization of wheelchair tie-down spaces when not in use by wheelchair passengers is preferred but not required.

Vehicles must have a fully operational HVAC system and be designed in such a way to insure passenger comfort and safety. Appropriate signage for passenger instruction, cautionary or safety features, on-board rules, passenger conduct, routes, etc. shall be provided in and/or on the vehicles in English and Spanish and/or utilizing appropriate international formats/pictures.

The County reserves the right to inspect any and all vehicles utilized for service provision under the terms of this contract at any time. At a minimum, The County will inspect vehicles quarterly. Contractor will be required to schedule the vehicles for inspection completion activities and arrange for replacement vehicles, meeting minimal vehicle standards, to be utilized for contracted services while vehicles are being inspected to insure no disruption in transportation services. Contractor will be notified of any repair or service items identified during these inspections. Contractor will be required to complete noted repairs within 10 days of notice. Contractor shall notify The County in writing of any circumstance preventing completion of repairs within the designated time frame.

Utilization of vehicles that don't meet Fort Bend County standards may result in denial of payment, reduction in services assigned to the Contractor and/or termination of the contract.

Fort Bend County requires that vehicles being utilized by the Contractor to provide services under this agreement are maintained and utilized according to the following minimum standards:

- Buses must be free of body damage
- Buses must not have missing parts (i.e. wheel covers, door handles, hood ornaments, etc.).
- Bus tires will be replaced when tread depth reaches 3/32 of an inch and/or when other tire damage or condition prevents the safe operation of the vehicle.
- Space saver spare tires are not to be used while the vehicle is in revenue service.
- Both the interior and exterior of vehicles shall be cleaned daily.

- Buses must have fully operable HVAC and wheelchair lifts systems while in revenue service.

Contractor will insure that no vehicle is placed in service that does not meet the minimum vehicle standards and/or is not in appropriate working condition according to acceptable practices and/or that does not meet applicable safety and operating standards for public transit service vehicles. Contractor will insure that no vehicle is placed in service and/or left in service with any exterior or interior damages resulting from an accident or collision or other circumstance which results in the vehicles being unsightly or un-safe to operate. Contractor will insure that no vehicle is placed in service or left in service with an in-operable and/or poor performing HVAC system. Contractor will be required to insure that no vehicle is placed in service on any service day before having the interior and exterior surfaces cleaned and/or washed and all trash removed from the interior of the vehicle. Drivers shall be required to remove trash from the interior of the vehicle as necessary during the course of a service day. First Aid Kits, wheelchair tie-down straps, safety belts, seatbelt extensions, emergency equipment, supplies, wheelchairs, walkers, canes, oxygen bottles, packages, child safety seats, etc. shall be placed in vehicles in such a way as to insure they do not interfere with passenger access and/or create safety hazards for drivers and passengers.

## **V. ADA Lift Equipment Testing and Maintenance**

In order to keep lift equipment in optimum working order, comply with provisions of the American's with Disability Act and to avoid service interruptions Fort Bend County Transportation's Preventive Maintenance Schedule for Lift Equipment is every 3,000 miles (PM(A)). As part of the pre-trip inspection, the lift is to be fully cycled with both the hydraulic and manual systems tested. A separate maintenance sheet should be used to track lift service and repairs. In all cases, repairs must be initiated within 24 hours from the time the lift is reported inoperable.

There is a growing use of larger self-propelled electric scooters over lighter weight manual wheelchairs. Due to the increased weight load of these mobility devices contractors should develop processes to insure that drivers are aware of load limits on lift equipment and do not engage the lift equipment in situations where load limits will be exceeded.

For commuter services, vehicles are not to be placed in service with inoperable lift equipment. For demand response services, vehicles can be utilized providing that trips requiring lift equipment can be placed on other first line vehicles and/or back up vehicles without affecting the performance standards for the trip(s).

## **VI. Staffing**

Contractor shall furnish all transit vehicle operators, mechanics, supervisors, administrative personnel, sales/ticketing, scheduling, dispatching, and other personnel services necessary for providing the transit services required by and in accordance with the Contract. Contractor shall assume responsibility for the Scope of Services and related Service Plans(s) and shall provide all necessary supervision and coordination of activities to complete its requirements subject to approval and concurrence from the County. Contractor represents that it has and agrees to furnish, personnel with the professional classifications, skills, and expertise required to perform the contracted services.

