

# PROKEL MOBILITY

**City of Margate**

**Purchasing Division**

Request for Proposal

BID NO. 2023-007

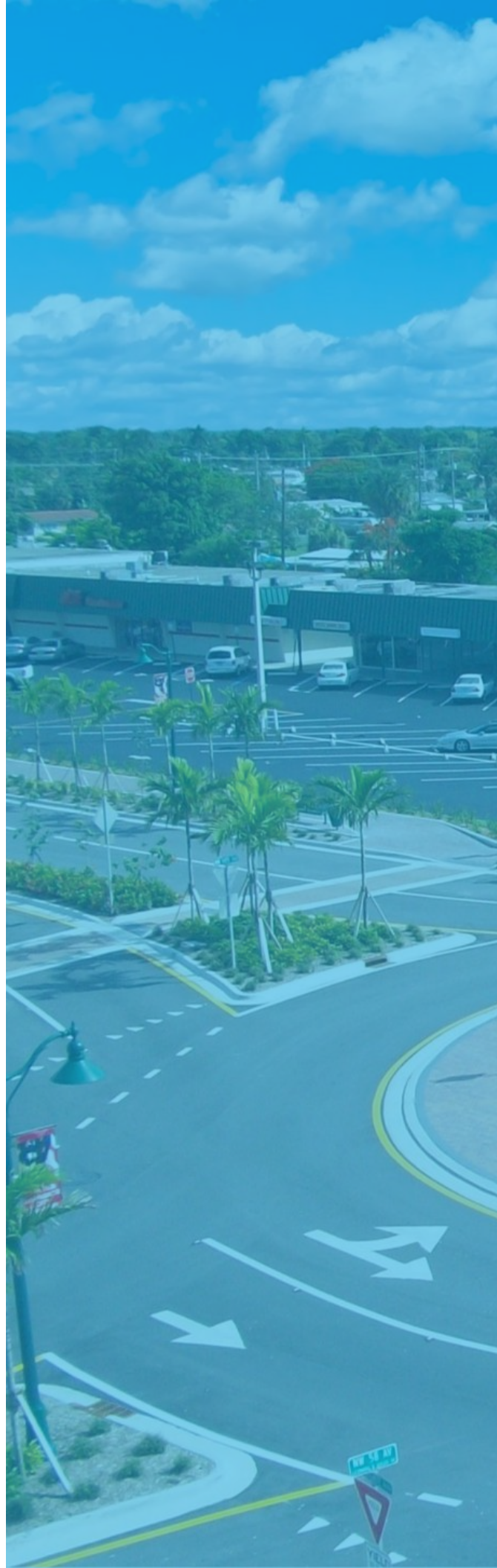
Community Shuttle Services

December 12, 2023

[www.prokelmobility.com](http://www.prokelmobility.com)

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# Letter of Transmittal



# Letter of Transmittal

## To Whom It May Concern,

Please find the enclosed proposal from Pro Transportation Inc. d/b/a ProKel Mobility, ("ProKel") in response to the City of Margate, Purchasing Division Requests For Proposal for Community Shuttle Services.

ProKel Mobility possesses extensive experience in transporting passengers while providing exceptional customer service. This experience, coupled with our management philosophy, **"People, Partnerships, and Processes,"** is key for our public sector clients to deliver and implement services while ensuring a high standard of customer satisfaction. ProKel Mobility will bring this diligent level of commitment and dedication to this community and its stakeholders, especially the communities and passengers it serves.

ProKel's transportation planning experts tailored the transportation model proposed in this bid to address all of the requirements in the RFP. The aim of the model is to drive this service toward promoting the City's goals to improve mobility and connectivity with adjoining cities. ProKel will provide **new state-of-the-art technology** that will increase the City's transportation (1) **connectivity**, (2) **accessibility**, (3) **equity** and (4) **ability to enhance the customer experience**. We are passionate about helping the City cover more areas with bus transportation for their passengers.

ProKel is also offering Margate the opportunity to create an experience that takes advantage of the latest technology, including creating a custom app, displayed below:







# Letter of Transmittal

In addition, we also discuss in our Executive Summary that we have developed a plan for the future needs for the transit plans for Margate, including mobility on demand, deviated flex route and microtransit options to bridge first and last mile gaps in the existing system.

We can offer the City of Margate quick acting maintenance for all of your shuttle buses. We provide the most recent technology and innovative solutions to the contract that meets all of the City's long and short term goals. We can also improve your performance utilizing our strategies that produced our personal record of 95% on-time performance.

Along with a stellar five (5) star safety program, ProKel has a very exciting and incentivising Safety/Customer Service Rewards Program which keeps operators engaged and employee morale bursting *"Out The Framework."* ProKel sees their multiple divisions as multiple communities – communities of drivers and staff that, when properly trained and engaged, will reflect safe operation and exceptional customer service in the communities they serve.

ProKel is also offering Margate the opportunity to create an experience that takes advantage of the latest technology, including creating a custom app. We understand that the City of Margate is ever-growing and ProKel has the necessary relationships to implement new technology and novel forms of transportation as the industry evolves. As an option, ProKel can provide deviated fixed routes to help optimize the City's transportation needs.

In addition, the City has the opportunity to partner with The Routing Company ("TRC") to bring their transportation technology and wealth of experience in transportation innovation to our services. TRC consists of mathematicians, computer scientists, academics, transportation policy/grant advisors and shared ride experts. Members of TRC's team led the deployment of UberPool in over forty (40) locations worldwide and designed and implemented UberBus routes.

Should you have any questions about our responses or our proposal, please do not hesitate to reach out to me directly by emailing [ed@prokelmobility.com](mailto:ed@prokelmobility.com), or by calling 210-904-5082

Sincerely,

*Eduardo R. Carrion*

Eduardo Carrion  
Chief Operating Officer  
ProKel Mobility  
[ed@prokelmobility.com](mailto:ed@prokelmobility.com)  
(210) 904-5082



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# Executive Summary



# Executive Summary

## Who We Are



ProKel Mobility ("ProKel") is uniquely qualified to be the provider of the City of Margate's ("City") Community Shuttle Bus Service. As one of the largest transportation providers in the South Florida Metropolitan area, and the only local provider able to meet the City's requirements, ProKel Mobility has the knowledge, resources and experience to meet and exceed the City's needs and expectations.

ProKel Mobility is a Florida Department of Transportation DBE-certified minority-owned business that brings extensive experience serving Florida communities. ProKel Mobility's local project management team and regional corporate support is unprecedented in the industry because we provide dedicated account managers to every one of our clients.

ProKel Mobility's goal is to level-up transit systems across Florida. We will accomplish this through our three (3)-step plan:

1. *Leveraging* the 200+ years of combined transit experience possessed by our team to deliver exceptional transit services for both agencies and end-users.
2. *Implementing* state-of-the-art and cutting-edge transportation technology aimed at increasing ridership, extending coverage and unlocking vehicle efficiency.
3. *Learning* from the diversity of our team to implement equitable, accessible and kind services for end-users. ProKel Mobility's innovative culture and "grounded" cooperation foundation is the perfect match for the City of Margate.



## Expert Management Team Who Knows This Service and This Community

The following is an introduction to the **ProKel team and an overview of our vast experience** with and expertise in similar projects.



**Jacqueline Goldsmith**  
Operations Manager



**Frank Ciccarella**  
Vice President of Safety



**Marcos Monheit**  
CFO



**Vasti Amaro**  
Regional Director



**Kelly Gonzalez Jr.**  
CEO + Owner  
Project Manager



**Monsieur Michelaire Phanor**  
Vice President of Operations



**John Petillen**  
Operations Supervisor



**Warren Montague**  
Special Projects Consultant



**Natasha Serra**  
Director of Grants and Mobility Funding Compliance



**Robert Hann**  
Transportation Planner



**Anthony Radicone**  
VP of Maintenance



**Eduardo Carrion**  
Chief Operating Officer



**Angelica Williams**  
Director of HR and Internship Program



**Lashonda Carter**  
Regional Safety Manager

### Robert Hann, Special Projects Manager Overseeing City of Margate Bus Shuttle



Robert Hann has been in the transportation industry since 1995, most recently serving as General Manager for Coach USA in Chicago. He will serve as the transportation planner for the City of Margate project.

He has vast experience designing and operating fixed route bus services, corporate commuter, airport, convention and parking lot shuttles as well as private transportation solutions.

Robert has an MBA from DePaul University and a MS from the Kelley School of Business at Indiana University.



**Kelly Gonzalez Jr., ProKel Mobility City of Margate Project Manager / CEO - 2ND VP OF COMTO Miami**



Kelly is the embodiment of the American dream in the transit community. Starting off as a driver earning minimum wage, to becoming the director of the largest privately-owned transportation company in North America. His previous experience includes working at a company whose growth expanded to **\$1.3 billion in revenue** with **16,000 team members and 10,000 vehicles nationwide**. With this knowledge in tow, Kelly brought the same ingenuity and innovative solutions approach to ProKel Mobility. Kelly's transportation industry solutions have positioned ProKel to become a leader in the industry and secure market space in paratransit, shuttle bus services, and special needs transportation.

Outside of leading ProKel as one (1) of the nation's preferred transportation firms, Kelly is known for his proactive and positive employee relations. Kelly implements performance and safety-focused incentive goals to not only reward ProKel employees for doing a good job, but also to compensate them for a job well done. This **inclusive equity reward system** is one (1) of the reasons ProKel drivers stay motivated throughout their employment with the company. ProKel's **turnover is less than 6% thanks** to retention plans that Kelly has enacted at the company.

**(Featured by Florida Panthers for its Hispanic Excellence Awards)**

**KELLY**  
**GONZALEZ**  
CEO, PROKEL MOBILITY

Kelly Gonzalez is a first-generation Afro-Latino son of two Dominican immigrant parents. He learned the value of hard work at a young age. He also learned early in his career what it means to be inclusive and break accessibility barriers for those in need of transportation solutions.






## Local Experience and Knowledge of This Contract

ProKel Mobility's proposed management team and staff to support this contract are not only the best in the industry, but are also **residents of the area and community leaders**. To the management team, this is more than just a "government contract."

ProKel Mobility's CEO/Owner, Kelly Gonzalez Jr., is a resident of South Florida and has led numerous initiatives to propel South Florida's transit management development and the community.



During his tenure as general manager for both the Transportation Management Association's Downtown City Fort Lauderdale Sun Trolley and Broward County's TOPs Program, Kelly has managed the oversight of 260 employees as well as 100+ propane and diesel vehicles. Kelly was able to lead the County to new accomplishments, including those listed below.

- Worked with local stakeholders to push the Penny for Transportation surtax, which is now helping multiple small cities within the County
- Raised the wages for the workforce and added new, attractive benefit packages to improve the quality of life of all employees and satisfy his *Diversity, Equity, Inclusion* philosophy
- Successfully introduced, piloted and operated the City of Fort Lauderdale's first 100% electrical shuttle bus, thus reducing the carbon footprint
- Successfully organized, shuttled and evacuated residents to shelters during the State of Emergency declarations of Florida Governor Ron DeSantis and Broward County Mayor Mark Bogen
- Introduced new safety programs focused on positive behavior reinforcement, which helped dramatically decrease accidents and improve passenger customer service
- Sourced new micro-transit alternatives to offer partnering cities improvement in service delivery and innovation
- Assisted cities as a consulting arm (at no additional cost) with marketing and route optimization initiatives to ensure they surpass their Interlocal 1.7 PPH agreements





Kelly is also active with numerous at-risk youth non-profit organizations in Florida. Growing up from humble beginnings in inner-city Liberty City, Kelly depended on the Police Athletic League (PAL) and afterschool programs for support, education and sometimes even food.

Today, via ProKel Mobility, Kelly makes it a priority to be involved in the community he serves.



Pictured above is Kelly's community involvement that emphasizes giving back within local communities. Kelly partners with local government and local PAL programs to help fill voids and needs for the most vulnerable within the community.

## Eduardo Carrion, Chief Operating Officer



An innovative and results-driven leader focused on achieving exceptional results in high-paced environments that demand continuous process improvement, Ed is characterized as a visionary, strategist and tactician.

Ed has a consistent record of delivering extraordinary results in growth, operational performance, and workforce development. He is experienced in driving services, process and customer service improvements while building partnerships with key decision-makers.

He will help the City ensure a comprehensive and complete system.

## Vasti Amaro, Strategic Advisor



Since Vasti joined the company in 2020, ProKel Mobility has broken into new market sectors and doubled its growth despite the pandemic. Vasti helped build ProKel's operations structure which has today allowed the company to operate at 95% on all operations, safety and safety metrics nationwide.

Vasti has more than twenty-five (25) years of transportation experience in both public and private sectors, delivering passenger transport in the transit, airport ground transportation and university space. While working for global transportation firms, she was responsible for successful start-up operations for

Hillsborough Area Regional Transit (HART) in Tampa, Dallas Area Rapid Transit (DART), Phoenix Transit, Greater Richmond Transit Company (GRTC), Phoenix Sky Harbor International Airport (CONRAC), Fort Lauderdale-Hollywood International Airport and the bus shuttle for the Miami International Airport.

Before joining ProKel's board and serving as the executive suite coach for ProKel's CEO Kelly Gonzalez Jr., Vasti served as the Chief of Staff for the Port Authority of Allegheny County, where she worked closely with CEO Katharine Eagan Kelleman and helped improve the agency's service, modernized its systems and expanded the public engagement programs.

Vasti also serves as an Advisory Board member for Women of Color Golf and Director of the Girls on the Green Tee Program, a nonprofit organization based in Tampa, FL. Their mission is to teach women and young girls of color ages ten (10) to seventeen (17) the game of golf. The organization was recently selected as the PGA Charity of the Year, receiving \$30,000 for the Girls on the Green Tee program. They also hosted its Inaugural Golf Classic in conjunction with the NFL Alumni Super Bowl of golf tournament raising additional funds for the program.



### **Natasha Serra, Director of Grants and Mobility Funding Compliance**



Natasha is dedicated to the South Florida region, and has more than eight (8)+ years of experience with auditing and compliance in FTA 5307, 5310, 5311, 5312 and 5339 funding. Natasha holds a degree in Organizational Management with a Concentration in Public Safety Administration. She is a passionate human services advocate with a proven track record of leveraging resources to implement transit projects. She has extensive experience with public involvement programs at the local, state and National level, and has developed innovative programs by integrating technological resources and human capital. Natasha excels at organizing community stakeholders to work towards common goals while tracking and analyzing program-related performance measurements metrics.

### **Frank Ciccarella, Vice President of Safety**



Frank has more than forty (40) years of senior executive safety and training transportation experience. Frank joined ProKel Mobility in October 2020 and has positively reshaped the safety culture within the company.

Winner of the 2007 American Public Transportation Association (APTA) Gold Award for the best overall safety program in America and now Vice Chairman of the APTA Bus Safety Committee, Frank has gone from strength to strength, conceiving, creating, implementing and directing a great number of transportation safety programs — especially paratransit safety and customer care driver training programs. He has been rewarded by seeing these programs come to fruition, raising the levels of safety and customer care in the companies concerned. These have not been small organizations. Frank has expertise as a senior executive in a \$2.2 billion passenger transportation company and has directed large-scale change management processes.

### **Lashonda Carter, Regional Safety Manager**



Lashonda is highly proficient in the Smith System and LLLC defensive driving programs. She incorporates these programs as the foundation of her organizational behavior disciplines and management theories. She came on board with ProKel in 2017, and the company immediately felt the impact. Our accident frequency rate decreased by 43%. This not only ensured the safety of our passengers and drivers, but also affected the financials of our company. We were able to lower our pricing due to decreased insurance premiums, which in turn allowed us to be more

price-competitive for our customers and helped them be better stewards of the funds they receive for our services.

At ProKel, we take safety seriously. Lashonda has a No Unsafe Zero (0) Tolerance Policy, which ensures the safety of the passengers on the road.

Lashonda also has multiple positive behavior incentive programs that encourage safe driving. She is a big believer in positive reinforcement. The positive behavior and incentive programs she does monthly keeps our drivers on their toes and excited about safety, while boosting the overall morale of our company. The standard she sets at the location can be felt when we receive positive customer service commendations from riders. She always preaches that great safety habits and great workforce morale will trickle down to the service provided.

### **Angelica Williams, Director of HR and Internship Program**



Angelica is a University of Florida graduate with over ten (10) years of experience in human resources, recruiting and internship programs. Angelica will manage the recruiting functions for the City and make sure ProKel has the best talent in the industry. She will also work directly with Kelly Gonzalez Jr. on programs to ensure the City's employees are retained and morale is consistently high.

She will oversee the development and implementation of this program, and assign interns to various departments. Angelica acts as the liaison between the company and the educational institution (the student's faculty sponsor, the school's career center director and/or career counselors). She directly supervises and interacts with the interns, coordinates their day-to-day activities with department supervision, evaluates intern performance and provides progress reports to the educational institution.

### **Warren Montague, Special Projects Consultant**



Mr. Warren Montague brings thirty (30)+ years of first-class transportation operations experience. With twenty (20) years leading transportation efforts in the City of Philadelphia and an impressive transit record managing transportation services as a paratransit general manager providing services for Metropolitan Atlanta Rapid Transit Authority (MARTA), Mr. Montague has one of the most distinguished resumes in the nation.

ProKel contracts and brings in the best. This is why ProKel's CEO Kelly Gonzalez Jr, recruits championship level paratransit experts such as Mr. Montague to support the operations of the company.

Mr. Montague, former manager of mobility services operating as a contractor for the Detroit Department of Transportation, is a mentor to Mr. Gonzalez. Mr. Montague took Mr. Gonzalez under his wing in 2015 via Conference of Minority Transportation Officials' (COMTO) workshop programs. Since 2015, Mr. Gonzalez has been fortunate to learn from the best, and today passes it forward by bringing a talent and a transportation industry legend that the City deserves.

Mr. Montague, just like all ProKel team members, will assist the City on all matters related to paratransit services. The investment ProKel has made to bring in someone with the impressive background and impeccable resume like Mr. Montague shows the true commitment ProKel has to support the City and usher in the future of paratransit in Margate.

Warren Montague currently serves as the manager of mobility services for MV Transportation in Detroit, MI. In this role, he is the liaison for the Detroit Department of Transportation (DDOT) Compliance & Standards department which oversees the Disadvantaged Business Enterprise (DBE) Program, Title VI, Paratransit Services, Specialized Services and the Drug and Alcohol Program.

Previously, Warren was the Chief Operating Officer for Customized Community Transportation of the Southeastern Pennsylvania Transportation Authority (SEPTA), in which he was responsible for all contracted transportation services including paratransit and circular and small bus routes in the surrounding counties. As a transportation professional, he was an effective chief and oversaw one of the largest paratransit operations in the United States. His management expertise facilitated the delivery of critical transportation services to a seriously under-served constituency in the fifth largest city in the country.

Since 1996, Warren has been an active member of COMTO's local and national organization in the following capacities:

- President of the Greater Philadelphia Area Chapter (six (6) years);
- National Board of Directors (ten (10) years)
- Council of Presidents Representative (six (6) years)
- Secretary/Treasurer (two (2) years)
- 1st Vice Chair (two (2) years)
- Conference Chairman, 2011 National Meeting and Training Conference in Philadelphia, PA

Under his leadership and guidance, the Greater Philadelphia Area local chapter has received numerous awards including "Chapter of the Year" for its community service and scholarship efforts. In addition, local corporate executive members have been awarded "Executive of the Year." Warren has been the recipient of several awards for his service and leadership, including the Gerald A Sibling Award. Although currently working in the Midwest, he continues to stay connected and provide counsel to the local chapter.

Warren holds a Bachelor's Degree in Criminal Justice from Temple University and an Associate's Degree in Arts: General Studies. He is a member of Omega Psi Phi Fraternity, Mu Omega; Phoenix Lodge #3 F&AM, PHA; Melchizedek Chapter #15 HRAM; Martin Luther King Jr. Consistory #86 and Pyramid Temple #1 AEAONMS. Former Board member: Pennsylvania Transportation Coalition



(PenTrans) and Philadelphia Academies, Inc. Advisory Board for Public Education. He is currently serving on the Deacon Board of Sharon Baptist Church of Philadelphia.

### Marcos Monheit, CFO



Marcos Monheit is an alum of John Hopkins University. Marcos has twenty (20)+ years of experience in the financial realm.

He is a financial executive at Monheit Consulting LTD., with broad experience in all aspects of financial management including accounting, financial reporting, budgeting and analysis, treasury, capital markets and mergers and acquisitions. He is experienced with start-up companies and private equity funding as well as with companies at every stage of development. Marcos specializes in financial modeling, mergers and acquisitions, interest rates derivatives and implementation of credit facilities.

### Mitch Phanor, Vice President of Operations

ProKel Mobility's Chief Operating Officer, Mitch Phanor, brings over twenty (20) years of transit experience from his years of working with the New York transit system. Mitch had oversight of startups and mobilizations, which included 2,000+ vehicles and 3,000+ team members during his tenure in New York City, for all the municipal contracts under New York City Transit and local and state governing agencies.

During his twenty (20) year term in New York City, Mitch's operations maintained a 97%+ On-Time Performance, and he was recognized for multiple Safety and Blue Seal of Excellence Awards for maintaining government-owned fleets in good condition and ensuring his maintenance technicians were Automotive Service Excellence (ASE) certified.

Mitch Phanor's extensive range of experience in operating and managing all of New York City's boroughs will give the City operation experience oversight that no other local provider can match or deliver.

Mitch, who currently oversees the day-to-day operations for ProKel nationally, is committed to providing distinctive tailored services to Margate and addressing the individual needs and requirements of the City.

Mitch fosters a spirit of "the customer always comes first" and he takes pride in the work he does to achieve that goal, exceeding the contractual expectations of the City. Mitch's experience and management culture have proven to be invaluable in servicing the transportation needs of all the agencies ProKel services, including:

- The State of New York,



- The City of North Miami Beach,
- The Columbus Ohio Transit Authority,
- The Valley Metro Regional Public Transportation Authority,
- All Palm Beach County regional operations,
- All Broward County regional operations, and
- All Miami Dade County regional operations.

### **Anthony Radicone, Vice President of Maintenance**

Anthony Radicone will be the Vice President of Maintenance for this engagement, bringing his experience running maintenance operations on the management level for over thirty (30) years.

He most recently served with First Transit Group. As the Maintenance Manager he ensured safe operation and proper service schedules, including Audit Work Orders and monitoring trends and recommending changes to the maintenance program. He will bring that capability to Margate, supporting the existing and new fleet.

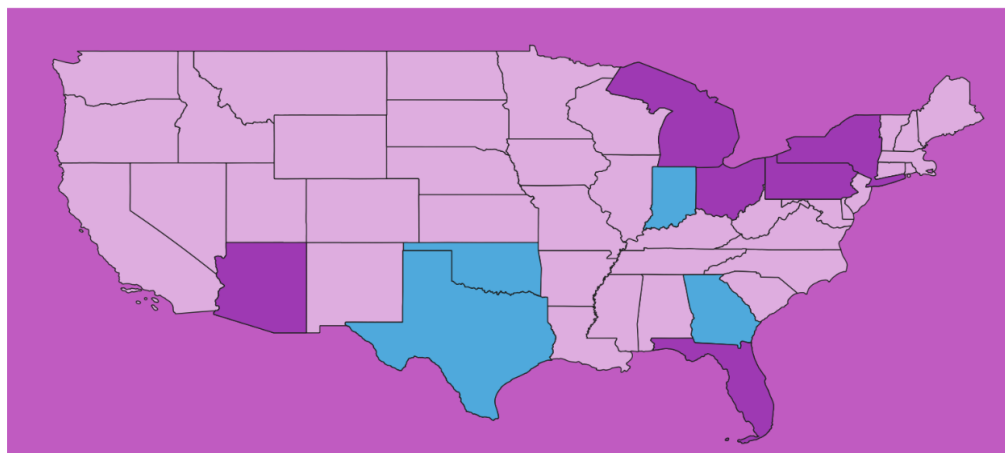


For further information about any of our team members, please contact us. We have included our resumes as **Appendix A: Resumes**.

## Who We Serve

ProKel Mobility currently works with some of the largest governmental agencies and leading private transportation companies. Below is a snapshot of a few notable clients we have served in the past two years and clients we are contracted to serve this year.

On the next page is a letter from one of our clients, **Central Ohio Transit Authority (COTA)** in Columbus, OH.



Blue States: DBE Certified Only    Purple States: Operating





33 N. High St.  
Columbus, Ohio 43215  
614-228-1776



May 26, 2022

To Whom It May Concern,

It gives me great pleasure to write a letter of recommendation in recognition of ProKel Mobility. COTA is pleased with the partnership we have with ProKel in meeting the transit needs of our community.

We continue to be appreciative of the services and leadership provided by project manager and executive officer, Kelly Gonzalez, Jr. Kelly is committed to great customer service and improving overall efficiencies of our service. Kelly continues to be responsive to our requests and is flexible in meeting the ever-changing needs of our customers and organization.

Kelly Gonzalez, Jr. and his local team including operators are well-trained and professional. The team cares about customer and client satisfaction including courtesy and dedication. Our success is undoubtedly the result of safe and reliable transportation services the ProKel team provides to the customers of Columbus.

Over the past 5 months, since our partnership with ProKel began, we have seen a consist average on-time performance for our Paratransit service of 97% an increase from the 4<sup>th</sup> quarter of 2021 from an average of 86% with a different partner. At the same time our ridership is back to pre-COVID levels and being able to maintain a high on-time performance with increased ridership is due to the strong supportive partnership with ProKel. During this period we have saw 20% reduction customer complaints and a 53% increase in customer compliments.

I am truly grateful for our partnership and commend ProKel Mobility for the great work they have delivered for our customers in Columbus. I look forward to our continued partnership as we are continuously striving to innovate and support not only Paratranist but Mobility solutions for our region in the future.

Sincerely,

Amy Hockman  
Interim Chief of Transit Operations

## Local Customer Highlight: City of North Miami Beach Trolley Shuttle Bus Service



ProKel Mobility operates five (5) public transportation routes with five (5) trolley shuttle buses in the City of North Miami Beach. ProKel is responsible for all aspects of the fixed-route shuttle bus operations and maintenance, including customer service and dispatch supervising. ProKel's **high quality service** has helped the City **increase their ridership** by more than 100% from **4,000 riders a month** to nearly **10,000 riders a month**. ProKel, a true partner and leader in innovation, upgraded all of the operations and maintenance software to cloud-based dashboards. Our innovations not only improved the quality of services delivered to the community, but it also led to an increase in transparency between the City of North Miami Beach and ProKel by providing the City with real-time insight into the operations.



Additionally, ProKel's **preventive maintenance is 100%** and the City's **on-time performance is above 95%** all with **zero (0) preventable accidents** YTD. Even with all these operational accomplishments, ProKel is taking the City's transit system to the next level by incorporating Flex Route On-Demand technology to ensure that residents have the best reliable access to transportation and connectivity.

*Pictured is Miami Dade County Mayor Daniella Levine Cava with North Miami Beach City Staff and ProKel's Safety Supervisor Cierra Sutton.*



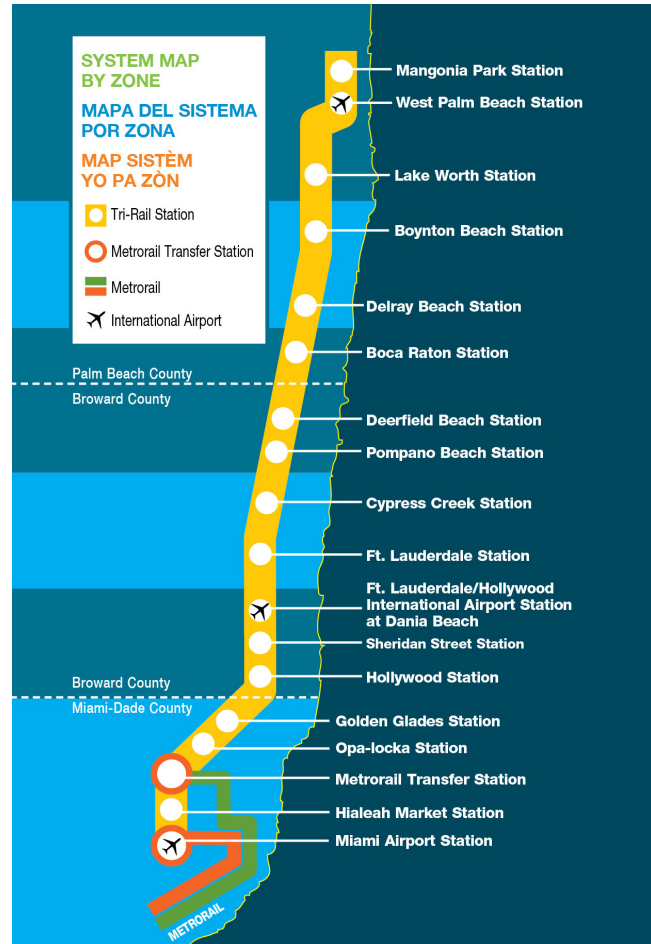


ProKel has recently been selected by The South Florida Regional Transportation Authority (SFRTA) as the Prime Contractor. As of June 1, 2023, ProKel will be providing full-turnkey Commuter Fixed Route Bus Services (also referred to as the "Fort Lauderdale Airport Service" or "Fort Lauderdale Airport Feeder Service") to and from the Fort

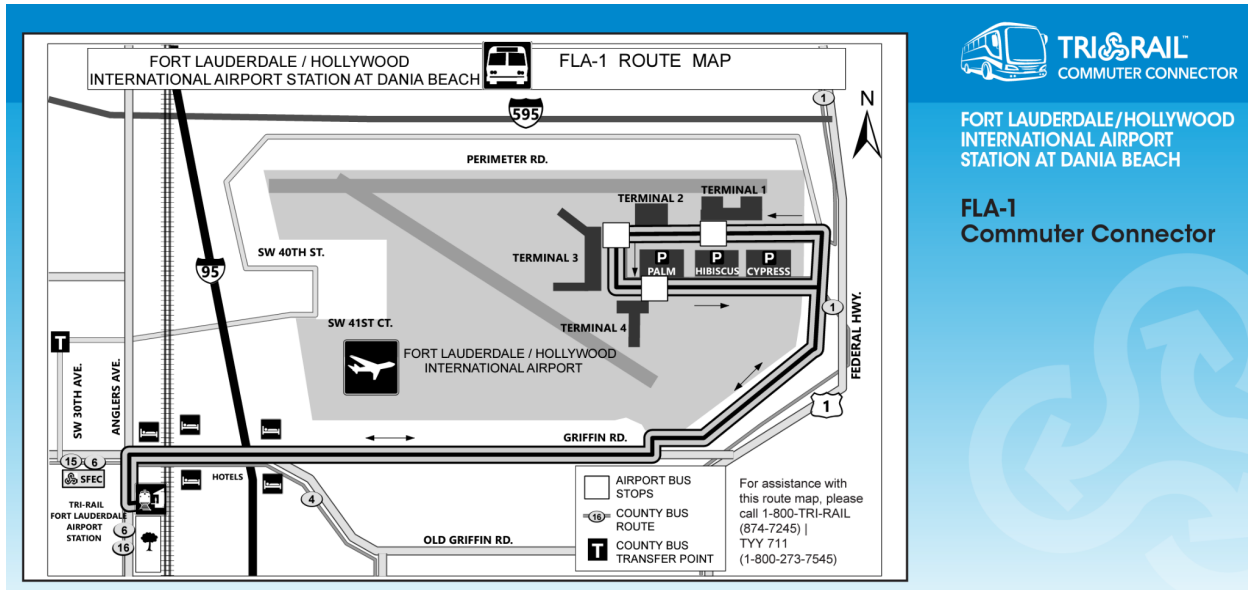
Lauderdale-Hollywood International Airport and Terminals. We are to implement our management and operation plan and scheduled bus transportation for all 72 mile corridors from the Miami Dade to the West Palm Beach train station. Including transportation services with on-demand technology to ensure that residents have the best reliable access to transportation.

ProKel will also be providing Emergency Bus Bridge Services and Emergency Assistance; and three (3) Scheduled Bus Bridge Services along the 72-mile Tri-County SFRTA rail corridor, with train stops at eighteen (18) passenger stations located within Miami-Dade, Broward, and Palm Beach counties.

ProKel's Commuter/Shuttle Bus Services will provide support to the SFRTA services which operates 50 trains per day and the multiple transportation options the help is part of the eighteen (18) passenger stations and bring relief to the 50 trains per day which transports 19,500 passengers a week and 30 trains per day on weekends.







We were selected by the SFRTA because of our qualified ability to provide the following Services:

- Commuter Bus
- Services to and from the Ft. Lauderdale Airport Station at Multiple Terminals at the Fort Lauderdale International Airport ("FLL")
- Emergency Bus Bridge Services and Emergency Assistance
- Scheduled Bus Bridge Services

These include Terminal 1, Terminals 2 and 3, which are combined, as well as a separate terminal, Terminal 4. There is one (1) additional stop at FLL at a location to be determined by SFRTA at a later date (also referred to as the "Fort Lauderdale Airport Service" or "Fort Lauderdale Airport Feeder Service"). The SFRTA operates the Tri-Rail Service on the SFRC, an approximately 72-mile rail corridor, with train stops at eighteen (18) passenger stations located within Miami-Dade, Broward, and Palm Beach counties. It is anticipated that the new Miami Central Station will be opening sometime in 2023. The opening of this new station will increase the total number of passenger stations to nineteen (19).

## Why ProKel

### Experienced Management Team

ProKel's management team consists of leaders in the transportation industry with extensive experience in delivering public transit services. Our executive team is made up of former COOs and many other senior leadership executives from some of the largest transit systems in Florida and across the US.

Supplementing our public transit knowledge is our focus on technological innovations. We leverage experts in deployment and management of Intelligent Transportation Systems (ITS). The term Intelligent Transportation Systems refers to the application of information systems,

telecommunications, sensors and control systems to all modes of transportation. ITS has proven to:

- Increase the capacity and productivity of service delivery options
- Improve reliability and safety
- Reduce the environmental impact and adverse consequences of incidents

We are also working with The Routing Company (TRC), as previously mentioned, to integrate booking management and routing technology to provide additional sophistication to fixed-route services.

### ***Financial Stability***

ProKel has the resources and financial wherewithal to sustain the transition of this project. There are no projects in operation or planned for implementation over the next four (4) years that will impede our ability to transition and/or perform the services under this contract. ProKel is a privately held firm that has neither been bought by, nor merged with, another firm. The lack of this debt load associated with such transactions has allowed us to control interest costs and keep prices lower for our clients.

### ***Local, Minority-Owned Business***

Our company is the only local provider that is able to meet the City's requirements as outlined within this RFP. Our team is dedicated to the City of Margate consisting of individuals that have been born and raised in the community we serve. And as a minority-owned business, the City can meet its overall MWBE goals.

### ***Account Management Team***

ProKel Mobility provides each client with a dedicated account management team. Clients have central points of contact who know their specific needs and communities, thereby enabling us to meet and exceed any requirements that may arise during the duration of the contract.

### ***Giving Back To Community***

ProKel is a committed and active partner to those serving the Margate community. Our proposed management team and staff to support this contract are not only the best in the industry, but are also residents of the area as well as community leaders. To the management team, this is more than just a "government contract."

### ***Technology Background***

ProKel does not merely manage clients' technology products, but serves as a technology solution provider that will assist and advise agencies in the purchase, development, integration and implementation of existing and emerging new technologies.

ProKel also wishes to introduce to this shuttle system, at no additional cost, cutting-edge technology and an exclusive partnership with TRC that includes a flexible route mechanism. With this technology, citizens will be able to request pick-ups in locations that deviate from the normal route, which will in turn alter the route for the driver, creating a seamless, agile pick-up system.

***It is these sorts of innovations in public transportation that can help market the City of Margate as a modern municipality, spurring growth opportunities and attracting new businesses.***

ProKel Mobility offers the opportunity to partner with TRC to bring their transportation technology and wealth of experience in transportation innovation to our services. TRC consists of mathematicians, computer scientists, academics, transportation policy/grant advisors and shared ride experts. As previously mentioned, members of TRC's team led the deployment of UberPool in over forty (40) locations worldwide and designed and implemented UberBus in the developing world. TRC's policy/grant advisors have secured over \$150 million in grant funding for public bodies.

**Cost**

In addition, ProKel understands the budget constraints of transportation agencies around the country as they seek to provide much-needed quality transportation services to their respective communities. As more agencies and cities outsource services to private transportation providers to reduce overall cost, there has been a trend of degradation with performance and overall quality of the services. ProKel believes that private companies that seek profits over quality cause this effect.

In order to combat this trend, we are developing new technology and relationships with innovative technology providers to bring private sector efficiencies to public transit contracts. This is one of the foundational motivators that led ProKel to partner with TRC and bring the new cost-saving efficiencies to the City of Margate without compromising the quality of service.

In an era where companies are motivated by profits, we at ProKel have proven our ability to put our core values ahead of gaining revenue at the expense of performance to benefit our customers.

**Successful Delivery of Service**

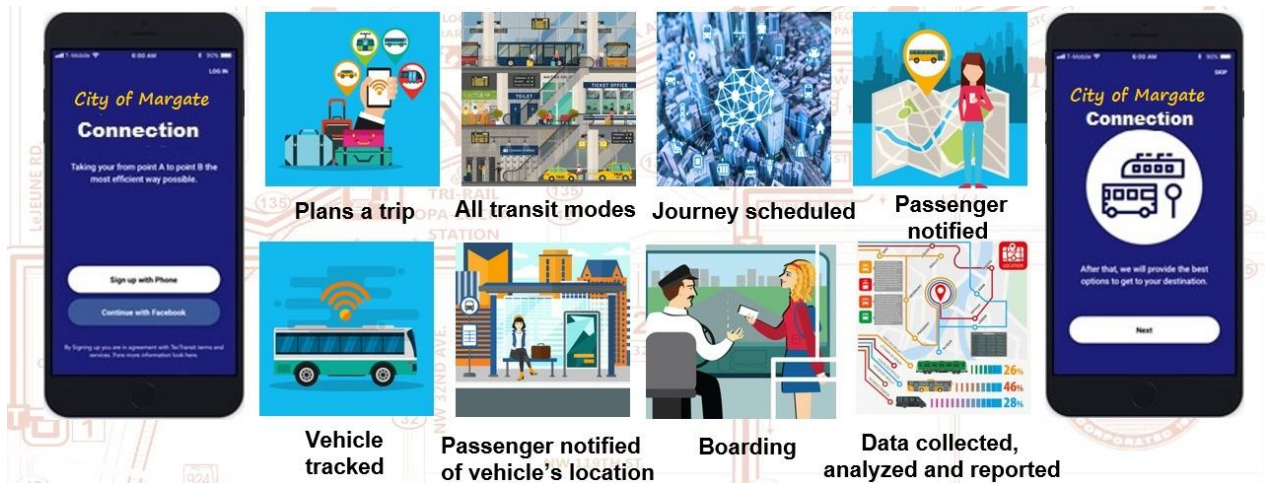
ProKel has extensive experience transporting passengers and providing a high-quality service. This experience, coupled with our management philosophy, has proven to be invaluable for our clients, ensuring that implementations and customer experiences are successful. ProKel will bring this diligent level of commitment and dedication to the City of Margate's stakeholders, as well as the communities and customers it serves.

ProKel embodies **the same innovative and forward-thinking spirit of excellence** that characterizes the City of Margate. Margate wants the right partner that can be trusted to improve **Staffing Levels, Customer Service, and On-Time Performance.**

Our Transportation Planning experts **tailored a Transportation Model** that addresses all of the requirements in the RFP and that will be self-sustainable to support the City's redevelopment and economic goals in the future. ProKel, at no cost to the City, **will also include Flex Route On-Demand technology** integrated within the app and in the Transit Model that ProKel is offering to the City. This On-Demand Flex Route feature is currently being offered by the Transit Model in Kent, Seattle, which supports their Amazon Distribution Center. ProKel will include this MIT-inspired technology because we understand the City's need for effective transportation as a catalyst for a new economic boom.



At no extra cost to the City, ProKel will be providing new state-of-the-art technology that will increase the City's transportation connectivity and enhance the customer experience. The City will finally **have its own app** that will have integration into Broward transit routes, Tri-Rail schedules and even a planning application programming interface (API) where customers can plan all transit initiatives right from the City's mobile application.



ProKel wants to ensure that connectivity is perfect and encourages ridership trust with City residents, work commuters and future distribution/corporate headquarter stakeholders.

For our contracts ProKel provides, on average, a 95% On-Time Performance. Our call hold time averages 0.56 seconds and 1.69 average complaints per 1,000 trips. Our professional and proven maintenance procedures are the foundation of the operation. We have the ability to provide Margate with quality vehicle maintenance, resulting in high fleet reliability and superior performance. ProKel fully understands the importance of having safe, clean and reliable transportation in use with minimal maintenance service disruption.

### Supplemental Value

Imagine a world where all city, county, and regional transportation services are connected through increased mobility choices. Connecting data, processes, and people makes communities safer, smarter, and more responsive to the needs of residents.

The future of transportation is being shaped by customers and driven by their choices and preferences. More than ever before, customers want to be in control. They want to plan their trips, select their payment methods and get the service they want, when and where they want it. As a result, customer expectations are influencing the way private and public providers plan and design transportation services and systems.

ProKel Mobility is proposing a transportation plan that will provide a consistent, long-term, program of providing priorities for, and investing in, existing transit services using proven

technologies and operating strategies. ProKel Mobility believes that the plan will offer the greatest likelihood of achieving sustained increases in transit ridership.

The transportation plan builds on the following three (3) strategic areas:

- **Move passengers faster, more reliably**
- **Make taking public transit more attractive**
- **Innovate for the Future**

In order to achieve the strategies noted above, ProKel Mobility's transportation plan aims to optimize all transportation resources in Margate, particularly those other than traditional fixed route systems.

ProKel Mobility has identified key elements for near-term implementation as well as several structural options for the long-term delivery of Mobility Management services in Margate.

The three (3) key elements recommended include:

1. **Mobility on Demand (MOD) systems** have emerged in the last decades as an attempt to satisfy traveler's demands. These systems are able to provide 'door-to-door' transportation in small vehicles, with the possibility of pre-booking.

ProKel Mobility has the understanding, experience, team and capability to effectively and efficiently design, develop and deploy mobility on-demand solutions that will provide cities, transit agencies and customers with a cost effective, robust, world class transportation system.



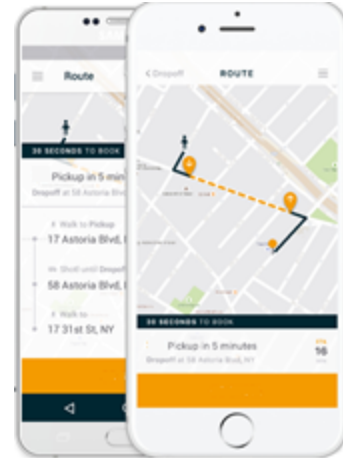
ProKel Mobility deploys a system that is fully connected; information-rich; and able to address safety, mobility, and environmental impacts, which will deliver greater livability to our communities and to our daily lives.

ProKel Mobility has invested in a mobility platform for transport operators, municipalities and corporations matching multiple passengers headed in the same direction with a moving vehicle. All routes are fully dynamic and adjusted in real time, based on traffic and demand. The algorithms are made to ensure the maximum punctuality on every ride. ProKel Mobility provides effective pooled transportation; all rides are shared with other passengers heading to a similar destination or with common directions.

**Passenger App:** available to customers who can create their profile, cancel a ride if necessary, monitor the arrival of the bus, and follow its journey throughout the route. The Shotl algorithms are made to ensure maximum reliability.

**Driver App:** We install tablets (or smartphones) in vehicles with the route already loaded. With the app, the route will be predetermined. The platform provides drivers with navigational instructions, logging all details such as the pick-up hour and location, the routes the vehicle has followed, delays, etc.

**Real-time dashboard:** Fleet and operation managers have full access to a dashboard to supervise all operations and services in real time, look at the demand fluctuation, manage vehicle availability, corroborate the status of every trip, add new or remove obsolete virtual stops, verify all past services and operations.



## 2. Flex or Deviated Fixed Route Services

Flexible/ deviated services incorporate elements of a typical fixed-route and demand-responsive models. In most cases, flexible services may be more cost-effective and serve a broader range of users more effectively by replacing 40-foot bus service from neighborhood streets and replacing with smaller buses which would feed fixed route service on main arterials. Advantages include:

- Smaller buses traverse narrower side streets better than larger buses and are generally more acceptable by neighborhoods than larger vehicles
- Main street routes operate at a higher rate of speed and become more cost efficient
- Circulator routes can be operated in many different fashions such as fixed, flex or dial-a-ride service
- Service can be implemented in new areas with potential ridership – as demand increases, the expanded area would be moved to larger buses

## 3. First/ Last Mile Initiative

ProKel Mobility's on-demand first/last mile system connects people with fixed-route transit services. Using smartphone apps, customers within predetermined service areas would be able to request to be picked up on-demand and share rides with other customers to/from the nearest transit station.

The services are also available to customers through call centers and would offer wheelchair accessible vehicles when needed.



## **Implementation Approach**

The ProKel Mobility team is looking to partner with the City Margate. We will deliver innovative solutions that make sustainable mobility a reality. By providing all the necessary technology, knowledge, and technical assistance we can make transportation services more flexible, accessible, energy efficient and cost effective.

ProKel Mobility will conduct a **route optimization study** that will involve completely redesigning the fixed route services in order to preserve transit services in low-density areas and low-ridership routes. This initiative will align the services with core fixed route services on major corridors.

As part of the Route Optimization Study, ProKel Mobility will seek to introduce alternative mobility options in low-density service areas, such as flex or deviated fixed route services or on-demand service that could improve service quality and reduced cost, freeing up resources that could be invested in other essential services.

## **Moving Forward**

The current state of the public transit industry is at a crossroads. Due to declining ridership over the past five (5) years, COVID-19 and declining revenues, agencies/cities will need to fundamentally change how services are provided to the public, for agencies to remain viable and financially sustainable.

ProKel Mobility's innovative and unique concept has a place in the transit industry as a cost saving, innovative, and efficient mode of service delivery and providing a truly fully integrated on-demand platform for the transit industry.

We encourage you to explore the possibilities and join ProKel Mobility as we seek to provide mobility options for all, enhance the quality of life, boost employment, local economies and health, while safeguarding the environment.

## **Secure Additional Funding and Provide Grant Services**

ProKel Mobility's founder and CEO, Kelly Gonzalez Jr., has over twelve (12) years of experience in efficiently managing grants and contracts. Before leading ProKel, Kelly led the business development efforts for the largest privately held government contracting transit company in North America with revenue of \$1.3 billion and over 17,000 team members for its 250 contracts, including transportation contracts in Saudi Arabia and Brazil.

Kelly's experience with municipal leases allows him to assist agencies in securing capital assets and operational funding, including vehicle fleets, at a competitive cost advantage without a dedicated capital investment. In 2015, he successfully completed applications for FDOT 5310 and FDOT 5311. Kelly's agencies received Commission for Transportation Disadvantaged (CTD) Trip/Equipment grants and CTD Rural Capital Assistance grants.

Kelly will assign **a dedicated grant writer to work hand-in-hand with the City** to secure additional funding through the term of this contract. Our in-house grant writers have secured millions in grant

funding for agencies. ProKel takes the true partnership approach of not only operating a first-class shuttle service, but also building a dedicated, sustainable funding support pool that ensures additional funds will continue to flow into the City’s transportation system and meet all residents’ transportation needs.

### **ProKel Mobility – City of Margate (On The Move)**

Like the City of Margate, ProKel is also “On The Move.” As one of the fastest-growing transportation companies in the US, we have taken great pride in outlining a comprehensive response to the City’s RFP requirements backed by a fundamental understanding of its expectations of a community shuttle provider.

ProKel Mobility is a certified minority-owned business that draws on our management team’s knowledge of serving Florida communities. We operate according to a philosophy that centers around **‘People, Partnerships and Processes’** as our guiding principles.



*Pictured above is ProKel Mobility’s operation for the Columbus Ohio Transportation Authority.*

Considered a “gateway” to west Broward County, the City of Margate is a proud melting pot of hard-working residents, in a city on the cusp of a major economic boom.

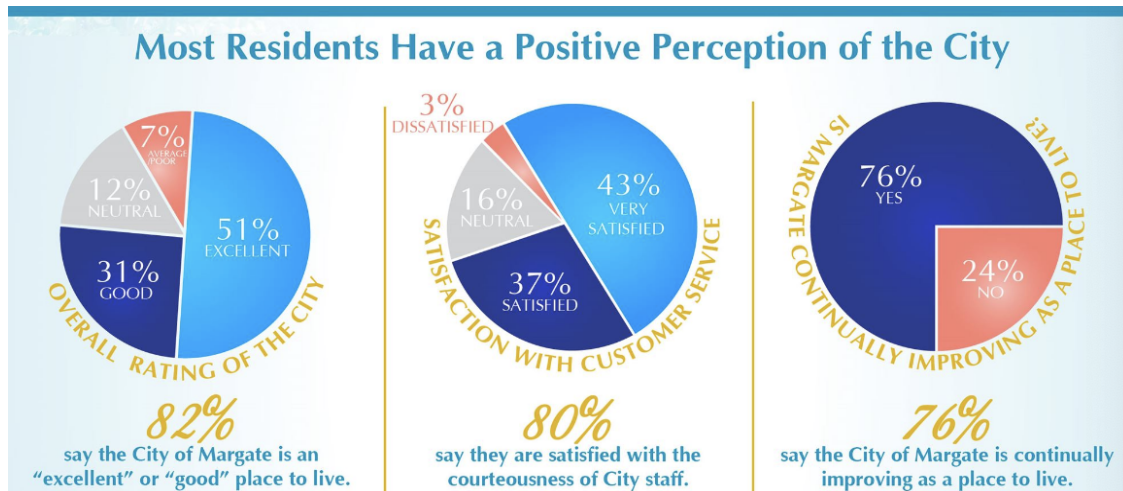
Due to the City’s residents’ satisfaction and positive perception of the City’s leadership, Margate is one of the nation’s most attractive areas for corporate relocations and to own a home.

ProKel’s senior leadership team is convinced that with a dependable transportation option, the City of Margate will become **one of the leading technology hubs in Broward County.**



Through layering TRC’s technology on this service, ProKel will also be able to agilely adapt to the commercial growth expected in the region while

maintaining an exceptional and affordable service. With the envisioned transportation system above, ProKel believes this will further stimulate the economic growth of the City and attract more talent to the area.



ProKel Mobility has carefully reviewed the City's Strategic Plan. To that end, we have customized a response to this RFP to help meet the City's short- and long-range plan and help Margate **achieve its 2035 vision**. The City's sustainability goals are another reason that ProKel chose to partner with TRC. An element of TRC's technology is referred to as 'Transit Connect,' which facilitates multi-model journeys through showing passengers live data about other transportation options that they may wish to connect to and with. TRC's system helps ensure that passengers arrive on time for their connecting journeys as well. Additionally, TRC's technology is helping take single-occupancy vehicles off the road. In one (1) deployment, over the course of six (6) months, they managed to remove an amount of CO2 equivalent to flying around the world twice.

*"Providing a safe, convenient and efficient multi-modal transportation system is key to the City's ability to achieve its 2035 vision."*

The City's Strategic Plan and this RFP reflect the City's ambition to redesign its transportation operating model and upgrade its technological efficiencies. Under the new contract, the City is seeking a turnkey provider to deliver a mobility management solution that will meet the needs of both the community and the City detailed below.

City of Margate: Strategic Plan in Brief	
<b>VISION 2035</b> MARGATE 2035 is a GREAT COMMUNITY in Broward County that is for ALL FAMILY GENERATIONS. MARGATE 2035 has DOWNTOWN – A UNIQUE SENSE OF PLACE and LIVABLE NEIGHBORHOODS. MARGATE 2035 is a SAFE COMMUNITY With FUN OPPORTUNITIES FOR ALL.	<b>GOALS 2025</b> Margate – A Great Place to Live and Play Great Suburban City in Broward County Financially Sound City Providing Exceptional Services Valued by the Community High Performing City Team Producing Results for the Margate Community
<b>POLICY AGENDA 2020</b> Top Priority: Code Compliance: Structure and Communications Outreach Plan Comprehensive Code: Rewrite Golf Courses: Text Changes Downtown Definition: Direction from the City Rock Island Road/Royal Palm Boulevard Intersection: Improvement Project Median Beautification: Evaluation Report and Direction Special Magistrate Ordinance: Direction City New Revenue Sources: Direction High Priority: Sidewalk and Curbing Policy and Program: Direction Proactive Communications Policy and Strategy: Direction Crime Suppression Strategies through Community Engagement/Marketing: Next Steps Margate 2.0: Direction Cost Recovery Ordinance: Report and Direction Permit Processing Streamlining: Actions	<b>MANAGEMENT AGENDA 2020</b> Top Priority: Park Projects: Completion Dispatch 9-1-1 Communications: Direction Coconut Creek Fire Service Agreement: Direction Fire Station 58: Build Bridge Inspections and Replacement: Next Steps Annual Maintenance Schedule: Development High Priority: Community Survey: Completion Stormwater Management Policy, Plan and Program: Direction City Buildings and Facilities Security: Report and Direction Labor Negotiations and Contracts: Completion Trucks/Commercial Vehicles Parking: Direction Stormwater Utility: Direction

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- **Scalability, In Any Direction:** The City seeks to develop a transportation solution that can not only scale up or down with demand but, in time, scale across various mobility options – from transportation network companies to bike sharing. The heart of Margate's transportation system must have the resources to creatively integrate non-traditional mobility into its operations.
- **Simplified Operations:** The City needs to simplify its operations approach to eliminate barriers, unite service delivery and streamline processes to promote improvement and accountability.
- **Efficient Design:** The City needs an operational design and accompanying first-class technology that can support changing ridership patterns while maximizing resources.

### Response to Scalability, Simplified Operations and Efficient Design:

The TRC routing algorithm's roots are from Massachusetts Institute of Technology (MIT), where our founder worked on a doctorate in high-capacity ride-sharing algorithm optimization. ProKel is confident in declaring that TRC's technology platform proposed for Margate's service will truly **scale** across various mobility options as well as up and down with demand. TRC centralizes vehicle, driver, passenger and operational data on a single platform that produces crucial analytics accessible to operators and to the City to help develop and maintain **efficiently** designed services. TRC's development north star is to create a technological platform that feels intuitive from the outset and **simplifies** operations for all parties and stakeholders.

With these needs met, the City will realize a mobility management solution that can evolve over time and enables:



## **ProKel's Solution for Margate**

As a locally based South Florida leading transportation firm, ProKel offers the City a unique opportunity to integrate our current local talent to support the Margate shuttle operation. Our proposal is based on our intimate understanding of how operations currently exist today and offers solutions for the ongoing improvement of Margate's transit system in the future.

### **Stability Through the Transition**

The new contract term will experience upgrades within the model change, wherein services are not just consolidated but new technologies will also be implemented. These changes will improve the overall passenger experience.

ProKel's transitional team will be on the ground sixty (60) days before the start date to ensure a smooth transition with minimal to no service disruptions. Knowing that ProKel's headquarters is less than four (4) miles away from the City of Margate, there will be a veritable army of personnel and talent available to the City for the transition.

Our transition plan considers the following primary tasks:

- Recruiting, hiring and training current incumbent drivers and staff.
- Performing a review of all current communications procedures to understand how best to streamline operations and avoid delays.
- Reviewing the City's current standard operating procedures (SOPs) and adjusting them to reflect industry-standard best practices and operation under a fully coordinated, turnkey system.
- Retraining all the drivers that might want to transition over to ProKel.
- Installing new state-of-the-art technology to ensure the City gets its true return on investment with an innovative partner focused on improving the community's shuttle service performance.
- Implementing the flexible route scheduling software options for City staff, ProKel will work hand-in-hand with the City to ensure route efficiencies are maximized and transit optimization efforts are established on Day 1.
- Rolling out a passenger-facing application that gives riders instant access to their trips and trip options.
- Implementing a performance-focused training program in conjunction with TRC.

## Productive TRC (The Routing Company Partnership and MIT Technology Integration)

### THE ROUTING COMPANY

As previously mentioned, ProKel will offer the opportunity to partner with TRC to deliver an innovative approach to its operations plan. TRC's values align with ours in that their vision is to: *Empower a*

*community of any size, in any place and with any resources, to meet the transportation needs of its people.*

TRC delivers on this mission through their groundbreaking algorithm that was born out of years of academic research at Massachusetts Institute of Technology (MIT) and is bolstered by state-of-the-art applications and dashboards. TRC's founder's algorithm focuses on the complex mathematical problem behind high-capacity, large-scale, ride-sharing solutions and maximizes fleet utilization. The resulting algorithmic solution demonstrated a capability to match three (3) to five (5) times more riders (up to eighteen (18)+ at a time) to a fleet of shared vehicles in real time far more efficiently than any other routing technology available globally.

Regularly, TRC's deployments exceeded five (5) passengers per vehicle revenue hour. There are two (2) features of TRC's technology that are relevant to this RFP:

1. **Transit Connect** which allows service users to see and connect to other modes of transportation through our rider application.
2. **Deviated Fixed Route** which allows operators to maintain their fixed route stop obligations while expanding the coverage area of the service by allowing vehicles to deviate from their route and pick up and drop off additional riders.

TRC's solution includes a **Rider App** ('Ride Pingo') and **Driver App** ('Drive Pingo'), as well as an industry-leading Dashboard module where agencies/operators can manage every aspect of a TRC-powered service. In addition to these core components, TRC prides itself on being true transportation partners with unmatched operating, analytics and marketing support from its team of transportation, ride-sharing and mathematical optimization veterans.

Launched in December 2020, TRC's transformative solutions:

- Have been launched in six (6) cities
- Now exist across three (3) continents
- Have two (2) deployments in the Seattle region, KITSAP Transit on Bainbridge Island (July 2021) and King County Metro (KCM) in Kent County (September 2021)

King County Metro is the seventh-largest transit agency in the US. TRC helps riders perform multi-modal journeys through connecting KITSAP passengers to the local ferry terminal and through connecting KCM passengers to the fixed line network with the Transit Connect feature.



Since launching services in the Seattle area, 3,000 passenger accounts have been registered on the Ride Pingo App (the rider-facing booking/monitoring application).

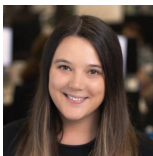
Two (2) more TRC deployments are located in the Highlands and Islands, where they have partnered with West Coast Motors to deliver services in Dunoon and Campbeltown. The service that TRC helps power is serving fifteen (15) to twenty (20) times more people than it did pre-Covid without their technology. Additionally, TRC is contracted to launch another four (4) locations with West Coast Motors in the Highlands and Islands.

TRC's business model is solely focused on giving the **technological tools and resources to public transportation agencies** and operators that will allow them to independently adapt/change/expand their public transportation services. TRC is partnering with ProKel to provide a best-in-class mobility option that is accessible to everyone. This includes connecting with the region's other transportation services by leveraging TRC's one-of-a-kind ride-pooling algorithm.

### *Delivery*

As collaborators in the delivery of transportation services, ProKel/TRC is committed to delivering the highest-quality programming throughout all stages of the deployment. ProKel/TRC does not just offer state-of-the-art technology, but also a white glove service aimed at ensuring the growth and longevity of deployments.

### *TRC's Project Delivery Team*



#### **Pandora Shelley**

For the above reason, we have placed our Head of Operations, Pandora Shelley, as the technological project manager of this contract. Pandora has seven (7) years of experience managing and delivering projects in a variety of spaces. Pandora's CV has been included in the submission documents as requested. At TRC, Pandora has led and managed five (5) of our deployments directly as well as managed the integration of new features.



#### **Connor Caldicott**

Connor Caldicott is an analytics professional with significant operational and technical experience building and refining deployments at fast-paced companies in the tech space. Connor has over eleven (11) years of experience in analytics and has spent the last six (6) years immersed in rideshare analytics.



#### **Carlyn Hunt**

Carlyn Hunt is the Global Expansion Manager and has over six (6) years of experience in launching services and deployments including rideshare deployments around the world. Carlyn brings a wealth of knowledge about

delivering projects quickly while maintaining quality.



### Richard Forget

Richard Forget is a Senior Operations Lead with deep interest and a profound skill set in customer service, project management and cross-team collaboration. Most recently, Richard spent the last four (4) years working with rideshare drivers to improve deployment operations



### Matthew Kendrick

Matthew Kendrick is the Lead Relationship Manager and is embedded in the development of public/operator partnerships. Matthew is the account manager for the deployments that TRC launched with West Coast Motors and will assist the operations team in delivering this contract if successful.

## Methodology - Efficient Programming and Delivery

ProKel/TRC's methodology for program delivery revolves around four (4) key pillars:

- |                           |                       |
|---------------------------|-----------------------|
| <b>(1)</b> Assessment     | <b>(3)</b> Evaluation |
| <b>(2)</b> Implementation | <b>(4)</b> Iteration  |

**1. Assessment:** This starts with understanding the local environment where our technology will be deployed. This means grasping the present transportation infrastructure, as well as the population demographics and the local economy. Most importantly, it is paramount to understand the stakeholders that will be involved in the launch. This is not just limited to the operator and agency, but also those listed below. *Please note that this is not an exhaustive list, but indicative of the stakeholders ProKel/TRC will consider during the assessment phase.*

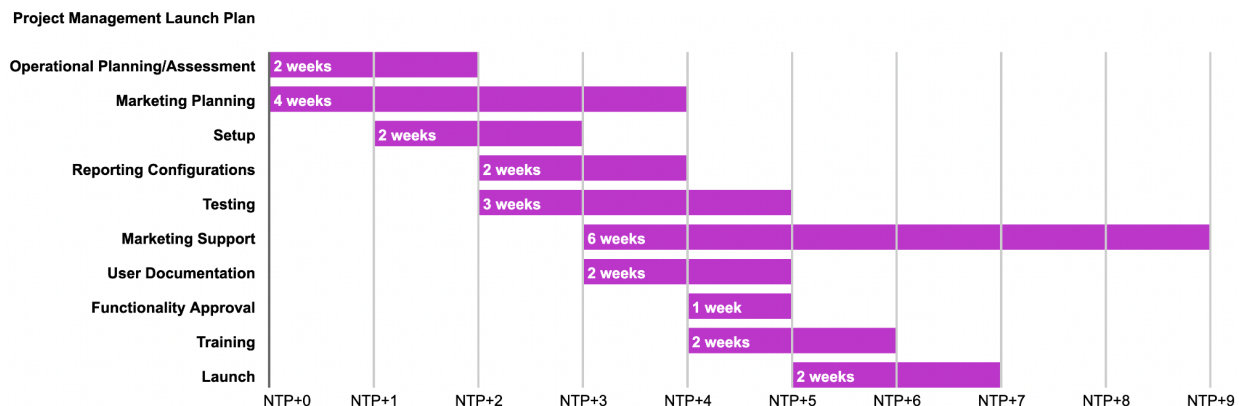
Transport	Commerce	Community	Tourism	Quasi-Government
Train, plane, ferry, taxis, bus and rambling operators	Business park workers/owners	Volunteer groups	Seasonal visitors	Local authority staff
Bike and boat shop owners	Major regional employers (Amazon, electric, call centers)	Local counselors	Hotel owners/customers	University students/teachers/support workers
Local transport partnerships	Local high street shop owners	Community councils	Visitor attraction site organizations	Colleges/school attendees
				NHS staff

	Commuters		Caravan parks	
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Additionally, ProKel/TRC will work closely with the deployment agency/operator to set individualized service goals. ProKel/TRC is keenly aware that different services aim to achieve different results, and as such, we are committed to ensuring that the appropriate service goals are set out at the beginning of each deployment.

**2. Implementation:** ProKel/TRC is proud of our product delivery speed as well as our attention to detail. In our contracts with West Coast Motors (WCM), we were able to launch in our first service zone within six (6) weeks of being contracted by WCM and this included engineering additional features for their service. Following our launch in Dunoon, it only took us three (3) weeks to then launch in our second service zone, Campbeltown. For the City of Margate, ProKel/TRC is confident we can implement our technology in five (5) weeks, according to the schedule below:

### City of Margate Implementation Timeline



ProKel/TRC will develop comprehensive training materials to on-board drivers, operators and agencies so that they can feel empowered to use our technology to its full potential. We are happy to discuss our training program in more detail at an interview, if required.

**3. Evaluation:** ProKel/TRC is dedicated to ensuring that we are constantly improving our delivery and product for our partners and end-users. To ensure this, we do the following:

- Our team has a user experience researcher who routinely does qualitative field research with our partners and end-users to improve our processes and the usability of our product.
- Our engineers, operations and product managers make quarterly (decreases with market maturity) visits to our deployments to talk face-to-face with drivers, operators, agencies and end-users. This is demonstrated through our current work with West Coast Motors where we have conducted four (4) site visits and with the Orkney Disability Forum, whom we



visited on site for our Pingo Lite project.

- We also heavily utilize the usage data from our apps to see usage patterns and to figure out which feature designs can be improved.

More broadly, we employ a passenger strategy where we systematically reach out to end-users for detailed feedback of their experience either written or by telephone. In order to evaluate the economic, social, environmental and sustainability impacts of our technology, we use an amended version of the KOMPIS framework developed in Sweden by MariAnne Karlsson. The framework consists of four (4) questionnaires taken at different times during the deployment. The questionnaires can be undertaken either in person or online

**4. Iteration:** As explored in the operator-support section, ProKel/TRC conducts weekly meetings with agency/operator partners to discuss deployments. While we conduct a weekly review of the deployments, the above evaluation will take place after the first quarter (if not requested earlier). ProKel/TRC will present to the agency/operator an evaluation of the health of the deployment and make any recommendations which we believe will help better meet their service goals established in the assessment period. We have currently completed our first iteration cycle with a project, which resulted in changes to the active bus schedule to accommodate growing demand.

## **Operations Plan**

### **Service Excellence in Daily Operations**

ProKel Mobility defines premium first class service as safe, efficient and on-time transportation services performed by professional driver operators who are well-trained and focused on the customer. Throughout our daily operations for Margate, we will incorporate proven approaches and solutions to continually provide the highest quality of service every day. Customer satisfaction – both for the passengers we serve and the City as our customer – is the criteria by which we will determine our success.

*Service excellence in Margate starts and ends with people – our employees and our passengers.*

### **Service Plan**

ProKel's proposed service plan includes the time-tested, proven elements outlined below.

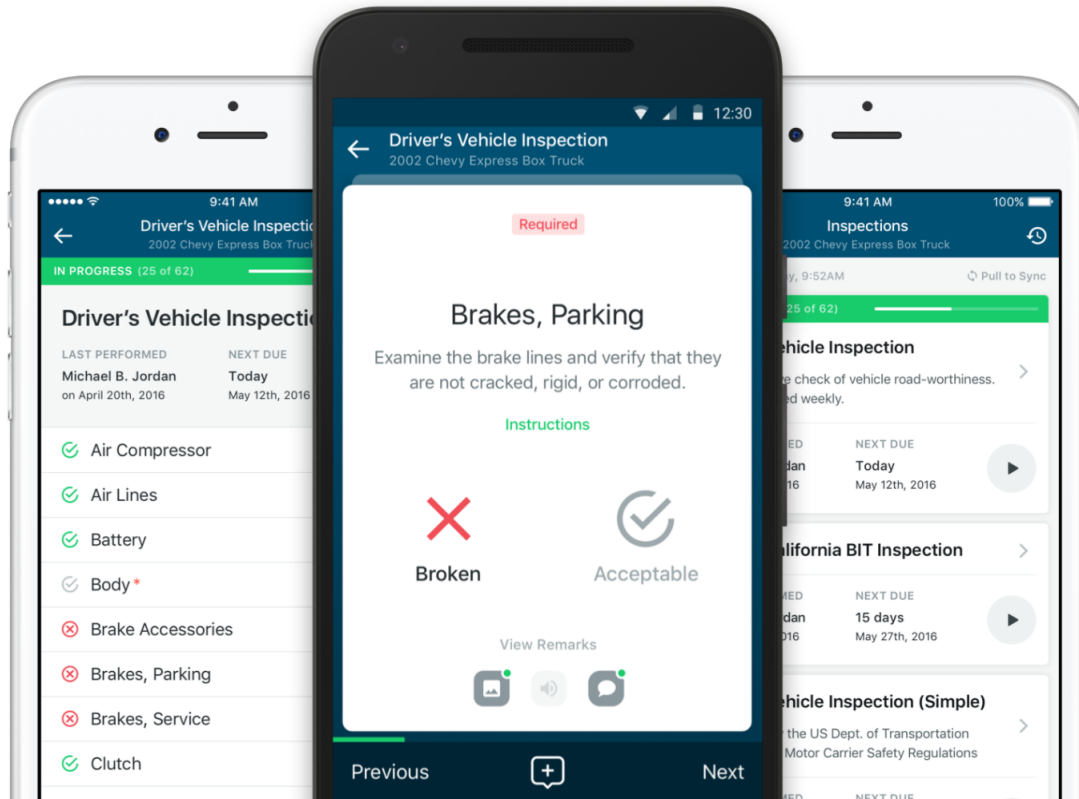
#### *Operator Check-In*

When the operator reports to the ProKel transit facility, they will check in with the lead operator. The operator will radio the dispatcher who will then mark the operator as present. The dispatcher will inform the operator of their vehicle assignment and provide any written notices regarding service adjustments, changes or announcements. Lead operators will perform a "fit for duty"

review of each operator. This review includes a uniform check, reasonable suspicion evaluation and a review of each operator's license.

### *Daily Vehicle Inspections*

When the operator arrives at their vehicle they will initiate the daily vehicle inspection (DVI, or "pre-trip") using ProKel's Feetio wireless equipment on their company-issued wireless devices. All areas of the vehicle that are inspected and all results must be documented.



During peak pullout periods, at least one (1) lead operator is in the yard to oversee the DVI process. This person will monitor operators as they perform these inspections, respond to any questions operators may have, and ensure a timely and coordinated pullout.

If the operator detects an issue with the vehicle that presents a safety hazard or operational deficiency, the operator will notify a supervisor, who will then lock and tag out the vehicle in the maintenance cloud system. Vehicles will not be moved until a mechanic inspects and repairs



any issues they might have. Once maintenance addresses the issues or repairs the defect, the vehicle would be able to go back into revenue service pending maintenance approval.

If the vehicle the operator inspected was placed out of service, the operator will then use a spare vehicle to operate service.

### **Dispatch and Route Initiation**

A dispatcher/supervisor will be available during all hours of service to respond to issues and monitor service. Upon arrival at the first stop, the operator will check the scheduled time to ensure they are not ahead of schedule. If the operator is early, they will not leave the stop until the first scheduled departure time. Then, the operator will proceed to the next stop at the scheduled departure time. ProKel's dispatch/supervisor team will continually monitor service delivery in order to quickly resolve any issues that may arise.

### *End of Operator Shift*

When the operator has completed their shift, they will notify dispatch/supervisor and head to the yard.

The operator ending their shift will perform a walkthrough of the vehicle to collect any items left on board and dispose of any trash. The operator will then perform a post-trip inspection.

### *Standby Operators and Backup Service*

ProKel's supervision, safety and maintenance programs minimize the number of delays, preventable incidents and roadcalls experienced in the system.

***However, ProKel's team is prepared for these unfortunate events should they occur.***

A core component in service reliability is the appropriate deployment of backup service. ProKel's operational plan offers the following measures to ensure service reliability, minimize deadhead and improve operational efficiency.

- Standby operators are posted and are available to relieve service in the event of an operator illness, roadcall or any incident that results in a vehicle being placed out of service for any extended period of time.
- When a standby service is required, the standby operator will respond directly to the scene of the incident, and when necessary, meet the in-service vehicle in order to efficiently transfer passengers. The standby operator will continue the remainder of the route until shift end or otherwise directed by dispatch.

Backup vehicles are parked at the operating facility. These vehicles are available for use in the event of a service disruption such as a vehicle incident or roadcall.

### *Road Supervision*

Road supervisors are responsible for the dissemination of critical information, such as service changes and system announcements to the operator team. They serve as the go-to resource in the field for ProKel's operator team.

Road supervisors perform incident investigations, administer drug and alcohol testing procedures, respond to roadcalls and resolve passenger disputes as needed. Based on their findings for these various activities, the operations manager will administer progressive discipline.



Road supervisors will perform operator evaluations to ensure that each operator is safely and correctly performing their job.

Road observations are unannounced and performed discreetly without disruption to service, and include the review types outlined below.

- **Observed Ride Checks:** Observed ride checks are on-board evaluations of an operator's customer service and safety skills. Areas that are evaluated include safe vehicle operation and professional passenger interaction. During this check, the operator's credentials are verified to ensure proper certifications are up-to-date and in the operator's possession.
- **Unobserved Service Checks:** Unobserved service checks are random inspections that assess the operator's driving and safety skills from the road. Road supervisors perform these checks from their service vehicle (following the operator). Operators typically are unaware that these evaluations are being performed.
- **Mobility Device Securement Spot Checks:** These random inspections are on-vehicle reviews of an operator's ability to safely and properly secure a mobility device. The supervisor meets the operator at a location where a passenger using a mobility device is being picked up, boards the vehicle and closely observes the manner in which the mobility device is secured.
- **Pullout Inspections:** Pullout inspections are unannounced and occur daily. A supervisor that is stationed in the yard confirms that the operator is in proper uniform, has the appropriate credentials on his or her person, and is prepared for service that day. The supervisor then checks the vehicle to confirm it is clean and ready for service.



## Safety Program

ProKel's safety program promotes a comprehensive focus on a healthy and safe work environment, using the following elements:

- Safety policies for bus, facility and maintenance operations
- Best-of-class operator training and certified instructor programs
- Safety awareness driven by constant communication, recognition and education
- Regular inspections and compliance with regulatory requirements
- Risk reduction and security threat detection
- Exceptional support via the ProKel safety resource center.

### *Safety Policy Manual*

ProKel's safety policies set forth operating guidelines that reduce workplace accidents, incidents and injuries. ProKel's Safety Manual comprises more than forty (40) policies that address vehicle operations, regulatory compliance, maintenance operations, MSDS/hazardous materials, operational safety practices and facility emergency management.

Furthermore, ProKel issues documented Safety Guidelines that outline safety-related responsibilities for all safety, executive and managerial/supervisory roles. These guidelines additionally outline expectations regarding facility safety and upkeep.

## Safety Training

ProKel's operator training is an instructor-guided program that integrates video education to clearly define the expectations for a ProKel operator. It contains twenty-five (25) core classroom training modules that teach new operators the necessary components of safe and courteous vehicle operation. Local operations may add to this program to satisfy the particular training needs of a client or operating environment; however, successful inclusion of the base program is required.

ProKel's customer focused training ensures that every passenger receives service in a friendly and professional manner. Before operators get behind the wheel with a passenger, they will have to complete our service orientation training and service essentials customer service training. Along with customer service, operators must go through ProKel's award winning and industry recognized **TAPTCO** operating training program. The program is overseen by ProKel VP of Safety Frank Ciccarelli, who has over forty (40) years of experience overseeing national companies with 5,000+ drivers. The program will ensure the local safety manager is providing an operator training program that is consistent, safety-first minded and customer friendly.

Classroom training is followed by pre-driving skill, observation and behind-the-wheel training (where classroom training is put into action in the field).



This training defines the multiple performance standards that all trainees must meet. In addition:

- Each standard is described in detail.
- Checkpoints to success are outlined.
- Failure to achieve the standard is defined.
- Mastery tips for operators to use in operation are provided.

All operator training is facilitated by a ProKel FL 14-90 -certified training instructor.



*Pictured above is ProKel Mobility Vice President of Safety, Frank Ciccarella, hosting a safety training update with the South Florida regional team.*

### Safety Awareness

Among our many initiatives promoting safe behavior, ProKel's strength lies in our approach to cohesive safety messaging and recognition. Although each of our operating locations have unique characteristics, all deliver a common message – **safety is ProKel's #1 priority** – and all use the same vehicles to deliver this message.

### Daily Safety Message

Daily, a corporate-issued safety message is published and delivered to all ProKel locations. Each message is posted at the location and read over the radio by dispatch. Additionally, all meetings and conference calls must begin with a safety message.

### Location Safety Committee

Each ProKel location has a Location Safety Committee (LSC). This committee works together to create and maintain a safe work environment for all employees.

The LSC has a significant role in implementing ProKel's System Safety and Security Program and reducing and resolving location hazards. The LSC comprises one (1) or more representatives from each department and is



*Pictured is ProKel Mobility's Project Manager, Kelly Gonzalez, with local South Florida team members.*

facilitated by the project manager and safety supervisor. Our Director of Safety sits in on all the LSC meetings to ensure all concerns are addressed.

### *Safety Meetings*

Safety meetings offer an opportunity to provide Florida 19-A Recertification Transit refresher training and address timely topics. All employees must attend this one(1)-hour meeting twelve (12) times per year. Based on the size of the location, several meetings may be scheduled to accommodate operator and staff schedules.

All safety meeting topics are issued by ProKel's safety department, and address topics in fleet safety (defensive driving, wheelchair securement, adverse weather) and injury prevention (drug and alcohol, back safety, heat safety).

Additionally, monthly safety tasks are assigned with the safety meeting schedule. These tasks include facility inspections, completion of annual OSHA logs and emergency plan reviews.

All locations receive a safety meeting support packet to aid the meeting facilitator. Support packets include the meeting agenda, an outline for the meeting discussion and supporting handouts and posters.

### *Safety Recognition Programs*

ProKel offers safety-based programs that recognize employees for safe behavior, including those recognitions detailed below.

- **Cash Safety Bonus Incentives:** Operators exhibiting safe driving behavior will qualify for monthly cash bonus incentives. This encourages consistent safe driving habits in the workforce.
- **Safety Pins and Patches:** Operators are given safety pins and patches for each year completed without a preventable accident or injury.
- **Safety Blitzes and Other Safety Events:** ProKel's local management team will host safety blitzes and/or other employee events to promote safety messages.

### **Inspections and Compliance**

ProKel complies with all federal, state and local safety environmental laws, regulations, rules, codes and orders required of its contracts and locations. ProKel will coordinate periodic external audits that may be required by these governing agencies. We have a superior record with these types of audits and welcome their visits.

ProKel also complies with each state's individual needs specifically relating to environmental regulations regarding air, water and noise pollution and hazardous materials regulations.

In addition, the following federal agencies may conduct periodic audits:

- **The Florida Department of Transportation (FDOT)** issues regulations affecting transit operations, including those related to the Americans with Disabilities Act (ADA), drug/alcohol testing of employees and all FL 14-90 audits.
- **The Federal Transit Authority (FTA)**, a Department of Transportation (DOT) agency that is responsible for federal funding (capital and operating) of transit authorities and oversight of those expenditures. The FTA also compiles safety data on all transit agencies.

- **The Federal Motor Carrier Safety Administration (FMCSA)**, a DOT regulatory agency that is responsible for promulgating carrier safety standards and that has oversight of interstate carrier safety.
- **The Occupational Safety and Health Administration (OSHA)** develops and enforces federal regulations related to workplace safety, including maintenance shops, offices and field activities. ProKel is regulated by OSHA and is required to follow OSHA guidelines and all standards incorporated by reference in the Code of Federal Regulations.
- **The Environmental Protection Agency (EPA)** develops and enforces federal regulation related to air, water and noise pollution and hazardous materials regulation.

