

AMENDMENT II TO PROFESSIONAL SERVICES CONTRACT

THIS AMENDMENT to Professional Services Contract (hereinafter "Amendment") made this 3rd day of January 2019, in the Territory of the Virgin Islands, by and between the **GOVERNMENT OF THE VIRGIN ISLANDS, Department of Property and Procurement**, on behalf of the **Department of Education**, 1834 Kongens Gade, St. Thomas, Virgin Islands 00802-6746 (hereinafter referred to as "Government") and **SCHOOL BUSING, INC.**, a Virgin Islands Corporation, Bovoni #2-2, St. Thomas, Virgin Islands 00802 (hereinafter referred to as "Contractor"). The Government and the Contractor are collectively referred to as the "Parties."

WITNESSETH:

WHEREAS, the Government and Contractor entered into a Contract for Professional Services No. PC085DOE12 on October 1, 2011 which was subsequently amended by PC051DOE15 (hereinafter referred to as "Contract") on October 1, 2016 for the Contractor to furnish pupil transportation for its regular education schedule and summer schedules to and from the schools and designated points on the island of St. Thomas, and other events and/or activities; and

WHEREAS, the island of St. Thomas sustained damages to its public utility systems, roadways, and buildings, particularly resulting in the closure three (3) public schools, Addelita Cancryn Junior High School, Gladys Abraham Elementary School, and Uller Muller Elementary School(s) following the passage of Hurricane Irma in September 2017; and


WHEREAS, the Government enacted "double session" schedules at schools that sustained little to no damage to host and accommodate students of closed schools during the 2017-2018 School Year; and

WHEREAS, due to the enactment of double sessions, the Contractor accumulated additional miles as a result of additional routes taken to provide pupil transportation services during the 2017-2018 School Year; and

WHEREAS, due to the closure of schools, the Contractor did not provide services as described in Addendum I (Scope of Work) during Summer 2018; and

WHEREAS, the Contract is due to expire on September 30, 2019; and

WHEREAS, the Parties desire to amend the Contract to include an additional Twenty-Five Thousand, One Hundred Thirty-Six point one miles (25,136.1) for the Contractor to provide pupil transportation services during the 2017-2018 School Year increasing the total miles to **Two Hundred Thirty-Two Thousand, Sixty Four** miles (232,064) for the 2017-2018 School Year and decrease eight thousand, seven hundred ninety (8,790) miles of services expected for Summer 2018; and

Contractor's Initials: 

Contract No.

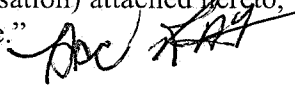
PO18DOET19

Amends Contract No. PC085DOE12

WHEREAS, the amended services shall require an increase in compensation of **Two Hundred Thirty Seven Thousand, Five Hundred Eight Dollars and Eighty Three Cents \$237,508.83**) increasing the total Compensation of the Contract in an amount not to exceed **Twenty Five Million, Two Hundred Fifty Three Thousand, Two Hundred Seventy Four Dollars and Fifteen Cents (\$25,253,274.15)**; and

WHEREAS, the Contractor represents that it is willing and capable of performing the services under this Contract; and

1. Paragraph 3 (Compensation) of the Contract is amended to state the following:

“The Government, in consideration of the satisfactory performance of the services described in Addendum I (Scope of Services), attached hereto, incorporated herein, and made a part of this Contract by reference, agrees to pay Contractor in an amount not to exceed **Twenty Five Million, Two Fifty Three Thousand, Two Hundred Seventy Four Dollars and Fifteen Cents (\$25,253,274.15)** in accordance with the provisions set forth in Amendment II to Addendum II (Compensation) attached hereto, incorporated herein and made a part of this contract by reference.” 

2. Paragraph 22 (Notice) of the Contract is amended to state the following:

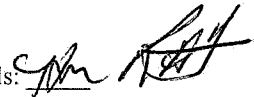
“ Any notice required to be given, by the terms of this Contract shall be deemed to have been given when the same is sent by certified mail, postage or personally delivered, addressed to the parties as follows:

GOVERNMENT: Lloyd T. Bough, Jr. Commissioner
Department of Property and Procurement
8201 Sub Base, 3rd Floor
St. Thomas, U.S. Virgin Islands 00802

Sharon Ann McCollum, Ph. D, Commissioner
Department of Education
1834 Kongens Gade
St. Thomas, U. S. Virgin Islands 00802

CONTRACTOR: Raymond Francis, President
School Busing, Inc.
Bovoni #2-2
St. Thomas, U.S. Virgin Islands 00802

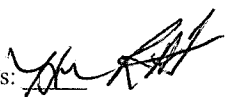
”

Contractor's Initials: 

Contract No.

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3. ADDENDUM II (Compensation) of the Contract is deleted in its entirety and replaced by the attached AMENDMENT II TO ADDENDUM II (Compensation) outlining the compensation to be paid Contractor for the services described in ADDENDUM I (Scope of Services), in the amount not to exceed **Twenty Five Million, Two Fifty Three Thousand, Two Hundred Seventy Four Dollars and Fifteen Cents (\$25,253,274.15)**;
4. This Amendment to the Contract is subject to the approval of the Governor of the Virgin Islands and the appropriation and availability of funds.
5. The contract is due to expire on September 30, 2019.
6. Except as expressly amended herein, all other terms and conditions of the Contract remain in Full force and effect.

Contractor's Initials: 

Contract No.

P018DOET19

Amends Contract No. PC085DOE12

IN WITNESS WHEREOF, the parties intending to be legally bound have hereunto set their hands on the day and year first above written.

WITNESSES:

GOVERNMENT OF THE VIRGIN ISLANDS

Govern Francis

Sharon Ann McCollum 10/19/18
Sharon Ann McCollum, Ph.D. Date

Commissioner
DEPARTMENT OF EDUCATION

[Signature]

[Signature] 12/14/18
Lloyd T. Bough, Jr. Date

Commissioner
DEPARTMENT OF PROPERTY AND PROCUEMENT

CONTRACTOR
SCHOOL BUSING, INC.

[Signature]
HENACE A. CALLOWAY

Raymond Francis 9/17/18
Raymond Francis Date
President

APPROVED:

[Signature]
KENNETH E. MAPP
GOVERNOR OF THE VIRGIN ISLANDS

01-03-19
Date

APPROVED FOR LEGAL SUFFICIENCY
DEPARTMENT OF JUSTICE:

[Signature] AAG

12/20/18
Date

Account Code No. _____

Purchase Order No. _____

Contractor's Initials: [Signature]

Contract No. **PO18DOET19**