### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	January 13, 2015	[] []	Consent Ordinance	[ ×] [ ]	Regular Public Hearing
Department:	Palm Tran				

## I. EXECUTIVE BRIEF

**Motion and Title: Staff requests: A) Board direction** regarding the potential assistance to Two Wheels, Inc., a certified Disadvantaged Business Enterprise providing paratransit services under the Metro Mobility Management Group, LLC (Metro) Contract, by paying off ten (10) paratransit vehicles financed from Advantage Auto Finance Company, LLC and Advantage Funding Commercial Capital Corp., in exchange for the County retaining the vehicles and receiving a Full General Release and Waiver from Two Wheels, Inc. for any and all claims against the County and Palm Tran, Inc.; B) authorization for the Office of Financial Management and Budget to administratively process a budget transfer up to \$385,000 from the General Fund Contingency Reserve; and C) authorization for the Office of Financial Management and Budget to administratively process a budget amendment up to \$385,000 in the Palm Tran Fund to recognize the pay off for the vehicles.

Two Wheels, Inc. (Two Wheels), which is owned by Bettye Jones, is a certified Summary: Disadvantaged Business Enterprise (DBE) providing paratransit services under its Contract with Metro (R2012-0934). In good faith, and in order to meet the needs of the public and the terms of its contract with Metro, Two Wheels purchased ten (10) new vehicles from Advantage Auto Finance Company, LLC and Advantage Funding Commercial Capital Corp. This was done in 2013, prior to the approval of the Settlement Agreement between the County and Metro (R2014-0101) which stipulated an early termination date of January 31, 2015. Two Wheels will not be providing services for any of the three (3) new paratransit providers. Due to the early termination of the Metro contract, which greatly impacted Two Wheels and was outside of its control, Two Wheels is unable to continue to make payments on the vehicles after January 31, 2015. The Board is being asked for direction regarding the potential assistance of Two Wheels by paying off the vehicles from Advantage Auto Finance and Advantage Funding in exchange for the County retaining the vehicles and receiving a Full General Release and Waiver from Two Wheels for any and all claims against the County and Palm Tran, Inc. The County can either utilize the vehicles in its Palm Tran fleet benefitting Palm Tran customers, its general fleet benefiting all County Departments, or sell the vehicles. Staff estimates that the value of the vehicles is \$150,000 based on the projected mileage as of January 31, 2015. Payoff quotes have been obtained from Advantage Auto Finance and Advantage Funding totaling \$384,041.23. These quotes are good until January 16, 2015 and January 19, 2015, respectively. Funds for a purchase would come from General Fund Contingency Reserves. <u>Countywide</u> (DR)

**Background and Justification:** On January 14, 2014, the Board of County Commissioners (BCC) approved a Settlement Agreement Relating to the Contract for Paratransit Services (Settlement Agreement) with Metro (R2014-0101). The Settlement Agreement provides for an early termination date of January 31, 2015.

#### Attachments:

- 1. Payoff Quote from Advantage Auto Finance
- 2. Payoff Quote from Advantage Funding
- 3. December 23, 2014 from Two Wheels, Inc.

Approved by:

Assistant County Administrator Date

## **II. FISCAL IMPACT ANALYSIS**

## A. Five Year Summary of Fiscal Impact:

2015	2016	2017	2018	2019
*				

Budget:

**Budget Account No:** 

**Reporting Category:** 

## B. Recommended Sources of Funds/Summary of Fiscal Impact:

\* The fiscal impact is dependent on Board direction and can have an impact of up to \$385,000 which will be funded by a transfer from the General Fund Contingency Reserve.

Departmental Fiscal Review:

**III. REVIEW COMMENTS** 

OFMB Fish OFME Legal Seriew

Chief Assistant County Attorney

**Other Department Review:** 

**Contract Development & Control:** 

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The Board's action must be for a public purpose, and should be supported by findings substantiating a determination that there is a reasonable and adequate public interest for the Board's action.

**Department Director** 

This summary is not to be used as a basis for payment.

# ADVANTAGE AUTO FINANCE COMPANY LLC

January 7, 2015

Two Wheels Inc 6911 Garden Rd Riviera Beach, FL 33404

d Until Next Due
/16/15 11/25/14

<u>PLEASE NOTE</u> : Three (3) business days notice is required to terminate ACH payment processing. It is your responsibility to timely notify Advantage Auto Finance to terminate your ACH payment. ALL QUOTES ARE SUBJECT TO FINAL AUDIT BY ADVANTAGE AUTO FINANCE.

Advantage Auto Finance hereby guaranties your title or lien release to be mailed within 15 business days from the payoff posting date if guaranteed funds are received. If personal funds are received the title or lien release will be mailed within 30 days from the payoff posting date. If you have additional accounts that are delinquent the title will be held by Advantage Auto Finance until such time as all accounts are current.