All maintenance personnel and operators of transit equipment shall be properly trained and competent to maintain and operate the transit vehicles and equipment utilized for Fort Bend County services.

Dispatching staff should have appropriate experience and expertise to be proficient in passenger scheduling, emergency operations, driver support and customer service practices.

Reservations and Scheduling staff shall also have appropriate experience and expertise to insure that schedules are prepared and maintained with optimum efficiency, effectiveness and customer service objectives.

Contractor shall establish and maintain an up-to-date listing of all safety sensitive personnel. Safety Sensitive personnel shall be defined as all personnel meeting the definition for Safety Sensitive Personnel provided in the U.S. Department of Transportation, Federal Transit Administration, Drug and Alcohol Testing Program Requirements.

Contractor must establish and maintain minimum hiring and retention standards for personnel meeting funding source and County minimum standards. Expectations are that hiring and retention standards will be developed and maintained in such a way as to provide appropriate standards for the position(s) being occupied. Hiring, retention and performance standards must also include prudent safety and security measures. Employees with job related convictions cannot be utilized for Fort Bend County services. Personnel violating any of the minimum hiring and/or retention standards approved by Fort Bend County must immediately be removed from performing services under the contract.

Drivers assigned to provide services under the terms of this contract must meet the requirements of all applicable driving laws and regulations. Drivers utilized must meet licensure requirements established by the State of Texas for the vehicle(s) utilized. At a minimum, driver hiring and retention policies shall include the following elements:

#### **DRIVER HIRING STANDARDS**

- Understand, write, speak and read English
- Have no more than 2 moving violation within the last 3 years of driving
- Have no DWI or DUI convictions
- Have ability to complete necessary forms and reports legibly
- Must participate in a drug and alcohol testing program complying with FTA regulations
- Must always have a neat, clean and professional appearance
- Must be physically able to assist passengers boarding and alighting vehicles, including assistance with packages, shopping bags, luggage, etc. and ability to lift a minimum of 50 lbs.
- Must be physically able to assist wheelchair bound passengers and to appropriately board, secure and remove wheelchair riders in/from the vehicle.
- Must be subject to a criminal history check.
- Must be able to pass pre-employment drug and alcohol testing according to FTA regulations.
- Must receive required pre-employment training
- No more than (2) moving violations during the previous three year period.
- No more one (1) at-fault accident during the previous three year period.

## **DRIVER RETENTION STANDARDS**

- No more than two (2) substantiated and justified passenger complaints within a one (1) year period
- Must participate and comply with a drug and alcohol testing program complying with FTA regulations
- No more than one (1) moving violation within a one (1) year period
- No DWI or DUI convictions
- No more than one (1) at-fault accidents within a one (1) year period
- Must report criminal convictions and traffic violations
- Must receive annual training requirements

### **A. Training Programs**

Contractors are required to establish a training program for all personnel utilized for contract services meeting the minimum training requirements established by grant funding sources and/or Fort Bend County. Proper documentation of training compliance and activities will be required. Failure to establish, maintain and comply with the training requirements can result in contract termination.

Fort Bend County utilizes trainings offered by TX DOT and other vendors for key operations staff. Scholarships covering registration and traveling expenses may be available and contractor personnel are eligible recipients for scholarship programs. Contractor may use a combination of on the job training, campus based, web based and/or other media and activities to accomplish training requirements.

Safety Sensitive personnel as defined in the Department of Transportation regulations for drug and alcohol testing are required to receive a minimum of 1 hour per year of training. Supervisors of safety sensitive personnel must receive an additional 1 hour of training related to reasonable suspension testing.

Personnel performing safety sensitive duties must receive the following trainings before first performing safety sensitive functions:

- Drug and Alcohol Testing Program and procedures
- Emergency Procedures
- Bus Evacuation Procedures
- Passenger Assistance Training

Within 60 days of hire, safety sensitive personnel are required to receive CPR, First Aid, Blood Borne Pathogen, Seizure Management, and Customer Service Training.