## Risk Security Threat Reduction

### *System Security Awareness Classroom Training*

ProKel's classroom training includes a thirty (30)-minute presentation of the Warning Signs video, produced by the National Transit Institute's Workplace Safety and Security Program through the funding and support of the Federal Transit Administration.

This training video emphasizes the responsibility of transit professionals to extend the reach of law enforcement agencies in ensuring the safety and security of their transit systems.

Employees are taught to thoroughly inspect vehicles and work areas for anything out of place, and to report anything suspicious. Stressing caution and common sense, the training gives guidelines for appropriate suspicion without profiling, observing a suspicious person's behavior, location and the time, rather than their attire or skin color. The training also discusses suspicious packages, gives guidelines for identifying chemical and biological weapons, and what steps to take in the event of an emergency.

### *System Safety Program Plan (SSPP)*

ProKel's System Safety Program Plan is consistent with federal, state and local regulations, and assures that industry standards are maintained in accordance with the standards of the American Public Transportation Association (APTA) and the FTA. A copy of this plan is available upon request.

### **The goals of ProKel's Safety Plan are to:**

- Identify, eliminate, minimize and/or control safety hazards and risks
- Provide a superior level of safety in transit operations
- Support the safety efforts of the clients we serve
- Achieve and maintain a safe work environment
- Comply with all regulatory agencies' requirements

This program is audited biannually to ensure adequate overall compliance with the SSPP, operating rules, regulations, standards, codes and procedures.

### *System Security and Emergency Preparedness Plan (SSEPP)*

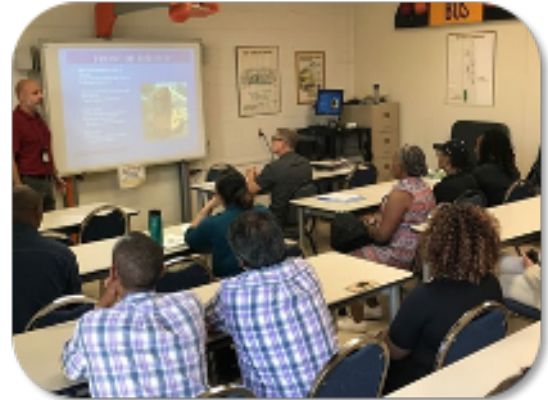
The System Security and Emergency Preparedness Plan is a set of comprehensive security goals, objectives and strategies that maximize the security of ProKel's passengers, employees and property. This plan is a blueprint for all security procedures. A copy of this manual is available upon request.



ProKel's SSEPP was developed in cooperation with the US Department of Transportation's Federal Transit Administration, Office of Transit's System Security and Emergency Preparedness Training and Technical Assistance Program

## Driver Orientation and Training Program

ProKel's customer-focused training ensures that every passenger receives service in a friendly and professional manner. Before operators get behind the wheel with a passenger, they will have to complete our service orientation training and service essentials customer service training. Along with customer service, operators must go through ProKel's award winning and industry recognized **TAPTCO** operating training program. The program is overseen by ProKel VP of Safety Frank Ciccarelli, who has over forty (40) years of experience overseeing national companies with +5000 drivers. The program will ensure the local safety manager is providing an operator training program that is consistent, safety-first minded and customer friendly.



### *Training Formats*

The entire new operator training program comprises five (5) training formats:

- Classroom training
- Pre-driving skills
- Observation
- Behind the wheel (BTW)
- Cadet training

Each of these formats is outlined below.

### *Classroom Training*

The instructor-led classroom training is based on an adult-learning interactive training model and uses video training modules which are reinforced by the written training/study guide.



*Pictured is Project Manager Kelly Gonzalez teaching the importance of pedestrian safety.*

The video training is presented through an interactive, panel-hosted discussion led by ProKel personnel.

Topics include safety, defensive driving principles and techniques, hazards communication, security awareness, employee policies and procedures, employee wellness, sexual harassment, bloodborne pathogens, map reading and on-road procedures.

Testing occurs at the end of each module and at the end of classroom training with a cumulative, closed-book exam. Employees must pass with a score of 80% or higher in order to proceed to behind the wheel training.

### *Pre-Driving Skills*

Designed to familiarize the student with the larger size and spacing of commercial vehicles before driving the vehicle on the street, the pre-driving skills course training requires that all students learn the use of multiple mirrors and vehicle controls.

### *Observation*

Observation training is provided to give students an opportunity to study the proper way to handle a vehicle. Once a student has successfully completed all pre-driving skills and observation training, they begin driving the vehicle on the street with a training instructor.

### *Behind the Wheel (BTW) Training*

Behind the wheel (BTW) training focuses on honing specific basic driving maneuvers and skills necessary to ensure the safe operation of the vehicle under actual road operation. During BTW training the student puts into practice what they have learned in the classroom and refines their driving skills with a certified trainer. During this period, the student must demonstrate mastery of twenty-five (25) specific defensive driving and performance skills before graduation.

### *Cadet Training*

After completion of the behind the wheel training, each trainee is provided with in-service cadet training with a line trainer. Operators will operate the vehicle and all on-board technology in service and interact with the passengers on a practical level. During the training, the operator becomes familiarized with the



routes, major trip generators and the service area as a whole.

During this period, the trainee is closely monitored and receives their final road and training evaluation. Any areas of necessary remedial training are identified and documented.

#### *Post-Training Testing and Remedial Training*

Before a student is released into service, they are closely monitored and receive a final road and training evaluation. Recognizing that not every operator is 100% ready to enter revenue service after the base training program, ProKel offers up to forty (40) hours of remedial training. During the cadetting period, any necessary retraining areas are identified and administered based on this need.

### **Quality of Service**

ProKel is dedicated to quality because of our commitment to our passengers and our community. Rather than gimmicks, we rely on proven operating processes and procedures to ensure a service that is stable and focuses on the important qualitative aspects – safety, reliability and customer service.

As the City's partner, ProKel is committed to providing high-quality services while developing cost containment measures that will lead to a sustainable transit system. Our formal process improvement program seeks to identify areas of improvement in operations, dispatching, scheduling and administration and will deploy corporate resources to initiate sustainable improvements results.

#### **ProKel's goals in implementing quality improvement measures will be to:**

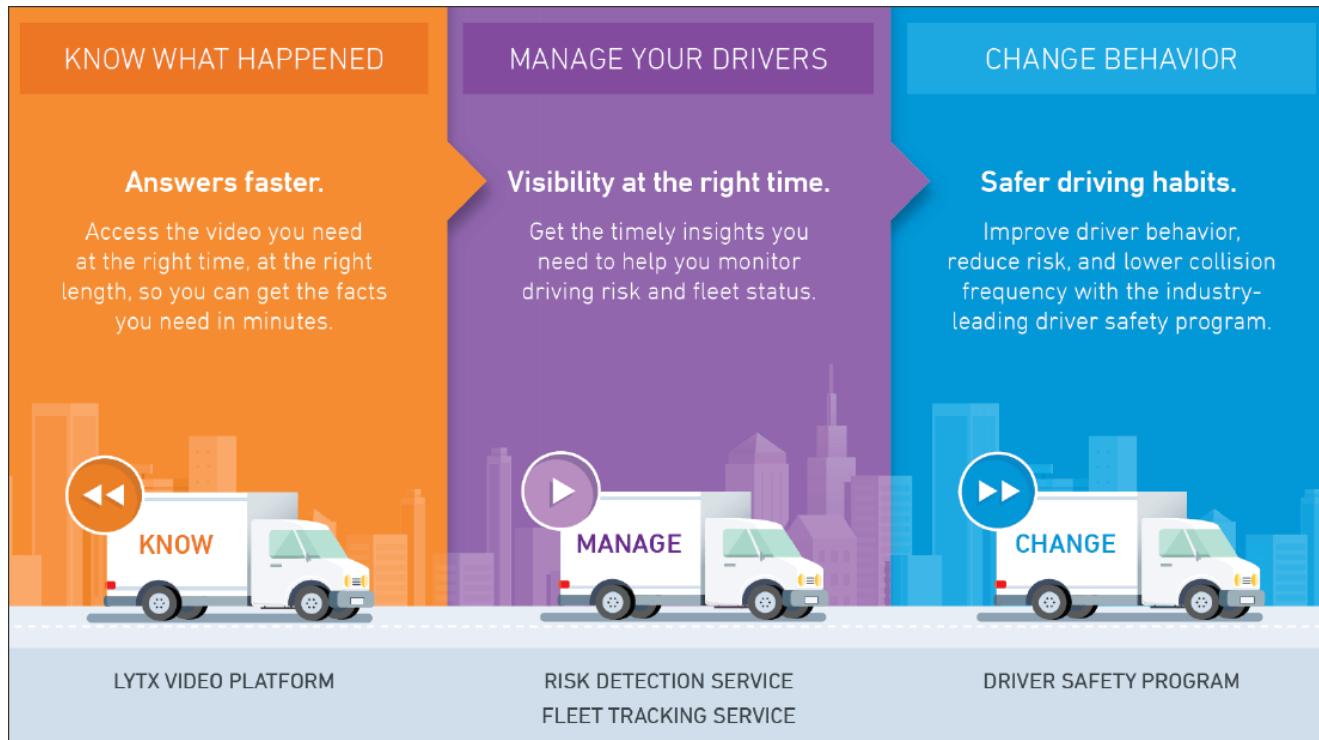
- Produce cost savings
- Increase efficiencies
- Improve safety performance
- Heighten quality of service
- Reduce waste
- Facilitate teamwork and communication
- Satisfy customers and stakeholders
- Improve working conditions and employee morale

#### *New Proposed Technology*

The below two (2) technology solutions are included as part of our commitment to the quality of service as it relates to the delivery of the contract services. The following technologies aim to improve passenger care through onboard monitoring systems as detailed below.

We have included short descriptions of these in **Appendix B: DriveCam Software** and **Appendix C: MobilEye Technology**.

## Lytx DriveCam



The three (3)-part system addresses concerns for fleet management and safety by including the Lytx Video platform, Rise Detection Service/Fleet Tracking Service and the Driver Safety Program. All of these center around the DriveCam Video Event Recorder (VER).

### DriveCam's DC3P Video Event Recorder

ProKel proposes using DriveCam's DC3P Video Event Recorder to monitor each operator's driving behavior. This system gives insight into how operators adhere to company and law enforcement policy, and provides ProKel's management team with the information needed to refine and enhance training.

The DriveCam Video Event Recorder (VER) is placed on the vehicle's windshield. The unit continuously monitors the operator's behavior and provides real-time in-cab feedback. Using exception-based video recording, the camera continuously records. However, data is only saved when activated by embedded sensors that measure force exerted on the vehicle (such as abrupt start/stops, sudden turns, accelerations/decelerations, speeding and collisions). Additionally, the unit has a panic button that is pushed by the operator (in the event of an on-board incident, a passenger altercation, etc.).





When triggered, the system saves data clips for a period of ten (10) seconds before and ten (10) seconds after the event.



## Meet the first step in state-of-the-art fleet protection.

### The Lytx DriveCam® event recorder is where it all starts.

This automotive-grade device does more than just capture video. It uses onboard algorithms to collect and process data and video, and distinguish normal driving from risky behaviors.

The event video and data (which includes views of the road ahead and of the operator) uploads to DriveCam's Risk Analysis Center where DriveCam's trained professionals analyze the event (review, score and comment on each event) for ProKel's management to use

- Onboard Posted Speed Database
- Real-Time In-Cab Feedback
- Risk Predict® Technology
- Collision Video Recording
- 4 GB Camera Storage
- Telematics
- Hotspot Mapping
- Operator-Activated Event Recording (panic button)

Lytx Video Platform	Risk Detection Service	Driver Safety Program	Fleet Tracking Service
The video facts fleets need – in minutes.	Monitor fleet risk with timely insights.	A proven approach to improving driving habits.	Improve customer satisfaction and safety - in one solution.
Gives users access video anywhere they have an internet connection.	Provides users with insights about driving moments that are important to track.	Helps change behavior by coaching drivers to be aware of their habits on the road.	Provides real-time fleet status so users can optimize productivity.
	All features of Lytx Video Platform PLUS:	All features of Lytx Video Platform and select features of Risk Detection PLUS:	All features of Lytx Video Platform PLUS:
<ul style="list-style-type: none"> <li>• Immediately access up to 100 driving hours of video online from Lytx account</li> <li>- Continual recording</li> <li>- Live Streaming Video</li> <li>- 5 min per vehicle per month</li> <li>• Ability to add auxiliary cameras</li> <li>• Secure access to Lytx account, programs, services and data</li> <li>• Gateway to manage drivers, vehicles, select configurations and administrative functions</li> </ul>	<ul style="list-style-type: none"> <li>• Dashboard displays the categories that are contributing to risk, frequency by count and trend, per Group. (April/May)</li> <li>• Event List provides a summary of exception-based events generated by vehicles drivers including accelerometer, speeding, rolling stop and third-party ADAS triggered events.</li> <li>• Extend Events: Get 30-seconds before and 30-seconds after exception-based events (when Continual Recording is activated)</li> <li>• No coaching workflow</li> </ul>	<ul style="list-style-type: none"> <li>• Prioritized coaching tasks</li> <li>• Prescriptive coaching workflow</li> <li>• Human review identifies behaviors and outcomes</li> <li>• Reports: Safety and performance; Drivers, group, and program status reports, Industry benchmarking</li> <li>• Scores: Coaching effectiveness help users monitor efficacy</li> <li>• Program management and support</li> <li>• Program reviews, ROI analysis</li> <li>• Insight dashboards</li> </ul>	<ul style="list-style-type: none"> <li>• Real-time vehicle location</li> <li>• Route replay</li> <li>• Locate closest vehicle</li> <li>• Custom geo-fences with real-time alerts</li> <li>• Real-time and past vehicle location data</li> <li>• Fuel management reports (available with J1939 ECM connection)</li> <li>• State mileage data extracts</li> </ul>

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in coaching operators and improving operator safety.

Events are stored on a web-based portal for a ninety (90)-day period. Afterwards, all events are archived to in-house servers for historical data retention.



We implement edge-to-cloud machine vision and artificial intelligence [MV+AI] technology that is intentionally designed and developed to solve specific challenges fleets like yours care about.



Lytx solutions are powered by the world's largest video and driving database of its kind in a single platform. Our database is driven by +500K vehicles, 20 years of experience, and billions of miles of driving data.



Lytx is pioneer and leader in video telematics industry, and holds over 120 issued and pending patents.  
<https://www.lytx.com/en-us/patents>

### Mobile Friendly



Optimized for tablet touch screens

### login.lytx.com



Single sign-on for all your Lytx accounts

### Hablamos Español



Choose your language in browser settings

### User Feedback



Clients comments can help us prioritize



The Lytx Video Platform gives you instant access to data and video – on demand. Continual recording means continual protection.



The Lytx Video Platform is mobile friendly, which means you can access your program from mobile devices, such as tablets or smartphones anywhere you have an internet connection.



Lytx provides a livestream option, which provides a real-time view of what's happening on the road.

## Risk Detection Service System

Lytx® Risk Detection Service

### STAGES OF AN EVENT

Lytx machine vision and artificial intelligence (MV+AI) identify behaviors behind the scenes, delivering the timely insights you need to monitor fleet risk.

#### 1 LYTX DRIVECAM® EVENT RECORDER CAPTURES RISKY DRIVING

Our technology distinguishes normal driving from risky behaviors and uploads events to the Lytx cloud.

#### 2 ARTIFICIAL INTELLIGENCE EVALUATES EVENTS

Our proprietary decision-making engine categorizes and presents events based on associated behaviors.

#### 3 MV+AI LOOKS FOR SPECIFIC BEHAVIORS

Highly-trained algorithms surface unsafe behaviors, like phone use and driving without a seatbelt.

#### 4 EVENTS ARE SENT TO YOUR LYTX ACCOUNT

With a list of select events marked with important behaviors to track, you'll be able to monitor risk across your fleet.

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As described in detail above, the Lytx DriveCam Event Recorder will help assist drivers and program managers with improving driver behavior and providing insights that will reduce fleet risk over time.

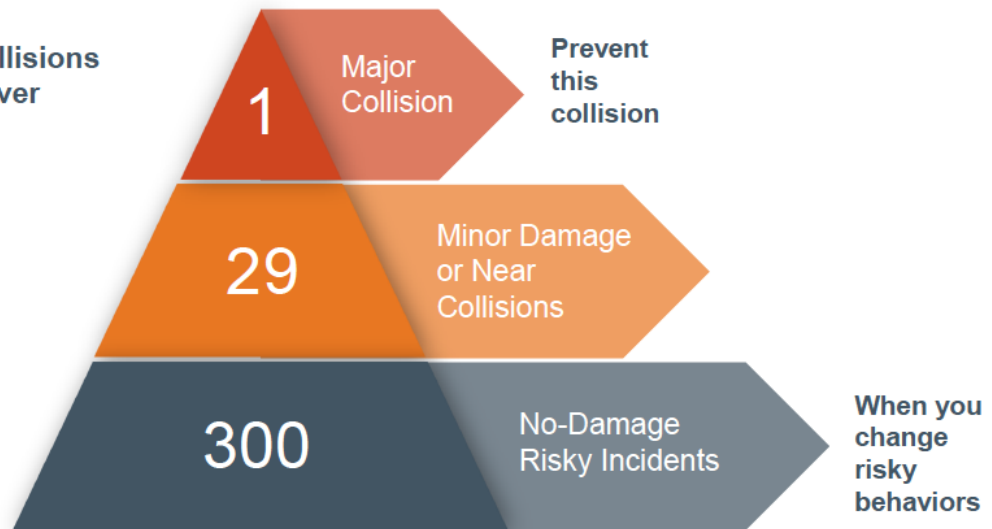
The system works to leverage AI and machine learning to ensure that any event is communicated to the management team, ensuring transparency and accountability.

Wrapping this accountability into a larger driver education and training system will ensure that our performance always improves.



## SAFETY PYRAMID

Help prevent collisions by changing driver behavior before causing a major incident



Source: H.W. Heinrich, *Industrial Accident Prevention: A Scientific Approach*.

Lytix and ProKel know that preventing accidents, especially those with major collisions, is a matter of reducing the general number of accidents by getting down to the core of the driver-based issues that cause them. As the above graphic shows, ProKel knows that immediately changing behavior through the use of the DriverCam system will lead to less Major Collisions by stopping the behavior when it leads to lesser, No-Damage Risky Incidents. We will bring this focus onto the Margate opportunity.



# Mobileye Collision Avoidance System

ProKel is pleased to offer the **Mobileye collision avoidance system**.

**Mobileye**, an Intel company, is a windshield-mounted camera that detects other vehicles, pedestrians and lane divisions in real time. This system includes the following capabilities within the driver's view to assist and promote safe driving.



## PEDESTRIAN & CYCLIST COLLISION WARNING

Alerts drivers of an imminent collision with a pedestrian or cyclist



## HEADWAY MONITORING & WARNING

Helps drivers keep a safe following distance from the vehicle ahead and alerts them if the distance becomes unsafe



## FORWARD COLLISION WARNING\*

Alerts drivers of an imminent collision with a vehicle or motorcycle ahead, both on highways and in urban areas



## LANE DEPARTURE WARNING\*

Alerts drivers when there is an unintentional deviation from the driving lane



## SPEED LIMIT INDICATOR\*\*

Recognizes speed limit signs, and notifies the driver, both of the new speed limit and if they exceed it



## Mobileye 8 Connect can detect pedestrians and cyclists at night!

\*Night detection requires a minimal amount of light and does not operate in complete darkness.

\*Meets NHTSA's guidelines.

\*\*Detects signs declared valid by the Vienna Convention on Road Signs and Signals.



Mobileye mitigates the primary risk factor that leads to vehicle collisions – operator inattention. An estimated 93% of all accidents are a result of human error, with nearly 80% resulting from operator inattention in the three (3) seconds preceding the accident. In an estimated 40% of rear end collisions, no brakes were applied. Further, 60% of road accident fatalities are due to unintentional lane departures.

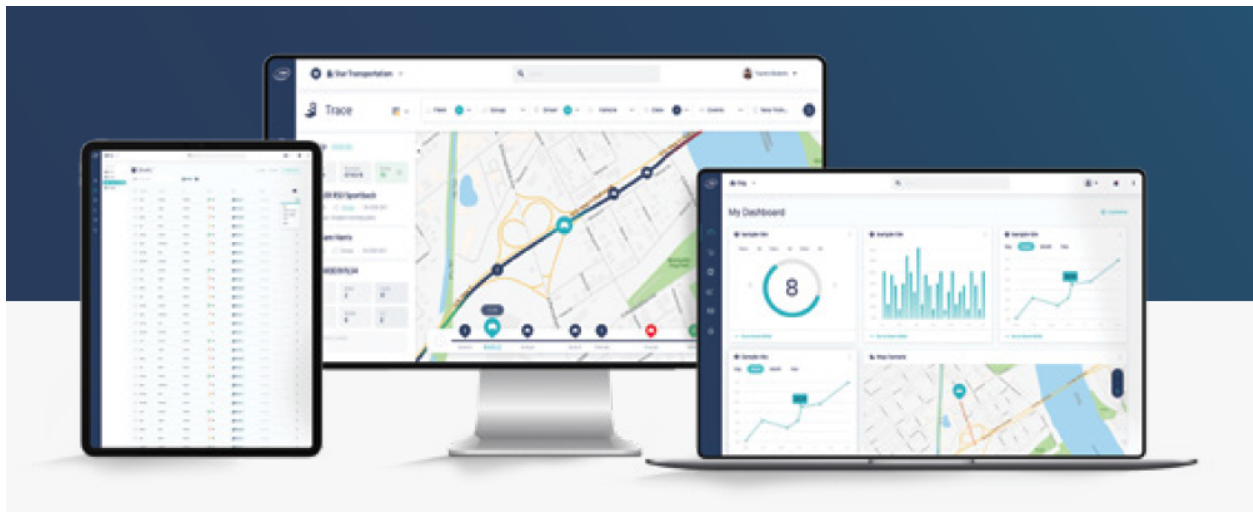
When triggered, the system will emit an auditory warning when the following events occur:

- The vehicle operator departs from the lane
- The distance between the vehicle and the vehicle in front of it becomes too small
- A forward collision is imminent
- A pedestrian is detected
- The operator exceeds the speed limit

This warning signals the operator to apply the brakes to avoid collisions.



## Safety Reporting with Mobileye



Mobileye also allows for capabilities such as geofencing, tracking and other features that are centralized within one (1) easily accessible system. All of this adds to a capability to provide in-depth, on-demand reporting that is functional, useful and can drive decision-making processes.



### Safety

With alert data metrics you'll have greater insight into drivers' progress on unsafe habits such as tailgating, near misses, harsh braking and lane changes without signaling



### Tracking

With track-and-trace features, you can ensure our vehicles stay on route and conduct step-by-step analysis to determine route efficiency and safety



### Insights

Our safety reports make it easy to identify which drivers could benefit from extra training and which might be rewarded for safe driving



### Boundaries

Geo-fencing allows you to set pre-defined limits for drivers, ensuring that your vehicles stay within a prescribed area

## How They Work Together

Additionally, with its intelligent high beam control, Mobileye automatically switches high beams to low beams when oncoming traffic is approaching. This camera system supplements the safety monitoring capabilities of DriveCam; when Mobileye detects a near collision, the operator's reaction will trigger DriveCam to begin recording. This additional feedback will enable



the DriveCam coach to more thoroughly coach operators in safe driving practices.

#### *Adjustments to Service*

The company will provide services under an agreement with the City and will keep the City advised on any matters of importance, service adjustment or recommendations. The City has the final authorization on the service parameters.

#### *Service Dispatching*

A dispatcher will be available during all hours of service to answer the telephone, provide ongoing support to vehicle operators comprising signing in and out, vehicle route assignments, incident management and road calls.

#### *Changes to Service Parameters*

ProKel understands that the City reserves the right to revise and/or add any service parameters similar to the parameters outlined in the City's RFP as needed in order to meet service needs and regulations. ProKel may propose ideas to improve the use of City vehicles during revenue service.

### **Complaints**

#### *Complaints Received by ProKel*

Expedient response to all complaints, comments and commendations is critical to customer service excellence. ProKel's personnel will report all passenger complaints and operational problems to the City's project manager/point of contact within twenty-four (24) hours of discovery. All employees are taught to exhibit professionalism and care when receiving a complaint.

The company's general guidelines to handling a customer complaint are as follows:

- Actively listen and document all necessary information.
- Respond politely and patiently, taking care to appropriately document and confirm the details of the comment.
- If the comment is a complaint, inform the customer that it will be investigated, and that a supervisor may contact them directly as part of this investigation.
- Thank the caller for their time.

ProKel will immediately take appropriate actions and begin investigation of all complaints to determine validity. Complaints that are serious in nature will immediately be brought to the attention of the City. Depending on the nature of the complaint, either the general manager and/or regional vice president will personally handle these types of complaint investigations.

Complaint investigation includes one (1) or more of the following actions:

- Telephone conversation with the complainant to understand the details of the complaint.
- Conversation with all operators, dispatchers, road supervisors and any other staff involved in the situation.
- Review of any vehicle camera clips related to the event.
- Review of any call recordings relating to the event.



- Review of all dispatch logs, trip sheets/manifests.

All steps taken during the investigation will be documented and filed. If the results of the investigation yield a validated complaint, a copy of the complaint documentation is filed in the affected employee's/employees' employment file(s), and a letter acknowledging the complaint and remedial steps taken is issued to the complainant.

Employees who receive repeat, valid complaints will be disciplined appropriately up to and including termination of employment. A formal complaint report will be provided to the City and the complaint will be logged and submitted with all monthly reports, as required.


#### *Complaints Received by the City*

The City will also document passenger comments/complaints, log them into a customer service database and forward the copies to ProKel for investigation and response either via email, fax or other direct delivery.

Within two (2) working days of receiving a documented customer comment, ProKel will provide the City with all required information regarding the bus operator's name, bus number and location via email, hard copy or fax. We will document a response to the comment, noting any personnel actions such as discipline or retraining that will occur. After the City acts upon such complaints, the City will provide ProKel with summary information from its complaint database.

***Should they occur, ProKel will always be timely and thorough in resolving passenger complaints.***

Below is an example of the complaint form:

CUSTOMER SERVICE REPORT					
<input type="checkbox"/> COMMENDATION <input checked="" type="checkbox"/> COMPLAINT <input type="checkbox"/> INQUIRY <input type="checkbox"/> LOST + FOUND <input type="checkbox"/> OTHER				NUMBER <div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto;"></div>	
					
DATE RECEIVED	TIME RECEIVED	DATE LOGGED	FUNDING SOURCE <b>SELECT ONE</b>	FEEDBACK SUBTYPE	RESPONSE DATE
DATE OF INCIDENT	TIME OF INCIDENT	BOOKING ID	VEHICLE NO	RUN	VALID
			N/A	N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
SCHEDULE EARLY	SCHEDULE LATE	ORIGIN		DESTINATION	
CUSTOMER NAME	ADDRESS	TELEPHONE BUS: RES: CELL	TAKEN BY		
			NOTE		
<b>DETAILS</b>					
<b>INVESTIGATION</b>					
<b>REPLY TO CUSTOMER</b>					
EMPLOYEE INVOLVED <b>Driver:</b>	EMPLOYEE NO.	INVESTIGATED BY	TELEPHONE	DATE	

### *Maintaining Professional Customer-Facing Personnel*

ProKel's personnel will be professionally dressed in the uniforms provided. Employees are directed to present a professional appearance at the start of each service day.

### **Reporting**

ProKel will follow and adhere to the City's reporting requirements as it relates to project records, which shall be owned by the City and will remain available to authorized City staff at no additional charge. We understand that reporting will be subject to inspection, audit and analysis at the City's

discretion. As required, ProKel will maintain all records within the area, and make them available to the City for four (4) years following final payment.

#### *Financial Records*

ProKel will establish and maintain, within a separate account, all project expenditures and any other relevant financial records or documents which conform to the FTA Uniform System of Accounts.

#### *Invoices*

ProKel's Trolley Project Manager, Thomas Stringer, will submit monthly invoices to the City within ten (10) calendar days of the following month for services rendered during the reporting period. We will also maintain records for routes in the city. ProKel's invoice will detail the number of hours and bus miles within the City. We understand that additional invoicing methods may be required during the contract term.

#### *Payroll Edit Reporting System*

ProKel has developed an **in-house system called ProKel Payroll** which interfaces with third-party systems to track data, such as revenue/non-revenue miles/hours, trips, etc., and compiles the data into reports. This system is designed to collect and store the data needed, allowing summary reports to be generated in reader-friendly formats. By using this system to generate billing, payroll and operational reporting, duplicative data entry and subsequent manual errors are greatly reduced.

In addition, ProKel uses software in both its corporate office and operating locations. Our software includes general ledger, accounts receivable and accounts payable. This **scalable software** allows for growth without capacity concerns. The web-enabled feature allows ProKel management to selectively determine which processes and controls should be centralized versus decentralized.

We assure **proper data backup** and cloud storage of data backups in the event of a fire or other catastrophic event. ProKel's IT team will set up the local computer network to ensure proper connectivity, security levels, password protection and local technical support. We will work with the City MIS staff in whatever manner necessary.

ProKel is able to **meet the FTA/NTD reporting requirements** and currently provides these reports to clients who receive federal funding and are required to submit them. We use the accepted FTA sampling methodology and have systems in place to collect and report this information pursuant to the guidelines of the National Transit Database Reporting Manual.

#### *Vehicle Repair Tracking*

The maintenance clerk will complete AM and PM down lists to track vehicles that need repairs or maintenance. These logs will help track the vehicles and the turnaround time to minimize downtime and ensure that the vehicles will be repaired in a timely manner. Once repairs have been completed, vehicles will be inspected and put back into service and a repair order will be completed. This repair order will be updated in the maintenance system which tracks the individual

vehicle's repair history. All driver vehicle reports will be stored in the maintenance department as part of the vehicle's permanent history once the defect has been corrected.

#### *Types of Reports and Submittal*

The table below summarizes the reports required by the City followed by the requested submittal date.

Report	Submittal Date
Daily Operations Report	No later than 12:00 PM on the following business day
Daily Trip Reports	No later than 12:00 PM on each Tuesday for the previous seven (7)-day period
Monthly Report	No later than the tenth day of the following month
Operator Reports	Daily (at all times)
Performance Reports	At the City's request

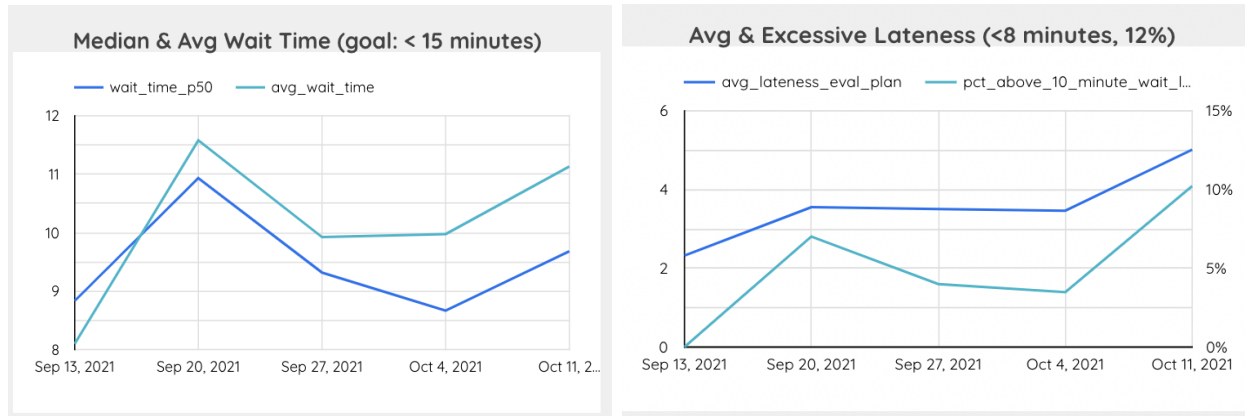
### **Quality Assurance and Quality Control Proposals**

As explored in the above methodology section, at the outset of any deployment, ProKel/TRC will create service level agreements with the City, and we will ensure the quality of our services against these metrics each week.

These service level agreements may be aspirational (i.e., service level goals to work towards, such as lowering telephone bookings or increasing passengers per hour) or minimum requirements (i.e., metrics that the service should not exceed or go below, such as maximum wait time before pick-up or maximum number of unfulfilled).

*As an example of the above*, one of the service metrics requested by another transportation partner was to avoid wait times for passengers in excess of fifteen (15) minutes and for the arrival time to be under eight (8) minutes (12% greater) compared to if they took a taxi directly to their destination, as the graphs below demonstrate.





With regard to training, ProKel/TRC provides completion certificates for each module of the dashboard and for each feature of the driver app. We **repeat this training on a yearly basis** and as part of our product roadmap, we intend to automate this procedure so that drivers are prompted with questionnaires in-app and dashboard users are taken to virtual environments to test their knowledge about the system.

### Coverage Area Expansion

ProKel is excited about the prospect of not only improving the quality of the service we deliver to the City, but our innovative approach as outlined above greatly expands the footprint of our shuttle service. This service will extend the coverage to more of the City's traditionally underserved communities, allowing riders to request deviation from the shuttle's typical route.

- With The Routing Company technology that ProKel plans to introduce, the coverage area for the shuttle services expands substantially to cover more of the City without drastically increasing the size of the fleet. This service will allow for more of the community, including traditionally underserved communities, to take full advantage of the City's public transportation system.

## Recruiting Talented Employees

### Overview

At ProKel Mobility, we look at our company as more than just a provider of transit services – **we are a community resource**. Our passengers rely on us to safely transport them to school, work and the many other destinations that are part of their daily lives.

To be a part of the community, we must involve the community. That is why we actively recruit in our clients' counties, towns, cities and neighborhoods. By sending our team to career fairs, local events, universities, vocational schools, driving schools and more, we are creating a presence in the community. We also partner with corporations, mom-and-pop shops, non-profits, franchises

and other businesses to create a mutually beneficial relationship between us and the communities we serve.

In addition to hiring employees from Margate's current service provider, we will also work with many National transit organizations to find effective ways and best practices to recruit operators and technicians. We will work with local and state employment agencies, workforce development agencies, multicultural organizations, Veteran Affairs and military outplacement programs to find dedicated, hard-working people who want to be valued members of the ProKel team.



### Talent Acquisition Team

A major component of a ProKel Mobility location manager's role is to understand the cycle of their workforce needs — retention trends during the start-up period, variation of vehicle and operator needs related to seasonal activities and other unique service expectations. To be successful, each location manager must be extremely knowledgeable of the local job market in addition to leading our teams toward delivering safe and dependable service every day. That is why we make certain they are never alone in their recruiting efforts.

ProKel's talent acquisition team provides an unparalleled level of recruiting support. This team's specialists work with our local team and the regional human resources managers to keep the process effective.

The role of a talent acquisition specialist includes the following:

- Posting all job openings to the applicant tracking system, **KelHire**
- Managing online job boards
- Supporting hiring events (producing promotional pieces, modifying advertising copy, providing giveaways, and verifying labor law and equal opportunity employer compliance)

- Monitoring submissions and ensuring applicants are contacted by locations within forty-eight (48) hours
- Assisting applicants through the process as needed

### Applicant Tracking System



Transportation employers are all competing for skilled and dependable operators. Finding and attracting the right applicants requires time, expertise and resources. ProKel's applicant tracking system enables a streamlined, full-cycle recruitment process — monitoring vacancies, sourcing, interviewing and placing. Our central talent acquisition team monitors submissions on our applicant tracking system to ensure application flow. **Centralizing a part of the process allows managers to focus on local recruitment channels and contacts within the community.**

We use **KelHire**, an online recruiting tool to generate interest in applying for work at ProKel Mobility. **KelHire** is a proprietary applicant tracking system that automates the recruiting process, creating thorough records of each candidate's journey through the hiring process. This maximizes return on investment for advertising endeavors, advertises job postings automatically, and collects valuable data about the individuals we hire and those who show an interest in our company.

In addition to centralizing the more standard phases of the process, the system controls recruitment costs by negotiating single contracts with National and local vendors.

The applicant tracking system generates a series of reports that help our teams understand what will work best for Margate's Community Shuttle operation. The talent acquisition specialists can research where our hires are coming from exactly, allowing recruitment efforts to be directed and redirected wisely. Metrics used to measure the effectiveness of our recruitment strategy include:

- Time from offer-to-hire
- Completed applications-to-hired ratio
- Time to fill

**ProKel works hard to be an employer of choice and that means being responsive.** Tools within the tracking system let applicants know where they are in the process, and they enable our teams to keep the process moving before a great candidate is lost.

The following are some of the ways we strengthen communication with candidates:

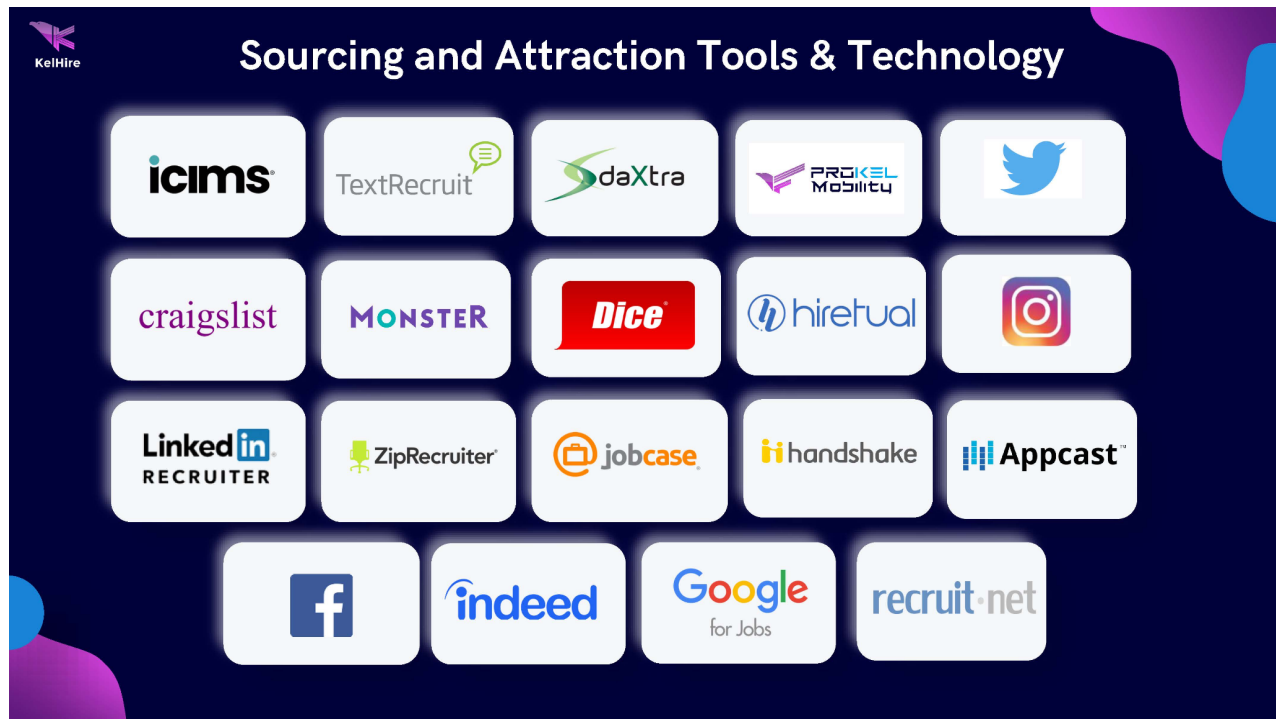
- Completion status monitored by talent acquisition specialists to conduct follow-up calls
- Automated alerts and notifications sent directly to applicants
- Self-selection of interview date and time made by applicants

### Programmatic Advertising

Alongside **KelHire**, ProKel has incorporated the automated job placement software Programmatic Advertising to ensure the best visibility from our advertising efforts. The Programmatic Advertising

platform utilizes intelligence to post our positions on various job boards based on jobseeker traffic. *This tool helps us spend money on advertising where it makes sense and where it will most likely produce results.*

**KelHire Media platforms include:**



### Local Operator Recruitment Action Plan

ProKel's start-up process includes the formation of a local operator recruitment team and creation or update of the location's recruitment action plan for the year. The action plan is led by our location manager, who works with their trained location recruitment team to implement the plan as well as track the status of goals, tasks and events. We support these local efforts with the assistance of a central talent acquisition specialist.



## Local and Targeted Recruiting Efforts

Signs posted on location building or in yard

Drivers encouraged to spread the word about employment opportunities

Create/enhance partnerships with local tech/vocational schools to host campus visits and career events



Flyers for neighborhood events including parades, flea markets, farmer's markets and sporting events, as well as those at local businesses, churches, libraries, police/fire stations and community centers

Job fairs: on-site, local and regional

Employment agencies

Announcements on local radio and TV stations

Social Media

Billboards, yard signs, and sandwich boards throughout community

Newspaper advertisements, community newsletters and bulletins

Letters or postcards mailed to residents

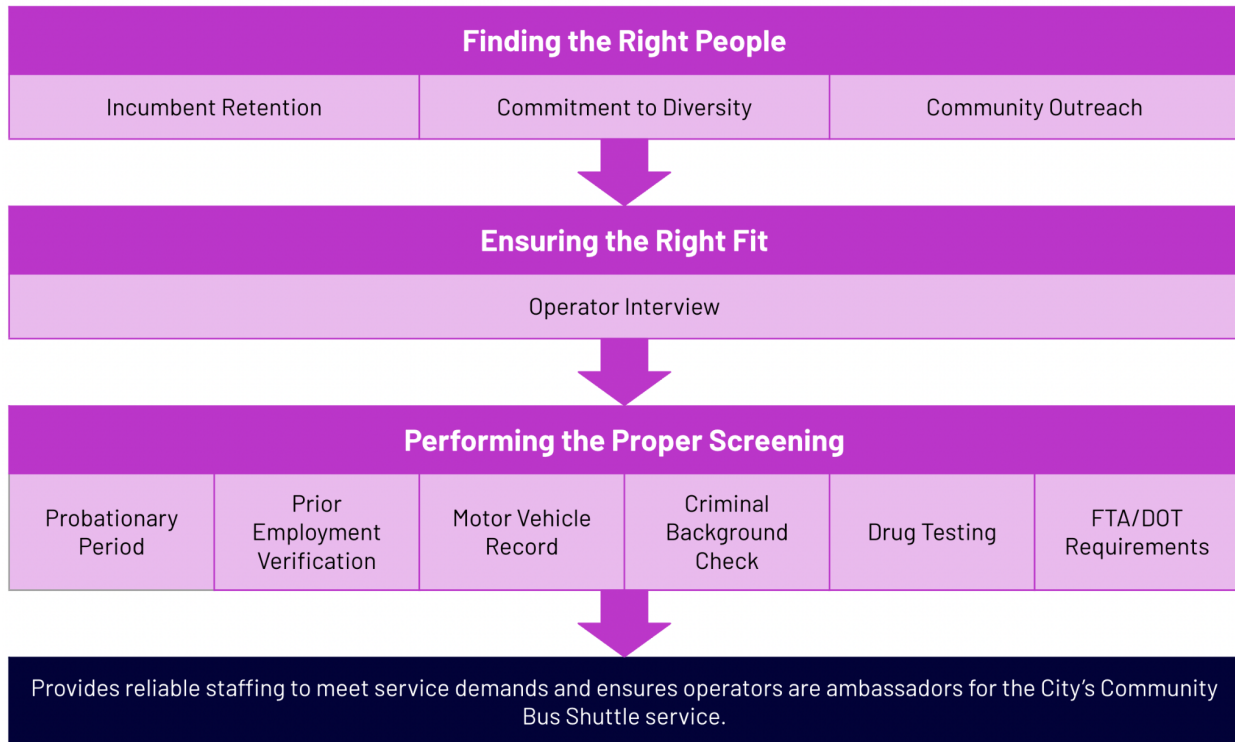
### Hiring Qualified Employees

Working for ProKel requires a sense of commitment, attention and diligence that is not found in other companies. **That is because we are in the business of transporting people – individuals and families that trust us to provide a consistently safe experience every time they take a seat on one (1) of our vehicles.** We insist that our employees understand our commitment to safety, reliability and customer service. To ensure this happens, we require:

- A safe driving record
- Past employment verification
- A criminal background check
- Motor vehicle record review
- Employment eligibility verification
- A drug screen

### Operator Selection Process

ProKel Mobility understands that our operators do not only represent us – they also represent the City of Margate and its community. Because of the customer-facing nature of the job, proper selection of qualified operators is vitally important to the success of the operation. We follow a stringent operator selection process to ensure we are providing Margate with operators committed to safety, who are focused on the customer and skilled in their operation.



## Finding the Right People

**Incumbent Retention:** ProKel understands the value of employees who are already operating the City's transit services. We make every effort to retain employees who want to continue driving for the ProKel operation. ProKel's training program includes specific operator training for incumbent operators.

**Community Outreach:** ProKel Mobility knows the value of employees who are familiar with the service area. In addition to hiring employees from the City's current service provider, we'll work with local and state employment agencies, workforce development agencies, multicultural organizations, Veteran Affairs and military outplacement programs to find dedicated, hard-working people who want to be valued members of the ProKel's team.



*Pictured is the proposed Operations Manager, Jacqueline Goldsmith, interviewing qualified candidates during a job fair.*

## Ensuring the Right Fit

### *Operator Interviews*

ProKel invites prospective operators to interview in order to ensure they are the right fit for the operation. The knowledge we have gained from hundreds of thousands of interviews has helped us develop an Operator Interview Guide for location managers. This guide helps us consistently screen and select individuals with the characteristics needed to become successful operators. Specific interview sections include:

- Relevancy of experience
- Schedule suitability
- Response to stress
- Commitment to safety
- Compliance orientation
- Teamwork orientation
- Commitment to customer service

Upon a successful interview, the location manager will extend an offer letter to the prospective operator that details pay, necessary training and a start date. Assuming the prospective employee accepts the employment offer, internal ProKel staff will begin further background screening.

### *Performing the Proper Screenings*

ProKel performs a number of screenings on newly hired employees. Employees are informed of these screenings in a minimum hiring standards document. After reviewing this document, new employees may elect to continue their employment with ProKel or remove themselves from consideration.

### *Maintaining Professional Customer-Facing Personnel*

ProKel's personnel will be professionally dressed in the uniforms provided. Employees are directed to present a professional appearance at the start of each service day.

### *Probationary Periods*

ProKel's new operator protocol is to conduct **re-evaluations every thirty (30), sixty (60) and ninety (90) days**. At the end of each stage of a new applicant's training, they receive an evaluation of the skills they have learned up to that point. We continue to conduct those evaluations after the first thirty (30) days, first sixty (60) days and first ninety (90) days of employment **to make sure that the location, culture, safe behaviors and skills are properly progressing**. In addition to permitting managers the opportunity to assess new hires holistically, new hire probationary periods give us time to ensure the new employee's background screenings are acceptable.

After the (30)-, sixty (60)- and ninety (90)-day evaluations are complete, every operator gets an evaluation annually, along with any others that are thought appropriate or necessary for behavior development and enhancement.

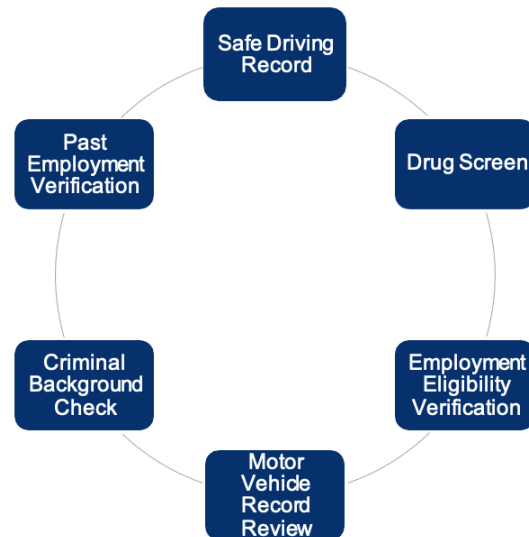
We focus on behavior and decision-making as much, if not more, than the basic skills of steering, braking, accelerating, etc. The best way to firmly shape behavior is to supply consistent follow-up, especially at the beginning of the learning curve. **The more attention and instruction a new operator can receive at those preliminary stages, the more the safe behaviors we want will take hold and become a regular part of their personal work culture and values.**

The contact made is not always about making corrections, as we believe positively reinforcing good behaviors as often as possible carries significant impact on an operator's performance and development. Some operators require more frequent follow-up and evaluation, and the training managers have the freedom to make that determination, but the thirty (30)-, sixty (60)- and ninety (90)-day evaluations are standard.

#### *Procedures for Background Checks*

Early-employment record checks for our personnel are a continual part of our employee-evaluation process.

Thorough background checks on all applicants are part of the employment process, as a requirement for all new employees. All employees have background checks which will include driving record, criminal and financial history on a bi-annual basis, or on an as-needed basis as determined by the City. We will include both Broward County and the State of Florida as well as national reports in these checks. Repeated background evaluations allow ProKel to ensure quality operators and staff for our customers. ProKel will also enroll in and verify work eligibility status of all newly hired employees through the E-Verify Program.



#### *Employment Standards Team*

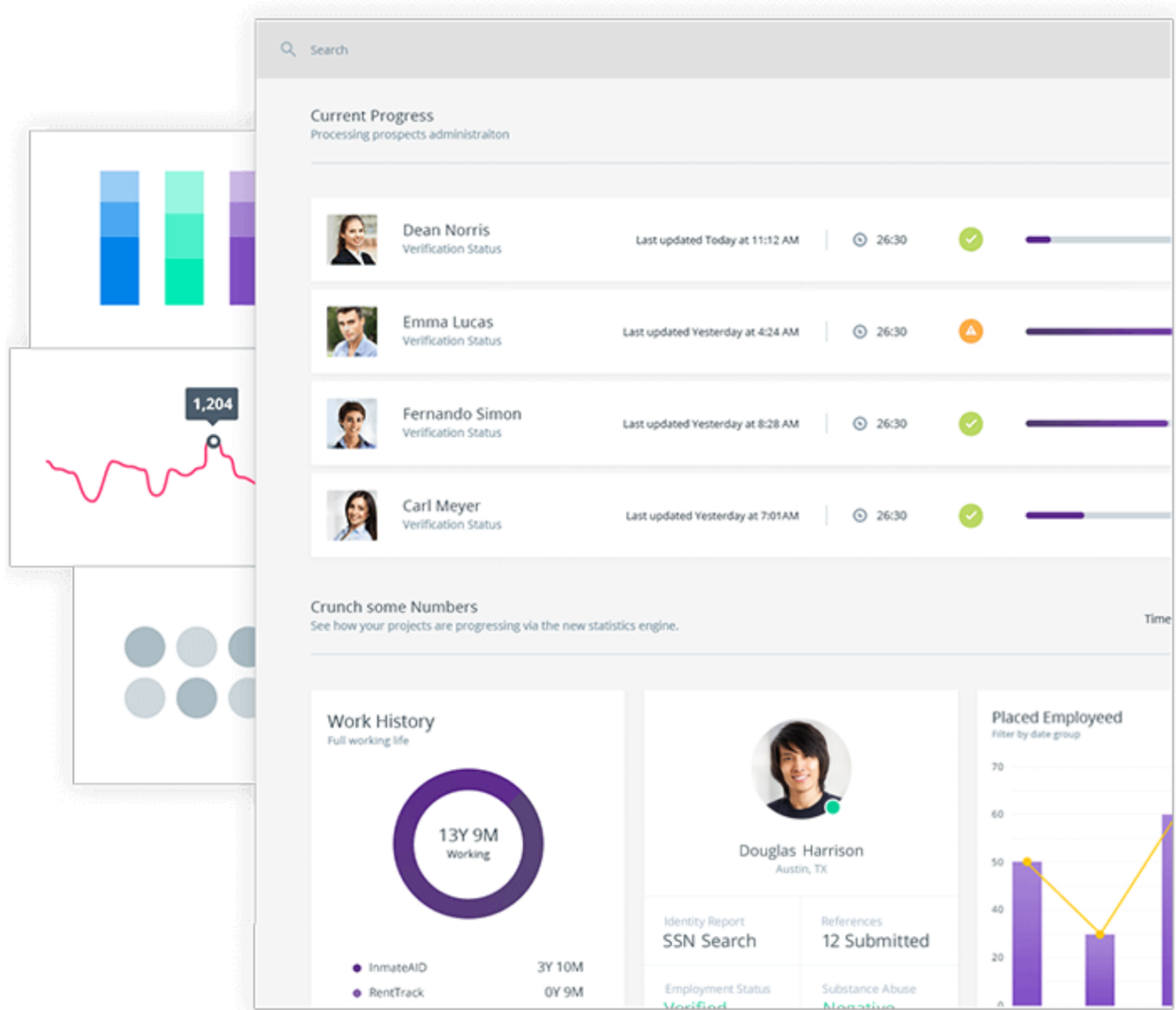
ProKel's internal **Employment Standards Team (EST)** collaborates with **KelHire**, our internal background check/recruiting vertical, to conduct primary reviews of all background criminal records, motor vehicle records, previous employment records and drug screenings.

EST is a group of trained and dedicated professionals tasked with managing record checks for all ProKel candidates and employees. EST staff conducts individual reviews of every background with potentially disqualifying events, incidents or discrepancies. EST ensures that all hiring practices



follow Fair Credit Reporting Act (FCRA) regulations and Ban the Box ordinances. All backgrounds are held to the standards of ProKel and the City as well as all federal and local laws that apply.

If a potential disqualifying event is discovered, the following process occurs: The location is notified via email that the employee or applicant is ineligible for employment due to adverse information found on the record check and the employee/applicant is placed on administrative leave. EST sends a letter to the applicant or employee letting them know of their ineligibility and



providing them with the information needed for an appeal. This appeal is an opportunity for the applicant to explain the circumstances surrounding the disqualifying event and provide applicable documentation to be potentially reinstated. An appeals committee meets to discuss every appeal and thoroughly review ProKel and the City's standards, with decisions made on a case-by-case basis.

Locations are notified of the outcome, and EST follows up with the candidate or employee to provide them with the outcome.

The diligent reviews performed by EST provide the peace of mind that all ProKel operators and employees are fully qualified to serve the City, its customers and passengers.

#### *Multiple Levels of Employee Screenings*

ProKel takes the obligation to perform careful background checks very seriously. In ensuring applicants are right for employment, ProKel runs an array of criminal background checks. Each applicant must sign a statement of release, thereby allowing the check to be conducted. Our in-house staffing arm, **KelHire**, conducts our criminal record checks.

The following **minimum employment criteria** are applied to all ProKel candidates who are offered positions requiring a commercial driver's license (CDL).

Pre-Employment Screening Process	
<b>Prior Employment and Background</b>	<ul style="list-style-type: none"> <li>• Verification of the last five (5) years of employment and residency</li> <li>• Explanation for any gap in employment or residency exceeding thirty (30) calendar days</li> <li>• Verification of newly hired employee work eligibility status through the E-Verify program</li> </ul>
<b>Motor Vehicle Record</b>	<ul style="list-style-type: none"> <li>• A valid driver's license for the state in which the candidate resides</li> <li>• At least twenty-one (21) years of age with a minimum of three (3) years driving experience</li> <li>• No more than two (2) moving violations within the past twelve (12) months</li> <li>• No more than three (3) moving violations within the past thirty-six (36) months</li> <li>• No more than two (2) accidents within the past thirty-six (36) months (verified by corresponding violation or points associated with accident)</li> <li>• The ability to obtain a CDL, as required by the position</li> </ul>
<b>Criminal History</b>	<ul style="list-style-type: none"> <li>• Criminal convictions involving one (1) of the following may potentially disqualify a candidate from employment opportunities:             <ul style="list-style-type: none"> <li>• Any crime against a child or vulnerable adult (i.e., disabled, elderly or infirmed)</li> <li>• Kidnapping, abduction, murder, manslaughter, attempted murder, vehicular homicide</li> <li>• The possession, manufacture, cultivation, use or distribution of illegal substances or associated paraphernalia</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• The unlawful use, possession, distribution, disposal, or alteration of a firearm or weapon</li> <li>• Any act of violence upon another individual</li> <li>• Theft or dishonesty</li> </ul>
	<ul style="list-style-type: none"> <li>• Any offense of a sexual or indecent nature, including the unlawful possession or downloading of publications and images</li> <li>• Driving Under the Influence (DUI) or Driving While Intoxicated (DWI)</li> </ul>
<b>FTA and DOT Requirements</b>	<ul style="list-style-type: none"> <li>• The ability to pass an FTA/DOT-mandated physical examination, or an approved state-specific physical for non-DOT driving positions</li> </ul>

### *Drug And Alcohol Testing Program*

In addition to comprehensive background checks, we have a strict zero (0)-tolerance policy about drug and alcohol abuse. We screen all applicants before offering employment. Resources are available to any existing employee who seeks help or rehabilitation for substance abuse. Our formal **Drug and Alcohol Policy** can be provided for review upon request.

ProKel's Zero (0) Tolerance Drug and Alcohol Testing Program is critical to its provision of a safe, healthy and productive work environment. All of our employees are subject to the four (4) drug and alcohol screening types described below, pursuant to their employment category (safety-sensitive versus not-safety-sensitive):

- **Pre-Employment** – All offers of employment are contingent upon the successful completion of a pre-employment drug screen. Failure to submit to said test, or a positive screen, results in revocation of the offer of employment.
- **Random** – All safety sensitive employees are automatically entered into the company pool for random testing pursuant to FTA regulations.
- **Post-Accident** – ProKel conducts DOT post-accident drug and alcohol testing immediately for any employee who is involved in an incident or accident meeting FTA/DOT criteria. If the accident does not meet the FTA/Federal Motor Carrier Safety Administration (FMCSA) testing criteria, we will reserve the right to test any safety-sensitive employee after any accident/incident regardless of the severity of the accident/incident.

**Reasonable Suspicion** – This test may be required if significant and observable changes in employee performance, appearance, behavior, speech, etc. provide reasonable suspicion of the influence of alcohol/drugs. All frontline personnel are observed by supervisory personnel who are certified as having completed the DOT Supervisor's Class in Reasonable Suspicion Training in Drug and Alcohol.

Under ProKel's Zero (0) Tolerance Drug and Alcohol Testing Program, administered by our safety manager, a positive screen or refusal to be tested under these conditions results in termination of employment. Our Zero (0) Tolerance Drug and Alcohol Testing Program is regularly updated and complies with and/or exceeds FTA and DOT requirements. ProKel has successfully completed each FTA audit to which it has been subject.

Random drug and alcohol testing selections are determined using state-of-the-art software. A computer-generated selection process program that randomly selects individuals for testing without showing discrimination. These assignments are available to the location on the first of each month to begin performing testing immediately. ProKel uses local occupational health clinics to perform the urine and breath alcohol collections for testing. All results are transmitted to the safety manager, who processes the information and provides it to the local management team.

We have included our policy as **Appendix D: ProKel Substance Abuse Policy**.

## Maintenance Program

### General Maintenance Plan

ProKel has provided a separate maintenance plan, included as **Appendix E: Maintenance Plan**.

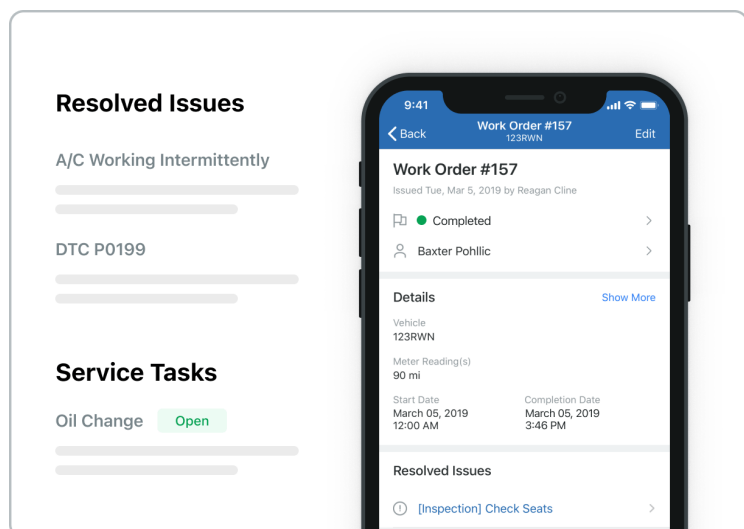


ProKel will provide **Fleetio** vehicle maintenance software to ensure excellent management and transparency of fleet data. Fleetio streamlines the maintenance management and ensures accurate reporting. This, along with ProKel's operations dashboard, will provide Margate's staff with direct access to system performance metrics, promoting utmost transparency.

The operations dashboard provides both ProKel's regional and corporate teams, as well as Margate's staff a view of service from all operational perspectives. Accurate reporting and timely statistics will help Margate and ProKel have a live pulse on the operation. To ensure the #1 maintenance software, Fleetio, proposed for this solicitation compliments the maintenance program. ProKel's head of maintenance, will ensure the City's -ProKel fleet and maintenance program is 100% compliant and safe.

**Fleetio** is the nation's #1 maintenance software platform.

It reduces manual data entry by automating fleet management tasks,

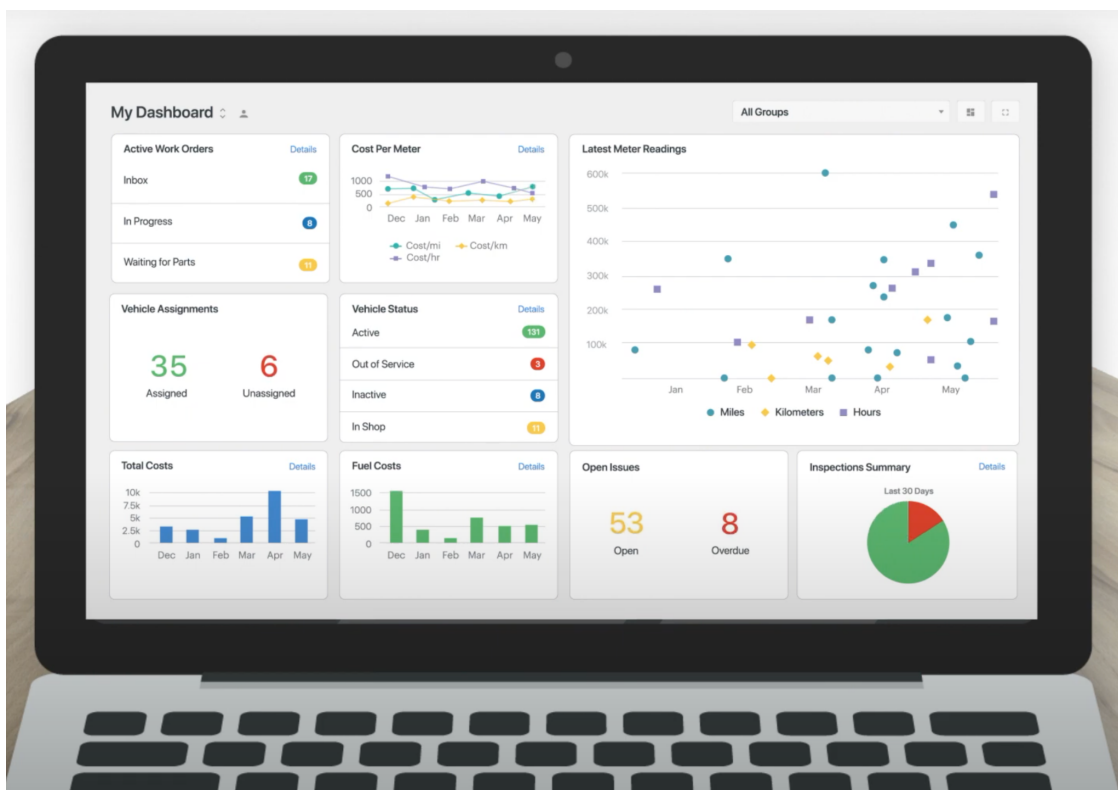




instantly pulling data from other systems to predict future maintenance and more.

Fleetio's fleet maintenance software tracks maintenance activities, work-orders, parts and inventory. This software ensures compliance and record tracking measures are followed. All road calls can be tracked in this system and miles between road failures can be calculated in order to identify mechanical trend areas. The software integrates with a myriad of systems including fuel management and inspection tools. It can also identify labor and material costs to specific job procedures and maintenance functions. This interface can be accessed by the maintenance team from one (1) or more workstations in the shop.

Our current operations nationwide PMIs are at 100%. Our local team has live access to our maintenance program software which tracks all the maintenance. The City will also have live access to ProKel's maintenance software, Fleetio.



## Spare Vehicle and Future Procurement of Vehicles

### Spare

ProKel will be providing a Shuttle Cutaway Bus similar to what is in the service now as its spare vehicle.



### Procurement of Vehicles for the Future

ProKel will offer assistance to City on procuring vehicles that are advantages to the City's Strategic Plan and will support the vision of Public Works.

As the MPO embarks on the Countywide Electric Vehicle Master Plan, ProKel will ensure it acts as a consulting arm to the City and help it qualify for grants and green energy funding. ProKel's team members have experience helping agencies procure both traditional vehicles and alternative energy buses.

*Pictured below is a picture of Kelly Gonzalez Jr. introducing Fort Lauderdale to its first all-electric vehicle.*



ProKel's Senior Management Team is made up of former CEOs and Directors from the Public side. Our internal team will help the City procure more of these types in the future. ProKel could help the City procure vehicles through grant funding. This vehicle will meet or exceed all of the vehicle specification and requirements that were listed in this RFP.

## **Fuel Options**

ProKel can provide fuel for whichever option the City of Margate chooses to use. ProKel currently uses all three options nationally. ProKel Drivers use a Fuel Card to fuel in some locations, while some locations get theirs via wet fuel on-site.



Pictured above is ProKel's Local Small Business Vendor, Cowboy Propane. ProKel is open to use any form of fueling, as directed by the City. Whether using fuel cards at designated fueling stations or using On-Demand Wet Fuel Small Businesses such as Cowboy Propane, ProKel will ensure vehicles are fueled as directed by the City.

We have included the required pricing sheet with the three different options based on fuel type.





# Scope of Services



# Special Conditions

## Scope of Services

**The purpose of this solicitation is to acquire a qualified vendor with requisite experience to provide operations and maintenance of transit services for the City of Margate (City) as stated herein and in accordance and strict compliance with the Interlocal Agreement (ILA) between Broward County (County) and the City, which is attached hereto as Exhibit B.**

ProKel Mobility (“ProKel”) is uniquely qualified to be the provider of the City of Margate’s (“City”) Community Shuttle Bus Service. As one of the largest transportation providers in the South Florida Metropolitan area, and the only local provider able to meet the City’s requirements, ProKel Mobility has the knowledge, resources and experience to meet and exceed the City’s needs and expectations.

ProKel Mobility is a Florida Department of Transportation DBE-certified minority-owned business that brings extensive experience serving Florida communities. ProKel Mobility’s local project management team and regional corporate support is unprecedented in the industry because we provide dedicated account managers to every one of our clients.

ProKel acknowledges and understands that the purpose of this solicitation is to acquire a qualified vendor with requisite experience to provide operations and maintenance of transit services for the City of Margate (City) as stated herein and in accordance and strict compliance with the Interlocal Agreement (ILA) between Broward County (County) and the City, which is attached hereto as Exhibit B.

Giant National Top Tier Transit Experience: ProKel Mobility team members bring **over 200 years of combined experience** and have partnered with some of the largest transit agencies and firms in North America.

ProKel Mobility maintains extensive experience working with government agencies in providing fixed-route scheduled passenger transportation services. Within the last five (5) years, we have worked with the following agencies, which are still active clients:

### 1. City of North Miami Beach Trolley Shuttle Bus Service (Fixed Route)



ProKel operates the full turnkey day-to-day management, operations and maintenance for five (5) shuttle trolley public transportation routes within the City of North Miami Beach. Due to exceptional service and an enhanced operations program, ridership has increased by more than 100% since the start of the contract in April 2021. Additionally, vehicle preventive maintenance inspections are 100% compliant.

A true transportation partner to the City of North Miami Beach, ProKel works closely with city staff to enhance mobility options for residents within the community. ProKel’s services are also used for special events throughout the year.

City of North Miami Beach Trolley Shuttle Project Information	
<b>Ridership Improvements</b>	Ridership has increased by 110%
<b>On-Time Performance</b>	Exceptional On-time performance
<b>Safety Record</b>	Zero (0) preventable accidents since the start of the contract
<b>Total Contract Value</b>	\$5 million (5 year Value)
<b>Contact Information</b>	Name: Ms. Marjorie Edwards Phone Number: (305) 450-8094 Email Address: marjorie.edwards@citynmb.com Address: 17050 NE 19th Ave, North Miami Beach, FL 33162

## 2. COTA Mainstream (Columbus, Ohio)



ProKel, in partnership with Transdev, operates transportation services for the Central Ohio Transit Authority (COTA) Mainstream. COTA's mission is to "provide solutions that connect people to prosperity through innovation, dedication and teamwork." ProKel shares the same vision.

Central Ohio Transportation Authority (COTA)	
<b>Customer Service</b>	Customer service is at the core of ProKel's training program and is based on our white-glove, service-centric culture. ProKel's proven top customer service ratings are a key reason that government contracting municipalities outside of Florida are requesting ProKel's transportation services in their regions.
<b>On-Time Performance</b>	ProKel maintains a high 96.97% on-time performance due to a superior driver training program and high expectations set by the company from the first day of training for all employees.
<b>Safety Record</b>	Safety is the #1 focus of the operation. ProKel established a "Safety 1st" culture to ensure the maintenance of a great safety record in Ohio, just as ProKel does for all of our divisions in Florida.
<b>Contact Information</b>	Name: Ms. Amy Hockman Phone Number: (614) 275-5821 Email Address: hockmanan@cota.com Address: 1330 Fields Ave, Columbus, OH 43201

### 3. MTM (Region of South Florida)



ProKel began operating transit services in the nonemergency medical transportation (NEMT) space for MTM in 2016. This door-to-door service serves the community's most vulnerable citizens, and ProKel is ranked as one (1) of the top providers in this space. Our customer-centric culture derives from our offering of this service, and we've been able to translate this service- and safety-minded philosophy to all of the modes of transit we operate today.

MTM Region of South Florida	
<b>Customer Service</b>	We improved the customer service profile by instituting a customer service training program that focuses on customer experience and safety. ProKel leads the network as the most requested company in the region from both rider and facility.
<b>On-Time Performance</b>	OTP has improved in the service due to the introduction of new technology and map training.
<b>Safety Record</b>	The accident rate was reduced by 18% year over year.
<b>Cost Containment</b>	ProKel works closely with the client to ensure ongoing cost containment to guarantee the lowest costs possible.
<b>Productivity</b>	We maintained high productivity since the beginning of the contract, ensuring improvements on an annual basis.
<b>Contact Information</b>	Name: Ms. Letoya Taylor Phone Number: (941) 777-6019 Email Address: <a href="mailto:lataylor@mtm-inc.net">lataylor@mtm-inc.net</a> Address: 759 South Federal Highway, #301, Stuart, FL 34994

In addition, the Contractor shall comply with applicable federal, state, county and local laws and regulations, including but not limited to County Ordinance 92-8 pertaining to the maintenance of a Drug Free Workplace Program, Federal Transit Administration (FTA) regulations, the Americans with Disabilities Act (ADA) of 1990, as amended, 42 U.S.C. (Sections 12101 etc. and subsequent), prohibits discrimination against qualified individuals with disabilities in all programs, activities and services of public entities, as well as imposes specific requirements on public and private providers of transportation, and Department of Transportation (DOT) Public Transportation Regulations implementing Section 504 and ADA, "Nondiscrimination of the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR Part 27, Part 37, Architectural and Transportation Barriers Compliance Board and DOT regulations, Americans with Disabilities (ADA) Accessibility Specifications for Transportation Vehicles." 36 CFR Part 1192 and 49 CFR Part 38, all as currently enacted or as may be amended from time to time.

ProKel is an experienced and capable provider across the nation in many different districts. We will use this expertise to ensure compliance with all applicable regulations: state, federal and local.

In addition, ProKel will comply with applicable federal, state, county and local laws and regulations, including, but not limited to, County Ordinance 92-8 pertaining to the maintenance of a Drug Free Workplace Program, Federal Transit Administration (FTA) regulations, the Americans with Disabilities Act (ADA) of 1990, as amended, 42 U.S.C. (Sections 12101 etc. and subsequent), prohibits discrimination against qualified individuals with disabilities in all programs, activities and services of public entities, as well as imposes specific requirements on public and private providers of transportation, and Department of Transportation (DOT) Public Transportation Regulations implementing Section 504 and ADA, "Nondiscrimination of the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR Part 27, Part 37, Architectural and Transportation Barriers Compliance Board and DOT regulations, Americans with Disabilities (ADA) Accessibility Specifications for Transportation Vehicles." 36 CFR Part 1192 and 49 CFR Part 38, all as currently enacted or as may be amended from time to time.

**The City currently oversees four (4) free shuttle routes under Broward County Transit's (BCT) Community Shuttle Service. The routes are meant to improve mobility and connectivity within the City and adjoining Cities, covering areas that larger buses are unable to serve. The services are provided on the days, locations, and schedules set forth in the attached Exhibit A – Service Schedules, Routes, and Maps.**

ProKel has done its due diligence in familiarizing ourselves with Broward County Transit and their Community Shuttle Service and routes. We have included these in our planning of project implementation.

**The Contractor shall solely be responsible for providing and paying materials, tools, equipment, labor and professional and non-professional services and shall perform all other acts and supply all other goods and services necessary to fully and properly perform and complete the service as stated herein.**

ProKel and our team deem all responsibility for providing and paying for materials, tools, equipment, labor and professional and non-professional services. This is already a part of something we consider a standard service to our clients. We also guarantee to perform all other acts and supply all other goods and services required to have a successful project outcome.

**CONTRACTOR agrees to provide all services necessary to provide for the day-to-day management, operation, and maintenance of the public transportation services for the "Margate Inner-City Transit Routes" according to any current or future agreements between County and CITY. CONTRACTOR shall comply with every term, condition, duty and obligation set forth in a AGREEMENT.**

We agree to provide all services necessary to provide for the day-to-day management, operation, and maintenance of the public transportation services for the "Margate Inner-City Transit Routes"



according to any current or future agreements between the County and City. We guarantee our compliance with every term, condition, duty, and obligation set forth in the Agreement.

**CONTRACTOR shall provide public transportation services (services) at the locations and according to schedules contained in Exhibit A, a copy of which is attached hereto and incorporated herein by reference. CONTRACTOR shall provide 7,380 annual hours of such services. With proper notification, CITY may add or reduce services during the term of a AGREEMENT and any subsequent extension.**

ProKel will provide public transportation services at the locations that the City requests and that follow the schedules that have been provided in Exhibit A. We will provide 7,380 annual hours to these services. We understand that the City may add or reduce services during the term of the agreement and any subsequent extension.

**Established service shall be on fixed routes with designated intermediate stops. The hours of operation shall be initially fixed by the CITY and may be changed from time to time at the absolute discretion of the CITY. Service shall be provided in accordance with the established routes provided by the CITY.**

We will ensure that established service will be on fixed routes with designated intermediate stops and hours of operation will be initially determined by the CITY and can be changed at the City's discretion. ProKel will provide services in accordance with the established routes that have been provided by the City.

**The CITY service shall connect with regular County shuttle routes, as set forth in Exhibit A. CONTRACTOR shall complete one hundred (100) percent of all scheduled trips on a daily basis, subject only to delays attributable to vehicular accidents, mechanical breakdowns or force majeure. The minimum hours of operation shall be reduced by nine (9) hours during any week in which a legal holiday is recognized on a weekday, or as designated by the CITY.**

Our team will complete 100% of all scheduled trips on a daily basis, subject only to delays attributable to vehicular accidents, mechanical breakdowns or force majeure. We understand that the minimum hours of operation shall be reduced by nine (9) hours during any week in which a legal holiday is recognized on a weekday, or as designated by the City.

**City may approve changes to routes including changes that result in an increase or decrease in service or service hours by no more than thirty percent (30%) of the total Agreement amount.**

We understand that the City may approve any changes to routes including changes that result in an increase or decrease in service or service hours by no more than 30% of the total Agreement amount.

**It shall be the responsibility of the CITY to obtain any necessary permission to access or encroach upon any private property for uses as an origin and/or destination associated with the AGREEMENT.**

ProKel understands that it is the responsibility of the City to obtain any necessary permission to access or encroach upon any private property for uses as an origin and/or destination associated with the AGREEMENT.

**CONTRACTOR shall comply with all applicable requirements of the Americans with Disabilities Act ("ADA") at all times while the vehicles provided herein are being utilized for public transportation and while utilizing any and all routes approved herein. To the extent any terms in the AGREEMENT are inconsistent with the ADA, the requirements of the ADA shall control.**

Providing transportation services to all without exception is important to ProKel and the reason we are proud to be a part of projects like this one. We guarantee to be in compliance with all applicable requirements of the Americans with Disabilities Act ("ADA") at all times while the vehicles provided herein are being utilized for public transportation and while utilizing any and all routes approved herein. We will ensure the vehicle is re-inspected prior to being put into or returned to service. This includes all required safety features, ADA compliance, maintenance records, vehicle signage, accident damage and vehicle condition. ProKel will be responsible for ensuring that passengers scheduled for ADA trips have been certified by the ADA Program Coordinator at the County.

**CONTRACTOR shall at all times during the AGREEMENT comply with the requirements of County Ordinance 92-8 pertaining to the maintenance of a Drug Free Work Place Program. CONTRACTOR certifies compliance with this requirement by means of executing the DrugFree Workplace Program Form.**

The ProKel team guarantees to comply with the requirements of County Ordinance 92-8 pertaining to the maintenance of Drug Free Work Place Program and this requirement by means of executing the DrugFree Workplace Program Form. We have included this form in "Forms and Attachments."

ProKel's internal **Employment Standards Team (EST)** collaborates with **KelHire**, our internal background check/recruiting vertical, to conduct primary reviews of all background criminal records, motor vehicle records, previous employment records and drug screenings.

In addition to comprehensive background checks, we have a **strict zero-tolerance policy about drug and alcohol abuse**. We screen all applicants before offering employment. Resources are available to any existing employee who seeks help or rehabilitation for substance abuse. Our formal [Drug and Alcohol Policy](#) can be provided for review upon request.

ProKel's Zero Tolerance Drug and Alcohol Testing Program is critical to its provision of a safe, healthy and productive work environment. All of our employees are subject to the four (4) drug and alcohol screening types described below, pursuant to their employment category (safety-sensitive versus not-safety-sensitive):

- **Pre-Employment**—All offers of employment are contingent upon the successful completion of a pre-employment drug screen. Failure to submit to said test, or a positive screen, results in revocation of the offer of employment.
- **Random**—All safety-sensitive employees are automatically entered into the company pool for random testing pursuant to FTA regulations.

- **Post-Accident**—ProKel conducts DOT post-accident drug and alcohol testing immediately for any employee who is involved in an incident or accident meeting FTA/DOT criteria. If the accident does not meet the FTA/FMCSA testing criteria, we will reserve the right to test any safety-sensitive employee after any accident/incident regardless of the severity of the accident/incident.
- **Reasonable Suspicion**—This test may be required if significant and observable changes in employee performance, appearance, behavior, speech, etc. provide reasonable suspicion of the influence of alcohol/drugs. All frontline personnel are observed by supervisory personnel who are certified as having completed the DOT Supervisor's Class in Reasonable Suspicion Training in Drug and Alcohol.

