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AMENDMENT No. 3 OF PROFESSIONAL SERVICES CONTRACT

THIS AMENDMENT made as of the 13th day of July, 2021 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** whose address is 1834 Kongens Gade, St. Thomas, U.S. Virgin Islands 00802 (hereinafter referred to as “**Government**”) and **MILESTONE HEALTHCARE, LLC d/b/a MILESTONE STAFFING SERVICES** whose address is 275 W Campbell Rd Richardson, TX 75080 (hereinafter referred to as “**Contractor**”).

Both parties witness to being duly authorized to execute this agreement and will attest accordingly when and where necessary.

WITNESSETH

WHEREAS, pursuant to **Contract No. P034DOET19** approved by the Governor on June 25, 2019 as renewed on exercise of **Renewal Option No. 1, P044DOET19**, approved by the Commissioner of Property and Procurement on August 21, 2019, **Amendment No. 1 P025DOET20** approved by the Governor on February 20, 2020 and **Amendment No. 2 P088DOET20** approved by the Governor on August 31, 2020 all of which constitute and are hereinafter referred to as the (“**Contract**”), the Government contracted with Contractor to supply the Department of Education (“**Department**” or “**VIDE**”), St. Thomas/St. John and St. Croix School District Offices of Special Education with Occupational Therapist(s), Physical Therapists(s), Speech Therapists, Vision Specialist(s)/Teacher(s) and other specified therapists (“**Therapists**”) that would provide related therapeutic services to designated special education students between the age of three to twenty-one (3-21) in accordance with their Individualized Education Plans (IEPs) to satisfy the mandates described in the Individuals with Disabilities Education Act (“**IDEA**”); and

WHEREAS, the Contract expires pursuant to its terms on August 31, 2021; and

WHEREAS, due to the COVID 19’s presence in the Virgin Islands and the necessary measures which needed to be in place at the schools to be in compliance with the Virgin Island’s Department of Health and CDC guidelines, this resulted in a truncated school year causing a reduction in needed services; consequently, the Contractor adjusted its cost which resulted in a slight increase in the hourly rate in the 2020-2021 School Year services; and

WHEREAS, the parties desire to amend the Contract to increase the hourly rate of the services provided during the 2020-2021 School Year, to extend the Contract term by one year to accommodate the staffing needs during the Extended School Year (ESY 2021) and the 2021-2022 School Year in accordance with Addendum I (Scope of Work) and to increase the compensation

Contract No. P096DOET21
Amends P088DOET20

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by Three Million One Hundred Four Thousand, One Hundred Forty-Six Dollars and Zero Cents (\$3,104,146.00); and

NOW THEREFORE, for mutual and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

TERMS AND CONDITIONS

1. The Contract, is hereby amended and its term extended by one (1) year by deleting all existing language contained in Paragraph 2 and replacing it with language as follows:

“This Contract shall commence upon the execution of the Governor of the Virgin Islands and shall be effective for a term beginning December 20, 2018 to August 31, 2022 subject to the appropriation and availability of funds.”

2. Paragraph No. 3 – Compensation is hereby amended to increase the compensation by Three Million One Hundred Four Thousand, One Hundred Forty-Six Dollars and Zero Cents (\$3,104,146.00) for a total amount not to exceed **ELEVEN MILLION FOUR HUNDRED SEVENTY-TWO THOUSAND NINE HUNDRED FORTY-SIX DOLLARS AND ZERO CENTS (\$11,472,946.00)** by deleting all of the existing language contained therein and replacing it with new language as follows:

“The Government, in consideration of the satisfactory performance of the services described in Addendum I (Scope of Work) agrees to pay Contractor the sum not to exceed **ELEVEN MILLION FOUR HUNDRED SEVENTY-TWO THOUSAND NINE HUNDRED FORTY-SIX DOLLARS AND ZERO CENTS (\$11,472,946.00)** in accordance with the provisions set forth in 3rd Amended Addendum II (Compensation) attached hereto and made a part of this Contract.”

3. Addendum II of the Contract is revised by deleting all terms contained therein and inserting in lieu thereof all of the terms contained in the 3rd Amended Addendum II attached hereto as Exhibit “A”.
4. This Amendment No. 3 is subject to the approval of the Governor of the Virgin Islands and to the appropriation and availability of funds.
5. Except as expressly amended in this Amendment, all terms of the Contract and Amendment No. 2 remain in full force and effect.

[THIS SECTION IS INTENTIONALLY LEFT BLANK]

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IN WITNESS WHEREOF, the Parties have hereunto set their hands on the day and year first above written.

WITNESSES:

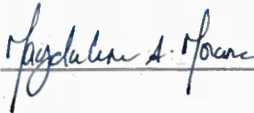
GOVERNMENT OF THE VIRGIN ISLANDS



Racquel Berry-Benjamin

Racquel Berry-Benjamin Commissioner
Department of Education

05/12/2021
Date



Anthony D. Thomas

Anthony D. Thomas, Commissioner
Department of Property & Procurement

6/3/2021
Date

WITNESSES

CONTRACTOR



Lana Buley

Lana Buley, Vice President
Milestone Healthcare LLC dba
Milestone Staffing Services

5/12/2021
Date

APPROVED:



Honorable Albert Bryan Jr.
GOVERNOR OF THE VIRGIN ISLANDS

7-13-21
Date

APPROVED AS TO LEGAL SUFFICIENCY
DEPARTMENT OF JUSTICE BY:

Carol E. McDermott

Assistant Attorney General

Date 6/7/2021

PURCHASE ORDER NO. _____