

**(ATTACHMENT 5) ACTION ON THE AWARD OF PROFESSIONAL SERVICES CONTRACTS
RELATED TO TRANSPORTATION**

Purchase Requisition Number: CR052215
Contract Number: C029880
Vendor Number: V016471

**MILWAUKEE BOARD OF SCHOOL DIRECTORS
PROFESSIONAL SERVICES CONTRACT
FIRST CONTRACT MODIFICATION**

On July 1, 2021, the Milwaukee Board of School Directors and **First Student, Inc.** entered into Professional Services Contract number C029880 (“Contract”), with a term of July 1, 2021, through June 30, 2022.

In accordance with Section 20 of the Contract, the parties modify those terms and conditions identified below.

Incorporate Addendum 1 into the Contract for performance incentive for buses servicing the MPS district and its students’. Compensation will be determined in accordance with the formula included in Addendum 1 and attached herein.

The term for the additional compensation resulting from Addendum 1 for performance incentive for buses exclusively servicing the MPS district and its students in Year 1 of the contract will run from March 25, 2022, through June 30, 2022.

CONTRACTOR

By: _____

Date: _____

First Student, Inc.
600 Vine Street, Ste. 1400
Cincinnati, OH 45202

Tax ID: XXXXXXXXXX

Budget code(s):

AST-0-0-TRS-DW-EPPT (\$400,000.00)

Reviewed By: _____
Risk Management

MILWAUKEE BOARD OF SCHOOL DIRECTORS

By: _____
*Janine Adamczyk, Director
Procurement & Risk Management*

Date: _____

By: _____
*Keith P. Posley, Ed.D.
Superintendent of Schools*

Date: _____

By: _____
*Robert E. Peterson, President
Milwaukee Board of School Directors*

Date: _____

Date: _____

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MILWAUKEE BOARD OF SCHOOL DIRECTORS—ADDENDUM 1 — Performance Incentive

1 First Student Performance Obligations and Incentive Payment

- 1.1 MPS shall compensate said bus company according to the “Incentive Formula” in section two, and only if all performance and documentation of work requirements contained in the addendum and throughout the entire agreement are met.
- 1.2 Total maximum potential incentive possible under the Addendum is \$400,000.00.
- 1.3 First Student shall at all times maintain at least 90% of the contracted bus award in order to be eligible for ANY incentive payments. No incentive payment will be made in any month in which the threshold referenced below is not met for any reason whatsoever.
- 1.4 Busses not utilized exclusively for MPS students, unless assigned to contractor explicitly by MPS Pupil Transportation Services, will not be counted towards reaching the threshold for First Student to earn the incentive payment under this agreement.
- 1.5 Busses that are more than 20 minutes behind schedule or do not complete all stops will not be counted towards reaching the threshold for First Student to earn the incentive payment under this agreement.
- 1.6 Payment will only be provided for busses exclusively servicing MPS students that successfully meet the above-mentioned criteria. Absence of one or more of these elements or the documentation of work requirements disqualifies First Student from receiving the incentive payment.

2 Incentive Formula

The following formula will be used to determine compensation:

Less than 90% contracted driver staffing = \$0 per day performance incentive
90-99% contracted staffing = \$6 per day per MPS performance incentive for 3 tier; \$4.5 a day for 2 tier; \$3 a day for 1 tier
100-110% contracted staffing = \$12 per day per MPS performance incentive for 3 tier; \$9 a day for 2 tier; \$6 a day for 1 tier
Greater than 111% contracted staffing = \$18 per day per MPS performance incentive for 3 tier; \$14 a day for 2 tier; \$10 a day for 1 tier

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3 Documentation of Work Requirements and Right to Audit

- 3.1 Documentation must be provided monthly by the 5th day of each month covering the prior month's invoice. Any submission after the 5th is not eligible for that month and will not be paid.
- 3.2 Daily hours will be extracted from Pupil Transportation Services' "Mapnet" software. Verification includes Name of Driver, Route Package assigned, successful MDT login and verified payroll attendance to validate and audit effective allocation of funds for designated purpose.
- 3.3 Documentation must include ALL drivers assigned to MPS and the respective bus package they run – including bus #, MDT # - as well as payroll verification for every driver claimed. incentive for a package is eligible under this incentive arrangement ONLY if that package has successfully run for the month the incentive is requested.
- 3.4 MPS reserves the right to audit the data provided and all First Student records, including calling drivers to ensure that records submitted are up to date and accurate.