

**JOINT POWERS AGREEMENT
MARIN PUPIL TRANSPORTATION AGENCY
BOARD OF DIRECTORS
c/o San Rafael High School District Business Office
310 Nova Albion Way San Rafael**

**MINUTES
December 11, 2019**

BOARD MEMBERS PRESENT:

Corbett Elsen (Tamalpais), Carlos Estrella – 8:22 a.m. (Reed), Midge Hoffman – 8:30 a.m.(Ross Valley), Doug Marquand (San Rafael Elementary & High School Districts), Michele Rollins (Mill Valley), Kirsten Starsiak (Kentfield) & Deborah Wolfe (Ross).

BOARD MEMBERS ABSENT:

Robert Clark (Sausalito – Marin City) & Paula Rigney (Larkspur – Corte Madera)

STAFF PRESENT:

Dennis Petri, Executive Director

GUEST(S):

Jose Bzurto (First Student Location Manager for San Rafael)
Janelle Campbell (co-Director of Special Education for MCOE).
Chris Posedel (San Rafael City Schools Accounting Manager)

CALL TO ORDER:

Chairperson Michele Rollins called the Board of Directors meeting to order at 8:19 a.m. in the Foundation Room at the Marin County Office of Education building located at 1111 Las Gallinas Avenue in San Rafael.

ACTION SESSION:

1. **Approval of Agenda (8:19 a.m.):** -- Members approved the agenda as presented. (M/Corbett Elsen, S/Doug Marquand)

Vote by member:

Aye: Elsen, Marquand, Rollins, Starsiak, Wolfe
* Doug Marquand's vote counts as 2. He represents 2 school districts.
Nay: No members
Abstention: No members
Absent: Clark, Estrella, Hoffman, Rigney

2. **Approval of Audit of Financial Statements (8:20 a.m.):** -- This document is the audit conducted by Christy White Associates of financial statements for the year ended June 30, 2019.

Chairperson Rollins introduced this item by saying there was only one small adjustment to the Audit that she needed clarification from Corbett which she received prior to the meeting. Otherwise, there were no questions on this document from the Board.

Members unanimously approved the Audit for the year ending June 30, 2019 as presented. (M/Debbie Wolfe, S/Kirsten Starsiak)

Vote by member:

Aye: Elsen, Marquand, Rollins, Starsiak, Wolfe
* Doug Marquand's vote counts as 2. He represents 2 school districts.
Nay: No members
Abstention: No members
Absent: Clark, Estrella, Hoffman, Rigney

Note: Treasurer Carlos Estrella joined the meeting as Action Item 3 was under discussion.

3. **Approval of Budget Revisions (8:21 a.m.):** -- Dennis noted that the revisions to the 2019 – 2020 budget and bill back figures are very minor. Dennis adjusted the budget to include the line item of **\$10,000** approved at the September meeting for Internet costs (website design). The additional costs to the Bill Back figures were accomplished by increasing projected earnings from other school districts for students we are transporting for them (Miller Creek and San Francisco Unified).

Members did not have any questions on these changes. Members unanimously approved the budget revisions as presented. **(M/Corbett Elsen, S/Debbie Wolfe)**

Vote by member:

Aye: Elsen, Estrella, Marquand, Rollins, Starsiak, Wolfe
* Doug Marquand's vote counts as 2. He represents 2 school districts.

Nay: No members

Abstention: No members

Absent: Clark, Hoffman, Rigney

4. **Approval of First Period Interim Report (8:23 a.m.):** -- Chairperson Rollins introduced this item by thanking fiscal agent & agency Vice Chairperson Doug Marquand and his staff (Chris Posedel) for completing the 2019 – 2020 First Period Interim Report as presented. Doug said they did not have any problems or issues with this report. They used the Dartboard and Common Message from staff at the Marin County Office of Education's Business Office for parts of this document.

The Board of Directors did not have any questions. The Board unanimously approved the First Period Interim Report as presented. **(M/Debbie Wolfe, S/Corbett Elsen & Carlos Estrella – announced together!)**

Vote by member:

Aye: Elsen, Estrella, Marquand, Rollins, Starsiak, Wolfe
* Doug Marquand's vote counts as 2. He represents 2 school districts.