Drivers must be provided a minimum of 24 hours per year of driver training activities. Driver training activities must at a minimum include defensive driving, transit safety and security, emergency preparedness, customer service, passenger assistance training and Drug and Alcohol Testing Program Training.

### **B. Uniforms**

Contractor shall require operators to wear uniforms approved by Fort Bend County. At a minimum Fort Bend County will require uniform color, design, pattern, markings, etc. to be consistent for all routes and services offered by Fort Bend County.

Uniforms must be worn in a neat, cleaned and pressed condition. Uniforms with tears and/or stains shall not be worn.

Employees are to be well-groomed and presentable to the public at all times.

**C. Drug and Alcohol Testing**

Contractor must establish and carry out a Drug and Alcohol Testing Program meeting FTA requirements and require all safety sensitive personnel to participate in the program. Failure to establish, maintain and comply with the drug and alcohol testing program and/or to have the proper training and testing records and procedures required by the program will result in contract termination.

**VII. Operational Policies/Practices**

Contractor shall provide all operational procedures and practices and develop such in accordance with the minimum standards established by Fort Bend County. Fort Bend County shall approve all the policies, standards, and specifications of the services to be provided by Contractor. All activities under the contract must be in compliance with all applicable Federal, State and Local laws and provisions for operations of public transit services.

Contractor shall establish and maintain a passenger (rider) guide detailing how to access services, contact names/numbers for reservations/scheduling and after hours dispatch or response, eligibility (where applicable), service hours and days, operational policies and procedures, on-board rules, complaint process/procedures, suspension process/procedures, etc. Such guide shall be furnished to passengers upon access to services and be available in the languages and formats necessary to accommodate those passengers utilizing the services provided by Fort Bend County.

Contractor shall also establish driver conduct standards to insure exemplary customer services and to adhere to appropriate safety and security procedures. Driver conduct standards are subject to approval by Fort Bend County at contract inception and at any point during the contract period that the contractor changes such standards and/or practices.

**A. Record Keeping**

Where and when applicable or required by funding sources and/or Fort Bend County, contractor will be required to furnish related policies, procedures and/or reports, and related records for maintenance, financial, personnel, accident, complaints, etc. Contractor will be required to furnish and submit policies, procedures and/or reports and records complying with any and all requirements of funding sources to the County according to deadlines established by Fort Bend County.

Reports shall outline work accomplished during the previous month or since the last report. The reports shall include, but shall not be limited to, number of transit trips and hours provided, mileage used on vehicles, number of wheelchair boardings, number of trip denials, number of no-show rides, number of cancelled rides, number of missed trips, number of late trips, average trip length and time, on-time performance statistics, amounts of any fares or donations collected or received, special problems or delays encountered or anticipated, number of vehicle breakdowns and accidents, changes in the transportation service or the anticipated work activities for the next work period, and/or any other accomplishments, conclusions, etc., if any.

For compliance and monitoring purposes, the County will require specific information about the personnel working under this contract. Information may include but not be limited to copies of driver license, copies of driving record report, criminal background check report, drug and alcohol testing records, birth date, social security number, address, etc.

The County will require contractor to furnish records related to the drug and alcohol testing program to insure compliance with the Federal Regulations governing the program.

Contractor shall maintain complete and accurate records with respect to its performance under the contract. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible at all reasonable times. Contractor further agrees that the County shall have, until the expiration of FIVE (5) years after final payment of this Contract, access to and right to examine any directly pertinent books, documents, papers, and records concerning this project.

From time to time, the County may give Contractor information, either orally or in writing, and indicate that the information is confidential. Contractor shall protect such information, shall not disclose such information to anyone, and shall not use the information for any purpose except for rendering service to the County. Under no circumstances is Contractor authorized to release any material or information obtained or developed in the performance of these services under this agreement without the express prior written permission of the County.

Contractor shall not disclose specific and personal passenger information to any party without the express prior written permission of The County. Specific and personal passenger information requested by law enforcement personnel during the course of an accident or incident investigation shall be provided to said officials at the time the request is made and/or as soon as the information is available.

## **B. Fares**

Fort Bend County shall establish fares for each route provided and detail such fares in the related service plan. Where and when applicable, contractor shall provide a system for the collection of the fares and charges established by Fort Bend County insuring the security of said collections. Fare collection practices must be in accordance with requirements for security and accountability established by funding sources and Fort Bend County.

