

From: [Williams, Annette](#)
To: [Jalipa, Brent \(BOS\)](#)
Cc: [Martinsen, Janet \(MTA\)](#); [Somera, Alisa \(BOS\)](#); [Ramos, Joel \(MTA\)](#)
Subject: Re: Board File No. 221173 - Cost-Sharing Agreement - Retroactive - BART - Paratransit Services Reimbursement by BART
Date: Tuesday, December 13, 2022 7:49:31 AM

Good Morning,

Joel Ramos from SFMTA will be there at the Finance Committee today. I've also included some more information about the retroactivity below.

Why is the cost-sharing agreement retroactive?

This agreement provides funding to SFMTA from BART to provide Paratransit services for BART in San Francisco. Paratransit staff efforts at both SFMTA and BART had been focused on responding to the COVID pandemic and we missed that the agreement needed to be renewed. BART staff did not prepare a new agreement until recently, although BART continued to pay under the expired agreement.

Background:

Under the Americans with Disabilities Act, all public transit agencies providing fixed route service must provide complementary Paratransit services. This would require BART, as a fixed route service provider, to provide complementary Paratransit services in San Francisco. In lieu of BART providing Paratransit services in San Francisco, since 1994, SFMTA, through the SF Paratransit program, has provided complementary Paratransit service to ADA riders for trips within San Francisco. SF Paratransit serves the entire area in San Francisco that BART would have otherwise had to provide Paratransit services for. This cost sharing agreement outlines the reimbursement formula to SFMTA for providing Paratransit services on behalf of BART. BART pays for approximately 7.9% of the annual Paratransit cost of the SF Paratransit program.

Thanks much,

Annette

Annette Williams

Director, Accessible Services

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On Dec 12, 2022, at 4:56 PM, Jalipa, Brent (BOS) <brent.jalipa@sfgov.org> wrote:

Good afternoon,

The following item was heard at the Budget & Finance Committee on December 7, 2022, and forwarded to the full Board for December 13, 2022:

- **File No. 221173** - Cost-Sharing Agreement - Retroactive - BART - Paratransit Services Reimbursement by BART

This legislation authorizes “retroactive” approval. Due to the full Board’s concerns regarding “retroactive” approvals, please make sure you - or a department representative - will be in attendance to answer any questions or concerns when the full Board considers these matters.

If you would like to include additional written explanation regarding the “retroactive” approval, please forward to me and I will disseminate to the Members and include in the legislative file.

Thank you for your continued collaboration on the legislative process.

Regards,

Brent Jalipa

Assistant Clerk

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(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.