Nay: No members

Abstention: No members

Absent: Clark, Hoffman, Rigney

5. **Approve Selection of Nigro & Nigro, PC as our auditing firm for fiscal years ending June 30, 2020, 2021, and 2022 (8:25 a.m.):** Chairperson Rollins explained that Nigro & Nigro, PC are the auditors for the San Rafael City Schools. Their bid for services was requested for the next fiscal year. Vice Chairperson Doug Marquand said the bid came in slightly lower than the possible three (3) year extension of contract with the audit firm of Christy White Associates. The contract costs will be **\$3,500** for the year ending June 30, 2020; **\$3,600** for 2021; and **\$3,700** for 2022.

Board members did not have any questions at this time. Members unanimously approved the contract with Nigro & Nigro, PC as presented. **(M/Carlos Estrella, S/Doug Marquand)**

Vote by member:

Aye: Elsen, Estrella, Marquand, Rollins, Starsiak, Wolfe
* Doug Marquand's vote counts as 2. He represents 2 school districts.

Nay: No members

Abstention: No members

Absent: Clark, Hoffman, Rigney

CONSENT AGENDA (8:26 a.m. to 8:28 a.m.)

Note: All items appearing on the Consent Agenda are approved in one action by the Board of Directors. Board members, staff, or members of the public may request that an item be pulled for discussion prior to Consent Agenda approval.

Approval Items:

CA-1. Approve Minutes of September 11, 2019 Board Meeting.

CA-2. Approve Financial Documents as follows:

- a. **Vendor Warrant Expenses for September 2019.**
- b. **Warrant registers (Backup data for September). 4 Sheets attached.**
- c. **Vendor Warrant Expenses for October 2019.**
- d. **Warrant registers (Backup data for October). 2 Sheets attached.**
- e. **Vendor Warrant Expenses for November 2019.**
- f. **Warrant registers (Backup data for November). 5 Sheets attached.**

Acknowledge & Accept Items:

- CA-3. Acknowledge & Accept letter received from the Marin County Office of Education on acceptance of the 2019 – 2020 Adopted Budget.
- CA-4. Acknowledge & Accept letter received from the Marin County Office of Education on acceptance of the 2018 – 2019 Unaudited Actuals.
- CA-5. Acknowledge & Accept letter received from Kim Wooster, Senior Vice President for First Student, Inc. This letter concern's First Student's Privacy Commitment to customers.
- CA-6. Acknowledge & Accept executed transportation contract with the San Francisco Unified School District for the 2018 – 2019 school year. We transported two (2) students to and from Grant Grover. These students reside in a group home in San Rafael. Total income was \$10,229.00.
- CA-7. Acknowledge & Accept the Monthly Student Count Tally Sheet – inclusive through November 2019.
- CA-8. Acknowledge & Accept Spreadsheet of Students Listed by School of Attendance – for the following months:
- a. September 2019.
 - b. October 2019.
 - c. November 2019.

Chairperson Michele Rollins reviewed the Consent Agenda for the Board. There were no questions from the Board, so they unanimously approved the Consent Agenda as presented. (M/Doug Marquand, S/Debbie Wolfe)

Vote by member:

Aye: Elsen, Estrella, Marquand, Rollins, Starsiak, Wolfe
* Doug Marquand's vote counts as 2. He represents 2 school districts.

Nay: No members

Abstention: No members

Absent: Clark, Hoffman, Rigney

Note: We were running a little early for the Time Certain guest speaker – and she had not shown up yet – so we moved to the Discussion Session at this time.

DISCUSSION SESSION

[ALL ITEMS BELOW ARE INFORMATIONAL ITEMS]

Note: Chairperson Rollins asked that we save Discussion Session Item 1 for last. This agenda item may generate a longer discussion time than usual and she did not want to have to interrupt the discussion for other agenda items.

2. Executive Director's Report.

a. Conflict of Interest Code Form 700 filing. Dennis reminded the Board that when they complete the Form 700 as members of the MSIA Board, to please include their MPTA membership and send a copy to Dennis for filing.

b. MPTA Website Information. Dennis noted that the website will be up and running prior to the January 1, 2020 deadline. Once the website is live, he will send notification to Board members for viewing – if they wish.

c. District notification to MPTA highlighted by the recent PG&E Public Safety Power Shutoffs. Due to the number of schools closing as a result of power shutoffs, Dennis is asking all member school districts to please include him in their district communications. This will insure that the Marin Pupil Transportation Agency is notified properly of any individual district or school closures for any reason.