Where fares are prohibited by grant funding sources, no fare will be assessed. Contractor will be required to develop appropriate policies and procedures for the collection and/or receipt of donations related to the transportation services provided under the contract. If donations are allowed and/or collected, they must be collected, secured and tracked and accounted for as if they were fare box revenue.

All collections and farebox revenues related to the contract are Fort Bend County revenues. Such fares and charges may be collected in the form of cash, subscriptions, passes, tickets, or other methods determined by Fort Bend County. Fares shall be released to authorized personnel only and contractor shall be held accountable to Fort Bend County for all fares collected. Contractor will be required to provide

appropriate reporting documents and records and allow approval and inspection of fare collection activities and processes by Fort Bend County and/or its representatives. Site inspections will occur as needed throughout the course of the contract. At a minimum, one un-announced site inspection will be conducted each year to insure that fare collection activities both on-board vehicles and at the contractor's administrative facility are being conducted in a safe and secure manner. Follow up inspections will be conducted as necessary to insure corrections recommended are implemented and maintained.

The contractor shall furnish all tickets, transfers, passes, and other printed fare materials. Contractor shall assist Fort Bend County in the delivery and placement of tickets and/or passes in vehicles, ticketing locations and/or at other appropriate locations defined by Fort Bend County.

No free transportation services shall be provided without the specific approval of Fort Bend County. From time to time promotional activities may include free fare or passes. Contractor will be notified of the term and length of such promotions as they occur.

Passengers are to be notified of the applicable fare at the time a reservation is made and/or upon boarding vehicles. Passengers presenting for boarding without the appropriate fare shall be allowed to board and ride with no fare a minimum of three two-way trips per year.

Infants and children will be assessed the same fare as that of adults.

Individuals unable to travel on their own accord, whether from physical or mental disabilities, will be required to travel with an aide and/or companion. Up to two aides/companions will be allowed to travel with the individual with no fare assessed for the aides.

For fixed route services, people with disabilities and the elderly shall be allowed to travel at ½ of the cost of the fare established for the route.

**C. On-time Performance**

Performance standards for on-time performance are set at 95% of trips provided on time. Contractors will be required to maintain a minimum operating goal of 95% On-Time Performance for pick up and delivery. For demand response services, a trip shall be considered on-time when the vehicle arrives no more than 15 minutes before or after the scheduled pick up time and the trip is delivered by or before the requested appointment time. For all other transit services types, on time shall be considered when the trip is performed within 10 minutes of the published schedule

**D. Customer Complaints**

Customer Complaint processes and procedures shall be established and furnished to passengers. Customer complaint procedures shall, at a minimum, include provisions to acknowledge receipt of the complaint by the following business day for complaints received by telephone and within 10 business days for complaints received in writing. Minimum complaint processing and/or resolution shall be concluded within 45 business days of receipt of the complaint.

Upon initiation of contract services, Contractor shall coordinate with Fort Bend County the establishment of definitions for minor and serious complaints. The designation agreed upon shall not be all inclusive and will be modified as necessary over the course of the contract. The contractor should seek clarification for any complaints which are not specifically listed, which are in question, or in which the nature and circumstances surrounding the complaint should require other designation or handling of the complaint.

Contractor shall provide monthly complaint reports to Fort Bend County briefly detailing complaints defined as “minor” and their resolution. Serious complaints shall be reported verbally to Fort Bend County either immediately or as soon as possible after being received by the contractor. A follow up written report detailing resolution of the complaint will be required by Fort Bend County for all serious complaints.

Repeated similar complaint occurrences shall subject the contractor to a performance review by Fort Bend County to determine corrective measures. Failure to implement and maintain corrective measures may be cause for contract cancellation.

#### **E. Safety/Security**

Contractor shall establish appropriate safety and security procedures and process in accordance and consistent with recommendations by equipment manufacturers, law enforcement agencies, the Department of Homeland Security and/or Fort Bend County guidelines and suggestions.