Under ProKel's Zero Tolerance Drug and Alcohol Testing Program, administered by our Safety Manager, a positive screen or refusal to be tested under these conditions results in termination of employment. It is regularly updated and complies and/or exceeds FTA and DOT requirements. ProKel has successfully completed each FTA audit to which it has been subjected.

Random drug and alcohol testing selections are determined using state-of-the-art software, including a computer-generated selection process program that randomly selects individuals (donor) for testing without discrimination. These assignments are available to the location on the first of each month to begin performing testing immediately. ProKel uses local occupational health clinics to perform the urine and breath alcohol collections for testing. All results are transmitted to the Safety Manager, who processes the information and provides it to the local management team.

**Contractor agrees to produce any written documentation, certified as necessary, necessary to establish its compliance with 49 C.F.R. Part 655, prior to the commencement of community shuttle service, and shall permit any authorized representative of the DOT or its operating administrations, the State Oversight Agency, or County, or City to inspect Contractor's facilities and records associated with the implementation of the drug and alcohol testing program as required under 49 C.F.R. Part 655 and review the testing process.**

We want to be as helpful and transparent with our work and process as possible. We agree to produce any written documentation, certified as necessary, that is needed to establish our compliance with 49 C.F.R. Part 655, prior to the commencement of community shuttle service, and will permit any authorized representative of the DOT or it is operating administrations, the State Oversight Agency, or County, or City to inspect our facilities and records associated with the implementation of the drug and alcohol testing program as required under 49 C.F.R. Part 655 and review the testing process.

**CONTRACTOR agrees to COUNTY boarding rules that throughout the term of the AGREEMENT, the Margate Inner-City Transit ("MIT") logo and the County assigned identification number shall be conspicuously displayed on the rear of the vehicle at all times. CONTRACTOR agrees that if the CITY specifies advertising for the buses, it shall be placed on the vehicle in the manner specified by the CITY. CONTRACTOR shall not place any advertising, other graphics or lettering on (or within) the bus without express written permission from the CITY . CITY may direct that CITY approved advertising ; graphics or lettering be placed on (or within) the bus.**

We will be compliant and follow the City's lead for any and all branding. We agree to the Country boarding rules that throughout the term of this agreement, "MIT" logo and the County assigned identification number shall be conspicuously displayed on the rear of the vehicle at all times. We confirm that if the City specifies advertising for the buses, it shall be placed on the vehicle in the manner specified by the City. We will not place any advertising, other graphics or lettering on (or within) the bus without express written permission from the City.

**CITY and COUNTY shall review all policies established by the CONTRACTOR, outside of those required by the ILA, concerning the public transportation services.**

We welcome the City and County to review all policies established by ProKel, outside of those required by the ILA, concerning the public transportation services.

**CITY shall review the service planning, including adjustments to the routes, schedules, and such other factors that affect the quality of service provided.**

We welcome the City to review the service planning, including adjustments to the routes, schedules and such other factors that affect the quality of service provided.

**CITY shall provide CONTRACTOR with bus route timetable schedules prepared by the CITY for CONTRACTOR to make available to residents, visitors, and passengers.**

We understand that the City will provide us with some bus route timetable schedules that were prepared by the City for us to make available to residents, visitors and passengers.

**CITY shall be responsible for designation of transit stops. It is understood that passengers will ONLY be able to board and depart at designated stops.**

ProKel holds high value on passenger safety and we will follow any and all directions regarding transit protocols. We understand that the City is responsible for designating the transit stops and that passengers will only be able to board and depart at designated stops.

**CONTRACTOR acknowledges that a AGREEMENT is subject to the terms and conditions contained in the CITY's Interlocal Agreement for Community Shuttle Service with the County.**

We acknowledge that this agreement is subject to the terms and conditions contained herein and in the City's Interlocal Agreement for Community Shuttle Service with the County.

**CONTRACTOR will clearly and professionally mark vehicles with CITY and route identifications, i.e., City of Margate Transit, A, C, D, As.**

We will be sure to clearly and professionally mark vehicles with City and route identifications, i.e., City of Margate Transit, A, C, D, As.

**CONTRACTOR shall provide written accounts/reports of complaints, all monthly, quarterly, and annual reporting and certifications required and requested, driver's records/ ridership documentation/ revenue miles driven, down routes, down buses, and any rider compliments in**

**accordance with the requirements of the ILA and any additional reports allowed by the ILA. Reports shall be in an electronic format such as Excel for each individual reportable item.**

We will be sure to provide the City with written accounts/reports of complaints, all monthly, quarterly and annual reporting and certifications required and requested, driver's records/ridership documentation/revenue miles driven, down routes, down buses, and any rider compliments in accordance with the requirements of the ILA and any additional reports allowed by the ILA. These reports we provide will be in an electronic format such as Excel for each individual reportable item.

Reporting and regulatory requirements will dictate a certain number of performance measures that will have to be reported. We will implement forms for daily operations and reporting. The ProKel team will review and revise as needed daily, weekly & monthly report requirements.

**Contractor shall submit operating, financial, performance, NTD reports, and invoices as directed by County Contract Administrator and/or the City.**

ProKel will submit operating, financial, performance, NTD reports, and invoices as directed by the County Administrator and/or the City. ProKel is able to **meet the NTD reporting requirements** and currently provides these reports to clients who receive federal funding and are required to submit them. We use the accepted FTA sampling methodology and have systems in place to collect and report this information pursuant to the guidelines of the National Transit Database Reporting Manual.

**PROJECT ADMINISTRATION: All technical questions relative to the Work shall be directed to:**

**City of Margate Public Works Department  
Attn: Assistant Public Works Director  
102 Rock Island Road  
Margate, FL 33063  
954-972-8126**

Should ProKel have any technical questions, we will utilize the contact information provided herein.

## ***Technical Assistance***

**Pursuant to the County Interlocal Agreement (ILA), COUNTY will provide the vehicle chauffeurs hired by CONTRACTOR, or its contractors, with training in passenger relations, rules of the road, and transit system information, unless the CONTRACTOR has training, in accordance with the ILA. All vehicle chauffeurs shall be required to attend and successfully complete County's training program prior to operating the vehicles. This requirement shall extend to any and all vehicle chauffeurs employed at any time during the term of this AGREEMENT.**

ProKel confirms that, as required, any and all vehicle chauffeurs employed at any time during the term of this agreement will attend these trainings.



**If the awarded Contractor has his own Operator Training Program, it must be consistent with County Training Program and MUST be approved by Broward County in writing. Contractor will be required to send the Drivers Certificates of Completion of training to the City.**

ProKel is proud of its training process but will work to ensure that we have parity with the requirements and priorities of the City and County required Training Program. We can also provide all required Drivers Certificates of Completion when completed to the City.

**CONTRACTOR agrees to cooperate with County and CITY staff with respect to any aspect of planning, scheduling of public transit routing, and/or coordination with the County the CITY might request.**

We agree to cooperate with County and City staff with respect to any aspect of planning, scheduling of public transit routing, and/or coordination with the County the City might request.

## ***Term and Time of Performance***

**Term of AGREEMENT: The initial term of the AGREEMENT shall be for a period of three (3) years. The AGREEMENT may be extended for two (2) additional one (1) year periods providing all terms, conditions, and specifications remain the same upon the written approval of both the CITY and the CONTRACTOR. Notification of Intent to Renew will be sent ninety (90) days prior to the expiration of the then current term. If the term of the AGREEMENT extends beyond a single fiscal year of CITY, the continuation of the AGREEMENT beyond the end of any fiscal year shall be subject to the availability of funds from CITY in accordance with the CITY's budget process. The CITY may terminate an AGREEMENT by notification, in writing, at least thirty (30) days prior, with or without cause. The CITY or CONTRACTOR is under no obligation to extend or renew an AGREEMENT after its expiration.**

ProKel understands the initial term of the Agreement shall be for a period of three (3) years, with the potential for an extension of two (2) additional one (1) year periods providing all terms, conditions, and specifications remain the same upon the written approval of both the City and ProKel (if awarded). We are aware the notification of Intent to Renew will be sent ninety (90) days prior to the expiration of the then current term. If the term of the Agreement extends beyond a single fiscal year of the City, the continuation of the Agreement beyond the end of any fiscal year shall be subject to the availability of funds from the City in accordance with the City's budget process. ProKel acknowledges and accepts the City's right to terminate an Agreement by notification, in writing, at least thirty (30) days prior, with or without cause. As such, the City or ProKel (if awarded) is under no obligation to extend or renew an Agreement after its expiration.

**Emergency Preparedness and Continuity of Operations: Because the tasks to be performed pursuant to a AGREEMENT include the physical care and control of passengers as well as the**

**administration and coordination of public transportation services necessary for passenger health, safety, or welfare, the CONTRACTOR will, within 30 days of the execution of this AGREEMENT, submit to the CITY, verification of an emergency preparedness plan.**

ProKel is acutely aware of our responsibility to the health, safety, and welfare of all passengers during all potential scenarios, including emergencies; these responsibilities are always in consideration during the administration and coordination of our public transportation services. We, within 30 days of the execution of this Agreement, will submit to the City, verification of an emergency preparedness plan. It is our sole intent to provide the City with a complete, extensive breakdown of an emergency preparedness plan as an explicit example of our devotion to the complete safety and care of all passengers.

**In the event of an emergency, the CONTRACTOR will notify the CITY of emergency provisions. In the event an emergency results in a cessation of services by the CONTRACTOR, the CONTRACTOR will retain the responsibility for performance under a AGREEMENT and must follow procedures to ensure continuity of operations without interruption.**

ProKel understands, in the event of an emergency, ProKel will notify the City of any necessary emergency provisions. In the event an emergency results in a cessation of services by ProKel, ProKel will retain the responsibility for performance under an Agreement and must follow any and all procedures to ensure continuity of operations without interruption.

## ***Personnel Requirements***

**Vehicles shall be operated by properly licensed operators ("Vehicle Chauffeurs"/"Drivers") employed by CONTRACTOR. These employees shall provide full utilization of vehicles to disabled passengers while in service.**

ProKel verifies that all vehicles will be operated by properly licensed operators ("Vehicle Chauffeurs"/"Drivers") employed by ProKel. These employees will provide full utilization of vehicles to disabled passengers while in service, and so, we understand the implicit importance of employing drivers who are not only properly licensed, but also remain cognizant of the diversity of all passengers. ProKel assures, to the City, all of our drivers meet and exceed the necessary requirements, as we thoroughly examine each of our driver candidates before the operation of any vehicles.

We have also included our Training Modules as **Appendix F: Training Modules.**

In addition we have also included our Employee Handbook as **Appendix G: ProKel Handbook.**

**CONTRACTOR shall designate a Project Manager who will oversee the complete operation of the public transportation service and who will serve as the day-to-day liaison with the CITY.**

ProKel, in accordance with this proposal, will designate a Project Manager who will oversee the complete operation of the public transportation services and will serve as the day-to-day liaison

with the City. We understand the importance of such positions, and will appoint a Project Manager fully capable of handling each of these responsibilities defined by this proposal. It is of the utmost importance to ProKel that we maintain proper communication and relationships with the City, at all stages of the agreement, to best provide transportation services for local citizens to the complete satisfaction of the City.

## **Expert Management Team Who Knows This Service and This Community**

### **Robert Hann, Special Projects Manager Overseeing City of Margate Bus Shuttle**



Robert Hann has been in the transportation industry since 1995, most recently serving as General Manager for Coach USA in Chicago. He will serve as the transportation planner for the City of Margate project.

He has vast experience designing and operating fixed route bus services, corporate commuter, airport, convention and parking lot shuttles as well as private transportation solutions.

Robert has an MBA from DePaul University and a MS from the Kelley School of Business at Indiana University.

### **Kelly Gonzalez Jr., ProKel Mobility City of Margate Project Manager / CEO - 2ND VP OF COMTO Miami**



Kelly is the embodiment of the American dream in the transit community. Starting off as a driver earning minimum wage, to becoming the director of the largest privately-owned transportation company in North America. His previous experience includes working at a company whose growth expanded to **\$1.3 billion in revenue** with **16,000 team members and 10,000 vehicles nationwide**. With this knowledge in tow, Kelly brought the same ingenuity and innovative solutions approach to ProKel Mobility. Kelly's transportation industry solutions have positioned ProKel to become a leader in the industry and secure market space in paratransit, shuttle bus services, and special needs transportation.

Outside of leading ProKel as one (1) of the nation's preferred transportation firms, Kelly is known for his proactive and positive employee relations. Kelly implements performance and safety-focused incentive goals to not only reward ProKel employees for doing a good job, but also to compensate

them for a job well done. This **inclusive equity reward system** is one (1) of the reasons ProKel drivers stay motivated throughout their employment with the company. ProKel's **turnover is less than 6% thanks** to retention plans that Kelly has enacted at the company.

**(Featured by Florida Panthers for its Hispanic Excellence Awards)**



### Local Experience and Knowledge of This Contract

ProKel Mobility's proposed management team and staff to support this contract are not only the best in the industry, but are also **residents of the area and community leaders**. To the management team, this is more than just a "government contract."

ProKel Mobility's CEO/Owner, Kelly Gonzalez Jr., is a resident of South Florida and has led numerous initiatives to propel South Florida's transit management development and the community.



During his tenure as general manager for both the Transportation Management Association's Downtown City Fort Lauderdale Sun Trolley and Broward County's TOPs Program, Kelly has managed the oversight of 260 employees as well as 100+ propane and diesel vehicles. Kelly was able to lead the County to new accomplishments, including those listed below.

- Worked with local stakeholders to push the Penny for Transportation surtax, which is now helping multiple small cities within the County



- Raised the wages for the workforce and added new, attractive benefit packages to improve the quality of life of all employees and satisfy his *Diversity, Equity, Inclusion* philosophy
- Successfully introduced, piloted and operated the City of Fort Lauderdale's first 100% electrical shuttle bus, thus reducing the carbon footprint
- Successfully organized, shuttled and evacuated residents to shelters during the State of Emergency declarations of Florida Governor Ron DeSantis and Broward County Mayor Mark Bogen
- Introduced new safety programs focused on positive behavior reinforcement, which helped dramatically decrease accidents and improve passenger customer service
- Sourced new micro-transit alternatives to offer partnering cities improvement in service delivery and innovation
- Assisted cities as a consulting arm (at no additional cost) with marketing and route optimization initiatives to ensure they surpass their Interlocal 1.7 PPH agreements



Kelly is also active with numerous at-risk youth non-profit organizations in Florida. Growing up from humble beginnings in inner-city Liberty City, Kelly depended on the Police Athletic League (PAL) and afterschool programs for support, education and sometimes even food.



Today, via ProKel Mobility, Kelly makes it a priority to be involved in the community he serves.





Pictured above is Kelly's community involvement that emphasizes giving back within local communities. Kelly partners with local government and local PAL programs to help fill voids and needs for the most vulnerable within the community.

### **Eduardo Carrion, Chief Operating Officer**



An innovative and results-driven leader focused on achieving exceptional results in high-paced environments that demand continuous process improvement, Ed is characterized as a visionary, strategist and tactician.

Ed has a consistent record of delivering extraordinary results in growth, operational performance, and workforce development. He is experienced in driving services, process and customer service improvements while building partnerships with key decision-makers.

He will help the City ensure a comprehensive and complete system.

### **Vasti Amaro, Strategic Advisor**



Since Vasti joined the company in 2020, ProKel Mobility has broken into new market sectors and doubled its growth despite the pandemic. Vasti helped build ProKel's operations structure which has today allowed the company to operate at 95% on all operations, safety and safety metrics nationwide.

Vasti has more than twenty-five (25) years of transportation experience in both public and private sectors, delivering passenger transport in the transit, airport ground transportation and

university space. While working for global transportation firms, she was responsible for successful start-up operations for Hillsborough Area Regional Transit (HART) in Tampa, Dallas Area Rapid Transit (DART), Phoenix Transit, Greater Richmond Transit Company (GRTC), Phoenix Sky Harbor International Airport (CONRAC), Fort Lauderdale-Hollywood International Airport and the bus shuttle for the Miami International Airport.

Before joining ProKel's board and serving as the executive suite coach for ProKel's CEO Kelly Gonzalez Jr., Vasti served as the Chief of Staff for the Port Authority of Allegheny County, where she worked closely with CEO Katharine Eagan Kelleman and helped improve the agency's service, modernized its systems and expanded the public engagement programs.

Vasti also serves as an Advisory Board member for Women of Color Golf and Director of the Girls on the Green Tee Program, a nonprofit organization based in Tampa, FL. Their mission is to teach women and young girls of color ages ten (10) to seventeen (17) the game of golf. The organization was recently selected as the PGA Charity of the Year, receiving \$30,000 for the Girls on the Green Tee program. They also hosted its Inaugural Golf Classic in conjunction with the NFL Alumni Super Bowl of golf tournament raising additional funds for the program.

#### **Natasha Serra, Director of Grants and Mobility Funding Compliance**



Natasha is dedicated to the South Florida region, and has more than eight (8)+ years of experience with auditing and compliance in FTA 5307, 5310, 5311, 5312 and 5339 funding. Natasha holds a degree in Organizational Management with a Concentration in Public Safety Administration. She is a passionate human services advocate with a proven track record of leveraging resources to implement transit projects. She has extensive experience with public involvement programs at the local, state and National level, and has developed innovative programs by integrating technological resources and human capital. Natasha excels at organizing community stakeholders to work towards common goals while tracking and analyzing program-related performance measurements metrics.

#### **Frank Ciccarella, Vice President of Safety**



Frank has more than forty (40) years of senior executive safety and training transportation experience. Frank joined ProKel Mobility in October 2020 and has positively reshaped the safety culture within the company.

Winner of the 2007 American Public Transportation Association (APTA) Gold Award for the best overall safety program in America and now Vice Chairman of the APTA Bus Safety Committee, Frank has gone from strength to strength, conceiving, creating, implementing and directing a great number of transportation safety programs — especially

paratransit safety and customer care driver training programs. He has been rewarded by seeing these programs come to fruition, raising the levels of safety and customer care in the companies concerned. These have not been small organizations. Frank has expertise as a senior executive in a \$2.2 billion passenger transportation company and has directed large-scale change management processes.

### **Lashonda Carter, Regional Safety Manager**



Lashonda is highly proficient in the Smith System and LLLC defensive driving programs. She incorporates these programs as the foundation of her organizational behavior disciplines and management theories. She came on board with ProKel in 2017, and the company immediately felt the impact. Our accident frequency rate decreased by 43%. This not only ensured the safety of our passengers and drivers, but also affected the financials of our company. We were able to lower our pricing due to decreased insurance premiums, which in turn allowed us to be more price-competitive for our customers and helped them be better stewards of the funds they receive for our services.

At ProKel, we take safety seriously. Lashonda has a No Unsafe Zero (0) Tolerance Policy, which ensures the safety of the passengers on the road.

Lashonda also has multiple positive behavior incentive programs that encourage safe driving. She is a big believer in positive reinforcement. The positive behavior and incentive programs she does monthly keeps our drivers on their toes and excited about safety, while boosting the overall morale of our company. The standard she sets at the location can be felt when we receive positive customer service commendations from riders. She always preaches that great safety habits and great workforce morale will trickle down to the service provided.

### **Angelica Williams, Director of HR and Internship Program**



Angelica is a University of Florida graduate with over ten (10) years of experience in human resources, recruiting and internship programs. Angelica will manage the recruiting functions for the City and make sure ProKel has the best talent in the industry. She will also work directly with Kelly Gonzalez Jr. on programs to ensure the City's employees are retained and morale is consistently high.

She will oversee the development and implementation of this program, and assign interns to various departments. Angelica acts as the liaison between the company and the educational institution (the student's faculty sponsor, the school's career center director and/or career counselors). She directly supervises and interacts with the interns, coordinates their day-to-day activities with department



supervision, evaluates intern performance and provides progress reports to the educational institution.

### Warren Montague, Special Projects Consultant



Mr. Warren Montague brings thirty (30)+ years of first-class transportation operations experience. With twenty (20) years leading transportation efforts in the City of Philadelphia and an impressive transit record managing transportation services as a paratransit general manager providing services for Metropolitan Atlanta Rapid Transit Authority (MARTA), Mr. Montague has one of the most distinguished resumes in the nation.

ProKel contracts and brings in the best. This is why ProKel's CEO Kelly Gonzalez Jr, recruits championship level paratransit experts such as Mr. Montague to support the operations of the company.

Mr. Montague, former manager of mobility services operating as a contractor for the Detroit Department of Transportation, is a mentor to Mr. Gonzalez. Mr. Montague took Mr. Gonzalez under his wing in 2015 via Conference of Minority Transportation Officials' (COMTO) workshop programs. Since 2015, Mr. Gonzalez has been fortunate to learn from the best, and today passes it forward by bringing a talent and a transportation industry legend that the City deserves.

Mr. Montague, just like all ProKel team members, will assist the City on all matters related to paratransit services. The investment ProKel has made to bring in someone with the impressive background and impeccable resume like Mr. Montague shows the true commitment ProKel has to support the City and usher in the future of paratransit in Margate.

Warren Montague currently serves as the manager of mobility services for MV Transportation in Detroit, MI. In this role, he is the liaison for the Detroit Department of Transportation (DDOT) Compliance & Standards department which oversees the Disadvantaged Business Enterprise (DBE) Program, Title VI, Paratransit Services, Specialized Services and the Drug and Alcohol Program.

Previously, Warren was the Chief Operating Officer for Customized Community Transportation of the Southeastern Pennsylvania Transportation Authority (SEPTA), in which he was responsible for all contracted transportation services including paratransit and circular and small bus routes in the surrounding counties. As a transportation professional, he was an effective chief and oversaw one of the largest paratransit operations in the United States. His management expertise facilitated the delivery of critical transportation services to a seriously under-served constituency in the fifth largest city in the country.

Since 1996, Warren has been an active member of COMTO's local and national organization in the following capacities:

- President of the Greater Philadelphia Area Chapter (six (6) years);
- National Board of Directors (ten (10) years)
- Council of Presidents Representative (six (6) years)
- Secretary/Treasurer (two (2) years)

- 1st Vice Chair (two (2) years)
- Conference Chairman, 2011 National Meeting and Training Conference in Philadelphia, PA

Under his leadership and guidance, the Greater Philadelphia Area local chapter has received numerous awards including “Chapter of the Year” for its community service and scholarship efforts. In addition, local corporate executive members have been awarded “Executive of the Year.” Warren has been the recipient of several awards for his service and leadership, including the Gerald A Sibling Award. Although currently working in the Midwest, he continues to stay connected and provide counsel to the local chapter.

Warren holds a Bachelor’s Degree in Criminal Justice from Temple University and an Associate’s Degree in Arts: General Studies. He is a member of Omega Psi Phi Fraternity, Mu Omega; Phoenix Lodge #3 F&AM, PHA; Melchizedek Chapter #15 HRAM; Martin Luther King Jr. Consistory #86 and Pyramid Temple #1 AEAONMS. Former Board member: Pennsylvania Transportation Coalition (PenTrans) and Philadelphia Academies, Inc. Advisory Board for Public Education. He is currently serving on the Deacon Board of Sharon Baptist Church of Philadelphia.

### Marcos Monheit, CFO



Marcos Monheit is an alum of John Hopkins University. Marcos has twenty (20)+ years of experience in the financial realm.

He is a financial executive at Monheit Consulting LTD., with broad experience in all aspects of financial management including accounting, financial reporting, budgeting and analysis, treasury, capital markets and mergers and acquisitions. He is experienced with start-up companies and private equity funding as well as with companies at every stage of development. Marcos specializes in financial modeling, mergers and acquisitions, interest rates derivatives and implementation of credit facilities.

### Mitch Phanor, Vice President of Operations

ProKel Mobility’s Chief Operating Officer, Mitch Phanor, brings over twenty (20) years of transit experience from his years of working with the New York transit system. Mitch had oversight of startups and mobilizations, which included 2,000+ vehicles and 3,000+ team members during his tenure in New York City, for all the municipal contracts under New York City Transit and local and state governing agencies.

During his twenty (20) year term in New York City, Mitch’s operations maintained a 97%+ On-Time Performance, and he was recognized for multiple Safety and Blue Seal of Excellence Awards for maintaining government-owned fleets in good condition and ensuring his maintenance technicians were Automotive Service Excellence (ASE) certified.





Mitch Phanor’s extensive range of experience in operating and managing all of New York City’s boroughs will give the City operation experience oversight that no other local provider can match or deliver.

Mitch, who currently oversees the day-to-day operations for ProKel nationally, is committed to providing distinctive tailored services to Margate and addressing the individual needs and requirements of the City.

Mitch fosters a spirit of “the customer always comes first” and he takes pride in the work he does to achieve that goal, exceeding the contractual expectations of the City. Mitch’s experience and management culture have proven to be invaluable in servicing the transportation needs of all the agencies ProKel services, including:

- The State of New York,
- The City of North Miami Beach,
- The Columbus Ohio Transit Authority,
- The Valley Metro Regional Public Transportation Authority,
- All Palm Beach County regional operations,
- All Broward County regional operations, and
- All Miami Dade County regional operations.

#### Anthony Radicone, Vice President of Maintenance

Anthony Radicone will be the Vice President of Maintenance for this engagement, bringing his experience running maintenance operations on the management level for over thirty (30) years.

He most recently served with First Transit Group. As the Maintenance Manager he ensured safe operation and proper service schedules, including Audit Work Orders and monitoring trends and recommending changes to the maintenance program. He will bring that capability to Margate, supporting the existing and new fleet.



For further information about any of our team members, please contact us.

**CONTRACTOR represents and warrants to the CITY that it has conducted a criminal background check on all of its employees providing services to the CITY pursuant to the AGREEMENT. CONTRACTOR represents and warrants that all employees engaged in providing services to the CITY have no criminal records and outstanding warrants for arrest. In the event of any breach by the CONTRACTOR of this provision, the CITY shall have the right to demand the immediate removal of the employee(s) from service, and failing that, the CITY shall have the right to immediately terminate the AGREEMENT.**

ProKel assures the City that we have conducted criminal background checks on all of our employees providing services to the City pursuant to the Agreement. Further, we confirm that all

employees engaging in providing services to the City have no current criminal records and/or outstanding warrants for arrest. ProKel acknowledges that should there be any breach by ProKel of this provision, the City will have the right to demand the immediate removal of the employee(s) from service, and failing that, the City shall have the right to immediately terminate the Agreement. For these reasons, ProKel has extensively vetted the backgrounds of all employees, and seeks to employ those who are best suited to represent ProKel, and by extension, the City, and are entirely free of any criminal records and/or outstanding warrants for the entirety of the Agreement terms.

**Vehicle chauffeurs/"Drivers" hired by CONTRACTOR shall issue County Shuttle route timetables or other transit information to any passenger requesting such material.**

ProKel confirms all vehicle chauffeurs/"drivers" hired by ProKel will issue County Shuttle route timetables or other transit information to any passenger requesting such material. ProKel welcomes the desire for transparency and will, at all times, be ready and willing to comply with any passenger requests for such information. Any such requests by passengers will be carried out in a timely manner, and presented directly to the passenger as requested, with all available information completed and up to date.

**Effective upon execution of a AGREEMENT and at all times during the AGREEMENT, CONTRACTOR shall comply with all applicable requirements of the United States Department of Transportation and the Federal Transit Administration, which shall include but not be limited to regulations for drug and alcohol testing. To the extent that any terms of this AGREEMENT are inconsistent with the United States Department of Transportation regulations, the requirements of the United States Department of Transportation shall control.**

ProKel confirms that effective upon execution of an Agreement and at all times during the Agreement, ProKel will comply with all applicable requirements of the United States Department of Transportation and the Federal Transit Administration, which shall include but not be limited to regulations for drug and alcohol testing. We are aware, to the extent that any terms of this Agreement are inconsistent with the United States Department of Transportation regulations, the requirements of the United States Department of Transportation shall control. All ProKel employees will be made aware of these requirements and be ready to willingly comply with any requests for drug and alcohol tests at any time throughout the term of this Agreement.

**CITY reserves the right to approve assigned personnel to CITY routes and request that the CONTRACTOR change personnel, if necessary.**

ProKel understands that the City reserves the right to approve assigned personnel to City routes and requests that ProKel change personnel, if necessary. ProKel always seeks to employ those who are best fits for our positions; however, we will willingly comply with any demands by the City to alter our personnel. It is of utmost importance to ProKel that the City is confident in our personnel and that the City is satisfied with all members of our team.

**Vehicle chauffeurs/"Drivers" employed by the CONTRACTOR during the term of this AGREEMENT shall be properly licensed operators. The vehicle chauffeurs/"drivers" shall have the**

**qualifications as required by the State of Florida and the County. All drivers shall, during the term of this AGREEMENT, possess the following qualifications and adhere to the following standards. CONTRACTOR shall immediately dismiss any driver from performing services under this AGREEMENT if driver fails to maintain said qualifications or standards as listed below:**

ProKel assures the City that all vehicle chauffeurs/"Drivers" employed by Prokel during the term of this Agreement will be properly licensed operators. We maintain that all vehicle chauffeurs/"drivers" will have the qualifications as required by the State of Florida and the County. All drivers shall, during the term of this Agreement possess the following qualifications and adhere to the following standards. ProKel will immediately dismiss any driver from performing services under this Agreement if a driver fails to maintain said qualifications or standards as listed below:

- **Minimum age for driver shall be 21 years.**

ProKel confirms all drivers will meet the minimum age and all drivers will be 21 years old.

- **Drivers must possess a valid Florida commercial driver's license as required by law.**

ProKel confirms drivers will possess a valid Florida commercial driver's license as required by law.

- **Drivers shall have no more than one (1) moving violations or accidents (counted individually or combined) within a three (3) year period. Drivers shall have no history of a conviction for a DUI, DWI, or possession, control, or distribution of an illegal substance. Additionally, drivers shall have no history of felony convictions. Finally, in the event a law enforcement agency charges a driver with any of the foregoing, upon receipt of knowledge of such fact, the driver involved shall be suspended.**

ProKel confirms drivers will have no more than one (1) moving violation or accidents (counted individually or combined) within a three (3) year period. Drivers shall have no history of a conviction for a DUI, DWI, or possession, control, or distribution of an illegal substance. Additionally, our drivers shall have no history of felony convictions. Finally, in the event a law enforcement agency charges a driver with any of the foregoing, upon receipt of knowledge of such fact, the driver involved shall be suspended.

- **Drivers must be capable of speaking, writing, and understanding the English language fluently.**

ProKel confirms drivers must be capable of speaking, writing, and understanding the English language fluently.

- **Drivers shall operate the vehicle in a safe and timely manner.**

ProKel confirms drivers shall operate the vehicle in a safe and timely manner.

- **Vehicle Operators shall not operate any personal wireless communication devices while occupying the Operator's seat or operating area.**

ProKel confirms Vehicle Operators shall not operate any personal wireless communication devices while occupying the Operator's seat or operating area.

- **Vehicle Operators shall not drive recklessly or unsafely, illegally park or stop, or commit any other traffic violations.**

ProKel confirms Vehicle Operators shall not drive recklessly or unsafely, illegally park or stop, or commit any other traffic violations.

- **Drivers shall be courteous to all passengers and the general public at all times and shall respond to passenger questions regarding the use of the subject service.**

ProKel confirms drivers shall be courteous to all passengers and the general public at all times and shall respond to passenger questions regarding the use of the subject service.

- **At all times while on duty, drivers shall wear clean and presentable uniforms, which include a company shirt, appropriate length shorts, skirt or pants and closed toe shoes. Torn, frayed, stained, or severely faded uniforms shall not be considered "presentable".**

ProKel confirms at all times while on duty, drivers shall wear clean and presentable uniforms, which include a company shirt, appropriate length shorts, skirt or pants and closed toe shoes. Torn, frayed, stained, or severely faded uniforms shall not be considered "presentable".

- **Drivers shall distribute or collect flyers, handouts, surveys, etc., as CITY may request from time to time.**

ProKel confirms drivers shall distribute or collect flyers, handouts, surveys, etc., as City may request from time to time.

- **Drivers shall not accept gratuities.**

ProKel confirms drivers shall not accept gratuities.

- **Drivers shall assist passengers with disabilities when entering and exiting the vehicles in accordance with safe practice.**

ProKel confirms drivers shall assist passengers with disabilities when entering and exiting the vehicles in accordance with safe practice.

- **Drivers shall not permit passengers to smoke or play a radio in the vehicles (unless the passenger is using headphones with the radio).**

ProKel confirms drivers shall not permit passengers to smoke or play a radio in the vehicles (unless the passenger is using headphones with the radio).

- **Drivers shall not be convicted of a crime during the term of the AGREEMENT.**

ProKel confirms drivers shall not be convicted of a crime during the term of the Agreement.



- **Drivers shall not test positive for drug use on a drug test administered by a responsible testing facility or in cooperation with the drug-testing program at the County or the CITY.**

ProKel confirms drivers shall not test positive for drug use on a drug test administered by a responsible testing facility or in cooperation with the drug-testing program at the County or the City.

- **Drivers shall attend and successfully complete the County's Vehicle Operator Training Program prior to commencement of Service and refresher training classes every two years. No driver shall operate a vehicle without a pre-approved certification, and all drivers shall be fully trained and compliant with all applicable provision of the Americans with Disabilities Act of 1990 (ADA).**

ProKel confirms drivers shall attend and successfully complete the County's Vehicle Operator Training Program prior to commencement of Service and refresher training classes every two (2) years. Additionally, ProKel assures no driver shall operate a vehicle without a pre-approved certification, and that all drivers shall be fully trained and compliant with all applicable provisions of the Americans with Disabilities Act of 1990 (ADA).

- **Drivers should have in their possession their medical card at all times.**

ProKel confirms drivers should have in their possession their medical card at all times.

- **Drivers should have in their possession their Chauffeur License at all times.**

ProKel confirms drivers should have in their possession their Chauffeur License at all times.

- **CITY may request immediate removal of any driver who fails to comply with any provision of this section.**

ProKel confirms the City may request immediate removal of any driver who fails to comply with any provision of this section.

## ***Condition and Maintenance of Vehicles***

**The CITY and County have entered into an Interlocal Agreement to provide public transportation services. The County currently licenses to CITY three (3) wheelchair accessible passenger vehicles. For the term of the AGREEMENT, CITY licenses CONTRACTOR to utilize the vehicles to the extent that CITY has the right to utilize the vehicles. Such vehicles shall be maintained by CONTRACTOR, continually complying with all applicable federal and state regulations. The vehicles may be used by CONTRACTOR only for the purposes contemplated by the AGREEMENT and shall be used for no other purpose. At the expiration or earlier termination of the AGREEMENT, the vehicles shall be returned to the CITY, or such place as CITY may designate, in the same condition as it was picked up prior to being placed in service.**

ProKel understands the City and County have entered into an Interlocal Agreement to provide public transportation services and that the County currently licenses to CITY three (3) wheelchair accessible passenger vehicles.

ProKel will readily comply, for the term of the Agreement, to the City's right to license ProKel to utilize the vehicles to the extent that City has the right to utilize the vehicles. Furthermore, ProKel agrees to maintain the contracted vehicles, continually complying with all applicable federal and state regulations.

ProKel confirms the vehicles will be used only for the purposes contemplated by the Agreement and shall be used for no other purposes. At the expiration or earlier termination of the Agreement, the vehicles shall be returned to the City, or such place as City may designate, in the same condition as it was picked up prior to being placed in service.

**In addition to scheduled service, Contractor may be required to provide service on an emergency basis. Emergency Service shall be provided upon the direction of City Contract Administrator, during City designated emergencies, which may include, but shall not be limited to, evacuations and reverse evacuations; extreme conditions or catastrophic events; major weather events; terrorist attack(s); or other regional emergency. There shall be no additional payment for emergency services aside from the hourly rate in the AGREEMENT between City and Contractor to provide the Services.**

ProKel confirms In addition to scheduled service, we may be required to provide service on an emergency basis. Emergency Service shall be provided upon the direction of City Contract Administrator, during City designated emergencies, which may include, but shall not be limited to, evacuations and reverse evacuations; extreme conditions or catastrophic events; major weather events; terrorist attack(s); or other regional emergencies.

ProKel agrees that there will be no additional payment for emergency services aside from the hourly rate in the Agreement between City and ProKel to provide the Services.

**Prior to commencement of service, BCT's Director of Maintenance or the City's Fleet Supervisor, or designee will inspect Contractor's Community Shuttle Program vehicles for acceptance and according to requirements of Chapter 14-90 of the Florida Administrative Code (FAC). The City and/or County may inspect vehicles, at any time. Request for inspections shall not be scheduled in a manner which would have a detrimental impact on the Contractor's ability to perform the service provided for herein. Additionally, the Contractor shall maintain the vehicles provided by the City and County in accordance with manufacturer's standards and keep vehicles in reasonable condition and full regulatory compliance, at all times.**

ProKel confirms prior to commencement of service, BCT's Director of Maintenance or the City's Fleet Supervisor, or designee will inspect Contractor's Community Shuttle Program vehicles for acceptance and according to requirements of Chapter 14-90 of the Florida Administrative Code (FAC). We understand the City and/or County may inspect vehicles, at any time.

ProKel understands that requests for inspections shall not be scheduled in a manner which would have detrimental impacts on ProKel's ability to perform the service provided for herein. Additionally, ProKel will comply with the need to maintain the vehicles provided by the City and County in accordance with manufacturer's standards and keep vehicles in reasonable condition and full regulatory compliance, at all times.

**CITY shall provide to the CONTRACTOR all the manufacturer's warranties and maintenance shop manuals that have been provided to the CITY by the County.**

ProKel understands the City shall provide to ProKel all the manufacturer's warranties and maintenance shop manuals that have been provided to the City by the County.

**Vehicle parts necessary to maintain and repair Vehicles shall be provided by Contractor. Vehicle parts must be Original Equipment Manufacturer (OEM) parts (Contractor shall provide written and documented substantiation of the purchase and use of OEM parts on City buses). Contractor shall receive written approval from the City before beginning any major maintenance and/or repair. Major maintenance and repairs shall be defined as any maintenance or repair activity in which the total cost of parts and labor exceeds Two Thousand Dollars. Mechanics, unless approved by County, must be Automotive Service Excellence (ASE) Blue Seal Certified.**

ProKel confirms that all vehicle parts necessary to maintain and repair Vehicles shall be provided by ProKel. ProKel complies with the need for vehicle parts to be Original Equipment Manufacturer (OEM) parts (ProKel will provide written and documented substantiation of the purchase and use of OEM parts on City buses).

ProKel understands the need to receive written approval from the City before beginning any major maintenance and/or repair. Major maintenance and repairs shall be defined as any maintenance or repair activity in which the total cost of parts and labor exceeds \$2,000.

Further, ProKel confirms all mechanics, unless approved by the County, must be Automotive Service Excellence (ASE) Blue Seal Certified.

**CONTRACTOR shall maintain and store vehicles at a secured location.**

ProKel confirms that all vehicles will be maintained and stored at a secured location.

**CONTRACTOR shall provide a replacement vehicle, which is similar in all respects to the CITY's vehicle, in the event the vehicle provided by CITY is out of service for repair.**

ProKel confirms we shall provide a replacement vehicle, which is similar in all respects to the City's vehicle, in the event the vehicle provided by City is out of service for repair.

**CONTRACTOR shall supply any additional vehicles to provide back-up service within forty-five (45) minutes in the event that one or more vehicles are out of service.**

ProKel confirms we will supply any additional vehicles to provide back-up service within forty-five (45) minutes in the event that one (1) or more vehicles are out of service.

**CONTRACTOR shall provide ADA accessible back-up vehicles should they be necessary to continue service as outlined in this AGREEMENT. In the event CONTRACTOR needs to exchange a vehicle during revenue service hours, CONTRACTOR shall immediately notify CITY's DESIGNEE of the change. Notification will include vehicle number, reason, and amount of service time to be missed.**

ProKel will provide ADA accessible back-up vehicles should they be necessary to continue service as outlined in this agreement. In the event ProKel needs to exchange a vehicle during revenue service hours, we will immediately notify the city's designee of the change. Notification will include vehicle number, reason, and amount of service time to be missed.

**Vehicles shall be maintained in good condition, both operationally and in their appearance, and in accordance with any County or CITY requirements. All vehicles shall be kept in good repair and condition, satisfactory to the CITY, at a minimum to the standards listed below:**

ProKel confirms Vehicles will be maintained in good condition, both operationally and in their appearance, and in accordance with any County or City requirements. All vehicles shall be kept in good repair and condition, satisfactory to the City, at a minimum to the standards listed below:

- **All vehicles shall conform to the standards required by the ADA**

ProKel confirms all vehicles shall conform to the standards required by the ADA.

- **All vehicles shall be equipped with all appropriate safety equipment to be provided by the CONTRACTOR.**

ProKel confirms all vehicles shall be equipped with all appropriate safety equipment to be provided by ProKel.

- **All vehicles shall be equipped with two-way communications to be provided by CONTRACTOR.**

ProKel confirms all vehicles will be equipped with two (2)-way communications to be provided by ProKel.

- **All vehicles shall have heating and air conditioning systems that are fully operative every day and at all times the vehicle is in service. The air conditioning system shall be of sufficient size and capacity to provide a cooling effect throughout the vehicle, with cold air blowing in all sections of the vehicle.**

ProKel confirms all vehicles shall have heating and air conditioning systems that are fully operative every day and at all times the vehicle is in service. Additionally, ProKel assures the air conditioning

system will be of sufficient size and capacity to provide a cooling effect throughout the vehicle, with cold air blowing in all sections of the vehicle.

- **A/C Cooling System(s) shall remain in proper working conditions at all times. In the event that the temperature cannot be maintained, the Contractor shall dispatch a replacement vehicle within 30 minutes.**

ProKel confirms A/C Cooling System(s) will remain in proper working conditions at all times. In the event that the temperature cannot be maintained, ProKel will dispatch a replacement vehicle within 30 minutes.

- **Contractor shall maintain A/C Cooling System(s) such that the A/C cooling System(s) are capable of maintaining the interior temperature of sixty-eight (68) to seventy-two (72) degrees Fahrenheit in the vehicle within sixty (60) seconds of closing the vehicle doors with and without passengers on-board, regardless of the outside temperatures.**

ProKel confirms that it will maintain A/C Cooling System(s) such that the A/C cooling System(s) are capable of maintaining the interior temperature of sixty-eight (68) to seventy-two (72) degrees Fahrenheit in the vehicle within sixty (60) seconds of closing the vehicle doors with and without passengers on-board, regardless of the outside temperatures.

**Upon the Effective Date of the AGREEMENT, CONTRACTOR shall provide a list of scheduled and non-scheduled maintenance performed on vehicles during each respective month.**

ProKel confirms, upon the effective date of the agreement, ProKel shall provide a list of scheduled and non-scheduled maintenance performed on vehicles during each respective month.

## ***Maintenance of Vehicles***

**All maintenance of the vehicles will be the responsibility of the awarded vendor. This will include any maintenance schedules or stipulations assigned to the CITY by the ILA with the County.**

ProKel confirms all maintenance of the vehicles will be the sole responsibility of ProKel, if awarded the contract. This will include any maintenance schedules or stipulations assigned to the City by the ILA with the County.

**The interiors of the vehicles shall be cleaned at least once each day, and the exteriors of the vehicles shall be cleaned at least once per week. The vehicles shall be exterminated for pests at least once each week. CONTRACTOR shall have a continuing obligation to ensure cleanliness of the vehicles, and CONTRACTOR shall perform additional cleaning and extermination for pests as circumstances may warrant or as directed by the CITY.**

ProKel confirms the interiors of the vehicles shall be cleaned at least once each day, and the exteriors of the vehicles shall be cleaned at least once per week. The vehicles shall be exterminated for pests at least once each week. Additionally, ProKel will have a continuing obligation to ensure



cleanliness of the vehicles, and be responsible for performing additional cleaning and exterminations for pests as circumstances may warrant or as directed by the City.

**All vehicles and equipment on vehicles shall be maintained in fully operational condition at all times during the term of the AGREEMENT. CONTRACTOR shall cause all components of each vehicle, including its body, frame, graphics wrap, furnishings, mechanical, electrical, hydraulic, or other operating systems to be maintained according to manufacturer's recommendations. CONTRACTOR shall cause any vehicle damaged in an accident or otherwise to be repaired or replaced immediately, including the graphic wraps. CONTRACTOR shall, at its sole cost and expense, provide fuel, lubricants, parts, and supplies as required for the maintenance and operation of all vehicles.**

ProKel confirms all vehicles and equipment on vehicles shall be maintained in fully operational condition at all times during the term of the Agreement. In accordance with all manufacturer's recommendations, ProKel shall maintain all components of each vehicle, including its body, frame, graphics wrap, furnishings, mechanical, electrical, hydraulic, or other operating systems.

ProKel understands in the event of any vehicle damages resulting from accident or otherwise shall be repaired or replaced immediately, including the graphic wraps. ProKel will also, at its sole cost and expense, provide fuel, lubricants, parts, and supplies as required for the maintenance and operation of all vehicles.

**All vehicles shall be safe for operation on public streets and highways and shall meet all requirement of the Florida Department of Transportation Rule Chapter 14-90. All parts of the vehicles and equipment mounted on or in the vehicle shall conform at a minimum to all applicable federal motor safety standards.**

ProKel confirms all vehicles will be safe for operation on public streets and highways and shall meet all requirements of the Florida Department of Transportation Rule Chapter 14-90. All parts of the vehicles and equipment mounted on or in the vehicle will conform at a minimum to all applicable federal motor safety standards.

**CONTRACTOR shall initiate and maintain an effective safety and mechanical inspection program.**

ProKel will initiate and maintain an effective safety and mechanical inspection program.

**All vehicles shall be available for inspection by the CITY prior to CONTRACTOR placing them in service and at any time thereafter at the CITY's discretion. CITY has the sole discretion to reject, temporarily or permanently, any vehicle which CITY deems unacceptable for reasons of safety,disrepair, or appearance.**

ProKel confirms all vehicles will be available for inspection by the City prior to ProKel placing them in service and at any time thereafter at the City's discretion. We understand, the City has the sole discretion to reject, temporarily or permanently, any vehicle which the City deems unacceptable for reasons of safety, disrepair, or appearance.

**The CONTRACTOR shall maintain a storage yard and maintenance facility for the vehicles used by the CONTRACTOR in the performance of the AGREEMENT. Furthermore, the use, operation, and facilities in the storage yard and maintenance facility shall comply with all applicable local zoning and building codes and shall be secured against theft and vandalism.**

ProKel will maintain a storage yard and maintenance facility for all vehicles used, as per the performance of the Agreement. Furthermore, the use, operation, and facilities in the storage yard and maintenance facility will comply with all applicable local zoning and building codes and shall be secured against theft and vandalism.

## ***Record Keeping and Auditing***

**Contractor shall maintain records of information and data in the format requested by the County and the City. They shall also furnish such records to the City in a timely manner for reporting, recordkeeping and auditing purposes.**

ProKel will maintain records of information and data in the format requested by the County and the City. ProKel will also furnish such records to the City in a timely manner for reporting, recordkeeping and auditing purposes.

**OWNERSHIP OF DOCUMENTS: Any and all reports, photographs, surveys, and other data and documents provided or created in connection with the AGREEMENT are and shall remain the property of the CITY. In the event of termination of the AGREEMENT, any reports, photographs, surveys, and other data and documents prepared by CONTRACTOR, whether finished or unfinished, shall become the property of CITY and shall be delivered by CONTRACTOR to CITY.**

ProKel understands any and all reports, photographs, surveys, and other data and documents provided or created in connection with the Agreement are and shall remain the property of the City. In the event of termination of the Agreement, any reports, photographs, surveys, and other data and documents prepared by ProKel, whether finished or unfinished, shall become the property of the City and shall be delivered by ProKel to the City.

**AUDIT RIGHT AND RETENTION OF RECORDS: CITY shall have the right to audit the books, records, and accounts of CONTRACTOR. CONTRACTOR shall keep such books, records, and accounts as may be necessary in order to record complete and correct entries related to the services provided herein. CONTRACTOR shall preserve and make available, at reasonable time for examination and audit by CITY, all financial records, supporting documents, statistical records, and any other documents pertinent to the AGREEMENT for the required retention period of the Florida Public Records Act (Chapter 119, Florida Statutes), if applicable, or, if the Florida Public Records Act is not applicable, for a minimum period of three (3) years after termination of the AGREEMENT. If any audit has been initiated, and audit findings have not been resolved at the end of the retention period, or three (3) years, whichever is longer, the books, records, and accounts shall be retained until resolution of the audit findings. If the Florida Public Records Act is determined by CITY to be applicable to CONTRACTOR's records, CONTRACTOR shall comply with**

**all requirements thereof; however, no confidentiality or non-disclosure requirement of either federal or state law shall be violated by CONTRACTOR. Any incomplete or incorrect entry in such books, records, and accounts shall be a basis for CITY's disallowance and recovery of any payment upon such entry.**

ProKel understands the City shall have the right to audit the books, records, and accounts of ProKel. As such, ProKel will keep such books, records, and accounts as may be necessary in order to record complete and correct entries related to the services provided herein.

ProKel will preserve and make available, at reasonable time for examination and audit by City, all financial records, supporting documents, statistical records, and any other documents pertinent to the Agreement for the required retention period of the Florida Public Records Act (Chapter 119, Florida Statutes), if applicable, or, if the Florida Public Records Act is not applicable, for a minimum period of three (3) years after termination of the Agreement. If any audit has been initiated, and audit findings have not been resolved at the end of the retention period, or three (3) years, whichever is longer, the books, records, and accounts shall be retained until resolution of the audit findings.

If the Florida Public Records Act is determined by the City to be applicable to ProKel's records, ProKel will comply with all requirements thereof; however, we also understand no confidentiality or non-disclosure requirement of either federal or state law shall be violated by ProKel. Any incomplete or incorrect entry in such books, records, and accounts shall be a basis for the City's disallowance and recovery of any payment upon such entry, and agree fully with these terms.

**CONTRACTOR shall keep records concerning the number of passengers per revenue hour by stop on each route operated by the CONTRACTOR.**

ProKel will keep records concerning the number of passengers per revenue hour by stop on each route operated by ProKel for the duration of the contract.

**CITY shall verify passenger counts against revenue hour and maintain certain records of information and data in the format prescribed by COUNTY. CITY shall furnish such records to COUNTY on a monthly basis; therefore, the CONTRACTOR shall provide the reports by the 3rd of every month in order to review before sending the reports to the COUNTY.**

ProKel understands the City shall verify passenger counts against revenue hours and maintain certain records of information and data in the format prescribed by the County. We are aware that the City shall furnish such records to the County on a monthly basis; therefore, ProKel will then provide the reports by the 3rd of every month in order to review before sending the reports to the County.

**CONTRACTOR shall maintain such records and accounts including property, personnel, and financial records as are deemed necessary by CITY to ensure a proper accounting record. The system of accounting will be in accordance with generally accepted accounting principles and practices. All project records prepared by CONTRACTOR shall be owned by CITY and made**

**available to CITY at no charge. CITY may elect to authorize representatives to inspect, audit, and analyze the records of CONTRACTOR relating to the subject service. CITY shall have the right to audit the books, records, and accounts of the CONTRACTOR specifically related to the AGREEMENT. CONTRACTOR shall keep such books, records, and accounts as may be necessary in order to record complete and correct entries related to the project or according to the scheduled reporting periods.**

ProKel will maintain such records and accounts including property, personnel, and financial records as are deemed necessary by the City to ensure a proper accounting record. The system of accounting will be in accordance with generally accepted accounting principles and practices. We understand all project records prepared by ProKel shall be owned by the City and made available to the City at no additional charge.

Additionally, Prokel understands the City may elect to authorize representatives to inspect, audit, and analyze the records of ProKel relating to the subject service. The City shall have the right to audit the books, records, and accounts of ProKel specifically related to the Agreement. As such, ProKel will keep all books, records, and accounts as may be necessary in order to record complete and correct entries related to the project or according to the scheduled reporting periods.

**CONTRACTOR shall record on a daily basis and report weekly to the CITY all disruptions in service, late service vehicle breakdowns, accidents, vehicles out of service and any other incident affecting service.**

ProKel will record on a daily basis and report weekly to the City all disruptions in service, late service vehicle breakdowns, accidents, vehicles out of service and any other incident affecting service.

**CONTRACTOR's Project Manager shall also document passenger complaints and describe any actions taken to resolve such complaints on a weekly basis. CONTRACTOR agrees to submit copies of such documentation to the CITY on a weekly basis.**

ProKel confirms the Project Manager shall also document passenger complaints and describe any actions taken to resolve such complaints on a weekly basis. ProKel explicitly agrees to submit copies of such documentation to the City on a weekly basis.

**CONTRACTOR shall maintain daily records of total passenger utilization and total mileage logged on the vehicles by route while performing the services under this AGREEMENT. Project Manager shall provide accurate report on ridership by route and by trip to CITY on a monthly basis.**

ProKel will maintain daily records of total passenger utilization and total mileage logged on the vehicles by route while performing the services under this Agreement. Project Managers will provide accurate reports on ridership by route and by trip to the City on a monthly basis.

**CITY shall approve CONTRACTOR's forms that may be required in addition to those required by the County.**

ProKel understands the City shall approve ProKel's forms that may be required in addition to those required by the County.

**In the event funds paid to CONTRACTOR pursuant to a AGREEMENT are subsequently disallowed by CITY because of accounting errors or charges not in conformity with a AGREEMENT, CONTRACTOR shall refund promptly to the CITY such disallowed funds or such disallowed funds will be withheld from subsequent payment by CITY to CONTRACTOR. No payment will be withheld or disallowed until CITY has given CONTRACTOR written notice of the reason therefore and ten (10) days have elapsed for CONTRACTOR to correct, cure, or otherwise reasonably ensure to the CITY that the problem has been resolved in a manner satisfactory to the CITY. No more than the dispute amount shall be withheld. Both CITY and CONTRACTOR shall diligently pursue the resolution of any dispute regarding the accounting or charges referred to in this paragraph.**

ProKel understands, in the event funds paid to ProKel pursuant to an Agreement are subsequently disallowed by the City because of accounting errors or charges not in conformity with an Agreement, ProKel will refund promptly to the City such disallowed funds or such disallowed funds will be withheld from subsequent payment by the City to ProKel.

Further, ProKel complies, no payment will be withheld or disallowed until the City has given ProKel written notice of the reason therefore and ten (10) days have elapsed for ProKel to correct, cure, or otherwise reasonably ensure to the City that the problem has been resolved in a manner satisfactory to the City. No more than the dispute amount shall be withheld. Both the City and ProKel shall diligently pursue the resolution of any dispute regarding the accounting or charges referred to in this paragraph.

**The CITY reserves the right to delete any portion of the services or routes (partial route or entire route), at any time, without cause, and if such right is exercised by the City, the total fee shall be reduced in the same ratio or reduction of hours as the estimated cost of the work deleted bears to the estimated cost of the work originally planned. If work has already been accomplished and approved by the City on any portion of a AGREEMENT resulting from this RFP, the Successful Bidder shall be paid for the work completed on the basis of the estimated percentage of completion of such portion to the total project cost.**

ProKel complies with the City's ability to reserve the right to delete any portion of the services or routes (partial route or entire route), at any time, without cause, and if such right is exercised by the City, the total fee shall be reduced in the same ratio or reduction of hours as the estimated cost of the work deleted bears to the estimated cost of the work originally planned. If work has already been accomplished and approved by the City on any portion of an Agreement resulting from this RFP, ProKel will be paid for the work completed on the basis of the estimated percentage of completion of such portion to the total project cost.



**Payment to CONTRACTOR shall be on an hourly basis, per vehicle in revenue service. The funds shall be used by CONTRACTOR solely for the purpose of maintaining, operating and properly equipping the vehicle and for no other purpose.**

We understand payment to ProKel shall be on an hourly basis, per vehicle in revenue service. The funds shall be used by ProKel solely for the purpose of maintaining, operating and properly equipping the vehicle and for no other purpose.

**Contractor shall be solely responsible for the payment of all of its employees' wages and benefits and shall comply with all the requirements thereof including, but not limited to, employee liability, workers' compensation, unemployment insurance, Social Security, and any other mandated or optional employee benefits.**

ProKel confirms that we will be solely responsible for the payment of all of our employees' wages and benefits and shall comply with all the requirements thereof including, but not limited to, employee liability, workers' compensation, unemployment insurance, Social Security, and any other mandated or optional employee benefits.

**The CITY shall not be responsible for payment of any other monies to CONTRACTOR under this solicitation.**

ProKel agrees the City shall not be responsible for payment of any other monies to ProKel under this solicitation.

**The CONTRACTOR will abide by the Broward County Living Wage Ordinance 2008-45 -Exhibit C, as amended, ("Living Wage Ordinance") requires that a specified minimum wage be paid to employees of service contractors and subcontractors who provide covered services pursuant to a County service contract exceeding \$100,000 per year or covered airport services.**

ProKel will abide by the Broward County Living Wage Ordinance 2008-45 -Exhibit C, as amended, ("Living Wage Ordinance") requires that a specified minimum wage be paid to employees of service contractors and subcontractors who provide covered services pursuant to a County service contract exceeding \$100,000 per year or covered airport services.

**The City is requiring Firms to provide the following costs options:**

**Option 1 – Contractor to operate, maintain, and manage the Community Shuttle Service Program for each of the specified Routes, and the City will supply the Propane Fueled shuttle buses.**

ProKel confirms and has included pricing for Propane Fueled shuttle buses.

**Option 2 – Contractor to operate, maintain, and manage the Community Shuttle Service Program for each of the specified Routes, and the City will supply the Gasoline Fueled shuttle buses.**

ProKel confirms and has included pricing for Gasoline Fueled shuttle buses.

**Option 3 – Contractor to operate, maintain, and manage the Community Shuttle Service Program for each of the specified Routes, and the City will supply the Diesel Fueled shuttle buses.**

ProKel confirms and has included pricing for Diesel Fueled shuttle buses.

**CITY reserves the right to have any combination of types of buses at any given time during the Agreement period.**

ProKel complies with the City's ability to reserve the right to have any combination of types of buses at any given time during the Agreement period.

**The CONTRACTOR must provide a breakdown of the proposed hourly rate. The rate shall include but is not limited to inclusion of all necessary fuel and wages.**

ProKel will provide a breakdown of the proposed hourly rate. The rate will include but is not limited to inclusion of all necessary fuel and wages.

**The CONTRACTOR may receive a price escalation after the initial Agreement term has expired that does not exceed the Consumer Price Index (CPI). However, the CONTRACTOR would have to submit certified payroll, a yearly ledger, employee benefits such as vacation time, and health coverage. Any requested cost increase shall be fully documented and submitted to the City at least ninety (90) days prior to the contract anniversary date. Any approved cost adjustments shall become effective upon the anniversary date of the contract. In the event the CPI or industry costs decline, the City shall have the right to receive from the CONTRACTOR a reduction in costs that reflects such cost changes in the industry. The City at its sole discretion, may after examination, refuse to accept the adjusted costs if they are not properly documented, increases are considered to be excessive, or decreases are considered to be insufficient. The CONTRACTOR will be required to continue to provide services at the currently in force term's price until such time the CPI index requested is properly substantiated by the CONTRACTOR and approved by the CITY, not to exceed 120 days for such substantiation.**

ProKel understands that we may receive a price escalation after the initial Agreement term has expired that does not exceed the Consumer Price Index (CPI). However, in this event, ProKel will have to submit certified payroll, a yearly ledger, employee benefits such as vacation time, and health coverage. Any requested cost increase shall be fully documented and submitted to the City at least ninety (90) days prior to the contract anniversary date. ProKel also understands any approved cost adjustments will become effective upon the anniversary date of the contract.

Additionally, ProKel confirms compliance In the event the CPI or industry costs decline, the City shall have the right to receive from ProKel a reduction in costs that reflects such cost changes in the industry. The City at its sole discretion, may after examination, refuse to accept the adjusted costs if they are not properly documented, increases are considered to be excessive, or decreases are considered to be insufficient.

ProKel accepts that we will be required to continue to provide services at the currently in force term's price until such time the CPI index requested is properly substantiated by ProKel and approved by the City, not to exceed 120 days for such substantiation.

## **Fines for Non-Compliance with Agreement Requirements**

**In addition to a Notice of Non-compliance with Agreement Requirements, it is hereby understood and mutually agreed to by and between both parties hereto, actions or inaction of the CONTRACTOR in performing Service or obligations outlined herein, may lead to additional fees borne to the CONTRACTOR in the amount shown in Table 1 – Performance Standards and Fines. The fine charged for each violation bears a reasonable relationship to the value, or lack thereof, of the overall service and obligations required and reflects the diminished value of such service to the CITY and the customers. The CITY is the sole determinant of the applicability and calculation of this fee.**

ProKel agrees, in addition to a Notice of Non-compliance with Agreement Requirements, it is hereby understood and mutually agreed to by and between both parties hereto, actions or inaction of ProKel in performing Service or obligations outlined herein, may lead to additional fees borne to ProKel in the amount shown in Table 1 – Performance Standards and Fines.

We understand that the fine charged for each violation bears a reasonable relationship to the value, or lack thereof, of the overall service and obligations required and reflects the diminished value of such service to the City and the customers. As such, ProKel acknowledges that the City is the sole determinant of the applicability and calculation of this fee.

**Table 1: Performance Standards and Fines**

Category	Performance Standard	Fine
Missed service	For each hour of failure/disruption or vehicle not in Service for an entire day	\$83.56/ hour
Preventative maintenance	Failure to complete preventative maintenance inspections on time with the recommended minimum scheduled service intervals	\$50/ incident
Accessibility and safety equipment	Failure to maintain the vehicles' compliance with ADA required accessibility equipment including wheelchair lifts, adequate numbers of securement devices, and all standard safety equipment. The equipment's serviceability and operability shall be well maintained and functional at all times.	\$50/ incident
Other vehicle equipment	Failure to provide heat or air conditioning	\$50/ incident
Notification of changes in schedule	Failure to notify the City regarding any changes in schedule	\$50/ incident
Notification of service interruptions	Failure to promptly report all incidents of vehicle or passenger crashes, road calls, and service interruptions	\$50/ incident
On-time schedule	Failure to maintain transit schedule within a 15-minute window, excluding acts of weather, road construction/closing, or driver illness	\$50/ incident
Vehicle appearance	Failure to maintain vehicles, both interiors and exteriors	\$50/ incident
Data reporting	Failure to submit reporting requirements on agreed intervals	\$25/ day the requested data is late

ProKel Mobility acknowledges these performance standards and fines and have included such considerations in our planning process. We look forward to maintaining our current industry-leading standards and will continue to improve our processes to provide the highest possible quality of service to the City.



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# Forms and Attachments



**BID PROPOSAL FORM BID NO. 2023-007**

**BID TO: CITY COMMISSION  
CITY OF MARGATE**

1. The undersigned bidder proposes and agrees, if this bid is accepted, to enter into an Agreement with the City in the form included in the Contract Documents to perform the Work as specified or indicated in said Contract Documents entitled:

**COMMUNITY SHUTTLE SERVICES**  
**BID NO 2023-007**

**2.** Bidder accepts all of the terms and conditions of the Contract Documents, including without limitation those in the Notice Inviting Bids and Instructions to Bidders, dealing with the disposition of the Bid Security.

3. The bid will remain open for the period stated in the Notice Inviting Bids unless otherwise required by law. Bidder will enter into an Agreement within the time and in the manner required in the Notice Inviting Bids and the Instructions to Bidders, and will furnish the insurance certificates, payment bond, and performance bond required by the Contract Documents.

4. It is the Contractor's responsibility to contact the City at (954) 935-5346 prior to the bid opening to determine if any addenda have been issued on the project. Bidder has examined copies of all the Contract Documents including the following addenda (receipt of all of which is acknowledged):

Number Addendum #1 Date April 5, 2023

5. Bidder has familiarized himself with the nature and extent of the Contract Documents, Work, site, locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations), and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as Bidder deems necessary.

6. This bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation. Bidder has not directly or indirectly induced or solicited any other bidder to submit a false or sham bid. Bidder has not solicited or induced any person, firm or corporation to refrain from bidding and bidder has not sought by collusion to obtain for itself any advantage over any other bidder or over the City.


To all the foregoing, and including all Bid Schedule(s) and Information Required of Bidder contained in this Bid Form, said bidder further agrees to complete the Work required under the Contract Documents within the Contract Time stipulated in said Contract Documents, and to accept in full payment thereof the Contract Price based on the Total Bid Price(s) named in the aforementioned Bidding Schedule(s).

NAME OF FIRM: PROTRANSPORTATION INC. DBA Prokel Mobility

ADDRESS: 1200 North Federal HWY Suite 200 Boca Raton, FL 33432

NAME OF SIGNER Kelly Gonzalez Jr.  
(Print or Type)

TITLE OF SIGNER Chief Executive Officer

SIGNATURE:  DATE: April 11, 2023

TELEPHONE NO: 561-506-5721 FACSIMILE NO: 305-675-3611

SCHEDULE OF BID PRICES – BID NO. 2023-007

TO: CITY COMMISSION  
CITY OF MARGATE

(Please fill in all blanks and return with your proposal.)

In accordance with your request for proposals and the specifications contained herein, the undersigned proposes the following:

\*\*\*\*\*

<u>DESCRIPTION</u>	<u>HOURLY RATE</u>
<b>OPTION 1 – CONTRACTOR TO OPERATE, MAINTAIN, AND MANAGE THE COMMUNITY SHUTTLE SERVICE PROGRAM FOR EACH OF THE SPECIFIED ROUTES, AND THE CITY WILL SUPPLY THE PROPANE FUELED SHUTTLE BUSES.</b>	
COMMUNITY SHUTTLE SERVICE	\$ <u>75.59</u>
<b>OPTION 2 – CONTRACTOR TO OPERATE, MAINTAIN, AND MANAGE THE COMMUNITY SHUTTLE SERVICE PROGRAM FOR EACH OF THE SPECIFIED ROUTES, AND THE CITY WILL SUPPLY THE GASOLINE FUELED SHUTTLE BUSES.</b>	
COMMUNITY SHUTTLE SERVICE	\$ <u>75.14</u>
<b>OPTION 3 – CONTRACTOR TO OPERATE, MAINTAIN, AND MANAGE THE COMMUNITY SHUTTLE SERVICE PROGRAM FOR EACH OF THE SPECIFIED ROUTES, AND THE CITY WILL SUPPLY THE DIESEL FUELED SHUTTLE BUSES.</b>	
COMMUNITY SHUTTLE SERVICE	\$ <u>75.88</u>

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**CITY RESERVES THE RIGHT TO HAVE ANY COMBINATION TYPES OF BUSES AT ANY GIVEN TIME DURING THE CONTRACT PERIOD.**

**THE CONTRACTOR MUST SUBMIT A BREAKDOWN OF THE PROPOSED HOURLY RATE. THE RATE SHALL INCLUDE BUT IS NOT LIMITED TO INCLUSION OF ALL NECESSARY FUEL AND WAGES.**

\*\*\*\*\*

ALL BIDS MUST BE SIGNED WITH THE VENDOR NAME AND BY AN OFFICER OR EMPLOYEE HAVING THE AUTHORITY TO BIND THE COMPANY OR FIRM BY SIGNATURE.

HAVE YOUR INSURANCE REPRESENTATIVE REVIEW THE SAMPLE INSURANCE CERTIFICATE TO ENSURE COMPLIANCE.

WILL YOUR FIRM ACCEPT PAYMENT VIA A CITY OF MARGATE  
VISA CREDIT CARD? PLEASE CHECK ONE      YES ☒      NO ☐

### BIDDER'S GENERAL INFORMATION:

The bidder shall furnish the following information. Additional sheets shall be attached as required. Failure to complete Item Nos. 1, 3, and 7 (if required) will cause the bid to be non-responsive and may cause its rejection. In any event, no award will be made until all of the Bidder's General Information (i.e., items 1 through 7 inclusive) is delivered to the City.

- (1) CONTRACTOR'S name and address:

PROTRANSPORTATION INC. DBA Prokel Mobility

1200 North Federal HWY Suite 200 Boca Raton, FL 33432

- (2) CONTRACTOR'S telephone number: 561-506-5721

- (3) CONTRACTOR'S license: Primary classification: State of Florida Business Registration (Sunbiz)

State License Number: 47-4592028

Supplemental classifications held, if any: \_\_\_\_\_

Name of Licensee, if different from (1) above: \_\_\_\_\_

- (4) Name of person who inspected site of proposed Work for your firm:

Name: Kelly Gonzalez Jr. Date of Inspection: TBD

- (5) Name, address, and telephone number of Surety Company and agent who will provide the required bonds on this contract (if required): \_\_\_\_\_

- (6) ATTACH TO THIS BID the experience resume of the person who will be designated as Supervisor for this project.

We have attached the resumes of Kelly Gonzalez Jr. and Eduardo Carrion as the designated supervisors for this project.



- (7) ATTACH TO THIS BID, a financial statement (**If Required**), references, and other information, sufficiently comprehensive to permit an appraisal of CONTRACTOR'S current financial condition.

ProKel Mobility can provide any required documentation as requested.

- (8) Subcontractors: The Bidder further proposes that as part of their submittal there is attached a list of subcontracting firms or businesses who will be awarded subcontracts for portions of the work in the event the bidder is awarded the Contract.

ProKel does not anticipate any subcontractors for this contract.



## Kelly Gonzalez Jr.

Chief Executive Officer | Principal

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### PROFESSIONAL SUMMARY

Ability to maximize efficiencies in current Transit Models and work with agencies to modernize and make their current model more efficient. | Forward-thinking leader who places customer-centric solutions at the forefront of Transit Operations. | Partner with agencies to not only operate premium service, but also help them secure funding from multiple Federal, State and local sources.

### EXPERIENCE

**ProKel Mobility, Miami, FL** – Chief Executive Officer | Principal

SEPTEMBER 2019 - PRESENT

- Responsible for leading day-to-day operations, sales and overall company strategy, while managing seven executive-level direct reports. Tripled company revenue within the first 16 months.
- Direct and manage staffing, financials, payroll, scheduling, administration and human resources, safety and maintenance out of the Miami location.
- Develop key performance indicators/goals to assure internal performance accountability measures.
- Designed and implemented training programs to increase productivity and enhance customer service.
- Restructured company operations and recruited former transit senior leaders and directors.
- Introduced and invested in new state-of-the-art transit-leading technology to maximize output potential.
- Work hand-in-hand with cities and other clients to optimize their current transportation model.

**First Transit, Broward County, FL** – General Manager

FEBRUARY 2018 - SEPTEMBER 2019

- Oversight of 260 employees operating the Sun Trolley Fixed Route services and the Broward's TOPS Paratransit contract for a company that transports 2.1 billion passengers yearly and employs 100,000.

**Global Food Industries, Miami, FL** – Chief Business Development Officer

FEBRUARY 2017 - FEBRUARY 2018

- Led GFI into new markets and restructured departments to increase quality assurance, streamline logistics efficiencies and increase the company's footprint in government feeding procured markets.

**Total Transportation Corp., New York, NY** – VP of Business Development & Government Relations

AUGUST 2016 - FEBRUARY 2017

- Directed the Business Development for the largest ADA compliant transportation provider in the City of New York. Revenue: \$200 Million.

**MV Transportation, Dallas, TX** – Director of Business Development

OCTOBER 2008 - JULY 2016

- Directed the Business Development efforts for the largest privately held government contracting transit company in North America which employs 20,000 professionals, revenues \$1.3 Billion annually, and services more than 250 agencies/private entities worldwide.

### EDUCATION

**Northwood University, West Palm Beach, FL** – Business Management and International Business

### MEMBER/AFFILIATIONS

NAACP | COMTO (Conference of Minority Transportation Organization)

## EDUARDO R. CARRION

Senior Level Executive

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### PROFESSIONAL SUMMARY

Innovative and results-driven leader focused on achieving exceptional results in high-paced environments that demand continuous process improvement; Characterized as a visionary, strategist and tactician. Consistent record of delivering extraordinary results in growth, operational performance, and workforce development; Experienced in driving services, process, and customer service improvements while building partnerships with key decision-makers.

### EXPERIENCE

#### **ProKel Mobility – New York, NY – SENIOR VICE PRESIDENT/ COO**

2021 – Present

- Direct 170+ employees along with managers to achieve company objective and goals, oversee daily fixed routes, special education bus division, charter service and Paratransit operations, oversee maintenance and safety compliance of more than 100 Vehicles, Oversee proper training for personnel and monitor productivity

#### **SOLYD Transit Platform – CO-FOUNDER/ CHIEF INNOVATION OFFICER**

2017– 2021

- SOLYD Transit was created as a systems development company that offers dedicated digital business solutions from small, to mid and large-scale enterprises utilizing Blockchain technology as the backbone of system development and delivery. Maintained strategic view and ensured constant reliability of company brand

#### **Total Transportation Corp. – SENIOR VICE PRESIDENT BUSINESS DEVELOPMENT**

2016– 2017

- Served as a key member of the executive team charged with formulating strategic direction and devising business development initiatives consistent with overall strategy. Traveled nationally to identify new business opportunities and effectively managed a territory spanning across the United States and Canada. Planned and executed marketing strategies and events including trade shows and conferences with over thousands of participants. Cultivated business partnerships, built a successful pipeline and created new sales opportunities. Managed new and existing client projects including complex contract negotiations and labor relations

#### **MV Transportation – VICE PRESIDENT BUSINESS DEVELOPMENT**

2014– 2016

- Responsible for the marketing of services to the public transportation industry - work with a procurement team to oversee the technical and price proposal process, perform ground research, attend client hosted meetings, analyze the contractual opportunity, and determine unique strategies to win bids

#### **Maruti Mobility Management, LLC – CHIEF OPERATING OFFICER/ CIO**

2011– 2014

- Senior Level Executive directing corporate operations. Implemented substantial improvements in costs, services, sales, and employee morale and retention. Contributing to and emphasizing collaboration within a nationally operating, multi terminal company. Development and implementation of strategies focusing on organizational change, process engineering and technology advancement

### EDUCATION

#### **Southern Illinois University – Carbondale, Illinois**

Bachelor of Science

Workforce Education and Development

#### **Community College of The Air Force**

Associate Degree in Information Systems Management

#### **Villanova University**

Project Management Certificate

#### **USAF**

Six Sigma Black Belt Certification

Title 2 → Subtitle A → Chapter II → Part 200

Title 2: Grants and Agreements

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**PART 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS**

**§ 200.318 General procurement standards.**

(a) The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in [§§ 200.317](#) through [200.327](#).

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)

(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also [§ 200.214](#).

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(j)

(1) The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

[[85 FR 49543](#), Aug. 13, 2020, as amended at [86 FR 10440](#), Feb. 22, 2021]

#### **§ 200.319 Competition.**

(a) All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and [§ 200.320](#).

(b) In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

(1) Placing unreasonable requirements on firms in order for them to qualify to do business;

(2) Requiring unnecessary experience and excessive bonding;

(3) Noncompetitive pricing practices between firms or between affiliated companies;

(4) Noncompetitive contracts to consultants that are on retainer contracts;

(5) Organizational conflicts of interest;

(6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and

(7) Any arbitrary action in the procurement process.

(c) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and

engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(d) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

(1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(e) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

(f) Noncompetitive procurements can only be awarded in accordance with [§ 200.320\(c\)](#).

#### **§ 200.320 Methods of procurement to be followed.**

The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and [§§ 200.317](#), [200.318](#), and [200.319](#) for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

(a) **Informal procurement methods.** When the value of the procurement for property or services under a Federal award does not exceed the *simplified acquisition threshold (SAT)*, as defined in [§ 200.1](#), or a lower threshold established by a non-Federal entity, formal procurement methods are not required. The non-Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

##### **(1) Micro-purchases -**

(i) **Distribution.** The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of *micro-purchase* in [§ 200.1](#)). To the maximum extent practicable, the non-Federal entity should distribute micro-purchases equitably among qualified suppliers.

(ii) **Micro-purchase awards.** Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.

(iii) **Micro-purchase thresholds.** The non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-Federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with [paragraphs \(a\)\(1\)\(iv\)](#) and [\(v\)](#) of this section.

(iv) **Non-Federal entity increase to the micro-purchase threshold up to \$50,000.** Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with [§ 200.334](#). The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:



(A) A qualification as a low-risk auditee, in accordance with the criteria in [§ 200.520](#) for the most recent audit;

(B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,

(C) For public institutions, a higher threshold consistent with State law.

(v) **Non-Federal entity increase to the micro-purchase threshold over \$50,000.** Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in [paragraph \(a\)\(1\)\(iv\)](#) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.

**(2) Small purchases -**

(i) **Small purchase procedures.** The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-Federal entity.

(ii) **Simplified acquisition thresholds.** The non-Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

(b) **Formal procurement methods.** When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non-Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with [§ 200.319](#) or [paragraph \(c\)](#) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non-Federal entity determines to be appropriate:

(1) **Sealed bids.** A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions.

(i) In order for sealed bidding to be feasible, the following conditions should be present:

(A) A complete, adequate, and realistic specification or purchase description is available;

(B) Two or more responsible bidders are willing and able to compete effectively for the business; and

(C) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(ii) If sealed bids are used, the following requirements apply:

(A) Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(B) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(C) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(D) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(E) Any or all bids may be rejected if there is a sound documented reason.

(2) **Proposals.** A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

- (i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- (ii) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections;
- (iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non-Federal entity, with price and other factors considered; and
- (iv) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms that are a potential source to perform the proposed effort.

(c) **Noncompetitive procurement.** There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

- (1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see [paragraph \(a\)\(1\)](#) of this section);
- (2) The item is available only from a single source;
- (3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;
- (4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or
- (5) After solicitation of a number of sources, competition is determined inadequate.

#### **§ 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.**

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in [paragraphs \(b\)\(1\)](#) through [\(5\)](#) of this section.

#### **§ 200.322 Domestic preferences for procurements.**

(a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods,

products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

(b) For purposes of this section:

(1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

#### **§ 200.323 Procurement of recovered materials.**

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 CFR part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

#### **§ 200.324 Contract cost and price.**

(a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

(b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under [subpart E of this part](#). The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

#### **§ 200.325 Federal awarding agency or pass-through entity review.**

(a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;

(2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

(3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a “brand name” product;

(4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) The non-Federal entity is exempt from the pre-procurement review in [paragraph \(b\)](#) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis;

(2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

#### **§ 200.326 Bonding requirements.**

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

#### **§ 200.327 Contract provisions.**

The non-Federal entity's contracts must contain the applicable provisions described in appendix II to this part.



**STATEMENT OF COMPLIANCE - SMALL AND MINORITY BUSINESSES, WOMEN'S  
BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS**

The undersigned Contractor hereby swears under penalty of perjury that Contractor took the following affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms were used when possible:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; and
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

Dated April 11, 2023 PROTRANSPORTATION INC. DBA Prokel Mobility  
Contractor

By [Signature]  
(Signature)

By Kelly Gonzalez Jr., Chief Executive Officer (Name and Title)

STATE OF Florida )  
) SS.  
COUNTY OF miami Dade

The foregoing instrument was acknowledged before me this 11 day of April, 2023, by means of ☒ physical presence or ☐ online notarization \_\_\_\_\_ who is personally known to me or who has produced Driver License as identification and who ~~did~~ not take an oath. WITNESS my hand and official seal, this 11 day of April, 2023.

