



CITY OF FRAMINGHAM

OFFICE OF THE CITY SOLICITOR

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City Solicitor

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MEMORIAL BUILDING
150 Concord Street, Room 213
Framingham, MA 01702

September 13, 2022

Kathleen McWilliams, Controller
NRT Bus, Inc.
230 Main Street
North Reading, MA 01864

ATTN: President Judith Crawford
NRT Bus, Inc.
C T Corporation System
155 Federal Street, Suite 700
Boston, MA 02110

NOTICE OF RESERVATION OF RIGHTS

RE: City of Framingham and NRT Bus, Inc. Agreement for School Transportation Services

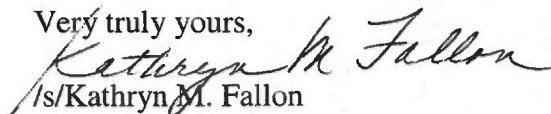
Dear Controller McWilliams and President Crawford:

This notice serves as the City of Framingham's reservation of contractual rights regarding NRT Bus, Inc.'s inability to provide contracted-for school bus services under the Agreement between the parties for school transportation services from July 1, 2021 through June 30, 2026. While the City is cognizant of the labor shortages that may be involved in NRT's inability to provide the necessary number of bus drivers to meet NRT's contractual obligations, the City has statutory obligations to provide transportation to educate its students, and additionally, accommodates other students requesting bus transportation.

The Mayor has reached out to NRT's senior management to understand the steps being taken to remedy NRT's performance deficiencies under the Agreement. In addition, the School Department Director of Finance and Operations has worked closely with NRT's staff to determine NRT's actions on meeting its contractual obligations. Nevertheless, NRT has been unable to meet the requirements of the Agreement, leaving the City unable to accommodate the hundreds of students who requested bus transportation without the needed means to get to school. It is notable that this deficiency is similar to circumstances occurring during the 2021-2022 school year, when NRT was unable to provide the full number of qualified drivers and buses as obligated under the Agreement. The City is concerned about this similarity of occurrence for the current 2022-2023 school year.

Accordingly, I request that you provide me with NRT's written plan to meet NRT's obligations for the number of drivers and buses required under the Agreement, both in the short-term and the longer term during the course of the school year. To the extent NRT's transportation services require supplementation, the City anticipates withholding additional emergency transportation costs incurred by the City to cover these obligations from any payments due to NRT, as authorized under Article 6 of the Agreement. I look forward to receiving your plan for hiring additional drivers and discussing with you how you will provide the contractually required buses for Framingham.

Very truly yours,


/s/Kathryn M. Fallon

cc: Mayor Charles Sisitsky
Louise Miller, CFO/Director of Finance and Administration
Lincoln Lynch IV, School Department Director of Finance and Operations