At a minimum, Contractors shall have and furnish to Fort Bend County safety and security procedures, plans and policies related to any and all equipment utilized under the contract, vehicle breakdowns and accidents, emergency events, facility and vehicle security, drug and alcohol testing of safety sensitive personnel, and vehicle on-board incidents and security inspections.

Passengers preventing the safe conduct of vehicles or presenting threats to drivers and/or other passengers may be refused services and/or appropriately removed from vehicles at the contractor’s discretion.

Operational Policies must include but not be limited to the following provisions:

- Children weighing 40 pounds or less are not to be transported without an appropriate child restraint seat.
- Drivers and passengers must have access to and wear a seat belt.
- No fueling of vehicles or performance of maintenance activities while passengers are on-board vehicles.
- Transfer of passengers to back-up vehicle(s) meeting minimum contract standards within a reasonable time-frame when a vehicle breakdown, incident or accident prevents continuance of the route in the initially assigned vehicle
- Provisions for immediate notification/provision of emergency services such as fire, police or emergency medical services.
- Provisions for immediate emergency contact and notification of appropriate authorities for transit security events.
- Provisions for the safe transport of respirators, portable oxygen bottles or life support equipment, walkers, canes, packages, etc.
- Provisions for service animals such as guide dogs.
- Provisions for travel training.

- Provisions for providing appropriate information, inclusive of personnel and passenger information, as requested by law enforcement personnel during the course of an accident or incident investigation.
- Suspension of services due to inclement weather conditions
- Suspension of services due to or as a result of security events/concerns.
- Staff hiring and retention policies consistent with security recommendations and practices.
- Provisions for staff identification such as name tags, picture ID's and patches designating employees, supervisors, special training or awards, etc.
- Provisions prohibiting the utilization and wearing of personal cell phones, other equipment, or dangling jewelry, etc.
- Provisions prohibiting smoking, eating and drinking on vehicles. Provisions shall include allowances for driver breaks and/or the needs of passengers with disabilities.
- Provisions for lost and found articles that include appropriate notification methods and secured storage.
- Two-way radio communications procedures.
- Driving procedures for varying road conditions and hazards
- Vehicle evacuation procedures.

#### **F. Operating Hours**

Operating hours will be designated as routes/shuttles are developed and will be identified for each specific route in the related service plan(s). Service and service routes may be revised from time to time as directed by Fort Bend County in consultation with the service provider. Hours of operation may be over the course of a full 24- hour day. Days of operations may include weekdays, weekends and holidays.

During inclement weather conditions services may be suspended until such time as vehicles can operate safely. When possible, Contractor will be required to notify Fort Bend County before any service suspension occurs due to inclement weather conditions and/or other conditions that prevent the safe operation of transportation services. Contractor shall develop a method for notifying passengers of service interruptions.

Scheduling and Reservations service hours are to be between the hours of 8:00 a.m. and 5:00 p.m. Monday thru Friday excluding County Holidays. For demand response services, rides are to be scheduled for first destination drop-off by 8:00 a.m. and last pick up no later than 5:00 p.m.

Dispatching services are to be provided during all hours in which a vehicle is in service.

Contractor is required to immediately notify Fort Bend County of any service suspension – whether suspension of a particular bus or route or a service suspension to a particular passenger.

#### **G. No-show Trips**

Contractor shall develop and implement a no-show trip policy and include such provisions in the passenger guide. No show trip polices and practices must be approved by Fort Bend County before implementation. Provisions can include service suspensions for passengers accumulating numerous no-show trips.

#### **H. Cancellation Trips**

Contractor shall develop and implement a trip cancellation policy and include such provisions in the passenger guide. Trip cancellation policies and practices must be approved by Fort Bend County before implementation.

For demand response services, policies and practices may not include consequences for trips cancelled at least one business day prior to the requested trip. Provisions can include consequences such as service suspensions for passengers accumulating numerous “late cancel” trips.

#### **I. Subscription Rides**

Contractor will allow passengers the convenience of becoming a subscription rider. Contractor shall develop and implement a subscription ride policy and practice. Subscription rides cannot exceed 50% of service hour capacity for each service hour. Contractor may include provisions suspending subscription privileges for passengers violating no-show or late-cancel policies or safety or security violations. The policy shall be included in the passenger guide. The subscription ride policy must be approved by Fort Bend County before implementation.

#### **J. Incidents/Accidents**

Contractor is required to provide The County with a written report of each accident or incident. Reports shall be prepared according to formats required by funding sources and approved by the County. Major accidents, security breaches or incidents involving the services provided in the performance of this contract, are to be reported immediately to Fort Bend County with a written report furnished within 24 hours of the occurrence. Minor accidents, security breaches or incidents are to be reported in writing on a monthly basis unless circumstances require a specific report to be provided sooner.

Upon initiation of contract services, Contractor shall coordinate with Fort Bend County the establishment of definitions for minor and serious incidents and accidents. The designation listing agreed upon shall not be all inclusive and will be modified as necessary over the course of the contract. The contractor should seek clarification for any incidents or accidents which are not specifically listed, which are in question, or in which the nature and circumstances surrounding the event should require other designation or handling.

#### **K. Reservations/Scheduling/Dispatching**

Contractor must have sufficient experience, equipment, and staff to take reservations with as little as one business day advance notice and as early as 30 business days advance notice.

The County prefers that Contractor has the ability to give passengers a confirmation number for the scheduled trip at the time it is reserved. When the reservation has been made at least two business days in advance of the ride, Contractor is encouraged to make reminder calls to passengers at least one business day in advance of the ride as a customer service and to prevent no-show trips. Passengers are to be advised of the on time performance window and informed of the specific on-time window for their assigned trip.

For demand response services, rides are to be scheduled for first destination drop-off by 8:00 a.m. and last pick up no later than 5:00 p.m. Passengers are to be allowed to schedule repeat rides in advance and/or according to an approved subscription ride policy. Rides are to be accepted on a “time and space” available basis with on-time performance, ride-time and early arrival limits considered for all passengers on the affected route. Passengers shall be allowed to book multiple rides during a call and to reserve rides as long as 30 days in advance of the need for a ride.

Fort Bend County may directly provide passenger scheduling activities and/or provide passenger scheduling and dispatching equipment and software to contractors. At such time as the County elects to provide such services, specific operating parameters will be developed in consultation with the contractor.

Scheduling parameters shall include appropriate dwell times provisions for loading and securing equipment utilized by passengers with disabilities. Scheduling parameters shall also include early drop-off limits, ride-time limits, provisions to maintain or increase the efficiency and effectiveness of routes as well as provisions to optimize on-time performance.

Dispatcher(s) should be proficient in monitoring and moving trips around throughout the service day to insure that trips are performed on-time, efficiently and effectively. Dispatchers should be aware of early drop-off limits and adjust trips accordingly. Driver ability to contact dispatcher stations must be maintained at all times. Dispatching coverage must be provided at all times vehicles are in service.

#### **L. Eligibility**

As a general rule, eligibility shall include all residents and visitors of Fort Bend County unless otherwise designated in the Service Plan for a particular route or service or unless grant funding parameters limit passenger eligibility.

For grant funding provided under Federal Transit Administration Section 5310 (Elderly and Disabled) funding TXDOT requires that the following classifications of riders have priority; Anyone over the age of 55 years of age and anyone with a physical or cognitive disability and after the needs of these riders have been met, any other rider. For grant funding provided under Federal Transit Administration Sections 5311 (Rural), 5307 (Urban), CMAQ (Congestion Mitigation Air Quality), JARC (Job Access & Reverse Commute) all classifications of riders are eligible.

The service area is primarily Fort Bend County but is not limited only to Fort Bend County. Specific service area restrictions will be detailed in service plans issued under the contract provisions. Currently, demand response services are limited to any trips within Fort Bend County, connector service to the Houston Metro park and ride facility located at West Bellfort Road and Highway 59 South, trips into the Houston Medical Center Complex and trips originating within Fort Bend County for destination in Harris County within one mile of either side of the Highway 59 corridor between Fort Bend County and the Houston Medical Center.

Commuter service routes are currently providing two pick-up locations in Fort Bend County within the city limits of Sugar Land. Both are located along the Highway 59 South corridor. Two separate commuter routes are operated, designated as the Greenway and Galleria Area routes, final destinations are located within the City of Houston.

Detailed route maps and schedules will be furnished to the contractor at contract initiation.