Note: Secretary Midge Hoffman joined the meeting as Discussion Item 3 was under discussion.

3. Future agenda items requested by Board members:

Dennis was asked to keep the discussion item of Senate Bill 328 active. This is the legislation that prohibits middle schools from starting prior to 8:00 a.m. and high school prior to 8:30 a.m. effective with the 2020 – 2021 school year. As this is an ongoing concern, we need to keep abreast of changes that affect school transportation as well.

A copy of California Senate Bill 328 is attached for your reference.
(Minutes Attachment 1)

4. Discuss other business: There was no other business to discuss.

5. Set next meeting.
January 15, 2020

1. Discussion of the transportation contract extension with First Student, Inc.

Chairperson Rollins briefed the Board of Directors on events leading up to this agenda item. They include:

- a. The 2019 – 2020 school year is the final year of the current transportation contract with First Student. There are five (5) additional years that the transportation contract may be extended – either as single years or multiple years – with agreement by both parties.
- b. We received an email from Mark Frith, First Student's Area General Manager for Northern California on November 1, 2019. This email concerned First Student's request to extend the transportation contract for five (5) additional years with a new rate structure – as high as 14% increase for the first year of the contract, then 3.5% fixed increase for the remaining four (4) years. Please see **Minutes Attachment 2** for details.
- c. Michele and Dennis have conferred with Nancy Klein, our legal representative with School & College Legal Services of California. There is a section of the Education Code that allows transportation rates in the contract to be discussed or negotiated if costs increase.
- d. Michele noted that member school districts' budgets for transportation costs are based on 5% yearly increases – this is the maximum percentage increase allowed under the existing transportation contract. Generally, the Consumer's Price Index (CPI) has fluctuated from 2.7% to 3.9% the past few years.
- e. Michele and Dennis have met with Mark Frith and Philip Eades (Region Vice President). During our discussion, First Student reps agreed to lower the initial rate increase from 14% to 13%. (Details also found on **Minutes Attachment 2**).

Discussion then opened about this agenda topic. Comments included:

Debbie Wolfe: Debbie noted that fuel costs are listed as increasing by 43%, but Debbie's calculations show closer to 17%. Please ask for back up details from First Student on all cost increases so the Board can see where the cost increases are coming from. Dennis promised to request details.

Chairperson Michele Rollins: Petaluma City Schools' rates with First Student increased by 26% initially. However, they were able to offer onsite parking for buses used for their students as well as fueling which helped to lower the percentage increase to their school district.

Treasurer Carlos Estrella: Was First Student the only bidder for our contract? Dennis said yes they were. We did have two (2) other companies that attended the bidding conferences, but neither submitted a bid for our transportation contract.

Dennis also noted that in previous years, one of the other bidders was Laidlaw. However, First Student bought Laidlaw and that eliminated one competitor.

Treasurer Carlos Estrella also offered the following observations about this rate hike process:

- a. First Student needs to provide the MPTA a more affordable and operable increase to their proposed fee increase as it leaves no room for planning for the immediate budget year.
- b. Most, if not all, districts within the MPTA have developed budget multi-year projections reflecting CPI increases.
- c. It is frustrating to know that First Student is the only transportation provider within the county, which leaves the MPTA with no other option available to request or to bid this contract leaving the MPTA with no room to negotiate.

Vice Chairperson Doug Marquand: The 14% increase is a huge increase. We do need details on why the increase is so large so we can present that information to our Superintendents and district Board of Trustees.

Corbett Elsen: The Tamalpais Union High School District has worked with First Student for many years (the district has a bus that they contract for one of their high schools). If First Student saw the large hike in rates coming, they should have given us a heads up. A 14% rate hike is a complete surprise to their district.

Special Note:

At 8:47 a.m., guest speaker Janelle Campbell (co-Director of Special Education for the Marin County Office of Education) joined the meeting while Discussion Session Item #1 was wrapping up. The Board will complete the balance of the meeting agenda at the conclusion of the Time Certain presentation.

TIME CERTAIN – Scheduled for 8:30 a.m. (Actual time 8:50 a.m. to 8:57 a.m.)

