

# KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

## ADMINISTRATIVE REGULATIONS

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**Section: Business and Administrative Services**

• **Transportation**

**Regulation: BUS OPERATOR CONTRACTED SERVICES: GENERAL PROVISIONS**

**Regulation Code: BA-8.2.1**

**Policy Code Reference: BA-8.2**

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This Administrative Regulation is written in accordance with the guiding principles in Policy No. BA-8.2, Bus Operator Contracted Services.

As a minimum, contract agreements shall address the following items

### **1. Payment to Bus Operators**

1.1 Payment to operators, in consideration of transportation services provided, will be an amount determined as ten percent (10%) of the total contract price for each route. Payment will be made on or before the fifteenth (15<sup>th</sup>) day of each of the ten (10) months of the school year.

### **2. Tendering of Bus Routes**

When new regular daily bus routes are required to be established they may be open to public tender.

2.1 All transportation contracts shall be reviewed annually prior to 30 June.

2.2 After reviewing the contracts, Student Transportation Services officials shall advise the Board of contracts that will not automatically be renewed for the upcoming school year.

2.3 Existing contracts may be submitted for new tenders upon the following conditions

2.3.1 if the Board is dissatisfied with the services being received from the present operators, or

2.3.2 if there is a substantial change in bus routes due to population shifts, etc., and the Board wishes to reach a satisfactory agreement with the existing operator, or

2.3.3 if it is considered that the Board is paying more than is justified for a particular route and is unable to agree on a satisfactory adjustment with the existing operator.

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### **3. Limitations on Holding of Bus Contracts**

- 3.1 It is an objective of the Board to achieve a limit on the number of bus routes to be serviced by one (1) operator at twenty-five percent (25%) of the total number of routes administered by the Board. It is to be expected that this limit will be approached gradually through the process of attrition applied to the entire bussing system.
- 3.2 Approval will not be granted to award additional routes or transfer existing contracts to operators if it will result in any one (1) person, major shareholder, firm or holding company holding contracts which total more than twenty-five percent (25%) of \*total transportation costs.
- 3.3 If any one (1) person or firm (including holding companies) presently doing business with this Board holds contracts which equal more than twenty-five percent (25%) of the \*total transportation costs of this Board, that person or firm will not be allowed to acquire new routes in their own name, their own firm's name or another company name until they come within the requirements of Item 3.2 above.

\*TOTAL TRANSPORTATION COSTS are defined as the sum total of the costs of all transportation contracts for the previous school year as determined on 31 October of that school year.

#### **NOTE FOR CLARIFICATION**

An example of an ultimate owner, major shareholder or holding company is if company X is purchased by company Y but still operates under the name of company X and if company X holds contract at or in excess of twenty-five percent (25%), company Y would not be allowed to acquire routes under the company Y name or under any other name. The contracts held by the holding company are deemed to be those of the parent company or major shareholder thereof.

### **4. Bus Insurance**

- 4.1 A certificate of the insurance being carried by the contracted operator is to be filed with Student Transportation Services prior to the first day of operation in a given school year.

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4.2 All contracts will contain the following clause:

4.2.1 The operator agrees to provide and maintain general public liability insurance and property damage insurance with a reputable insurance company authorized to transact business in Ontario, against claims arising out of operation of a public vehicle according to the Public Vehicles Act and the Regulations thereunder. The operator also agrees to carry comprehensive general liability insurance and such insurance shall name the Board of Education as an additional name insured.

4.3 The limits of insurance to be carried will be specified annually in the actual contract agreements and will reflect both Ministry requirements and industry recommended levels.

**5. Inclement Weather and Board Strike Action Affecting Bus Contracts**

5.1 When any bus route service is temporarily canceled by the Boards, including for inclement weather, the Operator shall receive compensation in keeping with provisions contained within the annual Contract Agreement between Board and Operator.

5.2 In the event of a Kawartha Pine Ridge District School Board strike and/or lockout whereby transportation services are cancelled, payment shall be in accordance with the following

<b># of Days Cancelled</b>	<b>Daily Rate</b>
6 – 15 days	85% of the per diem
16 – 35 days	75% of the per diem
36 days & over	50% of the per diem

(per diem calculated by the annual rate divided by the number of school days in the school year)

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5.3 In the event of an operator job action no payment shall be made.

### **6. Transfer of Bus Contracts**

In order to deal expeditiously with requests for transfer of school bus contracts, the Chairperson of the Board and the Director of Education, or designate, are authorized to grant such request up to a maximum involvement of five (5) routes, subject to Item (3) above.

6.1 The Director of Education, or designate, shall ensure that the proposed new operator of the contract can provide the necessary service and is able to meet all other requirements pertaining to vehicle loading and safety for students. The Director of Education, or designate, shall also determine the ultimate owner, major shareholders or holding company of the proposed new operator to ensure that it is known if this new operator has contracts with the Board under any other names.

6.2 The Director of Education, or designate, shall submit an information report to members of the Board, following the granting of transfer(s) of contract(s).

6.3 Requests for transfers dealing with more than five (5) routes will be considered by the Board.

6.3.1 The Director of Education, or designate, shall provide to the Board the information noted in Item 6.1 above for each route to be transferred.

### **7. Bus Safety Checks**

7.1 The Chief Administrative Officer is empowered to require any operator to have the operator's vehicle(s) inspected by a certified mechanic of the Board's choice or by Ministry of Transportation officials, and, if there is indeed a fault, the cost of such check will be borne by the operator; if no fault is discovered the cost will be borne by the Board.

7.2 All vehicles used to transport students to and from school shall comply with the regulations as set down in the Highway Traffic Act and Public Vehicles Act and any other municipal and provincial laws/regulations governing their operation.

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## **8. Vehicle/Route Inspections**

The Board recognizes the need to maintain safe bus routes and to ensure compliance with Ministry of Education regulations. There is also a need to confirm/review distance claims, vehicle sizes and compliance to Ministry of Transportation regulations as submitted by operators. A minimum of twenty percent (20%) of the Board's total bus routes and any new routes should be audited annually through field audits. These audits should focus on

- 8.1 route efficiency,
- 8.2 distance claims by operators,
- 8.3 visual inspection of vehicle,
- 8.4 safety of pick-up and drop-off location,
- 8.5 driver skills, and
- 8.6 public vehicle licensing requirements.

## **9. Maximum Age of Vehicles**

Operators shall not use vehicles for the transportation of students, that have been in service more than twelve (12) years, without the annual approval of Student Transportation Services.

## **10. Two-way Communication**

The operator shall at their expense, purchase, arrange for, and provide all vehicles with two-way communication equipment as authorized by the Board.

The equipment must

- 10.1 be able to provide mobile-to-mobile communication as well as mobile-to-base;
- 10.2 be able to have dispatch and/or central monitoring from a location or several locations;
- 10.3 be able to communicate with a base from everywhere in the area where the operator generally operates for the Board, eg., charter work for the Board and its schools;

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- 10.4 be able to operate under adverse weather or other conditions, eg., should hydro fail to the tower site, radio system should not be inoperative;
- 10.5 be as technically simple as possible;
- 10.6 be transferrable from one (1) vehicle to another in the event that a spare bus is being used or spare buses be equipped with the same type of radios; and
- 10.7 have central monitoring with direct and continuous access to necessary parties to further rider safety or for dispatch of emergency services.

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Established: 29 May 2000

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