(NOTARY SEAL)

Jacqueline Goldsmith  
(Signature of person taking acknowledgment)

Jacqueline Goldsmith  
(Print Name of officer taking acknowledgment)

\_\_\_\_\_  
(Title or rank)

My Commission expires:  
(Serial number, if any)



**Jacqueline Goldsmith**  
Comm. #HH034586  
Expires: Aug. 20, 2024  
Bonded Thru Aaron Notary

BID NO. 2023-007

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## REFERENCE SHEET BID NO. 2023-007

In order to receive Bid Award consideration on the proposed bid, it is a requirement that this sheet be completed and returned with your bid/proposal. This information may be used in determining the bid award for this Project.

BIDDER (COMPANY NAME): PROTRANSPORTATION INC. DBA Prokel Mobility

ADDRESS: 1200 North Federal HWY Suite 200 Boca Raton, FL 33432

CONTACT PERSON: Kelly Gonzalez Jr. TITLE: Chief Executive Officer

TELEPHONE: 561-506-5721 FACSIMILE: 305-675-3611

NUMBER OF YEARS IN BUSINESS: 8 years

ADDRESS OF NEAREST FACILITY: 1200 North Federal HWY Suite 200 Boca Raton, FL 33432

LIST THREE (3) COMPANIES OR GOVERNMENTAL AGENCIES WHERE THESE PRODUCTS OR SERVICES HAVE BEEN PROVIDED IN THE LAST YEAR.

1. COMPANY NAME: City of North Miami Beach Trolley Shuttle Bus Service  
ADDRESS: North Miami Beach PHONE: 305-948-2925  
CONTACT PERSON: David Scott TITLE: Director of Public Works
2. COMPANY NAME: COTA Mainstream  
ADDRESS: Columbus, Ohio PHONE: 614-275-5821  
CONTACT PERSON: Ms. Amy Hockman TITLE: Interim Chief of Transit
3. COMPANY NAME: MTM  
ADDRESS: Region of South Florida PHONE: (941) 777-6019  
CONTACT PERSON: Ms. Letoya Taylor TITLE: Supervisor

**COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ACT (O.S.H.A.)**  
**BID NO. 2023-007**

Bidder certifies that all material, equipment, etc. contained in this bid meet all O.S.H.A. requirements. Bidder further certifies that if he/she is the successful bidder, and the material, equipment, etc., delivered is subsequently found to be deficient in any O.S.H.A. requirement in effect on date of delivery, all costs necessary to bring the material, equipment, etc. into compliance with the aforementioned requirements shall be borne by the bidder.

**OCCUPATIONAL HEALTH AND SAFETY DATA SHEET REQUIRED:**

In compliance with Chapter 442, Florida Statutes, any item delivered from a contract resulting from this bid must be accompanied by a SAFETY DATA SHEET (SDS). The SDS must include the following information:

- A. The chemical name and the common name of the toxic substance.
- B. The hazards or other risks in the use of the toxic substances, including:
  - 1. The potential for fire, explosion, corrosivity and reactivity;
  - 2. The known acute and chronic health effects of risks from exposure, including the medical conditions which are generally recognized as being aggravated by exposure to the toxic substance; and
  - 3. The primary routes of entry and symptoms of overexposure.
- C. The proper precautions, handling practices, necessary personal protective equipment, and other safety precautions in the use of or exposure to the toxic substances, including appropriate emergency treatment in case of overexposure.
- D. The emergency procedure for spills, fire, disposal, and first aid.
- E. A description in lay terms of the known specific potential health risks posed by the toxic substances intended to alert any person reading this information.
- F. The year and month, if available, that the information was compiled and the name, address and emergency telephone number of the manufacturer responsible for preparing the information.

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**CITY OF MARGATE  
STATEMENT OF NO BID**

**IF YOU DO NOT INTEND TO BID ON THIS PROPOSAL, RETURN THIS FORM TO ADDRESS WHERE BID IS TO BE SUBMITTED:**

I/We have declined to bid on your proposal No: 2023-007

Bid Description: Community Shuttle Services

For the following reason:

- \_\_\_\_\_ 1. Specifications are too tight, i.e. geared toward one brand or manufacturer only (Explain reason below)
- \_\_\_\_\_ 2. Insufficient time to respond to invitation.
- \_\_\_\_\_ 3. We do not offer this commodity/service or equivalent.
- \_\_\_\_\_ 4. Our product/service schedule would not permit us to perform.
- \_\_\_\_\_ 5. Unable to meet specifications.
- \_\_\_\_\_ 6. Unable to meet bonding requirements.
- \_\_\_\_\_ 7. Specifications unclear (Explain below).
- \_\_\_\_\_ 8. Other (Specify below).

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach additional pages if required.

I/We understand that if the NO BID form is not executed and returned, our name may be deleted from the list of qualified bidders for the City of Margate.

COMPANY NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_ DATE: \_\_\_\_\_

SIGNATURE OF BIDDER: \_\_\_\_\_



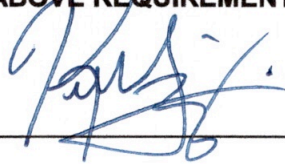
## DRUG-FREE WORKPLACE PROGRAM FORM BID NO. 2023-007

In accordance with Section 287.087, State of Florida Statutes, preference shall be given to businesses with Drug-free Workplace Programs. Whenever two or more bids which are equal with respect to price, quality, and service are received for the procurement of commodities or contractual service, a bid received from a business that certifies that it has implemented a Drug-free Workplace Program shall be given preference in the award process. In the event that none of the tied vendors has a Drug-free Workplace program in effect, the City reserves the right to make final Decisions in the City's best interest. In order to have a Drug-free Workplace Program, a business shall:

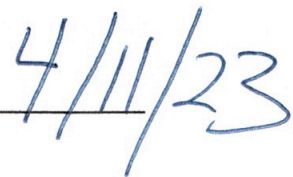
1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893, Florida Statutes, or of any controlled substance law of the United States or any State, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation. If bidder's company has a Drug-free Workplace Program, so certify below:

**AS THE PERSON AUTHORIZED TO SIGN THE STATEMENT, I CERTIFY THAT THIS FIRM COMPLIES FULLY WITH THE ABOVE REQUIREMENTS.**

SIGNATURE OF BIDDER: \_\_\_\_\_



DATE: \_\_\_\_\_



**OFFEROR'S QUALIFICATION STATEMENT BID NO.2023-007**

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter:

SUBMITTED TO: City of Margate  
(Purchasing Division)

ADDRESS: 5790 Margate Blvd.  
Margate, FL 33063

CIRCLE ONE: ☒ Corporation ☐ Partnership ☐ Individual ☐ Other

SUBMITTED BY: PROTRANSPORTATION INC. DBA Prokel Mobility

NAME: Kelly Gonzalez Jr.

ADDRESS: 1200 North Federal HWY Suite 200 Boca Raton, FL 33432

TELEPHONE NO.: 561-506-5721

FACSIMILE NO.: 305-675-3611

1. State the true, exact, correct and complete name of the partnership, corporation, trade or fictitious name under which you do business and the address of the place of business. (Attach corporate documents from the State of Florida (sunbiz.org) to this statement.)

The correct name of the Offeror is: PROTRANSPORTATION INC. DBA Prokel Mobility

The address of the principal place of business is:

1200 North Federal HWY Suite 200 Boca Raton, FL 33432

2. If Offeror is a corporation, answer the following:

a. Date of Incorporation: April 2015

b. State of Incorporation: Florida

c. President's name: Pearl Goldblatt

d. Vice President's name: Kelly Gonzalez Jr.

e. Secretary's name: \_\_\_\_\_

f. Treasurer's name: \_\_\_\_\_

g. Name and address of Resident Agent: Pearl Goldblatt



3. If Offeror is an individual or a partnership, answer the following:

a. Date of organization: N/A

b. Name, address and ownership units of all partners:

N/A

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c. State whether general or limited partnership: N/A

4. If Offeror is other than an individual, corporation or partnership, describe the organization and give the name and address of principals:

N/A

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5. If Offeror is operating under a fictitious name, submit evidence of compliance with the Florida Fictitious Name Statute.

6. How many years has your organization been in business under its present business name?

8 years

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a. Under what other former names has your organization operated?

N/A

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7. Indicate registration, license numbers or certificate numbers for the businesses or professions which are the subject of this Proposal. Please attach certificate of competency and/or state registration.

We have attached with these forms our Sunbiz registration for your review.

8. Have you ever failed to complete any work awarded to you? If so, state when, where and why?

Not applicable.

9. State the names, telephone numbers and last known addresses of three (3) owners, individuals or representatives of owners with the most knowledge of work which you have performed or goods you have provided, and to which you refer (government owners are preferred as references).

Pearl Goldblatt	1200 North Federal HWY Suite 200 Boca Raton, FL 33432	561-506-5721
(Name)	(Address)	(Phone Number)

Kelly Gonzalez Jr.	1200 North Federal HWY Suite 200 Boca Raton, FL 33432	561-506-5721
(Name)	(Address)	(Phone Number)

(Name)	(Address)	(Phone Number)
--------	-----------	----------------

10. List the pertinent experience of the key individuals of your organization (continue on insert sheet, if necessary).

Kelly Gonzalez is the epitome of the American dream in the transit community. Starting off as a driver earning minimum wage, he has become the Director of the largest privately owned transportation company in North America. He has worked at a company that experienced company growth peaking to \$1.3 billion in revenue with 16,000 team members and 10,000 vehicles nationwide. Kelly brought the same ingenuity and innovative solutions approach to ProKel Mobility. Kelly's leading transportation industry solutions have positioned ProKel to become a leader and secure market space in shuttle bus services, special needs transportation, paratransit and on-demand transportation.

11. State the name(s) of the individual(s) who will have personal supervision of the work:

Kelly Gonzalez Jr., Project Manager; Eduardo Carrion, Chief Operating Officer;

Jacqueline Goldsmith, Operations Manager; John Petillen, Operations Supervisor;  
Cierra Sutton, Safety Supervisor/Trainer; Vasti Amaro, Strategic Advisor;

Frank Ciccarella, Vice President of Safety; Lovely Apo, Regional Customer Service Supervisor;  
Lashonda Carter, Regional Safety Manager; Natasha Serra, Director of Grants and Mobility Funding Compliance;

Angelica Williams, Director of HR and Internship Program.

THE OFFEROR ACKNOWLEDGES AND UNDERSTANDS THAT THE INFORMATION CONTAINED IN RESPONSE TO THIS QUALIFICATION STATEMENT SHALL BE RELIED UPON BY OWNER IN AWARDING THE CONTRACT AND SUCH INFORMATION IS WARRANTED BY OFFEROR TO BE TRUE. THE DISCOVERY OF ANY OMISSION OR MISSTATEMENT THAT MATERIALLY AFFECTS THE OFFEROR'S QUALIFICATIONS TO PERFORM UNDER THE CONTRACT SHALL CAUSE THE OWNER TO REJECT THE PROPOSAL, AND IF AFTER THE AWARD TO CANCEL AND TERMINATE THE AWARD AND/OR CONTRACT.

Signature: \_\_\_\_\_

State of Florida

County of Miami Dade

On this the 11 day of April, 2023 before me by means of ☒ physical presence or ☐ online notarization, the undersigned Notary Public of the State of Florida, personally appeared

Kelly Gonzalez  
(Name(s) of individual(s) who appeared before notary)

whose name(s) is/are Subscribed to the within instrument, and he/she/they acknowledge that he/she/they executed it.

NOTARY PUBLIC  
SEAL OF OFFICE:

Jacqueline Goldsmith  
NOTARY PUBLIC, STATE OF FLORIDA  
Jacqueline GoldSmith  
(Name of Notary Public: Print,  
Stamp or Type as Commissioned.)

- ☐ Personally known to me, or  
☒ Produced identification:  
Driver License  
(Type of Identification Produced)  
☒ DID take an oath, or ☐ DID NOT take an oath





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Profit Corporation  
PROTRANSPORTATION INC.

### Filing Information

<b>Document Number</b>	P15000039157
<b>FEI/EIN Number</b>	47-4592028
<b>Date Filed</b>	04/30/2015
<b>Effective Date</b>	04/29/2015
<b>State</b>	FL
<b>Status</b>	ACTIVE
<b>Last Event</b>	AMENDMENT
<b>Event Date Filed</b>	07/30/2015
<b>Event Effective Date</b>	NONE

### Principal Address

1200 NORTH FEDERAL HWY  
SUITE 200  
BOCA RATON, FL 33432

Changed: 08/25/2015

### Mailing Address

1200 NORTH FEDERAL HWY  
SUITE 200  
BOCA RATON, FL 33432

Changed: 03/02/2016

### Registered Agent Name & Address

Goldblatt, Pearl  
1200 NORTH FEDERAL HWY  
SUITE 200  
BOCA RATON, FL 33432

Name Changed: 03/27/2017

Address Changed: 03/27/2017

### Officer/Director Detail

#### **Name & Address**

Title CEO

GONZALEZ , KELLY  
1200 NORTH FEDERAL HWY  
SUITE 200  
BOCA RATON, FL 33432

Title President, Secretary

Goldblatt, Pearl  
1200 NORTH FEDERAL HWY  
SUITE 200  
BOCA RATON, FL 33432

Annual Reports

Report Year	Filed Date
2020	01/17/2020
2021	04/20/2021
2022	02/03/2022

Document Images

<a href="#">02/03/2022 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
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<a href="#">07/30/2015 -- Amendment</a>	<a href="#">View image in PDF format</a>
<a href="#">04/30/2015 -- Domestic Profit</a>	<a href="#">View image in PDF format</a>



# *State of Florida*

## *Department of State*

I certify from the records of this office that PROTRANSPORTATION INC. is a corporation organized under the laws of the State of Florida, filed on April 30, 2015, effective April 29, 2015.

The document number of this corporation is P15000039157.

I further certify that said corporation has paid all fees due this office through December 31, 2021, that its most recent annual report/uniform business report was filed on April 20, 2021, and that its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Sixth day of December, 2021*



*Ronald R. De*  
**Secretary of State**

Tracking Number: 0359278914CU

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>

NON-COLLUSIVE AFFIDAVIT FOR BID 2023-007

State of Florida )

County of Miami Dade )

Kelly Gonzalez Jr. being first duly sworn, deposes and says that:

He/she is the Chief Executive Officer, (Owner, Partner, Officer, Representative or Agent) of PROTRANSPORTATION INC. DBA Prokel Mobility, the Offeror that has submitted the attached Proposal;

He/she is fully informed regarding the preparation and contents of the attached Proposal and of all pertinent circumstances regarding such Proposal;

Such Proposal is genuine and is not a collusive or sham Proposal;

Neither the said Offeror nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Offeror, firm, or person to submit a collusive or sham Proposal in connection with the Work for which the attached Proposal has been submitted; or to refrain from bidding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Offeror, firm, or person to fix the price or prices in the attached Proposal or of any other Offeror, or to fix any overhead, profit, or cost elements of the Proposal price or the Proposal price of any other Offeror, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;

The price or prices quoted in the attached Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Offeror or any other of its agents, representatives, owners, employees or parties in interest, including this affiant.

Signed, sealed, and delivered in the presence of:

Jacqueline Goldsmith  
Witness  
Jose Pineda  
Witness

By [Signature]  
Kelly Gonzalez Jr.  
Printed Name  
Chief Executive Officer  
Title Chief Executive Officer

**ACKNOWLEDGMENT**  
**NON-COLLUSIVE AFFIDAVIT FOR BID 2023-007**

State of Florida

County of Miami Dade

On this the 11 day of April, 2023, before me by means of ☒ physical presence or ☐ online notarization, the undersigned Notary Public of the State of Florida, personally appeared

Kelly Gonzalez  
(Name(s) of individual(s) who appeared before notary)

whose name(s) is/are Subscribed to within the instrument, and he/she/they acknowledge that he/she/they executed it.

WITNESS my hand  
and official seal.

NOTARY PUBLIC  
SEAL OF OFFICE:

Jacqueline Goldsmith  
NOTARY PUBLIC, STATE OF FLORIDA

Jacqueline Goldsmith  
(Name of Notary Public: Print,  
Stamp, or Type as Commissioned)

☐ Personally known to me, or  
☒ Produced identification

Driver License  
(Type of Identification Produced)

☒ DID take an oath, or ☐ DID NOT take an oath





### SCRUTINIZED COMPANIES CERTIFICATION

I hereby swear or affirm that as of the date below this company is not listed on a Scrutinized Companies list created pursuant to 215.4725, 215.473, or 287.135, Florida Statutes. Pursuant to 287.135, Florida Statutes I further affirm that:

1. This company is not participating in a boycott of Israel such that it is not refusing to deal, terminating business activities, or taking other actions to limit commercial relations with Israel, or persons or entities doing business in Israel or in Israeli-controlled territories, in a discriminatory manner.
2. This Company does not appear on the Scrutinized Companies with Activities in Sudan List where the State Board of Administration has established the following criteria:
  - a. Have a material business relationship with the government of Sudan or a government- created project involving oil related, mineral extraction, or power generation activities, or
  - b. Have a material business relationship involving the supply of military equipment, or
  - c. Impart minimal benefit to disadvantaged citizens that are typically located in the geographic periphery of Sudan, or
  - d. Have been complicit in the genocidal campaign in Darfur.
3. This Company does not appear on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List where the State Board of Administration has established the following criteria:
  - a. Have a material business relationship with the government of Iran or a government- created project involving oil related or mineral extraction activities, or
  - b. Have made material investments with the effect of significantly enhancing Iran's petroleum sector.
4. This Company is not engaged in business operations in Cuba or Syria.

VENDOR/COMPANY NAME: PROTRANSPORTATION INC. DBA Prokel Mobility

SIGNATURE: \_\_\_\_\_

PRINTED NAME: Kelly Gonzalez Jr.

TITLE: Chief Executive Officer DATE: April 11, 2023

The scrutinized company list is maintained by the State Board of Administration and available at <http://www.sbafla.com/>

## CITY OF MARGATE E-VERIFY FORM

Project Name:	COMMUNITY SHUTTLE SERVICES
Project No.:	BID NO 2023-007

ACKNOWLEDGEMENT

### Definitions:

"Contractor" means a person or entity that has entered or is attempting to enter into a contract with a public employer to provide labor, supplies, or services to such employer in exchange for salary, wages, or other remuneration.

"Subcontractor" means a person or entity that provides labor, supplies, or services to or for a contractor or another subcontractor in exchange for salary, wages, or other remuneration.

Effective January 1, 2021, public and private employers, contractors and subcontractors will begin required registration with, and use of the E-verify system in order to verify the work authorization status of all newly hired employees. Vendor/Consultant/Contractor acknowledges and agrees to utilize the U.S. Department of Homeland Security's E-Verify System to verify the employment eligibility of:

- a) All persons employed by Vendor/Consultant/Contractor to perform employment duties within Florida during the term of the contract; and
- b) All persons (including subvendors/subconsultants/subcontractors) assigned by Vendor/Consultant/Contractor to perform work pursuant to the contract with the Department. The Vendor/Consultant/Contractor acknowledges and agrees that use of the U.S. Department of Homeland Security's E-Verify System during the term of the contract is a condition of the contract with the City of Margate; and
- c) Should vendor become successful Contractor awarded for the above-named project, by entering into this Contract, the Contractor becomes obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The contractor shall maintain a copy of such affidavit for the duration of the contract. Failure to comply will lead to termination of this Contract, or if a subcontractor knowingly violates the statute, the subcontract must be terminated immediately. Any challenge to termination under this provision must be filed in the Circuit Court no later than 20 calendar days after the date of termination. If this contract is terminated for a violation of the statute by the Contractor, the Contractor may not be awarded a public contract for a period of 1 year after the date of termination and shall be liable for any additional costs incurred by the City as a result of the termination.

COMPANY CONTACT INFORMATION

Company Name: PROTRANSPORTATION INC. DBA Prokel Mobility
Authorized Signature:
Print Name: Kelly Gonzalez Jr.
Title Chief Executive Officer
Date: April 11, 2023
Phone: 561-506-5721
Email: kelly@prokelmobility.com
Website: https://prokelmobility.com

BID NO. 2023-007

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**ACKNOWLEDGEMENT FORM**

**ADDENDUM NO. 1**

**BID NO. 2023-007  
COMMUNITY SHUTTLE SERVICE**

I acknowledge receipt of Addendum No. 1 for BID No. 2023-007, Community Shuttle Service. This addendum contains four (4) pages. Please include the original of this form in your qualifications submission.

Company Name: PROTRANSPORTATION INC. DBA Proke/Mobi'l

Address: 1200 N Federal Hwy Suite 200 Boca Raton, FL 33432

Name of Signer Kelly Gonzalez Jr.  
(please print)

Signature: [Signature]

Date: 4/11/23

Telephone: 561-506-5721

Facsimile: \_\_\_\_\_

Please fax your completed form to (954) 935-5258 or e-mail to [purchase@margatefl.com](mailto:purchase@margatefl.com).

Wylene Sprouse NIGP-CPP, CPPB

Wylene Sprouse NIGP-CPP, CPPB  
Purchasing Supervisor  
04/05/2023

NOTE: The original of this form must be included with your BID submission.



# Appendices





# Appendix A: Resumes

# ROBERT HANN

## Executive Transportation Professional

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### PROFESSIONAL SUMMARY

A seasoned professional and effectual leader with a proven ability to lead businesses in all phases of business life cycles, expansion, peak, contraction, and trough. Successful operator of airport and parking lot shuttles, charter businesses, convention shuttles, "hop-on hop-off" and group tours. Led strategic marketing effort for The GO Group, LLC. Prepared and was successful in winning competitive shuttle RFPs, including the Midway Parking Lot Shuttle operation.

### EXPERIENCE

#### Munrovey Consulting – Principal

2020 – Present

- Responsible for business development, implementation of contracts and business oversight of contracts for several transportation companies

#### Coach USA, General Manager

2019 – 2020

- Responsible for leading Coach USA's Chicago operations including:
  - Megabus Midwest
  - Airport Operations
  - Chicago Trolley and Double Decker
  - Coach USA Chicago Charter operations
- Employed to analyze the business and determine future direction for corporate office and ownership group. The Company was comprised of 250 employees, including union and non-union drivers, dispatchers, sales, accounting, and maintenance. While leading the effort to turn around the operation, we were able to grow market share in each area, simultaneously realizing substantial cost savings. However, following careful analysis of how the business fit with the remainder of the Coach USA portfolio, we determined that the best option was for Coach USA to focus on Megabus Midwest only

#### Berkshire Hathaway Home Services, Realtor

2018 – 2019

- Represented home sellers, buyers and investors in the Chicago area, primarily focusing on the western suburbs. The position has enabled me to enhance strong sales, marketing, and negotiating skills. The qualities of being pro-active, creative problem solving, and self-direction have also been honed

#### Continental Air Transport Co., Inc., Vice President - Marketing

1995 – 2017

- Led the overall marketing and sales efforts for Continental Air Transport's multiple services
- Focused on Chicago's visitor, corporate and residential market
- Ensured high level of quality control for its services

### EDUCATION

#### DePaul University – 2005

MBA - Finance

#### Indiana University – 1995

Bachelor of Science

### PROFESSIONAL AFFILIATIONS

#### Rotary Club of Chicago O'Hare – April 2001 to Present

- Chair of the Club's Foundation
- President in 2005
- Former member of the Board of Directors

#### Rotary District 6450

- Treasurer from 2013 – 2016
- District Grant Auditor 2016 – Present

#### Good Shepherd Lutheran Church

- President of Church Council 2013 – 2017, 2019
- Chairperson of Building Restoration September 2018 – Present

#### Indian Guides

- Organized group in Oak Park
- Chief from 2007 – 2009
- Nation Chief from 2009 – 2017

## Kelly Gonzalez Jr.

Chief Executive Officer | Principal

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### PROFESSIONAL SUMMARY

Ability to maximize efficiencies in current Transit Models and work with agencies to modernize and make their current model more efficient. | Forward-thinking leader who places customer-centric solutions at the forefront of Transit Operations. | Partner with agencies to not only operate premium service, but also help them secure funding from multiple Federal, State and local sources.

### EXPERIENCE

**ProKel Mobility, Miami, FL** – Chief Executive Officer | Principal

SEPTEMBER 2019 - PRESENT

- Responsible for leading day-to-day operations, sales and overall company strategy, while managing seven executive-level direct reports. Tripled company revenue within the first 16 months.
- Direct and manage staffing, financials, payroll, scheduling, administration and human resources, safety and maintenance out of the Miami location.
- Develop key performance indicators/goals to assure internal performance accountability measures.
- Designed and implemented training programs to increase productivity and enhance customer service.
- Restructured company operations and recruited former transit senior leaders and directors.
- Introduced and invested in new state-of-the-art transit-leading technology to maximize output potential.
- Work hand-in-hand with cities and other clients to optimize their current transportation model.

**First Transit, Broward County, FL** – General Manager

FEBRUARY 2018 - SEPTEMBER 2019

- Oversight of 260 employees operating the Sun Trolley Fixed Route services and the Broward's TOPS Paratransit contract for a company that transports 2.1 billion passengers yearly and employs 100,000.

**Global Food Industries, Miami, FL** – Chief Business Development Officer

FEBRUARY 2017 - FEBRUARY 2018

- Led GFI into new markets and restructured departments to increase quality assurance, streamline logistics efficiencies and increase the company's footprint in government feeding procured markets.

**Total Transportation Corp., New York, NY** – VP of Business Development & Government Relations

AUGUST 2016 - FEBRUARY 2017

- Directed the Business Development for the largest ADA compliant transportation provider in the City of New York. Revenue: \$200 Million.

**MV Transportation, Dallas, TX** – Director of Business Development

OCTOBER 2008 - JULY 2016

- Directed the Business Development efforts for the largest privately held government contracting transit company in North America which employs 20,000 professionals, revenues \$1.3 Billion annually, and services more than 250 agencies/private entities worldwide.

### EDUCATION

**Northwood University, West Palm Beach, FL** – Business Management and International Business

### MEMBER/AFFILIATIONS

NAACP | COMTO (Conference of Minority Transportation Organization)



## EDUARDO R. CARRION

Senior Level Executive

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### PROFESSIONAL SUMMARY

Innovative and results-driven leader focused on achieving exceptional results in high-paced environments that demand continuous process improvement; Characterized as a visionary, strategist and tactician. Consistent record of delivering extraordinary results in growth, operational performance, and workforce development; Experienced in driving services, process, and customer service improvements while building partnerships with key decision-makers.

### EXPERIENCE

#### **ProKel Mobility – New York, NY – SENIOR VICE PRESIDENT/ COO**

2021 – Present

- Direct 170+ employees along with managers to achieve company objective and goals, oversee daily fixed routes, special education bus division, charter service and Paratransit operations, oversee maintenance and safety compliance of more than 100 Vehicles, Oversee proper training for personnel and monitor productivity

#### **SOLYD Transit Platform – CO-FOUNDER/ CHIEF INNOVATION OFFICER**

2017– 2021

- SOLYD Transit was created as a systems development company that offers dedicated digital business solutions from small, to mid and large-scale enterprises utilizing Blockchain technology as the backbone of system development and delivery. Maintained strategic view and ensured constant reliability of company brand

#### **Total Transportation Corp. – SENIOR VICE PRESIDENT BUSINESS DEVELOPMENT**

2016– 2017

- Served as a key member of the executive team charged with formulating strategic direction and devising business development initiatives consistent with overall strategy. Traveled nationally to identify new business opportunities and effectively managed a territory spanning across the United States and Canada. Planned and executed marketing strategies and events including trade shows and conferences with over thousands of participants. Cultivated business partnerships, built a successful pipeline and created new sales opportunities. Managed new and existing client projects including complex contract negotiations and labor relations

#### **MV Transportation – VICE PRESIDENT BUSINESS DEVELOPMENT**

2014– 2016

- Responsible for the marketing of services to the public transportation industry - work with a procurement team to oversee the technical and price proposal process, perform ground research, attend client hosted meetings, analyze the contractual opportunity, and determine unique strategies to win bids

#### **Maruti Mobility Management, LLC – CHIEF OPERATING OFFICER/ CIO**

2011– 2014

- Senior Level Executive directing corporate operations. Implemented substantial improvements in costs, services, sales, and employee morale and retention. Contributing to and emphasizing collaboration within a nationally operating, multi terminal company. Development and implementation of strategies focusing on organizational change, process engineering and technology advancement

### EDUCATION

#### **Southern Illinois University – Carbondale, Illinois**

Bachelor of Science

Workforce Education and Development

#### **Community College of The Air Force**

Associate Degree in Information Systems Management

#### **Villanova University**

Project Management Certificate

#### **USAF**

Six Sigma Black Belt Certification

# Vasti Amaro

## Board of Director/ Strategic Advisor

### PROFESSIONAL SUMMARY

Vasti has more than twenty-five (25) years of transportation experience in both public and private sectors, delivering passenger transport in the transit, airport ground transportation and university space. While working for global transportation firms, she was responsible for successful start-up operations for Hillsborough Area Regional Transit (HART) in Tampa, Dallas Area Rapid Transit (DART), Phoenix Transit, Greater Richmond Transit Company (GRTC), Phoenix Sky Harbor International Airport (CONRAC). She's managed operations for Collier Area Transit (CAT), Broward County Transit (BCT), South Florida Regional Transit Authority (SFRTA), Fort Lauderdale/Hollywood International Airport, and the Bus Shuttle for the Miami International Airport.

### EXPERIENCE

#### **ProKel Mobility, Palm Beach County, FL** – Board of Director/ Strategic Advisor to the CEO 2020 – Present

- Develop strategic plans with the executive team and senior staff to continuously improve ProKel Mobilty's operations for existing paratransit and fixed route shuttle services. Drive operational efficiencies in support of customer program(s). Identify and execute solutions to achieve customer cost savings commitments. Identify and execute solutions to reduce inbound and outbound transportation expenses.
- Established and conducted multi-divisional reviews, document and monitor action items required to improve division metrics. Monitor overall division metrics and participate in the operational review calls to discuss action items taken and progress toward company and customer goals. Share and support implementation of best practices across divisions. Motivate, lead, and train division general managers.

#### **Vasti Transport, Tampa, FL** – Principal

2014– Present

- Transportation consultant and executive coaching to leaders of mass transit agencies and business owners.

#### **Port Authority of Allegheny County, Pittsburg, PA** – Chief of Staff

2017 – 2019

- As a consultant to the agency, Provided transitional support to the new CEO and then held permanent position with oversight of 2,600 employees and an operating budget of \$480M/capital budget of \$189M.

#### **First Transit, Tampa, FL** – Director of Business Development (East Region)

2015 – 2017

- Responsible for revenue growth and market development in all transportation segments and maintenance business.

#### **Hillsborough Area Rapid Transit (HART), Tampa, FL** – Director of Maintenance/ Director of Transportation/ Director of Paratransit

April 2014 – July 2015 & August 2017– March 2018

- As a consultant to the agency under Vasti Transport, filled three executive roles during two separate periods. As Acting Director of Transportation, assisted with the evacuation of Hur-ricane Irma and implemented a new bus route redesign, referred to as Mission Max.

#### **Keolis, Tampa, FL** – Senior Vice President of East Region November 2010 – October 2013

- Provided leadership and oversight for over thirty-five client contracts with Cities, Counties, Airports, Mass Transit Agencies, and Corporations from seven facilities throughout the state of Florida and Virginia with over 1,000 employees and over \$40 million in revenue. Responsibilities also included client relations, business development and start-up operations. Instrumental with a merger and acquisition by Keolis, helping them enter the U.S market.

#### **Transdev, Phoenix, AZ** – GM/Director of Transportation

October 1999 – October 2010

- Responsible for many start-ups and transitions in Transit, Airport and University space. Part of the Phoenix Transit startup team, which converted the public transit agency to a full turn-key operation.

## NATASHA SERRA

### Project Manager

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## PROFESSIONAL SUMMARY

Natasha brings ten years of experience in the field of Mobility Management and is a passionate human services advocate with a proven track record for leveraging financial resources to implement transit projects. Natasha has the ability to track and analyze program related performance measurements metrics for in -depth reporting on financial and spatial analysis in the transportation environment. She has extensive experience with auditing and compliance in FTA 5307, 5310 5311, 5312 and 5339 and developed various innovative programs by integrating technological resources with human capital by organizing and building community consensus amongst stakeholders to finance or source funding for transportation projects and programs. She has extensive experience with civil rights and public involvement programs at the local, state and national level.

## EXPERIENCE

### **Cleveland Clinic - Martin Health - Florida,** *Transportation Business Model - Consultant*

April 2022 – present

- Creating Courier Routes Consultant
- Providing ArcGIS Technical Assistance in concert with LabLogistics for the development of hospital-to-hospital courier services

### **Flagler County Transit Services- Kittelson and Associates, DBE Consultant - Florida,** *FTA Transit Grants Consultant*

December 2021 – June 2022

- Consultant /FTA Consultant
- Provided Technical Assistance with FTA New 5307 Direct Recipient Application
- Assisted with FTA Transit Grants Management, Financial Grants Management Consultation

### **Lake County Transit Services - Florida,** *FTA Transit Grants Reporter and Consultant on Project Management*

December 2020 – November 2021

- Consultant / FTA Reporter / TrAMS Technical Assistance
- Assist with FTA Transit Grants Management, Financial Grants Management Reporting (TrAMS FFR, MPR, DBE reports), Project Management assistance and consultation on TIP Amendments

### **City of Ocala Growth Department - Florida,** *Consultant for FTA and FDOT Triennial Review Assistance*

December 2019 – October 2021

- Providing technical assistance to the city with a route realignment to develop, provide planning scenarios and cost benefits analysis utilizing REMIX

### **Assisted Rides Software Enhancements - California,** *Software Development Consultant*

Ongoing for over 5 years

- Facilitated software developments for reporting on Preventative and Routine Vehicle Maintenance, Safety Plans, and other Asset Management reporting capabilities for compliance with FTA and DOT Auditing requirements

### **UZURV Holdings Inc. - Virginia,** *Consultant on FTA Safety and Compliance*

Spring 2020

- Responsible for the Drug and Alcohol and Safety Programs for FTA compliance Assisted with CRM enhancements for the Advantage Ride On-Demand program

## EDUCATION

### **Southern New Hampshire University**

Pursuing a Masters in Organizational Leadership

Certifications in Community Economic Development

### **Indian River State College**

Bachelor of Science in Organizational Management with a Concentration in Public Safety Administration

### **Indian River State College**

Associate of Arts in Criminal Justice

# FRANK CICCARELLA

Consultant

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## PROFESSIONAL SUMMARY

Frank J. Ciccarella is recognized as one of our nation's experts in public transportation training and safety. Frank has more than 40 years of experience in training and safety as an executive and as a consultant to the industry. Frank has experience in all phases of public transportation including fixed route bus operations, paratransit operations, taxi operations, TNC's, Shuttle Bus, and similar forms of public transportation.

Frank's experience includes all types of training and safety programs. He is a certified instructor for the TAPCO Transit and Paratransit training program. This includes training of drivers for all modes of operations as well as safety program implementation.

## EXPERIENCE

### **Synergize Consulting – Gardner, KS – Owner**

September 2018 – Present

- Provides management consulting in all phases of transit and/or for-hire operations
- Offers a comprehensive suite of driver training, employee training, safety training, new company start up, audit preparation, expert witness review & preparation, risk management control, analytic reviews, training program development and implementation, safety program management oversight.

### **J Rubino Transit Consulting, Saint Augustine, FL – September 2018 – Present**

- Performs expert witness services in legal matters, including personal injury cases, employment disputes, and regulatory matters
- Provides driver and employee training, safety training, and management consulting in all phases of transit and/or for-hire operations

### **SCR Medical Transportation – Chicago IL. – Vice President of Safety, Training, and Security**

August 2013 – August 2018

- Created a synergistic approach to managing safety in all areas of operations
- Conceptualized and created the System Safety and Security Plan to standardize operational and safety practices across all departments

### **North America Central School Bus – Joliet, IL. – Director of Safety and Training**

May 2011 – August 2013

- Responsible for all safety and training of drivers, mechanics, and staff.
- Develop and implement a coordinated new driver training program and education program for current drivers.
- Responsible for development of all environmental programs and training.

### **Medical Transportation Management (MTM) / Ride Right Transportation – Lake St. Louis MO. – Vice President, Safety, Training and Security**

February 2010 – May 2011

- Developed a comprehensive approach to safety and risk management and implemented a System Safety and Security Program company wide. Ride Right was a new operating division of MTM.
- Conceptualized, created, and implemented standardized operational and safety practices.

### **First Transit, First Vehicle Services, Divisions of First Group America – Cincinnati, OH – Vice President, Safety and Security**

October 2007 – May 2009

- Led the integration and change management strategies for Laidlaw Transit and First Group America from October 2007 through January 2009
- Created and implemented a World Class Safety Program for more than 14,000 employees and 7,500 vehicles operating at 180 facilities across North America
- Conducted a best practices study and comparative analyses of safety practices across a dozen major transportation firms to establish a strategic plan



# Lashonda Carter

## *Safety & Training Manager*

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*Ms. Lashonda Carter ProKel's proposed Safety Manager*

### Summary of Qualifications

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#### **Management Skills**

- Experience with and knowledge of Americans with Disabilities Act (ADA) and its application to transit issues
- Training and safety background and familiarity with ProKel Safety programs and policies
- Experience with recruitment and staff development, Hire Express, I-9 recruiting functions
- Knowledge of FTA Drug and Alcohol regulations under 49 CFR Part 40 and Part 65

#### **Technology Skills**

- Proficient in use and management of automatic dispatching and scheduling systems
- Proficient in use of Microsoft Office and Adobe suites
- Experience with Drive Cam as a safety and behavior modification tool

### Experience

#### **Safety Manager, ProKel Mobility (Palm Beach, FL)**

***2017 to Present***

- Oversee the safety and training administration for 90 drivers.
- Improved driver relations through effective, consistent, and honest communications
- Improved Accident Frequency Rate
- Consistent road observations and ride checks to maintain performance levels
- Maintain 100% compliance with DOT and FTA regulations

#### **Safety Manager, MV Transportation, Inc. (Palm Beach, FL)**

***2015 to 2017***

- Supervise paratransit operation providing over 8,000 passenger trips a week in Palm Beach County (2,000 sq. miles) with a team of more than 170 employees
- Oversee safety-sensitive employees in the areas of safety, maintenance, dispatch, and administration, with five direct reports

#### **Lead Trainer / Road Supervisor Metro Mobility Management (Palm Beach, FL)**

***2011 to 2015***

- Responded to employee issues, accidents, and emergencies
- Provided training support as needed
- Performed dispatching at two locations

CERTIFICATIONS: MVOC Training,  
Non-Emergency Stretcher/ Stair Chair Training,  
Drug and Alcohol Responsible Suspension  
Determination, CPR/First Aid, SHRM

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# Angie Williams

## *Director of HR & Recruiting*

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### Work Experience

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#### **Director of HR & Recruiting**

**2019-Present**

Miami, FL

- Direct all aspects of talent acquisition - National recruitment in multiple areas of the organization: Operations (Paratransit and Fixed, School Bus and Shuttle services),
- Develop social media talent recruiting campaigns
- 100% Fully Staffed in all ProKel locations due to outside the box recruiting plans and execution
- Direct talent attraction and employment branding initiatives
- Develop talent acquisition strategies and hiring plans
- Determine current staffing needs and produce quarterly forecasts
- Direct ProKel's recruiting initiatives nationally with Union and non-union talent as well as responsible for competitor analysis and available workforce analysis nationally
- Daily meet with leaders/executives of internal and external organizations to establish innovative approaches to drive & retain key talent
- Responsible for hiring all Corporate, Field talent, and Executive level functions
- Proactively evaluating with Operations to forecast the increases in recruiting needs of the business and demands for start up's and bid roles, backfills and trend shortages
- Continuous evaluation and refinement of recruitment process to exceed or meet service level requirements
- Experienced in conducting, coordination, and execution of panel interviews

#### **BS, Business Management, Marketing, and Related Support Services**

University of Florida  
Gainesville, FL

# WARREN S. MONTAGUE

General Manager

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## PROFESSIONAL SUMMARY

Mr. Warren Montague is MV's proposed general manager for the MARTA Mobility Operations and Maintenance Services.

## EXPERIENCE

### **MV Transportation – Detroit, MI – Manager of Office of Mobility Service, Compliance & Standards**

2013 – Present

- Oversight of the following programs for the Detroit Department of Transportation:
- ADA Paratransit operations and delivery of services
- Disadvantaged Business Enterprise (DBE) Program
- Title VI Plan
- Drug & Alcohol Program
- Specialized Services Program

### **Southeastern Pennsylvania Transportation Authority (SEPTA) – Philadelphia, PA**

1993 – 2013

*Chief Transportation Officer, Customized Community Transportation*

2011 – 2013

- Oversight of service plan to provide more than 8000 advance reservation, door-to-door daily paratransit and fixed route trips
- Negotiated contracts for CCT transportation services both paratransit and fixed route

### **Customized Community Transportation – Director of Service Operations**

1997 to 2011

- Oversight of SEPTA CCT CONNECT – more than 7,000 senior and ADA complementary paratransit door-to-door rides each weekday across a five-county service area, more than 2,200 sq. mi.
- Oversight of service operations and planning service for five counties

### **Freedom Paratransit – Director**

1997

- Managed SEPTA's in-house paratransit unit – helped create unit as emergency strategy when largest carrier unexpectedly shut down
- Oversaw daily activities and service delivery to senior and ADA ridership

## EDUCATION

### **Southern Illinois University – Carbondale, Illinois**

Bachelor of Science

Workforce Education and Development

### **Temple University – Philadelphia, PA**

B.A., Criminal Justice

### **Community College of Philadelphia – Philadelphia, PA**

Associate Degree in Arts, General Studies

**Bus Accident Investigation** – US DOT, TSI (Oklahoma City, OK)

**Passenger Assistance Technical Instructor** (Dallas, TX program)

**Instructor** – Passenger Assistance Techniques (PAT)

**Wheelchair Securement, Sensitivity** – University of Wisconsin (Milwaukee)

### **Comprehensive ADA Paratransit Eligibility**

**Determination** – NTI/FTA

**"Train the Trainer"** – SEPTA Professional Education Development

**Software** – PASS, Mainframe, Microsoft Office, Windows

## PROFESSIONAL AFFILIATIONS

### **Board Member**

- Conference of Minority Transportation Officials (COMTO)
- Pennsylvania Transportation Coalition (PenTrans)
- Philadelphia Academies, Advisory Board for Public Education

# MARCOS MONHEIT, M.S., CPA, CCM

Financial Consultant

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## PROFESSIONAL SUMMARY

Seasoned financial professional with proven experience managing high growth environments, corporate finance, capital markets, M&A, financial modeling, budgeting, analysis, treasury, accounting, and financial reporting

## EXPERIENCE

### **WorkCapital BS"D S.a.r.l.** - Senior Financial Consultant

2018 - 2021

- Luxembourg based fintech start-up operating in Brazil with an Israel-based development team Provided guidance on financial and tax compliance in Luxembourg, Israel, Brazil, and Guernsey
- Implemented dynamic cash forecasting model, maintained cap table and forex hedging

### **PHARMSCRIPT LLC - SOMERSET, NJ** - Chief Financial Officer

2010- 2017

- Pharmscript is a fast-growing long-term-care pharmacy servicing hundreds of thousand skilled-nursing beds in 24 states out of 20 pharmacy locations
- Played key role in the early financial turn-around of Pharmscript, thereby saving the Company from insolvency and positioning it for rapid growth while achieving industry-leading profit margins

### **IDT CORPORATION - NEWARK, NJ (NYSE "IDT")** - Chief Financial Officer - IDT Carmel Holdings, Inc. 2007-2009

2003 - 2009

- IDT provides telecommunication services worldwide to retail and wholesale markets. The Company also incubated and operated several other businesses through its IDT Capital division
- IDT Carmel bought and managed consumer debt and had \$1 billion in portfolios under management

Chief Financial Officer - IDT Capital, Inc. 2006-2007

- IDT Capital, Inc., the incubation division of IDT Corp, managed 12 different businesses in the areas of energy supply, debt management, publishing, radio, mobile internet content, call centers, and insurance brokerage

Chief Financial Officer - IDT Global Israel, Ltd ("IGI") 2003-2006

- IGI was IDT's Jerusalem-based 600 seat call center and outsourced services provider
- Secured NIS 12 million in government grants for call center development
- Performed fiscal oversight of multi-million-dollar construction of Jerusalem headquarters
- Developed break-even strategy to bring the Company from start-up mode into financial independence

### **UNIVERSAL HEALTH MANAGEMENT, LLC - FT. LAUDERDALE, FL** - Chief Financial Officer

2001 - 2003

- UHM was a fast-growing nursing home management company operating in Florida and New York
- Implemented capitated contracts for major expenses, resulting in predictable cash flows and financial results
- Revamped the financial staff, brought balance sheets to date and initiated cash flow reporting

## EDUCATION

### **Johns Hopkins University - Baltimore, Maryland**

Master of Science, Finance

Recipient of the Stegman Award for Academic Excellence

Overall GPA 4.0/4.0

### **University of Maryland - College Park, Maryland**

Bachelor of Arts, Economics

## Languages

English, Portuguese - Native

Hebrew - Fluent



## MICHELAIRE PHANOR

Operations Manager

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### EXPERIENCE

#### **ProKel Mobility – New York, NY – VP of Operations**

July 2022 – Present

- Responsible for the overall operation of divisions nationally
- Primary client contacts accountable for guaranteeing contract compliance
- Provided technical expertise to multiple clients for system improvement and development focusing on various performance measures and efficiencies
- General oversight of Transit Operations, providing guidance with day-to-day activities and planning strategies to General Managers and Clients

#### **MV Transportation, Inc./New York Transit Authority – New York, NY – Project Director/Operations Manager**

2011 – 2022

- Responsible for the daily management of an \$80 million, five year paratransit operation providing door-to-door transportation services to ADA approved passengers within the five boroughs of New York City
- Effective management of various departments (operations, safety and training, vehicle maintenance and accounting and administration)
- Lead a workforce of more than 370 employees (300 drivers, 20 mechanics and 50 staff employees)
- Maintain superior client relations
- Conduct union hearings
- Resource allocation (driver scheduling and vehicle availability)

#### **AGM, MV Transportation, Inc. – Brooklyn, NY – Safety Manager**

2006 – 2011

- Reviewed current and next day manifest for efficiency and operational performance
- Responded to complaints and took action with retraining drivers with multiple infractions of regulations and procedures
- Assisted with dispatchers training to decrease complaints of drivers as it affects all departments
- Monitored proper pre-trip inspections and pull-out performance for on-time operating performance
- Ensured rider productivity met or exceeded contract requirements

#### **AGM, MV Transportation, Inc. – Brooklyn, NY – Road Supervisor/Trainer**

2003 – 2006

- Conducted field evaluations, through on-street monitoring that includes, but is not limited to, assessment of vehicle condition, vehicle operator professionalism, vehicle operator performance, and service rule adherence
- Promptly responded to accidents/incidents, responsible for maintaining all accident/incident documentation for employees in division and ensured that those records were clear, articulate and accessible for viewing by appropriate client, State and Federal agencies

#### **Pro-Ride Access-A-Ride – Brooklyn, NY – Bus Operator**

2000 – 2001

- Ensured the safety of all passengers by use of appropriate on-board restraints
- Successfully performed scheduled manifest by picking up all clients on time and delivering them to their destinations safely and within a reasonable time frame

### EDUCATION

#### **Kingsborough Community College – Brooklyn, NY**

Business Management

Defensive driver instructor

### Languages

French, Creole – Fluent

## **Anthony Radicone**

303 Chicago Avenue Point Pleasant Beach, New Jersey

Phone# (646)642-2045

Email: [aradicone@yahoo.com](mailto:aradicone@yahoo.com)

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### **FLEET MAINTENANCE MANAGER**

Self-motivated professional with over 30 years of progressive experience in all aspects of the vehicle and fleet maintenance industry. A proven track record for taking technical or complex problems from inception to completion, while streamlining procedures that improve safety, productivity and control cost through expertise in:

- Leadership & Team building
- Technical troubleshooting
- Production Planning & Scheduling
- Organization & Time Management
- Budget & Finance (KPI/P&L)
- Safety & Compliance Management
- Vendor Management
- Preventative & Maintenance Management/Programs

### **Experience Highlights & Career Progression**

#### **October 2017 to Present**

##### ***First Transit Group- Maintenance Manager***

- Daily planning & scheduling of Bus Maintenance / Audit Work Orders
- Monitor CPM for Budget

#### **January 2015 – October 2017**

##### ***Maruti Fleet and Management- Regional Maintenance Director***

- Oversee maintenance activities at seven operating locations.
- Directly responsible for all aspects of the operation of 300 vehicles: buses, vans and trolleys.

#### **June 2011 – June 2014**

##### ***Maggie's Paratransit –Assistant Director-New York City Boroughs***

- Directly responsible for all aspects of the operation of 875 para-transit and school buses that provide over 900 routes daily.
- Ensure adherence of all MTA contract requirements

#### **July 2007 – March 2011**

##### ***MV Transportation- Fleet Maintenance Manager –Staten Island/Brooklyn, New York***

- Directly responsible for all aspects of the operating maintenance of 280 para-transit buses that provides over 3000 one-way trips daily within all five boroughs of NYC.

#### ***Military Decorations, Awards***

February 1985 - Army Commendations Medal

June 1983 - Army Good Conduct Medal

September 1983 - Non-Commissioned Officer Development Ribbon

December 1986 - Overseas Ribbon

#### ***Education***

- United States Army Maryland Automotive/Diesel Repair and Rebuilding School
- United States Army Fort Bragg, NC Transmission and Overhaul School.
- ASE Certified-Master Technician
- Albany Business College from 1977-1981
- CAFM(Certified automotive fleet manager)



# Appendix B: DriveCam Software



PROKEL  
Mobility

lytx®

## KNOW WHAT HAPPENED

### Answers faster.

Access the video you need at the right time, at the right length, so you can get the facts you need in minutes.



LYTX VIDEO PLATFORM

## MANAGE YOUR DRIVERS

### Visibility at the right time.

Get the timely insights you need to help you monitor driving risk and fleet status.



RISK DETECTION SERVICE  
FLEET TRACKING SERVICE

## CHANGE BEHAVIOR

### Safer driving habits.

Improve driver behavior, reduce risk, and lower collision frequency with the industry-leading driver safety program.



DRIVER SAFETY PROGRAM



Lytix Video Platform	Risk Detection Service	Driver Safety Program	Fleet Tracking Service
The video facts fleets need – in minutes.	Monitor fleet risk with timely insights.	A proven approach to improving driving habits.	Improve customer satisfaction and safety - in one solution.
Gives users access video anywhere they have an internet connection.	Provides users with insights about driving moments that are important to track.	Helps change behavior by coaching drivers to be aware of their habits on the road.	Provides real-time fleet status so users can optimize productivity.
	All features of Lytx Video Platform <b>PLUS:</b>	All features of <b>Lytix Video Platform</b> and select features of <b>Risk Detection PLUS:</b>	All features of <b>Lytix Video Platform PLUS:</b>
<ul style="list-style-type: none"> <li>Immediately access up to 100 driving hours of video online from Lytx account <ul style="list-style-type: none"> <li>- Continual recording</li> <li>- Live Streaming Video</li> <li>- 5 min per vehicle per month</li> </ul> </li> <li>Ability to add auxiliary cameras</li> <li>Secure access to Lytx account, programs, services and data</li> <li>Gateway to manage drivers, vehicles, select configurations and administrative functions</li> </ul>	<ul style="list-style-type: none"> <li>Dashboard displays the categories that are contributing to risk, frequency by count and trend, per Group. (April/May)</li> <li>Event List provides a summary of exception-based events generated by vehicles drivers including accelerometer, speeding, rolling stop and third-party ADAS triggered events.</li> <li>Extend Events: Get 30-seconds before and 30-seconds after exception-based events (when Continual Recording is activated)</li> <li>No coaching workflow</li> </ul>	<ul style="list-style-type: none"> <li>Prioritized coaching tasks</li> <li>Prescriptive coaching workflow</li> <li>Human review identifies behaviors and outcomes</li> <li>Reports: Safety and performance; Drivers, group, and program status reports, Industry benchmarking</li> <li>Scores: Coaching effectiveness help users monitor efficacy</li> <li>Program management and support</li> <li>Program reviews, ROI analysis</li> <li>Insight dashboards</li> </ul>	<ul style="list-style-type: none"> <li>Real-time vehicle location</li> <li>Route replay</li> <li>Locate closest vehicle</li> <li>Custom geo-fences with real-time alerts</li> <li>Real-time and past vehicle location data</li> <li>Fuel management reports (available with J1939 ECM connection)</li> <li>State mileage data extracts</li> </ul>

## RISK DETECTION SERVICE

# The tools you need to monitor fleet risk on your terms.

Get the insights that help you spot moments that are important to track. You decide when it's right to take action.

# RISK DETECTION SERVICE

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**Monitor fleet risk on your terms.** Surfaces driving moments that are important to track with a high degree of confidence, so you can decide when it's right to take action.

**I need to monitor fleet risk throughout the day so I can take action at the right time.**

- **Monitor driving behaviors and where risk is happening and decide when to take action**
- **Spot trends and address behaviors that are contributing to fleet risk**

## Overarching Benefits

- ✓ **Surface**  
Identifies the potential risk you care about in minutes
- ✓ **Notify**  
Fleet managers get a summary of events that are important to track
- ✓ **Monitor**  
Review events and spot trends so you can take corrective action when you need to

# STAGES OF AN EVENT

Lytx machine vision and artificial intelligence (MV+AI) identify behaviors behind the scenes, delivering the timely insights you need to monitor fleet risk.

1

## LYTX DRIVECAM® EVENT RECORDER CAPTURES RISKY DRIVING

Our technology distinguishes normal driving from risky behaviors and uploads events to the Lytx cloud.

2

## ARTIFICIAL INTELLIGENCE EVALUATES EVENTS

Our proprietary decision-making engine categorizes and presents events based on associated behaviors.

3

## MV+AI LOOKS FOR SPECIFIC BEHAVIORS

Highly-trained algorithms surface unsafe behaviors, like phone use and driving without a seatbelt.

4

## EVENTS ARE SENT TO YOUR LYTX ACCOUNT

With a list of select events marked with important behaviors to track, you'll be able to monitor risk across your fleet.

## DRIVER SAFETY PROGRAM

# A proven approach to improving driving habits.

Lytx's premier solution that helps users change behavior by coaching drivers to be aware of their habits on the road.



# DRIVER SAFETY PROGRAM

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## A proven approach to improving driving habits.

Lytx's premier offering is proven to help change driving behavior with video coaching so drivers can be more aware of their habits on the road.

## I want to improve fleet safety, and drive accountability for results.

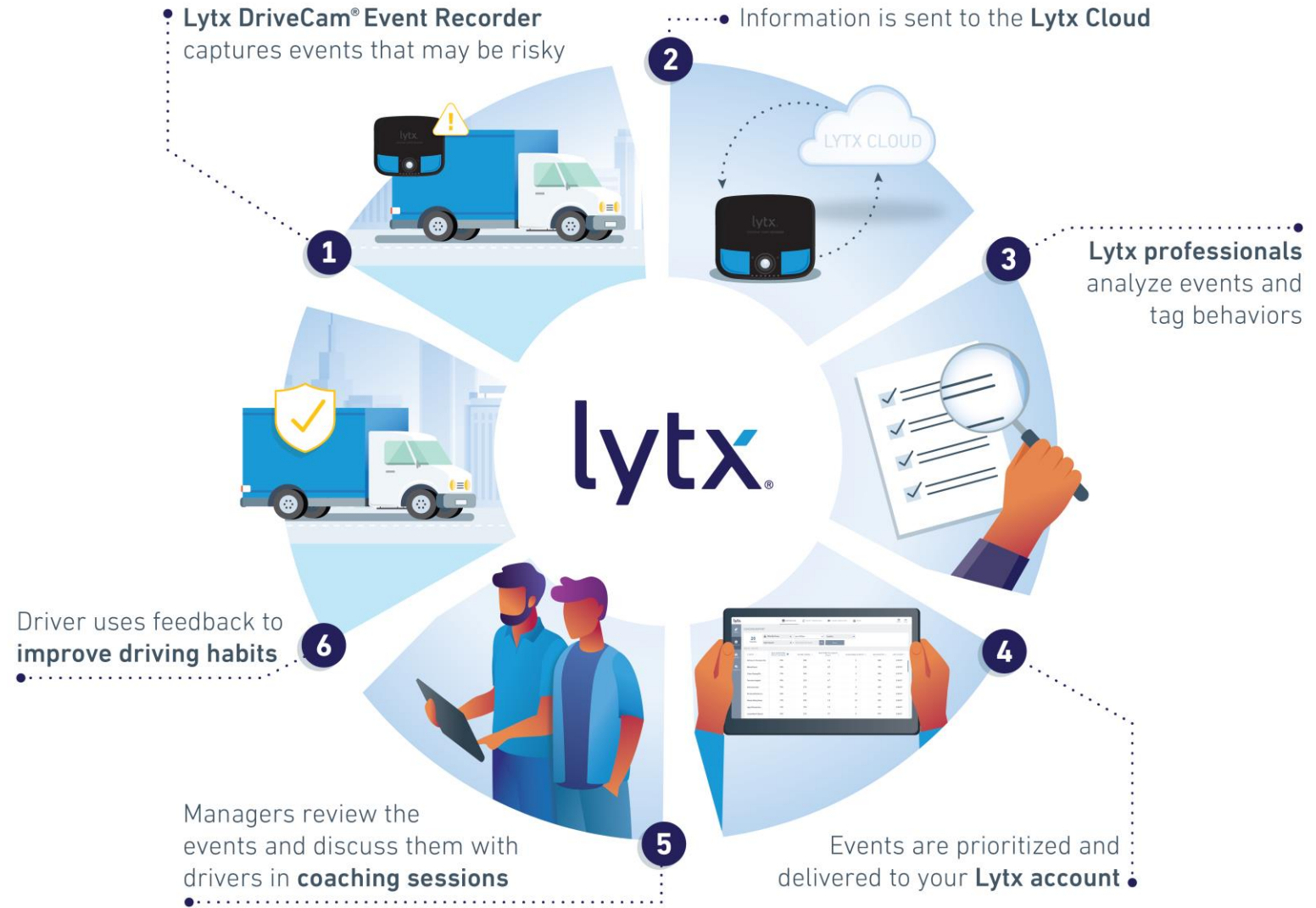
- Reduce unsafe behaviors and improve fleet performance with video-based coaching
- Change behavior by increasing awareness of driving habits on the road and in the field

## Overarching Benefits

- ✓ **Safety**  
Helping drivers improve their driving skills is your best defense when it comes to fleet safety.
- ✓ **Uptime**  
Maximum uptime happens when drivers are safe and protected, and that can reduce downtime spent on vehicle maintenance and repairs.
- ✓ **Costs**  
Safer driving is proven to help your bottom line, from lower insurance premiums to increased productivity and improved fuel efficiency.

# DRIVER SAFETY CYCLE

Change behavior by coaching drivers to be aware of their habits. The Lytx coaching process puts fleets on the fast track to improving driver performance and minimizing risk on the road.



# STAGES OF AN EVENT

Here's how billions of miles of driving data gets translated into simple priorities that can help you reduce your fleet's risk of collisions.

1

## LYTX DRIVECAM® EVENT RECORDER CAPTURES RISKY DRIVING

Built-in algorithms distinguish normal driving from risky behaviors and upload events to the Lytx cloud.



2

## ARTIFICIAL INTELLIGENCE EVALUATES EVENTS

Our proprietary decision-making engine categorizes and presents events based on:

- Collision probability
- Coachability
- Associated behaviors



4

## EVENTS ARE DELIVERED TO YOUR LYTX ACCOUNT

Relevant events are prioritized for you so you can focus on coaching the most important things first, and make the most of your day.



3

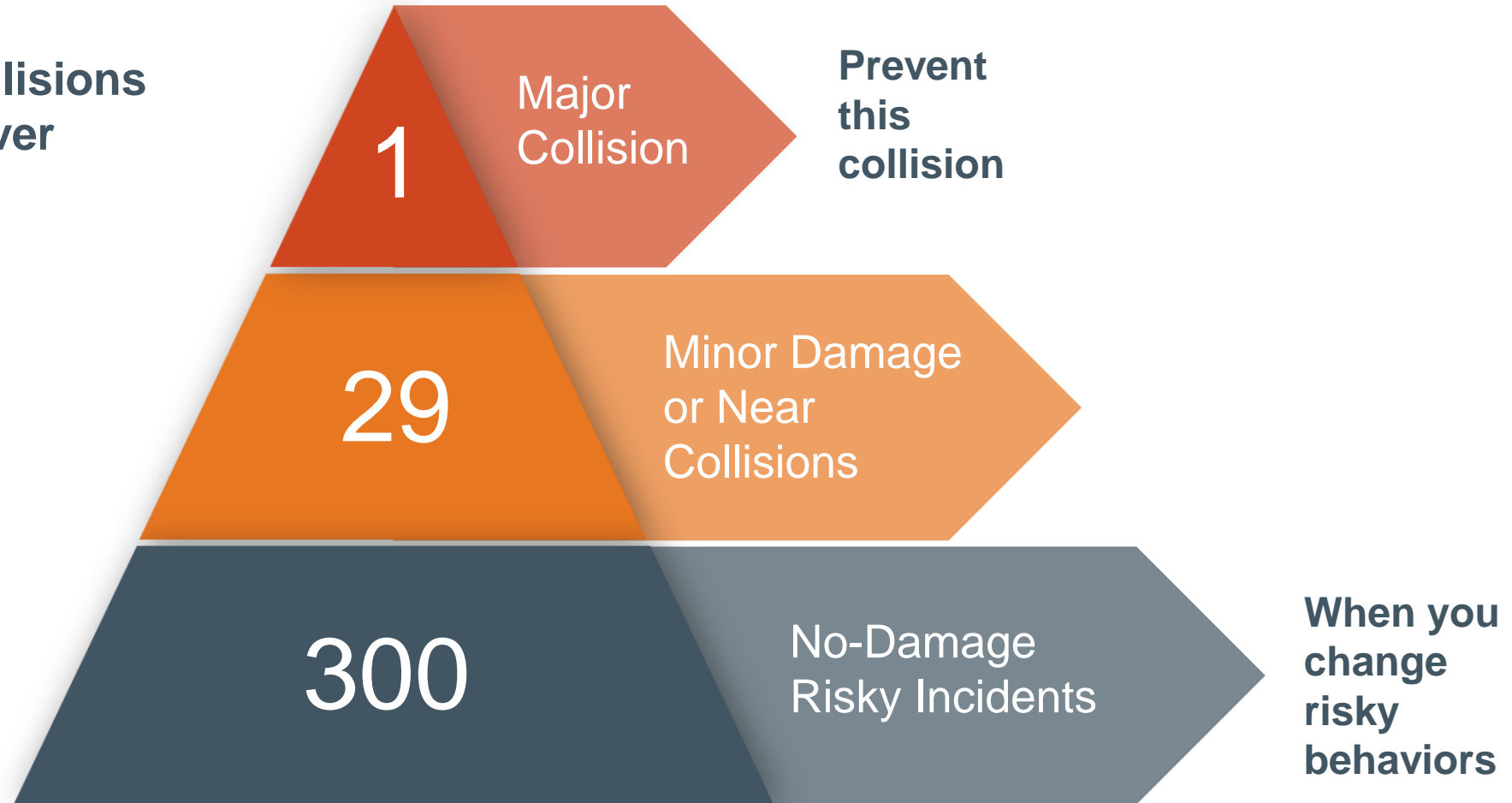
## LYTX PROFESSIONALS REVIEW EVERY EVENT

Highly-trained analysts review hours of footage, so you don't have to—providing an objective, impartial assessment.



# SAFETY PYRAMID

Help prevent collisions  
by changing driver  
behavior before  
causing a  
major incident



Source: H.W. Heinrich, *Industrial Accident Prevention: A Scientific Approach*.

## FLEET TRACKING SERVICE

# Your fleet status in an instant.

Real-time vehicle status helps you run a more efficient fleet.  
Respond faster, minimize phone time, and optimize productivity.



# FLEET TRACKING SERVICE

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**See fleet status in an instant.**

Real-time vehicle status helps you run a more efficient fleet so you can respond faster, minimize phone time, and optimize fleet productivity.

## I want to quickly locate, track and manage my vehicles with video support so I can:

- Improve efficiency and increase the number of jobs per day
- improve customer satisfaction by responding to status questions faster
- Better manage customer expectations by knowing technician location, and ETA
- Monitor drivers and ensure they are on task and on time

### Overarching Benefits

- ✓ **Respond Faster**  
Improve customer satisfaction with the ability to communicate things like driver status and ETA
- ✓ **Maximize Work Hours**  
Increase productivity by managing driver productivity
- ✓ **Optimize Assets**  
Streamline fleet management by improving vehicle use and on-time performance

It's not a dashcam.

# IT'S A RISK DETECTION POWERHOUSE



**Meet the first step  
in state-of-the-art  
fleet protection.**

**The Lytx DriveCam® event  
recorder is where it all starts.**

This automotive-grade device does more than just capture video. It uses onboard algorithms to collect and process data and video, and distinguish normal driving from risky behaviors.

# THINGS TO CONSIDER

Things to Consider:

## VERSATILE, ADAPTABLE SOLUTIONS

**Lytx can customize your solution to address your specific fleet needs and goals.**



Your business challenges are unique. Why settle for a “one-size-fits-most” solution?



Lytx can adapt as your fleet needs change, without subsequent installations or touches. Our cloud-based distributed architecture lets us deploy firmware and algorithms updates over the air - without needing to replace costly hardware.



Lytx solutions are customizable with highly configurable features to give you the right program at the right price. Configurations include camera view, video length, triggers, behavior selection, event scoring, and more.

Things to Consider:

## FLEET-SPECIFIC TECHNOLOGIES

Lytx has been developing and deploying cutting-edge technologies for over 20 years.



We implement edge-to-cloud machine vision and artificial intelligence [MV+AI] technology that is intentionally designed and developed to solve specific challenges fleets like yours care about.



Lytx solutions are powered by the world's largest video and driving database of its kind in a single platform. Our database is driven by +500K vehicles, 20 years of experience, and billions of miles of driving data.



Lytx is pioneer and leader in video telematics industry, and holds over 120 issued and pending patents.

<https://www.lytx.com/en-us/patents>



Things to Consider:

## ALL VIDEO IS NOT CREATED EQUAL

**Lytx Video Platform is built for ease of use.**



The Lytx Video Platform gives you instant access to data and video – on demand. Continual recording means continual protection.



The Lytx Video Platform is mobile friendly, which means you can access your program from mobile devices, such as tablets or smartphones anywhere you have an internet connection.

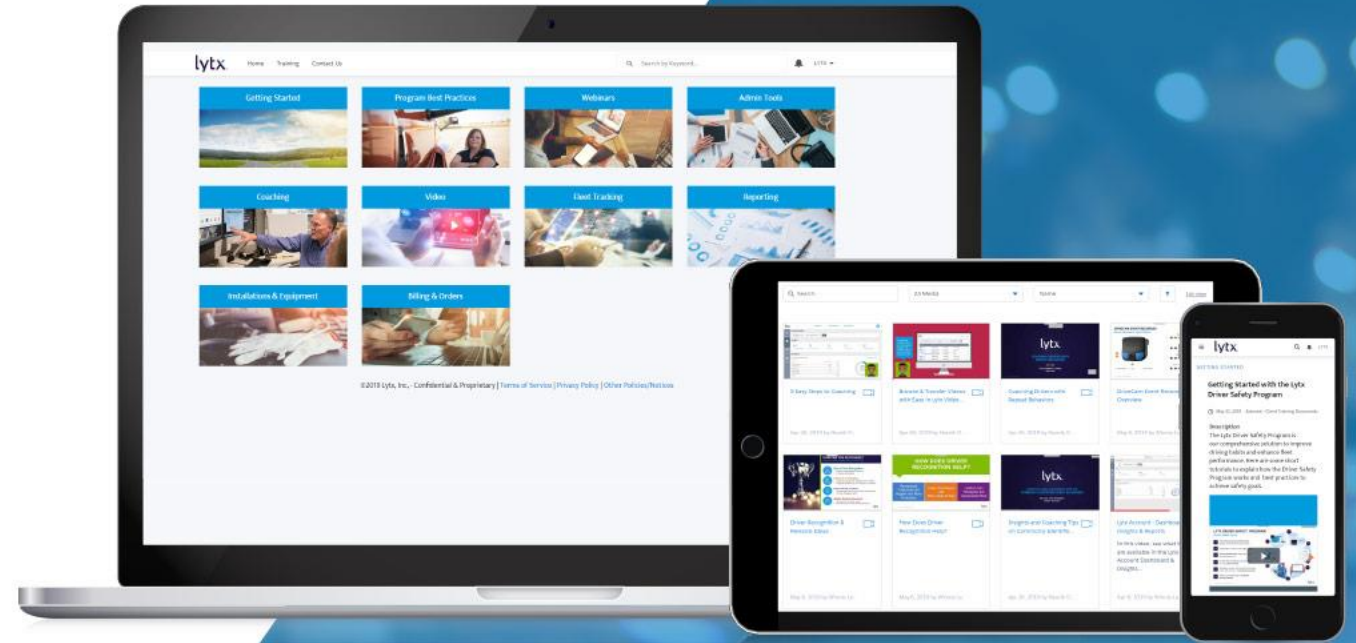


Lytx provides a livestream option, which provides a real-time view of what's happening on the road.

# THE SUPPORT YOU NEED

Resources and training on-demand, all in one place.

- **How-to Articles**  
Read step-by-step instructions to help you manage your program.
- **Tutorial Videos**  
Watch and learn how to use our solutions.
- **Webinars**  
Sign up for live webinars or rewatch recorded sessions.
- **eLearning**  
Choose self-paced courses.
- **Learning Plans**  
Take guided learning curriculums.
- **Contact Support**  
Send your questions without ever picking up the phone.



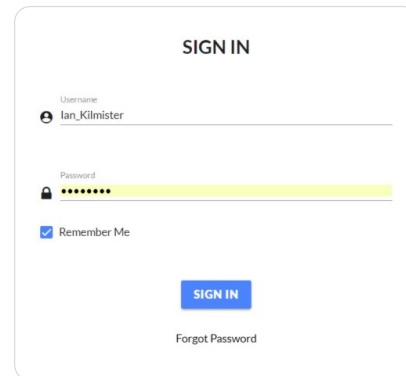
# EASE OF USE FEATURES

## Mobile Friendly



Optimized for tablet  
touch screens

## login.lytx.com

A screenshot of the login page for login.lytx.com. It features a 'SIGN IN' heading, a 'Username' field with the text 'ian\_kilmister', a 'Password' field with a yellow bar, a 'Remember Me' checkbox, a blue 'SIGN IN' button, and a 'Forgot Password' link.

Single sign-on for all  
your Lytx accounts

## Hablamos Español



Choose your language  
in browser settings

## User Feedback



Clients comments can  
help us prioritize

A photograph of a man and a young child looking out of a vehicle window. The man, wearing a blue denim shirt, is on the right, looking down at the child. The child, with blonde hair, is on the left, looking out the window. The background shows a city street with buildings. The image is overlaid with a semi-transparent dark grey rectangle.

**Saving lives is at the  
heart of everything  
we do.**





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# Appendix C: MobilEye Technology





# MOBILEYE® 8 CONNECT™

Driven by Safety

AI-powered, aftermarket collision avoidance system  
that helps prevent collisions and improve driver performance



# ACT TO PREVENT COLLISIONS

94% of road collisions are caused by human error. The best approach to fleet safety is to avoid collisions rather than reviewing them after the fact. Mobileye 8 Connect not only provides this proactive solution, but helps train drivers to avoid dangerous situations in the first place.

## Fleet Safety with Real-time Alerts

Mobileye's collision avoidance system warns drivers of potential hazards in real time with audio and/or visual warnings, giving them time to prevent or mitigate a collision.



### PEDESTRIAN & CYCLIST COLLISION WARNING

Alerts drivers of an imminent collision with a pedestrian or cyclist



### HEADWAY MONITORING & WARNING

Helps drivers keep a safe following distance from the vehicle ahead and alerts them if the distance becomes unsafe



### FORWARD COLLISION WARNING\*

Alerts drivers of an imminent collision with a vehicle or motorcycle ahead, both on highways and in urban areas



### LANE DEPARTURE WARNING\*

Alerts drivers when there is an unintentional deviation from the driving lane



### SPEED LIMIT INDICATOR\*\*

Recognizes speed limit signs, and notifies the driver, both of the new speed limit and if they exceed it

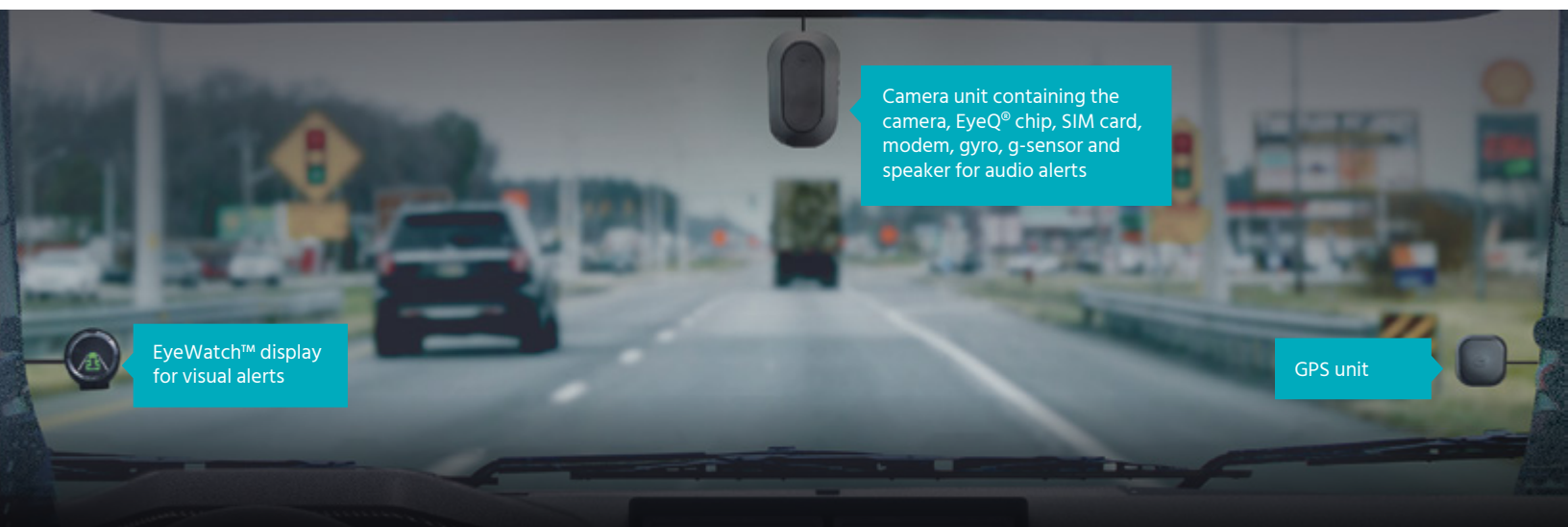


### Mobileye 8 Connect can detect pedestrians and cyclists at night!

\*Night detection requires a minimal amount of light and does not operate in complete darkness.

\*Meets NHTSA's guidelines.

\*\*Detects signs declared valid by the Vienna Convention on Road Signs and Signals.



Camera unit containing the camera, EyeQ® chip, SIM card, modem, gyro, g-sensor and speaker for audio alerts

EyeWatch™ display for visual alerts

GPS unit

## OVER-THE-AIR UPDATES

Mobileye is continuously developing new features and improving its alerts and algorithms. Over-the-air updates ensure your fleet benefits from new features, future-proofing your technology purchase.

Note: All pictures shown are for illustration purpose only and not to scale.

# MEASURING THE SAFETY IMPACT

Mobileye 8 Connect™ is a unique system that combines collision avoidance alerts with g-sensor data to provide a powerful picture of how your fleet safety is improving.

## The Driving Metrics You Need to Make Managing Simpler

Our platform gives fleet managers concrete insights into drivers' safety-related behavior, vehicle tracking, and compliance so you can give your drivers the support they need.



### Safety

With alert data metrics you'll have greater insight into drivers' progress on unsafe habits such as tailgating, near misses, harsh braking and lane changes without signaling



### Tracking

With track-and-trace features, you can ensure our vehicles stay on route and conduct step-by-step analysis to determine route efficiency and safety



### Insights

Our safety reports make it easy to identify which drivers could benefit from extra training and which might be rewarded for safe driving



### Boundaries

Geo-fencing allows you to set pre-defined limits for drivers, ensuring that your vehicles stay within a prescribed area

”

...beyond anything I expected to get from Mobileye – I thought it would help improve us, but the results have been dramatic. Mobileye is truly a lifesaving device. We believe every vehicle on the road should be equipped with it.”

**Neal Kalish**

President and Owner of Ambu-Trans Ambulette

”

Mobileye has helped us to reduce incidents on the road and maintain a high safety rating with our insurance..”

**Jimmy Pardo**

Vice-President and Founder, P&B Transport

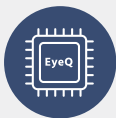
# THE MOBILEYE DIFFERENCE

For over two decades we've been working on, and perfecting, the computer vision and artificial intelligence underlying our collision avoidance system.

In 2017 Intel recognized the groundbreaking nature of this technology when it acquired Mobileye and in 2019 the European Patent Office named the Mobileye team one of the finalists for its prestigious European Inventor Award.

**Over 25 leading auto manufacturers rely on Mobileye technology** and there are currently over 40 million vehicles equipped with our collision avoidance technology.

The same team that designed the technology trusted by these manufacturers also developed our retrofit collision avoidance.



## Next generation and up-to-date technology

Mobileye 8 Connect features represent our latest generation in collision avoidance technology. These include cloud connectivity, an optional fleet platform, greater range, 10x improvement in accuracy, a wider-angle camera lens and a g-sensor to detect harsh braking, accelerating and cornering.



## Reduce collisions, save money

Join others such as Dish USA, which cut in-scope collision costs by 73%, Ambu-Trans Ambulette, which experienced a 91% reduction in collision-related costs and P&B Transport, which saw insurance claims from collisions drop from \$800,000 to \$20,000 – all after installing Mobileye.<sup>1</sup>



## Improve driver performance

Mobileye 8 Connect alerts don't just help drivers avoid collisions, but evidence shows these same alerts actually help instill safer driving habits. A University of Missouri study<sup>2</sup> documented a 71% drop in headway monitoring warnings among drivers using collision avoidance technology.



1. Statistics refer to collisions which Mobileye alerts can prevent or mitigate.

2. <https://www.mem-ins.com/blog/recent-study-shows-three-out-of-four-drivers-improve-driving-with-collision-avoidance-technology>



# HOW DOES IT WORK?

## 1 Vision-Based

Just like when we drive, using our vision to scan the road and judge how far we are from obstacles and what potential dangers they pose—a camera can also scan the way ahead with the advantage of never becoming fatigued or distracted.



## 2 AI-Powered

The key element in our system is in the ability to mimic how people understand the roadscape. Through the use of artificial intelligence, Mobileye's EyeQ® chip is able to identify potential hazards and alert drivers in real-time.

## 3 Experience You Can Trust

The system's AI is based on two decades of stress testing our algorithms against real-life driving situations and over 200 million miles of high-resolution video from automaker pre-production testing.