Time Certain – Transportation Issues & Discussion: -- This time is set aside for discussion with representative(s) of the Marin County Office of Education. This month Janelle Campbell co-Director of Special Education was in attendance.

Janelle reported on the following:

- a. Janelle reported that this school year the Facilities Plan is updated. That topic is actually on the ASC Meeting Agenda that she is attending this morning as well. All school districts are reminded that April 1, 2020 is the timeline for districts to notify MCOE of what school sites they can offer for MCOE program classes.
- b. Janelle mentioned that the MCOE program class located at Lynwood School in Novato may have to move for the 2020-2021 school year. Vice Chairperson Doug Marquand reminded us that Short School is closing at the end of the current school year, so the one (1) MCOE class located there will have to be relocated as well.
- c. In accordance with Senate Bill 328, MCOE is reviewing their program start times at the middle school and high school levels. At this point, MCOE is uncertain how this legislation may affect their Grant Grover program (which starts at 8:00 a.m.). Since it is considered a 12th grade level program, they may have to move the start time back to 8:30 a.m. or later. Chairperson Michele Rollins suggested that MCOE ask for a waiver from the State Department of Education. This is being considered.
- d. Janelle stated it is also possible that some elementary school bell times may change due to high school hours shifting. The change at elementary school level may be necessary to lessen traffic congestion.

The Time Certain agenda item ended at 8:57 a.m. The Board thanked Janelle for her attendance and input.

Note: As there were no additional items on the Agenda to discuss, the meeting was adjourned at this time.

ADJOURNMENT: 8:58 a.m.

Scheduled meetings for the 2019 – 2020 school year:

January 15, 2020

February 12, 2020
March 18, 2020
April 22, 2020
May 20, 2020
June 10, 2020

Minutes\minutes 12-11-19



California

LEGISLATIVE INFORMATION

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SB-328 Pupil attendance: school start time. (2019-2020)

SHARE THIS:



Date Published: 10/14/2019 09:00 PM

Senate Bill No. 328

CHAPTER 868

An act to add Section 46148 to the Education Code, relating to pupil attendance.

[Approved by Governor October 13, 2019. Filed with Secretary of State
October 13, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 328, Portantino. Pupil attendance: school start time.

Existing law requires the governing board of each school district to fix the length of the schoolday for the several grades and classes of the schools maintained by the school district in accordance with specified provisions of law.

This bill would require the schoolday for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:00 a.m. and 8:30 a.m., respectively, by July 1, 2022, or the date on which a school district's or charter school's respective collective bargaining agreement that is operative on January 1, 2020, expires, whichever is later, except for rural school districts. To the extent the bill imposes new duties on school districts and charter schools, the bill would impose a state-mandated local program. The bill would encourage the State Department of Education to post specified information on its internet website, including research on the impact of sleep deprivation on adolescents and the benefits of a later school start time, and to advise school districts and charter schools of this posting.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 46148 is added to the Education Code, to read:

46148. (a) (1) The schoolday for high schools, including high schools operated as charter schools, shall begin no earlier than 8:30 a.m.

(2) The schoolday for middle schools, including middle schools operated as charter schools, shall begin no earlier than 8:00 a.m.

LA-1 (Pg 1)

(b) For purposes of this section, "school day" has the same meaning as defined by the school district or charter school for purposes of calculating average daily attendance in order to compute any apportionments of state funding. This section does not prohibit a school district or charter school from offering classes or activities to a limited number of pupils before the start of the school day that do not generate average daily attendance for purposes of computing any apportionments of state funding.

(c) This section shall be implemented by middle schools and high schools no later than July 1, 2022, or the date on which a school district's or charter school's respective collective bargaining agreement that is operative on January 1, 2020, expires, whichever is later.

(d) This section shall not apply to rural school districts.

(e) The department is encouraged to post on its internet website available research on the impact of sleep deprivation on adolescents and the benefits of a later school start time and examples of successful strategies for managing the change to a later school start time, and to advise school districts and charter schools of this posting.

