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Agenda

Joint Meeting of the Board of Directors for
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

April 26, 2007

9:00 a.m.

James R. Mills Building
Board Meeting Room, 10th Floor
1255 Imperial Avenue, San Diego

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ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - April 12, 2007 Approve
3. Public Comments - Limited to five speakers with three minutes per speaker. Others will be heard after Board Discussion items. If you have a report to present, please give your copies to the Clerk of the Board.

CONSENT ITEMS

6. MTS: Taxicab Rates of Fare Receive
Action would receive a report for information.
7. MTS: Limit on Taxicab Permits Approve
Action would approve placing a 40 percent cap on ownership of individual City of San Diego taxicab permits.

Please silence cell phones and pagers
during the meeting



Metropolitan Transit System (MTS) is a California public agency and is comprised of San Diego Transit Corporation and San Diego Trolley, Inc. nonprofit public benefit corporations, in cooperation with Chula Vista Transit and National City Transit. MTS is the taxicab administrator for eight cities and the owner of the San Diego and Arizona Eastern Railway Company. MTS member agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.

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| 8. | <u>MTS: Support for SANDAG's Urban Partnership Agreement Proposal</u>
Action would authorize the CEO to submit a letter of support for the San Diego Association of Governments' (SANDAG's) regional submittal to the United States Department of Transportation's (USDOT's) Urban Partnership Agreement solicitation. | Support |
| 9. | <u>MTS: Audit Report - San Diego Trolley, Inc. Safety Procedures</u>
Action would receive a report for information. | Receive |
| 10. | <u>MTS: Year-to-Date Operations Budget Status Report through February 2007</u>
Action would receive the MTS Year-to-Date Operations Budget Status Report through February 2007. | Receive |
| 11. | <u>MTS: Uniform Report of DBE Awards or Commitments and Payments</u>
Action would receive the Uniform Report of Disadvantaged Business Enterprise (DBE) Awards or Commitments and Payments. | Receive |

NOTICED PUBLIC HEARINGS

- | | | |
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| 25. | <u>MTS - Administrative Hearing</u> | |
| | a. <u>AMM Livery, Inc. dba A-1 Taxi Company</u> | Deny |
| | <p>Action would deny the protest filed by AMM Livery, Inc. doing business as A-1 Taxi Company regarding the MTS Evaluation Committee's Request for Proposals (RFP) review and score process based on the following findings:</p> <ul style="list-style-type: none"> (i) Notice of hearing for protest reconsideration was properly provided to A-1. (ii) A-1 submitted a Request for Protest Reconsideration requesting that MTS reconsider its determination that A-1's proposal failed to meet MTS minimum requirements. In response, MTS directed the Evaluation Committee to evaluate and score A-1's proposal. (iii) The Evaluation Committee met on March 16, 2007, and evaluated and scored A-1's proposal utilizing the same means, criteria, and evaluation methods as utilized by the same Evaluation Committee members for review of the other qualifying proposals performed on November 13 and 14, 2006. (iv) The scores issued by the Evaluation Committee for A-1 totaled 197 points, which was insufficient to qualify for an award of permits. (v) No violation of law, regulation, or arbitrary, irrational, or capricious act occurred relating to the March 16, 2007, evaluation and scoring of A-1's proposal by the Evaluation Committee. | |

b. Parsa Taxicab Service

Deny

Action would deny the protest filed by Parsa Taxicab Service (Parsa) regarding the MTS Evaluation Committee's Request for Proposals (RFP) review and score process based on the following findings:

- (i) Notice of hearing for protest reconsideration was properly provided to Parsa.
- (ii) Parsa submitted a Request for Protest Reconsideration requesting that the Evaluation Committee be directed to score Parsa's proposal and rank the score with other proposals previously scored.
- (iii) MTS directed the Evaluation Committee to evaluate and score Parsa's proposal.
- (iv) The Evaluation Committee met on March 16, 2007, and evaluated and scored Parsa's proposal utilizing the same means, criteria, and evaluation methods as utilized by the same Evaluation Committee members for review of the other qualifying proposals performed on November 13 and 14, 2006.
- (v) The scores issued by the Evaluation Committee for Parsa totaled 200 points, which was insufficient to qualify for an award of permits.
- (vi) Parsa was notified of the scoring of its proposal and ranking.

c. Express Courier Systems, Inc. dba Checker Cab

Deny

Action would deny the protest filed by Express Courier Systems, Inc. doing business as Checker Cab based the following findings:

- (i) Notice of hearing for protest reconsideration was properly provided to Checker Cab.
- (ii) Checker Cab failed to attach a letter from an accredited financial institution to its proposal stating that Checker Cab had the financial resources to fund its proposed business plan within 90 days of the permit award.
- (iii) The minimum requirements of the September 11, 2006, MTS RFP, under Section III (10), set out that a letter must be submitted from an accredited financial institution stating that the proposer has the resources to fund the business plan as proposed within 90 days of the permit award.
- (iv) On September 26, 2006, at a preproposal conference meeting attended by Moradi Haji on behalf of Checker Cab, the attendees were advised by John Scott of MTS that the financial letter should be attached to the proposal.
- (v) A copy of the September 26, 2006, minutes, which included Mr. Scott's advisement, was mailed to Moradi Haji.
- (vi) No written inquiry or e-mail was sent to John Scott from Checker Cab inquiring whether a letter was required to be included with the proposal.

d. White Top Cab

Deny

Action would deny the protest filed by White Top Cab regarding the MTS Evaluation Committee's Request for Proposals (RFP) review and score process based on the following findings:

- (i) Notice of hearing for protest reconsideration was properly provided to White Top Cab.
- (ii) City of San Diego Policy No. 500-02 authorized the Evaluation Committee to consider all relevant factors pertaining to taxicab services and to use its discretion in using and modifying the RFP proposal requirements.
- (iii) In its September 11, 2006, RFP, MTS utilized proper criteria for the evaluation and scoring of the proposal submitted in response to the RFP.
- (iv) In scoring and evaluating the proposals of White Top Cab, Nice Cab, Cool Cab, and Somali Taxi Association, the Evaluation Committee properly performed its evaluations and scoring and did not violate any law or regulation or otherwise act in an arbitrary, irrational, or capricious manner.

30. MTS: Award of Taxicab Permits

Approve

Action would approve the award of 20 taxicab permits as follows: 10 permits to Amir Aghassi, doing business as (dba) Nice Cab; 5 permits to Behzad Hafezi, dba Cool Cab; and 5 permits to The Somali Taxi Association. If a company is not able to fulfill the implementation of its permits, the next highest-ranked firm would receive the award.

60. Chairman's Report

Possible Action

61. Chief Executive Officer's Report

Information

62. Board Member Communications

63. Additional Public Comments Not on the Agenda

Possible Action

If the limit of 5 speakers is exceeded under No. 3 (Public Comments) on this agenda, additional speakers will be taken at this time. If you have a report to present, please furnish a copy to the Clerk of the Board. Subjects of previous hearings or agenda items may not again be addressed under Public Comments.

64. Next Meeting Date: May 10, 2007 **(Finance Workshop at 8:00 a.m.)**

65. Adjournment