## ORIGINAL DOCUMENT OVER 100 PAGES



## AGENDA ITEM SUMMARY

Meeting Date:	January 11, 2011	[]	Consent Ordinance	[X] []	Regular Public Hearing
Department:	Palm Tran				
Submitted By:	Palm Tran				
Submitted for:	Palm Tran				
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## I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Consent to Assignment and Assumption of Agreement with Palm Beach Metro Transportation, LLC (PBMT), the Assignor, and Metro Mobility Management Group, LLC (MMM), the Assignee.

**Summary:** PBMT and the COUNTY entered into a contract ((R2004-2447) dated November 23, 2004, as subsequently amended, under which PBMT provides approximately 50% of the ambulatory and non-ambulatory paratransit transportation services in Palm Beach County. In September 2010, as a result of reorganization and transfer of the assets of PBMT to MMM, the COUNTY has been requested to approve the assignment of our contract to MMM. A review of the documents presented and the representations provide that the management and personnel will continue substantially unchanged and indicate that MMM will have the financial and technical capacity to complete the contract. <u>Countywide</u> (DR)

**Background and Policy Issues:** PBMT has since February 13, 2005 been providing approximately 50% of the paratransit services for Palm Tran Connection. The current paratransit contracts run through February 12, 2012 (approximately 13 more months). We are currently in the process of developing a Request for Proposals to provide services after February 12, 2012.

Due to a reorganization and transfer of assets by PBMT and its parent and related companies, the assets of PBMT, including its Contract with Palm Beach County are to be transferred and the obligations assumed by Metro Mobility Management Group LLC (MMM). PBMT and MMM have advised that MMM will have sufficient assets and personnel to successfully complete their contract and have provided evidence of required insurance, bond, organizational structure, and other requested documentation to demonstrate MMM's capability to complete the contract. PBMT has been performing in compliance with the current contract and staff has no reason not to recommend the assignment of this agreement. PBMT has for some time been involved in a labor dispute with the Amalgamated Transit Union (ATU). The County is not party to this dispute. Failure to approve this assignment would likely have negative consequences to our operation of Connection service.

Attachment(s): 1. Consent to Assignment and Assumption Agreement (3 originals) 2. Contract with Palm Beach Metro Transportation (R2004-2447) including

Amendments 1 thru 3. (Due to the bulk of this attachment, copies are available in Palm Tran Administration and not physically attached hereto.) 3. Performance Bond and confirmation re: Assignment of Contract 4. Certificate of Anthority and Certificates of Insurance Recommended By: Department Director Date Approved By: Assistant County Administrator Date

## II. FISCAL IMPACT ANALYSIS

A. Five Year Summary	of Fiscal Imp	act:						
Fiscal Years	2011	2012	2013	200-	200-			
Grant Expenditures								
Operating Costs			0		-			
External Revenues								
Program Income (County)								
In-Kind Match (County)								
NET FISCAL IMPACT	\$0	\$0	\$0					
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0					
ls Item Included In Cur Budget Account No.:	rent Budget? Func Prog	Yes <u>NA</u> I Dep't. <sub>I</sub> ram F	No Unit _ Unit _ Reporting Categ	Object				
B. Recommended	Sources of Fu	nds/Summary o	of Fiscal Impac	t:				
C. Departmental Fig	(		, Finance Mana	iger	-			
	III. <u>F</u>	REVIEW COMMI	ENTS					
A. OFMB Fiscal and No Fiscal fr	ol Comments: <u>A</u> . Co	A. J. Jacob 12 [20] 10 Contract Dev. and Control						
long	Legal Sufficiency:			The Assignment complies with our neview requinants. It was not atended at the				
C. Other Departmen	nt Review:		Mone de au revier No bidence of Instance des rindas					
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<b>Department Dire</b>	ctor							