



CONTRACT: C19-2761-TS
MV TRANSPORTATION, INC.
PUBLIC TRANSPORTATION SERVICES
EXPIRES: 12/31/2023 W/2 1 YR RENEWALS

**THIRD AMENDMENT TO THE AGREEMENT BETWEEN
OKALOOSA COUNTY AND MV TRANSPORTATION, INC.
FOR PUBLIC TRANSPORTATION SERVICES
CONTRACT NO. C19-2761-TS**

This Third Amendment to the Agreement between Okaloosa County, a political subdivision of the State of Florida ("County"), and MV Transportation, Inc. ("Contractor"), executed this 1st day of March 2022, is made a part of the original Agreement dated December 18, 2018, Contract No. C19-2761-TS (the "original Agreement"), incorporated herein by reference. The County and Contractor hereby agree as follows:

1. **AMENDMENT BACKGROUND AND INTENT** - This Amendment is being entered into solely and specifically to provide funding for immediate increases in the wages of transit operational personnel per the attached sheet and for 3% thereafter for the following calendar year 2023 and potentially two future renewal calendar years 2024-2025, if and when such agreements renewals are approved by the County. The wage adjustments shall take effect immediately in the first pay period in March 2022 and shall be retroactive back to February 1, 2022. Contractor shall increase its recruitment efforts by promoting these wage adjustments. These wage adjustments are in response to the personnel shortages and overall impacts on the employment market in the State of Florida and throughout the United States, on public transportation services. To demonstrate compliance with this intent and the sole reason for this amendment the Contractor agrees to do the following:
 - a. Provide proof that all MV Employees receive the wage increases shown on the Attachment in 2022 and subsequently for future wage adjustments in January 2023, and 2024 and 2025, as applicable.
 - b. Provide proof that recruiting materials/information for new hires are meeting the minimum wage levels in the Attachment per position and subsequent increases.
 - c. Demonstrate that the Contractor is undertaking a robust employee recruiting effort until driver vacancy levels are below 5 percent.
 - d. Report ongoing vacancy levels for the following 6 months (March-August 2022) and at any other time beyond 6 months where vacancy levels exceed 10% for drivers or if the Contractor otherwise determines vacancy level are materially affecting operational service to the residents of Okaloosa County.

2. **RATE AMENDMENTS.** The County and Contractor wish to amend Section 5, Subset B of the original Agreement to provide for the following changes, which has resulted from operational and service setbacks that include personnel shortages and overall impacts on the employment market in the State of Florida and in the United States, on public transportation services:
 - a. **PARATRANSIT SERVICE.** The County shall pay Contractor an adjusted revenue per hour and rate tiers, as shown below:
 - i. **February 2022 thru April 2022** – payments will be based on actual hours performed up to monthly maximum hours allocated, at rate per hour of \$40.72



- ii. **May 2022** – payments will be based on actual hours performed up to monthly maximum hours allocated at rate per hour of \$40.32.
- iii. **June 2022 thru December 2022**- payments will be based on actual hours performed up to monthly maximum hours allocated at rate per hour of \$40.01.
- iv. **January 2023 thru December 2023** – payments will be based on actual hours performed up to monthly maximum hours allocated at rate per hour of \$41.21.
- v. **January 2024 thru December 2024 (If renewed)** – payments will be based on actual hours performed up to monthly maximum hours allocated at rate per hour of \$42.44.
- vi. **January 2025 thru December 2025 (If renewed)** – payments will be based on actual hours performed up to monthly maximum hours allocated at rate per hour of \$43.71.

b. **FIXED ROUTE SERVICE.** The County shall pay Contractor an adjusted revenue per hour and rate tiers, on an annualize basis, as shown below:

- i. **February 2022 thru April 2022** – payments will be based on actual hours performed up to monthly maximum hours allocated, at rate per hour of \$40.72.
- ii. **May 2022** - payments will be based on actual hours performed up to monthly maximum hours allocated, at rate per hour of \$40.32.
- iii. **June 2022 thru December 2022**- payments will be based on actual hours performed up to monthly maximum hours allocated, at rate per hour of \$40.01.
- iv. **January 2023 thru December 2023** – payments will be based on actual hours performed up to monthly maximum hours allocated, at rate per hour of \$41.21.
- v. **January 2024 thru December 2024 (If renewed)** – payments will be based on actual hours performed up to monthly maximum hours allocated, at rate per hour of \$42.44.
- vi. **January 2025 thru December 2025 (If renewed)** – payments will be based on actual hours performed up to monthly maximum hours allocated, at rate per hour of \$43.71.

3. **SECTION 40 AMENDMENT** – The County and Contractor wish to amend Section 40 of the original Agreement as follows:

- a. Beginning immediately with this amendment, failure to implement the wage adjustments within the timeframes contemplated herein shall result in the suspension of any new Fixed Route and Paratransit rate adjustments until such time as the employee wage adjustments are implemented. No retroactive reimbursement rate adjustments to the Contractor may occur for a month, once a month has passed without such timely employee wage adjustments.
- b. Beginning in April 2022, through the life of the Agreement and any amendments thereto, monthly, when there are still available at least 100 allocated hours in the monthly allocation of paratransit, for every trip denial over 25 due to operation reasons, it shall result in the following penalty/damages below. Any trips from the customer organization "On the Move" or its successor made after the cutoff



timeframe shall be deducted from any trip denial calculation. A deduction from the Contractor reimbursement shall occur based on:

- i. \$25 per denial trip up to 100 trips
- ii. \$50 per denial trip from 101 trips to 300
- iii. \$75 per each denial trip from 301 trips to 500
- iv. \$100 per each denial trip above 500 trips

4. **EFFECTIVE DATE OF AMENDMENT.** The effective date of this amendment shall be retroactive to February 1st, 2022.
5. **OTHER PROVISIONS REMAIN IN EFFECT.** Except as specifically modified herein, all terms and conditions of the original Agreement between the parties shall remain in full force and effect.
6. **CONFLICTING PROVISIONS.** The terms, statements, requirements, or provisions contained in this Amendment shall prevail and be given superior effect and priority over any conflicting or inconsistent terms, statements, requirements or provisions contained in any other document or attachment.

(Remainder of Page Intentionally Left Blank)



IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the day and year first written above.

MV TRANSPORTATION:

Maria Small
Signature

TITLE: Executive Vice President & CFO

Maria Small
Print Name

ATTEST:

OKALOOSA COUNTY, FLORIDA

J.D. Peacock II
J.D. Peacock II, Clerk of Courts

BY: Mel Ponder
Mel Ponder, Chairman





Amendment 3 Attachment 2021

MV Market Analysis

Wage Proposed - February 2022 thru December 2022

Driver Wage Rates					
Seniority	Headcount (Projected)	%-age	01/22 Wage	Proposed FY 2022	% Inc
Rate Tier #1 (Start)	26	56.52%	\$12.61	\$13.87	10.00%
Rate Tier #2	14	30.43%	\$12.93	\$14.22	10.00%
Rate Tier #3	6	13.04%	\$14.00	\$15.40	10.00%
Total	46	100.00%	\$12.89	\$14.18	10.00%

Dispatcher	Headcount	%-age	01/22 Wage	Proposed FY 2022	% Inc
Baker	0.25	7.69%	\$14.00	\$15.40	10.00%
Fuller	1	30.77%	\$14.00	\$15.40	10.00%
Richards	1	30.77%	\$14.00	\$15.40	10.00%
Stinson	1	30.77%	\$14.00	\$15.40	10.00%
Total	3.25	100.00%	\$14.00	\$15.40	10.00%