During the course of the contract period, other services and routes may be developed. Specific service area designations, route maps, etc. shall be coordinated and implemented in consultation with the contractor and detailed in service plans implemented under the contract provisions.

Juveniles under the age of 12 years old shall not be allowed transportation unless accompanied by a companion of at least 18 years of age.

Individuals who are unable to travel on their own accord, whether from physical or mental disabilities, will be required to travel with an aide and/or companion. Up to two aides/companions will be allowed to travel with individuals with disabilities with no fare charged.

Operational Policies must include provisions not allowing children under 40 pounds to be transported without an appropriate child restraint seat. Contractor may provide child restraint seats or may require the passenger to supply the child restraint seat.

#### **M. Passenger Assistance**

All contractor employees are expected to treat passengers and the public courteously. This includes contractor employees who answer telephones, supervisors, maintenance personnel, subcontractors and drivers. Contractor employees shall receive training in appropriate customer service applications and conduct and shall be expected to provide staff who are friendly and responsive to people's concerns and with the ability to use tact and diplomacy while interacting with people and carrying out their respective duties.

For all service types, drivers are responsible for and must be capable of taking wheelchairs up or down one step or curb and open and close the door of the vehicle for the passenger. Drivers are to offer and provide all other necessary assistance in boarding or departing the vehicle. Unless otherwise designated in an operational service plan, contractors are required to provide curb-to-curb transit services.

For curb-to-curb services, assistance shall be provided between the vehicle and the curb. At a minimum, assistance to and from the vehicle and over or off the curb, into and out of vehicles, on and off lift equipment, and assistance with mobility devices and/or packages will be required.

Contractor shall establish policies for the number, weight and securement of packages that shall at a minimum provide for assistance with at least 2 packages weighing no more than 20 lbs. each or one package weighing no more than 50 lbs.

The contractor can elect to provide assistance to passengers to or from the front door of buildings and to provide provisions and policies for additional packages and package weight minimums.

For service plans requiring door-to-door services to meet the special needs of elderly and disabled patrons, assistance to and from vehicles, onto/off curbs and stairways, into and out of vehicles, on and off lift equipment, into and out of buildings, assistance checking into facilities and assistance with mobility devices and/or packages will be required.

Drivers may be required to provide other assistance to include insuring the passenger is appropriately attired for transport and reporting needs, abuse or neglect to designated officials.

Drivers should exercise reasonable care when dropping off passengers by looking out for safety concerns, responding where/when possible and notifying appropriate supervisory personnel of safety concerns encountered along routes, in day to day activities or at particular drop off locations.

#### **N. Passenger Suspensions**

Service suspension to passengers must be conducted in accordance with a policy approved in advance by Fort Bend County. Contractor is required to immediately notify Fort Bend County of any service suspension – whether suspension of a particular bus or route or a service suspension to a particular passenger unless an immediate circumstance precludes advance notification to Fort Bend County. “Immediate circumstances” may include and not be limited to safety and/or security violations. Passengers preventing the safe conduct of vehicles or presenting threats to drivers and/or other passengers may be refused services and/or appropriately removed from vehicles at the contractor’s discretion. Passenger suspension policies should include both temporary and permanent service suspension provisions based on the severity of an incident.

Suspension may also be provided for in accordance with an approved policy for no-show or late cancel trips with suspension consequences for policy violations.

### **VIII. Emergency Operations**

Contractor will be required to assist Fort Bend County during emergency events by providing vehicles and drivers to perform evacuation services. Contractor will not be required to provide more vehicles and drivers than are currently contracted at the time of the emergency. The Contractor is encouraged to offer additional drivers and vehicles during the event. Charges for such emergency services shall be in accordance with the price bid for routine services. Additional charges related to supervisors, dispatchers and driver overtime compensation, lodging and meals as well as increased fuel and/or maintenance charges will be allowed where and when applicable. Due to the nature of this provision, such additional charges will be negotiated at the time the request for services is made. Additional charges will be expected to be reasonable as well as verifiable when and where applicable.

