

**(ATTACHMENT 4) ACTION ON THE AWARD OF EXCEPTION-TO-BID REQUESTS**

Purchase Requisition Number: CR017342  
Contract Number: C024327  
Vendor Number: V018795

**MILWAUKEE BOARD OF SCHOOL DIRECTORS  
PROFESSIONAL SERVICES CONTRACT  
SECOND EXTENSION & MODIFICATION**

On November 1, 2015, the Milwaukee Board of School Directors and Milwaukee Education Partnership, Inc. entered into Professional Services Contract number C024327 with a term of November 1, 2015 through June 30, 2016 (“Initial Term”). The Contract, (¶ 2), provided for two additional terms upon mutual written consent of the parties and in consideration of the performance metrics listed therein. The Contract was extended for an additional term from January 1, 2017 through June 30, 2017. Based on the Contractor’s achievement of the performance metrics identified in the Contract, the parties now mutually agree to extend the Contract for the second additional term.

As such, the Contract will be extended for a second term, from December 1, 2017 through June 30, 2018 (“Year 3”), under the same terms and conditions as set forth in the original Contract, except for those specifically set forth below.

The amount to be encumbered on the Contract shall not exceed \$75,000.00 in Year 3.

In accordance with ¶ 19 of the Contract, the parties also modify those terms and conditions identified below.

**MODIFIED TERMS:**

1. Paragraph 3 of the Contract is modified as follows:
  - a. “Total compensation under this Contract in Year 3 shall not exceed \$75,000.00.” is added.
  - b. “Ruth Maegli, Chief Academic Officer” is deleted and replaced with “Gina Spang, Chief of Staff”.
  
2. Paragraph 8 of the Contract is deleted in its entirety and replaced with the following:

“Contractor understands and agrees that financial responsibility for claims or damages to any person, or to Contractor’s employees and agents, shall rest with the Contractor. Contractor and its subcontractors shall effect and maintain any insurance coverage, including, but not limited to, Workers’ Compensation, Employers’ Liability, General Liability, Contractual Liability, Automobile Liability and Umbrella Liability to support such financial obligations. The indemnification obligation, however, shall not be reduced in any way by existence or non-existence, limitation, amount or type of damages, compensation, or benefits payable under Workers’ Compensation laws or other insurance provisions.

The minimum limits of insurance required of the Contractor by MPS shall be:

Workers’ Compensation	Statutory Limits
Employers’ Liability	\$100,000 per occurrence
General Liability	\$1,000,000 per occurrence/\$2,000,000 aggregate
Auto Liability	\$1,000,000 per occurrence
Umbrella (excess) Liability	\$1,000,000 per occurrence

The Milwaukee Board of School Directors shall be named as an additional insured under Contractor’s and subcontractors’ general liability insurance and umbrella liability insurance. Evidence of all required insurances of Contractor shall be submitted electronically to MPS via its

third party vendor, EXIGIS Risk Management Services. Waivers and exceptions to the above limits will be in the sole discretion of MPS and shall be recorded in the EXIGIS system, which records are incorporated into this Contract by reference. The certificate of insurance or policies of insurance evidencing all coverages shall include a statement that MPS shall be afforded a thirty (30) day written notice of cancellation, non-renewal or material change by any of Contractor's insurers providing the coverages required by MPS for the duration of this Contract."

CONTRACTOR

MILWAUKEE BOARD OF SCHOOL DIRECTORS

By: \_\_\_\_\_

By: \_\_\_\_\_

*Aaron A. Konkol, J.D.,  
Director, Procurement & Risk Management*

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Milwaukee Education Partnership, Inc.  
735 W. Wisconsin Ave., Suite 710  
Milwaukee, WI 53233  
(414) 988-9034

By: \_\_\_\_\_

*Darienne B. Driver, Ed.D.  
Superintendent of Schools*

Tax ID:

Date: \_\_\_\_\_

Budget code(s): SDV-0-0-CTG-DW-EIDU

By: \_\_\_\_\_

*Mark A. Sain, President  
Milwaukee Board of School Directors*

Date: \_\_\_\_\_

Reviewed by Risk Management:

By: \_\_\_\_\_

Date: \_\_\_\_\_