Please mail the payoff and your titling instructions to:

Payoff Dept Advantage Funding 1111 Marcus Ave STE M27 Lake Success, NY 11042 If you would prefer to wire the payoff:

Bank: Routing Number: Account Number: Beneficiary: Capital One 275 Broadhollow Rd Melville, NY 11747 021407912 3124064092 Advantage Auto Finance Company LLC

Please include your account number(s) on the face of your check to insure proper credit.

We appreciate your business and hope to be of service to you in the future.

1111 MARCUS AVENUE, SUITE M27 ~ LAKE SUCCESS, NY 11042 PHONE: [718] 392-1300 ~ TOLL FREE: [866] 392-1300 ~ FAX:[718]392-3933 website : www.advantgefund.com

Attachment # \_\_\_/



January 7, 2015

Two Wheels, Inc. 6911 Garden Road West Palm Beach, FL 33404

Account #	Vehicle Description	VIN	Payoff	Good Until	Next Due
4020-24733	2013 Ford E350 Starcraft Starlite	1FDEE3FL1DDB09720	\$ 38,895.89	01/19/15	11/25/14
4020-25877	2013 Ford E350 Starcraft Starlite	1FDEE3FL5DDB09722	\$ 38,895.89	01/19/15	11/25/14
4020-25878	2013 Ford E350 Starcraft Starlite	1FDEE3FL7DDB09723	\$ 38,895.89	01/19/15	11/25/14
4020-25879	2013 Ford E350 Starcraft Starlite	1FDEE3FL0DDB09725	\$ 38,895.89	01/19/15	11/25/14
4020-25880	2013 Ford E350 Starcraft Starlite	1FDEE3FL2DDB09726	\$ 38,895.89	01/19/15	11/25/14
4020-25881	2013 Ford E350 Starcraft Starlite	1FDEE3FL4DDB09730	\$ 38,895.89	01/19/15	11/25/14
4020-25882	2013 Ford E350 Starcraft Starlite	1FDEE3FLXDDB09733	\$ 38,895.89	01/19/15	11/25/14

PLEASE NOTE : Three (3) business days notice is required to terminate ACH payment processing. It is your responsibility to timely notify Advantage Funding to terminate your ACH payment. ALL QUOTES ARE SUBJECT TO FINAL AUDIT BY ADVANTAGE FUNDING.

Advantage Funding hereby guaranties your title or lien release to be mailed within 15 business days from the payoff posting date if guaranteed funds are received. If personal funds are received the title or lien release will be mailed within 30 days from the payoff posting date. If you have additional accounts that are delinquent the title will be held by Advantage Funding until such time as all accounts are current.

Please mail the payoff and your titling instructions to:	If you would prefer to wire the payoff:				
Payoff Dept	Bank:	Chase Bank			
Advantage Funding		2335 New Hyde Park Road			
1111 Marcus Ave STE M27		New Hyde Park, NY 11042			
Lake Success, NY 11042	Routing Number:	021000021			
	Account Number:	592815133			
	Beneficiary:	Advantage Funding Commercial Capital Corp			
Please include your account number(s) on the face of your check to insure proper credit.					

We appreciate your business and hope to be of service to you in the future.

1111 MARCUS AVENUE, SUITE M27 ~ LAKE SUCCESS, NY 11042 PHONE: [718] 392-1300 ~ TOLL FREE: [866] 392-1300 ~ FAX:[718]392-3933 website : www.advantgefund.com

Attachment # \_\_\_\_\_

### TWO WHEELS, INC. 6911 Garden Road Riviera Beach, Florida 33404 (561) 863-5035 · (561) 863-5120 · Cell (561) 309-7675 Fax: (561) 863-8284

December 23, 2014

Ms. Shannon LaRocque Assistant County Administrator 301North Olive Ave West Palm Beach, FL 33401

 Re: Two Wheels, Inc.
Requested County purchase of 10 Two Wheels' 2013 paratransit vans included in current contract inventory

Dear Ms. LaRocque:

Thank you for speaking with me on December 16, 2014 after my earlier call to Mr. Robert Weisman, County Administrator.

I am asking the county to purchase Two Wheels' ten 2013 vans included in the inventory under the current contract. None of the companies you suggested that might be interested in purchasing these vans has shown any interest.

In late September 2014, I previously requested that Palm Beach County provide Two Wheels with relief of this encumbrance of the 10 vans. A letter with payout information (then, \$417,422.19) was submitted to Commissioner Shelley Vana with a copy to Mr. Weisman. No response was received.

You have now asked me to send this request directly to you. I trust that you will be able to promptly take action on this matter and reach a successful resolution. Thank you for your immediate attention to this matter.

Sincerely yours, >Mr Bettye Jones President Two Wheels, Inc.

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