Within 30 days of contract initiation, contractors shall develop and implement emergency policies and practices and furnish them to Fort Bend County. Policy provisions shall insure drivers are available to provide emergency assistance when necessary and require drivers to check in, be on-call and/or on-duty at locations designated by Fort Bend County during emergency planning activities and/or events. Drivers shall be required to have a means of contact by telephone or pager during and after hours. The emergency policy shall be continually updated as necessary throughout the course of the contract relative to the detail on the appropriate personnel name(s) and contact information and shall include provisions for after-hours contact information.

Contractor may be required to provide additional documentation, records and/or reports to Fort Bend County for emergency activities. Such additional administrative activities are to be provided at no additional charge. Failure by the contractor to provide emergency services when requested can subject the contractor to contract cancellation and removal of the contractor from consideration for future contracts.

## **IX. Federal, State and Local Regulations**

Contractor shall enforce all rules and regulations and/or laws pertaining to contractor services promulgated by Fort Bend County and/or applicable Federal, State or Local law. All activities shall be consistent with and in accordance with the rules and regulations of the Federal Transit Administration (FTA), The Texas Department of Transportation (TXDOT), Fort Bend County, and any local government as applicable.

Contractor must observe and comply with all applicable federal and state laws, rules, and regulations, and is responsible for all licenses, disclosures, notices, and registrations which may be required in connection with the performance of the contract.

Restrictions on lobbying activities and charter and school bus services as defined by FTA must be followed. All required policies and practices must be implemented and followed by the contractor during the course of the contract period as a condition of the contract.

## **X. Performance Goals**

The following performance goals have been set for contract compliance. Repeated performance failures may result in contract cancellation.

Operations Standards	On-time Performance-95% of pick/up and delivery On-Time.  95% of Random Inspections of site/facilities/equipment/vehicles and fare collection activities reveal no contract violations.  Customer complaints are addressed and resolved in a timely manner 95% of the time.  Service and/or passenger suspensions are conducted in accordance with contract provisions and approved policies 100% of the time annually.
Safety/Security	Vehicle Accidents - No more than 1.5 accidents per 100,000 vehicle miles.  Major System Failures - No more than 2 service interruptions per 100,000 vehicle miles.  Drug and Alcohol Testing program performed in compliance with Federal Transit Administration Rules and Regulations.  95% of Random Inspections of site/facilities/equipment/vehicles activities reveal no contract violations.  Security and emergency incident/event performance complies with contract provisions and approved policies and practices.

A “Kick-off” event will be required for all new services implemented during the course of the contract. Marketing and promotional events should include provisions for all staff costs, sub-contractor costs, labor, materials, facility costs, promotional materials, give-a-ways, advertisements, programs, schedules, etc.

Contract price allowances for promotional events and materials will be negotiated and allocated annually with a base price per service route detailed in the corresponding route’s Service Plan.

The contractor shall furnish, in handicap accessible formats, all schedules, maps, tickets, transfers, passes, and other printed or promotional materials. Printed materials shall be produced in both English and Spanish and in other languages as deemed appropriate for the patrons utilizing the services.

Contractor shall assist Fort Bend County in the delivery and placement of promotional materials on racks within each vehicle and at other appropriate locations.

## **XII. Coordination**

FTA, TXDOT and The County encourage and promote coordination among agencies and providers for both services and equipment. Contractor is encouraged to enter into coordination agreements with other agencies and providers in the provision of services and the use of equipment.

Contractor agrees to coordinate transportation services with other transportation providers in Fort Bend County. Any coordination agreements using the equipment or funding provided under this agreement must be coordinated, reviewed and approved by and with the County during the contract period.

Any subcontracts for goods and/or services using the equipment or funding provided under this agreement must be coordinated, reviewed and approved by and with the County during the contract period.

All coordination agreements and/or subcontracts must meet or exceed the minimum requirements and standards required in the contractor’s agreement with Fort Bend County and be included as a part of the subsequent agreements or contract’s terms and provisions. All required regulations and processes shall also be included. Documents shall include all required federal, state and local clauses. Coordinating agencies and/or subcontractors will be subject to the same reporting and inspection requirements as the Contractor.

Additional governmental entities, within Fort Bend County, may purchase from the bid and related contract implementing this agreement. Contractor agrees to accept purchase orders from those participating entities and to invoice each entity separately.