

### AMENDMENT 3 TO CONTRACT

This Amendment amends the "Contract Purchase of Service Agreement between Wisconsin Coach Lines, Inc., and the City of Waukesha Routes 901, 904 and 905," dated June 6, 2017 and Amendment 1 dated December 19, 2018 and Amendment 2 dated February 6, 2020 referred to herein as the Contract. The Contract, as amended, remains in effect and unchanged except to the extent specifically amended by this Amendment.

#### Recitals

The City of Waukesha is the administrator of transit services funded by Waukesha County, and in turn has contracted with Wisconsin Coach Lines, Inc., referred to as Contractor, to provide transit service on Waukesha County routes 901, 904, and 905.

Changes in circumstances now require that the Contract be amended, specifically, that Waukesha County desires to temporarily reduce the service hours on Routes 901, 904 and 905 due to the COVID-19 pandemic effective August 17, 2020 through June 30, 2021.

Contractor is willing to amend the Contract as required.

Now, therefore, the Contract is amended as follows:

1. Section 4 of the Contract is deleted entirely and replaced with the following:
  4. **Fees.** Provided Contractor timely performs its obligations in substantial compliance with the Scope of Work and the terms and conditions of this Contract, City shall pay Contractor as follows:

Remainder of Year 4 (August 17, 2020-May 31, 2020) ..... \$173.61 per Revenue Hour of Service

Effective August 17, 2020 through June 30, 2021, should Waukesha County suspend trips that results in a ten percent or greater reduction in revenue service hours from the base schedule of 35.75 revenue service hours per weekday, the following per revenue hour fee schedule shall apply. Note: Revenue service hours operated on the UW-Milwaukee extension during this time period would also be charged at the same applicable fee:

Percentage Decrease in Revenue Service Hours	Service Hour Range High	Service Hour Range Low	Percent Rate Increase	Revenue Hour Fee
10%-19.9%	32.20	28.64	5.0%	\$182.29
20%-29.9%	28.63	25.06	7.5%	\$186.63
30%-39.9%	25.05	21.49	10.0%	\$190.97
40%-49.9%	21.48	17.91	15.0%	\$199.65

Revenue Hour of Service means the time, in hours, that vehicles travel while in revenue service. Revenue Hours of Service include revenue service, and layover and recovery time.

For subsequent Contract years, the hourly fee shall be increased from the previous year's fee as follows: The Employment Cost Index, Private Industry Workers, Midwest Area (Dec. 2005 = 100) published by the Bureau of Labor Statistics, percent change for the 12 months ended on the most-recent March, shall be multiplied by the previous year's fee, and the result shall be the fee for the subsequent contract year; provided, however, the fee shall not be increased by more than 3%, and the fee shall not be adjusted downward.

The amount invoiced to City shall be adjusted as provided in section 5. Contractor shall invoice the City on a monthly basis. All invoices and statements shall be payable net 30 days.

Dated this \_\_\_\_\_ day of October, 2020.

**City of Waukesha**

\_\_\_\_\_  
Shawn Reilly, Mayor

\_\_\_\_\_  
Attest: Gina L. Kozlik, City Clerk

To certify that provision for payment has been made:

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Bridget Souffrant, Finance Director

**Wisconsin Coach Lines, Inc.**

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Tom Dieckelman, President

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