(f) The Legislature encourages school districts, charter schools, and community organizations to inform their communities, including parents, teenagers, educators, athletic coaches, and other stakeholders, about the health, safety, and academic impact of sleep deprivation on middle and high school pupils and the benefits of a later school start time, and to discuss local strategies to successfully implement the later school start time.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

NA-1 (Pg 2)

Meeting/Rates for Coming Years

Frith, Mark P <Mark.Frith@firstgroup.com>

Fri 11/1/2019 11:21 AM

To: Dennis Petri <dpetri@marinschools.org>

Cc: Mahler, Ronald H <Ronald.Mahler@firstgroup.com>; Bazurto, Jose <Jose.Bazurto@firstgroup.com>

1 attachments (173 KB)

10399 - MPTA Rate Proposal 2020-2025.pdf;

Greetings Dennis

Hope you are keeping well, I was hoping to stop by and meet with you in the coming 2 weeks (if you are available for lunch, I would like to extend that offer).

Next week (Mon-Wed) I am in Portland for some training, but I am open as your schedule suits for the remainder of the week or the week after.

I am aware there has been an impact on service at the start of school (we lost 5 drivers in very short order) – but I would like to circle back with you on where we are today and our plans going forward.

Attached you will find our proposed rates for the coming 5 years – I would also like the opportunity to talk through this with you also.

Thank you

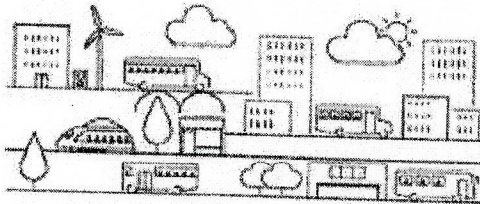
Mark Frith

Area General Manager – Northern California

First Student

Mark.Frith@firstgroup.com

510-290-8034 Mobile



First

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| | | | | |
|----------------------------|---------------------|--------------------------|-----------------------------|-------------------------------|
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|----------------------------|---------------------|--------------------------|-----------------------------|-------------------------------|

From: Frith, Mark P

Sent: Thursday, October 31, 2019 6:19 PM

To: Bazurto, Jose <Jose.Bazurto@firstgroup.com>

Cc: Mahler, Ronald H <Ronald.Mahler@firstgroup.com>

Subject: FW: MPTA Rate Sheet

Jose

Can you take a copy to Dennis tomorrow (Friday). It is the deadline tomorrow. I will send him an email too – and I would like to meet with him next week. But if you could hand deliver this, I would be grateful

Mark Frith

Area General Manager – Northern California

First Student

Mark.Frith@firstgroup.com

510-290-8034 Mobile

MA-2 (Pg 1)

First Student

MARIN PUPIL TRANSPORTATION AGENCY
HOME TO SCHOOL TRANSPORTATION SERVICE
PRICE SHEET

CONTRACT PERIOD: 9/1/2020 - 8/31/2025

Rate increase

| 14.00% | | 3.50% | | 3.50% | | 3.50% | | 3.50% | |
|---------------------|----------|---------------------|----------|---------------------|----------|---------------------|----------|---------------------|----------|
| FY2020-2021 | | FY2021-2022 | | FY2022-2023 | | FY2023-2024 | | FY2024-2025 | |
| Base Rate 4 hour | Excess | Base Rate 4 hour | Excess | Base Rate 4 hour | Excess | Base Rate 4 hour | Excess | Base Rate 4 hour | Excess |
| \$ 533.66 | \$ 41.71 | \$ 552.34 | \$ 43.17 | \$ 571.67 | \$ 44.68 | \$ 591.68 | \$ 46.24 | \$ 612.39 | \$ 47.86 |
| \$ 523.66 | \$ 41.71 | \$ 541.99 | \$ 43.17 | \$ 560.96 | \$ 44.68 | \$ 580.59 | \$ 46.24 | \$ 600.91 | \$ 47.86 |
| \$ 530.77 | \$ 41.71 | \$ 549.35 | \$ 43.17 | \$ 568.58 | \$ 44.68 | \$ 588.48 | \$ 46.24 | \$ 609.08 | \$ 47.86 |