# ABOUT MOBILEYE

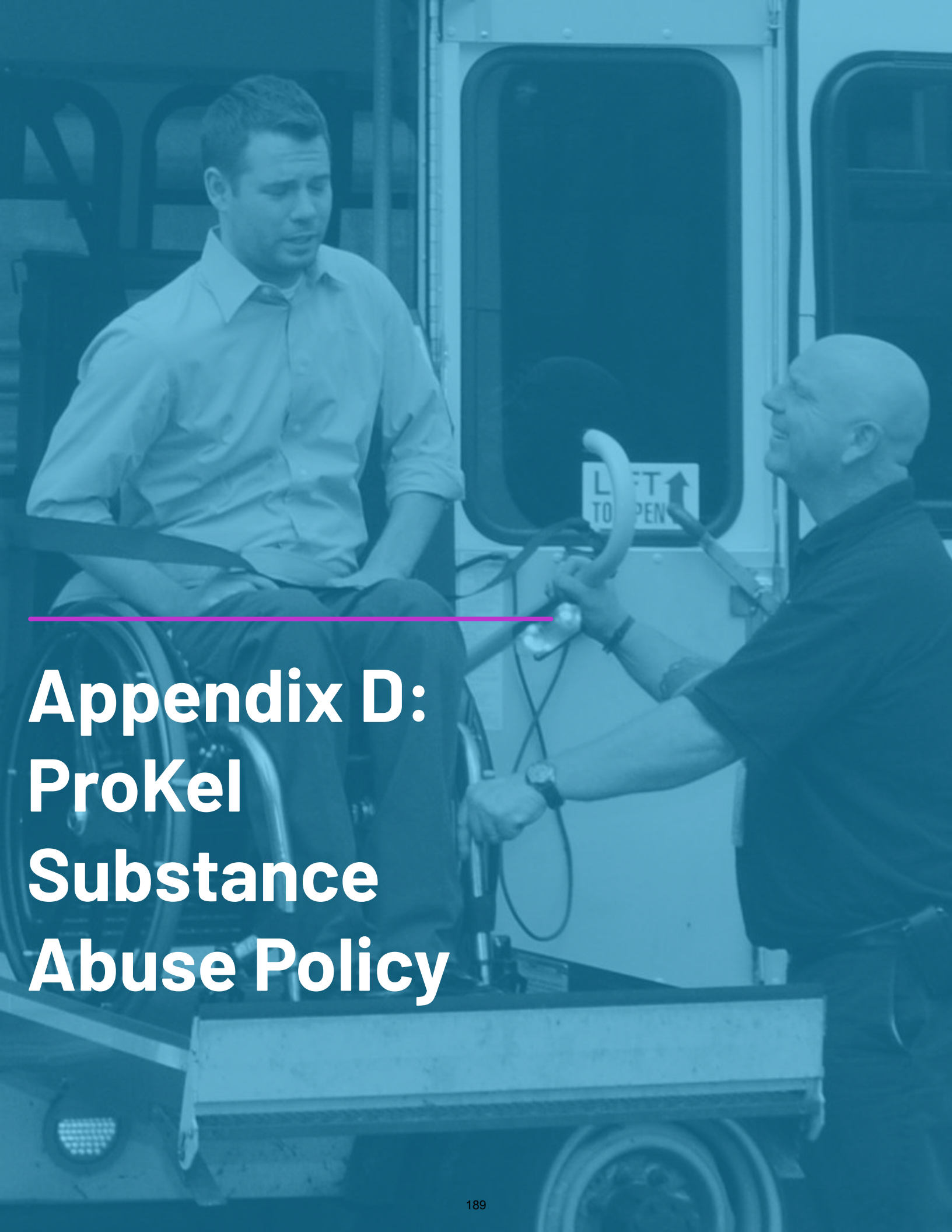


Mobileye, an Intel Company, is a global leader in the development of computer vision and machine learning, data analysis, localization, and mapping technologies for Advanced Driver Assistance Systems and autonomous driving solutions.

Our safety technology is integrated into hundreds of new car models from the world's major automakers: BMW, Audi, Volkswagen, Nissan, Ford, Honda, General Motors and more.

The Mobileye collision avoidance system is available with a single, forward-facing vision sensor suitable for almost any vehicle.


**[www.mobileye.com/fleets](http://www.mobileye.com/fleets)**



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# Appendix D: ProKel Substance Abuse Policy



A photograph of four men standing in front of two white COTA buses. The man on the far left is wearing a high-visibility yellow safety vest over a red shirt, a white cap, glasses, and a blue face mask. The man next to him is wearing a dark blue coat over a dark shirt and blue pants. The man in the center is wearing a grey suit jacket, a light blue shirt, and a purple tie. The man on the far right is wearing a brown hooded jacket over a red shirt and black pants. The buses behind them have the COTA logo and the number 1680. The text "ProKel Mobility Substance Abuse Policy" is overlaid in large white letters.

# ProKel Mobility Substance Abuse Policy

## 18. Prokel Mobility Substance Abuse Policy

*PK Drug and Alcohol Section In accordance with the U.S. Department of Transportation and the Federal Transit Administration Regulations (CFR Part 40 and 655) Effective as of October 1, 2010*

### 18.1 Policy

ProKel Mobility is dedicated to providing safe, dependable and economical service to its clients. ProKel Mobility's employees are our most valuable resource. It is our policy:

- (1) to take appropriate action to assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner;
- (2) to foster and maintain a drug and alcohol-free environment for all employees and patrons;
- (3) to prohibit the unlawful manufacture, distribution, dispensing, possession or use of controlled substances; and
- (4) to encourage employees to voluntarily seek professional assistance whenever personal problems, including alcohol or drug use, may adversely affect their ability to perform their assigned duties.

To achieve the goal of a substance-free workplace, this policy incorporates three (3) integrated components.

#### **Prevention through education and training:**

Education and training will communicate and clarify this policy to all employees, as well as assist employees in recognizing substance abuse problems and in finding solutions to those problems.

#### **Detection, deterrence and enforcement:**

Federal regulations require that effective January 1, 1995 all safety-sensitive employees will be subject to reasonable suspicion, post-accident, random, return-to-duty and follow-up drug and alcohol testing. Applicants for safety-sensitive positions will not be eligible for those positions unless they pass a pre-employment drug test. **As a "zero tolerance" employer, any positive drug or alcohol test or refusal to test will result in termination of employment.**

#### **Treatment and opportunities for rehabilitation:**

Alcohol and drug abuse are recognized as diseases that can be treated. ProKel Mobility promotes a voluntary rehabilitation program to encourage employees to seek professional assistance prior to testing positive for drugs or alcohol, without fear of discipline.

## 2.0 Purpose

The purpose of this policy is to ensure worker fitness for duty and to protect our employees, passengers and the public from the risks posed by the use of alcohol and prohibited drugs (as defined below). This policy is also intended to comply with all applicable federal regulations governing workplace anti-drug programs in the transit industry.

The Federal Transit Administration (FTA) and the Federal Motor Carrier Safety Administration (FMCSA) of the US Department of Transportation (DOT) 49 Code of Federal Regulations (CFR) Part 655 and 382 mandate urine drug testing and breath alcohol testing for employees performing safety-sensitive functions. This regulation also prevents performance of safety-sensitive functions when there is a positive test result or a test refusal. The US DOT has also adopted the revised version 49 CFR Part 40 as amended, which outlines procedures for transportation workplace drug and alcohol testing programs. This Policy incorporates these federal requirements for employees performing safety-sensitive functions, as well as other provisions.

In addition, DOT has published 49 CFR Part 29, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA. California passed a similar version of the federal law, the Drug-Free Workplace Act of 1990 (Gov't Code § 8350 et seq).

Note: This policy reiterates the requirements of the federal regulations; these requirements will be in *italics*. Portions of this policy marked in **bold** are not necessarily FTA-mandated, but reflect ProKel Mobility's employment policy (this does not include policy headings).

If any provision of an existing PK policy, rule or resolution is inconsistent or in conflict with any provision of this policy or the DOT/FTA rules, this policy and the DOT/FTA rules shall take precedence. If any provision of this policy is inconsistent or in conflict with the DOT/FTA rules, the DOT/FTA rules shall take precedence.

## 3.0 Applicability

### 3.1 Safety-Sensitive Employees

This policy applies to all safety-sensitive ProKel Mobility employees, including paid part-time employees who perform or could be called upon to perform any transit-related safety-sensitive function. This includes off-site lunch periods or breaks when an employee is scheduled to return to work.

A safety-sensitive function is any of the following duties:

1. All employees with a commercial driver's license that will operate a revenue service, or non-revenue service vehicle. (Operation includes the operation of the LIFTS or anyone who assists the passengers to ensure they are secured in the vehicles.)
2. All drivers who operate revenue service vehicles, including when not in revenue service and regardless of the class of license that they hold.



3. All dispatch personnel and supervisors who control the movement of any revenue service vehicle. (This includes all management personnel if they perform any safety-sensitive functions at any time even on an emergency basis.)
4. All Maintenance personnel who perform various repairs to revenue vehicles (including repairs, overhaul and rebuilding) and employees who operate equipment used in revenue service.
5. Carrying a firearm for security purposes. (Not applicable to PK.)
6. Volunteers are considered a covered employee if:
  - a. they are required to hold a commercial driver's license to operate the vehicle; or
  - b. they receive remuneration in excess of their actual expenses incurred while engaged in the volunteer activity. (For a description of job categories, see Exhibit B.)

### **3.2 Contractors**

Contractors who perform any of the safety-sensitive functions described in this policy for PK will also be subject to the same requirements as safety-sensitive PK employees.

### **3.3 Non-Safety-Sensitive Positions**

All PK employees are subject to the provisions of the Drug-Free Workplace Act of 1998. Visitors, vendors and contracted employees on PK premises will not be permitted to conduct transit business if found to be in violation of this policy.

## **4.0 Opportunities for Rehabilitation (PK Policy)**

To promote a drug- and alcohol-free workplace, this policy includes a rehabilitation program that allows employees to voluntarily come forward to request rehabilitation.

### **4.1 Voluntary Rehabilitation (PK Policy)**

Any employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable cause, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer themselves to the General Manager or the Human Resource Department, who will then refer the individual to the company's Substance Abuse Professional (SAP) for an evaluation and treatment.

Voluntary self-referral commits the employee to a therapeutic process. Confidentiality of the employee will be protected. The SAP will evaluate the employee and make a specific recommendation regarding the appropriate treatment. When an employee voluntarily refers themselves for treatment, the employee may be eligible for sick leave and disability benefits. Employees will be allowed to take accumulated vacation time or may be eligible for unpaid time off to participate in any prescribed rehabilitation program. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

### **4.2 While Undergoing Treatment (PK Policy)**

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until

successful completion of a prescribed rehabilitation program is completed. The employee will be placed on an unpaid leave of absence for a maximum of 30-60 days to allow time for completion of the treatment/rehabilitation program. Proof of completion must be provided in writing. The employee will be required to pass a drug and alcohol test before he/she can perform a safety-sensitive function.

\*PK shall make every effort to place the employee back in his/her position upon returning to work. However, an employee's commitment to an SAP does not guarantee that the employee's job will be available upon return.

#### **4.3 Cost of Rehabilitation (PK Policy)**

**All associated costs for treatment are the sole responsibility of the employee.**

#### **4.4 Returning to Work After Treatment (PK Policy)**

**All employees who successfully complete prescribed treatment and are allowed to return back to work will be subject to unannounced follow-up testing as prescribed by the SAP.**

### **5.0 Prohibited Substances**

Prohibited substances addressed by this policy include the following:

#### **5.1 Prohibited Drugs**

FTA regulations specifically prohibit the use of the following illegal, prohibited substances ("Prohibited Drugs") and require testing for their presence under certain circumstances: marijuana, amphetamines, opiates, phencyclidine (PCP) and cocaine.

Safety-sensitive employees may be tested for prohibited drugs at any time while on duty or **on PK property**.

#### **5.2 Alcohol**

The consumption of beverages containing alcohol, or substances including any medication such that alcohol is present in the body while performing safety-sensitive duties or transit business, are prohibited. "Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol. (The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device.)

#### **5.3 Legal Drugs (PK Policy)**

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills or judgment may be adversely affected **MUST** be reported to supervisory personnel. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

Any time an employee comes forward about a medication that he/she is currently taking, the information must be forwarded to the Director of the Compliance Department for clarification and

review. The Compliance department will then notify the Medical Review Officer (MRO) to determine if the medication is appropriate to take while performing a safety-sensitive function.

A legally prescribed drug means that the employee has a prescription or other written approval (in his/her name) from a physician for the use of a drug in the course of medical treatment. The misuse of legal drugs while performing a safety-sensitive function is prohibited at all times.

If the MRO determines that the medication being taken is not appropriate to take while performing a safety-sensitive function, the employee will remain off duty until the issue is cleared by the MRO.

In order to continue performing a safety-sensitive function, the employee taking the medication will be required to provide the following:

- A written letter from the prescribing physician stating the patient's name, the name of the substance, the period of authorization and a statement that the medication will not adversely affect the employee's performance to drive or perform his/her safety-sensitive function and that the employee may continue to perform his/her safety-sensitive function while taking such medication. The letter must be signed and dated by the physician and the letter will be provided to the MRO for final approval.

## **6.0 Prohibited Conduct. Manufacture, Trafficking, Possession and Use of Controlled Substances**

*The manufacture, distribution, dispensing, possession or use of controlled substances in the workplace is prohibited. A "controlled substance" is any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC § 812), and as further defined by 21 CFR 1300.11-1300.15. Any employee engaging in the manufacture, distribution, dispensing, possession or use of a controlled substance on PK premises will be subject to disciplinary action, up to and including termination and/or will be required to complete a drug abuse assistance or rehabilitation program. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.*

### **6.1 Requirement to Submit to Drug and Alcohol Testing**

PK shall require every covered employee who performs a safety-sensitive function as described in the FTA regulations Part 655 and the FMCSA regulations Part 382 to submit to a pre-employment, post-accident, random and reasonable suspicion drug and alcohol test as described in this policy. PK shall not permit any employee who refuses to submit to such tests to perform or continue to perform any safety-sensitive functions.

### **6.2 Alcohol Use/Hours of Compliance**

No safety-sensitive employee should report for duty or remain on duty when his or her ability to perform assigned functions is adversely affected by alcohol or when his or her blood alcohol concentration is 0.02 or greater. No employee shall use alcohol while on duty or while performing safety-sensitive functions. No employee shall have used alcohol within four (4) hours of reporting for duty. After an accident, employees shall refrain from alcohol use for eight (8) hours or until an alcohol test has been administered.

No safety-sensitive employee shall use alcohol during the hours that they are on call. On-call employees have the opportunity to acknowledge the use of alcohol at the time he/she is called to

report to duty and the inability to perform his/her safety-sensitive function.

### 6.3 Compliance with Testing Requirements

Any safety-sensitive employee who commits the following actions shall be removed from duty immediately:

- Refuses to comply with a request for testing
- Fails to remain readily available for post-accident testing
- Provides false information in connection with a test
- Attempts to falsify test results through tampering, contamination, adulteration or substitution

Refusal can include an inability to provide a specimen or breath alcohol sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior or physical absence resulting in the inability to conduct the test.

### 6.4 Refusal to Submit to a DOT Alcohol or Controlled Substance Test

As an employee, you have refused to take a drug or alcohol test if you:

1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
2. Fail to remain at the testing site until the testing process is complete, provided that this is not applicable if an employee leaves the testing site before the testing process commences. (For a pre-employment test this is not deemed to have refused testing, unless the cup was handed to the donor.)
3. Fail to provide a urine specimen for any drug test or fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations, provided that this is not applicable if an employee does not provide a urine specimen/breath alcohol test because he or she has left the testing site before the testing process commences. (For a pre-employment test this is not deemed to have refused testing, unless the cup was handed to the donor.)
4. In the case of a directly observed or monitored urine drug collection, fail to permit the observation or monitoring of your provision of a specimen
5. Fail to provide a sufficient amount of urine or breath specimen when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure. **It is PK's policy that any employee that does not provide a valid specimen during a collection for a test will remain off duty until the employee is cleared from the MRO that the employee had a valid medical reason.**
6. Fail or decline to take a second test the employer or collector has directed you to take.
7. Fails to sign the certification at step two (2) of the breath alcohol testing form (ATF).



8. Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment.
9. Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector or behave in a confrontational way that disrupts the collection process).
10. If the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.
11. Employee admits to the collector or MRO that he or she adulterated or substituted their specimen.
12. Employee fails to follow the observer's instructions to raise and lower their clothing and to turn around to permit the observer to determine if the employee has a prosthetic or other device that could be used to interfere with the collection process.
13. Employee possesses or wears a prosthetic or other device that could be used to interfere with the collection process.
14. Employee refuses to wash his or her hands, after being directed to do so.
15. As an employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing any safety-sensitive functions.

## **6.5 Compliance with Treatment Requirements**

All employees are encouraged to make use of the available resources for treatment for alcohol and substance abuse problems.

## 6.6 Notify PK of Criminal Drug Conviction

Every employee must notify PK of any criminal drug statute conviction for a violation occurring in the workplace within five (5) days after such conviction. **Failure to do so shall subject said employee to disciplinary action up to and including termination, or satisfactory participation in a rehabilitation program, at the employee's expense.**

## 6.7 Improper Application of the Policy

PK is dedicated to ensuring fair and equitable application of this "Zero Tolerance" substance abuse policy. Therefore, supervisors and managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor and manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

## 7.0 Testing for Prohibited Substances

### 7.1 General

Testing shall be conducted in a manner to ensure a high degree of accuracy and reliability and using techniques, equipment and laboratory facilities which have been approved by the US Department of Health and Human Services (DHHS). Testing for prohibited drugs and alcohol on safety-sensitive employees shall be conducted in accordance with the procedures set forth in 49 CFR Part 40 as amended. See attached Testing Procedures for detailed procedures on all required types of drug and alcohol testing.

**Medical Review Officer (MRO):** All drug testing results shall be interpreted and evaluated by an MRO who meets all applicable requirements of Part 40, who shall be responsible for receiving laboratory results generated by an employer's drug testing program **and** has appropriate medical training to interpret and evaluate an individual's confirmed positive test result.

The MRO shall comply with the drug testing procedures set forth in 49 CFR Part 40. The MRO will not review alcohol test results. When a confirmed positive test is reported from the testing laboratory, it is the responsibility of the MRO to:

- a. Review the individual's medical history, including any medical records and biomedical information provided
- b. Contact the employee and afford the employee the opportunity to discuss the test results with him/her
- c. Determine whether there is a legitimate medical explanation for the result, including legally prescribed medication

The MRO shall not convey test results to PK until making a definite decision that the test result was positive or negative, or refusal to test. If the employee provides an adequate explanation, the MRO verifies the test as negative and no further action is taken. When the MRO reports the results of the verified positive test to PK, the MRO will disclose the drug(s) for which there was a positive test. If the MRO declares a drug test to be invalid for any reason, the test is considered canceled, and neither

positive nor negative. However, a recollection under direct observation may be ordered by the MRO.

## **7.2 Testing for Prohibited Drugs**

PK shall collect or have collected urine samples from safety-sensitive employees to test for prohibited drugs. An assigned Collection Site will split each urine sample collected into a primary and a split sample (see testing procedures). The urine samples will be sent under seal, with required chain of custody forms, to a laboratory certified by the DHHS.

Currently ProKel Mobility is under contract with Clinical Reference Laboratory (CRL) in Lenexa, Kansas for its initial testing and confirmation testing. An initial drug screen will be conducted on each **primary** specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GS/MS) test will be performed. The test will be considered positive if the amounts present are at or above the minimum thresholds established in 49 CFR Part 40 as amended, as set forth in the attached Exhibit A (threshold levels of testing).

**Split Specimen Testing:** If the test result of the primary specimen is positive or there is a refusal to test due to adulteration or substitution, the employee may request the MRO to direct his/her split specimen be tested in a different DHHS-certified laboratory. The MRO shall honor such a request if it is made within seventy-two (72) hours of the employee having been notified of a verified positive or refusal to test result. This does not delay PK from taking any action consistent with this policy for positive tests and the employee will be removed immediately from any safety-sensitive functions regardless if he/she is having a split specimen tested by a different laboratory. However, if the split specimen (bottle B) produces a negative result, or for any reason the second portion is not available, the test is considered canceled and no sanctions are imposed. However, a recollection under direct observation shall be ordered by the MRO.

If an employee requests a split sample to be tested and the split specimen test is confirmed positive by the second laboratory, the employee will be responsible for all payments associated with the test of the split specimen. The cost for the split specimen will not be required up-front or at the time the employee makes the request with the MRO but only after the split test comes back from the second lab and the split is also confirmed positive.

**Canceled Test:** A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which this part otherwise requires to be canceled. A canceled test is neither a positive nor a negative test.

## **7.3 Alcohol Testing**

Tests for alcohol concentration on safety-sensitive employees will be conducted with a National Highway Traffic Safety Administration (NHTSA)-approved evidential breath testing device (EBT) operated by a trained breath alcohol technician (BAT). In order to maintain quality assurance, EBTs must be externally calibrated in accordance with the plan developed by the manufacturer of the device. If the initial test on an employee indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. For summary of applicable

alcohol threshold levels, see Exhibit A.

## 8.0 Types of Testing

49 CFR Part 655 and 382 requires the following types of testing for Prohibited Substances for safety-sensitive employees:

- Pre-employment or transfer
- Reasonable suspicion
- Post-accident
- Random

### 8.1 Pre-Employment, Transfer Testing or Return-to-Work Testing

All applicants for safety-sensitive positions shall undergo urine drug testing prior to employment. Receipt by PK of a verified negative test result from the MRO is required prior to performing ANY safety sensitive functions for the first time. If an applicant or employee's drug test is canceled or negative dilute, the employee or applicant shall be required to immediately take another pre-employment drug test.

Existing employees who are being considered for transfer to a safety-sensitive position from a NON-safety-sensitive position will be required to undergo a DOT pre-employment drug test. Any existing safety-sensitive employee who is simply transferring to a different division for another safety-sensitive position is NOT required to undergo another DOT pre-employment drug test.

#### 8.1.1 Non-Safety-Sensitive Positions

All applicants applying for any non-safety-sensitive positions will have to take and pass a pre-employment NON-DOT urine drug test prior to being hired.

#### 8.1.2 Return to Work After Thirty (30) Days (DOT-FMCSA Policy)

PK has certain contracts that are subject to the Federal Motor Carrier Safety Regulations and NOT (FTA) regulations. Therefore, if an employee has a commercial license and has been out for thirty (30) days or more AND the employee has been out of the random testing pool, the covered employee will be required to take a DOT pre-employment drug test before he/she can return to a safety-sensitive position.

#### 8.1.3 Return to Work after Ninety (90) Days (DOT-FTA Policy)

If a covered employee has not performed a safety-sensitive function for ninety (90) consecutive calendar days regardless of the reason AND the employee has not been in the random pool during that time, the employee must take and pass a DOT Pre-Employment drug (NOT a return-to-duty) test before he/she can perform a safety-sensitive function.



#### **8.1.4 Return to Work After Thirty (30) Days (PK Policy)**

It is PK's policy that any time a Non-DOT safety-sensitive employee has not performed a PK non-DOT safety sensitive function for thirty (30) or more consecutive days (regardless of reason) the employee will be required to take a NON-DOT Pre-Employment drug test (as permitted or required by applicable state or federal law) before he/she can return to a safety-sensitive position.

**\*\*Please contact the Director of Drug and Alcohol Compliance for confirmation of what mode of transportation your division falls under.**

#### **8.1.5 Previous Employer Request Requirement**

As an employer, we are required to verify previous violations of DOT drug and alcohol regulations within the last two (2) years of employment with a DOT-regulated agency or employer.

An employer must obtain and review the information listed below from any DOT-regulated employer the employee performed safety-sensitive functions for in the previous two (2) years. The information must be obtained and reviewed prior to the first time an employee performs safety-sensitive functions. If not feasible, the information should be obtained no later than thirty (30) days after the first time an employee performs safety-sensitive functions. The information obtained must include:

1. Information of the employee's alcohol test in which a breath alcohol concentration of 0.04 or greater was indicated.
2. Information of the employee's controlled substance test in which a positive result was indicated.
3. Any refusal to submit to a required alcohol or controlled substance test (including verified adulterated or substituted drug test results).
4. Other violations of DOT agency drug and alcohol testing regulations

As the applicant or employee, if you have violated any of the DOT drug and alcohol regulations, you must also obtain documentation of your successful completion of the DOT return-to-duty requirements (including proof of follow-up tests administered).

Furthermore, all applicants will be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee applied for, but did not obtain safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two (2) years.

#### **8.1.6 Pre-Employment Breath Alcohol Testing**

ProKel Mobility contracts with many cities and states, and several of our contracts require ProKel Mobility to conduct breath alcohol testing in addition to the required drug test. Divisions that are subject to this requirement will have to take a pre-employment breath alcohol test. Breath alcohol

testing will be in accordance with DOT Part 40 and §655.42.

### **8.1.7 Reasonable Suspicion Testing**

All safety-sensitive employees shall be subject to reasonable suspicion testing, to include appropriate urine and/or breath testing when there is reasonable suspicion to believe that a covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the covered employee.

Reasonable suspicion tests for the presence of alcohol shall be authorized by observations made just prior, during or immediately after the performance of a safety-sensitive function. If an alcohol test is not administered within two (2) hours following the determination to test the employee, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If the alcohol test is not administered within eight (8) hours following the determination, PK shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.

Reasonable suspicion determination will be made by a supervisor, or other company official who has had the required Reasonable Suspicion training to detect and document the signs and symptoms of drug use and alcohol use and who reasonably concludes that an employee may be under the influence of a prohibited substance. **Any employee who is required to take a Reasonable Suspicion test will remain off duty until a negative alcohol and drug test is received.**

## **8.2 Post-Accident Testing**

### ***Fatal Accidents***

As soon as practicable following an accident involving the loss of human life, ProKel Mobility will conduct drug and alcohol tests on each surviving covered employee operating the mass transit vehicle at the time of the accident. Post-accident drug and alcohol testing of the operator is not required under this section if the covered employee is tested under the fatal accident testing requirements of the Federal Motor Carrier Safety Administration rule 49 CFR 382.303 (a)(1) or (b)(1). ProKel Mobility shall also test any other covered employee whose performance could have contributed to the accident as determined by investigating staff using the best information available at the time of the decision.

### ***Non-Fatal Injury Accidents***

As soon as practicable following an accident not involving the loss of human life in which a mass transit vehicle is involved, ProKel Mobility will drug and alcohol test each covered employee operating the mass transit vehicle at the time of the accident unless investigating staff determine, using the best information available at the time of the decision, that the covered employee's performance can be completely discounted as a contributing factor to the accident.

ProKel Mobility shall also test any other covered employee whose performance could have contributed to the accident as determined by investigating staff using the best information available at the time of the decision. (For exact testing criteria, see Post-Accident Testing Procedures.)

#### PK Policy: When to Conduct a NON-DOT Post-Accident/Incident Test

If the accident does not meet the FTA/FMCSA testing criteria, PK will reserve the right to test any safety-sensitive employee after any accident/incident regardless of the severity of the accident/incident. Additionally, PK will test any other safety-sensitive employee whose performance PK determines could have contributed to the accident.

For any tests done under these circumstances, it must be explained to the employee that the drug and alcohol tests will be done under ProKel Mobility's authority, and should be done on NON-DOT drug and alcohol chain-of-custody forms.

Any employee who takes a post-accident test will remain off duty until a negative alcohol and a negative drug test is received from the MRO.

### **8.3 Random Testing**

Employees performing safety-sensitive functions will be subject to unannounced, random drug and alcohol testing in accordance with FTA regulations. The random drug and alcohol testing rates will be, at a minimum, based on the current FTA and FMCSA requirements at all times. Each such employee shall have an equal chance at selection and shall remain in the pool even after being tested. The basis for random selection shall be by a scientifically valid random number generation method initiated by computer.

The dates for administering unannounced testing of randomly selected covered employees shall be spread reasonably throughout the calendar year, month, week, and all hours that safety-sensitive functions are performed. This ensures that employees would have a reasonable expectation that they might be called for a test on any day they are at work. A covered employee shall only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

### **8.4 Positive Alcohol Test**

- a. A safety-sensitive employee who has a confirmed alcohol concentration of 0.02 or greater but less than 0.04 will be removed from his or her duties for eight (8) hours unless a confirmation test results in a concentration measure of less than 0.02. (For a test result which is less than 0.04, no other action will be taken except that which is described in this paragraph.)
- b. An alcohol concentration of 0.04 or greater or a test refusal will be considered a positive alcohol test. The employee will be immediately removed from duty and referred to a Substance Abuse Professional (SAP) **and terminated from employment.**

### **8.5 Positive Drug Test**

The consequences of a positive drug test or a test refusal are as follows: The employee will immediately be removed from safety sensitive duties, referred to a SAP **and terminated from employment.**

## 9.0 MRO Report of a Negative Dilute Specimen

If the MRO informs PK that a negative drug test was dilute, the employee will be directed to take another test immediately. In some cases the MRO may require the retest to be performed under "Direct Observation." Each employee directed to take another test will be given the minimum possible advance notice that he or she must go to the collection site to take another test.

For any employee that is directed to take another test, the result of the second test – not that of the original test – becomes the test of record, which PK will rely on for purposes of this policy. Any employee who takes another test and the second test is also negative and dilute will not be required to take a third test because the second test was also dilute. Any employee who is directed to take another test and declines to do so shall be considered as having refused the test for purposes of this policy and DOT agency regulations.

Dilute Specimen: A specimen with creatinine and specific gravity values that are lower than expected for human urine.

## 10.0 Substance Abuse Professional (SAP)

A SAP must meet all of the credential, basic knowledge, qualification training, continuing education and documentation requirements of 49 CFR Part 40, Subpart O, §40.281 (a-e). The SAP will evaluate the employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance abuse or alcohol misuse. The SAP will also determine whether or not an employee has successfully completed a program of rehabilitation.

### ProKel Mobility has contracted with:

Certified Counseling Services  
4437 Hollywood Blvd Hollywood, FL 33021  
Charles Resnick, LMHC, CAP, CCTP, CIP, CPP, SAP  
954-243-6698

This firm is a national company that contains a large network of qualified SAPs throughout the US. Employees simply call the toll-free number and provide the SAP their city and zip code and the SAP will find them one (1) or more qualified SAPs closest to their area.

## 11.0 Training and Education

All employees shall participate in a minimum one (1)-hour training session designed to meet FTA requirements by learning about the effects and consequences of drug use on personal health, safety and the work environment.

For those supervisors participating in reasonable suspicion determination testing, there will be at least two (2) hours of training to explain the criteria for reasonable cause testing, including at least an hour on the physical, behavioral and performance indicators of probable drug use and another hour on the physical, behavioral, speech and performance indicators of probable alcohol misuse. Initial training sessions will be reinforced with educational materials and meetings. Further, employees shall be provided with a community hot-line telephone number.

## 12.0 Employee Assistance Community Service Hotline

Treatment Center	Phone Number
The Center for Substance Abuse Treatment maintains a toll-free Referral Helpline for locating substance abuse treatment in your area	800-662-HELP
National Clearinghouse on Family Support and Children's Mental Health	800-628-1696
National Foundation for Depressive Illness	800-239-1265
SAMHSA's Center for Substance Abuse Treatment	800-662-HELP (4357) 800-487-4889 (TDD) 877-767-8432 (Spanish)

## 13.0 Records, Confidentiality

A safety-sensitive employee is entitled, upon written request, to review and obtain copies of any records relating to the employee's drug and alcohol testing. PK must maintain records of its substance abuse program in a secure location with controlled access.

## 14.0 System Contact

Any questions regarding this policy or any other aspect of PK's Substance Abuse Management Program should be directed to the office of the following:

<b>Name:</b>	Kelly Gonzalez Jr., Director of Drug and Alcohol Compliance
<b>Address:</b>	46 NW 168 <sup>th</sup> St., North Miami Beach, FL 33169
<b>Phone Number:</b>	561-506-5721

## 15.0 Local Authority

Local Division Managers are authorized to receive test information from the MRO as well as confirmation test results from the Certified BAT.

## 16.0 Revisions to the Policy and Program

This policy and program are subject to revision in accordance with the Department of Transportation regulations as amended.



## **17.0 Zero-Tolerance Policy**

PK's "Zero-Tolerance" Policy means that any employee or applicant that tests positive for any drug or alcohol test (in accordance with the thresholds of DOT Part 40) will be immediately terminated and/or not hired so there is no follow-up required by PK with the SAP. Any applicant or employee who tests positive for drugs alcohol or refuses to test will not be hired and/or terminated and the applicant and/or employee can never reapply for a position with ProKel Mobility.

## EXHIBIT A

Pursuant to the Federal Department of Transportation regulations, following are the drugs to be tested for, and the threshold levels for each test which ProKel Mobility is required to accept:

Drug or Metabolite	Urine Initial Test Cutoff (ng/mL)*	Confirmatory (GC/MS) Test Cutoff (ng/mL)*
Marijuana	50	15
Cocaine	150	100
Opiates (morphine, codeine)	2,000	100
Heroin	10	10
Amphetamine (includes methamphetamine and MDMA-Ecstasy, MDA, MDEA)	500	250
Phencyclidine (PCP)	25	25

\*nanograms per milliliter

## ALCOHOL

(Includes ethanol, methanol, isopropanol)

### Breath Alcohol Concentration

(expressed in grams of alcohol per 210 liters of breath)

Initial Screen	Confirmatory
Given if 0.02 or greater on initial screen	
Under 0.02	0.02 to less than 0.04, employee may not perform safety-sensitive function

## EXHIBIT B

The following is a list of Safety-Sensitive Job Functions at ProKel Mobility:

21	VP Fleet Maintenance	335	Dispatch Supervisor	420	BTW Trainer	562	Mechanic B (specify Union Class)
45	Director of Operations	336	Drive Cam Supervisor	425	BTW Instructor	563	Mechanic C (specify Union Class)
49	Maintenance Training Manager	340	Lead Dispatcher	450	Classroom Instructor	564	Technician A Mechanic
50	Regional Maintenance Manager	345	Dispatcher	451	Classroom Trainer	565	B Mechanic
57	Special Projects Manager	346	Window Dispatcher	470	Parts Manager	566	Technician C Mechanic
62	Manager in Training	349	Scheduling Manager	471	Assistant Parts Manager	567	Technician Apprentice
172	Operations Admin Asst	350	Scheduler	475	Parts Clerk	568	Technician
300	General Manager	352	Scheduling Coordinator	500	Maintenance Manager	569	Mechanic Helper
301	General Manager 1	353	VA Coordinator	510	Assistant Maintenance Manager	570	Cleaners
302	General Manager 2	354	Operations Supervisor	512	Maintenance Technician	575	Service Worker
303	General Manager 3	355	Road Supervisor	514	Bus Stop Maintenance	580	Utility Crew
304	General Manager 4	359	Lead Supervisor	515	Maintenance Clerk	590	Bus Aide
310	Division Manager	371	Admin Ferry	516	Maintenance Supervisor	600	Driver Trainer
315	Assistant Division Manager	399	Call Center Manager	517	Service Employee	610	Driver
320	Operations Manager	400	Safety and Training Manager	518	Advanced Service Employee		
321	Shift Supervisor	405	Training Manager	519	Entry Level Mechanic		
322	Assistant Operations Manager	406	Training Supervisor	520	Shop Foreman		
323	Operations supervisor	410	Safety Trainer	530	Lead Mechanic		
330	Dispatch Manager	415	Assistant Safety Manager	550	Mechanic		
332	Reservations Manager	416	Safety Manager	561	Mechanic A (specify Union Class)		

Any PK employee who has a non-safety-sensitive position, but who may perform a safety-sensitive function at any time while they are working, must be subject to the DOT regulations including random testing and will be included in the DOT random testing pool.

## Testing Procedures

Note: Testing and collection procedures will be conducted as set forth by 49 CFR Parts 40 (as amended) & 655 & 382. The information on the following pages is meant for general information only for ProKel Mobility employees. Any questions regarding reference to the regulations should be directed to the policy section of this handbook. A copy of 49 CFR Part 40 is available for review to each employee upon request to their local manager.

**This is a “Zero-Tolerance” policy and any reference to return to work after a positive test result does not apply to employees affected by this policy. The FTA does not mandate “Second Chance”.**

## Pre-Employment Testing

1. The FTA regulations require that all applicants for employment in safety-sensitive positions or individuals being transferred to safety-sensitive positions from NON-safety-sensitive positions must be given a pre-employment drug test.
2. Applicants may not be assigned to safety-sensitive functions unless they pass the drug test.
3. Applicants must be informed in writing of the testing requirements prior to conducting the test. **PK will require applicants to sign a form acknowledging that they know that their urine will be tested for cocaine, PCP, amphetamines, marijuana and opiates.**
4. Appropriate personnel at each location will schedule appointments for collection. The employee must be made aware that their placement into a safety-sensitive position is contingent upon a negative test result.
5. It is the responsibility of the applicant to report to the collection site at the time and day scheduled.
6. Positive test results must be reviewed by the MRO.
7. Applicants are notified by the MRO and are given an opportunity to discuss the results.
8. Applicants who test positive will not be hired into a safety-sensitive position.
9. An applicant whose pre-employment test results are negative will continue through the safety-sensitive hiring process.
10. Applicants will be asked whether they have tested positive, or refused to test, on a pre-employment drug or alcohol test while trying to obtain safety-sensitive transportation work from an employer covered by a DOT agency during the past two (2) years. If the applicant admits that he or she had a positive test or a refusal to test, PK will not allow the applicant to perform safety-sensitive duties unless and until the applicant provides documents showing the successful completion and release from a SAP.

## Random Testing Procedures

The FTA regulations require random testing for prohibited drugs and alcohol for all safety-sensitive employees. Random testing identifies those who are using drugs or misusing alcohol but are able to use the predictability of other testing methods to escape detection. More importantly, it is widely believed that random testing serves as a strong deterrent against employees beginning or continuing prohibited drug use and misuse of alcohol at PK. ProKel Mobility has developed procedures for

notification and collection to best implement the requirements of the federal rules.

These procedures answer common questions regarding random testing:

- Who is tested?
  - Why are only some individuals tested?
  - When and how do the tests occur?
1. Random drug and alcohol testing applies only to safety-sensitive employees. Identification numbers for all safety-sensitive employees will be included in a selection pool.
  2. Random drug and alcohol testing is accomplished by a scientifically valid, tamper-proof, computer-generated selection process. A random list for testing of employee numbers will be generated every month.
  3. Employees are chosen in an unannounced, unpredictable manner. No employee will be removed from the random pool's following selection, and every employee will continue to be subject to random selection throughout the year. Every employee in the random pool has an equal chance of being selected every time. Employees are only removed from the random pool when they are in rehabilitation programs, terminated or permanently transferred to a non safety-sensitive position, or expected to be out for at least ninety (90) days or more.
  4. Random testing will be conducted on all shifts, all times of day, and all days of the week throughout the calendar year. No shift is exempt from testing.
  5. Random drug testing may be conducted concurrently with random alcohol testing or at any time during an employee's shift. Random alcohol testing will be conducted just before the employee is scheduled to perform a safety-sensitive function, while the employee is performing safety-sensitive duties or just after the employee performs a safety-sensitive function. The employee must proceed to the test site immediately after being notified that he or she has been selected for testing in the allotted time given.
  6. For both Maintenance and Operations (Drivers), the Divisional Manager in each location will be notified which employees have been selected for testing. Once an employee is notified of his/her selection, he/she must report immediately for the test. Failure to report after notification constitutes a refusal to test (see Procedures for Random Test Notification below).
  7. Employees will be notified where to report for collection, when to stop work and report to the collection site and who will relieve them, if necessary.
  8. The employee must submit to a drug and/or alcohol test, and sign all necessary forms. Failure to cooperate with the collection procedure in any way constitutes a refusal to test which has the same consequences as a positive test result.
  9. The employee is in a paid status throughout the random testing procedure. Employees will be removed from duty if the results are positive **and the employee will be terminated.**
  10. If both alcohol and drug tests are being given, the breath alcohol test will be performed first. Immediately thereafter, the urine sample will be collected for the drug test.
  11. If there is a confirmed breath alcohol test of between .02% and .039%, the employee will be relieved from duty immediately for a minimum of eight (8) hours.



12. If there is a confirmed positive breath alcohol test (0.04% or above), the employee will be given the name of a Substance Abuse Professional (SAP) **and terminated**.

### **Procedures for Random Test Notification**

1. The Human Resource Department triggers the selection list of the month's safety-sensitive employees to be scheduled for testing.
2. The local manager will review work schedules, including planned absences when known, to develop a best available time to perform the tests. The local manager will coordinate the testing schedule with the collector.
3. In developing testing times, the goal will be to minimize the impact in service. Testing will be conducted using the following priority periods:
  - Before work
  - During split time
  - After work/shift is completed
  - During work, with standby personnel relief
4. During work, without relief (if no other time is possible).
5. Notification of Employees: The Human Resources Department triggers notification to each location's designated employer representative (DER) via electronic mail. The DER will notify each safety-sensitive employee selected and thus notified. Each employee who is selected is to report to the test site immediately
6. The employee cannot "go off sick" or on vacation or leave of absence after notification.
5. Collection site personnel shall report "unreasonable delays" to the local DER as employees are required to immediately report to the collection site following notification. Failing to report to the collection site within a reasonable allotted time constitutes a refusal to test.
6. The DER shall confirm with the Regional, Divisional or Operations Manager that the employee was notified.
7. The DER shall notify the proper management official if an employee fails to report for testing after notification.
8. An employee who fails to report for testing shall be removed from duty immediately. If an employee is determined to have "refused to test", he/she faces the same consequences as testing "positive" for drugs/alcohol and will be given the name and number of a SAP and **terminated from employment**.

### **Collection Procedures for All Tests**

All collection procedures shall be performed in accordance with Part 40. Upon notification of a test under this policy:

1. The employee must report to the collection site immediately after notification.

2. The employee shall provide photo identification to collection site personnel. Supervisors will verify the identification of employees without photo identification and may photograph the employee if necessary.
3. The employee must comply with all collection procedures including signing correctly all required federal urine and breath forms.
4. The employee must follow the directions of the collection staff to ensure that an unadulterated urine specimen is collected and/or the breath alcohol test is completed.
5. The employee will be in a private enclosure and unobserved unless a direct observed collection is determined to be needed by the local DER or the collector.
6. The employee must supply at least forty-five (45) ml of urine (approximately 1.5 ounces). If the employee gives an inadequate amount of urine or if the employee is unable to give a sufficient urine sample, collection site staff shall provide the individual with no more than forty (40) ounces of fluid to drink during a period of up to three (3) hours.

The employee will then attempt to provide a complete sample using a fresh container. If the required amount is provided, the collection staff will continue with the collection process. If the employee is still unable to provide an adequate specimen within three (3) hours of the first unsuccessful attempt to provide the specimen, the collection staff must discontinue the collection, note the facts on the "remarks" line of the CCF and immediately notify the DER.

**Shy Bladder:** The term "shy bladder" refers to a situation when the employee does not provide a sufficient amount of urine (forty-five (45) ml) for a DOT-required drug test. If an employee tells the collector, upon arrival at the collection site, that he or she cannot provide a specimen, the collector must still begin the collection procedure regardless of the reason given and direct the employee to make the attempt to provide the specimen.

The employee must be monitored during this time, and the collector must specifically tell the employee that they are not to leave the collection site. If the employee leaves the collection site or refuses to make the attempt to provide a sufficient urine specimen, this is considered a refusal to submit to a test.

Failure to produce a sample of urine will result in an immediate referral for an evaluation from a licensed physician within five (5) days, who can determine in his or her reasonable judgment the safety-sensitive employee's inability to provide an adequate amount of urine. If no medical reason is found substantiating an inadequate sample, the incident will be treated as a "refusal to test" and will carry the same consequences as a positive test result.

**It is PK's policy that any employee who does not provide a valid specimen during a collection for a test will remain off duty until the employee is cleared from the MRO that the employee had a valid medical reason.**

7. If the employee fails to provide an adequate amount of breath for the breath alcohol test, a second attempt will be made. The Breath Alcohol Technician (BAT) shall note "failure to produce a sample" in the "Remarks" section of the breath alcohol testing form and immediately inform the DER. The DER will instruct the employee to obtain, as soon as possible but within five (5) days after the attempted provision of breath, an evaluation from a licensed physician who is acceptable to the

employer concerning the employee's medical ability to provide an adequate amount of breath.

8. Whenever there is reason to believe that a particular individual has altered or substituted the urine specimen, a second specimen shall be obtained as soon as possible under direct observation of a same-gender collection site employee. Reasons may include temperature of the specimen out of normal range or the presence of a bluing agent in the specimen.

**Substituted Specimen:** A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

**Adulterated Specimen:** A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

9. If the breath alcohol screening is 0.02 or greater, the breath alcohol technician will wait at least fifteen (15) minutes and a maximum of thirty (30) minutes before administering the confirmation test. Even if more than thirty (30) minutes have passed, the BAT will still conduct the confirmation test.
10. To ensure that the test results are attributed to the correct covered employee, both specimen bottles must be sealed and labeled in the presence of the donor. The labels must be printed with the same specimen identification number as the custody control form and attached to the specimen bottles. The donor initials the labels on the vials, verifying that the specimen is his or hers.

### **Reasonable Suspicion Testing Procedures**

1. Supervisors and managers receive training in order to identify behaviors that might be indicators of drug use and/or alcohol misuse. Training includes the procedures for how to deal with employees suspected of drug use and/or alcohol misuse.
2. If a supervisor observes an appearance, behavior, speech pattern or body odor of the covered employee that might be indicative of drug use and/or alcohol misuse, he/she directs the employee to stop work and escorts them to an area to be questioned and observed in private.
3. The supervisor completes the Reasonable Suspicion Incident Report. The supervisor must ensure that the employee does not continue to operate in a safety-sensitive function after being identified for reasonable suspicion testing.
4. If there is a decision to test based on observable symptoms, the employee is ordered to submit to a drug and alcohol test and is escorted to the collection site.
5. The employee is on paid status until the test collection is completed. **Employee will remain off-duty until a negative drug and alcohol test is received.** To the greatest extent possible, arrangements shall be made to have him/her transported home and the employee should not be allowed to leave on his/her own recognizance.
6. If there is a confirmed breath alcohol test of between 0.02% and 0.039%, the employee will be relieved from safety-sensitive duty immediately for a minimum of eight (8) hours. If there is a confirmed positive breath alcohol test (0.04% or greater) and/or confirmed positive drug test or refusal to test, the employee shall be provided the name and number of a SAP **and the employee**

**will be terminated.**

7. If the employee's drug test is confirmed negative by the MRO or the BAT test is below 0.02, the employee will be allowed to return to work and will be paid for any time missed.

### **Post-Accident Testing Procedures**

The FTA regulations require testing for prohibited drugs and alcohol in the case of certain mass transit accidents. Post-accident testing is mandatory for accidents where there is a loss of life and for other non-fatal accidents.

1. The supervisor ensures that all injured people receive proper medical care. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
2. The supervisor determines whether the accident meets FTA criteria using PK's "Post-Accident Decision Checklist Form".
3. If the accident meets the FTA/DOT criteria, a DOT post-accident drug and alcohol test will be conducted immediately. The employee will be taken to the collection site and tested as soon as practicable following the accident. The employee should remain readily available for alcohol testing up to eight (8) hours and for drug testing up to thirty-two (32) hours after the accident, including notifying their supervisor of their location, or they may be deemed to have refused to submit to testing if they do not make themselves readily available for testing.
4. **Once the tests have been completed, the employee will remain off duty until a negative drug and alcohol test is received.**
5. If the employee is not tested within two (2) hours for alcohol, the supervisor must document the reason for the delay, and if the test is not conducted in eight (8) hours, the DER shall cease all further attempts and update the records as to the reason(s) why the test was not completed. If the thirty-two (32) hours have passed, the DER shall cease all further attempts to complete the drug test.
6. If the employee refuses to be tested or if the drug test is confirmed positive, the employee is removed from duty, provided the name and number of a SAP **and will be terminated.**

### **Post-Accident Testing Criteria**

It should be noted that a post-accident test is given because the incident meets the criteria listed below. It is NOT a probable cause or reasonable suspicion test. An accident (§ 655.4) is defined as an occurrence associated with the operation of a vehicle in which:

1. An individual dies.
2. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident.
3. With respect to an occurrence in which the mass transit vehicle involved is a bus, van or

automobile, one or more vehicles incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, “disabling damage” means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs.

**Inclusions:** Disabling damage includes damage to vehicles that could have been operated, but would have been further damaged if so operated.

**Exclusions:** Damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, tail-lights, turn signals, horn or windshield wipers that makes them inoperative.

4. With respect to an occurrence in which the mass transit vehicle involved is a rail car, trolley car, trolley bus or vessel, the mass transit vehicle is removed from operation.
5. The FTA has determined that **“LIFTS”** constitute equipment used in revenue service and their operation is essential to the operation of the vehicle and protection of public safety, and their operation shall now be included in the accident definition.

**To determine if a test should be administered under this section, always use ProKel Mobility’s “Post-Accident Decision Checklist”. This form should be used for all accidents in determining whether a test will be done under DOT authority.**

### **Prohibited Drugs and Alcohol Misuse**

**PK is required to ensure that all covered employees receive at least sixty (60) minutes of training and discussion on the effects and consequences of prohibited drug use on personal health, safety and the work environment, and on the signs and symptoms that may indicate prohibited drug use. The information below shall assist in providing statistics and examples of substance abuse in the workforce and the signs and symptoms of such use.**

A study conducted showed that 75% of illicit drug users eighteen (18) and older are employed, which amounts to about 10 million US workers. On a daily basis, based on 250 work days in a year, at least 42,000 Americans are coming to work stoned or are getting “high” while on the job.

#### Studies and statistics show that:

1. Every twenty-three (23) minutes a death occurs as a result of a drug- or alcohol-related accident.
2. A typical abuser is:
  - a. Late to work three (3) times more often
  - b. Requests twice as much time off
  - c. Is absent 2.5 times more than average
  - d. Uses three (3) times as many sick benefits
  - e. Collects five (5) times as much workers’ comp
  - f. Has 300% higher medical costs/benefits



If these statistics haven't convinced you that the problem is serious, let's look at a few more.

A national survey once reported that:

1. 19% of all children over the age of twelve (12) had used some type of illegal drug
2. 65% of eighteen (18)- to twenty-five (25)-year-olds had used some type of illegal drug
3. 30 million to 40 million Americans stated they had used cocaine
4. By age seventeen (17), 70% of American teenagers had tried alcohol

As you can see, drug and alcohol abuse is a serious problem, having a major effect on all our lives. Even though you may not be abusing drugs or alcohol, you are affected by the results of drug and alcohol abuse in our society. You pay higher medical costs to help cover the costs for abusers who cannot afford the cost of treatment. You pay higher insurance costs to help fund the drug and alcohol abuse programs paid for by insurance companies. The material and services you buy cost more because of decreased worker productivity, as well as increased cost to employers.

This section is designed to provide you with a brief overview of the seriousness of using controlled substances and alcohol. It also provides education on the signs, symptoms and effects of the illicit drugs that you will be tested for. Your employer has taken great measures to ensure a safe working environment. Please review this booklet in its entirety to educate yourself on drug and alcohol in the workplace. When you have completed reading this material, you will better understand the need for a drug-free workplace.

The drugs that employees will be subject to testing for include:

- Amphetamine
- Marijuana
- Phencyclidine (PCP)
- Alcohol (by evidential breath testing device only)
- Cocaine
- Opiates

## **Facts About Amphetamines**

Amphetamines (methamphetamine, MDMA-ecstasy) are central nervous system stimulants. They tend to make people "hyper" and "jumpy". They can be taken either orally or injected. They are often used by people to stay awake and to counteract the effects of drowsiness. They are especially dangerous to take while performing safety-sensitive tasks or driving.

Ecstasy, MDMA (3,4 methylenedioxymethamphetamine) is a synthetic, psychoactive drug that is chemically similar to the stimulant methamphetamine and the hallucinogen mescaline. MDMA causes an increase in serotonin, which plays an important role in the regulation of mood, sleep, pain, appetite

and other behaviors.

Some heavy MDMA users experience long-lasting confusion, depression and selective impairment of working memory and attention processes. Ecstasy users make extremely dangerous drivers. They can exhibit the same impairments as amphetamine, heroin, cocaine, and hallucinogen users.

#### Signs and Symptoms of Amphetamine Use:

- Hypersensitivity
- Exhaustion
- Dilated Pupils
- Grinding teeth
- Loss of appetite and immediate weight loss
- Dry mouth
- Excessive talking

#### Effects on Person:

- More likely to take risks
- Impaired judgment
- Delayed reaction time

### **Facts About Cocaine**

Cocaine also stimulates the central nervous system. It gives the user an intense feeling of well-being, or euphoria, known as a “high”. The high will last for ten (10) to sixty (60) minutes. A more potent form of the drug called “crack” cocaine is especially addicting and dangerous. Although its high lasts only about five (5) to eight (8) minutes, crack cocaine can be addicting after only one (1) use, and cause death the first time it is used. Cocaine can be injected, snorted or free-based. Snorting is sniffing the drug up the nose, and free-basing is done by heating the drug and inhaling the vapors.

#### Signs and Symptoms of Cocaine Use:

- Mood swings
- Weight Loss
- Restlessness: Difficulty sitting or standing in one place
- Depression
- Nose bleeds
- Irritable, angry, nervous, angers easily
- Bad breath
- Euphoric feeling
- Running nose, uncontrollable sniffing

#### Effects on Person:

- Slowed reaction time
- Distorted vision and depth perception
- Slow to make decisions
- Unable to correctly measure time and distance

### **Facts About Marijuana**

Marijuana is a depressant and a mind-altering drug. Marijuana does not depress the central nervous system's reaction, it works on the brain. Mind-altering means it causes hallucinations. It can be eaten or smoked. Street names for marijuana are "dope", "grass", "joint", "hash" or "hooch".

Tests have shown that people's reflexes and thought processes are slower under the influence of marijuana. The effects of this drug are longer lasting than first thought. In fact, impairment can last more than twenty-four (24) hours after using marijuana. The body actually stores the drug for days, weeks and in some cases, months, depending on the frequency of use.

#### Signs and Symptoms of Marijuana Use:

- Dilated pupils
- Slowed reflexes
- Giddiness
- Slowed thinking
- Moodiness
- Trance-like state
- Impaired vision
- Reduced feeling of pain
- Odor of burning
- Short-term memory loss
- Loss of concentration
- Unable to sleep after prolonged use

#### Signs to Look For:

- Cigarette rolling paper
- Dried plant material, either crumbled or pressed
- Roach clip (device to hold joint)
- Hash pipe (very small pipe)

### **Facts About Opiates**

Opiates are classified as a narcotic analgesic. They tend to have a sedating, calming effect, and act as a depressant to the central nervous system. Opiates are more commonly known as morphine, codeine and heroin. Street names for opiates are "junk", "smack", "horse" and "brown sugar". Opiates are prescribed by doctors to relieve pain, but they are used by the abuser to relax or "escape the real world". They can either be taken orally, injected or smoked.

When the drug is injected, the user feels an immediate "rush", usually followed by a very relaxed and soothing feeling. However, some opiates can cause very unpleasant side effects such as nervousness,

nausea and restlessness, and if taken in excess, may cause coma or death.

Signs and Symptoms of Opiate Use:

- Mental confusion
- Slurred speech
- Unsteadiness
- Hostility
- Memory loss
- Drowsiness
- Excess talking
- Euphoria
- Depression
- Short attention span
- Cold, moist or bluish skin
- Reduced feeling of pain

Effects on Person:

- Lack of concentration, daydreaming
- Distorted sense of time and distance
- Distorted vision

**Facts About Phencyclidine (PCP)**

Phencyclidine, commonly called “angel dust”, is known as a dissociative anesthetic. Users of PCP may experience hallucinations and signs of intoxication. They may not be able to focus their attention or will experience confusion and lack of coordination.

Although PCP has immediate short-term effects, it is also known for its long-term effect of causing psychotic behavior often associated with violent acts. Other street names for PCP include “hog” and “crystal”. PCP may be smoked, snorted or injected.

Signs and Symptoms of PCP Use:

- Delusions
- Confusion
- Panic
- Increased blood pressure
- Anxiety
- Flashbacks

Effects on Person:

- More likely to take risks

- Impaired coordination
- Aggressive actions

### **Facts About Alcohol**

Alcohol is a socially acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

#### Signs and Symptoms of Alcohol Use:

- Dulled mental processes
- Lack of coordination
- Odor of alcohol on breath
- Possible constricted pupils
- Sleepy or stuporous condition
- Slowed reaction rate
- Slurred speech

(Note: Except for the odor, these are general signs and symptoms of any depressant substance.)

#### Health Effects:

The chronic consumption of alcohol (average of three (3) servings per day of beer (twelve (12) ounces) whiskey (one (1) ounce) or wine (six (6) ounces) over time may result in the following health hazards:

- Decreased sexual functioning
- Dependency (up to 10% of all people who drink alcohol become physically and/or mentally dependent on alcohol and can be termed "alcoholic")
- Fatal liver diseases
- Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast and malignant melanoma
- Kidney disease
- Pancreatitis
- Spontaneous abortion and neonatal mortality
- Ulcers
- Birth defects (up to 54% of all birth defects are alcohol-related)

#### Social Issues:



- Two-thirds of all homicides are committed by people who drink prior to the crime.
- 2% to 3% of the driving population is legally drunk at any one time. This rate is doubled at night and on weekends.
- Two-thirds of all Americans will be involved in an alcohol-related vehicle accident during their lifetimes.
- The rate of separation and divorce in families with alcohol dependency problems is seven (7) times the average.
- 40% of family court cases are alcohol-problem related.
- Alcoholics are fifteen (15) times more likely to commit suicide than the general population.

More than 60% of burns, 40% of falls, 69% of boating accidents and 76% of private aircraft accidents are alcohol-related.

#### The Annual Toll:

- 24,000 people will die on the highway due to a legally impaired driver
- 12,000 more will die on the highway due to the alcohol affected driver
- 15,800 will die in non-highway accidents
- 30,000 will die due to alcohol-induced brain disease or suicide
- 10,000 will die due to alcohol-caused liver disease
- Up to another 125,000 will die due to alcohol-related conditions or accidents

#### Workplace Issues:

- It takes one (1) hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body.
- Impairment in coordination and judgment can be objectively measured with as little as two (2) drinks in the body.
- A person who is legally intoxicated is six (6) times more likely to have an accident than a sober person.



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# Appendix E: Maintenance Plan

PROKEL MOBILITY  
PREVENTATIVE MAINTENANCE  
PLANNING & TRAINING

# MAINTENANCE PLAN

*Prepared by:  
ProKel Mobility using FDOT 14-90 Guidelines*

*January 2022*



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## **Introduction**

The mission of the ProKel Maintenance Plan is to provide safe, reliable, clean, and well-maintained vehicles for the City of Opa-locka's Community Shuttle service. The function of the maintenance plan is to provide a consistent systematic program that will enable ProKel (PK) to properly maintain and service vehicles to meet or exceed the manufacturer's recommended maintenance schedule and meet FL 14-90 standards. It is designed to keep vehicle repair and maintenance costs to a minimum. Good preventative maintenance requires accountability for specific roles and is a result of all employees working together as a team.

### **Maintenance Plan Goals**

It is the goal of ProKel to operate a proactive maintenance program as opposed to reactive. Scheduling work allows time, materials, tools, equipment, and labor to be managed easier than having unpredictable maintenance costs, workloads, and vehicle downtime. A maintenance plan has been adopted to make these goals attainable and stay compliant within FDOT standards.

The maintenance plan is a "living document" including schedules and reports which will be updated periodically to reflect changes in maintenance policies, equipment, and program improvements.

The goals of the maintenance plan include:

- An effective preventive maintenance program.
- Defect Reporting;
- The proper management of parts, equipment, and fleet;
- A warranty recovery program;
- Quality assurance

### ***Policies, Goals and Objectives***

A primary focus on the vehicle maintenance plan is its use in the evaluation and monitoring of PK's maintenance operations. This program sets forth the performance areas and measurements that serve as the standards for PK's contract compliance. These standards comply with PK, City, and FL 14-90 policies, goals, and objectives, industry standards and accepted maintenance procedures, including training functions.

This maintenance plan will be a blueprint for PK's maintenance department and the information included herein outlines the responsibilities of PK and its maintenance team. This plan is not a policy manual; however, it will work in conjunction with PK's maintenance policy manual, and related maintenance and safety programs. PK's policy manual, and related maintenance and safety programs are available upon request.



### ***Objectives for This Contract***

Based on PK's experience operating this service, the City's RFP, and PK's best practices, the company has developed the following preliminary goals and objectives for its Opa-locka Community Shuttle Bus services maintenance department. Please note these goals and objectives are subject to change based on City and PK recommendations.

#### ***Objective #1 - Meet or exceed industry standards for maintenance performance indicators.***

- Road calls will be reported to the City on a monthly basis. Road call performance is measured as a ratio of total miles driven, where the standard is no less than 1 road call per 10,000 miles.
- PK will maintain an adequate level of vehicles in-service. This will be measured as a ratio of in-service vehicles per mechanic.
- PK will maintain an adequate level of vehicle service personnel. This will be measured as a ratio of in-service vehicles per mechanic.
- PK will maintain an adequate spare ratio based on anticipated total fleet requirements (where total fleet is peak requirements, plus incidental needs such as scheduled maintenance, marketing, training and safety, accident repair, major overhaul and spares to facilitate planned rebuild projects). Spare ratio is measured as a percentage of spares to the anticipated total fleet requirements.
- PK will track engine and transmission wear through oil sampling. This is measured during every oil change.

#### ***Objective #2 - Continue appropriate inventory control and management activities.***

- PK will maintain an adequate parts inventory. PK measures parts inventory as a per vehicle dollar amount, where the amount will not exceed \$500 for light buses.
- PK will establish and maintain minimum and maximum inventory levels, and purchase parts in order to maintain this standard. PK will use the Fleetio system to set and manage these thresholds when purchasing parts.
- PK will conduct a physical count of inventory at least twice per year. PK will measure its performance in this area based on the recorded book value of parts.

#### ***Objective #3 – Set up and maintain preventive maintenance.***

PK will ensure all inspections are performed on-time, pursuant to its preventive maintenance schedule. On-time performance will be measured as a percent of preventive maintenance inspections exceeding the FTA requirement of +/- 10 percent of the interval indicated by vehicle type/year. In total PK will achieve an on-time performance rate of no less than 90 percent at each preventive maintenance levels including:

- General Maintenance Guidelines
- Daily and Periodic Maintenance

- Fueling, Cleaning and Repair

Fueling, cleaning, and minor repair is generally conducted during evening and night hours. PK will emphasize preparing the maximum number of vehicles for daily pull-out. Examples of these activities include:

- Check engine coolant level
- Fuel vehicle
- Check engine oil level Check transmission fluid level
- Bump front and rear tires for low pressure (this is also performed as part of the operator's pre-trip inspection)
- Clean interior and inspect for graffiti, cut seats, glazing, lights, fire extinguisher, mirrors, and body for damage or defects
- During servicing, make observations of air pressure, transmission, brake operation, and lights
- Record all fluids additions
- Record hubometer/odometer readings
- Report all observed defects for correction
- Clean exterior as scheduled
- Inspect buses scheduled for safety/brake checks, drain air tanks of condensation as scheduled
- Repair buses reported by service personnel for defects; test to confirm repair
- Route any buses reported with minor defects (by operators) for repair; test to confirm repair
- Repair buses that failed in service (i.e., road calls) and tested to confirm repair
- Park buses in appropriate locations; place buses without defects in the area ready for service; place buses with defects in the area for repair operations.
- Record all repairs in Maintenance Information System (MIS)
- Park cleaned and repaired buses that are ready for service
- Buses that cannot be repaired prior to morning pull-out are held out of service for continued repair

## **Outsourced Maintenance**

Outsourcing will be utilized for maintenance services. All outsourced maintenance services will be tracked on PK's system and Fleetio to ensure compliance and record tracking measures are followed.

When an outside maintenance contractor is responsible for maintaining the vehicles, PK will have a maintenance plan for the contractor to follow. Written reports will consist of completed preventive maintenance checklists and invoices for repairs from the contractor. The maintenance activities of the contractor will be monitored by quality

assurance checks on vehicles and periodic inspections of the contractor's facility by a designated representative.

Preventive maintenance inspections and invoices for repairs from contractors will be kept at PK's local office.

ProKel's outsource prime vendors are Dickinson Fleet Services and LG Auto. Both vendors have ASE Certified mechanics and have experience working for other Prime firms and combined have clients with whose vehicles are owned by city agencies, county agencies state authorities, and also some of the largest fleet corporations such as Penske Fleet, Fleet America, Ari, and Enterprise Heavy Fleet.

Vendors have the capacity to work on the vehicles on our lot, as they specialize in Heavy Duty mobile maintenance.





### *Body Repair*

The cosmetic condition of PK's vehicles directly affects passenger confidence in the system. Well-maintained vehicles; clean, intact upholstery; interiors and exteriors free of graffiti; and clean windows, stanchions, and seats all contribute to the public's confidence in using public transportation.

Expeditious body repair eliminates hazards, assures passenger comfort, and reinforces the operators' pride in the service fleet. PK does not tolerate body damage or graffiti and will not release vehicles into service if they have excessive body damage or damage that presents a safety hazard.

During the preventive maintenance inspection or the next scheduled detailing (whichever comes first) PK's maintenance team performs all minor body repair, such as buffing out scratches, minor paint touch ups, etc. PK works with local body shops for major body repair work.

### *Major Repairs*

PK typically identifies one or more local vendors from which it purchases rebuilt engines or in-chassis overhauls. Depending on the local resources available, and their associated costs, PK will determine the most advantageous approach; however, when possible PK prefers to purchase rebuilt engines.

PK either purchases rebuilt transmissions or works with local vendors to rebuild existing transmissions. PK's maintenance team handles all transmission removal and replacement/installation.

It is always best to replace the engine or transmission with a new or rebuilt unit, so that a warranty is available to replace the component.

## **Vehicle History File**

Each vehicle will have a written record documenting preventive maintenance, regular maintenance, inspections, lubrication and repairs performed. A vehicle's history is also valuable in locating persistent problems and may serve to determine problems that could be classified as a fleet defect.

Such records shall be maintained for the life of the vehicle and include at a minimum the following information:

- Identification of the vehicle, including make, model, license number or other means of positive identification and ownership.
- Date, mileage, and description of each inspection, maintenance, repair or lubrication performed.
- If not owned by the transit agency, the name of the person or company furnishing service with this vehicle; and
- The name and address of any business firm performing an inspection, maintenance, lubrication or repair.



## Preventive Maintenance

Preventative maintenance inspections will be scheduled by mileage projections in most cases. When a vehicle is due for an inspection it will be taken out of service until the inspection is completed. This allows a series of repairs to be carried out while minimizing costs and optimizing the number of operational vehicles.

The checklists for preventive maintenance will be consistent with the current operating fleet and in particular with the minimum maintenance requirements for vehicles under warranty to ensure maximum vehicle longevity. Below is a guideline of a preventive maintenance sequence. However, mileages can vary depending on manufacturer's requirements.

Vehicles will be scheduled in "A," "B," and "C" inspections. These will be performed 5,000; 24,000 24,000 and 100,000 miles following the sequence: "A," "B," "A," "C." Vehicle manufacturers and component suppliers provide service manuals containing detailed information for repair, maintenance, and recommended PM intervals. PK follows recommendations provided in OEM service manuals, which help formulate our maintenance procedures and PM intervals. These procedures will be based on the OEM maintenance requirements for warranty and operating conditions.

### *Unscheduled Repairs*

During the day, PK will perform unscheduled repairs daily, as the need presents. These include the circumstances described below:

- When a vehicle fails in-service, PK will return the vehicle to the garage for diagnosis and repair or mobile mechanics will repair it in the field.
- Operators may report defects when they return to the garage during scheduled pull-ins. Mechanics will check these defects prior to afternoon pull-out.
- PK will repair any accessible equipment failures promptly – no vehicle will enter service without a working lift. PK will maintain available lift-equipped vehicles to ensure it meets all services levels adequately.

### *Intermediate Maintenance*

Mechanics must perform lubrication and inspections to ensure that the vehicle is in operating condition without failure or wear-out of components. Examples of actions are as follows:

- PK will clean buses after each inspection. This includes interior cleaning, exterior washing, engine, and chassis washing.
- Mechanics review all previous defect reports to determine areas requiring special attention (including body damage).

- Mechanics inspect all major systems (such as engine, A/C, windows, transmission, doors, chassis, seating and wheelchair lifts). Typical inspection checklists are available upon request.
- During preventive maintenance inspections, mechanics perform all lubrication and change various fluids based upon mileage.

### *Periodic Unit Removal and Replacement (Predictive Maintenance)*

PK schedules predictive maintenance in a manner that minimizes road failures due to lifetime unit failure. When possible, PK will plan the replacement or rebuilding of a vehicle component based on a periodic schedule. The benefits of this approach include:

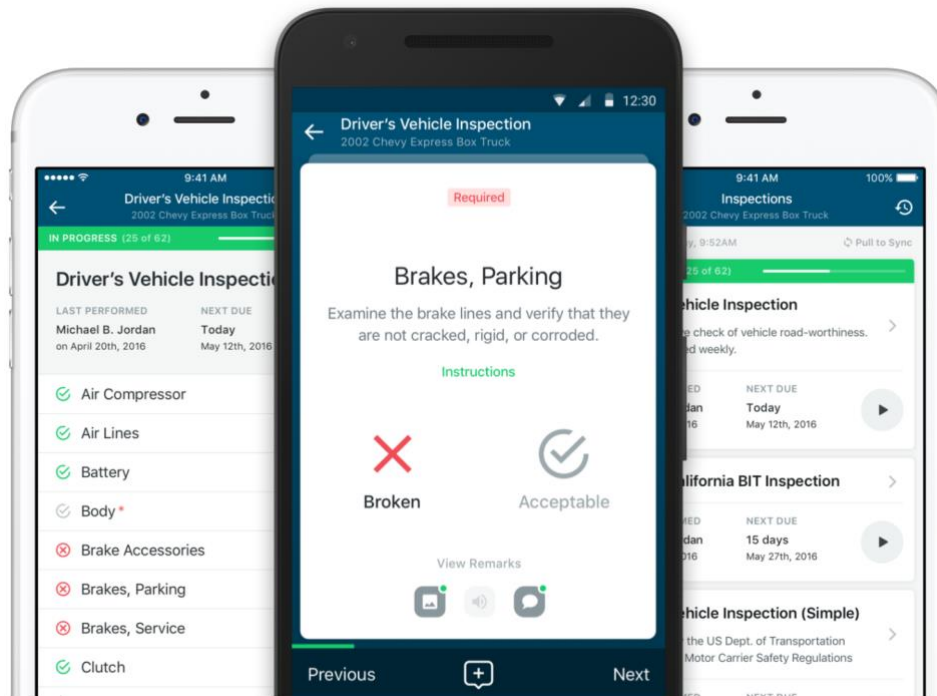
- Reduced unscheduled maintenance.
- Minimized downtime and reduced costs due to planned parts and material procurement.
- Reduced need to inspect and test “wear out” components; and
- Reduced overall cost of the overhaul

### *Inspections and Scheduled Maintenance Activities*

#### *Daily Maintenance and Vehicle Inspections*

Pre-trip:

Each day, operators perform daily vehicle inspections prior to entering service. This 12-minute inspection covers the following items:



- Condition of tires, wheels, rims, and lug nuts\*
- Fluid levels (engine and transmission oil, cooling, windshield washer, brake fluid, and power steering)
- Condition of battery terminals
- Under vehicle leaks\*
- All glass and mirrors are in good condition and without chips or cracks\*
- All lights are operational (headlights\*, clearance lights and reflectors\*, turn signals, backup lights and alarm, emergency flashers\*)
- Air conditioner and heating, and defroster/defogger is operational
- The vehicle is clean, cushions and seat belts are secure\*
- Windshield wipers, washer, radio horn, passenger door is all operational\*
- Registration and insurance are valid, and registration is visible
- Brake pedal\* and parking brake are operational (air brakes operate within the minimum and maximum pressure thresholds)
- Steering wheel is secure, gearshift is tight\*
- On-board safety kit is stocked and complete (first aid, reflectors, fire extinguishers\*, accident packet\*, and body fluid kit\*)
- Lift is operating both electronically and manually, and is free from leakage\*
- Lift interlock is operating properly\*

*Note: Items marked with asterisks (\*) are re-inspected during walk-around mid-trip inspections, during shift changes.*

#### Post-trip:

Upon return to the yard, the operator performs a 5-minute post-trip inspection, which requires re-inspection of the following items:

- Condition of tires, wheels, rims, and lug nuts
- Under vehicle leaks
- All glass and mirrors are in good condition and without chips or cracks
- All lights are operational (headlights, clearance lights and reflectors, turn signals, backup lights and alarm, emergency flashers)
- Air conditioner and heating, and defroster/defogger is operational
- The vehicle is clean, cushions and seat belts are secure
- Windshield wipers, washer, radio horn, passenger door is all operational
- Brakes pedal is operational
- Steering wheel is secure, gearshift is tight
- Fire extinguisher is fully charged accident packet, and body fluid kit are present and accessible
- Lift is operating in both electronically and manually, and is free from leakage

- Lift interlock is operating properly

### *Defect Repair*

If the operator detects a safety hazard that prevents the vehicle entering service, the operator will notify dispatch, who will contact the on-duty mechanic. The mechanic will determine if the issue can be quickly rectified or if the vehicle should be pulled from service.

The mechanic performs an initial assessment of the issue to determine its severity and if the vehicle can be repaired in time for pullout (for example, a bulb or fuse replacement), or if the vehicle needs to be placed out of service (for example, the wheelchair lift is not cycling).

If the mechanic must place the vehicle out of service, he or she will initiate the lock out tag out process and the dispatcher will assign a standby vehicle to the operator.

### *Preventive Maintenance Program*

A strong preventive maintenance (PM) program minimizes vehicle downtime and supports PK's goal of scheduling more than 80 percent of all maintenance activities.

Mid-level technicians typically perform preventive inspections and repair within 500 miles of the required interval (or pursuant to contractual requirements). As inspections are due, PK's maintenance manager will schedule service during off-peak hours in an effort to maximize fleet availability during times of highest service demand. Sample schedules are provided below:

### *Vehicle Preventive Maintenance Cycle*

Inspection	Interval	Description
A	5,000(safety)	<ul style="list-style-type: none"> <li>• Vehicle interior and exterior inspections (lights, safety equipment, etc.)</li> <li>• Air brake testing</li> <li>• Door and lift operation/cycling</li> <li>• Road test (engine, transmission, brake, steering)</li> <li>• Undercarriage (shocks, brake lines, filters, air lines, drive shaft, etc.)</li> <li>• Engine compartment (fluid and leak inspection)</li> <li>• Clean/check battery and cables</li> <li>• Fire suppression system inspection</li> </ul>

<b>B</b>	24,000	All A level tasks plus: <ul style="list-style-type: none"> <li>● Oil and filter change</li> <li>● HVAC (Freon level, fluid change, filter change, function test)</li> </ul>
<b>C</b>	24,000	All A and B level tasks plus: <ul style="list-style-type: none"> <li>● Fire suppression inspections</li> <li>● Inspection of fire wires and blow out lines (semiannual)</li> </ul>
<b>D</b>	100,000	All A, B, and C level tasks plus: <ul style="list-style-type: none"> <li>● Air dryer rebuild</li> <li>● Differential fluid change</li> <li>● HVAC (leaks, filters, temperature checks, function inspections, brushes and fan motor condition)</li> <li>● Vehicle Tune Up</li> </ul>

### *Documentation*

The mechanic performing the preventive inspection and repairs can use the Fleetio software program on the tablets or can use hard copy of the vehicle file. The mechanic documents all preventive maintenance activities on the PM checklist. During this time, the mechanic performing the inspection repairs any minor defects noted previously identified during daily inspections (or otherwise logged in the vehicle file).

### *Systems Maintenance*

PK maintains all mechanical, electrical, fluid, air and hydraulic systems such that they are safe and in working conditions at all times.

### *Clean Air Standards*

PK performs annual emission/opacity inspections as required to meet all applicable clean air standards.

### *Heating and Cooling Systems*

PK requires that its shops regulate passenger compartments to maintain comfortable temperatures at all times and under all climate conditions. During each PM inspection, the HVAC systems are inspected to ensure they are functioning and do not have leaks. The mechanic inspects the condition of all brushes and fan motors and changes the filters.



It is extremely important to maintain and operate all air conditioning systems, especially during the off-season. Operating these systems on a weekly basis at 10-minute intervals confirms appropriately lubrication of the refrigerant compressor; this prevents any leakage in the compressor shaft seal and ensures early detection of any refrigerant loss.

*PK conducts seasonal HVAC inspections.*

The table below represents PK's air conditioning PM cycle. A detailed inspection checklist is available upon request.

Monthly 6,000 Miles	Quarterly 18,000 Miles	Yearly Pre- Season	Check condition of or service the following:
<b>REFRIGERATION/HEATING</b>			
•	•	•	Check refrigerant charge (ball floating in top receiver tank sight glass).
•	•	•	Visually inspect the condition of refrigerant hoses and tubing.
•	•	•	Visually inspect for leaks of refrigerant and oil.
•	•	•	Check the dry eye in the bottom receiver tank sight glass and/or liquid line sight glass for moisture content.
	•	•	Install service gauge manifold set and check system operating pressures, temperatures and suction line conditions.
		•	Check evaporator pressure regulator (EPR) valve operation.
		•	Replace liquid line dehydrator. <b><i>NOTE: The dehydrator should be changed anytime the system is opened.</i></b>
		•	*Check hot water control valve operation (when equipped).
<b>COMPRESSOR/CLUTCH</b>			
•	•	•	Visually inspect clutch armature for wear and overheating caused by slippage.

•	•	•	Visually inspect compressor drive belts for excessive wear, tension and alignment (refer to bus manufacturer and/or belt supplier for proper tension).
•	•	•	Check compressor oil level and color (1/4 – 1/2 way up on the sight glass after 15 minutes operation—X426/X430 compressor).
	•	•	Check clutch air gap. $0.045 \pm 0.005$ in. ( $1.143 \pm 0.127$ mm) and surface flatness—X426/X430 compressor.
•	•	•	Check compressor oil level and color (1/2-7/8 way up on the sight glass after 15 minutes operation—4GB compressor).
		•	Steam clean compressor and clutch.
		•	Check clutch coil resistance and voltage.
		•	Lubricate clutch bearing.
		•	Check high pressure and low-pressure cutout.
		•	Check compressor oil for acidity.
		•	Check compressor efficiency.
		•	Check compressor oil pump pressure.
<b>ELECTRICAL</b>			
		•	Check thermostat cycle sequence on all modes (e.g., cool/reheat, vent/heat).
		•	Check 125 ampere battery less alternator excitation voltage and voltage output and inspect brushes and bearings (when equipped).
		•	Visually inspect alternator drive belts for excessive wear, tension and alignment.