Floater	Headcount	%-age	01/22 Wage	Proposed FY 2022	% Inc
Floater (Open)	1	100.00%	\$14.00	\$15.75	12.50%
Total	1	100.00%	\$14.00	\$15.75	12.50%

Reservationist	Headcount	%-age	01/22 Wage	Proposed FY 2022	% Inc
Caines	1	50.00%	\$13.66	\$15.03	10.00%
Wallace	1	50.00%	\$13.66	\$15.03	10.00%
Total	2	100.00%	\$13.66	\$15.03	10.00%

Road Supervisor	Headcount	%-age	01/22 Wage	Proposed FY 2022	% Inc
Ivy	1	40.00%	\$14.54	\$15.99	10.00%
Webster	1	40.00%	\$14.54	\$15.99	10.00%
Road Supervisor (Open)	0.5	20.00%	\$14.54	\$15.99	10.00%
Total	2.5	100.00%	\$11.63	\$12.80	10.00%

Scheduler	Headcount	%-age	01/22 Wage	Proposed FY 2022	% Inc
Blevins	1	100.00%	\$13.66	\$15.03	10.00%
Total	1	100.00%	\$13.66	\$15.03	10.00%

Utility	Headcount	%-age	01/22 Wage	Proposed FY 2022	% Inc
Offield	1	50.00%	\$12.00	\$12.60	5.00%
Stinson	1	50.00%	\$12.00	\$12.60	5.00%
Total	2	50.00%	\$12.00	\$12.60	5.00%

Employee increases in January 2023, January 2024, and January 2025 shall be 3% in addition to what is shown above.

**PROCUREMENT/CONTRACT/LEASE
INTERNAL COORDINATION SHEET**

Procurement/Contract/Lease Number: CI9-2761-TS Tracking Number: 446722
Procurement/Contractor/Lessee Name: MV Transit Grant Funded: YES NO
Purpose: 3rd amendment
Date/Term: 12-31-23 w/ 2 year renewal 1. GREATER THAN \$100,000
Department #: 701943 / 702045 2. GREATER THAN \$50,000
Account #: 534410 / 534412 3. \$50,000 OR LESS
Amount: Based on mv value adjustment
Department: TS Dept. Monitor Name: Parker

Purchasing Review

Procurement or Contract/Lease requirements are met:
DeRita Mason Date: 12-1-21
Purchasing Manager or designee Jeff Hyde, DeRita Mason, Jessica Darr, Angela Etheridge

2CFR Compliance Review (if required)

Approved as written: See email attached Grant Name: _____
Date: 12-1-21
Grants Coordinator _____

Risk Management Review

Approved as written: See email attached Date: 12-1-21
Risk Manager or designee Lisa Price

County Attorney Review

Approved as written: See email attached Date: 12-1-21
County Attorney Lynn Hoshihara, Kerry Parsons or Designee

Department Funding Review

Approved as written: _____ Date: _____

IT Review (if applicable)

Approved as written: _____ Date: _____

DeRita Mason

From: Marian Hunt
Sent: Wednesday, December 1, 2021 10:04 AM
To: DeRita Mason; Tyrone Parker
Cc: Jane Evans
Subject: FW: Transit Contract Amendment

DeRita,

This is approved for grant purposes. Department # 702045, accts: 534410, 534412.

Thank you,

Marian J. Hunt

Grant Accountant
Office of Management and Budget
1250 North Eglin Parkway
Suite 102
Shalimar, FL 32579
Phone: 850-609-7075
Fax: 850-651-7551
Internal Courier: CAO-S/Grants
Email: mhunt@myokaloosa.com



Please note: Due to Florida's very broad public records laws, most written communications to or from County employees regarding County business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

From: Jane Evans <jevans@myokaloosa.com>
Sent: Wednesday, December 1, 2021 9:58 AM
To: Marian Hunt <mhunt@myokaloosa.com>
Subject: FW: Transit Contract Amendment

Could you help DeRita?