| |
|-----------|
| 2 |
| \$ 149.76 |
| \$ 74.88 |
| \$ 177.89 |

| |
|-----------|
| 2 |
| \$ 155.00 |
| \$ 77.50 |
| \$ 184.12 |

| |
|-----------|
| 2 |
| \$ 160.42 |
| \$ 80.21 |
| \$ 190.56 |

| |
|-----------|
| 2 |
| \$ 166.04 |
| \$ 83.02 |
| \$ 197.23 |

| |
|-----------|
| 2 |
| \$ 171.86 |
| \$ 85.93 |
| \$ 204.13 |

| | |
|----|-------|
| \$ | 39.63 |
| \$ | 39.63 |

| | |
|----|-------|
| \$ | 41.02 |
| \$ | 41.02 |

| | |
|----|-------|
| \$ | 42.46 |
| \$ | 42.46 |

| | |
|----|-------|
| \$ | 43.95 |
| \$ | 43.95 |

| | |
|----|-------|
| \$ | 45.49 |
| \$ | 45.49 |

Bus Monitors

1-4 Hours, per hour

>4 up to 6 Hours, per hour

First Student/MPTA

Frith, Mark P <Mark.Frith@firstgroup.com>

Mon 11/25/2019 9:38 AM

To: Dennis Petri <dpetri@marlinschools.org>; Michele Rollins <mrollins@mvschools.org>
Cc: Eades, Phillip J <Phillip.Eades@firstgroup.com>

Good morning Dennis and Michele

In order to offer some talking points to our forthcoming call (in relation to our pricing proposal for the next 5 years) – I have taken the liberty to give a factual indicator and reasoning behind our proposed price increase:

- Over the last 5 years, MPTA have received modest price increases ranging from 2.7% to no more than 3.9%. Compounded over 5 years, this equates to 14%.
- First Students costs over the same period have seen an increase of 25.5%
- Factors which contributed to this 25.5% cost increase include:
 - Basic driver wage has increased 26% (with a fully loaded driver cost increasing 35.6%)
 - Fuel costs have seen a steady increase of circa 43% (rising from \$3.41 a gallon to \$4.00 per gallon)
 - A steady increase in fleet maintenance represents a 27% increase

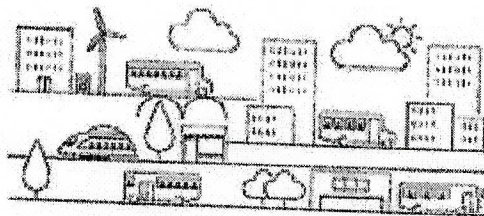
The above represent the main buckets of cost increases to us – and as I hope you can see, the annual increases we have afforded MPTA are far below our overall costs over the same time period.

In regards to our contractual terms, we have received feedback from our legal counsel on the extension/pricing for the forthcoming years. It is our interpretation that all terms and conditions would remain the same, however Sec. 39803(c) does allow the parties to change the financial terms to maintain an equitable pricing structure.

I hope this is useful, and we look forward to discussing further next week. In the meantime, please enjoy your Thanksgiving celebrations.

Regards
Mark Frith

Mark Frith
Area General Manager – Northern California
First Student
Mark.Frith@firstgroup.com
510-290-8034 Mobile



First

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MA - 2 (Pg 3)

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MARIN PUPIL TRANSPORTATION AGENCY
HOME TO SCHOOL TRANSPORTATION SERVICE
PRICE SHEET
CONTRACT PERIOD: 9/1/2020 - 8/31/2025

Rate increase

13.00%

HTS

Type I Wheelchair-Ambulatory Combination

Type II 16-24 Ambulatory

Type II Wheelchair- Ambulatory Combination

| FY2020-2021 | |
|-------------|----------|
| Base Rate | |
| 4 hour | Excess |
| \$ 528.98 | \$ 41.35 |
| \$ 519.07 | \$ 41.35 |
| \$ 526.12 | \$ 41.35 |

Therapy and Activity Trips

All Bus Types

Minimum Call Out, Hours

Minimum Charge Rate

Rate Additional Hours

Layover Per Diem

| |
|-----------|
| 2 |
| \$ 148.44 |
| \$ 74.22 |
| \$ 176.33 |

Bus Monitors

1-4 Hours, per hour

>4 up to 6 Hours, per hour

| |
|----------|
| \$ 39.28 |
| \$ 39.28 |

Years 2 - 5: Effective September 1 of each year, the above rates shall be adjusted based on the increase in the Urban Consumer Price Index (CPI) for the San Francisco area, as reported by the U.S. Department of Labor for the June-to-June 12-month period immediately preceding the adjustment date, at no time shall the increase exceed 3.5%.

All other terms and conditions of the contract remain unchanged.

PA-2 (Pg 4)