

APPROVING AMENDMENTS TO TRANSIT PROVIDER CONTRACT AGREEMENTS WITH TRANSDEV, INC. TO EXTEND THE AGREEMENTS FROM JANUARY 1, 2024, THROUGH DECEMBER 31, 2025.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government which may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, on November 13, 2018, via Resolution 2018-143, the City's corporate authorities approved a transit service provider contract to provide Fixed Route public transit services in the DeKalb Urbanized Area with Transdev Services Inc. (the "Fixed Route Agreement"); and

WHEREAS, on September 14, 2020, via Resolution 2020-101, the City's corporate authorities approved a transit service provider contract to provide Paratransit and Flex Route public transit services in the DeKalb Urbanized Area with Transdev Services Inc. (the "Paratransit Agreement"); and

WHEREAS, pursuant to the Fixed Route and Paratransit agreements, the City may extend the Agreements for two additional one-year terms, the first being January 1, 2024, through December 31, 2024, and the second being January 1, 2025, through December 31, 2025; and

WHEREAS, City staff and Transdev Services Inc. negotiated Amendments to the Fixed Route and Paratransit and Flex Route Agreements in the same or substantially similar form as Exhibit A and B attached hereto and incorporated herein; and

WHEREAS, the City's corporate authorities find that approving the Amendments are in the City's best interests and promotes the public health, safety and welfare; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The 2023 and 2024 Fixed Route Agreement Extension is hereby approved.

SECTION 2: The 2023 and 2024 Paratransit Agreement Extension is hereby approved.

SECTION 3: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

SECTION 4: This resolution and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such resolution should (a) contain terms contrary to the provision of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of DeKalb that to the extent that the terms of this resolution should be inconsistent with any non-preemptive state law, that this resolution shall supersede state law in that regard within its jurisdiction.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a Regular meeting thereof held on the 10th day of July 2023 and approved by me as Mayor on the same day. Passed by a 7-0-1 roll call vote. Aye: Zasada, Larson, Perkins, McAdams, Verbic, Walker, Barnes. Nay: None. Absent: Smith.




COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant

EXHIBIT A

AMENDMENT TO EXTEND THE FIXED ROUTE TRANSIT SERVICE PROVIDER AGREEMENT DATED JANUARY 1, 2019, BETWEEN THE CITY OF DEKALB AND TRANSDEV SERVICES, INC.

This agreement ("**Amendment**") is entered into this 10th day of July 2023 by the City of DeKalb, Illinois ("**CITY**") and Transdev Services, Inc. ("**CONTRACTOR**").

SECTION I:

EXTENSION AMENDMENT TO THE FIXED ROUTE TRANSIT SERVICE PROVIDER AGREEMENT

1. All capitalized terms used herein shall have the meaning ascribed to them in the Original Agreement, as modified by this Amendment.
2. Page 367, Transit Service Provider Price Proposal, is amended to include the following:
 - a. Fixed Route Price Summary

Table 1. Fixed Route Option Year Price Summary:

Year	Transdev Proposed Hourly Rate	City Wage Structure Hourly Funding	Fixed Pricing	Revenue Hours	Price
2023	X	\$57.07	\$113,815.00	59,861	\$4,782,047.27
2024	\$60.27	X	\$140,138.26	59,861	\$5,056,102.42
2025	\$63.35	X	\$144,666.31	59,861	\$5,292,963.18

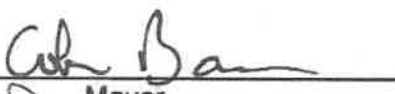
SECTION II:


1. **Binding Effect.** The Transit Service Provider Agreement, as amended by this Amendment, shall continue in full force and effect, subject to the terms and provisions thereof and hereof. In the event of any conflict between the terms of the Transit Service Provider Agreement and the terms of this Amendment, this Amendment shall control. This Amendment shall be binding upon and inure to the benefit of the City and Transdev Services, Inc.
2. **Counterparts.** This Amendment may be signed in any number of counterparts, each of which shall be original, with the main effect as if the signatures thereto and hereto were upon the same instrument.

SIGNATURES

In Witness Whereof, the parties hereto have caused this amendment to be executed by their duly authorized officers on the above date in DeKalb, Illinois.

City of DeKalb

By: 
Mayor

Attest: 

Transdev Services, Inc.

DocuSigned by:
By: Susan M. Sweat
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DocuSigned by:
Attest: Elena Daempfle
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EXHIBIT B

AMENDMENT TO EXTEND THE PARATRANSIT AND FLEX ROUTE SERVICE PROVIDER AGREEMENT DATED JANUARY 1, 2021, BETWEEN THE CITY OF DEKALB AND TRANSDEV SERVICES, INC.

This agreement ("Amendment") is entered into this 10th day of July 2023 by the City of DeKalb, Illinois ("CITY") and Transdev Services, Inc. ("CONTRACTOR").

SECTION I:

EXTENSION AMENDMENT TO THE PARATRANSIT AND FLEX ROUTE SERVICE PROVIDER AGREEMENT

1. All capitalized terms used herein shall have the meaning ascribed to them in the Original Agreement, as modified by this Amendment.
2. Page 407, Proposed Flex Route Price Summary, is amended to include the following:
 - a. Paratransit Price Option Year Price Summary

Table 2. Paratransit Price Option Year Price Summary:

Year	Transdev Proposed Hourly Rate	City Wage Structure Hourly Funding	Fixed Pricing	Revenue Hours	Price
2023	X	\$46.71	\$99,613.64	28,956	\$2,547,898.44
2024	\$49.06	X	\$103,267.49	28,956	\$2,659,791.24
2025	\$52.66	X	\$107,751.63	28,956	\$2,817,842.52

SECTION II:


1. **Binding Effect.** The Transit Service Provider Agreement, as amended by this Amendment, shall continue in full force and effect, subject to the terms and provisions thereof and hereof. In the event of any conflict between the terms of the Transit Service Provider Agreement and the terms of this Amendment, this Amendment shall control. This Amendment shall be binding upon and inure to the benefit of the City and Transdev Services, Inc.
2. **Counterparts.** This Amendment may be signed in any number of counterparts, each of which shall be original, with the main effect as if the signatures thereto and hereto were upon the same instrument.

SIGNATURES

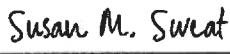
In Witness Whereof, the parties hereto have caused this amendment to be executed by their duly authorized officers on the above date in DeKalb, Illinois.

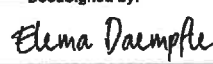
City of DeKalb

By: 
Mayor

Attest: 

Transdev Services, Inc.

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By: 
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Attest: 
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