

**SIXTH AMENDMENT TO
PARATRANSIT BROKER AND OPERATING AGREEMENT
BETWEEN
THE CITY AND COUNTY OF SAN FRANCISCO
AND TRANSDEV SERVICES, INC.**

**Contract No. SFMTA 2016-17
CCO No. 15-1367**

THIS SIXTH AMENDMENT TO PARATRANSIT BROKER AND OPERATING AGREEMENT is made and entered into _____, between the City and County of San Francisco, a municipal corporation (City), acting through its Municipal Transportation Agency (SFMTA), and Transdev Services, Inc. (Contractor).

- A. On July 1, 2016, City and Contractor entered into a Paratransit Broker and Operating Agreement (the Agreement), with a term of five years, and an option to extend the term for an additional five years.
- B. On April 30, 2017, the parties executed the First Amendment to the Agreement (1) to delete Section 10.8 (Health Care Accountability Ordinance); (2) to add clauses that were inadvertently omitted from Appendix D to the Agreement and (3) to correct Exhibit E by retitling it Appendix E and correcting the SBE goal.
- C. On May 25, 2017, the parties executed the Second Amendment to the Agreement (1) to provide for the City to lease to Contractor 22 additional accessible minivans and 27 additional paratransit vans for use in the SF Access Program; (2) to eliminate references to mandatory subleasing of the Vehicles and (3) to eliminate references to lease payments.
- D. On June 1, 2017, the parties executed the Third Amendment to the Agreement to amend Appendix B of the Agreement to reflect the changes in the budget due to the expanded level of service provided by the Contractor in the Group Van Program.
- E. On May 16, 2019, the parties executed the Fourth Amendment to the Agreement to provide for the City to lease to Contractor 8 additional paratransit vans and 10 additional hybrid sedans for use in the SF Access and Group Van Program.
- F. On February 6, 2020, the parties executed the Fifth Amendment to the Agreement to provide for the City to lease to Contractor 35 additional paratransit vans for use in the SF Access and Group Van Program.
- G. The parties wish to amend the Agreement to exercise the option to extend the contract for an additional five-year period, increasing the amount of the Agreement by \$169,395,342, to a total not to exceed \$312,297,446, and for a term beginning July 1, 2021, and ending June 30, 2026.

NOW, THEREFORE, Contractor and the City agree that the Agreement is amended as follows:

1. The above Recitals are incorporated to the extent not inconsistent with either the Agreement or this Amendment.

2. *Section 2.1 of Article 2 (Term of the Agreement) is amended in its entirety to read as follows:*

2.1. The term of this Agreement shall commence on July 1, 2016, and expire on June 30, 2026.

3. *Section 3.3 (Amount of Contract) is amended in its entirety to read as follows:*

3.3. Amount of Contract. Compensation under this Agreement shall be based on a costs-plus-fixed-fee structure, in accordance with the annual approved budgets. In no event shall the amount of this Agreement exceed Three Hundred Twelve Million, Two Hundred Ninety-Seven Thousand, Four Hundred Forty-Six Dollars (\$312,297,446), including the Reimbursable Expenses, Other Broker Costs, the Management Fees, G&A, and Service Provider Costs, for the entire term of the Agreement, including the option period. The breakdown of all Broker and TD expenses associated with this Agreement are listed in Appendix B, which is incorporated by reference as though fully set forth.

4. **Effective Date.** Each of the modifications set forth in Section 2 and 3 shall be effective on and after the date of this Amendment.

5. **Legal Effect.** Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Sixth Amendment on the day first mentioned above.

CITY

Municipal Transportation Agency

Jeffrey P. Tumlin
Director of Transportation

AUTHORIZED BY:

MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

Resolution No: _____

Adopted: _____

Attest: _____
Secretary, SFMTA Board

Board of Supervisors
Resolution No: _____

Adopted: _____

Attest: _____
Clerk of the Board

Approved as to Form:

Dennis J. Herrera
City Attorney

By: _____
Robin M. Reitzes
Deputy City Attorney

CONTRACTOR

Transdev Services, Inc.

Laura Hendricks

Laura J. Hendricks
President
720 East Butterfield Road, Suite 300
Lombard, IL 60148-5601

Mathieu Le Bourhis

Mathieu Le Bourhis
Chief Financial Officer

Supplier ID: 0000009263