		•	Clean alternator, check for signs of corrosion, and check wire connections.
<b>Semi-annually</b>			Check evaporator/heater blower motor speed, voltage and amperes (all motors).
<b>Semi-annually</b>			Inspect evaporator/heater blower motor brushes, commutator, bearings (brush type motors).
<b>Semi-annually</b>			Check condenser fan motor speed, voltage and amperes (all motors).
<b>Semi-annually</b>			Inspect condenser fan motor brushes, commutator, bearings (brush type motors).
		•	Clean control panel area and return air sensor with compressed air. NOTE: The control panel area and the return air sensor may need to be cleaned more frequently.
		•	Check boost pump (OEM supplied) motor operation and inspect brushes (when equipped).
		•	Inspect all wires and terminals for damage or corrosion. NOTE: If corrosion is present, clean terminals with electrical contact cleaner.
		•	*Check condenser pressure switch/condenser motor high and low speed operation (when equipped).
		•	*Check freeze thermostat (when equipped).
<b>STRUCTURAL</b>			
•	•		Inspect condenser coil for cleanliness.
•	•		Inspect evaporator coil for cleanliness.
•	•	•	Visually inspect the unit for loose, damaged, or broken parts.

•	•	•	Clean or replace the return air filter (more frequently if necessary).
		•	Clean condenser and evaporator drains. Make sure the evaporator drain hose check valves (kazoos) are in place and in good condition.
<b>Semi-annually</b>			Lubricate evaporator fan shaft bearings.
		•	Visually inspect the engine coolant hose and hose clamp condition on the heater coil system.
		•	Clean condenser and evaporator coils.
		•	Check engine coolant for antifreeze protection down to -30 F (-34 C) to prevent heater coil freeze up.
		•	Tighten all compressor, unit and fan motor mounting bolts and brackets (more frequently if necessary).
		•	*Check condenser air seals and air deflector (when equipped).
		•	Check evaporator blower shaft coupling adjustment and alignment (when equipped).
<i>*If applicable. **Twice monthly during air conditioning season.</i>			

### *Oil Analysis*

Oil analysis is an excellent way to assess equipment condition, by detecting abnormalities before major issues arise. During the preventive maintenance inspection, the mechanic will pull an oil sample and send it Titan Labs for all analyses. Titan posts results of all analyses online within 24-hours of receipt.



Reports are downloadable in PDF format and can be attached to all vehicle files for proper recordkeeping. PK can also provide the City access to online oil sampling reports.

### *Mobility Lifts and Ramps*

To ensure the safety of passengers in mobility devices, PK performs frequent inspections of mobility device lifts and ramps, as follows:

**Daily Inspections:** During the daily vehicle inspection each operator is required to cycle the vehicle lift to confirm proper operation. If a lift does not cycle or cycles improperly during the DVI, the operator must notify a supervisor who coordinates repair and/or delivery of a replacement vehicle.

**PMI Inspections:** Mobility device lifts are inspected and cycled at each preventive maintenance inspection threshold. This includes the replacement of worn components, gear cleaning and adjustments in alignment as necessary.

**Annual Inspections:** PK performs annual inspections of mobility device lifts. These inspections include, at a minimum, checking for drifting, leaking cylinders, and ensuring all safety sensors are working.

No vehicle is permitted to enter service without a safe, functioning lift/ramp. If a lift fails while on route, the vehicle will immediately be removed from service and replaced.

### *On-Board Security Systems*

PK works with multiple on-board equipment manufacturers and their authorized repair shops for the ongoing maintenance of on-board security systems. The City provides the onboard systems. If the city ever needs any help with this technology, our team won't hesitate to help.

### *Smartbus and Transit Technology Maintenance*

PK employs and contracts properly trained technicians who are able to inspect, diagnose, and repair the various electronic on-board systems, including but not limited to destination signs, passenger counters, AVL/GPS, and vehicle health monitors. These devices' manufacturers provide OEM recommendations relative to inspection cycles, which will be followed to ensure proper operation at all times.

### *Maintenance of Fixed Asset Equipment*

PK owns several pieces of equipment that are necessary for the daily maintenance activities of the Opa-locka Community Bus Shuttle system. The local team maintains fixed assets in the maintenance area according to factory specifications and conditions. Each piece of equipment that has the manufacturer's recommended maintenance interval shall be placed on a routine maintenance schedule, with the corresponding service interval requirements.



## Maintenance Quality Assurance

PK's management team will oversee the service quality of its maintenance department and will randomly inspect the vehicles after mechanics make repairs. These reviews assess the overall condition of equipment available for revenue service.

It is important that the result of the QA evaluations be presented to management in simple, clear, quantitative terms. This information can then be analyzed to determine trends, compliance with minimum quality levels, and the need to revise or institute maintenance procedures or job procedures.

Maintenance and safety inspections are performed at various times throughout the year, at intervals that ensure ongoing quality checks and safety assessments.

- **The Monthly Facility Audit (Monthly):** PK's General Manager and designated staff are required to conduct facility audits each month to ensure compliance with PK standards.
- **The Semi-Annual Audit (Semi Annually):** Director of Maintenance, will be responsible for scheduling and completing semiannual audits, using PK's maintenance audit form, with the General Manager and Maintenance Supervisor present. A review of the audit will be conducted, and an action plan developed (if needed) to correct deficiencies.
- **Safety Management Inspections (Annually):** These inspections assure location compliance with regulatory and company policy requirements and assess the overall safety of the facility. At minimum, these inspections occur annually and are conducted by the Director of Safety.
- **Maintenance Safety Inspection (Annually):** These inspections assure maintenance-specific compliance with regulatory and company policy requirements and assess the overall safety of the maintenance program. At minimum, these inspections occur annually and are conducted by the Director of Maintenance. PK also welcomes facility inspections by the City.

## Annual Safety Inspections

Records of annual safety inspections and documentation of any required corrective actions shall be retained a minimum of four years by the bus transit system.

- (a) Horn.
- (b) Windshield wipers.
- (c) Mirrors.
- (d) Wiring and battery (ies).

- (e) Service and parking brakes.
- (f) Warning devices.
- (g) Directional signals.
- (h) Hazard warning signals.
- (i) Lighting systems and signaling devices.
- (j) Handrails and stanchions.
- (k) Standee line and warning.
- (l) Doors and interlock devices.
- (m) Step wells and flooring.
- (n) Emergency exits
- (o) Tires and wheels.
- (p) Suspension system.
- (q) Steering system.
- (r) Exhaust system.
- (s) Seat belts.
- (t) Safety equipment.
- (u) Equipment for transporting wheelchairs.
- (4) A safety inspection report shall be prepared by the individual(s) performing the inspection which shall include the following:
  - (a) Identification of the individual(s) performing the inspection.
  - (b) Identification of the bus transit system operating the bus.
  - (c) The date of the inspection.
  - (d) Identification of the bus inspected.
  - (e) Identification of the equipment and devices inspected including the identification of equipment and devices found deficient or defective.
  - (f) Identification of corrective action(s) for deficient or defective items and date(s) of completion of corrective action(s).

The Fleet Manager or designated approved vendor will perform regularly scheduled Quality Assurance (QA) checks to ensure that inspections and repairs are completed properly. Safety related items are always checked.

## **Regulatory Compliance**

More than 90 percent of PK's contracts are with transit systems or recipients of federal funding for transportation services and require that PK comply with regulatory standards set forth by agencies such as the FTA, DOT, EPA, OSHA, NTSB, among many other state and local authorities. PK is subject to audits, inspections, records reviews, and reporting as part of its operations.

## **Daily Pre-Trip/Post-Trip Inspections**

The daily pre-trip/post-trip form establishes a procedure to identify items by operators prior to operating assigned vehicle, during routes, and after all route schedules are

completed. The daily pre-trip/post-trip inspection forms must be documented with the operator's signature and a check in each box to document that the items are "OK" or a defect is noted in the comments section.

PK shall review daily inspections and document the corrective actions taken as a result of any deficiencies identified by the operator. Once defects are noted they will be prioritized and sorted into categories. Daily inspections shall be retained for a minimum of two weeks. If a defect is noted and repaired on the inspection form this documentation will be attached to the work/repair order and filed in the vehicle's history file.

The identified defects will be placed into one of four categories:

**Safety Defect** – Safety cannot be compromised. The vehicle cannot be placed into service until repairs are completed.

**Mechanical Defect** – A defect that will gradually get worse and increase cost. The vehicle cannot be placed into service until repairs are completed, except for emergencies.

**Elective Mechanical Defect** – An elective mechanical defect is a defect that does not compromise safety but can if operated beyond a pre-determined mileage. This defect can be scheduled on or before the next preventive maintenance inspection depending on mileage.

**Elective or Cosmetic Defect** – The defect will not compromise safety and will not cause further damage or cost as it is an aesthetic defect. This vehicle can be scheduled for an off-peak time in the future or at the next preventive maintenance inspection to be repaired.

### **Pre-Trip Inspection**

The pre-trip inspection is required to make certain the following parts and devices are in safe condition and in good working order at the beginning of the trip:

1. Service brakes.
2. Parking brakes.
3. Tires and wheels.
4. Steering.
5. Horn.
6. Lighting devices.
7. Windshield wipers.
8. Rear vision mirrors.
9. Passenger doors.
10. Exhaust systems.
11. Equipment for transporting wheelchairs.
12. Safety, security, and emergency equipment.

If an operator finds a defect on a pre-trip inspection it must be determined by the Fleet Manager or designated employee if the vehicle can be put in operation at that time and the defect can be repaired at a later date.

The Pre-Trip checklist displays mechanical and safety related checks for defects. There are also two examples to record body damage.

### **Post-Trip Report**

During the scheduled trips and at the end of the day the operator will note any defects on the pre-trip/post-trip form to be turned into the Fleet Manager or designated employee at the end of the day. If a defect is found it must be determined if the vehicle can be placed into service, the next day or the defect must be repaired prior to rescheduling.

### **Lift Maintenance**

As part of the preventative maintenance on wheelchair lifts a complete cycle of the lift shall be performed during the operator's pre-trip inspection. The operators will report, by the most immediate means available, any lift failures.

As part of the preventative maintenance on wheelchair lifts a complete cycle of the lift shall be performed during the operator's pre-trip inspection. The operators will report, by the most immediate means available, any lift failures

The lift will be serviced on preventative maintenance inspections according to the manufacturer's specifications. Instructions for normal and emergency operations of the lift or ramp will be carried or displayed in every accessible vehicle.

### **Road Calls**

When a road call occurs, the operator will pull over to a safe location and contact dispatch. Using a troubleshooting guide, the dispatcher first attempts to talk to the operator through correcting the issue. If the situation cannot be resolved, the dispatch will contact on-duty technician, then patch him or her through to the operator to assess the severity of the issue. The technician will determine the following:

- **If the operator can resolve the issue himself or herself:** In this case, the mechanic will remain on the radio and coach the operator as needed until the situation is resolved.
- **If the operator requires a replacement vehicle:** In this case, the mechanic may deliver the vehicle himself/herself, or work with dispatch to send a standby operator to the field to transfer the passengers and resume the route.
- **If the mechanic must report to the field to resolve the issue and deliver the vehicle back to the yard:** In this case, the mechanic will drive the shop truck to the location of the vehicle and repair it at the site of the road call.

- **If a tow/wrecker service is required:** In which case, the mechanic will work with the dispatcher, who will coordinate this process.

The dispatcher will log each road call and the assigned mechanic will complete a vehicle breakdown form, which is stored in the vehicle file. PK tracks all road calls in the system (Fleetio) and calculates miles between road failures in order to identify mechanical trends areas of needed improvement.

Monitoring road calls is arguably the single most important indicator of an agency's overall performance. Road calls are categorized as listed below:

### **Major Mechanical**

A failure of some mechanical element of the revenue vehicle that prevents the vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip because actual movement is limited or because of safety concerns.

### **Other Mechanical**

A failure of some other mechanical element of the revenue vehicle that, because of local agency policy, prevents the revenue vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip even though the vehicle is physically able to continue in revenue service.

Classifying failures into specific bus subsystems allows PK to identify trends, determines the underlying cause of the problem, and can help in making modifications to the Preventive Maintenance Program as needed to minimize failures. Road call reports will include types of failures and mean distance between failures.

Prior arrangements with a towing service that is competent in recovering vehicles the size and type operated by the transit agency will be made. After a determination is made of the status of a downed vehicle the towing service will be contacted in a timely manner to have the vehicle moved.

## **Cleaning**

During pre-trip inspections it is the duty of the operator to perform a walkthrough on the vehicle and ensure that any debris on the flooring or step wells that could result any falls or slips. Any unsafe conditions must be corrected before any scheduled trips.

The driver must report all graffiti/etchings, gum, spills, or any other issues in the interior that would warrant extra material and labor from normal clean-up, on their post-trip report.

It is the responsibility of the Fleet Manager to inspect the interior and exterior of the vehicles and determine if the cleaning is being performed to company standards.

### *Vehicle Cleaning Program*



All vehicles must be kept clean and free of refuse and debris at all times. The following lists are rules regarding daily bus cleanliness:

- Vehicles are swept daily at the end of each shift
- Litter and debris removal and spill cleaning
- Any graffiti and/or vandalism will be repaired upon discovery
- No food or drinks allowed on the vehicle unless approved by clients. This includes operators.
- Operators will inspect their vehicles daily to assure that there is no graffiti on the vehicle's interior components. The operators will note this on their DVI report and will attempt to clean and remove all graffiti that had been placed on the vehicle for that day.
- Vehicles will be disinfected daily.

#### *Exterior Cleaning*

Vehicle will be washed as needed, at least once per week, to assure a clean professional looking vehicle.

- Window replacement if glass is scratched (if the glass is broken or crack, it is repaired/replaced immediately)
- All exterior body panels will be cleaned with detergent and a vehicle washing brush or run through a wash rack. This will be done to remove all road dirt, soot, and tar and oil residue on the vehicle.
- All tires and wheels will be cleaned using the appropriate brushes. This will be done to remove road dirt, and brake dust and marks from white lettering of tires (if applicable).
- All mud flaps will be cleaned.
- Wheel wells cleaned.
- Windows and mirrors will be cleaned, and water spots removed.
- All lighting lenses will be cleaned, thoroughly rinsed and dried.

#### *Interior Cleaning*

The interior of the vehicle must be clean and professional looking inside. The interior will be cleaned as needed, at least once per week.

- The vehicle will be vacuumed in areas that a vacuum can be used.
- Floors will be swept and mopped. Light colored areas, such as the white standee lines and white edges of the steps should be cleaned with a stiff bristled brush to remove grime from the grooves of the rubber.
- Modesty panels cleaned with a mild detergent to remove dust, footprints and dirt accumulation.
- Clean vinyl passenger seats with mild soap and water.

- Clean the stanchions, grab rails and handrails with soap and water. Remove all accumulated dirt, dust, grime, and oils.
- With a wet rag, wipe down the ceiling and walls, drying immediately with a dry towel. This is to remove the accumulation of dust that adheres to the ceiling and walls.
- Clean the instrument panel.
- Clean steering wheel with the use of detergent and water. This will remove the accumulation of oils and dirt.
- Instrument panel glass will be cleaned with the use of an appropriate glass cleaner.
- Graffiti, any oily prints and dust accumulation will be removed from the windows by cleaning the window with an appropriate glass cleaner.

There will also be quarterly cleaning that includes deep cleans and waxes. In addition, as-needed cleaning will take place that includes fumigation and seat cleaning and/or replacement.

#### *Record Keeping*

It is critical that all vehicle cleaning be documented on a vehicle wash log and kept in the maintenance files.

### **Accidents**

All accidents are tracked by the frequency, type, and which party was at fault. An investigation will be performed and documented. In the case of an accident in which the mechanical condition of the bus comes into question, the Fleet Manager or designated employee will decide if the bus can be placed into service before repairs are made.

### **Information Management**

The work order, also referred to as a repair order, is the backbone of any maintenance performance monitoring program. Information on all aspects of maintenance performance can be obtained from work orders. Agencies with small fleets can rely exclusively on the work order to monitor maintenance performance. For agencies with large fleets, however, this approach may not be realistic. Instead, information obtained from the work order is entered into a computerized management information system (MIS), which summarizes data and identifies recurring problems.

#### *Management Systems and OEM Recommendations*

##### *Maintenance Information Systems*

PK uses a proprietary Equipment Asset Management and Fleetio.

Fleetio's fleet maintenance software to track maintenance activities, work-orders, parts, and inventory. This system is a thin client, web-based interface that PK's maintenance team can access from one or more workstations in the shop. The software integrates with a myriad of systems including fuel management and inspection tools.

It is of utmost importance that a proven maintenance information system (MIS) is in place; these systems control labor and material costs and help facilitate policy and procedure. The Fleetio system can identify labor and material costs to specific job procedures and maintenance functions.

### ***Purchasing and Inventory Control***

In order to purchase parts at a fair market value and stay within budget, PK has established a number of national accounts with vehicle manufacturers and parts dealers. These accounts are negotiated on a volume discount price structure, which delivers the most efficient pricing to PK and its customers.

Using OEM parts (or equivalent) prevents safety hazards while promoting best practices. OEM practices minimize the frequency of unscheduled maintenance, thus improving service quality, reducing costs, and maximizing fleet availability.

PK tracks all parts inventories and uses in Fleetio. PK will establish minimum and maximum inventory thresholds; these levels are entered in the Fleetio system, which is used to run inventory reports to alert PK's personnel of parts needs.

### ***Use of Manufacturer Maintenance Manuals and Recommendations***

PK follows the recommendations of the original equipment manufacturers (OEM) and purchases OEM (or OEM accepted) parts. An essential part of this process is the use of manufacturer maintenance manuals. The company evaluates OEM carefully when developing the specific maintenance intervals and practices in the bus maintenance plan.

PK follows the manuals prepared by bus and component manufacturers, ensuring best in class maintenance practices, and following the specific guidance and instructions for troubleshooting, removal, overhaul and repair and replacement of components. These manuals are available in PK's shop and are appended as needed to include updates and service bulletins.

PK works with local vendors and manufacturers to provide equipment-specific training. Additionally, PK subscribes to manufacturers' dealer support web sites and uses web-based maintenance information and technical service bulletins that may be available on a specific chassis or application. These subscriptions include Ford Motor Company, AC Delco (General Motors Products), Cummins Quick Serve, Ricon, and Braun wheelchair lifts.

## **Material Handling**

Employers are required to provide employees with instructions on safe handling, first aid treatment, emergency procedures, and proper clean up procedures of chemicals in the workplace. Also knowing the potential flammability, explosion, and reactivity of chemicals in the workplace are the rights of the employees under the Right-To-Know-Law.

## **Material Safety Data Sheets**

All chemicals, lubricants, cleaners etc., purchased must accompany a Material Safety Data Sheet. A MSDS binder will be maintained and made available to the employee upon request. The binder will have a cover sheet index for quick reference in case of an emergency.

When a chemical is taken out of inventory the MSDS sheet will be taken out of the binders and placed in a dead file. All MSDS sheets must be kept on file for thirty years.

When purchasing products for different functions careful consideration will be taken as to the toxicity and flammability of chemicals used. Environmentally friendly products will be taken into consideration when purchasing products. Some include:

- Propylene-glycol antifreeze
- Re-refined motor oil
- Retread tires
- Water-based part cleaner and brake cleaner
- Reconditioned batteries

## **Warranty**

A warranty recovery system, warranty records, and annual summaries of warranty claims submitted and received will be maintained by the transit agency.

Warranty repairs will be identified by maintaining a list of items from the manufacturer that are under warranty and when the warranty expires. When a component fails it can be checked against the list for time and/or mileage to determine if it is still under warranty. Documentation of warranty repairs, claims, and a recovery program will be kept on file to guarantee the cost of the defects under warranty is paid by the equipment manufacturer and not the agency. All warranty claims will be pursued until the claim is settled.

### *Warranty Repair*

PK will administer warranties, including documenting, filing, and processing claims. The maintenance supervisor will manage all warranty recovery and ensure that PK

performs covered repairs in a timely fashion. PK works with local dealerships for warranties associated with chassis work requiring OEM components. Additionally, a certified dealer for both Braun and Ricon, PK can perform all warranty repairs and access all technical data and updates for these lift units. This expedites repairs and ensures lifts are in superior working condition.

The company performs warranty repairs to vehicle body, doors, electrical, seating, flooring, etc. using the prescribed warranty procedure. The maintenance manager will submit claims for reimbursement upon completion of repair. PK tracks all warranty repairs in internal systems and Fleetio.

## **On Site Fueling**

On site fueling will be supplied by ProKel's vendors.

One of ProKel's Fuel vendor is MDB Services.

MDB Services is one of the largest minority owned fuel suppliers in the State of Florida. It currently supplies fuels for some of the largest transportation companies and agencies in the State of FL. MDB will be providing PK Diesel fuel. MDB can also provide alternative fuel if needed. Fuel will be supplied at the end of each shift.







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manage more than 150,000  
assets around the world.

---

JUSTIN REECE – MAINTENANCE & LOGISTICS MANAGER



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us manage our fleet instead of endless  
spreadsheets and file cabinets.*



# Spend less time worrying about fleet operations and more time achieving your mission



## Work Better Together

Effective fleet management relies on communication and collaboration.

Fleet managers, drivers, safety directors, parts managers, mechanics, supervisors, vendors and more can all work together in one easy-to-use system with Fleetio.



## Work from Anywhere

Fleets are mobile by nature so real-time access to fleet information is a must.

Fleetio is modern, web-based fleet management software you can use anywhere. Smartphone apps give your team anytime access on the go.



## Work Smarter, Not Harder

Stop relying on crude spreadsheets and paper-based processes.

Fleetio reduces manual data entry by automating fleet management tasks, instantly pulling data from other systems to predict future maintenance and more.

# Asset Management

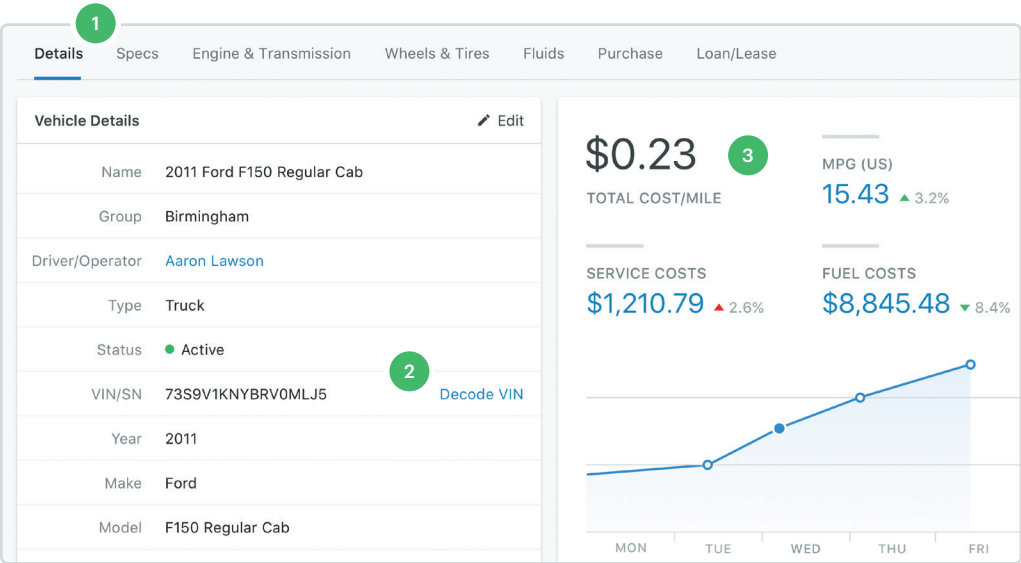
Completely track anything and everything that affects your company's vehicles.

## All Asset Details <sup>1</sup>

Store everything about your fleet. Purchase or lease details and documents, operating expenses, status history, driver assignments, important dates, photos and more — all in one place.

## VIN Decoding <sup>2</sup>

Automatically populate all vehicle details with our VIN Decoder in order to spec the right vehicles as your fleet grows or you replace assets.



## Real Cost Per Mile <sup>3</sup>

Cost per mile (or kilometer or hour) is automatically calculated for each asset. This powerful metric shows your fleet expenses by utilization and helps compare assets.

## Renewal Reminders

Set up a schedule and get notifications for tag, license and insurance renewals so everything stays up-to-date and compliant.

# Inspections

Maintain airtight compliance with an electronic inspections and issue management system.

## Customizable Forms

Choose from pre-loaded FMCSA §396 and §392-compliant forms or build your own with a drag n' drop editor. Create schedules and reminders so drivers never miss an inspection.

## Location Exceptions

Do your drivers “pencil whip” from the driver’s seat? Fleetio automatically tracks the GPS location of every inspection item on a form, alerting you to potential untrustworthy submissions.

## Workflows

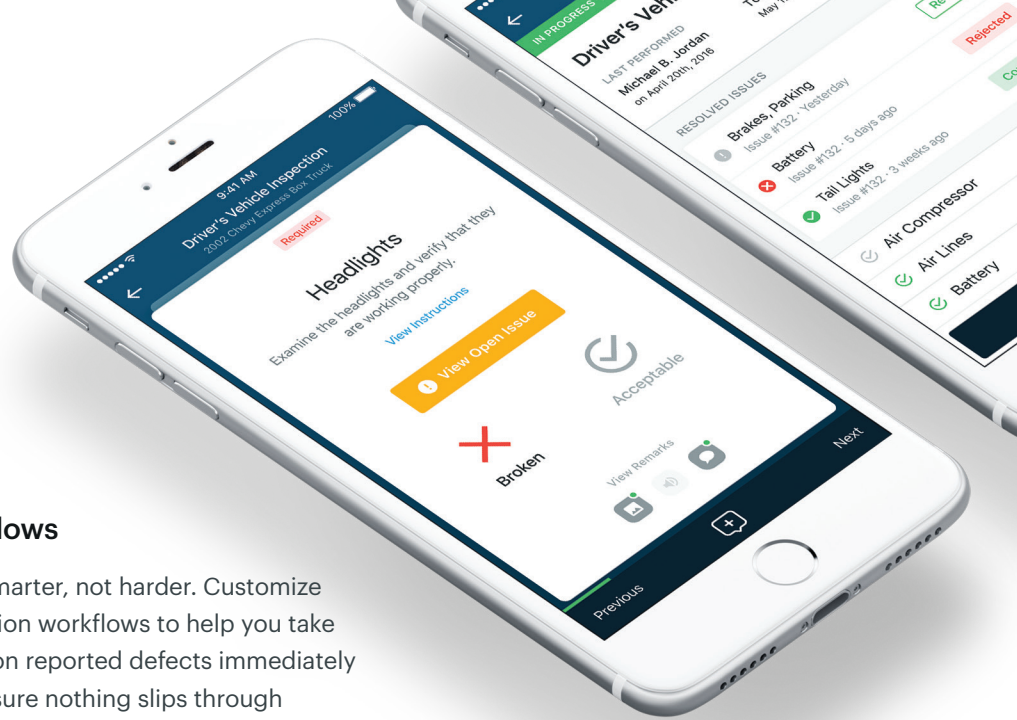
Work smarter, not harder. Customize inspection workflows to help you take action on reported defects immediately and ensure nothing slips through the cracks.

## Upload Media

When defects are found, drivers can upload photos and comments to provide fleet managers and mechanics with better visibility into issues.

## Smartphone-based

No more paper forms! Drivers conduct inspections from their smartphone, then sign and submit their DVIR with one tap.





---

# Maintenance Management

Stay on top of maintenance and reduce downtime from anywhere.

MEGAN SUMNER – SAFETY DIRECTOR



*Fleetio exceeded our needs for a user-friendly fleet maintenance software that even our most computer-challenged guys can figure out.*

## PM Scheduling

Set up reminder notifications for any service task (oil change, PM-A, etc).  
Subscribe multiple users to any reminder, including renewal reminders (tag renewal, insurance, etc).

## Work Orders

Plan, schedule and carry out maintenance with Work Orders. See parts and labor subtotals for line items and log which parts were used and which mechanic(s) did the work.

## Defect Reporting

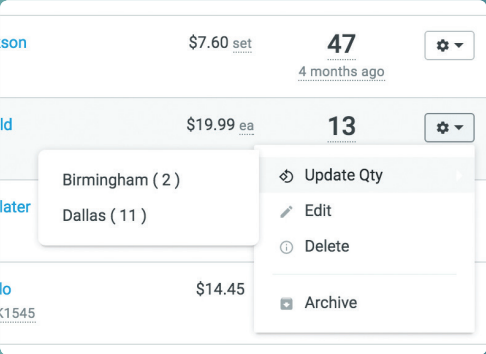
Users can report problems with a vehicle such as “brakes making noise” — even from their mobile device. Other users are automatically notified allowing you to quickly diagnose and resolve issues.

## Predictive Maintenance

Forecast service schedules based on actual vehicle utilization to avoid over- or under-maintenance and improve planning and budgeting.

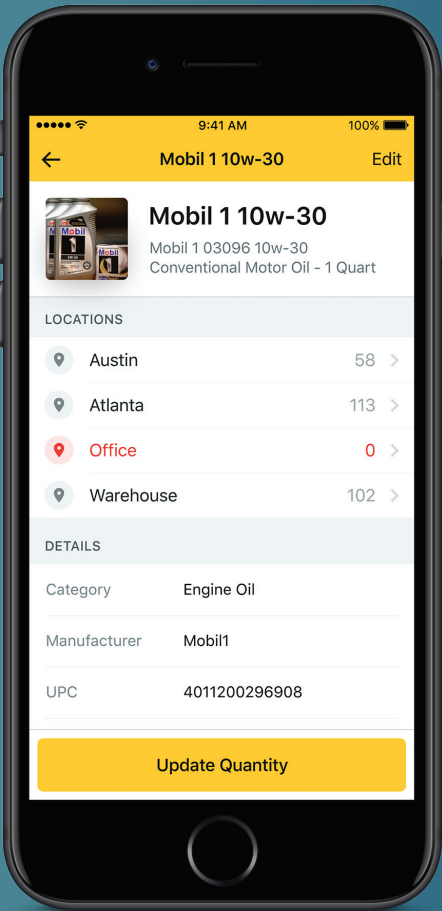
# Parts & Inventory

Avoid part stockouts and vehicle downtime.



## Inventory Management

Quickly make quantity adjustments to avoid part stockouts, reduce unnecessary costs and optimize space. Reorder notifications and daily alerts make it easy! Increase efficiency by creating inventory workflows.



## Fleetio Parts App

Manage inventory on the go with Fleetio Parts. Access parts with barcode and QR code scanning, instantly update quantities, print custom labels and more.

## Purchase Orders

Create detailed purchase orders for parts and work orders. You can even have team members send and approve them via a mobile device.

## Parts Database

Manage details about your fleet's parts like manufacturer information, part location and photos all in one place. Track part allocation for work done on your vehicles and record part usage in Work Orders.

# Fuel Management

Reduce one of your largest operational costs - fuel.

## Fuel Tracking

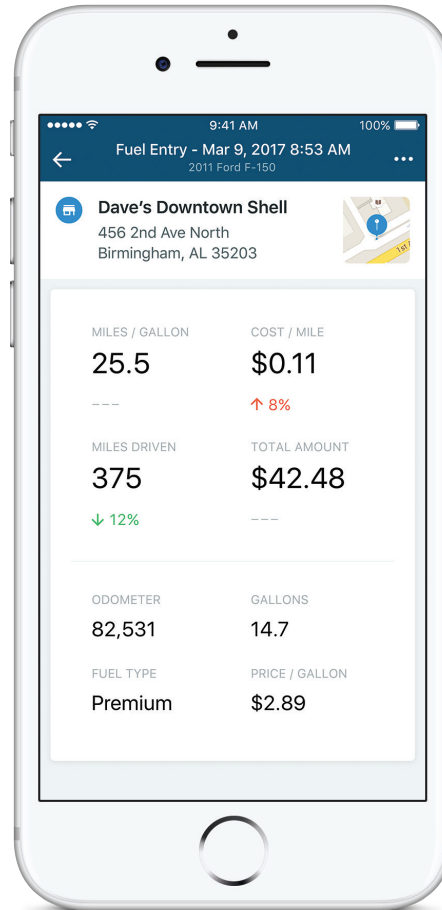
Drivers can quickly input fuel data like quantity, price/gallon, odometer reading, cost and photos right at the pump with Fleetio Go.



Log fuel transactions from anywhere using the Fleetio Go mobile app.

## Import Fuel Transactions

Import fuel data from a spreadsheet. Create reusable templates and quickly import data from the same source on a regular basis.



## Fuel Metrics

Fuel economy (MPG, km/L & L/100km) is automatically calculated for each fill-up. Monitor your fleet's fuel efficiency to improve driving habits and drastically reduce fuel costs.



## Fuel Card Automation

Fuel data is automatically imported from supported fuel cards. Updates from the pump trigger maintenance alerts, and odometer validation ensures accurate fuel reporting. Notifications are sent when invalid mileages are detected so they can be corrected - improving fuel economy metrics.

---

# Collaboration & Integrations

Share responsibilities and data among people and systems.

## Unlimited Users

Fleet management is best with shared responsibilities. Add unlimited users to keep everyone on the same page. Flexible permissions let you control what each user can do and which assets he or she can access.

## GPS Integrations

Automatically update odometer readings, manage diagnostic trouble codes (DTC) and analyze fuel location exception reporting through various GPS integrations.

## Vendor Management

Track important details about third-party service providers, fuel vendors, in-house groups or cost centers. Link them to maintenance and fuel records, making it easy to see exactly how much you're spending with each vendor.

## Developer API

Software is most powerful when its data can be leveraged by other systems. Use Fleetio data like vehicle records, maintenance logs and driver information in third-party software applications.

## Employee & Driver Management

Assign drivers to vehicles and maintain assignment history. Keep detailed records about employees including custom fields, photos and documents. Set reminders for important dates like license renewals or drug tests.



# Work from Anywhere

Stay connected to your fleet information – no matter where you are.



## Fleetio Go

Monitor and empower fleet drivers and operators

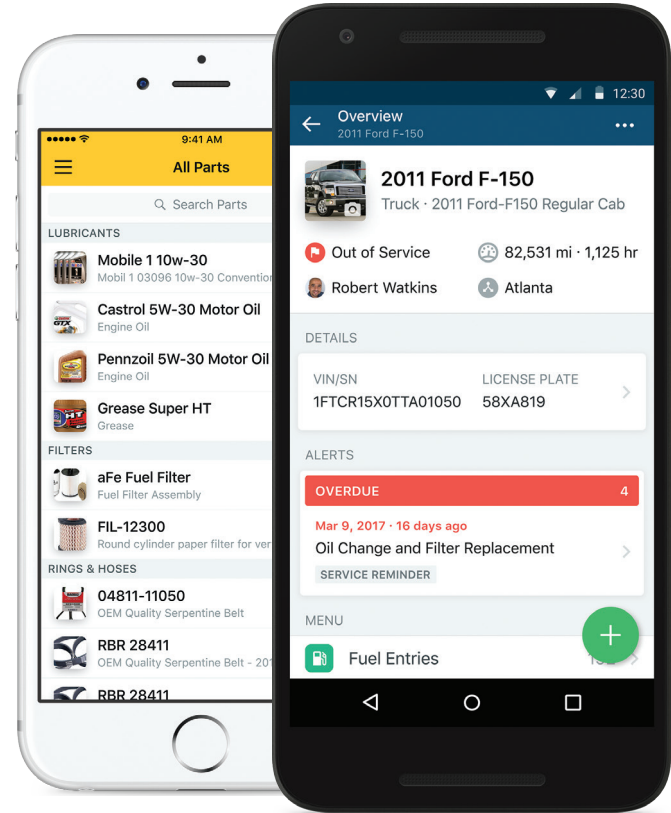
Track driver behavior and trip records without hardware and enable drivers to input important data like fuel records while on the go.



## Fleetio Parts

Manage one of your largest investments – parts and inventory

Make parts management easy with barcode and QR code scanning, quantity updates, printable labels and more.



Download Fleetio Go and Fleetio Parts for free!







## Quality Support

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Utilize the Fleetio Help Center any time as questions come up. Get simple documentation, video walkthroughs and detailed guides for more complex features.



## Ongoing Training

Live webinars cover everything from Fleetio basics to feature deep dives. Ensure your team is getting the most out of Fleetio by attending whenever you like.

**MATT STEWART** – FLEET MANAGER



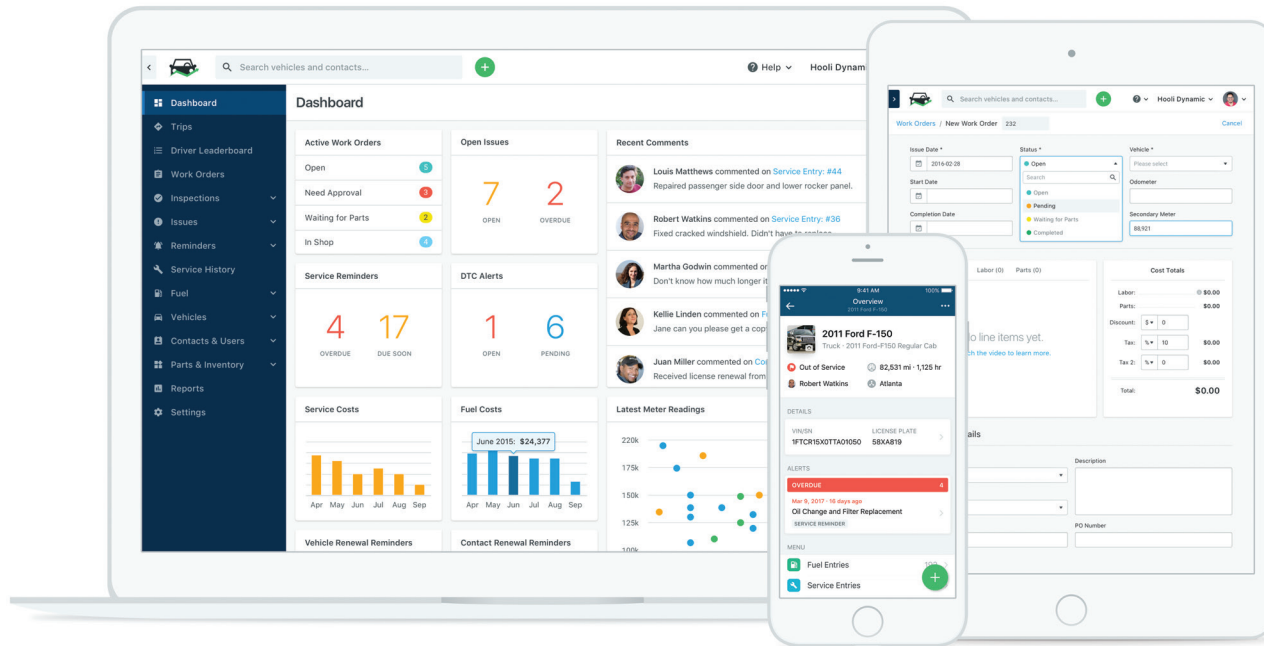
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# Efficient, **Reliable Service** When It Really Matters



**DICKINSON** FLEET SERVICES

*Family-owned-and-operated Dickinson Fleet Services is a mobile fleet maintenance and management provider with headquarters in Indianapolis, Indiana. It was established in 1997 by founders Bob and Dick Dickinson and began as a three-shop company when the founders acquired Ryder Truck Rental locations in Indiana, Georgia, and Pennsylvania.*



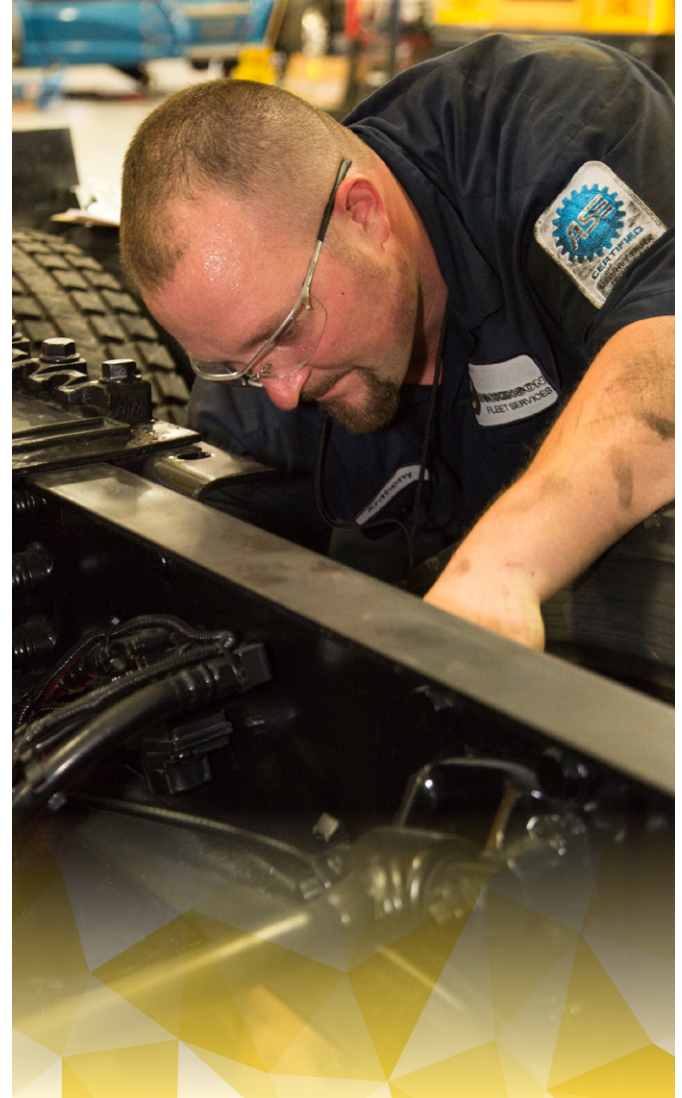
**Written by Anne Lindert-Wentzell**

**P**roper fleet vehicle maintenance and management are crucial to having an efficient fleet and requires complete optimization throughout every aspect of operations, so downtimes are reduced. Finding a reliable fleet maintenance and management provider with the resources, experience, and customer-centric approach to business can be a daunting task. But it does not have to be. Dickinson Fleet Services has over twenty years of experience in providing the comprehensive service that customers in the industry have come to expect.

“One of the things that the fleet industry lacked was a national independent truck maintenance provider,” Ted Coltrain, the company’s chief executive officer, explains of what prompted the company’s founding. There is, “still today, not a single independent national provider. I think we’re probably the only one that is in that space.”

The company’s competition is dealerships and truck rental companies such as Ryder and Penske, but the key differentiator ►►





► is that Dickinson Fleet is a one-source service provider. “They’re not independent maintenance providers that work on all makes and models as their core business.”

In its two-decade history, Dickinson Fleet has grown in both size and capabilities. It now has a presence in thirty-seven states, with 450 mobile maintenance trucks, seventy-five semi-trailer repair maintenance trucks, and six collision repair facilities. The company employs a staff of over 1,000 and offers continuous maintenance support to its customers.

Dickinson Fleet’s clients are about sixty-five percent private fleets and thirty-five percent commercial fleets. “We’re continuing to see that private fleet business grow,” says Ted. “Particularly as it becomes a bigger challenge to find and hire qualified technicians.” Such private fleets want to spend less time on non-core aspects of their company, such as fleet maintenance, with more of a concentration on their core business. So for

this reason, “They’re looking more and more to outsource that piece of their business versus having that in-sourced.”

The company’s service technicians are fully qualified and well-trained in keeping fleets running as efficiently as possible. Ted says that the company is not necessarily looking for a brilliant technician who is capable of all maintenance tasks but rather, “the individual that has the basic skills, but is safety-minded, quality conscious and communicates well.” If all of these attributes are met, then the company knows “that they are going to be a good fit in our organization.” ►►

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► Once candidates have been identified and hired, they are brought into the corporate office and, “put through an extensive ten-day training period of just learning our culture, our processes, and our systems,” Ted explains. After that, continued education is offered through numerous training programs. “It’s easy to get that communication out because we’re a completely paperless company, and that allows us a lot of different avenues to effectively communicate with our technicians.”

Mobile technologies, specifically developed to fit a particular need, have a crucial role to play as Dickinson Fleet increases its capabilities to offer their customers the best in service. The company has, “developed the communication platform for our technicians and for our customers through the hands and eyes of the mechanic himself,” explains Ted. Such communication platforms include its Technician Reporting and Information Tool (TRAIT) and Web Wrench. ►►

---

***“The company’s service technicians are fully qualified and well-trained in keeping fleets running as efficiently as possible.”***

---

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## BEING ENVIRONMENTALLY RESPONSIBLE - THE SMART WAY

Dickinson Fleet Services takes pride in being an environmentally friendly company. It has had a partnership with the SmartWay program since 2015. SmartWay was developed in 2004 by the Environmental Protection Agency (EPA) and has a mandate to lower greenhouse gas emissions from the transportation industry and related supply chains.

"It's something that we communicate that we do different to our customers. We talk about being clean. All of our trucks have completely enclosed systems, meaning that [these] systems not only protect the operator, but it also protects the environment.

Our tanks are not vented to the atmosphere," Ted explains of the partnership with SmartWay.

The company is also experimenting with converting one of its trucks to liquefied petroleum gas (LPG) and is in discussions with a California electric vehicle manufacturer to, "build some electric-powered trucks to service those markets on the West Coast. So, a lot of good positive things happening from being an environmentally responsible company in our space ... It's a really clean process in terms of what we're doing on the preventative maintenance side."



- ▶ The TRAIT communication platform gives “real-time information to the technician on where to be, who to communicate with, and more specifically, of what to do at the repair site,” Ted continues. The tool enables real-time communication with a customer as to what is transpiring with a specific repair.

TRAIT is continuously being upgraded and updated. “It’s just a tremendous advantage for us in the fact that we’ve developed it. It’s been developed internally through listening to our technicians and our customers and by our IT department,” says Ted.

The Web Wrench tool gives customers a look at Dickinson Fleet’s reliability as a maintenance provider for any given day. It shares information about how many trucks are running, how many are being serviced, and what the expense will be for any given period. “What a customer wants with a good maintenance management program is to improve reliability and decrease

costs,” says Ted and to, “measure what we’re doing and how we’re doing with customers, we work through several different key performance indicators.” These factors may include preventative maintenance, currency, and department of transport compliance. All of this is tracked electronically and in real time.

In 2018 alone, Dickinson Fleet acquired five companies. “We wanted to continue to grow our business. It just makes economic sense in today’s environment to look at an acquisition strategy,” says Ted. “Our rationale in identifying companies that we want to acquire really comes down to [the question of] is this company a cultural fit for us?” The company also wants to learn about the people and determine what any acquisition will, “bring to our customers in terms of scale and capability.”

Dickinson Fleet acquired a company that concentrates specifically on mobile, semi-trailer repair, which, “really created a catalyst for us to grow and expand that service offering for our customers ... We’re continuing to add scale, and we have a great customer base that is challenging us to reach them in other parts where we don’t have geographic coverage today. Acquisitions certainly open up some of those doors for us.” The company and has twenty-four technicians in California and continues its expansion with plans to infiltrate Texas and Arizona.





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***"We provide the most comprehensive service offering in the industry."***

Dickinson Fleet has been recognized by CIO Applications, a publication focused on the latest technology trends, as one of the top ten telematics solutions providers. Ted believes this acknowledgment is the result of all of the company's technicians, "being completely electronic and continuously transmitting information at a very long distance. It's built on a platform that we developed and continue to enhance."

The company's drivers and trucks communicate with the technicians' technology. For example, if a truck needs to be assessed, an electronic detailed damage inspection report (DDIR) can be sent straight to the technician's communication platform. The computer on the truck can inform technicians of issues like a low voltage that they must investigate.

"We're literally, at times, showing up to make repairs on a truck, even without a driver knowing why a technician is there. We have this really unique ability to electronically transfer and receive information at a very long distance. Having the ability to organize that data and make it available and actionable is what we do with our systems," says Ted.

"We are the best-in-class fleet maintenance management company. We provide the most comprehensive service offering in the industry," Ted states. ■



## DICKINSON FLEET SERVICES

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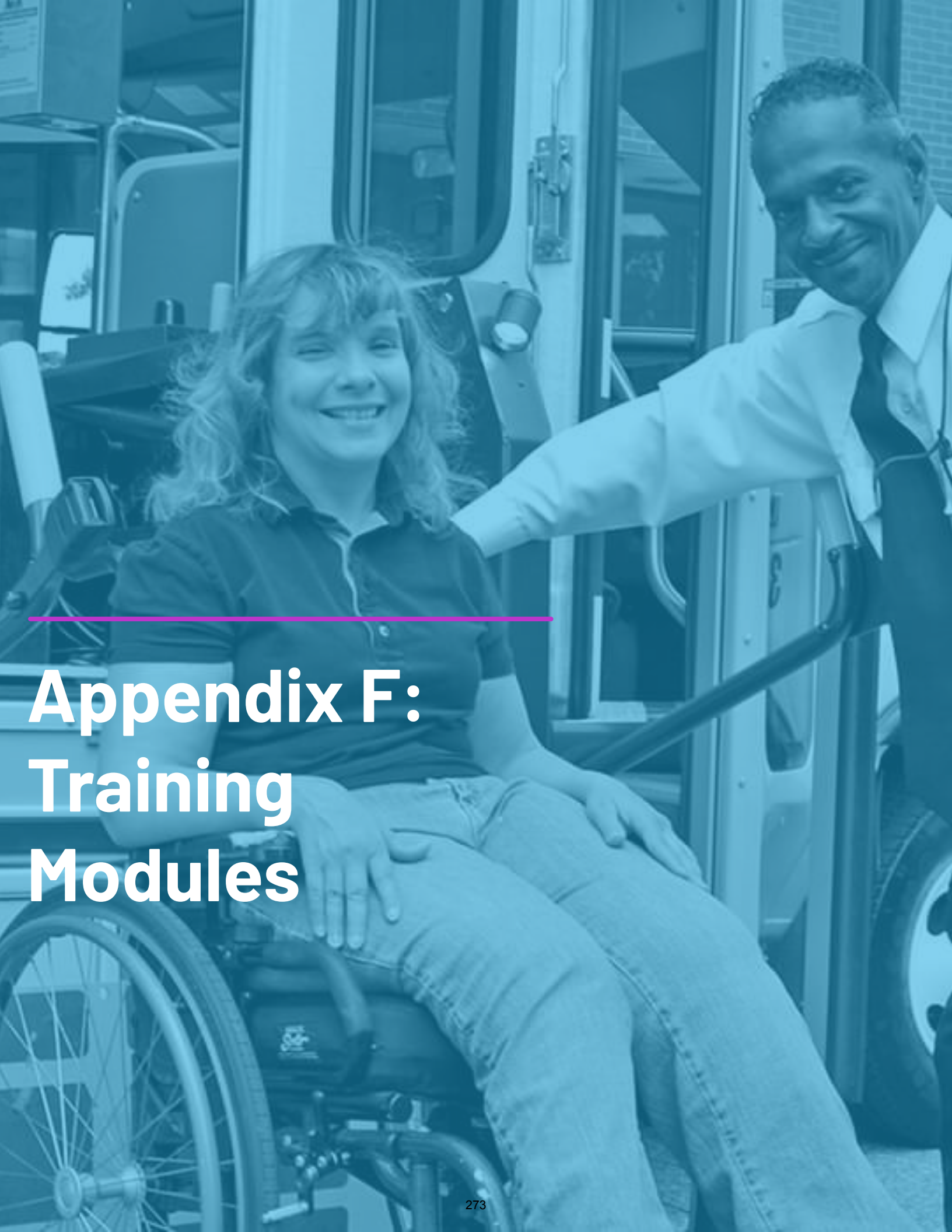
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# Appendix F: Training Modules

**ProKel Mobility  
Planning & Training**

# **Training Curriculum and Modules**

*August 2022*







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# Operator Selection Process

ProKel invests heavily in our employees and works to develop them as individuals. We promote fair hiring practices as we implement new strategies to attract and retain the best employees. Our regional Human Resources and local management teams adhere to all state and federal employment laws. Our Affirmative Action/ Equal Employment Opportunity Plan forms the foundation of our hiring practices and employment policies. Following employment laws and best hiring practices is the minimum of what any respectable company should do. To comply with legal requirements as established by the Fair Labor Standards Act (FLSA), the Civil Rights Act, and the Americans with Disabilities Act, we thoroughly define job duties and communicate the requirements of each position.

We begin the employment selection process by defining the hiring requirements for employees. Our minimum standards for Operators are as follows:

- Must be able to read, write, and communicate effectively in English
- Must be at least 21 years of age and have a driving record of at least three years
- Must have a high school diploma or GED Must have a complete employment history
- Must have a current driver's license of the class required for the operation of the vehicle they are assigned to drive and must possess any and all other licenses, permits, and/or endorsements required by applicable federal, state, and local regulations
- Must possess a current DMV Medical Examiners Certificate or be able to pass a DOT physical
- Must have no homicide, manslaughter, or assault convictions associated with operations of a motor vehicle
- Must have no moving violations within the past 36 months, including but not limited to: failure to stop at the scene of an accident; driving with a revoked license; possession of opened alcoholic containers; or attempting to elude an officer
- May not have more than one preventable at-fault accident within the past 36 months
- Must be able to pass a DOT pre-employment drug screen following 49 CFR Part 655

An applicant will not be denied employment solely on the grounds of a conviction for a criminal offense. The type of offense, the date, and the relevance of the criminal conviction to the position applied will be considered in the employment decision. The following records of criminal convictions will be considered within the period permitted by applicable state law:

- Felonies and misdemeanors
- Drug possession or use
- Drug trafficking or manufacturing
- Crime of violence against another person(s)
- A pattern of illegal activities
- Sexually related offense
- Any other conviction that may present a safety or security risk

Any background check or application that shows a conviction must be referred to and approved by the Regional Director of Human Resources before the applicant is hired. 4.3.5 Operator Training Program ProKel's training programs are designed to foster a culture of safety. We encourage employee development and professionalism and are committed to helping our employees excel in customer care and operational performance. We build consistency into our practices to ensure compliance with regulations and policies. The following chart provides a snapshot of the training we provide.

Training Program	Description	Participants	Details
ODP	The ODP teaches Operators the essential skills they need to do their job at the highest level of safety and competence.	Operators	<ul style="list-style-type: none"> <li>• Classroom, behind-the-wheel (BTW), and cadet training</li> <li>• Defensive Driving course</li> <li>• Emergency Procedures</li> <li>• Customer Care &amp; Sensitivity</li> </ul>
Customer Service Training	Our customer service training is about perceived quality from the passenger's point of view.	Frontline Employees	We created this program to address the global need for understanding and responding to passenger needs.
OSHA Training	Provides standardized OSHA training to Operators and Maintenance Employees	Operations and Utility Employees	<ul style="list-style-type: none"> <li>• Classroom training</li> <li>• 22 subjects; Process Guide; Checklists; Action Planning Sheets</li> <li>• Training compliance audit by Regional Safety Director and external auditors</li> </ul>
Training for Behind-the-Wheel Trainers	Enhances the skills of our BTW Trainers, including teaching them how to stage BTW training and properly teach safe driving behaviors on a skills course	Safety & Training Manager, BTW Trainers, Supervisors	<ul style="list-style-type: none"> <li>• Classroom</li> <li>• Driving Demonstrations</li> <li>• Skills Training</li> <li>• Testing</li> <li>• Customized to ProKel</li> </ul>
Training for Cadetter Training	Train veteran Operators to mentor trainees while cadetting in revenue service (one-on-one)	Selected Veteran Operators	<ul style="list-style-type: none"> <li>• Approximately 20 hours (classroom &amp; BTW)</li> <li>• Precision driving training course</li> <li>• Cadetting Mentor must demonstrate</li> </ul>

			proficiency with fare collection, communication equipment, map reading, local policies <ul style="list-style-type: none"> <li>• End of course practical exam – 1 hour</li> </ul>
Accident Responder Training	Designed to enhance accident responders' ability to handle an accident scene, including improving accident documentation and ensuring accident details are captured accurately	Supervisors and Safety & Training Manager	<ul style="list-style-type: none"> <li>• Classroom and field training</li> <li>• Certification is obtained and tracked for renewal</li> <li>• Customized to ProKel</li> </ul>

**Operator Development Program (ODP™)** – ODP teaches Operators the essential skills they need to perform their job safely and competently. Our comprehensive approach to training was developed in partnership with Avatar Systems, an industry leader in training development. The program integrates classroom courses, closed courses, and behind-the-wheel (BTW) training. There are 33 performance standards and skills that Operators must meet. Technical training classes include an introduction to the vehicle, understanding vehicle dynamics, and using onboard communication systems. Safe driving classes address topics including defensive driving, fatigue management, following distance, substance abuse, and emergency procedures.

**BTW Training** – After trainees complete skill area maneuvers, they practice more advanced maneuvers on the streets. Instructors lead the sessions and quiz trainees on operational policies, procedures, classroom training material, and procedures for unexpected events and accidents.

**Cadetting In-Service Training** – During the latter portion of training, trainees drive service routes under the immediate supervision of an instructor. During in-service training, Operators experience customers, follow a manifest, maintain a schedule, and collect fares with an experienced Operator on board to assist and evaluate.

**Ongoing Training and Evaluation** – Operator training does not stop after graduation. Through regular monitoring, evaluations, and refresher training, we provide a culture of support and accountability to help employees succeed and keep passengers safe. Supervisors and training staff make periodic road observations of each new Operator to ensure employees comply with procedures and policies. We record all observations on a Road Ride Report or Supervisor's Observation Report. A Supervisor discusses all observations with the Operator shortly after the observation and addresses serious driving errors or customer relations issues immediately.

**Training Documentation** – Our Safety and Training staff document each employee's training and note when they complete each module. The training log records attendance, hours of instruction, training evaluations, and coursework completion. Onboard Evaluations and Trail Checks – During the first 30 days of Operator employment, Supervisors ride along with Operators and monitor their



safety habits. After a new Operator completes 30 days of revenue service, Supervisors conduct trail-check observations, preferably unobserved, to ensure the Operator is following all safety and operational rules and regulations, as specified by ProKel and local and state laws.

**Refresher Courses and Retraining** – The ProKel standard is a rigorous one. Refresher courses and retraining maintain and improve overall quality.

## Monitoring Operator Performance

**Microsoft Power BI** – Our Vision Suite integrates with Microsoft's Power BI to provide access to critical information about Operator safety performance, accidents and incidents, including location, time of day, day of week, employee identification, seniority of the employee, the root cause of the accident, the number of safety incidents the employee has been involved in, etc. This information enables us to quickly identify trends and develop action plans to prevent future incidents. We conduct quarterly reviews to ensure the accuracy of the data collected. Through Power BI, we track our overall safety performance in several areas and drill down to capture very detailed information regarding each accident or incident.

**Wurk Performance Monitoring Tool** – Wurk is our proprietary software for managing and monitoring the work performance of Reservationists, Dispatchers, and Operators. ProKel created this software to monitor our overall performance, identify the performance of each team member, and increase visibility into specific metrics.

**Road Observations** – Road Supervisors serve as quality assurance specialists for ProKel operations, are 100% dedicated to the Mainstream operation, and are in the field during all hours of operation. They report to the Operations Manager and ensure that on-street service meets all client and passenger expectations. Specifically, they:

- Monitor and document daily service operation regarding safety and on-time performance and ensure Operators follow rules and procedures
- Investigate customer service issues
- Answer passenger questions and provide service information
- Oversee and assist Operators with pre-trip inspections and assist in the yard
- Ensure on-time performance standards are met throughout the day
- Coach and correct Operator performance as needed Respond to service problems to restore service
- Prepare accident reports Inform supervisory personnel about operational problems and coordinate efforts toward resolution
- Perform road checks, time checks, ride checks, uniform inspections, and road observations
- Conduct in-line checks to confirm equipment and electronics are working properly, the vehicles are clean and ready for operations, and Operators are ready for service
- Investigate and respond to unsafe situation reports and make recommendations to resolve the situation

- Complete routine records and perform clerical work related to operations

## **Post-Accident Training**

Our Safety and Training Manager reviews the accident details to determine if the accident was preventable. We complete this review as quickly as possible. We provide post-accident training to employees involved in a preventable accident, tailoring the training to address the root cause of the accident. This training includes, at a minimum, one hour of BTW instruction. Employees must complete post-accident training before returning to driving duties.

## **Customer Relations**

As previously discussed, ProKel is involved in the communities we serve. We develop and deliver passenger education and information sessions and will engage with the Mainstream Advisory Committee at least quarterly to discuss service and address any concerns.

## **Customer Service Training**

We train our employees to understand passenger needs and view service quality from the passenger's perspective. The passenger experience is enhanced or diminished by their environment and the way they and other passengers are treated and the attitude of the staff. The key ideas of the program include:

- Make the travel experience pleasant for each passenger and create a positive customer service environment throughout their journey.
- Recognize the emotional state of the passengers and act accordingly.
- See situations from the passenger's perspective and then take the necessary actions to either make them happy or keep them happy.
- Take action to solve problems and add to a positive environment.
- Customize our approach to better support the local culture and the system

We use a traffic light symbol to teach employees how they can impact and improve customer service. Green, yellow, and red represent the different emotional states of passengers:

- Green is a positive environment where passengers feel safe, relaxed, and comfortable. Our goal is to maintain this positive state by recognizing and valuing our passengers.
- Yellow is an environment of caution or unease. The Operator or employee needs to recognize this state and provide information or reassurance to a customer.
- Red is an environment of urgency or crisis. The Operator needs to take immediate action to remedy the problem.

## Supervisory Training

For ProKel's Supervisory Training, Road Supervisors and Dispatchers receive the same training to ensure that these participants are on the same page. They must be able to work together to provide the highest level of customer service and driver efficiency to each client.

### Road Supervisor and Dispatcher Training

Service quality, efficiency, and safety depend on effective scheduling, dispatching, and field supervision. Dispatchers and Road Supervisors must complete all Operator training modules, plus an additional 40 hours of on-the-job training before assuming their responsibilities. Road Supervisors and Dispatchers must complete customer service training and service area familiarization training. The below table represents the programs available to supervisory employees.

<b>Development Program</b>	<b>Description</b>	<b>Audience</b>	<b>Length/Frequency</b>
ProKel Ethics: Making the Right Choices	Class objectives include: <ol style="list-style-type: none"><li>1. Definition of ethics</li><li>2. Benefits of an ethical culture</li><li>3. Laws that enforce ethical conduct on organizations</li><li>4. ProKel resources</li><li>5. An ethical decision-making process</li></ol>	Supervisor and above positions	Mandatory and instructor-led (3-4 hours)
Harassment Prevention Training	Training topics include: <ol style="list-style-type: none"><li>1. Definition of unlawful harassment and other prohibited harassment</li><li>2. ProKel's Unlawful Harassment Policy</li><li>3. Manager/Supervisor's role in responding to and preventing unlawful harassment or inappropriate behavior</li><li>4. Behaviors that violate ProKel policy</li><li>5. Workplace bullying</li></ol>	Managers and Supervisors	Mandatory, every 2 years Instructor-led (3.5 hours) or Online (2 hours)
Interviewing	Training topics include: <ol style="list-style-type: none"><li>1. Planning and preparing for interviews</li><li>2. Conducting interviews and complying with employment laws</li><li>3. Evaluating candidates and</li></ol>	Managers and Supervisors who make hiring decisions	As needed/requested (2 hours)

	making a hiring decision		
Employee Accountability	Training topics include: 1. Defining accountability 2. The Manager's role in holding employees accountable 3. Communication and ongoing feedback 4. The Simple Model of Accountability	Managers and Supervisors	3 hours As needed/ requested (3 hours)
ManageMap Workshops	The goal of the ManageMap Workshop is to provide employees with information to handle workplace issues that may arise	Managers and Supervisors	As needed/ requested Instructor-led (1 hour each)
Communication Skills: Verbal and Non-Verbal	Training topics include: 1. Positive vs. negative words 2. Successful vs. unsuccessful communication 3. Elements of nonverbal communication	Managers and Supervisors	As needed/ requested Instructor-led (1 hour each)
Documentation	Training topics include: 1. Purpose and examples of documentation 2. The ProKel Observation Form 3. How to prepare and preserve documentation	Managers and Supervisors	As needed/ requested Instructor-led (1 hour each)
Managing Conflict	Training topics include: 1. Definition of conflict 2. Causes/reasons conflict occurs 3. Steps for managing conflict	Managers and Supervisors	As needed/ requested Instructor-led (1 hour each)
Progressive Discipline	Training topics include: 1. Purpose of progressive discipline 2. Steps of progressive discipline 3. Documentation categories	Managers and Supervisors	As needed/ requested Instructor-led (1 hour each)

## General Manager Training

General Managers who are new to ProKel participate in a training program on topics including talent acquisition, payroll analytics, TOM software use, accounting, risk management, completing Monthly Operating Reports (MORs), and using the safety dashboard. Near the end of the training, General Managers conduct a capstone project by researching a topic and its underlying issues, creating a plan to address the issues, and presenting his proposal to the Executive Committee.

## **Paratransit Operator Development Training Program**

### **(Confidential)**

A well-trained and experienced workforce of customer-focused employees is the best tool ProKel can provide, and with our newly introduced, in-depth Paratransit Operator Training program, the client will receive just that. Working in the transit industry requires a specialized mindset; working in paratransit services requires additional skills, patience, and compassion. ProKel recognizes these traits in the operators we hire and supplies specialized training for exceptional customer service. We communicate to operators that our role as a company is to provide safe, courteous, and efficient transportation for each passenger we carry.

As the first and often only point of in-person contact most customers have with the client and ProKel, our operators are key to the successful operation of these important services. ProKel saw the need to develop specialized training just for our paratransit operations. These operators need more resources to understand how to provide excellent service for paratransit passengers, including elderly persons and individuals with various disabilities, which is why we added courses in interacting with passengers, diffusing conflicts, and effective communication. Every passenger deserves the best from our operators, with service that meets their individual needs. With our reengineered paratransit training program, that is exactly what the client's passengers will get.

### **Operator Training Program**

All new paratransit operators, including ProKel paratransit operators, receive a minimum of 74 hours of training including training in the the client expectations, service parameters and geographic area, as well as vehicle maneuvering, passenger assistance techniques, advanced customer service, regulatory issues, workplace violence, system security, blood borne pathogens, hazardous materials, ADA requirements, distracted driving, and fatigue awareness.

Not only are our on-site trainers and managers overseeing the training and progress, but our regional management staff also access this information for quality control and oversight purposes. Our instructors have access to our Safety Resource Center that includes all policies and procedures for employee training and management.

We believe in hiring the right people, ensuring that our passengers feel safe and welcome on their journey. Our customer-focused training program makes our operators the best in the industry. Below is an overview of specific training our drivers will receive:

### **Classroom Training**

Our paratransit operators begin their training in a classroom setting with a TSI-certified ProKel trainer. This interactive setting allows trainees to learn about the company and the client expectations, interact with fellow trainees and the trainer in small groups, and get hands-on experience with various pieces of equipment and tools used in daily vehicle operations. Each



trainee receives their own workbook that doubles as a reference guide for the employee. The following is the minimum classroom instruction:

Following completion of the five units above, drivers will complete a 7.5 hour First-Aid and CPR training course through the Red Cross, as well as a one-hour final evaluation.

## Behind-The-Wheel Training

In-class instruction is only part of our comprehensive training program. To familiarize inexperienced operators with actual on-road situations and hazards, all operators complete ProKel Behind-the-Wheel training. This involves Closed Course Instruction, Basic Road Work training and Advanced Road Work training. We are the only transit provider that has true one-on-one Behind-the-Wheel training for all our operators.

- **Closed Course Instruction** (10 Hours) trains operators in complete vehicle maneuverability in a secure area. This training uses simulated obstacles and road situations that replicate the the client service area. The idea is to get the operator comfortable and familiar with the vehicle.
- **Basic Road Work** (4 Hours) allows the operator to become more familiar with handling the vehicle in a light traffic environment. The course is designed specific to the service area, on two lane roads with minimal obstacles, and is less than 35 mph. Operators learn the challenges of routes and service area characteristics and develop skills to determine if it's a "Go" (the operator is safely able to operate the vehicle) or a "No-Go" (the operator cannot safely operate the vehicle) situation.
- **Advanced Road Work** (10 Hours) training is conducted on a one-on-one basis with qualified trainers. No passengers are on-board during road-work training, while the new operator becomes familiar with service area routes.

## Operator Evaluation

The safety of our passengers is our number one priority – one that simply cannot be compromised. After completing Behind-theWheel training, operators demonstrate that they have mastered required skills by successfully completing a thorough final evaluation before progressing to cadet training. We do not allow a new hire to operate a vehicle with revenue passengers until this phase of training is completed satisfactorily. Each operator must pass the Final Evaluation to receive certification as a ProKel operator – a mandate over and above established State and USDOT requirements.

## Cadet-In-Revenue Service Training

The last step in training – before the transition from instruction to real-world experience – is our Cadet-in-Revenue Service Training. Each cadet is coupled with a certified cadet trainer, typically a

senior operator. This one-on-one training includes ten hours of in-service training on actual transit routes.

Cadets demonstrate their ability to drive safely, provide excellent customer service, and assist persons with disabilities and mobility devices. Cadet trainers conduct a final evaluation after the Cadet-in-Revenue training is complete, only cadets who successfully pass this final stage of training are qualified to be assigned on routes.

## **Post-Training Evaluations**

To monitor operator performance and ensure continued compliance with the training principles, all new operators undergo three post-training evaluations. These evaluations are completed 30 days, 60 days, and 90 days following successful completion of the training program. Evaluations provide additional mentoring opportunities for new operators and additional support as successful members of the ProKel team. Operators who need additional training will be referred to and assessed by the Safety Department.

## **Incumbent Operator Training Program**

ProKel will assess existing employees' skill levels and determine the level of training required. Typically, transitioning employees will have a shorter training period. We will conduct training for existing employees outside of regular working hours so as not to interfere with their current driving assignments. This ensures the client continuously has sufficient staff numbers to deliver service throughout the transition.

All current and new customer service personnel will complete ProKel's full customer service training program to ensure that they are familiar with our customer service philosophy and are taught the best approaches to interacting with passengers. For new hires, training classes will begin as soon as necessary. New hire operators will complete 74 hours of training prior to service to ensure they are fully prepared to perform their roles. Classes will have staggered start times to maximize the use of our training staff.

ProKel expects to have seven regional trainers available on site throughout the transition period to perform training duties, which will ensure that the ProKel drivers and staff will be fully trained and ready to operate on the start date.

ProKel designs training curricula to meet the standards of the current service and the requirements of the new RFP when we assume transportation services from an incumbent contractor. The needs of the client and the community are assessed, as well as the historical accident and injury rates of the incumbent contractor. Training curriculums vary in scope from four hours to 16 hours, depending on our service assessment, and will include some or all the following modules:

- Prokel and client Policies

- Vehicle Review
- Schedule/Trip Sheet Test
- Disability Awareness & Communication
- Passenger Assistance Techniques
- Smith System Defensive Driving
- Passenger Relations, Conflict Resolution

## **Vehicle Operation And Service Training**

### **Communication Systems**

We use clearly defined procedures to train our personnel on vehicle communication systems to make our operations as effective and efficient as possible. Our training protocols are continually evaluated against the radio dispatch console to maintain consistency and up-to-date instruction in the classroom, behind-the-wheel, and during revenue training.

While in the classroom, drivers are shown the importance of programming their line block and run in communications systems. By properly programming these systems, we facilitate seamless communication between the on-board mobile data terminal (MDT), the GPS/AVL system on our buses, the locator monitor in the operations control room, and bus data terminals.

### **Safe Driving Practices**

### **Performance Enhancement Training**

It is important for our employees to stay current on practices that help us deliver exceptional customer service. From time to time, we conduct performance enhancement training to maintain focus on service issues that are important to our company, our clients, and the passengers we serve. Our performance enhancement training programs include:

- Smith System of Defensive Driving – a defensive driving program designed to increase employee awareness of the proper space cushion around our vehicles
- Make the Intersection Connection – a program developed by our corporate safety department to focus on preventing and eliminating incidents that commonly occur at intersections, especially those involving pedestrians
- Customer training programs designed to focus on meeting customers' needs
- Quarterly meetings focus on important information, such as health tips, route and customer issues, employee commendations, and collisions, incidents and injuries
- Sensitivity or diversity training to reinforce the value we place on the unique differences that each of us brings to the workplace

## **Sensitivity Training And Passenger-Assistance Training**

We utilize the professional TSI modules for customer service, including specific training on passenger assistance and issues involving the Americans with Disabilities Act (ADA). The goal of the ADA course is to familiarize staff with the legal requirements of the Americans with Disabilities Act and to create a positive impression of all members of our ridership regardless of physical ability or advanced age.

This course includes an overview of the requirements of the ADA as it applies to public transportation including vehicle operation. Training includes handouts, role-playing exercises, guest lecturers and video presentations. Modules include:

- Disability simulations through extensive role playing
- An overview of the implications of public transportation utilization for those with visual disabilities, hearing disabilities, mobility disabilities, and those without obvious disabilities
- Assistance tips for passengers with disabilities
- Service animals.

During these training sessions, ProKel will bring in members of the community we serve. Our operators and staff gain a clearer understanding and closer connection to the subject when they understand the perspective of the ridership.

## **Defensive Driving**

Our preferred training for all operators includes the Smith System of Defensive Driving program. The training begins with classroom instruction and progresses to on-the-road instruction under actual driving conditions, at a minimum of four (4) hours each.

Smith System is the leading global provider of advanced driver training for experienced operators. Their proprietary Five Keys (shown at right) focus on enabling operators to apply the following driving fundamentals:

- Space to maneuver their vehicle away from conflict
- Visibility to detect danger and the potential for conflict with another vehicle or fixed object early
- Time to react to volatile and complex driving environments

This forms the foundation of our results-oriented defensive driving training program, which is designed to reduce collisions, fuel consumption, and maintenance costs, while increasing cost effectiveness. At the conclusion of the instruction, drivers receive a driving checklist, a backing pamphlet, a Five Keys reminder sticker, and a certificate of completion.

## **CUSTOMER SERVICE TRAINING**

ProKel understands that every client regards customer service as essential to the success of the service as a whole. We focus our operations around customer service. One way we achieve

exceptional customer service is through thorough customer service training for our employees. Our customer service training is designed to simulate situations faced by transit operators. It provides in-depth instruction on handling passengers safely and with courtesy and empathy. Skill development includes:

- How and why to make customers feel welcome
- How to communicate positively and solve problems in an outcome-oriented way
- Why policies should be followed and how to make good decisions about exceptions
- How and why to establish appropriate, professional boundaries with customers
- How to avoid and curtail emotional escalation, power wars and other unsafe behavior
- How and when to seek assistance
- How to interact with supervisors and co-workers in a mature and positive way

All ProKel personnel who have contact with passengers receive this training. We will ensure that during the start-up that all current customer service staff that transition to ProKel will go through our complete customer service training program. In the event operators, supervisors, dispatchers, or other personnel are the subject of customer complaints, a discussion of the incident is conducted. Employees are subject to one-on-one counseling, progressive disciplinary action (including termination if deemed appropriate), supervisor ride-alongs and mentoring, and attending customer service training with a new operator's class as appropriate.

## CUSTOMER RELATIONS

ProKel is dedicated to safe, punctual, courteous, and professional transit service for the client, which is why we take our training beyond the basics of customer service. We want to be a leader in transforming the way people view travel and the way they feel about public transport. In this effort to deliver the highest levels of safety and service and provide greater customer satisfaction, ProKel has developed a Customer Relations program. Our specific skill-development sessions provide additional service training that is focused on building customer relations in support of client operations. This training is taught through the following seven TSI training modules:

Module	Coursework
Introduction	Making customers feel welcome on the bus Avoiding problems with customers Handling the customer service Problems cannot be avoided
Attitude and Habits	Four customer services characteristics – safety-conscious, courtesy, reliability, and knowledge Operators learn that they not only drive the bus, but are also responsible for the safety and satisfaction of our customers
Onboarding and Alighting	Identify problems that can arise with customers who are on the bus or alighting



	Explain solutions to common onboard and alighting problems Applying customer service skills Review ProKel and client policies concerning onboarding
Difficult Customers	Effectively interact with difficult customers Procedures for handling problems presented by difficult customers Solutions to common problems with difficult customers Apply customer service skills Understanding the significance of late-night runs
Providing Service to Young Customers	Importance of providing professional services to young customers Special challenges of working with young customers Anticipate possible disruptive behavior on the bus Importance of consistently enforcing the rules Group dynamics that influence the behavior of juvenile and adolescent customers
Elderly Customers and Customers with Disabilities	Customer relation skills when dealing with customers who are elderly and those with disabilities Importance of providing service to elderly customer or customers with disabilities Physical characteristics common to the aging process Ways to provide service to the elderly Obstacles that transportation presents to customers who have disabilities Interpret the importance of the Americans with Disabilities Act (ADA) Duties and responsibilities of bus operators under ADA legislation Concept of empathy and how to apply it when interacting with customers and disabilities How to communicate with customers with various disabilities How to assist customers who use wheelchairs or other mobility devices

Our TSI training program on Customer Relations covers the importance of public transit service, the elements of good customer service, and the benefits of delivering safe, courteous, and reliable transportation.

#### CONFLICT RESOLUTION AND AVOIDANCE TRAINING

Because our operators and customer service representatives are in constant contact with the public, we provide a training course on the topic of Conflict Resolution and Avoidance. This training combines our own guidelines for customer service with a curriculum that has been tailored to the client's specific requirements. The goal of this course is to teach operators how to handle demanding situations, and how to remain professional, pleasant, and accommodating when faced

with challenging customers. The Conflict Resolution and Avoidance Training Program consist of the following topics:

- Active Listening – Instruct operators to listen to what the passenger is saying specifically, and understand the total message that is being sent
- Using Proper Words – Provide guidance on how to express empathy, concern, and a desire to help to correct problems
- Understanding Goals – Instruct operators to understand the goals and objectives of individuals so the operator can show the customer they care
- When to Let It Go – Educate our operators when to “let it go” and how best to end conflicts in a positive manner
- You Always have Choices – By teaching our operators that choices are always available in any situation, and that negative situations can be defused and changed into positive encounters
- Conflict Avoidance Role Playing – Through role playing, trainees have the opportunity to deal with real life situation and give instructors and other students the opportunity to critique the operator’s actions
- Enforcing Procedures and Rules – Provide tips on how to effectively handle rule or procedure violations

## **Reservationist Training Program**

ProKel will provide superior passenger support through our customer-focused reservationists. With the goal to provide customized service that meets the needs of clients, our reservationists are required to complete an extensive training program. This training program focuses on customer service, sensitivity, and telephone etiquette applied in the reservationist’s job duties.

### **Reservationist Orientation**

Each newly hired reservationist will complete an orientation designed to outline the goals, practices, and conduct expected of the position. This includes an overview of the client’s paratransit program. Reservationists prepare to support our customer focused environment by understanding our diverse client base through training in sensitivity, disability awareness, ADA compliance, and cultural sensitivity. This focused training emphasizes the importance of using “people first” identifiers (e.g. “persons with disabilities” rather than “disabled person”).

Each trainee receives training manuals at the beginning of their orientation, along with additional updates as they are issued. Once the reservationist begins taking customer calls, the training manuals are accessible from their desktops. We also share our best practices in reservations, aggregated from both our global operations and the experience of our sister companies. This provides the foundation for maintaining and improving operational performance – ensuring the client and our customers of consistent service quality.