From: DeRita Mason
Sent: Wednesday, December 1, 2021 9:57 AM
To: Tyrone Parker <tparker@myokaloosa.com>
Cc: Jane Evans <jevans@myokaloosa.com>
Subject: RE: Transit Contract Amendment

Tyrone,
Can I get the department/account number used for this?

DeRita Mason

From: Lynn Hoshihara
Sent: Wednesday, December 1, 2021 12:35 PM
To: Tyrone Parker; DeRita Mason; Kerry Parsons
Cc: Kristina LoFria; Karen Donaldson; Craig Coffey; Jeffrey Hyde; Jane Evans; Marian Hunt
Subject: Re: Transit Contract Amendment
Attachments: 3rd Amendment to C19-2761-TS 12.1.21 LMH.docx

Attached are my changes. With these changes, this is approved as to legal sufficiency.

Lynn M. Hoshihara
County Attorney
Okaloosa County, Florida

Please note: Due to Florida's very broad public records laws, most written communications to or from County employees regarding County business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

From: Tyrone Parker
Sent: Wednesday, December 1, 2021 12:37:59 PM
To: DeRita Mason; Lynn Hoshihara; Kerry Parsons
Cc: Kristina LoFria; Karen Donaldson; Craig Coffey; Jeffrey Hyde; Jane Evans; Marian Hunt
Subject: RE: Transit Contract Amendment

DeRita,

As follow-up, the attached 3rd Amendment to the MV Transportation Contract has been revised, and await review and comments. If you have any questions or comments, please contact me at your earliest convenience. Your assistance is greatly appreciated.

Booker Tyrone Parker
Okaloosa County BCC – EC RIDER

From: DeRita Mason <dmason@myokaloosa.com>
Sent: Wednesday, December 1, 2021 9:56 AM
To: Lynn Hoshihara <lhoshihara@myokaloosa.com>; Kerry Parsons <kparsons@myokaloosa.com>
Cc: Kristina LoFria <klofria@myokaloosa.com>; Karen Donaldson <kdonaldson@myokaloosa.com>; Craig Coffey <ccoffey@myokaloosa.com>; Tyrone Parker <tparker@myokaloosa.com>; Jeffrey Hyde <jhyde@myokaloosa.com>
Subject: FW: Transit Contract Amendment
Importance: High

Ladies,
Here is another rush, I just received this morning and they need to get it on the board for approval ASAP.
Thank you,

DeRita Mason

DeRita Mason

From: Karen Donaldson
Sent: Wednesday, December 1, 2021 1:25 PM
To: DeRita Mason
Subject: RE: Transit Contract Amendment

This is approved by risk management for insurance purposes.

Thank you

From: DeRita Mason
Sent: Wednesday, December 1, 2021 9:56 AM
To: Lynn Hoshihara <lhoshihara@myokaloosa.com>; Kerry Parsons <kparsons@myokaloosa.com>
Cc: Kristina LoFria <klofria@myokaloosa.com>; Karen Donaldson <kdonaldson@myokaloosa.com>; Craig Coffey <ccoffey@myokaloosa.com>; Tyrone Parker <tparker@myokaloosa.com>; Jeffrey Hyde <jhyde@myokaloosa.com>
Subject: FW: Transit Contract Amendment
Importance: High

Ladies,

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Thank you,

DeRita Mason



DeRita Mason, CPPB, NIGF-CPP
Senior Contracts and Lease Coordinator
Okaloosa County Purchasing Department
5479A Old Bethel Road
Crestview, Florida 32536
(850) 689-5960
dmason@myokaloosa.com

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From: Tyrone Parker <tparker@myokaloosa.com>
Sent: Wednesday, December 1, 2021 9:53 AM
To: Craig Coffey <ccoffey@myokaloosa.com>
Cc: Jane Evans <jevans@myokaloosa.com>; Jeffrey Hyde <jhyde@myokaloosa.com>; DeRita Mason