

STAFF REPORT

SUBJECT: GoMentum Agreement Termination

FROM: Jonathan Steketee, Contract Compliance and Customer Service Manager

DATE: June 25, 2019

Action Requested

To recommend to the Board of Directors to authorize the Executive Director to negotiate terms and terminate the agreement with GoMentum in regards to the SAV Pilot.

Background

In May 2019, LAVTA's Board of Directors approved Resolution 11-2019, awarding a contract in the amount of \$832,217 for the project management and operations of LAVTA's Shared Autonomous Vehicle (SAV) project to Transdev, Inc., and directing LAVTA's Executive Director and Legal Counsel to finalize the contract terms. The contract includes the procurement of an SAV for the project, regulatory compliance, operation of the SAV during testing, and operation of the vehicle in passenger service.

Funding for the SAV project includes \$966,000 in funding from the Bay Area Air Quality Management District that was previously encumbered in a third-party contract with GoMentum Station, which the Board of Directors awarded in February 2018. This funding from BAAQMD also provided for the wrapping of seven of LAVTA's fixed-route buses with Spare the Air advertising for a period of three years, which also began in February 2018. In January 2019, GoMentum Station notified LAVTA that GoMentum was being dissolved following its sale to AAA of Northern California, Nevada, and Utah. LAVTA staff has since met with GoMentum on several occasions to discuss the status of the agreement and potential terms for its termination so that funding for the project can be disencumbered and applied to the new contract with Transdev in order to proceed with testing.

Discussion

To date, LAVTA has expended \$514,070 on the existing agreement with GoMentum for the SAV project. These expenditures were paid by LAVTA for the procurement of the SAV and for project management during testing. At your June 24 meeting, staff will update the Committee on prospective terms with GoMentum to terminate the agreement, recoup the remaining funds, and transfer the SAV to LAVTA, which will reduce the final cost of the Transdev contract.

Next Steps

Based on input from the Projects & Services Committee, LAVTA staff in consultation with Legal Counsel will proceed with finalizing terms of the termination of the agreement with GoMentum Station.

Recommendation

Recommend to the Board of Directors to Authorize the Executive Director to terminate the agreement with GoMentum and negotiate terms of the termination.

Attachments:

1. Resolution 20-2019

RESOLUTION NO. 20-2019

**A RESOLUTION OF THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY
AUTHORIZING THE TERMINATION OF THE AGREEMENT WITH GOMENTUM
IN REGARDS TO THE SHARED AUTONMOUS VEHICLE PROJECT**

WHEREAS, the Livermore Amador Valley Transit Authority (LAVTA) has undertaken a shared autonomous vehicle (SAV) pilot project and entered into an agreement with GoMentum Station to implement the project;

WHEREAS, GoMentum has dissolved as an entity;

WHEREAS, the agreement with GoMentum can no longer exist because of the dissolution of GoMentum;

NOW, THEREFORE, BE IT RESOLVED: That the Board of Directors of the Livermore Amador Valley Transit Authority authorizes the Executive Director to terminate the agreement with GoMentum in regards to the Shared Autonomous Vehicle Project and directs the Executive Director and Legal Counsel to negotiate the termination of the agreement.

PASSED AND ADOPTED by the governing body of the Livermore Amador Valley Transit Authority (LAVTA) this 1st day of July 2019.

BY

David Haubert, Chair

ATTEST

Michael Tree, Executive Director