

## **RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

**RESOLUTION AUTHORIZING AN AGREEMENT WITH WAGeworks, INC. FOR  
THE PROVISION OF COMMUTE ALTERNATIVE BENEFIT SERVICES, FOR THE  
TERM DECEMBER 1, 2015 THROUGH JUNE 30, 2018, IN AN AMOUNT NOT TO  
EXCEED \$1,035,000**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, in December 1991, the County of San Mateo established to the San Mateo County Commute Alternative Program (CAP program) to comply with the Bay Area Air Quality Manager District's Regulation 13, Rule1, which requires all Bay Area employers with 100 or more employees to implement measures to reduce the number of employees who commute in single occupant vehicles; and

**WHEREAS**, in 1992, this Board approved an initial transit subsidy of \$20 per month to help meet that mandate and provide an incentive to employees to use public transit or other means besides single occupancy vehicles when traveling to and from work; and

**WHEREAS**, in November 2004, the voters of San Mateo County passed Measure A, a half-cent sales tax to fund transportation related projects throughout San Mateo County which provides the Commute Alternative Program with \$1.2 million annually for the CAP program; and

**WHEREAS**, the CAP program currently offers a comprehensive set of services and up to \$75 cash subsidy to County employees to use public transit, carpool, vanpool, walk, or bike to work; and

**WHEREAS**, in 2009, the County of San Mateo entered into an agreement with WageWorks Inc. for the provision of commute alternative benefits services for the San Mateo County CAP program; and

WHEREAS, the Commute Alternatives Program was transferred from the Department of Public Works to the Office of Sustainability upon the Office of Sustainability's establishment in 2014, during which transfer period the existing contract term expired although WageWorks continued to provide the required services and the County continued to pay WageWorks pursuant to the terms and conditions of the expired contract; and

**WHEREAS**, an average of 1,100 employees annually participate in the CAP program resulting in the reduction of millions of pounds of pollutants from being emitted into the air and millions of vehicle miles of travel on Bay Area roads; and

**WHEREAS**, in February 2018, WageWorks administered and distributed the subsidies and commuter transit passes for 1,236 County employees participating in the CAP program resulting in an administrative fee payments due to WageWorks totaling \$6,180, and pass-through subsidy payments totaling \$75,605; and

**WHEREAS**, the parties acknowledge and agree in the proposed agreement that payment for services has been made in full for the service period from December 1, 2015, through June 30, 2017; and

**WHEREAS**, the parties further acknowledge and agree in the proposed agreement that payment for services for the service period from July 1, 2017, through February 28, 2018, totals \$707,009.77, which amount will be paid upon execution of the agreement; and

**WHEREAS**, pursuant to this agreement, WageWorks Inc., will continue to administer the cash subsidies for County employees, as well as continue to purchase monthly transit passes for County employees participating in the CAP program, with the County's last payment in June 2018, for commuter services occurring in July 2018; and

**NOW THEREFORE, BE IT RESOLVED** that the President of the Board of Supervisors shall be and is hereby authorized and directed to execute the Agreement with WageWorks Inc., and the Clerk of the Board shall attest to the President's signature thereto.

**BE IT FURTHER RESOLVED** that the Director of the Office of Sustainability, or the Director's designee is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate) and/or modify the contract terms and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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