

FIRST AMENDMENT TO AGREEMENT

This Amendment is made this ____ day of October, 2023 by and between the Borough of Pottstown (hereinafter Borough) and Pottstown Area Rapid Transit, Inc. (hereinafter referred to as Contractor). Collectively the Borough and the Contractor shall be referred to as “Parties”.

BACKGROUND

- A. The Parties have entered into a Purchase of Fixed Route and ADA Paratransit Service Agreement dated July 1, 2020, hereinafter referred to as “Agreement”.
- B. Pursuant to paragraph 75 of the Agreement, the Agreement may be amended upon mutual consent of the Parties and confirmed in writing.
- C. The Parties wish to amend the Agreement as it relates to the total compensation paid to the Contractor.

NOW, THEREFORE for a good and valuable consideration, the Parties hereto hereby agree as follows:

- 1. The background paragraphs A through C are incorporated into this Amendment by reference.
- 2. Paragraph 68, Payment to Contractor, of the Agreement is hereby amended to add the following additional subsection:
 - i. Notwithstanding any other provision to the contrary set forth above in (a) through (h), the Parties agree that the maximum compensation payable to the Contractor pursuant to this Agreement for the three-year term and the two one year extensions shall not exceed \$11,000,000.00.
- 3. All other provisions of the Agreement not inconsistent herewith are hereby ratified and reaffirmed by the Parties.

THE BOROUGH OF POTTSTOWN

By: _____

Attest: _____

PART, INC.

By: _____

Attest: _____