

**(ATTACHMENT 12) ACTION ON REQUEST TO WAIVE ADMINISTRATIVE POLICY
3.09(9)(e) AND EXTEND CONTRACTS FOR TRANSPORTATION SERVICES**

2016 JUL -5 A 11:33

Requisition Number: R241169
Contract Number: C021117
Vendor Number: V016471

**MILWAUKEE BOARD OF SCHOOL DIRECTORS
PROFESSIONAL SERVICES CONTRACT SECOND EXTENSION & MODIFICATION**

On July 1, 2014, the Milwaukee Board of School Directors (“MPS” or “Board”) and First Student, Inc. (“Contractor”) entered into Busing Contract number C021117 (“Contract”) with a term of July 1, 2014 through June 30, 2015. The Contract, (¶ 2), provided for two additional one-year extensions subject to Board approval and contingent on the appropriation of Board funds. The parties mutually agreed to extend the Contract for the first one-year extension period and executed an Extension & Modification (“the First Extension”) to that effect in July 2015. The parties now mutually agree to extend the Contract for the second and final additional one-year term.

As such, the Contract will be extended for a final term from July 1, 2016 through June 30, 2017 under the same terms and conditions as set forth in the Contract and any modifications thereof, except as specifically set forth below.

The amount to be encumbered on the Contract shall not exceed \$3,686,000.00 in Year 3.

In accordance with ¶ 19 of the Contract, the parties modify those terms and conditions identified below.

MODIFIED TERMS:

1. Paragraph 3 of the Contract and paragraph 2 of the First Extension are modified as follows:
 - a. The table found therein is replace with the table below:

Type	Base Amount	Cost Per Hour	Cost Per Mile
16-35 passenger	\$159.02	\$25.64	\$0.41
36-72 passenger	\$182.17	\$24.99	\$0.54

- b. The amount to be encumbered for this additional one-year period shall not exceed \$3,686,000.00; the initial payment, which may be made ten days before services begin, will be \$368,600.00.
2. Paragraph 6 of the Contract is deleted in its entirety and replaced with the following:

“In the performance of work under this Contract, Contractor shall not discriminate in any way against any employee or applicant for employment on the basis of a person’s sex, race, age, religion, national origin, ancestry, creed, pregnancy, martial or parental status, sexual orientation, disability, or socio-economic status. This prohibition includes but is not limited to employment; promotions, demotions and transfers; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeships. Contractor is required to include a similar provision in all subcontracts to this Contract.

If MPS determines Contractor has violated this non-discrimination policy, MPS may terminate this Contract without liability for undelivered services or materials. MPS may also deem the Contractor ineligible to participate in future contracts with MPS.”

3. Paragraph 16(C) of the Contract and paragraph 3 of the First Extension are deleted in their entirety and replaced with the following: Contractor shall comply with, and ensure its subcontractors performing work under this Contract comply with, Milwaukee Board of School Directors' Administrative Policy 3.09(17), which requires that employees be paid a "living wage."

CONTRACTOR

By: Roger Moody Sr. VP

Date: 5/9/2016

First Student, Inc.
4150 W. Mitchell Street, Suite 200
Milwaukee, WI 53215
(414) 671-6779

Tax ID: [REDACTED]

Budget code(s):

- RTS-0-0-TRS-DW-EPPT \$2,300,000.00
- RWT-0-0-TRS-DW-EPPT \$750,000.00
- TED-0-0-TRS-DW-EPPT \$85,000.00
- SM1-0-0-TRS-DW-EPPT \$331,000.00
- AST-0-0-TRS-DW-EPPT \$30,000.00
- RTS-0-0-TRS-DW-EVSPFPUB \$60,000.00
- PMO-0-0-TRS-DW-EPPT \$5,000.00
- HLT-0-0-TRS-DW-EPPT \$50,000.00
- SMT-0-0-TRS-DW-EPPT \$75,000.00

Board Approval Date: May 26, 2016

Reviewed By: Shuleen Clayton
Risk Management

MILWAUKEE BOARD OF SCHOOL DIRECTORS

By: Kristen DeCato
Kristen DeCato, Director
Procurement & Risk Management

Date: 6/3/16

By: Darlene B. Driver
Darlene B. Driver, Ed.D.
Superintendent of Schools

Date: 6/27/16

By: Mark A. Sain
Mark A. Sain, President
Milwaukee Board of School Directors

Date: 6-28-16

Date: 6/3/16