## Advanced Customer Service Training

All ProKel reservationists participate in advanced customer service training through ProKel's *Customer First!* Training Program, both during their initial training and periodically thereafter as refresher training. This module provides guidelines and expectations for professional customer service. Some of the customer-focused instructions include:

- Answering the telephone promptly by using a pleasant and appropriate greeting
- Recognizing that every caller is important by giving them full attention, and listening patiently until you understand the request or problem
- Avoiding distractions and speaking in a way that does not distract one's fellow workers or prevent them from working efficiently
- Demonstrating a positive attitude when dealing with clients by speaking in an even tone of voice, slowly and clearly so the client can understand the reservationist, and responding with an "I can help you with that" attitude
- Guarding against any form of rudeness to the client or about the client during or after the call, and notifying one's supervisor before anger or frustration affects your job performance
- Providing concise and clear information, following IPTC's program policies and ProKel's company procedures
- Limiting conversations to obtain all the necessary information in a short period of time by staying cognizant that someone else may be waiting in the queue to schedule a ride
- Making the opportunity to address the client by Mr. or Ms. and their last name, and by not using their first name unless invited to do so by the client
- Asking the client politely to repeat the information if they are difficult to understand

Additional telephone techniques learned by reservationists in training include:

- Sensitivity training, including techniques to improve conversation with individuals who have impaired speech, the use of TTY, etc.
- Addressing the customer respectfully and allowing him or her to "vent"
- Rephrasing or repeating the crux of the issue to make sure we understand, and so the customer knows he or she has been heard
- Apologizing for the customer's inconvenience
- Taking the time to thoroughly explain the program's policies to the customer in a sensitive manner
- Performing a careful review of the facts to be certain that no error was made, along with any additional information the customer may have
- Promptly correcting an error if one was made or seeking additional information from service providers to more fully investigate the situation and respond appropriately
- Carefully and thoroughly explaining the reasons for the decision in a manner that respects the dignity of the individual

## **Scheduler Training Program**

As part of our comprehensive operations plan for the transit service, ProKel will manage the scheduling of the client's paratransit services. Highly trained schedulers will focus on achieving the highest productivity standard per revenue hour through the creation of practical, attainable schedules for each day's service. This team will accomplish this through three main areas: effective coordination with the client, optimization of the scheduling software and other technology tools, and incorporation of scheduling best practices to develop realistic and efficient daily schedules.

### **Scheduler Orientation**

To prepare schedulers to support safe, efficient, and customer-focused service, they must first understand advanced scheduling principles and procedures. To this end, our schedulers complete an orientation focused on the goals, practices, and philosophy of scheduling. Orientation familiarizes them with techniques to increase system productivity as well as with the service area. We also provide an understanding of paratransit scheduling best practices, accumulated from our other paratransit operations. This provides the client with consistent and proven methods for maintaining and improving operational performance. Orientation also includes familiarization with common group trip locations, including introduction to the staff schedulers are likely to work with at these locations.

## **Road Supervisor Training**

Effective road supervision is an essential element of successful daily Open Door operations. Road supervisors are the first level of management to respond in the event of an incident or accident. They interact with the operators daily, providing coaching and support for common challenges, such as farebox issues. They facilitate successful service delivery that exceeds established standards. Further, they serve as a front-line customer advocate.

To ensure success in this important leadership role, Prokel's Road Supervisor Training Program is designed to equip our supervisors with the tools they need to support our operators and passengers. Training focuses on proactive operator support and superior customer service. Selecting personnel with natural leadership and problem-solving skills and providing them with a comprehensive, multi-faceted training program ensures their long-term success.

### **Mandatory Operator Training**

In order to prepare road supervisors to support safe, efficient, and customer-focused service, they must first understand the challenges operators face in the field. For this reason, the majority of our road supervisors are promoted from within our operator teams. As such, they will have already

completed our comprehensive new operator training program. New hires must complete all operator training program components.

## Road Supervisor Orientation

Following operator training, the road supervisor trainee will complete an orientation. This training will cover a wide range of topics designed to shift the candidate's mindset from one of onroute service delivery to an awareness of the system as a whole.

## Dispatcher Training

Well-trained and experienced dispatchers are vital to successful daily operations. Handling everything from operator check-in to accident reporting and day-of-service adjustments, they serve as the primary contact between the office and operators in the field. They interact with operators throughout the service day, providing support and direction for myriad variables that impact service delivery, including traffic and service changes. Proactive dispatching facilitates timely service delivery that exceeds customer and the client's expectations.

ProKel's Dispatcher Training Program provides our dispatchers with the understanding of the methods, approaches and skills they need to support our operators in the field. Training for staff who perform reservation-intake and other customer service functions, as well as all administrative and support personnel, will be directed mainly in the area of specific tasks and responsibilities of the particular position, and will be provided by the immediate Supervisor and corporate training personnel. The formal program for all such positions will include certain parts of the driver training in areas that will acquaint the new employee with actual situations encountered in the daily provision of service to the public.

Dispatch/Scheduling training includes the following:

- Forty hours minimum of on-the-job training with experienced personnel.
- Training on Maruti's scheduling policies and service procedures.
- Familiarization with the service area streets and township boundaries
- Sensitivity training.
- Telephone etiquette.
- Reasonable Suspicion Training

Dispatcher Training Topics	
1. ProKel and Client System Policies 2. General Service Orientation and System Knowledge	1. Accident Response 2. How to Handle Service Delays and Get Service Back On Time



3. The "ART" of Customer Service 4. Safety Policies and Accident Reporting 5. Vehicle Operating Knowledge 6. Recordkeeping responsibilities 7. Radio System Operation 8. Use of Radio Etiquette and 10-Codes 9. Dispatcher/Scheduler Cross Training	3. Emergency Procedures and Response Notification 4. Drug & Alcohol Testing Procedures 5. Prioritization of Call Requests 6. Hazard Communication Program 7. Workplace Security Plan 8. Telephone Etiquette and Complaint Taking
---	---

## Dispatcher Orientation

Once a dispatcher has successfully completed our prerequisite operator training program, he or she will complete an orientation focused on the goals, practices, and philosophy of dispatching. Dispatchers learn how to adjust to their surroundings and move from peer to a supervisor position with the operators. Our orientation covers the importance of emergency management and protocols, as well as leadership and decision-making. During this time, the location Safety Manager or designee also leads the new dispatcher in ProKel's Safety Program. Dispatchers are an important part of the Safety Program, as they offer positive reinforcement and support to our vehicle operators.

## Technician Training

ProKel provides unmatched technician training that leads to higher quality repairs for the client's fleet. We require each technician to participate in at least 40 hours of training each year to increase skills and knowledge of industry technology advancements. A highly trained technician performs higher quality repairs in a more efficient manner – resulting in a better maintained fleet and reduced vehicle downtime. Our industry-leading training and incentive programs are based on the following training procedures:

**Basic Skills Assessment:** A concept that individualizes technician training based on the client's fleet, the skills of the individual technician, and contract obligations.

**ASE Certification:** A requirement above and beyond industry standards that exemplifies our commitment to industry best practices. Our dedication to the ASE Certification process is illustrated by our incentive program tied to the certification process.

Our systematic approach to technical training and development is critical to superior maintenance performance. In addition to ASE training, our technicians also receive classroom instruction and on-the-job training provided by our suppliers such as AC/Delco and Ford Motor Company, for example.

## **Basic Skills Assessment**

All ProKel technicians undergo a basic skills assessment upon hire to determine their individual skills and suitability for the contract. ProKel has partnered with Cengage Learning/Delmar – a leading provider of innovative teaching and learning solutions worldwide – to create an interactive learning experience for our technicians.

## **Assessment**

Our comprehensive online skills assessment allows technicians and managers to objectively baseline knowledge in specific areas. Each assessment measures technical competency to a detailed level of theory, application, and diagnostic ability in a number of technical areas.

## **Training**

After the initial assessment, technicians are assigned to training modules based on their identified needs. Each self-paced module contains critical content that is reinforced through interactive graphics and animations. The training is available at any time, so technicians can work through the materials at their convenience. Each course contains an average of 8.5 hours of training materials and can be completed in either English or Spanish.

## **Certification And Monitoring**

Each section within the module is completed with final review questions and each module requires a course review and exam before completion. These tests combine helpful remediation while addressing the unique needs of the technician with text-based theory for enhanced learning and retention. A variety of study options are available, including practice questions, sample ASE-style tests, and a timed test duplicating the actual ASE Exam.

Managers and supervisors may log into the system at any time to monitor technician activity within the training program. Supervisors and managers can produce a Course Usage Report to track hours dedicated to the training curriculum to encourage technicians to continue progressing through their customized training program.

## **Maintenance Training Support**

ProKel employs six full-time traveling maintenance trainers who are highly experienced in all aspects of vehicle maintenance. These persons will visit the client location maintenance personnel to facilitate additional training for the team. Additionally, we provide an additional benefit from our relationships with original equipment manufacturers (OEM) and national parts suppliers. Trainers including AC/Delco, Cengage Learning/Delmar, Noregon Diagnostics, General Motors, Ford, etc. visit our locations sites to instruct technicians in a variety of areas such as electrical and

manufacturer specific training. The purpose of vendor training is to improve the skill set of technicians for improved service delivery.

## **Retraining**

In cases where an employee may have disciplinary issues, ProKel reserves the right to require that employee to attend retraining in addition to any discipline imposed. Failure to attend mandated retraining courses may result in disciplinary action up to and including termination.

All customer-service-related incidents which do not result in termination are subject to retraining from the ProKel customer service program (Ergometrics START program) or other approved Customer Service Training Module using the applicable section of the training that will apply to the incident.

Retraining must be accomplished within one (1) week of the incident date. All vehicle-related incidents which do not result in termination are subject to retraining using the approved Defensive Driving Training Programs. This must be accomplished within one (1) week of the incident date. Retraining may also be required based on an unacceptable onboard or field inspection.

### **TRAINING PROGRAM**

The Driver Training Program has been designed to maximize the success rate of each trainee through a mixture of classroom and behind-the-wheel instruction. This strategy allows trainees to have hands-on, practical experience with each set of classroom skills they study, providing for maximum retention of material. This also allows less experienced trainees to have a significant amount of driving time throughout the program.

Trainees are tested frequently on their knowledge of operational policies and procedures. To graduate from the program, trainees must demonstrate mastery of all operational policies, procedures, safe and defensive-driving, and technical-driving skills. Attitude of the trainee, in regard to courtesy and customer relations and specifically to sensitivity awareness, will also factor into each trainee's final evaluation.

We believe a positive attitude is critical to the success of the operation. Therefore, any trainee who fails to exhibit a positive attitude through such things as punctuality, class participation and homework completion during the training program is considered as not having completed the training program, and will not be retained as a probationary employee at the conclusion of the training.

ProKel uses a comprehensive training program consisting of resources developed internally as well as from the transit community. Training is conducted in both a classroom and a hands-on setting. Recognizing that individuals learn at different rates and through varying methods, we have designed our program using a diverse set of mediums ranging from classroom instruction to

multimedia presentations and “learn by doing” exercises. All students are tested on material that has been presented in either a written test or a practicum format.

Our training program consists of combining the best of recognized industry coursework with that developed through our training resources within ProKel.

- **Smith System Training** – All our drivers and other employees operating company-provided equipment will attend Smith System defensive driving training. The Smith System is designed around five keys to defensive driving and provides the driver real-world tools to driving defensively. The program consists of both classroom and driving instruction.
- **ADA Sensitivity Training for Transit Drivers** –The course has been developed by RTAP and is used at a number of transit organizations in Florida and around the country. The Transportation Safety Institute (TSI) paratransit driver-training program supplements this program. Elements of the training include understanding the needs and concerns of persons with disabilities. Our program includes an exercise that provides an employee with real-life experiences as a person with a disability.
- **National Transit Institute (NTI) Safety and Security Awareness Program** – September 11th added greater awareness and new urgency to teaching our employees to recognize the warning signs of danger. Traditionally we have taught safety to prevent injury or property damage as a result of unintentional acts such as accidents or slips and falls. ProKel expands this training to include security, which is preventing injury as a result of intentional acts. The NTI course is an excellent program given to all our employees designed to address our responsibility to provide our customers a safe service.
- **NTI Customers, Conflicts and You** – This program designed by NTI offers excellent training tools for managing potential customer conflict situations.
- **FTA Fatigue Awareness Program** – Our trainees receive a number of training sessions designed to prevent accidents through managing personal care. The Awareness training program is designed to teach our employees the art of staying alert as a means of accident prevention.
- **NTI Blood-Borne Pathogen** – This training concludes our personal care series by teaching our employees how to protect themselves in the event of exposure to bodily fluids.

Existing transitioning employees will be interviewed and tested to determine their level of retention from the training they already received. New employees will receive up to 24 hours of refresher training/orientation primarily after their shifts and on weekends. This training will be performed in classes of up to 30 drivers and will be conducted by ProKel corporate safety and training staff.

New employees will receive training as shown below. The 96-hour training program provides an opportunity for all parties to achieve a common understanding about the client's and ProKel's expectations and operating rules and procedures as well as customer service, sensitivity and vehicle operations.

We anticipate classes of 15-20 prospective employees taught by the Driver Trainer and Safety and Training Manager which we expect to hire locally from existing staff, with assistance from the client's corporate safety and training staff. The locally hired staff will be familiar with the service area and the challenges of the service.

Training Modules	Incumbent Employee	New Hire
<b>CLASSROOM</b>		
Welcome and Introductions	✓	✓
Company Orientation	✓	✓
Contract Orientation	✓	✓
System Safety Plan Orientation	✓	✓
Drug and Alcohol Policy	✓	✓
Harassment		✓
Fatigue and Hours of Service		✓
CAD/AVL/MDT Orientation and Training		✓
Assisting Customers		✓
Accident and Emergency Procedures	✓	✓
Back Mechanics and Safe Lifting		✓
Sensitivity to Persons with Disabilities	✓	✓
System Orientation		✓
Fare Structure and Fare Box Operations		✓
Fare and Schedule Information		✓
Schedule Operation		✓
Daily Paperwork		✓
Review of Operating and Safety Rules	✓	✓
Smith System Defensive Driving		✓
Conflict Resolution		✓



Experiences on the Road		✓
Review of Key Rules and Procedures		✓
Security Threat Awareness		✓
<b>BEHIND THE WHEEL</b>		
Vehicle Familiarization		✓
Pre-Trip Inspection Paperwork		✓
Pre-Trip Inspection		✓
Vehicle Mechanical Troubleshooting	✓	✓
Wheelchair Tie-Down Procedures	✓	✓
Behind-the-Wheel Route Familiarization (No Passengers)		✓
Smith System On-the-Road Driving		✓
Behind-the-Wheel Familiarization (w/ Passengers)		✓
<b>FINAL</b>		
Final Examination	✓	✓
Graduation	✓	✓

**Training Records** – ProKel will maintain training records on all employees, regardless of job title. Our filing system will enable management and supervisory personnel to quickly evaluate an employee and recommend further training as necessary. ProKel provides all training to ensure that training and service is consistent, and that all documentation is prepared and maintained as required.

**Evaluation** – Driver performance will be monitored and evaluated from the very first day of the Driver Training Program. We will use a Driver Training Classroom Checklist to evaluate the daily progress and performance of each driver trainee. The Behind-the-Wheel Checklist will evaluate the driving skills and overall traffic knowledge demonstrated by the trainees. This checklist provides evaluation criteria for different driving skill elements.

After graduation from our training program, regularly scheduled road observations and ride checks will be used to monitor the performance of drivers. Road Supervisors will conduct road observations to verify that drivers are operating their vehicles safely and properly. ProKel and its Road Supervisors ensure compliance with our high standards of safe driving performance. Field observations will be conducted by following in a separate vehicle or riding along with the driver.

**Refresher Training** –The training program does not end with the last day of the training schedule. As part of the company training program, ProKel has instituted driver safety monitoring to measure the success of our training program and to determine the need for further training in specific areas. Safety monitoring for drivers is accomplished by Supervisors who ride along with the driver and monitor his or her safety habits.

All drivers will be evaluated at least three times during their first six months of employment. Each employee will meet annually with the General Manager, Operations Manager or Safety and Training Manager to review performance and discuss potential improvements to the operations. The ProKel refresher training program operates on a number of levels. Some training is conducted to “raise the bar” of the overall quality of the team’s work. Additional training is also provided in response to a very specific deficiency found in an employee’s work performance. Still other training is more routine in nature to maintain the skills of an employee.

## Technology Training

Drivers will be trained in the use of communications equipment during their initial training, and then during on-going training if we find trends in communication complaints or failures. Maruti has in place a communications policy that requires drivers to report after each drop-off for availability. If a driver does not report, a supervisor will be sent to the next pick-up location to verify that the driver is available for service and replace their radio.

In addition, Maruti will utilize all technology to ensure the efficiency and effectiveness of the system, to minimize operating costs, to improve performance reporting to the agency, to enhance the customer experience, and to maximize employee productivity, etc.

This technology includes:

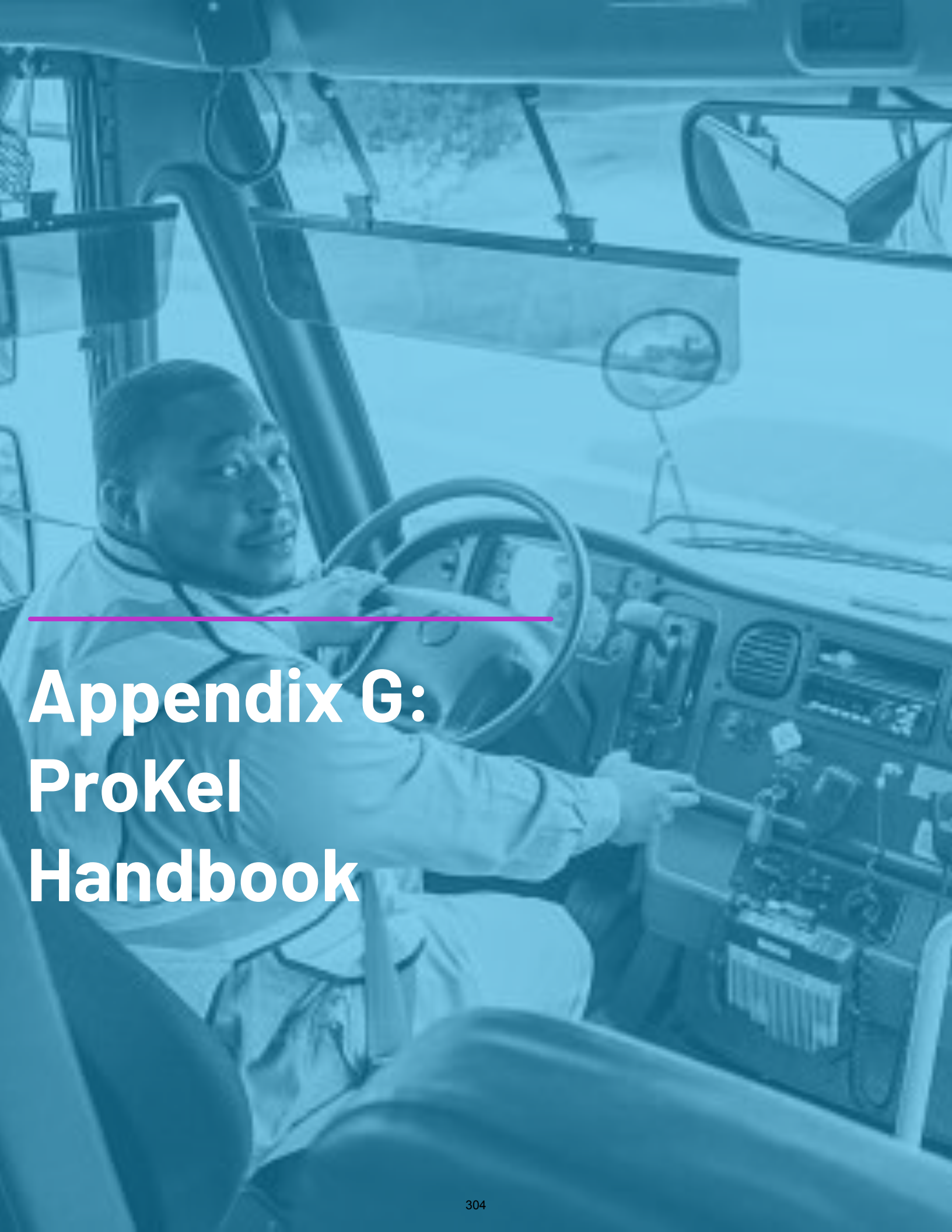
- Computers
- Tablet Computers
- Crystal Reports Software
- Video Monitoring
- MDT/AVL Technology

In addition, ProKel will provide:

- Laptop computers for its management staff,
- Telephone system capable of allowing the use of Interactive Voice Recorder technology
- Telephone Device for the Deaf (TDD)
- Office/Administration related software,
- High capacity copier/printer/scanner

Human resources software system that is maintained on our intranet, which contains all driver information. The system indicates when drivers’ licenses and certifications are due to expire, as

well as maintains all HR records. Our local Safety Manager and administrative staff will maintain our system. This system will ensure compliance and safety



# Appendix G: ProKel Handbook



# Employee Handbook



## ProKel Mobility

46 NW 168 St. North Miami Beach, FL 33169

Office: 561-506-5721 Mobile: 561-506-5721

Kelly Gonzalez, Chief Executive Officer, ProKel Mobility

Issue Date: March 2022



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## Welcome to ProKel Mobility

Dear New Prokel Employee,

As you begin your employment with ProKel Mobility, we would like to welcome you to our organization and invite you to read and become familiar with the contents of this employee handbook. We believe that you will find it full of helpful and valuable information about our policies and procedures. This handbook is designed to assist you in performing to the best of your abilities, as well as developing and realizing your potential as one of our valued employees.

ProKel Mobility is the fastest-growing provider of reliable and safe transportation. With your help, we are looking forward to continuing growth and prosperity as we find new and better ways to serve our customers' needs.

Please read this handbook carefully and retain it for future use. Familiarize yourself with its contents as soon as possible, because it should answer many of your initial and ongoing questions about your employment with ProKel Mobility. *We want you to be fully informed and understand our policies and procedures completely.*

This handbook has been developed by ProKel Mobility to promote the understanding, cooperation and good communication that results from providing consistent and uniform application of rules to all employees. The handbook provides information concerning our policies and practices, and you are responsible for familiarizing yourself with it. If you have any questions about any of the information contained herein, please ask your supervisor or human resources for an explanation or clarification.

Once again, we welcome you to our family and wish you success as we turn to face the numerous challenges, opportunities and potential rewards ahead.

Kelly Gonzalez Jr.

CEO

A handwritten signature in black ink that reads 'Kelly Gonzalez Jr.' with a stylized, cursive script.



# **1. Purpose of Employee Handbook**



## 1. Purpose of Employee Handbook

This employee handbook has been drafted as a guideline for our employees. It describes the Company's general philosophy and some of its policies and procedures. Except for the Company policy regarding at-will employment, the Company reserves the right to amend, withdraw or modify these policies or procedures at any time and with or without notice to employees.

The Company reserves the right to interpret all provisions of this handbook. The Company's interpretation shall, in all instances, be final. More detailed policies are available on the Portal intranet.





## 2. Code of Conduct



## 2. Code of Conduct

Our code of conduct, previously contained in the booklet **Striving for Excellence**, has been fully incorporated into this Employee Handbook. Our Code has been adopted by the ProKel Mobility, Inc. Board of Directors as the ethics and business code of conduct for our Company and its subsidiaries. It summarizes the principles that guide our actions in the marketplace as we strive to be the best provider of transportation and management services. Our code applies to all PK employees, members of the Board of Directors, agents, consultants, contract labor or others, when they are representing or acting on behalf of PK. We expect our contractors and suppliers to be guided by these standards as well. Our code promotes not only “doing things right”, but also “doing the right things” to maintain our personal and institutional integrity.

At PK, we believe that ethical conduct requires more than simply complying with the laws, rules and regulations that govern our business. We are a Company that:

- Values teamwork
- Sets team goals
- Assumes collective accountability for actions
- Embraces diversity
- Shares leadership
- Is committed to excellence and to pursuing superior performance in every activity

However, it is the personal integrity of each of our employees and their commitment to the highest standards of personal and professional conduct that underlie the ethical culture of PK.

PK aims to set *the standard* for ethical conduct at all of our locations. We will achieve this through behavior in accordance with six principles: Honesty, Integrity, Respect, Trust, Responsibility and Citizenship, as detailed below.

**Honesty:** to be truthful in all our endeavors; to be honest and forthright with one another and with our customers, communities, suppliers and shareholders.

**Integrity:** to say what we mean, to deliver what we promise, to fulfill our commitments and to stand for what is right.

**Respect:** to treat one another with dignity and fairness, appreciating the diversity of our workforce and the uniqueness of each employee.

**Trust:** to build confidence through teamwork and open, candid communications.

**Responsibility:** to take responsibility for our actions, and to speak up – without fear of retribution – and report concerns in the workplace, including violations of laws, regulations and Company policies, and seek clarification and guidance whenever there is a doubt.

**Citizenship:** to obey all laws of the US and the states in which we do business and to do our part to better the communities in which we live and work.

There are numerous resources available to assist you in meeting the challenge of performing your duties and responsibilities. Corporate Policy Statements and local policies and procedures that provide details pertinent to many of the provisions of the Code can be accessed via the Portal intranet or obtained from your supervisor. Although your own common sense and good judgment should be your first guide to appropriate conduct, please use these additional resources whenever clarification is necessary:

- If you are faced with an ethical dilemma, your supervisor is usually the best source of information and guidance.
- Additionally, the Human Resources, Legal, Risk Management, Business Development and Executive departments are available to assist you whenever necessary.
- PK also operates an Ethics Hotline, 1800-PRO-KEL2.

During your employment you may be involved in an investigation regarding possible violation(s) of the Code of Conduct and/or other PK policies. PK expects each employee to fully cooperate in such an investigation and the failure to do so may result in disciplinary action, up to and including termination.

PK will not retaliate against an employee who in good faith:

- 1) Discloses a possible state or federal law violation to a government agency
- 2) Discloses a possible incident of wrongful harassment
- 3) Refuses to participate in an activity that would result in a violation of state or federal law
- 4) Exercised whistleblower rights in a former job
- 5) Participates in an investigation

We are proud of our employees and the important role our corporation plays in our communities and our industry. Thank you for doing your part to create and maintain an ethical work environment and for **Striving for Excellence**.

### **Our Commitments**

**For our employees** we are committed to honesty, just management, fairness, providing a safe and healthy environment free from the fear of retribution and respecting the dignity due everyone.

**For our customers** we are committed to producing reliable products and services, delivered on time, at a fair price.

**For the communities** in which we live and work we are committed to observing sound environmental business practices and to acting as concerned and responsible neighbors, reflecting all aspects of good citizenship.

**For our shareholders** we are committed to pursuing profitable growth without taking undue risk, to exercising financial discipline in the deployment of our assets and resources, and to making accurate, timely and clear disclosures in all public reports and communications.

**For our suppliers and partners** we are committed to fair competition and the sense of responsibility required of a good customer and teammate.

### Obey the Law

We will conduct our business in accordance with all applicable laws and regulations. The laws and regulations related to government contracting are far-reaching and complex, thus placing responsibilities on PK beyond those faced by companies without government customers. Compliance with the law does not comprise our entire ethical responsibility. Rather, it is a minimum, absolutely essential condition for performance of our duties.

### Promote a Positive Work Environment

All employees want and deserve a workplace where they feel respected, satisfied and appreciated. As a national enterprise, we respect cultural diversity and recognize that the various places in which we do business may have different legal provisions pertaining to the workplace. As such, we will adhere to the requirements specified by law in all of our localities, and further, we will not tolerate harassment or discrimination of any kind, especially involving:

- Age
- Sex
- Ancestry
- Color
- Disability
- National origin
- Race
- Religion
- Veteran status
- Sexual orientation
- Marital status
- Family structure

Providing an environment that supports honesty, integrity, respect, trust, responsibility and citizenship permits us the opportunity to achieve excellence in our workplace. While everyone who works for the Company must contribute to the creation and maintenance of such an environment, our executives and management personnel assume special responsibility for fostering a work environment that is free from the fear of retribution and will bring out the best in all of us. Supervisors must be careful in words and conduct to avoid placing, or seeming to place, pressure on subordinates that could cause them to deviate from acceptable ethical behavior.

### Work Safely: Protect Yourself, Your Fellow Employees and the World We Live In

We are committed to providing a drug-free, safe and healthy work environment, and to observe environmentally sound business practices. We will strive, at a minimum, to do no harm and where possible, to make the communities in which we work a better place to live. Each of us is responsible for compliance with environmental, health and safety laws and regulations. Observe posted warnings and regulations. Report immediately to the appropriate management any accident or injury sustained on the job, or any environmental or safety concern you may have.

## **Workplace Violence**

The Company is committed to providing a safe environment for our employees, passengers, clients and visitors. Any employee who commits or threatens any violence in the workplace will be subject to termination. Each employee is also responsible for reporting to his or her supervisor, a manager or the Human Resources Department any violence or threats of violence, whether involving an employee or someone else. The Company will promptly investigate these reports and take appropriate action to protect the safety of its employees.

## **Keep Accurate and Complete Records**

We must maintain accurate and complete Company records. Transactions between the Company and outside individuals and organizations must be promptly and accurately entered in our books in accordance with generally accepted US accounting practices and principles. No one should rationalize or even consider misrepresenting facts or falsifying records. This includes records relating to timekeeping and hours worked. It will not be tolerated and will result in disciplinary action.

## **Make Accurate Public Disclosures**

We must assure that all disclosures made in all periodic reports and documents filed with the Securities and Exchange Commission, and other public communications by the Corporation, are full, fair, accurate, timely and understandable. This obligation applies to all employees, including all financial executives, with any responsibility for the preparation of such reports, including drafting, reviewing, and signing or certifying the information contained therein. This requires operating in an environment of open communication, while not compromising proprietary and confidentiality concerns.

If you have concerns about any aspect of our financial disclosures, you should talk to your manager, the Finance organization, the Legal Department, or the Ethics Officer. Any employee who is contacted by another employee expressing concerns about questionable accounting or auditing matters must immediately report those concerns to the Ethics Officer.

## **Record Costs Properly**

Employees and their supervisors are responsible for ensuring that labor and material costs are accurately recorded and charged on the Company's records. These costs include, but are not limited to, normal contract work, work related to independent research and development, and bid and proposal activities.

## **Adhere to All Antitrust Laws**

Antitrust is a blanket term for laws that protect the free enterprise system and promote open and fair competition. These laws deal with agreements and practices "in restraint of trade" such as price fixing and boycotting suppliers or customers, for example. They also bar pricing intended to run a competitor out of business; disparaging, misrepresenting, or harassing a competitor; stealing trade secrets; bribery; and kickbacks.

Antitrust laws are vigorously enforced. Violations may result in severe penalties such as forced sales of parts of businesses and significant fines against the Company. There may also be sanctions against individual employees including substantial fines and prison sentences. These laws also apply to international operations and transactions related to imports into and exports from the countries in which we do business. Employees involved in any dealings with competitors are expected to know that US and other countries' antitrust laws may apply to their activities, and to consult with the Legal Department prior to negotiating with or entering into any arrangement with a competitor.

### **Know and Follow the Law When Involved in International Business**

Corruption erodes confidence in the marketplace, undermines democracy, distorts economic and social development, and hurts everyone who depends on trust and transparency in the transaction of business. The Company is committed to conduct its activities free from the unfair influence of bribery and to foster anti-corruption awareness among its employees and business relations throughout the world.

There are several laws that govern these transactions:

- The *Foreign Corrupt Practices Act (FCPA)* is a US law that prohibits corruptly giving, offering or promising anything of value to foreign officials or foreign political parties, officials or candidates, for the purpose of influencing them to misuse their official capacity to obtain, keep, or direct business or to gain any improper advantage. In addition, the FCPA prohibits knowingly falsifying a Company's books and records or knowingly circumventing or failing to implement accounting controls. Employees involved in international operations must be familiar with the FCPA and with similar laws that govern our operations in other countries in which we do business.
- The *International Traffic in Arms Regulations (ITAR)* is a US law that regulates the international transfers of equipment or technology that may contain prior approval, licensing and reporting requirements. Employees involved in international operations must also be familiar with the ITAR.
- Additionally, it is illegal to enter into an agreement to refuse to deal with potential or actual customers or suppliers, or otherwise to engage in or support restrictive international trade practices or boycotts.

It is always important that employees conducting international business know and abide by US laws and those of the countries that are involved in the activities or transactions. These laws govern the conduct of PK employees throughout the world. If you participate in these business activities, you should know, understand and strictly comply with these laws and regulations. If you are not familiar with these rules, consult with your supervisor, the Business Development Department and the Legal Department prior to negotiating any foreign transaction.

### **Follow the Law and Use Common Sense in Political Contributions and Activities**

PK encourages its employees to become involved in civic affairs and to participate in the political



process. Employees must understand, however, that their involvement and participation must be on an individual basis, on their own time and at their own expense. In the US, federal law prohibits corporations from donating corporate funds, goods or services, directly or indirectly, to candidates for federal offices — including employees' work time. Local and state laws also govern political contributions and activities as they apply to their respective jurisdictions, and similar laws exist in other countries.

### **Carefully Bid, Negotiate and Perform Contracts**

We must comply with the laws and regulations that pertain to the acquisition of goods and services by our customers. We will compete fairly and ethically for all business opportunities. In circumstances where there is reason to believe that the release or receipt of non-public information is unauthorized, do not attempt to obtain or accept such information from any source.

Appropriate steps should be taken to recognize and avoid organizational conflicts in which one Company business unit's activities may preclude the pursuit of a related activity by another business unit.

If you are involved in proposals, bid preparations or contract negotiations, you must be certain that all statements, communications and representations to prospective customers are accurate and truthful. Once awarded, all contracts must be performed in compliance with specifications, requirements and clauses.

### **Avoid Illegal and Questionable Gifts or Favors**

The sale of PK products and services should always be free from even the perception that favorable treatment was sought, received or given in exchange for the furnishing or receipt of business courtesies. Employees will neither give nor accept business courtesies that constitute, or could be reasonably perceived as constituting, unfair business inducements or that would violate law, regulation or policies of the Company or customer, or that could cause embarrassment to or reflect negatively on the Company's reputation.

Although customs and practices may differ among the many marketplaces in which we conduct our business, our policies in this regard are substantially similar within the US and elsewhere throughout the world. As a matter of respect for the rich and diverse customs practiced among our business relations internationally, permissive conduct may differ somewhat in accordance with applicable policy or upon guidance from the business unit's Ethics Officer and Legal Department.

### **Gifts, Gratuities and Business Courtesies to US, State and Local Government Employees**

Federal, state and local government departments and agencies are governed by laws and regulations concerning acceptance by their employees of entertainment, meals, gifts, gratuities and other items of value from firms and persons with whom those government departments and agencies do business or over whom they have regulatory authority. It is the policy of PK to comply strictly with those laws and regulations.

#### Federal Executive Branch Employees

PK employees are prohibited from giving anything of value to federal Executive Branch employees,

except as follows:

- PK advertising or promotional items of little intrinsic value (generally \$10 or less) such as a coffee mug, calendar or similar item displaying the Company logo.
- Modest refreshments such as soft drinks, coffee and donuts on an occasional basis in connection with business activities.
- Business-related meals and local transportation having an aggregate value of \$10 or less per occasion, provided such items do not in aggregate exceed \$10 in a calendar year. Although it is the responsibility of the government employee to track and monitor these thresholds, no PK employee shall knowingly provide meals and/or transportation exceeding the \$10 individual or \$10 annual limit.

#### Federal Legislative and Judiciary Branches, and State and Local Government Employees

Employees of the federal legislative and judiciary branches and employees of state and local government departments or agencies are subject to a wide variety of different laws and regulations. These laws and regulations and Corporate Policy Statements pertaining to them must be consulted prior to offering such employees anything of value.

#### Business Courtesies and Gifts to Non-Government Persons

It is an acceptable practice for PK employees to provide meals, refreshments, entertainment and other business courtesies of reasonable value to non- government persons in support of business activities, provided:

- The practice does not violate any law or regulation or the standards of conduct of the recipient's organization. The person who offers the courtesy is responsible for inquiring prohibitions or limitations of the recipient's organization before offering any business courtesy.
- The business courtesy must be consistent with marketplace practices, infrequent in nature, and may not be lavish or extravagant. While it is difficult to define "lavish or extravagant" by means of a specific dollar amount, a common sense determination should be made consistent with reasonable marketplace practices.

PK employees are prohibited from offering or giving tangible gifts (including tickets to sporting, recreational or other events) having a market value of \$100 or more, to a person or entity with which the Company does or seeks to do business, unless specifically approved by the Chief Executive, President or the General Counsel.

#### Business Courtesies and Gifts to PK Employees

Although an employee may not use his or her position at PK to obtain business courtesies, it is permissible to accept unsolicited meals, refreshments, entertainment and other business courtesies on an occasional basis, provided:

- The acceptance will foster goodwill and successful business relations.
- The courtesies are not lavish or extravagant under the circumstances.
- The courtesies are not frequent and do not reflect a pattern or the appearance of a pattern of frequent acceptance of courtesies from the same entities or persons.
- The employee accepting the courtesies would feel comfortable about discussing the courtesies with his or her manager or coworker, or having the courtesies known by the public.

It is the personal responsibility of each employee to ensure that his or her acceptance of such meals, refreshments or entertainment is proper and could not reasonably be construed in any way as an attempt by the offering party to secure favorable treatment.

PK employees are not permitted to accept compensation, honoraria, funds or monetary instruments in any form or amount, or any tangible gift (including tickets to sporting, recreational or other events) that has a market value of \$100 or more, from any entity, representatives of any entity, or any person that does or seeks to do business with the Company, unless approved by the CEO or President. *Solicitation of gifts is always prohibited.* If you have any questions about the propriety of a gift, gratuity or item of value, contact your supervisor, the CEO or President.

#### Gifts to PK Employees Who Procure Goods or Services for PK

If you buy goods or services for PK or are involved in the procurement process, you must treat all suppliers uniformly and fairly. In deciding among competing suppliers, you must objectively and impartially weigh all facts and avoid even the appearance of favoritism. For this reason, gifts from suppliers or vendors must not be accepted, except advertising or promotional items of nominal value such as a pen, key chain, water bottle, visor, cup or glass or similar items displaying a company's logo. Established routines and procedures should be followed in the procurement of all goods and services.

#### **Conflicts of Interest Are Prohibited**

Playing favorites or having conflicts of interest — in practice or appearance — runs counter to the fair treatment to which we are all entitled. Avoid any relationship, influence or activity that might impair, or even appear to impair, your ability to make objective and fair decisions when performing your job. *A conflict of interest occurs whenever an individual's private interest interferes with the interest of the Company.* We owe a duty to PK to advance its legitimate interests when the opportunity to do so arises. You should never use Company property or information for personal gain, or take for yourself personally any opportunity that is discovered through your Company position.

#### Here are some ways a conflict of interest could arise:

- Employment, or agreement to accept future employment, by a competitor or potential competitor, regardless of the nature of the employment, while employed by PK without immediate disclosure to PK.
- Acceptance of gifts, payment or services from those seeking to do business with PK.

- Placement of business with a firm owned or controlled by an employee or his/her family.
- Ownership of, or substantial interest in, a Company that is a competitor or a supplier.
- Acting as a consultant to a PK customer or supplier.
- Having a personal interest or potential for gain in any Company transaction.

Any situation, transaction or relationship that might give rise to an actual or potential conflict of interest must be disclosed in writing to your supervisor and the CEO.

### **Follow the Rules about Employing Former Government Officials**

There are extensive conflict of interest laws and regulations regarding the employment or use of former government personnel. These rules extend to contact or negotiations with current government employees to discuss their potential employment by the Company or their use as consultants or subcontractors. Conflict of interest laws and regulations must be fully and carefully observed. When in doubt, consult corporate and Company policies and procedures, and seek the advice of the Legal Department, Human Resources or the General Counsel.

### **Maintain the Integrity of Consultants, Agents and Representatives**

Business integrity is a key standard for the selection and retention of those who represent PK. Agents, representatives or consultants must certify their willingness to comply with the Company's policies and procedures and must never be retained to circumvent our values and principles. Paying bribes or kickbacks, engaging in industrial espionage, obtaining the proprietary data of a third party without authority, or gaining inside information or influence are just a few examples of what could give us an unfair competitive advantage in a government procurement and could result in violations of law.

### **Protect Proprietary Information**

Proprietary Company information may not be disclosed to anyone without proper authorization. Keep proprietary documents protected and secure. In the course of normal business activities, suppliers, customers and competitors may sometimes divulge to you information that is proprietary to their business. Respect these confidences.

### **Obtain and Use Company and Customer Assets Wisely**

Proper use of Company and customer property, electronic communication systems, information resources, material, facilities and equipment is your responsibility. Use and maintain these assets with the utmost care and respect, guarding against waste and abuse, and never borrow or remove them from Company property without management's permission. Be cost-conscious and alert to opportunities for improving performance while reducing costs.

While these assets are intended to be used for the conduct of PK's business, it is recognized that occasional personal use by employees may occur without adversely affecting the interests of the Company. Personal use of Company assets must always be in accordance with corporate and Company policy – consult your supervisor for appropriate guidance and permission.

All employees are responsible for complying with the requirements of software copyright licenses related to software packages used in fulfilling job requirements.

### More Information

To support a comprehensive Ethics and Business Conduct Program, PK has developed education and communication information documents in many subject areas. These programs have been developed to provide employees with job-specific information to raise their level of awareness and sensitivity to key issues.

### Our Goal: An Ethical Work Environment

We have established this policy to underscore our commitment to ethical conduct throughout our Company. Our CEO oversees a corporate-wide effort to promote a positive, ethical work environment for all employees. Our HR Department is open to employees that have ethical questions. You are urged to utilize this resource to report violations of the Code or whenever you have a question or concern that cannot be readily addressed within your work group or through your supervisor.

### Accountability

Each of us is responsible for adherence to the standards of conduct set forth in this Code and for raising questions if we are concerned that these standards are not being met. Violations of the Code are cause for corrective action, which may result in disciplinary action up to and including discharge.

### How to Contact the Ethics Committee

The Ethics Committee of the PK Board of Directors has created a process for employees to use to transmit complaints to the Committee about accounting, internal controls or auditing matters. This includes the confidential or anonymous submission of concerns regarding questionable accounting or auditing matters. If you wish to raise a question or concern or report a violation to the Ethics Committee, you should contact us at the Support Center. Your concern will be promptly communicated to the Chair of the Audit and Ethics Committee of the Board.

### Contact the Ethics Office

You are encouraged to contact the Support Center to discuss any ethics question or concern, to report a violation of the Code or for information on how to contact an individual to assist with your concern. You can reach our office through any of the following confidential means of communication:

<b>Call:</b>	1800-PRO-KEL2
<b>Write:</b>	Office of Ethics and Business Conduct ProKel Mobility 46 NW 168 <sup>th</sup> St North Miami Beach, FL 33169
<b>Internet E-Mail:</b>	<a href="mailto:hr@prokelmobility.com">hr@prokelmobility.com</a>



**Note:**

Caller ID is not used on Ethics Helpline phone numbers

When you contact our office at the Miami Support Center:

- You will be treated with dignity and respect.
- Your communication will be kept confidential to the greatest extent possible.
- Your concerns will be seriously addressed and, if not resolved at the time you call, you will be informed of the outcome.
- You need not identify yourself.

***PK prohibits retaliation against any employee who uses the Ethics Helpline.***



A photograph of a man driving a truck, viewed from the passenger side. The man is wearing a light blue long-sleeved shirt and a bright yellow high-visibility safety vest. He is looking forward and slightly to the right. The truck's interior is visible, including the steering wheel, dashboard with various controls and gauges, and a large side-view mirror. The background outside the window shows a road and some greenery. The text "3. Equal Employment Opportunity" is overlaid in large white font across the center of the image.

# 3. Equal Employment Opportunity



### 3. Equal Employment Opportunity

PK's employment policy is to provide equal opportunity to all persons. In furtherance of this policy, employment decisions shall be based on merit, qualifications and competence. Except where required or permitted by law, employment practices shall not be influenced or affected by virtue of an applicant's or employee's:

- Race
- Color
- Creed
- Religion
- Sex
- National origin
- Age
- Disability
- Veteran status
- Sexual orientation
- Gender identification
- Any other characteristic protected by law

This policy statement governs all aspects of employment including, but not limited to, recruitment, selection, promotions, terminations, transfers, layoffs, compensation, training, benefits, and other terms and conditions of employment.

PK prohibits retaliation against applicants or associates who file discrimination charges with federal, state or local fair employment practice agencies, participate in investigations of such charges or oppose unlawful employment practices.

PK's Equal Opportunity Policy is an essential part of the Company's overall commitment to attract, hire and develop a strong, talented and diverse workforce. PK will make every effort to reasonably accommodate qualified applicants or employees with disabilities based on the essential functions of the job, as well as the sincerely held beliefs of applicants or employees, provided such accommodation does not result in undue hardship to PK. Any requests for reasonable accommodation should be submitted to your supervisor.

*If you need additional assistance, please contact the Human Resources Department via the Open Door Hotline at 1800-PRO-KEL2.*



The background image shows the interior of a bus. It features rows of empty, dark-colored seats. Above the seats, there are overhead storage racks and handrails. Large windows are visible on the left side, letting in some light. The overall lighting is dim, creating a somewhat somber or quiet atmosphere. The text "4. Anti-Harassment Policy" is overlaid in the center in a large, white, sans-serif font.

# 4. Anti-Harassment Policy

## 4. Anti-Harassment Policy

All Company employees have a right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive or disruptive. Consistent with the Company's respect for the rights and dignity of each employee, harassment based on race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship, or any other characteristic protected by law, will not be tolerated. This includes harassment by a PK employee, contractor, agent or third parties with whom PK employees interact during the course of their employment.

All employees should be aware of the following:

1. Sexual harassment is strictly prohibited. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
2. Harassment on the basis of any protected characteristic is strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her:
  - Race
  - Color
  - Religion
  - Sex
  - Sexual orientation
  - National origin
  - Age
  - Disability
  - Marital status
  - Citizenship

This prohibition of harassment as defined above also applies to any other characteristic protected by law or that of his/her relatives, friends or associates, and that:

- has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment.

Harassing conduct includes, but is not limited to, epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

3. All supervisors are responsible for assuring that no employee is subjected to conduct that constitutes sexual or any other form of harassment.
4. Any individual found to have engaged in inappropriate conduct, including sexual or any other form of unlawful harassment, will be disciplined as appropriate, up to and including discharge.
5. Any employee who believes that he or she has been the subject of inappropriate conduct,



including sexual or any other form of harassment, or who has observed any such conduct should immediately bring the matter to the attention of any supervisor, executive or human resources employee. Alternatively, you may contact the Open Door Hotline at 1800-PRO-KEL2.

6. A prompt and thorough investigation of the alleged incident will be conducted, and appropriate corrective action will be taken if warranted. Complaints will be treated as confidential to the extent possible.
7. The Company will not in any way retaliate against an employee, potential employee or former employee who, in good faith, makes a complaint or report of inappropriate conduct such as harassment, or participates in the investigation of such a complaint or report. Retaliation against any individual for reporting a claim of harassment or cooperating in the investigation of same will not be tolerated.



# **5. Media and Photographic Release**

## 5. Media and Photographic Release

PK leverages its marketing and social media content to promote company activities and company growth via proposals, social platforms, company websites and media outlets. Signature of the employee handbook authorizes PK and its agents, staff, employees and representatives to take such photographs and recordings of PK current or former staff members for the benefit of PK at its sole discretion. Signature of this employee handbook waives any right that the team member may have to inspect and/or approve the finished product that may be used in all publications, social media outlets or proposals.







# 6. Immigration Law Compliance

## 6. Immigration Law Compliance

PK complies with the Immigration Reform and Control Act of 1986 and is committed to employing only United States citizens and aliens who are authorized to work in the United States.

As a condition of employment, each new employee must properly complete, date, and sign the first section of the United States Citizenship and Immigration Services Form I-9. Newly rehired employees must also complete the form if they have not previously filed an I-9 with this organization, if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid.



The background image shows the interior of a bus. It features rows of orange upholstered seats with black frames. Purple vertical poles are spaced along the aisle for passengers to hold onto. Large windows on the left side provide a view of green trees outside. The ceiling is white with recessed lighting. The overall atmosphere is clean and modern.

# 7. Open Door Policy

## 7. Open Door Policy

As a PK employee, you've joined an organization that places high value on customer service. That same high value is placed on employees. You will find your supervisor values you as an employee and is there to help guide and assist you in performing your role.

We challenge ourselves to take the initiative and be part of the solution. Any time you have a suggestion or idea to make things better or a concern about the way things are done, discuss it with your supervisor or any member of management. *Your input is a valuable part of our success.*

We are committed to addressing workplace concerns and issues important to you. If a situation arises with your job, another employee or customer that makes you uncomfortable, PK asks that you immediately bring it to our attention. You can discuss the situation with your supervisor. If, for any reason, you do not want to discuss the situation with your supervisor or if you feel issues remain unresolved, you can contact another member of management or you can contact:

<b>Open Door Hotline:</b>	1800-PRO-KEL2
<b>Open Door Email:</b>	<a href="mailto:opendoor@prokelmobility.com">opendoor@prokelmobility.com</a>
<b>Open Door Address:</b>	Office of Ethics and Business Conduct ProKel Mobility ATTN: Senior Vice President of Human Resources 46 NW 168 <sup>th</sup> St North Miami Beach, FL 33169

You can be assured that such complaints will be investigated and that you will not be subject to any adverse action as a result of making a good faith complaint.



# 8. Nature of Employment

## 8. Nature of Employment

PK is an at-will employer. That means that employment may be terminated at any time by either the employee or the Company for any lawful reason. No person other than the CEO or a Company President is authorized to enter into any employment agreement for a specified term with any employee. Any other employment agreements are not authorized and are void.

Some of our employees are covered by a collective bargaining agreement. If you are covered by a collective bargaining agreement, your employment relationship is governed by that agreement.







## 9. Nature of Our Business



## 9. Nature of Our Business

PK is a private contractor operating passenger transportation services for public and private agencies nationwide. We operate in a very competitive business environment and therefore we must operate safely, control our costs, and provide outstanding customer and client service. We welcome your suggestions on how we can make improvements at our Company. Every PK employee plays a critical role in our success.



A photograph of the interior of a bus, looking forward from the driver's perspective. Yellow handrails are visible on both sides. A digital display at the top shows "8:24 AM" in orange. Below it, a sign reads "PLEASE STAY BEHIND THE YELLOW LINE" and "Most people arrive at the stop priority". A large number "7936" is visible on the right side of the dashboard. The view through the windshield shows a snowy street with cars. The text "10. Definitions" is overlaid in white.

# 10. Definitions

## 10. Definitions

### Introductory Period

The first ninety (90) days of employment are an introductory period. The period is an essential part of the training and evaluation process and is used to ensure that each employee's performance meets the required standards. An introductory period may be extended at the discretion of the supervisor. Because employment at PK is at-will, we have no obligation to retain you nor do you have an obligation to remain an employee during your introductory period.

### Minimum Age

The minimum age for employment at PK is eighteen (18) years old, unless a different minimum age is required by contract or licensing requirements.

### Employment Categories

- **Full-time** employees are those who are regularly scheduled to work at least thirty-five (35) hours or more per week. Generally, regular full-time employees are eligible for some or all of the Company's benefit package, subject to the terms, conditions and limitations of each benefit program.
- **Part-time** employees are those who are regularly scheduled to work less than thirty-five (35) hours per week. This includes casual, occasional and on-call drivers and other staff. While part-time employees receive all legally mandated benefits (such as workers' compensation and Social Security benefits), they are ineligible for many of the Company's other benefit programs.
- **Temporary** employees are those who are hired as interim replacements, to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain such status unless and until notified of a change. The temporary employment relationship is an at-will relationship, regardless of whether an estimated duration of assignment exists. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for the Company's other benefit programs. No temporary employment may last longer than twelve (12) consecutive months.

### Safety Sensitive Functions

The following functions are considered to be "safety sensitive":

- Operating a revenue service vehicle, including when not in revenue service
- Operating a non-revenue service vehicle for job functions
- Supervisors, trainers and staff members that use revenue or non-revenue vehicles to train or supervise operators



- Controlling dispatch or movement of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service

Thus, the following positions are “safety sensitive”:

- Driver
- Mechanic and other maintenance personnel
- Reservationist (if performing safety sensitive functions)
- Dispatcher
- Road Supervisor
- Assistant, Maintenance, Operations, Safety or General Manager





# 11. Compensation and Payroll Practices



## 11. Compensation and Payroll Practices

### Wages and Benefits

Each location of the Company has a wage and benefit structure. A printed summary is posted at each location and will be made available to you upon request. If a collective bargaining agreement exists at a location, it will describe the wages and benefits for members of the bargaining unit. Wages and benefits are subject to change from time to time. *Contact your General Manager or the Human Resources Department if you have any specific questions about your wages or benefits.*

### Payroll Status

- **Non-exempt employee:** Non-exempt or hourly employees are eligible to receive overtime pay for overtime hours worked. Generally, employees are entitled to time and one-half their regular rate of pay for all hours worked over forty (40) in a workweek. If you work in a state that provides daily overtime, such as California, PK pays overtime in accordance with state law. Non-exempt employees will also be paid double time when required by applicable state law. PK policy prohibits “comp time” as a replacement for overtime pay for non-exempt employees. Paid time off including vacation time, sick time and/or holiday pay is not included for the purpose of computing overtime.
- **Exempt employee:** Certain executive, administrative and professional employees are designated as salary-paid, overtime-exempt employees. Such employees receive a weekly salary that is paid every pay period. This predetermined amount is not reduced due to variations in the quality or quantity of an employee’s work. Exempt employees are not entitled to overtime compensation. Subject to certain exceptions, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. Deductions will not be made from an employee’s weekly predetermined salary because of the operating requirements of the business. If such an employee is ready, willing and able to work, deductions may not be made for time when work is not available. Please see our exempt payroll policy for more information.

### Payroll Period and Pay Dates

For payroll purposes, the workday is defined as 12:01 a.m. to midnight and the workweek is defined as 12:01 a.m. Saturday to midnight the following Friday. Any type of paid time off is not counted as time worked for computing overtime.

Generally, payday is every other Friday. The specific pay dates for each division or location are posted on the employee bulletin board at that division or location. If a payday falls on a holiday, you will receive your paycheck on the preceding Thursday. Each paycheck covers work performed during the fourteen (14)-day period ending the Saturday before payday. Direct deposit is available to all employees.

### Time Recording

If you are a non-exempt employee, you must record the time you start work, the times you leave for and return from meal breaks and the time you leave at the end of your working day. All employees are required to record time off.

Employees must accurately record all time worked. Employees who do not accurately record all time worked, work off the clock or otherwise falsify their time records are in violation of company policy. Employees who violate company policy may be subject to discipline, including immediate termination of their employment.

When your employment begins, you will receive instructions on how to record your time. Your immediate supervisor or manager must authorize your time record.

### **Pay Adjustments**

Operators and other division-based hourly jobs typically have pay adjustments tied to an anniversary date or other due date and are effective on the first day of the pay period following the anniversary date and/or due date. PK does not normally conduct mid-year pay reviews for its non-driving workforce unless required by contract. PK uses a common review date of January 1 and the first full payroll cycle in January for non-driving, non-bargaining unit pay increases. Any exceptions must be approved by the Group President and Senior Vice President of Human Resources.

### **Operator Payroll Procedures**

PK has adopted procedures that govern compensation for operators including rate of pay, hours of work, training time, non-revenue and revenue work. Please refer to the policy posted at your division for additional information.

### **Payroll Deductions**

The law requires that the Company make certain deductions from every employee's compensation. Among these are applicable federal, state and local income taxes. It is your responsibility to correctly complete your W-4 form to ensure the proper amount of taxes is withheld.

The Company offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paycheck to cover the costs of participation in these programs, such as health insurance. Payroll deductions may also occur in other circumstances, such as court ordered garnishments, pre-authorized deductions for uniforms or voluntary written authorization.

If you have questions concerning a deduction, your supervisor can assist in having your questions answered or you can call the Payroll Department.

### **Compensation for Meetings/Training/Drug Testing**

Non-exempt employees will be paid their regular hourly rate for meetings, training and/or drug testing during regular work hours and a training rate for attendance occurring outside regular work hours. If an employee's job classification does not have a specified training rate, the training rate is the applicable minimum wage.

### **Travel Time**

Non-exempt employees are paid their regular hourly rate for travel that occurs during their regular work hours. For travel outside regular work hours, travel time is paid at the applicable minimum wage.

PK follows the applicable state or federal law in determining whether travel time is treated as hours worked.

### Length of Service

An employee's start date, the date on which an employee began to receive wages, is considered their "date of hire". PK will bridge an employee's length of service if they voluntarily resigned, were in good standing when they resigned and return to PK within ninety (90) days of their resignation date.

### Employment Termination

- **Resignation (Voluntary):** Employment termination initiated by an employee who chooses to leave the Company voluntarily.
- **Discharge/Layoff (Involuntary):** Employment termination initiated by the Company.

Employees who are enrolled in Company-provided health benefits at the time of termination will receive COBRA notification as required by law.

*Any questions may be directed to the Employee Resources Hotline at 1800-PRO-KEL2.*

### What to Do if You Have Questions about Compensation and Payroll Practices

If you have any questions, concerns, comments or complaints related to your compensation or the Company's payroll practices, please direct those comments to your supervisor, any executive, the Payroll department or the Human Resources department. You may also contact the Open Door Hotline at 561-506-5721.



A man with a beard and glasses, wearing a red and blue plaid shirt and blue overalls, is working on a large industrial machine. He is wearing blue gloves and is focused on his task. The machine is dark and metallic, with various pipes and components visible. The background is a blurred industrial setting.

# 12. Hours of Work

## 12. Hours of Work

### Work Schedules

Work schedules for employees vary throughout the Company. Supervisors will advise employees of their individual work schedules. Staffing needs, operation demands and client service requirements may require variations in the total hours that may be scheduled each day and week. The Company does not guarantee hours of work or schedules.

When operating requirements or other needs cannot be met during regular scheduled hours, employees may be required to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization.

### Rest and Meal Periods

Rest and meal periods prescribed by law and PK policy are an important part of our Safety Program. All efforts should be extended to ensure that employees will be provided a minimum of a thirty (30)-minute off-duty meal break time during each shift. The meal break is unpaid.

While operational contingencies may occasionally prevent an employee from taking a meal period, it is understood that such instances should be the exception and not the rule. With the exception of employees in California who have signed an on-duty meal period agreement, any employee who is unable to take a thirty (30)-minute off-duty meal break due to operational contingencies on an ongoing basis should contact the General Manager or Regional Vice President.

It is not possible for PK to schedule break times or service destinations according to an employee's desire to enjoy their break at their homes or at any other specific location. Field employees should understand that the nature of their job is such that they may be dispatched in any direction at any time and they should be prepared to eat at public facilities close to where they receive their break or bring their meals with them.

Each state in which PK operates has state-specific requirements for meal and rest breaks. For example, PK employees in California who work more than 3.5 hours are entitled, authorized and permitted to a ten (10)-minute paid rest break for every four (4) hours worked or major fraction thereof. Thus, an employee working an eight (8)-hour shift may take paid rest breaks. These breaks should be spaced evenly throughout the workday. Like meal breaks, it is not possible to schedule rest break times and thus they should be taken when operations permit. The meal and rest break rules are posted in each location.

If you have questions about the rules, please contact your Supervisor or Human Resources.



A photograph of a public transit station. In the foreground, three people are sitting on a wooden bench, viewed from behind. The person in the center has short blonde hair and is wearing a white t-shirt. To their left, a person with dark hair is also seen from behind. To their right, a person is partially visible, wearing a dark shirt and carrying a backpack. The bench is made of light-colored wood with metal supports. In the background, there is a food stand with a menu board displaying various food items. Several other people are walking around the station. The scene is brightly lit, suggesting daytime. The text "13. Attendance Policy" is overlaid in the center of the image in a large, white, sans-serif font.

# 13. Attendance Policy

### 13. Attendance Policy

All PK employees are required to report to work on time every day they are scheduled to work. The following policy applies to all non-exempt, non-introductory period employees and is based on a rolling twelve (12)-month time period.

The policies outlined in this section do not limit the employee's and the Company's right to end the employment relationship at any time, for any reason not prohibited by law, with or without cause, and with or without notice.

#### Excused Absence

Excused absences are approved requests for:

- Family medical leave (FMLA)
- Kin care (if required by state law)
- Personal leave
- Jury and/or witness duty
- Military
- Bereavement
- Pre-arranged vacation days
- Any other leave protected by law.

Attendance points are not issued for excused absences.

Pre-arranged vacation days will be excused if:

1. A PK "Request for Time Off" form is completed and approved by the Operations Manager, General Manager or Regional Vice President.
2. These steps are completed per the division's advance notice policy.

#### Unexcused Absence

Absenteeism is measured in occurrences. Employees are required to call in for each day of work missed. All employees who will be absent or tardy are required to notify their supervisor or dispatch at least one (1) hour prior to the start of their shift. Notwithstanding the situations described below, if an absence occurs, or an employee fails to call within the appropriate time, or because of a FMLA-qualified serious medical condition, the employee's absence will not count as an occurrence.

The following rules govern unexcused absences:

- An unexcused absence, where the employee calls in at least one (1) hour prior to the start of his/her shift, is counted as one (1) occurrence.
- Unexcused absences up to five (5) consecutive days are counted as one (1) occurrence, provided proper notice is given. After day five (5), each day of absence is counted as an occurrence unless the employee provides a doctor's note excusing the absence for up to a total of ten (10) days. After ten (10) days, each day absent will be counted as an occurrence. Absences exceeding ten (10) days may be considered for a leave of absence.
- Calling in less than one (1) hour in advance of your start time to report an absence or tardy is

counted as 1.5 occurrences.

- Failure to call at all (No Call – No Show) for a scheduled shift is counted as four (4) occurrences.
- A failure to complete the entire shift is counted as one (1) occurrence.
- Missing a required meeting is counted as one (1) occurrence.

### **Tardiness**

- Arriving to work up to fifteen (15) minutes after your scheduled reporting time either for shift start or returning from rest or meal breaks is .5 of an occurrence.
- Reporting to work more than fifteen (15) minutes after a scheduled reporting time either for shift start or returning from rest or meal breaks will be counted as one (1) occurrence.
- If an employee is tardy for their shift, the shift may be reassigned and the employee sent home.

### **Disciplinary Guidelines for Attendance**

All non-exempt employees will be issued an Employee Attendance Report documenting each occurrence.

Violations of more than one (1) component of the attendance policy will receive a single-point assessment of the highest value.

Employees are allowed a maximum of seven (7) occurrences within a rolling twelve (12)-month period before a written warning is issued. Each occurrence is removed from the employee's record twelve (12) months after the occurrence. If an employee reaches ten (10) occurrences within a rolling twelve (12)-month period, he/she will be terminated.

### **Clean Slate**

If an employee goes "occurrence-free" for a consecutive six (6)-month period, his/her attendance record will be wiped clean and any prior occurrences will not be considered as a basis for disciplinary action.

### **Company Meeting Attendance**

We require that all employees attend Company operations meetings, which include the monthly safety meetings. Failure to attend a mandatory Company meeting will result in one (1) attendance point.

### **Attendance Policy for Non-Exempt Introductory Employees**

PK expects new employees to demonstrate excellent attendance during their introductory period. Introductory period employees are permitted no more than one (1) occurrence point using the guidelines set above.

### **Attendance Policy for Exempt Employees**



Due to the nature of exempt or salaried work, exempt employees are not subject to the Attendance/Tardiness Policy. Exempt employees are expected to maintain good attendance and complete all work assignments and meet the requirements of the position.

### **Emergency Closings and Seasonal Work**

Emergency conditions, such as severe weather, fire, flood or earthquake, can disrupt Company operations and interfere with work schedules, as well as endanger employees' well being. These extreme circumstances may require the partial closing down of operations, or of business altogether. Time off due to emergency closings is generally unpaid.

Due to seasonal or holiday fluctuations of business, it is sometimes necessary to reduce hours below the normal level. When this is necessary, reductions will be based on factors such as agency and client schedules, as well as driver seniority. Drivers should expect such slowdowns to include, but not be limited to, summers and seasonal holidays such as Thanksgiving or Christmas.





# 14. Employee Benefits



## 14. Employee Benefits

### Health and Dental Insurance

Eligible employees will be offered health and dental insurance benefits. The details of these benefits are set forth in a booklet provided to eligible employees.

### Vacation Time

Full-time employees are eligible to accrue vacation time, subject to the applicable waiting period. Each location has its own accrual program for vacation time. ProKel full-time employees must be employed with the company for one (1) year before accruing vacation hours. Please check with your manager or the division wage and benefit sheet for your vacation accrual rate.

Vacation accrual is capped at eighty (80) hours for hourly employees and 100 hours for salaried employees, unless otherwise regulated by state law. Vacation accrual will be suspended once the cap is reached. Accrual will begin again once vacation time is used and the balance drops below the cap. Exceptions to this cap are generally not made and only if approved by the Senior Vice President of Human Resources.

Vacation time may be used for personal time off. Generally, employees should notify the division of the request to use vacation time in accordance with the division's advance notice policy. In the absence of an advance notice policy, employees should provide at least one (1) week's notice of their desire to use vacation time. In the event of unforeseeable circumstances, a shorter notice period may be acceptable. If the vacation time request is not approved and the employee is absent from work during that period, the employee is subject to discipline and may not be paid for that time off.

At the time of separation of employment, an employee will be paid all accrued and unused vacation time only if state law requires that PK pay the employee for accrued and unused vacation time.

### Paid Holidays

Full-time employees are eligible for paid holidays, subject to the applicable waiting period. Full-time employees must be employed for ninety (90) days before eligible for paid holidays. The list of paid holidays and any applicable waiting period are posted at each facility. Holiday pay will only be paid to a non-exempt employee if the employee has worked his/her scheduled work day preceding the holiday and has worked his/her scheduled workday following the holiday.

If a paid holiday falls on an employee's day off or an employee is required to work on a holiday, the employee may receive an alternative day off or holiday pay, depending on the location's policy.

If a holiday falls during any unpaid time off (leave or vacation for example), the employee will not receive holiday pay.

A photograph of the interior of a crowded bus. The view is from the back of the bus looking towards the front. Several passengers are seated in blue plastic seats, and a driver in a light-colored shirt and khaki pants is standing in the aisle, holding onto a yellow handrail. The bus has yellow handrails and blue seats. The text "15. Leave Policies" is overlaid in white.

# 15. Leave Policies



## 15. Leave Policies

The Company provides all leaves required by applicable federal or state law, including the types of employee leaves listed below. Any unpaid leave of absence in excess of thirty (30) days may impact vacation accrual, healthcare benefits and length of service for seniority or bidding purposes. Please see the policy on leaves for more information.

In addition to the leaves listed below, many states have created other protected leaves. Please see your state addendum for information regarding additional leaves available under state law.

With the exception of a personal leave, all applicable leaves run concurrently. For example, if an employee takes time off for a serious health condition that resulted from a work-related injury, the workers' compensation leave, state and federal family medical leave begin on the first day of absence.

### Workers' Compensation

PK purchases Workers' Compensation Insurance for employees who incur a work-related injury or illness. *Any illness or injury to an employee, regardless of severity, that occurs while on the job must be reported.* Any employee who has suffered a work-related injury or illness has the right to make a workers' compensation claim. The employee may then be sent to a Company-approved medical facility for treatment or examination, which may determine whether follow-up care is necessary. While on Workers' Compensation leave or while on a Temporary Modified Work assignment, employees shall conform to all applicable rules, policies and procedures. Employees will not be discriminated against for presenting a Workers' Compensation claim.

All employees who experience a work-related injury that requires medical attention will be subject to a drug and alcohol test (if allowable by applicable state law) and placed on unpaid "safety leave" until the results of the test are known.

Temporary modified work may be offered to those employees who have sustained a compensable workers' compensation injury and who have been released by an authorized health care provider to return to work with medical and/or physical restrictions.

The company shall establish the temporary modified work day and work week within the restrictions set forth by the authorized health care provider. Temporary modified work days shall not exceed eight (8) hours to ensure temporary modified duty employees do not work overtime. Temporary modified work may be assigned for up to twenty-six (26) weeks in a rolling fifty-two (52)-week period.

Prior to acceptance of temporary modified work, the employee shall be furnished a written temporary modified work offer indicating the temporary modified work duties. Employees accepting this work shall receive their normal regular hourly rate of pay. For more information on temporary modified work, please request a copy of the policy, which is located on the Portal intranet.

### Reporting Employee Injuries or Illnesses

Employees are required to report in a timely fashion all on-the-job injuries and illnesses to their General Manager, Dispatcher or immediate supervisor. Failure to report an on-the-job injury or illness in a timely manner may result in disciplinary action up to and including termination.

## Personal Leave

Personal leave without pay is available to non-introductory period employees who wish to take time off from work duties to fulfill personal obligations. Personal leave may not be used to seek or accept employment elsewhere.

Employees should submit a request for personal leave in writing to their supervisor as far in advance as possible. Personal leave may be granted at the sole discretion of the company for a minimum period of two (2) weeks, and to a maximum of eight (8) weeks every calendar year. Additional leave will only be granted as required by law, including but not limited to reasonable accommodation obligations. Any accrued vacation time, or sick time if applicable, must be used during a personal leave.

Requests will be evaluated on a case-by-case basis and in consideration of a number of factors, including reasons for the leave, anticipated duration, operational requirements, seniority, job performance and staffing considerations. During the unpaid portion of a personal leave, if the employee participates in a healthcare program, the employee is responsible for the entire healthcare premium amount. The Company will resume payment of its portion of the benefits costs when the employee returns to active employment.

*Seniority and accruals for vacation, any paid time off or holiday pay are suspended during an unpaid personal leave and will resume upon return to active employment.*

If the leave request is due to the employee's own medical condition, the employee must provide a fitness for duty medical certification from his/her treating physician prior to returning to work. Employees returning to work after a thirty (30)-day or more break in service will also be required to undergo a background check and a return-to-work physical and drug test, as permitted or required by applicable federal or state law, which includes, but is not limited to, regulations and requirements set forth by the DOT, FTA, FMCA, OSHA and ADA.

When personal leave ends, the employee will return to the same position, if available. If that position is not available, PK will attempt to place the employee in a position for which he/she is qualified. If there is no such position available, employment will be separated. The employee remains eligible for rehire and may apply for any available position in the future. If an employee fails to report to work at the expiration of the approved leave period, the Company will treat the employee as having voluntarily resigned.

## Family and Medical Leave

Employees have rights to family and medical leave under the Federal Family and Medical Leave Act (FMLA) of 1993. The Company provides Family and Medical Leave in accordance with both federal and any applicable state law.

**Eligibility for Family and Medical Leave.** Employees who have worked at the Company for at least twelve (12) months and who have worked at least 1,250 hours during the previous twelve (12) months are eligible for Family and Medical Leave. Where PK has assumed an existing contract, the time an employee has worked for a previous contractor is considered in this calculation.

Leave for the birth, adoption, or placement of a child must be completed within one (1) year of the birth, adoption or placement.

**Types of Family and Medical Leave Available.** State and federal laws allow Family and Medical Leave for various reasons. Because an employee's rights and obligations may vary depending upon the reason for the Family and Medical Leave, it is important to identify the reason for the leave.

Family and Medical Leave is available for the following reasons:

- The birth, adoption, or foster care of an employee's child within twelve (12) months following the birth or placement of the child ("Bonding Leave").
- To care for an immediate family member (spouse, registered domestic partner, child or domestic partner's child, or parent with a serious health condition) ("Family Care Leave").
- An employee's inability to work because of a serious health condition ("Serious Health Condition Leave").
- A "qualifying exigency" for military operations arising out of a spouse's, child's or parent's Armed Forces (including the National Guard and Reserves) active duty or call to active duty in support of a "contingency operation" declared by the US Secretary of Defense, President or Congress, as required by law. Unless otherwise required by law, a "qualifying exigency" under Military Exigency Leave will be defined by the Company on a case-by-case basis ("Military Exigency Leave").
- To care for a spouse, child, parent or next of kin (nearest blood relative of an individual) who is an Armed Forces member with a serious injury or illness incurred in the line of duty while on active duty that may render the individual medically unfit to perform his or her military duties ("Service member Family Leave").

**How and When to Request Leave.** If you need Family and Medical Leave, you must provide the Company notice of the need for leave. To request foreseeable leave (such as following the birth of a child or for planned surgery), you should fill out an *Application for Leave of Absence form*, which is available from Human Resources at least thirty (30) days in advance and submit the form to your Division Manager.

When the need for leave is not foreseeable, you must give notice as soon as possible and, if possible, in writing. Any request for leave should provide the Company with enough information to determine whether the leave qualifies as Family and Medical Leave. However, you are not required to disclose the specific medical condition related to the leave request. Failure to provide proper notice may result in delay or denial of leave.

**Medical Certification Requirement.** If your leave is due to a serious health condition, either your own or a family member's, you will be required to furnish Medical Certification from a health care provider. Medical Certification forms are available from Human Resources. Failure to provide the required certification may result in the delay, denial or cancellation of leave. If the certification shows that your absence does not qualify under the FMLA, the FMLA designation will be revoked retroactive to the first day of your leave and you may be subject to PK's attendance policy. The Company may require recertification during your leave.



**Amount of Leave Available.** An employee may take up to twelve (12) weeks of Family and Medical leave in a rolling one (1)-year period (see below). The leave may be taken in increments of workweeks, days or hours, as necessary. Under some circumstances, you may take Family and Medical Leave intermittently—which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule.

If both a husband and wife are employed by PK and eligible for FMLA, their leave may be limited to a combined total of twelve (12) weeks if the leave is taken for:

1. Bonding Leave
2. Family Care Leave
3. Serious Health Condition Leave

The maximum amount of Family and Medical Leave for an employee wishing to take Service member Family Leave will be a combined leave total of twenty-six (26) workweeks in a twelve (12)-month period.

*For example: You take twelve (12) workweeks off to bond with a newly adopted child. Later, in that same twelve (12)-month period, you wish to take time off from work to care for a spouse, child, parent or next of kin under the Service member Family Leave provision of this policy. Because the law allows extra time off for Service member Family Leave, you will be allowed to take this time off, so long as the total amount of leave does not exceed twenty-six (26) workweeks.*

If both spouses work for the Company and are eligible for leave under this policy, they will be limited to a total of twenty-six (26) workweeks off between the two (2) when the leave is for Service member Family Leave only or is for a combination of Service member Family Leave, Bonding Leave and/or Family Care Leave.

**How the Amount of Leave is Calculated.** The Company will calculate Family and Medical Leave on a "rolling twelve (12)-month basis." This means that the twelve (12)-month period is measured backwards from the date an employee uses any Family and Medical Leave. Each time an employee takes Family and Medical leave, the remaining leave entitlement would be any balance of the twelve (12)-week annual entitlement that had not been used during the immediately preceding twelve (12) months.

**Benefit Continuation.** During Family and Medical Leave, your group health insurance will be maintained under the same conditions as if you were working. If you are on paid leave, your share of the premium, if any, will be deducted from your paycheck. If you are on unpaid leave, you must make the premium payments on a monthly basis. If employee premium payments are more than thirty (30) days late, insurance coverage may be terminated. You will be required to reimburse the Company for any premium payments you missed that the Company pays on your behalf.

**Reinstatement.** When you return from Family and Medical leave, you will be entitled to reinstatement to your job or an equivalent job with the same pay, benefits, and terms and conditions of employment, unless you are a "key employee" to whom special rules apply, or you are unable to perform an essential function of the position, with or without reasonable accommodation. Because the maximum entitlement under the FMLA is twelve (12) weeks, this right to reinstatement will not apply to leaves that continue after the twelve (12) weeks are exhausted. Additionally, an employee has no greater right

to reinstatement than if the employee had been continuously employed rather than on leave.

**Pay Status.** Family and Medical leave is generally unpaid leave. However, if you have any accrued vacation or sick time, you may be required to use that accrued time. Under these circumstances both the paid and unpaid leave count as Family and Medical Leave.

**Fitness for Duty.** If you are taking medical leave due to your own serious health condition, you must provide a return-to-work release from your health care provider before you return. The return-to-work statement should be submitted to the Leaves Manager in the Benefits Department. Employees returning to work after a break in service of thirty (30) days or more will be required to undergo a background check and a return-to-work physical and drug test as permitted or required by applicable federal or state law which includes, but is not limited to, regulations and requirements set forth by the DOT, FTA, FMCA, OSHA and ADA.

**Status Update.** While you are on leave, the Company may require you to periodically confirm your status and your intention to return to work. Any employee who decides while on leave that he or she will not be returning to work at the end of the leave should immediately inform the Company.

**Fraudulent Use of Leave.** If the Company determines that an employee has obtained leave or continued to take leave under the state or federal Family and Medical Leave laws based on fraudulent, dishonest or misleading conduct of any kind, the employee will be subject to immediate termination.

## Bereavement

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Immediate family member is defined as:

- Spouse
- Domestic partner
- Child
- Domestic partner's child
- Sibling
- Parent (or person who raised you)
- Grandparent
- Grandchild

Hourly employees may be granted unpaid time off of up to one (1) week for bereavement leave. See your division or location for specific policies regarding bereavement leave. Salaried employees may take paid time off of up to three (3) days (five (5) days if air travel is required) for bereavement leave.

## Jury Duty

All non-exempt employees are eligible for unpaid jury duty leave. Exempt employees are also eligible for jury duty leave. For each complete workweek during which an exempt employee is unpaid and performs no work, the leave will be unpaid. Employees may use any accrued vacation time for the period of the jury duty leave. Health insurance benefits will continue until the end of the first full month of unpaid jury duty. At that time, employees will become responsible for the full costs of their health and/or dental insurance if they wish to continue coverage through the remainder of the jury duty leave. Employees are expected to report to work whenever the court schedule permits.

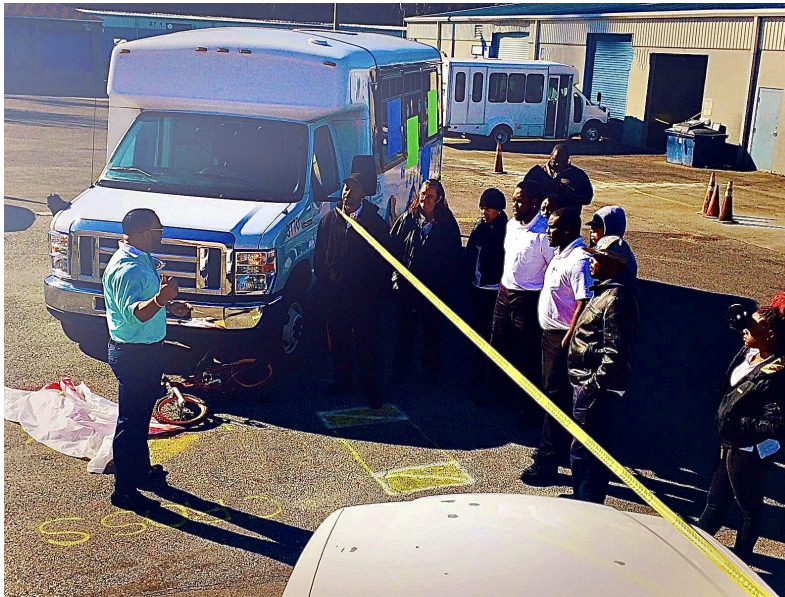
### Military Leave

Leaves of absence will be granted to all employees who are members of the National Guard, reserves or regular armed forces as required by and under the conditions prescribed in applicable state and federal laws.

### Administrative Leave

Employees are required to report any life event that could potentially disqualify them from employment based on our company and/or contractual client Qualification Standards. The employee will be placed on unpaid administrative leave until a final disposition has been provided by the appropriate authoritative agency. Examples of potentially disqualifying events include, but are not limited to, felony charges, misdemeanors, DUI/DWI charges, suspended license, arrests, open accidents, moving infractions, or traffic violations, etc.

