



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Execute an Amendment to the Transit Operations Contract with MV Public Transportation, Inc., Extending the Contract through August 3, 2008 and Additional Amendments, as Necessary, for Two Additional Months

MEETING DATE: April 2, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution authorizing the City Manager to execute the attached amendment to the Transit Operations Contract with MV Public Transportation, Inc. (MV), extending the contract through August 3, 2008 and any additional amendments necessary for an additional two months.

BACKGROUND INFORMATION: At its March 5 City Council meeting, the Council approved advertising for a Request for Proposals (RFP) for transit operations. At Council's direction, the RFP was amended to extend the proposal period to 45 days. This extension of the proposal submittal date pushed the dates to review and interview into May and to submit to Council a recommended Contractor for the next Operations contract into late May or early June. This limits the amount of available time to implement a potential change in contractors by July 1, 2008. In light of this, staff is recommending an extension of the current contract until August 3 to allow sufficient time for start-up activities (such as hiring), should a change in contractor be made. The August 3 date was chosen because it is more convenient to change out the operation on a weekend due to the shortened operational day. The effective date of the new contract would be August 4, 2008 and would be changed in the RFP to reflect the delayed start.

Staff has contacted MV, the current contractor, regarding the extension. MV has notified the City that they are willing to extend the contract until August 3 and will honor the current FY 07/08 pricing for the duration of the term. The FY 07/08 pricing is as follows:

07/08 Dial-A-Ride Fixed Fee per Month:	\$24,596.00
07/08 Dial-A-Ride Cost per Vehicle Service Hour:	\$21.43
07/08 Fixed Route Fixed Fee per Month:	\$20,497.00
07/08 Fixed Route Cost per Vehicle Service Hour:	\$21.43

The actual cost to the City will depend on the number of hours operated between July 1 and August 3. The Fixed Fee amounts will apply in full for July and will be prorated for the month of August.

FISCAL IMPACT: The cost of operations has been included in the budget for the transit system. Failure to award the extension would result in a tighter timeline for the RFP currently out for proposals and would result in coordination and

APPROVED: _____
Blair King, City Manager

process timeline difficulties in ensuring the service would go uninterrupted July 1.

FUNDING AVAILABLE: Transit operations are paid for utilizing Transportation Development Act funds, Federal Transit Administration Section 5307 funds, Measure K transit operations funds, and fare revenue. Funding is allocated in the annual budget process. No additional funding is required at this time.

Kirk Evans, Budget Manager

Richard C. Prima, Jr.
Public Works Director

Prepared by Tiffani M. Fink, Transportation Manager

RCP/TMF/pmf

Attachment

cc: Finance Director
Transportation Manager

**CITY OF LODI
CONTRACT AMENDMENT WITH MV PUBLIC
TRANSPORTATION, INC., FOR EXTENSION OF
CONTRACT SERVICES UNTIL AUGUST 3, 2008
24 South Sacramento Street**

CONTRACT AMENDMENT #5

CITY OF LODI, CALIFORNIA

THIS CONTRACT AMENDMENT #5 is made by and between the CITY OF LODI, State of California, herein referred to as the "City," and MV PUBLIC TRANSPORTATION, INC., herein referred to as the "Contractor."

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

1. The new contract termination date shall be August 3, 2008. All rates charged during the contract extension period from July 1, 2008 to August 3, 2008 shall be in accordance with the previously approved contract rates for Fiscal Year 07/08.
2. All other terms and conditions of the Contract shall remain unchanged and in full force and effect through and including the New Date of Termination as set forth above, including but not limited to the billing rates set forth on page 17 of the Contract under the provision entitled PAYMENTS TO CONTRACTOR: Basic Consideration.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date written below.

MV Public Transportation, Inc.

CITY OF LODI, a municipal corporation

By: _____

By: _____

Blair King
City Manager

Title

Date: _____

Attest:

Randi Johl
City Clerk

(CORPORATE SEAL)

Approved as to Form:

D. Stephen Schwabauer
City Attorney



RESOLUTION NO. 2008-_____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING AN AMENDMENT TO THE CONTRACT WITH MV PUBLIC TRANSPORTATION, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT EXTENDING THE CONTRACT, AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ADDITIONAL AMENDMENTS AS NECESSARY TO EXTEND THE CONTRACT FOR AN ADDITIONAL TWO MONTHS

WHEREAS, on May 21, 2003, the City of Lodi entered into an agreement with MV Public Transportation, Inc.; and

WHEREAS, the contract with MV Public Transportation, Inc., will expire on June 30, 2008; and

WHEREAS, a Request for Proposals has been issued for Transit Operations; and

WHEREAS, staff recommends extending the current contract through August 3, 2008, to allow sufficient time for start-up activities, should a change in contractor be made.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Amendment to the Contract with MV Public Transportation, Inc., for Transit Operations; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the Amendment extending the contract through August 3, 2008, on behalf of the City of Lodi; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute additional amendments as necessary to extend the Contract an additional two months, if necessary to assure a smooth transition.

Dated: April 2, 2008

I hereby certify that Resolution No. 2008-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 2, 2008, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk