



- B. 227 daily hours for Demand Service (“Average Daily Pre-COVID-19 Demand Service Hours”).
3. Effective April 6, 2020, the County shall pay the Contractor adjusted rates for services not operated due to COVID-19 as determined herein until:
  - A. The actual average daily hours equal or exceed the Average Daily Pre-COVID-19 Commuter Service Hours and Average Daily Pre-COVID-19 Demand Service Hours, on two successive invoices; or
  - B. The County’s CARES Act funding allocated to cover COVID-19 Hours is no longer available; or
  - C. The County makes a permanent service adjustment, whichever occurs sooner.
4. COVID-19 Service Hours shall be billed as reflected in the Cost Matrix attached hereto as Exhibit “A” and as follows:
  - A. Up to 142 daily hours at \$26.50 per hour for Commuter Service; and
  - B. Up to 227 daily hours at \$27.51 per hour for Demand Service.
5. Contractor and County agree that guidance and allowances are still being developed by the Federal Transit Administration (FTA) for expenses under the CARES Act. As such the rate provided for COVID-19 may need to be adjusted.
  - A. County agrees to increase the rate for new rate elements which may be allowed by the Federal Transit Administration under future guidance;
  - B. Contractor agrees to reimburse County for rate elements determined by Federal Transit Administration as ineligible under the CARES Act; and
  - C. Such COVID-19 rate adjustments shall be made as guidance is issued and effected on the next billing period throughout the course of the Agreement without further amendment.
6. Actual hours of operation shall be billed at the standard rates under the Agreement.
7. COVID-19 Hours shall be calculated on a bi-weekly invoice with the actual hours of operation, up to the respective Average Daily Pre-COVID-19 Service Hours.
8. Upon execution of this Third Amendment, the Contractor shall submit one invoice to the County for all COVID-19 Hours for service dating back to April 6, 2020.

9. BY ACCEPTANCE OF THIS THIRD AMENDMENT, CONTRACTOR ACKNOWLEDGES THAT THE COUNTY IS OPPOSED TO HUMAN TRAFFICKING AND THAT NO COUNTY FUNDS WILL BE USED IN SUPPORT OF SERVICES OR ACTIVITIES THAT VIOLATE HUMAN TRAFFICKING LAWS.

Except as provided herein, all terms and conditions of the Agreement and any subsequently executed amendment shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed to multiple counterparts to be effective on the date signed by the final party.

FORT BEND COUNTY

FIRST TRANSIT, INC



\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Agent - Bradley Thomas

ATTEST:

\_\_\_\_\_  
President  
Title

\_\_\_\_\_  
Laura Richard, County Clerk

\_\_\_\_\_  
09.11.2020  
Date

APPROVED:

\_\_\_\_\_  
Perri D'Armond, Director,  
Fort Bend County Public Transportation

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Marcus D. Spencer, First Assistant County Attorney

**AUDITOR'S CERTIFICATE**

I hereby certify that funds are available in the amount of \$ \_\_\_\_\_  
to accomplish and pay the obligation of Fort Bend County under this contract.

\_\_\_\_\_  
Robert Ed Sturdivant, County Auditor

## Exhibit A

### COVID (Cares Act) Cost Matrix

COVID (CARES ACT) COST MATRIX										
	COVID RATE - EFFECTIVE April 6, 2020	% OF OVERALL RATE	DEMAND RESPONSE	COMMUTER BUS	ELIGIBILITY FOR CARES ACT: YES/NO	ADJUSTED DEMAND RESPONSE RATE	ADJUSTED COMMUTER BUS RATE	%		
								OVERALL	RATE	
<b>OPERATIONS LABOR</b>										
(61) Vehicle Operators (\$14.50 per hour)	\$ 1,887,184.23	42.69%	\$ 21.81	\$ 21.00	NO	\$ 21.81	\$ 21.00	42.69%	42.69%	
(2) Safety and Training	\$ 86,431.00	1.96%	\$ 1.00	\$ 0.96	YES	\$ 1.00	\$ 0.96	1.96%	1.96%	
(1) Field Supervision	\$ 66,625.00	1.51%	\$ 0.77	\$ 0.74	YES	\$ 0.77	\$ 0.74	1.51%	1.51%	
(2) Dispatchers - Reduced to Actual	\$ 71,282.00	1.61%	\$ 0.82	\$ 0.79	YES	\$ 0.82	\$ 0.79	1.61%	1.61%	
(1) General Manager	\$ 110,692.31	2.50%	\$ 1.28	\$ 1.23	YES	\$ 1.28	\$ 1.23	2.50%	2.50%	
(1) Operations Manager	\$ 57,981.69	1.31%	\$ 0.67	\$ 0.65	YES	\$ 0.67	\$ 0.65	1.31%	1.31%	
## Scheduler	\$ -	0.00%	\$ -	\$ -	-	\$ -	\$ -	0.00%	0.00%	
## Disposition/Imp	\$ -	0.00%	\$ -	\$ -	-	\$ -	\$ -	0.00%	0.00%	
Payroll Taxes - Reduced to Actual	\$ 26,303.00	0.59%	\$ 0.30	\$ 0.29	YES	\$ 0.30	\$ 0.29	0.59%	0.59%	
Worker's Compensation	\$ 105,447.51	2.39%	\$ 1.22	\$ 1.17	YES	\$ 1.22	\$ 1.17	2.39%	2.39%	
<b>Subtotal: Operations Labor</b>	<b>\$ 2,411,946.73</b>	<b>54.56%</b>	<b>\$ 27.87</b>	<b>\$ 26.84</b>		<b>\$ 27.87</b>	<b>\$ 26.84</b>	<b>54.56%</b>	<b>54.56%</b>	
(2) Mechanics - Reduced to Actual	\$ 192,509.98	3.68%	\$ 1.88	\$ 1.81	YES	\$ 1.88	\$ 1.81	3.68%	3.68%	
(2) Supervisors/Foreman	\$ 153,016.36	3.46%	\$ 1.77	\$ 1.70	YES	\$ 1.77	\$ 1.70	3.46%	3.46%	
(3) Maintenance Clerk (Service Workers) - Reduced to Actual	\$ 77,892.41	1.76%	\$ 0.90	\$ 0.87	YES	\$ 0.90	\$ 0.87	1.76%	1.76%	
Payroll Taxes - Reduced to Actual	\$ 34,432.10	0.78%	\$ 0.40	\$ 0.38	YES	\$ 0.40	\$ 0.38	0.78%	0.78%	
Worker's Compensation	\$ 16,988.76	0.38%	\$ 0.20	\$ 0.19	YES	\$ 0.20	\$ 0.19	0.38%	0.38%	
<b>Subtotal: Maintenance Labor</b>	<b>\$ 444,837.61</b>	<b>10.06%</b>	<b>\$ 5.14</b>	<b>\$ 4.95</b>		<b>\$ 5.14</b>	<b>\$ 4.95</b>	<b>10.06%</b>	<b>10.06%</b>	
<b>MAINTENANCE</b>										
Vehicle Parts - Reduced to Actual	\$ 204,826.10	4.63%	\$ 2.37	\$ 2.28	NO	\$ 2.37	\$ 2.28	4.63%	4.63%	
Tires - Reduced to Actual	\$ 15,133.24	0.34%	\$ 0.17	\$ 0.17	NO	\$ 0.17	\$ 0.17	0.34%	0.34%	
Fluids - Reduced to Actual	\$ 6,053.30	0.14%	\$ 0.07	\$ 0.07	NO	\$ 0.07	\$ 0.07	0.14%	0.14%	
Shop Supplies	\$ 3,587.50	0.08%	\$ 0.04	\$ 0.04	NO	\$ 0.04	\$ 0.04	0.08%	0.08%	
Tools and Equipment	\$ 20,528.94	0.46%	\$ 0.24	\$ 0.23	NO	\$ 0.24	\$ 0.23	0.46%	0.46%	
Fleet License/Inspection	\$ 10,250.00	0.23%	\$ 0.12	\$ 0.11	NO	\$ 0.12	\$ 0.11	0.23%	0.23%	
<b>Subtotal: Maintenance</b>	<b>\$ 260,377.08</b>	<b>5.89%</b>	<b>\$ 3.01</b>	<b>\$ 2.90</b>		<b>\$ 3.01</b>	<b>\$ 2.90</b>	<b>5.89%</b>	<b>5.89%</b>	
<b>OTHER OVERHEAD</b>										
Uniforms	\$ 20,346.25	0.46%	\$ 0.24	\$ 0.23	YES	\$ 0.24	\$ 0.23	0.46%	0.46%	
Recruiting	\$ 2,214.00	0.05%	\$ 0.03	\$ 0.02	NO	\$ 0.03	\$ 0.02	0.05%	0.05%	
Background/Driving Records	\$ 9,235.25	0.21%	\$ 0.11	\$ 0.10	NO	\$ 0.11	\$ 0.10	0.21%	0.21%	
Training (Supplies)	\$ 23,318.75	0.53%	\$ 0.27	\$ 0.26	YES	\$ 0.27	\$ 0.26	0.53%	0.53%	
Drug Testing	\$ 25,653.70	0.58%	\$ 0.30	\$ 0.29	YES	\$ 0.30	\$ 0.29	0.58%	0.58%	
<b>Subtotal: Other Overhead</b>	<b>\$ 80,767.95</b>	<b>1.83%</b>	<b>\$ 0.93</b>	<b>\$ 0.90</b>		<b>\$ 0.93</b>	<b>\$ 0.90</b>	<b>1.83%</b>	<b>1.83%</b>	
<b>ADMINISTRATION</b>										
(2) General & Administrative Staff	\$ 103,594.60	2.34%	\$ 1.20	\$ 1.15	YES	\$ 1.20	\$ 1.15	2.34%	2.34%	
Payroll Taxes	\$ 9,078.29	0.21%	\$ 0.10	\$ 0.10	YES	\$ 0.10	\$ 0.10	0.21%	0.21%	
Worker's Compensation	\$ 2,113.33	0.05%	\$ 0.02	\$ 0.02	YES	\$ 0.02	\$ 0.02	0.05%	0.05%	
Other Benefits - Reduced to Actual	\$ 351,387.22	7.95%	\$ 4.06	\$ 3.91	YES	\$ 4.06	\$ 3.91	7.95%	7.95%	
Administrative Materials/Supplies	\$ 507,095.17	12.83%	\$ 6.55	\$ 6.31	YES	\$ 6.55	\$ 6.31	12.83%	12.83%	
Non-Revenue Vehicles	\$ 16,781.68	0.38%	\$ 0.19	\$ 0.19	YES	\$ 0.19	\$ 0.19	0.38%	0.38%	
Property Taxes	\$ 20,500.00	0.46%	\$ 0.24	\$ 0.23	YES	\$ 0.24	\$ 0.23	0.46%	0.46%	
Tolls	\$ 2,469.00	0.06%	\$ 0.03	\$ 0.03	NO	\$ 0.03	\$ 0.03	0.06%	0.06%	
Office Equipment & Supplies	\$ 19,225.85	0.43%	\$ 0.22	\$ 0.21	YES	\$ 0.22	\$ 0.21	0.43%	0.43%	
Maintenance Facility Rent, All Utilities, & Maintenance	\$ -	0.00%	\$ -	\$ -	NO	\$ -	\$ -	0.00%	0.00%	
Telephone	\$ 39,975.00	0.90%	\$ 0.46	\$ 0.44	YES	\$ 0.46	\$ 0.44	0.90%	0.90%	
Outside Services	\$ 8,966.70	0.20%	\$ 0.10	\$ 0.10	YES	\$ 0.10	\$ 0.10	0.20%	0.20%	
Corporate Overhead	\$ 205,704.28	4.65%	\$ 2.38	\$ 2.29	YES	\$ 2.38	\$ 2.29	4.65%	4.65%	
Profit	\$ 193,551.18	4.38%	\$ 2.24	\$ 2.15	YES	\$ 2.24	\$ 2.15	4.38%	4.38%	
Diversion	\$ 22,372.60	0.73%	\$ 0.37	\$ 0.36	YES	\$ 0.37	\$ 0.36	0.73%	0.73%	
Geotab	\$ 9,642.20	0.22%	\$ 0.11	\$ 0.11	YES	\$ 0.11	\$ 0.11	0.22%	0.22%	
Moving Expenses	\$ 833.33	0.02%	\$ 0.01	\$ 0.01	NO	\$ 0.01	\$ 0.01	0.02%	0.02%	
Tier Back-Up (\$05/Hour)	\$ 5,158.85	0.12%	\$ 0.06	\$ 0.06	YES	\$ 0.06	\$ 0.06	0.12%	0.12%	
Misc. Other	\$ 11,891.50	0.27%	\$ 0.14	\$ 0.13	YES	\$ 0.14	\$ 0.13	0.27%	0.27%	
<b>Subtotal: Administrative Costs</b>	<b>\$ 1,033,268.62</b>	<b>23.37%</b>	<b>\$ 11.94</b>	<b>\$ 11.50</b>		<b>\$ 11.94</b>	<b>\$ 11.50</b>	<b>23.37%</b>	<b>23.37%</b>	
<b>INSURANCE</b>										
Auto Insurance (Revenue Fleet Only) - Reduced to Actual	\$ 176,035.58	3.98%	\$ 2.03	\$ 1.96	YES	\$ 2.03	\$ 1.96	3.98%	3.98%	
General Liability - Reduced to Actual	\$ 9,265.03	0.21%	\$ 0.11	\$ 0.10	YES	\$ 0.11	\$ 0.10	0.21%	0.21%	
Performance Bond	\$ 4,228.13	0.10%	\$ 0.05	\$ 0.05	YES	\$ 0.05	\$ 0.05	0.10%	0.10%	
<b>Subtotal: Insurance</b>	<b>\$ 189,528.74</b>	<b>4.29%</b>	<b>\$ 2.19</b>	<b>\$ 2.11</b>		<b>\$ 2.19</b>	<b>\$ 2.11</b>	<b>4.29%</b>	<b>4.29%</b>	
<b>COST SUMMARY</b>										
<b>Subtotal: Operations Labor</b>	<b>\$ 2,411,946.73</b>	<b>54.56%</b>				<b>\$ 6.06</b>	<b>\$ 5.84</b>			
<b>Subtotal: Maintenance Labor</b>	<b>\$ 444,837.61</b>	<b>10.06%</b>				<b>\$ 5.14</b>	<b>\$ 4.95</b>			
<b>Subtotal: Maintenance</b>	<b>\$ 260,377.08</b>	<b>5.89%</b>				<b>\$ -</b>	<b>\$ -</b>			
<b>Subtotal: Other Overhead</b>	<b>\$ 80,767.95</b>	<b>1.83%</b>				<b>\$ 0.80</b>	<b>\$ 0.77</b>			
<b>Subtotal: Administrative Costs</b>	<b>\$ 1,033,268.62</b>	<b>23.37%</b>				<b>\$ 11.90</b>	<b>\$ 11.46</b>			
<b>Subtotal: Insurance</b>	<b>\$ 189,528.74</b>	<b>4.29%</b>				<b>\$ 2.19</b>	<b>\$ 2.11</b>			
<b>Workers Compensation</b>	<b>\$ 122,434.27</b>	<b>2.77%</b>				<b>\$ 1.41</b>	<b>\$ 1.36</b>			
<b>TOTAL COSTS USING FBC OWNED VEHICLES</b>	<b>\$ 4,420,726.73</b>	<b>100.00%</b>				<b>\$ 27.51</b>	<b>\$ 26.90</b>			
						<b>REVISED RATE</b>				
						<b>CURRENT RATE (as of 3/2020)</b>	<b>\$ 51.08</b>	<b>\$ 49.20</b>		