Employees that do not immediately report any life event that could potentially disqualify them from employment within 24hrs of the event will be terminated from his/her employment.







# **16. Employee Performance and Conduct Policies**

## 16. Employee Performance and Conduct Policies

### Performance Appraisals

Exempt employees and non-exempt staff employees will ordinarily be reviewed annually during a common review date of January 1. The appraisal will be discussed in a meeting between the employee and the supervisor. The supervisor and employee will review the job requirements, performance objectives, or other performance criteria. A performance rating will be assigned and an annual pay review may be provided.

### Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Our Code of Conduct outlines our policies regarding conflicts of interest.

### Reference Checks

No employee may provide a reference check, letter of reference, verification of employment or disclose any performance or employee information to any outside party at any time on either a current or past employee. All requests for reference checks or verifications of employment must be forwarded to Human Resources at the Support Center. PK only provides confirmation of employment, dates of employment and position held. No performance or termination information may be disclosed.

### Outside Employment

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with PK. Employees should consider the impact that outside employment, whether paid or voluntary, may have on their health and physical endurance. All employees will be judged by the same performance standards and will be subjected to the scheduled needs of our clients, regardless of any existing outside work requirements. In some divisions, operators are required to report hours worked as a driver for another employer on a daily basis. Under certain circumstances a log may be required. Your General Manager can provide you with additional information.

### Hiring of Relatives

PK is a family-oriented company and encourages family and friends of employees to consider making PK their company, too. However, relatives in the same area of the company may not supervise each other or direct each other's work. Exceptions to this policy must be approved by the Senior Vice President of Human Resources.

### Job Abandonment

An employee who does not report for three (3) consecutive days' scheduled shifts will be considered to have voluntarily resigned his or her position.

### Confidentiality and Proprietary Information

During the course of employment, employees may receive and have access to confidential information



regarding the internal affairs of the Company. All employees are expected to respect and maintain the confidentiality of employee records, business records, data and other information not otherwise available to the public. Upon separation of employment, an employee must return all documents, records or any property that belongs to the Company or is related to Company business. Any programs, writings or other material developed by an employee as part of his or her work at the Company is property of the Company.

The protection of confidential business information during and after your employment is important to the interests and the success of this Company. Such confidential information includes, but is not limited to, the following examples:

- Technological data
- Operations data: customer lists, trip sheets, financial and billing information, schedules, dispatch logs, policy or program manuals
- Marketing plans and strategies, or project plans or proposals
- Personnel or labor information such as names, titles, employee phone numbers, medical and benefit information, training materials or labor relations strategies

Nothing in this policy, however, should be construed to prohibit employees from discussing their terms and conditions of employment amongst themselves.

### Electronic Data Systems Policy

The Company maintains a computer system, a voice-mail system and an e-mail system to assist employees in conducting Company business. These systems, including the equipment and data stored in the systems, are the exclusive property of the Company. As such, all messages created, sent, received or stored in these systems are and remain the property of the Company.

The Company's e-mail and computer systems and resources are not to be used for entertainment, personal communications and other personal use or any illegal, harassing, inappropriate, pornographic, libelous or obscene purpose during or outside work hours. The only exception is for limited personal uses on the employee's own time, subject to the limitations and guidelines of the Internet, Newsgroup and Electronic Mail Policy. The Company's electronic data systems may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations or other non-job-related solicitation without the advance permission of the Company.

Because the computer systems and resources remain Company property, employees should have no expectation of privacy with regard to these systems and resources. All computers and Company equipment are subject to search at any time. Additionally, PK reserves the right to discontinue an employee's access to any computer systems and resources at any time.

Employees are prohibited from downloading or uploading "executable" files without advance approval by the Director of Information Technology. Additionally, employees are prohibited from copying software without advance approval by the Director of Information Technology.

Please see the Internet, Newsgroup and Electronic Mail Policy for more detail.

## Software Code of Ethics

Unauthorized duplication of copyrighted computer software violates the law and is contrary to our organization's standards of conduct. We disapprove of such copying and recognize the following principles as a basis for preventing its occurrences:

- Employees are prohibited from making or using unauthorized software copies under any circumstances.
- Employees must comply with all license or purchase terms regulating the use of any software we acquire or use.
- Employees must comply with, and enforce, PK's internal controls to prevent the making or using of unauthorized software copies, including effective measures to verify compliance with these standards and appropriate disciplinary measures for violation of these standards.

## Blogging

PK understands that some employees may wish to create and maintain personal Web logs, or "blogs". While the company respects an employee's right to personal expression, there is an understanding that personal blogs can impact the company and its employees. Please take note of the following guidelines with regard to workplace-related blogging:

- Employees must make it clear that the views in their blogs are their own and not those of PK.
- It is prohibited to disclose confidential/trade secret information.
- Employees are prohibited from making discriminatory, defamatory, libelous or slanderous comments when discussing PK, its supervisors, management, co-workers or competitors.
- Employees must comply with all other company policies (such as rules against discrimination and harassment).
- Company time may not be used to view, create or update personal blogs.

Employees may be asked to refrain from commenting on topics related to the Company (or, if necessary, to suspend the blog altogether), if advisable to comply with securities or other laws. PK, at its sole discretion, will determine whether a particular blog violates company policies. As with all other policies, violation of this policy may result in discipline up to and including termination. Should you have any questions regarding this policy, please contact the Human Resources department.

## Work Rules

Work rules are necessary to ensure the safety and well-being of all employees. The purpose of Work Rules is not to punish employees. Rather, it is intended to inform them regarding expectations and provide a framework for coaching and counseling. The Company reserves the right to skip steps in the disciplinary process whenever it determines circumstances warrant.

Work Rules are divided into two (2) groups of offenses:

1. *Minor Violations* will usually be addressed in a four (4)-step process (although the Company need not follow this sequence):
  - First violation – Counseling session/verbal warning
  - Second violation – Written warning
  - Third violation – Final warning and/or unpaid suspension
  - Fourth violation – Termination
2. *Major Violations* will warrant disciplinary action up to a final warning and/or unpaid suspension, or termination.

### **Minor Violations**

The Company need not follow any particular sequence of discipline and may impose immediate suspension or discharge where circumstances warrant. Examples of minor violations include, but are not limited to, the following types of workplace behavior.

1. Repeated failure to follow work policies, procedures or duties
2. Repeated failure to follow personal appearance standards
3. Use of abusive or profane language
4. Use of personal radios while operating a Company vehicle.
5. Eating or drinking while operating a Company vehicle.
6. Violation of the Internet, Newsgroup and Electronic Mail Policy, not considered to be a major violation

### **Major Violations**

Major violations will result in termination or other serious discipline. Examples of major violations include, but are not limited to, the following types of workplace behavior:

1. Reporting to work or working under the influence, possessing alcohol or illegal drugs in the workplace, or any violation of PK's Drug and Alcohol Policy
2. Deliberately damaging or abusing property
3. Carelessness or horseplay resulting in property damage in excess of \$1,000 or personal injury
4. Insubordination, including the refusal and/or failure to follow a directive, to perform assigned work or to encourage others to do either
5. Violation of confidentiality and proprietary information policy

6. Sexual or any other forms of harassment prohibited by Company policies
7. Violations of state, federal, county or municipal laws, regulations or requirements that would disqualify an employee from employment under PK's hiring criteria, with the exception of moving violations while driving, which are governed by the PK Safety Point System. Employees are required to report such arrests and/or convictions within twenty-four (24) hours.
8. Violations of the PK Safety Policy, Attendance Policy or Substance Abuse Policy of the following nature regarding Company vehicles and/or equipment:
  - Operating without a valid license appropriate for that vehicle, equipment or service. Licenses include Driving, Hack License, or any special certifications licenses required by the administering contract/ client.
  - Driving on a suspended license
  - Driving a commercial vehicle without a valid medical card
  - Transporting school children without proper school bus certification as required by applicable law
  - Un-insurability as a vehicle operator
  - Negligent use of a Company-owned or provided vehicle or equipment
  - Unauthorized use of a Company-owned or provided vehicle or equipment including transporting unauthorized passengers
  - Use of a personal cell phone while operating a Company vehicle
9. Falsification of any records such as medical forms, time records or employment applications, or making false statements
10. Inappropriate, unprofessional or disorderly verbal or physical conduct directed toward coworkers, passengers, clients or any third party while acting as a representative of the Company
11. Entering a passenger's home while in service or in Company uniform without a legitimate business purpose
12. Possession of weapons or explosives on Company premises
13. Conviction of driving under the influence, reckless driving or hit-and-run driving whether on or off the job, in a Company or private vehicle, for employees performing safety sensitive functions

14. Use of Company property or Company garages for personal vehicle repair
15. Failing to pass initial, ongoing or changed qualification standards
16. Dishonesty, theft or improper handling of company assets or cash
17. Gross negligence

### **Vehicle Citations**

Vehicle citations are the responsibility of the employee. PK will not pay for parking tickets or citations issued to Company vehicles or employees on Company time unless required by law. It is the responsibility of the employee to obey all traffic laws and to operate a vehicle in a safe and legal manner.

### **Personal Appearance**

When at work, employees are expected to present a professional appearance and to dress according to the requirements of their position. Where required, employees must come to work in a clean, pressed uniform. Those who report for work inappropriately dressed will be sent home unpaid and directed to return to work in proper attire.

For safety reasons, the following appearance standards also apply for all operators and safety sensitive positions:

- Leather, rubber-soled shoes must be worn.
- Long hair extending past the shoulders must be tied back.
- Fingernails cannot exceed 1/2" past the tip of the fingers.
- Dangling jewelry, including earrings, is not permitted.

If the employee's shift needs to be covered by another employee, the employee may forfeit his/her entire day's shift at the manager's or supervisor's discretion. If sent home, the employee will be issued an attendance occurrence noted as an absence.

### **Smoking**

Smoking is expressly forbidden in or near Company vehicles at all times. This rule applies to everyone – employees, passengers, clients and the general public. It is also prohibited for any employee to smoke in any PK facility or garage. Employees wishing to smoke must do so on their own time and a minimum of twenty (20) feet from a facility or bus.

### **Solicitation**

With regard to solicitation, PK prohibits:



- Solicitation and distribution of goods, services or literature by non-employees on Company premises.
- Solicitation by employees on Company premises when the person soliciting or the person being solicited is on working time. (Working time is the time employees are expected to be working and does not include a scheduled meal or other authorized break.)
- Distribution of goods and/or literature by employees on Company premises in non-working areas during working time, as defined above.
- Distribution of goods and/or literature by employees on Company premises in working areas.

*Note: A "working area" is an area, usually inside production areas or offices, where work is performed. It includes halls and aisles used in the course of employees' work. It also may include outside areas like the yard. "Working area" generally does not include break rooms, cafeterias, employee parking lots and Company grounds or recreation areas.*

### Confidentiality of Information

PK treats employee information as confidential. PK will only release employee information upon:

1. Written authorization
2. Court order
3. As necessary in accordance with business needs and to administer benefits
4. To meet other contractual or legal requirements

### Security Inspections

Employees should not have an expectation of privacy in Company equipment such as desks, lockers and computers. Desks, lockers, computer and communications systems are the property of the Company and therefore can be inspected by any agent or representative of the Company at any time, either with or without prior notice. The Company has the right to inspect packages and persons on, entering and/or leaving Company property. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the Company's premises.

### Employee Personnel Files

Employees can review the information contained in their own personnel file, except:

1. Records relating to the investigation of a possible criminal offense
2. Letters of reference
3. Ratings, reports or records that were obtained prior to employment, prepared by
4. identifiable examination committee members or obtained in connection with a promotional examination.

Employees who are interested in reviewing the contents of their personnel file should complete the Personnel File Review Form and submit it to their Manager of Human Resources to schedule a mutually convenient time for an appointment.

To ensure that PK's personnel files are up to date and contain accurate, complete information,

employees are asked to notify their supervisor or Human Resources of any changes that need to be made in any of the following categories:

- Name
- Telephone number
- Home address
- Individual to notify in case of an emergency





The background image shows the interior of a public transit vehicle, likely a bus or train. It is filled with passengers, some standing and some seated. The interior features overhead handrails and vertical poles for stability. Safety signs are visible on the walls, including one with a red circle and a slash over a person's head, indicating a prohibition against certain behaviors. The lighting is somewhat dim, and the overall atmosphere is that of a busy, enclosed public space.

# 17. Safety and Incident Policies

## 17. Safety and Incident Policies

### Safety Hotline

Since the safety, health and welfare of our employees, passengers and public is our number-one priority at PK, we have established an Employee Safety Hotline to report any safety problems or concerns:

**Safety Hotline Number:**

**1800-PRO-KEL2**

Concerns including vehicle maintenance issues, unreported incidents, failure to secure wheelchairs, office safety issues, etc. should be reported to the Employee Safety Hotline. You are also expected to report any instances to your supervisor so your concerns can be immediately addressed.

### Incident

Any occurrence, event or action (regardless of how minor) which does not follow Company procedures or that presents a threat or problem to PK, its passengers, public or its employees is considered an incident. Any occurrence involving a passenger while under the care, custody and control of PK and its employees is considered an incident. Any contact between your vehicle and another person, vehicle or object is considered an incident whether or not there was damage or injury.

### Incident Reporting

All incidents, regardless of how minor, must be immediately reported per PK's Incident Reporting procedure. For workers compensation injuries, please refer to our Workers' Compensation policy. Failure to timely report an incident may result in disciplinary action up to and including termination.

### Major Safety Incidents

For incident reporting purposes, a major incident is one involving a transit vehicle or occurring on PK property. This includes, but is not limited to:

- Fatality
- Pedestrian or cyclist incident/injury
- Passenger incident or injury involving a lift
- Passenger incident or injury while entering or exiting a vehicle
- Passenger incident or injury involving improperly securing a passenger
- Preventable roll-away incident

- Incident resulting in a worker's compensation claim
- PK Operator is cited for a moving violation
- Any injury (including to the PK Operator) requiring immediate medical attention away from the scene
- Property damage of at least \$1,000
- Environmental spills
- Vehicle roll-over/lay-over
- Vehicle fire
- Incidents with Operator allegation of equipment or maintenance failure
- Events with potential for negative public relations and/or news media coverage
- Incidents where Operator drug and/or alcohol use may be involved
- Incidents where fault is in question

### **Minor Safety Incidents**

These include all other incidents that do not meet the definition of a "major" incident.

### **Subrogation of Incident or Injury Claims**

Every employee is expected to protect PK's rights to subrogate for reimbursement of vehicle damages, Workers' Compensation payments and related costs, medical and dental insurance payments and related costs, and other payments/costs which result from the negligence of third parties.

Employees must obtain concurrence from PK (Risk Management for Workers' Compensation claims or Human Resources for Medical/Dental claims) prior to signing any "release of liability" from any responsible third party or third-party insurer.

### **Safety Investigation Leave**

Any employee involved in a major incident will be placed on administrative leave while the incident is being investigated to determine root causes and preventability. Administrative leave is unpaid unless the incident is determined to be non-preventable. Employees may perform other non-safety sensitive functions if available and/or appropriate until final determination is made.

### **Electronic Systems**

The company employs numerous technologies, including DriveCam, video systems, GPS and mobile



data terminals in order to help ensure the safety of the driver and passengers, compliance with federal, state and local driving laws as well as regulations for both the driver and the motoring or pedestrian public. Any recording resulting from these technologies may be used as evidence in the investigation and may result in the issuing of appropriate disciplinary action.

### Safety Point System

PK safety results are directly related to the actions and behaviors of our employees. At-risk behaviors lead to incidents and injuries. Therefore all PK safety sensitive employees are subject to a Safety Point System rating which assesses cumulative points for at-risk safety behaviors or actions.

Any work-related incident which involves an employee at PK will be investigated and may result in Safety Points being assigned.

If the incident is determined to have been "preventable" by the PK employee, then it will be considered a preventable incident. While an incident may not be legally considered your "fault", it will be treated as preventable, regardless of the cost to PK. Even minor damage incidents cost the Company money in terms of repairs, lost vehicle or driver time, staff time, etc. Any damage to a Company vehicle will automatically be assessed to the most recent employee who drove that vehicle and who failed to report it on a daily vehicle inspection sheet.

### Preventability of Incidents and Injuries

The determination as to whether an incident could have been "preventable" will be made by the Division Safety Manager and General Manager. It is subject to review by the Area Safety Manager and/or the Region Vice President. If there is a disagreement it will be given to the Vice President of Safety and Senior Vice President of Safety. The Senior Vice President of Safety has the final determination of preventability on all incidents.

### Disciplinary Action

Any employee who has a preventable incident will be subject to retraining and/or discipline up to and including termination based on the Safety Point System.

Although most situations will be addressed by issuing Safety Points, PK reserves the right to impose discipline, up to and including termination, for any unsafe act, failure to follow safe work practices and/or procedures, or negligent operation of a Company vehicle regardless of the point assessment under the Safety Point System. Unsafe behaviors are also subject to disciplinary action regardless of whether they lead to injury. Such discipline must be approved by the Senior Vice President of Safety or a Company President.

### Accruing Safety Points

All preventable incidents will be assigned points in the following manner:

Incident	Point
Drive Cam incidents will be assessed points based on level of severity	One (1) point
Unsafe maneuver(s) or act	One (1) point

Failure to cycle wheelchair lift	One (1) point
Failure to do a proper vehicle inspection (DVI)	Two (2) points
Improper following distance	Two (2) points
Conviction of a minor traffic violation	Two (2) points
Backing incident Minor preventable incident	Two (2) points
Any use of a cell phone or non company-issued electronic device while operating a vehicle	Three (3) points
Major preventable incident that does not involve serious injury, death and/or property damage in excess of \$25,000	Four (4) points
Major preventable incident with serious injury, death and/or property damage in excess of \$25,000	Six (6) points
Any preventable roll-away incident	Six (6) points
Failure to properly secure/transport a mobility device	Six (6) points
Failure to immediately report a citation or incident in a Company vehicle	Six (6) points
Tampering with, disabling or otherwise interfering with Drive Cam or other monitoring equipment	Six (6) points
Conviction of a major traffic violation *	Six (6) points

(\*) A major traffic violation is any citation, in either a personal or company vehicle, that involves any item listed on page 39 and/or: (1) driving while intoxicated or under the influence of alcohol or drugs; (2) failure to stop and immediately report an incident in which you are involved; (3) homicide, manslaughter or assault arising out of the operation of a motor vehicle; (4) driving while your license is suspended or revoked; (5) reckless driving; (6) possession of open container or alcoholic beverages; (7) speed contests, drag racing or attempts to flee from an officer of the law; (8) reckless driving; (9) leaving the scene of an accident.

### Maximum Allowable Safety Points

For introductory employees, the receipt of four (4) or more points during the introductory period will result in termination. In addition, the receipt of two (2) separate safety point assessments during the introductory period will result in termination, regardless of the employee's total point count.

For non-introductory period employees, in any rolling eighteen (18)-month period of employment, the receipt of six (6) or more points will result in termination. Any infraction which occurred more than eighteen (18) months prior would no longer be included in the safety point count. In addition, receipt of three (3) separate Safety Point assessments in any rolling one (1)-year period will result in termination,

regardless of the employee's total point count.

### **Safety Point Hearing**

If an employee feels that he/she has been issued safety points improperly, a point count hearing may be requested. Point count hearing requests must be made within five (5) business days of the point assessment to your supervisor. The supervisor will contact the Area Safety Director to conduct the hearing within ten (10) business days.

The hearing panel will consist of three (3) of the following people: Vice President of Safety, Area Safety Director, General Manager, Assistant General Manager and/or Safety and Training Manager. The hearing will be chaired by the Vice President of Safety or the Area Safety Manager. Decisions by the panel must be signed off and approved by the Regional Vice President and the Senior Vice President of Safety to be binding.

### **Retraining**

PK reserves the right to require an employee to attend retraining in addition to any discipline imposed. Failure to attend mandated retraining courses may result in disciplinary action up to and including termination.

All customer-service-related incidents which do not result in termination are subject to retraining from the PK customer service program (Ergometrics START program) or other approved Customer Service Training Module using the applicable section of the training that will apply to the incident. This must be accomplished within one (1) week of the incident date.

All vehicle-related incidents which do not result in termination are subject to retraining using the approved Defensive Driving Training Programs. This must be accomplished within one (1) week of the incident date.

Retraining may also be required based on an unacceptable onboard or field inspection.

### **Motor Vehicle Records (MVR)**

All employees in safety sensitive positions must provide a copy of their Motor Vehicle Record (MVR). MVRs may be checked during employment. Such employees must report to their supervisor a citation received in either a company or personal vehicle within twenty-four (24) hours. Failure to report a citation will result in immediate termination.

PK retains the right to access your MVR during employment. If an operations employee in a position requiring a driver's license has his/her license suspended, restricted or revoked, his/her employment will be terminated.

### **Statements at the Scene of an Incident**

Under no circumstances is a PK Operator to discuss the circumstances of a vehicular incident occurring while in the course of his/her duties for PK or make any statement about the incident with anyone other than the police, PK division/safety personnel, PK Risk Management personnel and/or PK Third Party Claims Administrator personnel. Drivers are to give their names, addresses, telephone numbers, vehicle insurance and driver's license information. Any further information can be obtained

by contacting the General Manager or the Area Safety Director.

### **Leaving the Scene of an Incident or Injury**

Under no circumstances is a PK Operator to leave the scene of an incident without first doing each of the following:

1. Immediately reporting the incident to the division.
2. Providing any and all claimants or other parties in the incident the personal and Company information required by law and needed to make a claim.
3. Obtaining all information regarding other vehicles and parties involved.
4. Obtaining authorization from the dispatcher to leave the incident scene.
5. Taking pictures of the vehicles involved and the incident scene as well as sketching out the scene of the incident on the incident diagram form.

### **Safety Inspections**

All employees are subject to inspections to ensure safe, quality service for our passengers. Inspections will be done at random as well as scheduled times. Types of inspections include field inspections, on-board evaluations, vehicle inspection audits and facility inspections.

### **Wheelchair Lift Deployment**

Under no circumstances is a PK employee to leave a wheelchair lift partially or completely in the down position outside of the vehicle while not physically there and able to alert any pedestrians to the potential danger. Under no circumstances is the vehicle to be driven unless the wheelchair lift is safely and properly stowed in its secure folded position.

### **Safety Meetings**

Safety meetings are a critical component of our safety program and assist PK in managing contractual and refresher training requirements. All operations employees are required to attend a minimum of one (1) safety meeting per month.

### **Return of Property**

Employees must return all Company property at the time of termination, resignation or layoff, or immediately upon request. Where permitted by law, the Company may withhold from the employee's check or final paycheck the cost of any items that are not returned. The Company may also take all action deemed appropriate to recover or protect its property.

### **Use of Personal Cell Phones and Other Electronic Devices**

The use of cell phones for personal calls during working hours is discouraged and should be limited to break or meal periods. Where a client contract prohibits drivers from carrying personal cell phones,

the use of personal cell phones is prohibited.

Note: Any use of a personal cell phone or any non-company-issued electronic device, whether hands-free or not, during the operation of a company vehicle is prohibited. Use of personal cell phones while operating a company vehicle may result in termination of employment.


### **Preparedness for Work and Alertness Management**

It is the Operator's responsibility to report for duty well-rested, with proper equipment and uniform and in sufficient time as may be required and prescribed to perform his/her duties.

Professional operators must get adequate rest – ideally a minimum of eight (8) hours – before coming to work. Every operator is responsible for coming to work properly rested, as there is a significant risk of fatigue-related incidents. If an operator is not sufficiently rested or is fatigued, he/she must report their condition to a supervisor or manager immediately.





A photograph of four men standing in front of two white COTA buses. The man on the far left is wearing a high-visibility yellow safety vest over a red shirt, a white cap, glasses, and a blue face mask. The man next to him is wearing a dark blue coat over a dark shirt and blue pants. The man in the center is wearing a grey suit jacket, a light blue shirt, and a purple tie. The man on the far right is wearing a brown hooded jacket over a red shirt and black pants. The buses behind them have "COTA" in red and blue, "CENTRAL OHIO TRANSIT AUTHORITY" in blue, and the number "1680" in black. The background is a grey, overcast sky and some bare trees.

# 18. ProKel Mobility Substance Abuse Policy

## 18. Prokel Mobility Substance Abuse Policy

*PK Drug and Alcohol Section In accordance with the U.S. Department of Transportation and the Federal Transit Administration Regulations (CFR Part 40 and 655) Effective as of October 1, 2010*

### 18.1 Policy

ProKel Mobility is dedicated to providing safe, dependable and economical service to its clients. ProKel Mobility's employees are our most valuable resource. It is our policy:

- (1) to take appropriate action to assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner;
- (2) to foster and maintain a drug and alcohol-free environment for all employees and patrons;
- (3) to prohibit the unlawful manufacture, distribution, dispensing, possession or use of controlled substances; and
- (4) to encourage employees to voluntarily seek professional assistance whenever personal problems, including alcohol or drug use, may adversely affect their ability to perform their assigned duties.

To achieve the goal of a substance-free workplace, this policy incorporates three (3) integrated components.

#### **Prevention through education and training:**

Education and training will communicate and clarify this policy to all employees, as well as assist employees in recognizing substance abuse problems and in finding solutions to those problems.

#### **Detection, deterrence and enforcement:**

Federal regulations require that effective January 1, 1995 all safety-sensitive employees will be subject to reasonable suspicion, post-accident, random, return-to-duty and follow-up drug and alcohol testing. Applicants for safety-sensitive positions will not be eligible for those positions unless they pass a pre-employment drug test. **As a "zero tolerance" employer, any positive drug or alcohol test or refusal to test will result in termination of employment.**

#### **Treatment and opportunities for rehabilitation:**

Alcohol and drug abuse are recognized as diseases that can be treated. ProKel Mobility promotes a voluntary rehabilitation program to encourage employees to seek professional assistance prior to testing positive for drugs or alcohol, without fear of discipline.

## 2.0 Purpose

The purpose of this policy is to ensure worker fitness for duty and to protect our employees, passengers and the public from the risks posed by the use of alcohol and prohibited drugs (as defined below). This policy is also intended to comply with all applicable federal regulations governing workplace anti-drug programs in the transit industry.

The Federal Transit Administration (FTA) and the Federal Motor Carrier Safety Administration (FMCSA) of the US Department of Transportation (DOT) 49 Code of Federal Regulations (CFR) Part 655 and 382 mandate urine drug testing and breath alcohol testing for employees performing safety-sensitive functions. This regulation also prevents performance of safety-sensitive functions when there is a positive test result or a test refusal. The US DOT has also adopted the revised version 49 CFR Part 40 as amended, which outlines procedures for transportation workplace drug and alcohol testing programs. This Policy incorporates these federal requirements for employees performing safety-sensitive functions, as well as other provisions.

In addition, DOT has published 49 CFR Part 29, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA. California passed a similar version of the federal law, the Drug-Free Workplace Act of 1990 (Gov't Code § 8350 et seq).

Note: This policy reiterates the requirements of the federal regulations; these requirements will be in *italics*. Portions of this policy marked in **bold** are not necessarily FTA-mandated, but reflect ProKel Mobility's employment policy (this does not include policy headings).

If any provision of an existing PK policy, rule or resolution is inconsistent or in conflict with any provision of this policy or the DOT/FTA rules, this policy and the DOT/FTA rules shall take precedence. If any provision of this policy is inconsistent or in conflict with the DOT/FTA rules, the DOT/FTA rules shall take precedence.

## 3.0 Applicability

### 3.1 Safety-Sensitive Employees

This policy applies to all safety-sensitive ProKel Mobility employees, including paid part-time employees who perform or could be called upon to perform any transit-related safety-sensitive function. This includes off-site lunch periods or breaks when an employee is scheduled to return to work.

A safety-sensitive function is any of the following duties:

1. All employees with a commercial driver's license that will operate a revenue service, or non-revenue service vehicle. (Operation includes the operation of the LIFTS or anyone who assists the passengers to ensure they are secured in the vehicles.)
2. All drivers who operate revenue service vehicles, including when not in revenue service and regardless of the class of license that they hold.



3. All dispatch personnel and supervisors who control the movement of any revenue service vehicle. (This includes all management personnel if they perform any safety-sensitive functions at any time even on an emergency basis.)
4. All Maintenance personnel who perform various repairs to revenue vehicles (including repairs, overhaul and rebuilding) and employees who operate equipment used in revenue service.
5. Carrying a firearm for security purposes. (Not applicable to PK.)
6. Volunteers are considered a covered employee if:
  - a. they are required to hold a commercial driver's license to operate the vehicle; or
  - b. they receive remuneration in excess of their actual expenses incurred while engaged in the volunteer activity. (For a description of job categories, see Exhibit B.)

### **3.2 Contractors**

Contractors who perform any of the safety-sensitive functions described in this policy for PK will also be subject to the same requirements as safety-sensitive PK employees.

### **3.3 Non-Safety-Sensitive Positions**

All PK employees are subject to the provisions of the Drug-Free Workplace Act of 1998. Visitors, vendors and contracted employees on PK premises will not be permitted to conduct transit business if found to be in violation of this policy.

## **4.0 Opportunities for Rehabilitation (PK Policy)**

To promote a drug- and alcohol-free workplace, this policy includes a rehabilitation program that allows employees to voluntarily come forward to request rehabilitation.

### **4.1 Voluntary Rehabilitation (PK Policy)**

Any employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable cause, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer themselves to the General Manager or the Human Resource Department, who will then refer the individual to the company's Substance Abuse Professional (SAP) for an evaluation and treatment.

Voluntary self-referral commits the employee to a therapeutic process. Confidentiality of the employee will be protected. The SAP will evaluate the employee and make a specific recommendation regarding the appropriate treatment. When an employee voluntarily refers themselves for treatment, the employee may be eligible for sick leave and disability benefits. Employees will be allowed to take accumulated vacation time or may be eligible for unpaid time off to participate in any prescribed rehabilitation program. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

### **4.2 While Undergoing Treatment (PK Policy)**

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until

successful completion of a prescribed rehabilitation program is completed. The employee will be placed on an unpaid leave of absence for a maximum of 30-60 days to allow time for completion of the treatment/rehabilitation program. Proof of completion must be provided in writing. The employee will be required to pass a drug and alcohol test before he/she can perform a safety-sensitive function.

\*PK shall make every effort to place the employee back in his/her position upon returning to work. However, an employee's commitment to an SAP does not guarantee that the employee's job will be available upon return.

#### **4.3 Cost of Rehabilitation (PK Policy)**

**All associated costs for treatment are the sole responsibility of the employee.**

#### **4.4 Returning to Work After Treatment (PK Policy)**

**All employees who successfully complete prescribed treatment and are allowed to return back to work will be subject to unannounced follow-up testing as prescribed by the SAP.**

### **5.0 Prohibited Substances**

Prohibited substances addressed by this policy include the following:

#### **5.1 Prohibited Drugs**

FTA regulations specifically prohibit the use of the following illegal, prohibited substances ("Prohibited Drugs") and require testing for their presence under certain circumstances: marijuana, amphetamines, opiates, phencyclidine (PCP) and cocaine.

Safety-sensitive employees may be tested for prohibited drugs at any time while on duty or **on PK property**.

#### **5.2 Alcohol**

The consumption of beverages containing alcohol, or substances including any medication such that alcohol is present in the body while performing safety-sensitive duties or transit business, are prohibited. "Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol. (The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device.)

#### **5.3 Legal Drugs (PK Policy)**

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills or judgment may be adversely affected **MUST** be reported to supervisory personnel. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

Any time an employee comes forward about a medication that he/she is currently taking, the information must be forwarded to the Director of the Compliance Department for clarification and



review. The Compliance department will then notify the Medical Review Officer (MRO) to determine if the medication is appropriate to take while performing a safety-sensitive function.

A legally prescribed drug means that the employee has a prescription or other written approval (in his/her name) from a physician for the use of a drug in the course of medical treatment. The misuse of legal drugs while performing a safety-sensitive function is prohibited at all times.

If the MRO determines that the medication being taken is not appropriate to take while performing a safety-sensitive function, the employee will remain off duty until the issue is cleared by the MRO.

In order to continue performing a safety-sensitive function, the employee taking the medication will be required to provide the following:

- A written letter from the prescribing physician stating the patient's name, the name of the substance, the period of authorization and a statement that the medication will not adversely affect the employee's performance to drive or perform his/her safety-sensitive function and that the employee may continue to perform his/her safety-sensitive function while taking such medication. The letter must be signed and dated by the physician and the letter will be provided to the MRO for final approval.

## **6.0 Prohibited Conduct. Manufacture, Trafficking, Possession and Use of Controlled Substances**

*The manufacture, distribution, dispensing, possession or use of controlled substances in the workplace is prohibited. A "controlled substance" is any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC § 812), and as further defined by 21 CFR 1300.11-1300.15. Any employee engaging in the manufacture, distribution, dispensing, possession or use of a controlled substance on PK premises will be subject to disciplinary action, up to and including termination and/or will be required to complete a drug abuse assistance or rehabilitation program. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.*

### **6.1 Requirement to Submit to Drug and Alcohol Testing**

PK shall require every covered employee who performs a safety-sensitive function as described in the FTA regulations Part 655 and the FMCSA regulations Part 382 to submit to a pre-employment, post-accident, random and reasonable suspicion drug and alcohol test as described in this policy. PK shall not permit any employee who refuses to submit to such tests to perform or continue to perform any safety-sensitive functions.

### **6.2 Alcohol Use/Hours of Compliance**

No safety-sensitive employee should report for duty or remain on duty when his or her ability to perform assigned functions is adversely affected by alcohol or when his or her blood alcohol concentration is 0.02 or greater. No employee shall use alcohol while on duty or while performing safety-sensitive functions. No employee shall have used alcohol within four (4) hours of reporting for duty. After an accident, employees shall refrain from alcohol use for eight (8) hours or until an alcohol test has been administered.

No safety-sensitive employee shall use alcohol during the hours that they are on call. On-call employees have the opportunity to acknowledge the use of alcohol at the time he/she is called to

report to duty and the inability to perform his/her safety-sensitive function.

### 6.3 Compliance with Testing Requirements

Any safety-sensitive employee who commits the following actions shall be removed from duty immediately:

- Refuses to comply with a request for testing
- Fails to remain readily available for post-accident testing
- Provides false information in connection with a test
- Attempts to falsify test results through tampering, contamination, adulteration or substitution

Refusal can include an inability to provide a specimen or breath alcohol sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior or physical absence resulting in the inability to conduct the test.

### 6.4 Refusal to Submit to a DOT Alcohol or Controlled Substance Test

As an employee, you have refused to take a drug or alcohol test if you:

1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
2. Fail to remain at the testing site until the testing process is complete, provided that this is not applicable if an employee leaves the testing site before the testing process commences. (For a pre-employment test this is not deemed to have refused testing, unless the cup was handed to the donor.)
3. Fail to provide a urine specimen for any drug test or fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations, provided that this is not applicable if an employee does not provide a urine specimen/breath alcohol test because he or she has left the testing site before the testing process commences. (For a pre-employment test this is not deemed to have refused testing, unless the cup was handed to the donor.)
4. In the case of a directly observed or monitored urine drug collection, fail to permit the observation or monitoring of your provision of a specimen
5. Fail to provide a sufficient amount of urine or breath specimen when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure. **It is PK's policy that any employee that does not provide a valid specimen during a collection for a test will remain off duty until the employee is cleared from the MRO that the employee had a valid medical reason.**
6. Fail or decline to take a second test the employer or collector has directed you to take.
7. Fails to sign the certification at step two (2) of the breath alcohol testing form (ATF).

8. Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment.
9. Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector or behave in a confrontational way that disrupts the collection process).
10. If the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.
11. Employee admits to the collector or MRO that he or she adulterated or substituted their specimen.
12. Employee fails to follow the observer's instructions to raise and lower their clothing and to turn around to permit the observer to determine if the employee has a prosthetic or other device that could be used to interfere with the collection process.
13. Employee possesses or wears a prosthetic or other device that could be used to interfere with the collection process.
14. Employee refuses to wash his or her hands, after being directed to do so.
15. As an employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing any safety-sensitive functions.

## **6.5 Compliance with Treatment Requirements**

All employees are encouraged to make use of the available resources for treatment for alcohol and substance abuse problems.

## 6.6 Notify PK of Criminal Drug Conviction

Every employee must notify PK of any criminal drug statute conviction for a violation occurring in the workplace within five (5) days after such conviction. **Failure to do so shall subject said employee to disciplinary action up to and including termination, or satisfactory participation in a rehabilitation program, at the employee's expense.**

## 6.7 Improper Application of the Policy

PK is dedicated to ensuring fair and equitable application of this "Zero Tolerance" substance abuse policy. Therefore, supervisors and managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor and manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

## 7.0 Testing for Prohibited Substances

### 7.1 General

Testing shall be conducted in a manner to ensure a high degree of accuracy and reliability and using techniques, equipment and laboratory facilities which have been approved by the US Department of Health and Human Services (DHHS). Testing for prohibited drugs and alcohol on safety-sensitive employees shall be conducted in accordance with the procedures set forth in 49 CFR Part 40 as amended. See attached Testing Procedures for detailed procedures on all required types of drug and alcohol testing.

**Medical Review Officer (MRO):** All drug testing results shall be interpreted and evaluated by an MRO who meets all applicable requirements of Part 40, who shall be responsible for receiving laboratory results generated by an employer's drug testing program **and** has appropriate medical training to interpret and evaluate an individual's confirmed positive test result.

The MRO shall comply with the drug testing procedures set forth in 49 CFR Part 40. The MRO will not review alcohol test results. When a confirmed positive test is reported from the testing laboratory, it is the responsibility of the MRO to:

- a. Review the individual's medical history, including any medical records and biomedical information provided
- b. Contact the employee and afford the employee the opportunity to discuss the test results with him/her
- c. Determine whether there is a legitimate medical explanation for the result, including legally prescribed medication

The MRO shall not convey test results to PK until making a definite decision that the test result was positive or negative, or refusal to test. If the employee provides an adequate explanation, the MRO verifies the test as negative and no further action is taken. When the MRO reports the results of the verified positive test to PK, the MRO will disclose the drug(s) for which there was a positive test. If the MRO declares a drug test to be invalid for any reason, the test is considered canceled, and neither

positive nor negative. However, a recollection under direct observation may be ordered by the MRO.

## **7.2 Testing for Prohibited Drugs**

PK shall collect or have collected urine samples from safety-sensitive employees to test for prohibited drugs. An assigned Collection Site will split each urine sample collected into a primary and a split sample (see testing procedures). The urine samples will be sent under seal, with required chain of custody forms, to a laboratory certified by the DHHS.

Currently ProKel Mobility is under contract with Clinical Reference Laboratory (CRL) in Lenexa, Kansas for its initial testing and confirmation testing. An initial drug screen will be conducted on each **primary** specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GS/MS) test will be performed. The test will be considered positive if the amounts present are at or above the minimum thresholds established in 49 CFR Part 40 as amended, as set forth in the attached Exhibit A (threshold levels of testing).

**Split Specimen Testing:** If the test result of the primary specimen is positive or there is a refusal to test due to adulteration or substitution, the employee may request the MRO to direct his/her split specimen be tested in a different DHHS-certified laboratory. The MRO shall honor such a request if it is made within seventy-two (72) hours of the employee having been notified of a verified positive or refusal to test result. This does not delay PK from taking any action consistent with this policy for positive tests and the employee will be removed immediately from any safety-sensitive functions regardless if he/she is having a split specimen tested by a different laboratory. However, if the split specimen (bottle B) produces a negative result, or for any reason the second portion is not available, the test is considered canceled and no sanctions are imposed. However, a recollection under direct observation shall be ordered by the MRO.

If an employee requests a split sample to be tested and the split specimen test is confirmed positive by the second laboratory, the employee will be responsible for all payments associated with the test of the split specimen. The cost for the split specimen will not be required up-front or at the time the employee makes the request with the MRO but only after the split test comes back from the second lab and the split is also confirmed positive.

**Canceled Test:** A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which this part otherwise requires to be canceled. A canceled test is neither a positive nor a negative test.

## **7.3 Alcohol Testing**

Tests for alcohol concentration on safety-sensitive employees will be conducted with a National Highway Traffic Safety Administration (NHTSA)-approved evidential breath testing device (EBT) operated by a trained breath alcohol technician (BAT). In order to maintain quality assurance, EBTs must be externally calibrated in accordance with the plan developed by the manufacturer of the device. If the initial test on an employee indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. For summary of applicable



alcohol threshold levels, see Exhibit A.

## 8.0 Types of Testing

49 CFR Part 655 and 382 requires the following types of testing for Prohibited Substances for safety-sensitive employees:

- Pre-employment or transfer
- Reasonable suspicion
- Post-accident
- Random

### 8.1 Pre-Employment, Transfer Testing or Return-to-Work Testing

All applicants for safety-sensitive positions shall undergo urine drug testing prior to employment. Receipt by PK of a verified negative test result from the MRO is required prior to performing ANY safety sensitive functions for the first time. If an applicant or employee's drug test is canceled or negative dilute, the employee or applicant shall be required to immediately take another pre-employment drug test.

Existing employees who are being considered for transfer to a safety-sensitive position from a NON-safety-sensitive position will be required to undergo a DOT pre-employment drug test. Any existing safety-sensitive employee who is simply transferring to a different division for another safety-sensitive position is NOT required to undergo another DOT pre-employment drug test.

#### 8.1.1 Non-Safety-Sensitive Positions

All applicants applying for any non-safety-sensitive positions will have to take and pass a pre-employment NON-DOT urine drug test prior to being hired.

#### 8.1.2 Return to Work After Thirty (30) Days (DOT-FMCSA Policy)

PK has certain contracts that are subject to the Federal Motor Carrier Safety Regulations and NOT (FTA) regulations. Therefore, if an employee has a commercial license and has been out for thirty (30) days or more AND the employee has been out of the random testing pool, the covered employee will be required to take a DOT pre-employment drug test before he/she can return to a safety-sensitive position.

#### 8.1.3 Return to Work after Ninety (90) Days (DOT-FTA Policy)

If a covered employee has not performed a safety-sensitive function for ninety (90) consecutive calendar days regardless of the reason AND the employee has not been in the random pool during that time, the employee must take and pass a DOT Pre-Employment drug (NOT a return-to-duty) test before he/she can perform a safety-sensitive function.

#### **8.1.4 Return to Work After Thirty (30) Days (PK Policy)**

It is PK's policy that any time a Non-DOT safety-sensitive employee has not performed a PK non-DOT safety sensitive function for thirty (30) or more consecutive days (regardless of reason) the employee will be required to take a NON-DOT Pre-Employment drug test (as permitted or required by applicable state or federal law) before he/she can return to a safety-sensitive position.

**\*\*Please contact the Director of Drug and Alcohol Compliance for confirmation of what mode of transportation your division falls under.**

#### **8.1.5 Previous Employer Request Requirement**

As an employer, we are required to verify previous violations of DOT drug and alcohol regulations within the last two (2) years of employment with a DOT-regulated agency or employer.

An employer must obtain and review the information listed below from any DOT-regulated employer the employee performed safety-sensitive functions for in the previous two (2) years. The information must be obtained and reviewed prior to the first time an employee performs safety-sensitive functions. If not feasible, the information should be obtained no later than thirty (30) days after the first time an employee performs safety-sensitive functions. The information obtained must include:

1. Information of the employee's alcohol test in which a breath alcohol concentration of 0.04 or greater was indicated.
2. Information of the employee's controlled substance test in which a positive result was indicated.
3. Any refusal to submit to a required alcohol or controlled substance test (including verified adulterated or substituted drug test results).
4. Other violations of DOT agency drug and alcohol testing regulations

As the applicant or employee, if you have violated any of the DOT drug and alcohol regulations, you must also obtain documentation of your successful completion of the DOT return-to-duty requirements (including proof of follow-up tests administered).

Furthermore, all applicants will be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee applied for, but did not obtain safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two (2) years.

#### **8.1.6 Pre-Employment Breath Alcohol Testing**

ProKel Mobility contracts with many cities and states, and several of our contracts require ProKel Mobility to conduct breath alcohol testing in addition to the required drug test. Divisions that are subject to this requirement will have to take a pre-employment breath alcohol test. Breath alcohol

testing will be in accordance with DOT Part 40 and §655.42.

### **8.1.7 Reasonable Suspicion Testing**

All safety-sensitive employees shall be subject to reasonable suspicion testing, to include appropriate urine and/or breath testing when there is reasonable suspicion to believe that a covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the covered employee.

Reasonable suspicion tests for the presence of alcohol shall be authorized by observations made just prior, during or immediately after the performance of a safety-sensitive function. If an alcohol test is not administered within two (2) hours following the determination to test the employee, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If the alcohol test is not administered within eight (8) hours following the determination, PK shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.

Reasonable suspicion determination will be made by a supervisor, or other company official who has had the required Reasonable Suspicion training to detect and document the signs and symptoms of drug use and alcohol use and who reasonably concludes that an employee may be under the influence of a prohibited substance. **Any employee who is required to take a Reasonable Suspicion test will remain off duty until a negative alcohol and drug test is received.**

## **8.2 Post-Accident Testing**

### ***Fatal Accidents***

As soon as practicable following an accident involving the loss of human life, ProKel Mobility will conduct drug and alcohol tests on each surviving covered employee operating the mass transit vehicle at the time of the accident. Post-accident drug and alcohol testing of the operator is not required under this section if the covered employee is tested under the fatal accident testing requirements of the Federal Motor Carrier Safety Administration rule 49 CFR 382.303 (a)(1) or (b)(1). ProKel Mobility shall also test any other covered employee whose performance could have contributed to the accident as determined by investigating staff using the best information available at the time of the decision.

### ***Non-Fatal Injury Accidents***

As soon as practicable following an accident not involving the loss of human life in which a mass transit vehicle is involved, ProKel Mobility will drug and alcohol test each covered employee operating the mass transit vehicle at the time of the accident unless investigating staff determine, using the best information available at the time of the decision, that the covered employee's performance can be completely discounted as a contributing factor to the accident.

ProKel Mobility shall also test any other covered employee whose performance could have contributed to the accident as determined by investigating staff using the best information available at the time of the decision. (For exact testing criteria, see Post-Accident Testing Procedures.)

#### PK Policy: When to Conduct a NON-DOT Post-Accident/Incident Test

If the accident does not meet the FTA/FMCSA testing criteria, PK will reserve the right to test any safety-sensitive employee after any accident/incident regardless of the severity of the accident/incident. Additionally, PK will test any other safety-sensitive employee whose performance PK determines could have contributed to the accident.

For any tests done under these circumstances, it must be explained to the employee that the drug and alcohol tests will be done under ProKel Mobility's authority, and should be done on NON-DOT drug and alcohol chain-of-custody forms.

Any employee who takes a post-accident test will remain off duty until a negative alcohol and a negative drug test is received from the MRO.

### **8.3 Random Testing**

Employees performing safety-sensitive functions will be subject to unannounced, random drug and alcohol testing in accordance with FTA regulations. The random drug and alcohol testing rates will be, at a minimum, based on the current FTA and FMCSA requirements at all times. Each such employee shall have an equal chance at selection and shall remain in the pool even after being tested. The basis for random selection shall be by a scientifically valid random number generation method initiated by computer.

The dates for administering unannounced testing of randomly selected covered employees shall be spread reasonably throughout the calendar year, month, week, and all hours that safety-sensitive functions are performed. This ensures that employees would have a reasonable expectation that they might be called for a test on any day they are at work. A covered employee shall only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

### **8.4 Positive Alcohol Test**

- a. A safety-sensitive employee who has a confirmed alcohol concentration of 0.02 or greater but less than 0.04 will be removed from his or her duties for eight (8) hours unless a confirmation test results in a concentration measure of less than 0.02. (For a test result which is less than 0.04, no other action will be taken except that which is described in this paragraph.)
- b. An alcohol concentration of 0.04 or greater or a test refusal will be considered a positive alcohol test. The employee will be immediately removed from duty and referred to a Substance Abuse Professional (SAP) **and terminated from employment.**

### **8.5 Positive Drug Test**

The consequences of a positive drug test or a test refusal are as follows: The employee will immediately be removed from safety sensitive duties, referred to a SAP **and terminated from employment.**

## 9.0 MRO Report of a Negative Dilute Specimen

If the MRO informs PK that a negative drug test was dilute, the employee will be directed to take another test immediately. In some cases the MRO may require the retest to be performed under "Direct Observation." Each employee directed to take another test will be given the minimum possible advance notice that he or she must go to the collection site to take another test.

For any employee that is directed to take another test, the result of the second test – not that of the original test – becomes the test of record, which PK will rely on for purposes of this policy. Any employee who takes another test and the second test is also negative and dilute will not be required to take a third test because the second test was also dilute. Any employee who is directed to take another test and declines to do so shall be considered as having refused the test for purposes of this policy and DOT agency regulations.

Dilute Specimen: A specimen with creatinine and specific gravity values that are lower than expected for human urine.

## 10.0 Substance Abuse Professional (SAP)

A SAP must meet all of the credential, basic knowledge, qualification training, continuing education and documentation requirements of 49 CFR Part 40, Subpart O, §40.281 (a-e). The SAP will evaluate the employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance abuse or alcohol misuse. The SAP will also determine whether or not an employee has successfully completed a program of rehabilitation.

### ProKel Mobility has contracted with:

Certified Counseling Services  
4437 Hollywood Blvd Hollywood, FL 33021  
Charles Resnick, LMHC, CAP, CCTP, CIP, CPP, SAP  
954-243-6698

This firm is a national company that contains a large network of qualified SAPs throughout the US. Employees simply call the toll-free number and provide the SAP their city and zip code and the SAP will find them one (1) or more qualified SAPs closest to their area.

## 11.0 Training and Education

All employees shall participate in a minimum one (1)-hour training session designed to meet FTA requirements by learning about the effects and consequences of drug use on personal health, safety and the work environment.

For those supervisors participating in reasonable suspicion determination testing, there will be at least two (2) hours of training to explain the criteria for reasonable cause testing, including at least an hour on the physical, behavioral and performance indicators of probable drug use and another hour on the physical, behavioral, speech and performance indicators of probable alcohol misuse. Initial training sessions will be reinforced with educational materials and meetings. Further, employees shall be provided with a community hot-line telephone number.



## 12.0 Employee Assistance Community Service Hotline

Treatment Center	Phone Number
The Center for Substance Abuse Treatment maintains a toll-free Referral Helpline for locating substance abuse treatment in your area	800-662-HELP
National Clearinghouse on Family Support and Children's Mental Health	800-628-1696
National Foundation for Depressive Illness	800-239-1265
SAMHSA's Center for Substance Abuse Treatment	800-662-HELP (4357) 800-487-4889 (TDD) 877-767-8432 (Spanish)

## 13.0 Records, Confidentiality

A safety-sensitive employee is entitled, upon written request, to review and obtain copies of any records relating to the employee's drug and alcohol testing. PK must maintain records of its substance abuse program in a secure location with controlled access.

## 14.0 System Contact

Any questions regarding this policy or any other aspect of PK's Substance Abuse Management Program should be directed to the office of the following:

<b>Name:</b>	Kelly Gonzalez Jr., Director of Drug and Alcohol Compliance
<b>Address:</b>	46 NW 168 <sup>th</sup> St., North Miami Beach, FL 33169
<b>Phone Number:</b>	561-506-5721

## 15.0 Local Authority

Local Division Managers are authorized to receive test information from the MRO as well as confirmation test results from the Certified BAT.

## 16.0 Revisions to the Policy and Program

This policy and program are subject to revision in accordance with the Department of Transportation regulations as amended.

## 17.0 Zero-Tolerance Policy

PK's "Zero-Tolerance" Policy means that any employee or applicant that tests positive for any drug or alcohol test (in accordance with the thresholds of DOT Part 40) will be immediately terminated and/or not hired so there is no follow-up required by PK with the SAP. Any applicant or employee who tests positive for drugs alcohol or refuses to test will not be hired and/or terminated and the applicant and/or employee can never reapply for a position with ProKel Mobility.

## EXHIBIT A

Pursuant to the Federal Department of Transportation regulations, following are the drugs to be tested for, and the threshold levels for each test which ProKel Mobility is required to accept:

Drug or Metabolite	Urine Initial Test Cutoff (ng/mL)*	Confirmatory (GC/MS) Test Cutoff (ng/mL)*
Marijuana	50	15
Cocaine	150	100
Opiates (morphine, codeine)	2,000	100
Heroin	10	10
Amphetamine (includes methamphetamine and MDMA-Ecstasy, MDA, MDEA)	500	250
Phencyclidine (PCP)	25	25

\*nanograms per milliliter

## ALCOHOL

(Includes ethanol, methanol, isopropanol)

### Breath Alcohol Concentration

(expressed in grams of alcohol per 210 liters of breath)

Initial Screen	Confirmatory
Given if 0.02 or greater on initial screen	
Under 0.02	0.02 to less than 0.04, employee may not perform safety-sensitive function

## EXHIBIT B

The following is a list of Safety-Sensitive Job Functions at ProKel Mobility:

21	VP Fleet Maintenance	335	Dispatch Supervisor	420	BTW Trainer	562	Mechanic B (specify Union Class)
45	Director of Operations	336	Drive Cam Supervisor	425	BTW Instructor	563	Mechanic C (specify Union Class)
49	Maintenance Training Manager	340	Lead Dispatcher	450	Classroom Instructor	564	Technician A Mechanic
50	Regional Maintenance Manager	345	Dispatcher	451	Classroom Trainer	565	B Mechanic
57	Special Projects Manager	346	Window Dispatcher	470	Parts Manager	566	Technician C Mechanic
62	Manager in Training	349	Scheduling Manager	471	Assistant Parts Manager	567	Technician Apprentice
172	Operations Admin Asst	350	Scheduler	475	Parts Clerk	568	Technician
300	General Manager	352	Scheduling Coordinator	500	Maintenance Manager	569	Mechanic Helper
301	General Manager 1	353	VA Coordinator	510	Assistant Maintenance Manager	570	Cleaners
302	General Manager 2	354	Operations Supervisor	512	Maintenance Technician	575	Service Worker
303	General Manager 3	355	Road Supervisor	514	Bus Stop Maintenance	580	Utility Crew
304	General Manager 4	359	Lead Supervisor	515	Maintenance Clerk	590	Bus Aide
310	Division Manager	371	Admin Ferry	516	Maintenance Supervisor	600	Driver Trainer
315	Assistant Division Manager	399	Call Center Manager	517	Service Employee	610	Driver
320	Operations Manager	400	Safety and Training Manager	518	Advanced Service Employee		
321	Shift Supervisor	405	Training Manager	519	Entry Level Mechanic		
322	Assistant Operations Manager	406	Training Supervisor	520	Shop Foreman		
323	Operations supervisor	410	Safety Trainer	530	Lead Mechanic		
330	Dispatch Manager	415	Assistant Safety Manager	550	Mechanic		
332	Reservations Manager	416	Safety Manager	561	Mechanic A (specify Union Class)		

Any PK employee who has a non-safety-sensitive position, but who may perform a safety-sensitive function at any time while they are working, must be subject to the DOT regulations including random testing and will be included in the DOT random testing pool.

## Testing Procedures

Note: Testing and collection procedures will be conducted as set forth by 49 CFR Parts 40 (as amended) & 655 & 382. The information on the following pages is meant for general information only for ProKel Mobility employees. Any questions regarding reference to the regulations should be directed to the policy section of this handbook. A copy of 49 CFR Part 40 is available for review to each employee upon request to their local manager.

**This is a “Zero-Tolerance” policy and any reference to return to work after a positive test result does not apply to employees affected by this policy. The FTA does not mandate “Second Chance”.**

## Pre-Employment Testing

1. The FTA regulations require that all applicants for employment in safety-sensitive positions or individuals being transferred to safety-sensitive positions from NON-safety-sensitive positions must be given a pre-employment drug test.
2. Applicants may not be assigned to safety-sensitive functions unless they pass the drug test.
3. Applicants must be informed in writing of the testing requirements prior to conducting the test. **PK will require applicants to sign a form acknowledging that they know that their urine will be tested for cocaine, PCP, amphetamines, marijuana and opiates.**
4. Appropriate personnel at each location will schedule appointments for collection. The employee must be made aware that their placement into a safety-sensitive position is contingent upon a negative test result.
5. It is the responsibility of the applicant to report to the collection site at the time and day scheduled.
6. Positive test results must be reviewed by the MRO.
7. Applicants are notified by the MRO and are given an opportunity to discuss the results.
8. Applicants who test positive will not be hired into a safety-sensitive position.
9. An applicant whose pre-employment test results are negative will continue through the safety-sensitive hiring process.
10. Applicants will be asked whether they have tested positive, or refused to test, on a pre-employment drug or alcohol test while trying to obtain safety-sensitive transportation work from an employer covered by a DOT agency during the past two (2) years. If the applicant admits that he or she had a positive test or a refusal to test, PK will not allow the applicant to perform safety-sensitive duties unless and until the applicant provides documents showing the successful completion and release from a SAP.

## Random Testing Procedures

The FTA regulations require random testing for prohibited drugs and alcohol for all safety-sensitive employees. Random testing identifies those who are using drugs or misusing alcohol but are able to use the predictability of other testing methods to escape detection. More importantly, it is widely believed that random testing serves as a strong deterrent against employees beginning or continuing prohibited drug use and misuse of alcohol at PK. ProKel Mobility has developed procedures for



notification and collection to best implement the requirements of the federal rules.

These procedures answer common questions regarding random testing:

- Who is tested?
  - Why are only some individuals tested?
  - When and how do the tests occur?
1. Random drug and alcohol testing applies only to safety-sensitive employees. Identification numbers for all safety-sensitive employees will be included in a selection pool.
  2. Random drug and alcohol testing is accomplished by a scientifically valid, tamper-proof, computer-generated selection process. A random list for testing of employee numbers will be generated every month.
  3. Employees are chosen in an unannounced, unpredictable manner. No employee will be removed from the random pool's following selection, and every employee will continue to be subject to random selection throughout the year. Every employee in the random pool has an equal chance of being selected every time. Employees are only removed from the random pool when they are in rehabilitation programs, terminated or permanently transferred to a non safety-sensitive position, or expected to be out for at least ninety (90) days or more.
  4. Random testing will be conducted on all shifts, all times of day, and all days of the week throughout the calendar year. No shift is exempt from testing.
  5. Random drug testing may be conducted concurrently with random alcohol testing or at any time during an employee's shift. Random alcohol testing will be conducted just before the employee is scheduled to perform a safety-sensitive function, while the employee is performing safety-sensitive duties or just after the employee performs a safety-sensitive function. The employee must proceed to the test site immediately after being notified that he or she has been selected for testing in the allotted time given.
  6. For both Maintenance and Operations (Drivers), the Divisional Manager in each location will be notified which employees have been selected for testing. Once an employee is notified of his/her selection, he/she must report immediately for the test. Failure to report after notification constitutes a refusal to test (see Procedures for Random Test Notification below).
  7. Employees will be notified where to report for collection, when to stop work and report to the collection site and who will relieve them, if necessary.
  8. The employee must submit to a drug and/or alcohol test, and sign all necessary forms. Failure to cooperate with the collection procedure in any way constitutes a refusal to test which has the same consequences as a positive test result.
  9. The employee is in a paid status throughout the random testing procedure. Employees will be removed from duty if the results are positive **and the employee will be terminated.**
  10. If both alcohol and drug tests are being given, the breath alcohol test will be performed first. Immediately thereafter, the urine sample will be collected for the drug test.
  11. If there is a confirmed breath alcohol test of between .02% and .039%, the employee will be relieved from duty immediately for a minimum of eight (8) hours.

12. If there is a confirmed positive breath alcohol test (0.04% or above), the employee will be given the name of a Substance Abuse Professional (SAP) **and terminated**.

### **Procedures for Random Test Notification**

1. The Human Resource Department triggers the selection list of the month's safety-sensitive employees to be scheduled for testing.
2. The local manager will review work schedules, including planned absences when known, to develop a best available time to perform the tests. The local manager will coordinate the testing schedule with the collector.
3. In developing testing times, the goal will be to minimize the impact in service. Testing will be conducted using the following priority periods:
  - Before work
  - During split time
  - After work/shift is completed
  - During work, with standby personnel relief
4. During work, without relief (if no other time is possible).
5. Notification of Employees: The Human Resources Department triggers notification to each location's designated employer representative (DER) via electronic mail. The DER will notify each safety-sensitive employee selected and thus notified. Each employee who is selected is to report to the test site immediately
6. The employee cannot "go off sick" or on vacation or leave of absence after notification.
5. Collection site personnel shall report "unreasonable delays" to the local DER as employees are required to immediately report to the collection site following notification. Failing to report to the collection site within a reasonable allotted time constitutes a refusal to test.
6. The DER shall confirm with the Regional, Divisional or Operations Manager that the employee was notified.
7. The DER shall notify the proper management official if an employee fails to report for testing after notification.
8. An employee who fails to report for testing shall be removed from duty immediately. If an employee is determined to have "refused to test", he/she faces the same consequences as testing "positive" for drugs/alcohol and will be given the name and number of a SAP and **terminated from employment**.

### **Collection Procedures for All Tests**

All collection procedures shall be performed in accordance with Part 40. Upon notification of a test under this policy:

1. The employee must report to the collection site immediately after notification.

2. The employee shall provide photo identification to collection site personnel. Supervisors will verify the identification of employees without photo identification and may photograph the employee if necessary.
3. The employee must comply with all collection procedures including signing correctly all required federal urine and breath forms.
4. The employee must follow the directions of the collection staff to ensure that an unadulterated urine specimen is collected and/or the breath alcohol test is completed.
5. The employee will be in a private enclosure and unobserved unless a direct observed collection is determined to be needed by the local DER or the collector.
6. The employee must supply at least forty-five (45) ml of urine (approximately 1.5 ounces). If the employee gives an inadequate amount of urine or if the employee is unable to give a sufficient urine sample, collection site staff shall provide the individual with no more than forty (40) ounces of fluid to drink during a period of up to three (3) hours.

The employee will then attempt to provide a complete sample using a fresh container. If the required amount is provided, the collection staff will continue with the collection process. If the employee is still unable to provide an adequate specimen within three (3) hours of the first unsuccessful attempt to provide the specimen, the collection staff must discontinue the collection, note the facts on the "remarks" line of the CCF and immediately notify the DER.

**Shy Bladder:** The term "shy bladder" refers to a situation when the employee does not provide a sufficient amount of urine (forty-five (45) ml) for a DOT-required drug test. If an employee tells the collector, upon arrival at the collection site, that he or she cannot provide a specimen, the collector must still begin the collection procedure regardless of the reason given and direct the employee to make the attempt to provide the specimen.

The employee must be monitored during this time, and the collector must specifically tell the employee that they are not to leave the collection site. If the employee leaves the collection site or refuses to make the attempt to provide a sufficient urine specimen, this is considered a refusal to submit to a test.

Failure to produce a sample of urine will result in an immediate referral for an evaluation from a licensed physician within five (5) days, who can determine in his or her reasonable judgment the safety-sensitive employee's inability to provide an adequate amount of urine. If no medical reason is found substantiating an inadequate sample, the incident will be treated as a "refusal to test" and will carry the same consequences as a positive test result.

**It is PK's policy that any employee who does not provide a valid specimen during a collection for a test will remain off duty until the employee is cleared from the MRO that the employee had a valid medical reason.**

7. If the employee fails to provide an adequate amount of breath for the breath alcohol test, a second attempt will be made. The Breath Alcohol Technician (BAT) shall note "failure to produce a sample" in the "Remarks" section of the breath alcohol testing form and immediately inform the DER. The DER will instruct the employee to obtain, as soon as possible but within five (5) days after the attempted provision of breath, an evaluation from a licensed physician who is acceptable to the

employer concerning the employee's medical ability to provide an adequate amount of breath.

8. Whenever there is reason to believe that a particular individual has altered or substituted the urine specimen, a second specimen shall be obtained as soon as possible under direct observation of a same-gender collection site employee. Reasons may include temperature of the specimen out of normal range or the presence of a bluing agent in the specimen.

**Substituted Specimen:** A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

**Adulterated Specimen:** A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

9. If the breath alcohol screening is 0.02 or greater, the breath alcohol technician will wait at least fifteen (15) minutes and a maximum of thirty (30) minutes before administering the confirmation test. Even if more than thirty (30) minutes have passed, the BAT will still conduct the confirmation test.
10. To ensure that the test results are attributed to the correct covered employee, both specimen bottles must be sealed and labeled in the presence of the donor. The labels must be printed with the same specimen identification number as the custody control form and attached to the specimen bottles. The donor initials the labels on the vials, verifying that the specimen is his or hers.

### **Reasonable Suspicion Testing Procedures**

1. Supervisors and managers receive training in order to identify behaviors that might be indicators of drug use and/or alcohol misuse. Training includes the procedures for how to deal with employees suspected of drug use and/or alcohol misuse.
2. If a supervisor observes an appearance, behavior, speech pattern or body odor of the covered employee that might be indicative of drug use and/or alcohol misuse, he/she directs the employee to stop work and escorts them to an area to be questioned and observed in private.
3. The supervisor completes the Reasonable Suspicion Incident Report. The supervisor must ensure that the employee does not continue to operate in a safety-sensitive function after being identified for reasonable suspicion testing.
4. If there is a decision to test based on observable symptoms, the employee is ordered to submit to a drug and alcohol test and is escorted to the collection site.
5. The employee is on paid status until the test collection is completed. **Employee will remain off-duty until a negative drug and alcohol test is received.** To the greatest extent possible, arrangements shall be made to have him/her transported home and the employee should not be allowed to leave on his/her own recognizance.
6. If there is a confirmed breath alcohol test of between 0.02% and 0.039%, the employee will be relieved from safety-sensitive duty immediately for a minimum of eight (8) hours. If there is a confirmed positive breath alcohol test (0.04% or greater) and/or confirmed positive drug test or refusal to test, the employee shall be provided the name and number of a SAP **and the employee**

**will be terminated.**

7. If the employee's drug test is confirmed negative by the MRO or the BAT test is below 0.02, the employee will be allowed to return to work and will be paid for any time missed.

### **Post-Accident Testing Procedures**

The FTA regulations require testing for prohibited drugs and alcohol in the case of certain mass transit accidents. Post-accident testing is mandatory for accidents where there is a loss of life and for other non-fatal accidents.

1. The supervisor ensures that all injured people receive proper medical care. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
2. The supervisor determines whether the accident meets FTA criteria using PK's "Post-Accident Decision Checklist Form".
3. If the accident meets the FTA/DOT criteria, a DOT post-accident drug and alcohol test will be conducted immediately. The employee will be taken to the collection site and tested as soon as practicable following the accident. The employee should remain readily available for alcohol testing up to eight (8) hours and for drug testing up to thirty-two (32) hours after the accident, including notifying their supervisor of their location, or they may be deemed to have refused to submit to testing if they do not make themselves readily available for testing.
4. **Once the tests have been completed, the employee will remain off duty until a negative drug and alcohol test is received.**
5. If the employee is not tested within two (2) hours for alcohol, the supervisor must document the reason for the delay, and if the test is not conducted in eight (8) hours, the DER shall cease all further attempts and update the records as to the reason(s) why the test was not completed. If the thirty-two (32) hours have passed, the DER shall cease all further attempts to complete the drug test.
6. If the employee refuses to be tested or if the drug test is confirmed positive, the employee is removed from duty, provided the name and number of a SAP **and will be terminated.**

### **Post-Accident Testing Criteria**

It should be noted that a post-accident test is given because the incident meets the criteria listed below. It is NOT a probable cause or reasonable suspicion test. An accident (§ 655.4) is defined as an occurrence associated with the operation of a vehicle in which:

1. An individual dies.
2. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident.
3. With respect to an occurrence in which the mass transit vehicle involved is a bus, van or



automobile, one or more vehicles incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, “disabling damage” means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs.

**Inclusions:** Disabling damage includes damage to vehicles that could have been operated, but would have been further damaged if so operated.

**Exclusions:** Damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, tail-lights, turn signals, horn or windshield wipers that makes them inoperative.

4. With respect to an occurrence in which the mass transit vehicle involved is a rail car, trolley car, trolley bus or vessel, the mass transit vehicle is removed from operation.
5. The FTA has determined that **“LIFTS”** constitute equipment used in revenue service and their operation is essential to the operation of the vehicle and protection of public safety, and their operation shall now be included in the accident definition.

**To determine if a test should be administered under this section, always use ProKel Mobility’s “Post-Accident Decision Checklist”. This form should be used for all accidents in determining whether a test will be done under DOT authority.**

### **Prohibited Drugs and Alcohol Misuse**

**PK is required to ensure that all covered employees receive at least sixty (60) minutes of training and discussion on the effects and consequences of prohibited drug use on personal health, safety and the work environment, and on the signs and symptoms that may indicate prohibited drug use. The information below shall assist in providing statistics and examples of substance abuse in the workforce and the signs and symptoms of such use.**

A study conducted showed that 75% of illicit drug users eighteen (18) and older are employed, which amounts to about 10 million US workers. On a daily basis, based on 250 work days in a year, at least 42,000 Americans are coming to work stoned or are getting “high” while on the job.

#### Studies and statistics show that:

1. Every twenty-three (23) minutes a death occurs as a result of a drug- or alcohol-related accident.
2. A typical abuser is:
  - a. Late to work three (3) times more often
  - b. Requests twice as much time off
  - c. Is absent 2.5 times more than average
  - d. Uses three (3) times as many sick benefits
  - e. Collects five (5) times as much workers’ comp
  - f. Has 300% higher medical costs/benefits

If these statistics haven't convinced you that the problem is serious, let's look at a few more.

A national survey once reported that:

1. 19% of all children over the age of twelve (12) had used some type of illegal drug
2. 65% of eighteen (18)- to twenty-five (25)-year-olds had used some type of illegal drug
3. 30 million to 40 million Americans stated they had used cocaine
4. By age seventeen (17), 70% of American teenagers had tried alcohol

As you can see, drug and alcohol abuse is a serious problem, having a major effect on all our lives. Even though you may not be abusing drugs or alcohol, you are affected by the results of drug and alcohol abuse in our society. You pay higher medical costs to help cover the costs for abusers who cannot afford the cost of treatment. You pay higher insurance costs to help fund the drug and alcohol abuse programs paid for by insurance companies. The material and services you buy cost more because of decreased worker productivity, as well as increased cost to employers.

This section is designed to provide you with a brief overview of the seriousness of using controlled substances and alcohol. It also provides education on the signs, symptoms and effects of the illicit drugs that you will be tested for. Your employer has taken great measures to ensure a safe working environment. Please review this booklet in its entirety to educate yourself on drug and alcohol in the workplace. When you have completed reading this material, you will better understand the need for a drug-free workplace.

The drugs that employees will be subject to testing for include:

- Amphetamine
- Marijuana
- Phencyclidine (PCP)
- Alcohol (by evidential breath testing device only)
- Cocaine
- Opiates

## **Facts About Amphetamines**

Amphetamines (methamphetamine, MDMA-ecstasy) are central nervous system stimulants. They tend to make people "hyper" and "jumpy". They can be taken either orally or injected. They are often used by people to stay awake and to counteract the effects of drowsiness. They are especially dangerous to take while performing safety-sensitive tasks or driving.

Ecstasy, MDMA (3,4 methylenedioxymethamphetamine) is a synthetic, psychoactive drug that is chemically similar to the stimulant methamphetamine and the hallucinogen mescaline. MDMA causes an increase in serotonin, which plays an important role in the regulation of mood, sleep, pain, appetite

and other behaviors.

Some heavy MDMA users experience long-lasting confusion, depression and selective impairment of working memory and attention processes. Ecstasy users make extremely dangerous drivers. They can exhibit the same impairments as amphetamine, heroin, cocaine, and hallucinogen users.

#### Signs and Symptoms of Amphetamine Use:

- Hypersensitivity
- Exhaustion
- Dilated Pupils
- Grinding teeth
- Loss of appetite and immediate weight loss
- Dry mouth
- Excessive talking

#### Effects on Person:

- More likely to take risks
- Impaired judgment
- Delayed reaction time

### **Facts About Cocaine**

Cocaine also stimulates the central nervous system. It gives the user an intense feeling of well-being, or euphoria, known as a “high”. The high will last for ten (10) to sixty (60) minutes. A more potent form of the drug called “crack” cocaine is especially addicting and dangerous. Although its high lasts only about five (5) to eight (8) minutes, crack cocaine can be addicting after only one (1) use, and cause death the first time it is used. Cocaine can be injected, snorted or free-based. Snorting is sniffing the drug up the nose, and free-basing is done by heating the drug and inhaling the vapors.

#### Signs and Symptoms of Cocaine Use:

- Mood swings
- Weight Loss
- Restlessness: Difficulty sitting or standing in one place
- Depression
- Nose bleeds
- Irritable, angry, nervous, angers easily
- Bad breath
- Euphoric feeling
- Running nose, uncontrollable sniffing

#### Effects on Person:

- Slowed reaction time
- Distorted vision and depth perception
- Slow to make decisions
- Unable to correctly measure time and distance

### **Facts About Marijuana**

Marijuana is a depressant and a mind-altering drug. Marijuana does not depress the central nervous system's reaction, it works on the brain. Mind-altering means it causes hallucinations. It can be eaten or smoked. Street names for marijuana are "dope", "grass", "joint", "hash" or "hooch".

Tests have shown that people's reflexes and thought processes are slower under the influence of marijuana. The effects of this drug are longer lasting than first thought. In fact, impairment can last more than twenty-four (24) hours after using marijuana. The body actually stores the drug for days, weeks and in some cases, months, depending on the frequency of use.

#### Signs and Symptoms of Marijuana Use:

- Dilated pupils
- Slowed reflexes
- Giddiness
- Slowed thinking
- Moodiness
- Trance-like state
- Impaired vision
- Reduced feeling of pain
- Odor of burning
- Short-term memory loss
- Loss of concentration
- Unable to sleep after prolonged use

#### Signs to Look For:

- Cigarette rolling paper
- Dried plant material, either crumbled or pressed
- Roach clip (device to hold joint)
- Hash pipe (very small pipe)

### **Facts About Opiates**

Opiates are classified as a narcotic analgesic. They tend to have a sedating, calming effect, and act as a depressant to the central nervous system. Opiates are more commonly known as morphine, codeine and heroin. Street names for opiates are "junk", "smack", "horse" and "brown sugar". Opiates are prescribed by doctors to relieve pain, but they are used by the abuser to relax or "escape the real world". They can either be taken orally, injected or smoked.

When the drug is injected, the user feels an immediate "rush", usually followed by a very relaxed and soothing feeling. However, some opiates can cause very unpleasant side effects such as nervousness,

nausea and restlessness, and if taken in excess, may cause coma or death.

Signs and Symptoms of Opiate Use:

- Mental confusion
- Slurred speech
- Unsteadiness
- Hostility
- Memory loss
- Drowsiness
- Excess talking
- Euphoria
- Depression
- Short attention span
- Cold, moist or bluish skin
- Reduced feeling of pain

Effects on Person:

- Lack of concentration, daydreaming
- Distorted sense of time and distance
- Distorted vision

**Facts About Phencyclidine (PCP)**

Phencyclidine, commonly called “angel dust”, is known as a dissociative anesthetic. Users of PCP may experience hallucinations and signs of intoxication. They may not be able to focus their attention or will experience confusion and lack of coordination.

Although PCP has immediate short-term effects, it is also known for its long-term effect of causing psychotic behavior often associated with violent acts. Other street names for PCP include “hog” and “crystal”. PCP may be smoked, snorted or injected.

Signs and Symptoms of PCP Use:

- Delusions
- Confusion
- Panic
- Increased blood pressure
- Anxiety
- Flashbacks

Effects on Person:

- More likely to take risks



- Impaired coordination
- Aggressive actions

### **Facts About Alcohol**

Alcohol is a socially acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

#### Signs and Symptoms of Alcohol Use:

- Dulled mental processes
- Lack of coordination
- Odor of alcohol on breath
- Possible constricted pupils
- Sleepy or stuporous condition
- Slowed reaction rate
- Slurred speech

(Note: Except for the odor, these are general signs and symptoms of any depressant substance.)

#### Health Effects:

The chronic consumption of alcohol (average of three (3) servings per day of beer (twelve (12) ounces) whiskey (one (1) ounce) or wine (six (6) ounces) over time may result in the following health hazards:

- Decreased sexual functioning
- Dependency (up to 10% of all people who drink alcohol become physically and/or mentally dependent on alcohol and can be termed "alcoholic")
- Fatal liver diseases
- Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast and malignant melanoma
- Kidney disease
- Pancreatitis
- Spontaneous abortion and neonatal mortality
- Ulcers
- Birth defects (up to 54% of all birth defects are alcohol-related)

#### Social Issues:

- Two-thirds of all homicides are committed by people who drink prior to the crime.
- 2% to 3% of the driving population is legally drunk at any one time. This rate is doubled at night and on weekends.
- Two-thirds of all Americans will be involved in an alcohol-related vehicle accident during their lifetimes.
- The rate of separation and divorce in families with alcohol dependency problems is seven (7) times the average.
- 40% of family court cases are alcohol-problem related.
- Alcoholics are fifteen (15) times more likely to commit suicide than the general population.

More than 60% of burns, 40% of falls, 69% of boating accidents and 76% of private aircraft accidents are alcohol-related.

#### The Annual Toll:

- 24,000 people will die on the highway due to a legally impaired driver
- 12,000 more will die on the highway due to the alcohol affected driver
- 15,800 will die in non-highway accidents
- 30,000 will die due to alcohol-induced brain disease or suicide
- 10,000 will die due to alcohol-caused liver disease
- Up to another 125,000 will die due to alcohol-related conditions or accidents

#### Workplace Issues:

- It takes one (1) hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body.
- Impairment in coordination and judgment can be objectively measured with as little as two (2) drinks in the body.
- A person who is legally intoxicated is six (6) times more likely to have an accident than a sober person.

A person wearing an orange high-visibility safety jacket is seated in the driver's position of a vehicle. The steering wheel is black and features a silver "OPTARE" logo. The dashboard includes several analog gauges. The person's right hand is on the steering wheel, and their left arm is resting on a control panel. The background, visible through the windshield, shows an industrial or construction site with various structures and equipment. The lighting is warm, suggesting late afternoon or early morning.

# Receipt and Acknowledgement

## RECEIPT AND ACKNOWLEDGEMENT

### EMPLOYEE HANDBOOK

I have received a copy of the March 2022 PK Employee Handbook and understand its provisions. I also understand that my employment may be terminated at any time and for any reason by either me or the Company. I understand that this handbook does not constitute an employment contract.

### ZERO-TOLERANCE SUBSTANCE ABUSE POLICY (Effective 1/1/2020) AND EMPLOYEE EDUCATION AND TRAINING ACKNOWLEDGEMENT FORM

I understand that I may consult the SVP of Human Resources regarding any questions not answered in the handbook.

I have received this handbook and I understand that it is my responsibility to read and comply with the policies contained within it and any revisions made to it.

I hereby acknowledge that I have participated in and completed the required one (1)-hour of DRUG AND ALCOHOL EMPLOYEE EDUCATION AND TRAINING in accordance with Part 655.14(b)(1) and as part of that training, this policy and handbook was reviewed.

I further acknowledge that I have been advised of the consequences for safety-sensitive employees who violate the testing requirements and information concerning the effects and alcohol misuse and controlled substance abuse on health, work and personal life.

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**Employee Signature**

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**Date**

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**Print Name**