

SECOND AMENDMENT OF THE AGREEMENT FOR
DOWNTOWN PARKING MANAGEMENT SERVICES

THIS SECOND AMENDMENT OF THE AGREEMENT FOR DOWNTOWN PARKING MANAGEMENT SERVICES, made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") Premium Parking Service, L.L.C. ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement for the purchase of parking management services through Solicitation No. B210046DWJ with Vendor on the 26th day of April 2021 ("Agreement"); and,

WHEREAS, it was discovered after the execution of the Agreement that it would be in the best interest of the County to add two additional parking lots, the Jury Duty Parking Lot located at 2050 Broadway, and the City/County Annex Parking Lot located at 1825 Hendry St., to the Exhibit A. SPECIFICATIONS OR SCOPE OF SERVICES of the Agreement; and,

WHEREAS, pursuant to Article V. ADDITIONAL PURCHASES of the Agreement, the Parties desire to add the new locations, the Jury Duty Parking Lot and the City/County Annex Parking Lot, to Section 2. DETAILED SPECIFICATIONS of the Exhibit A, SPECIFICATIONS OR SCOPE OF SERVICES of the Agreement.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

[Remainder of the page left intentionally blank.]

1. The Parties agree that, effective upon written notification to the Vendor by the County, Section 2. DETAILED SPECIFICATIONS of the Exhibit A, SPECIFICATIONS OR SCOPE OF SERVICES of the Agreement shall be superseded by:

2. DETAILED SPECIFICATIONS

2.1. PARKING SERVICES

2.1.1. Vendor shall provide the following services at the County owned parking lots located at:

- 2201 Second St., Fort Myers FL, 33901
- 1500 Monroe Ave., Fort Myers FL, 33901
- 2110 Martin Luther King, Jr. Blvd., Fort Myers FL, 33901
- 2120 Martin Luther King, Jr. Blvd., Fort Myers FL, 33901
- 2050 Broadway, Fort Myers FL, 33901
- 1825 Hendry St., Fort Myers FL, 33901

2.1.2. Vendor may further provide the services at additional County owned parking lots and garages upon the mutual agreement in writing between Vendor and County. For any such location, County agrees to provide Vendor with the address, number of parking spaces, and parking rate structure.

[Remainder of the page left intentionally blank.]

B210046DWJ

Downtown Parking Management Services

Premium Parking Service, L.L.C. - Amendment No. 2

IN WITNESS WHEREOF this Second Amendment of the Agreement has been signed and sealed, in duplicate, by the respective Parties hereto.

DATED this 4/9/2024 | 6:34 AM EDT by the Lee County Board of County Commissioners.

COUNTY: LEE COUNTY, FLORIDA

DocuSigned by:

BY: Ehab Guirguis
D9B818CE73D44A7...
Ehab Guirguis

Director of Facilities Construction and Management, on behalf of the Board of County Commissioners

APPROVED as to Form for the Reliance of Lee County Only

DocuSigned by:

BY: Amanda L. Swindle
EC9B5A5584DD473...
County Attorney's Office

DATED this 28th day of March, 2024 by Premium Parking Service, L.L.C.

ATTEST:

DocuSigned by:

BY: James M. Huger
07209A9957B74C1...
Authorized Signature

DocuSigned by:

(Witness)
55238A25584342C...

James M. Huger

Authorized Signature Printed Name

CEO

Authorized Signature Title

CORPORATE SEAL:

Certificate Of Completion

Envelope Id: 21304D961B3C413295DA24A403E25F3F		Status: Completed
Subject: Routing - B210046DWJ - Downtown Parking Mgmt Svcs - Premium - Am 2 - New Locations		
Source Envelope:		
Document Pages: 3	Signatures: 2	Envelope Originator:
Supplemental Document Pages: 4	Initials: 0	Daniel Goggin
Certificate Pages: 5		
AutoNav: Enabled		2115 Second St, First Floor
Envelopeld Stamping: Enabled		Fort Meyers, FL 33901
Time Zone: (UTC-05:00) Eastern Time (US & Canada)		dgoggin@leegov.com
		IP Address: 208.89.76.205

Record Tracking

Status: Original	Holder: Daniel Goggin	Location: DocuSign
4/4/2024 7:17:11 AM	dgoggin@leegov.com	

Signer Events	Signature	Timestamp
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Amanda L. Swindle aswindle@leegov.com Senior Assistant County Attorney Security Level: Email, Account Authentication (None)	DocuSigned by: <i>Amanda L. Swindle</i> EC9B5A5584DD473... Signature Adoption: Pre-selected Style Using IP Address: 208.89.76.205	Sent: 4/4/2024 8:46:27 AM Viewed: 4/4/2024 3:09:43 PM Signed: 4/4/2024 3:09:50 PM
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Electronic Record and Signature Disclosure:
Accepted: 6/12/2023 8:44:28 AM
ID: b303ddc7-cc40-4de9-9997-26ff5e9a51e3

Ehab Guirguis EGuirguis@leegov.com Security Level: Email, Account Authentication (None)	DocuSigned by: <i>Ehab Guirguis</i> D9B818CE73D44A7... Signature Adoption: Pre-selected Style Using IP Address: 208.89.76.203	Sent: 4/4/2024 3:09:51 PM Viewed: 4/8/2024 6:38:59 AM Signed: 4/9/2024 6:34:18 AM
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Electronic Record and Signature Disclosure:
Accepted: 4/8/2024 6:38:59 AM
ID: fb9a9459-7c46-425b-b922-0e53006dd6e6

Chris Jagodzinski CJagodzinski@leeclerk.org Deputy Clerk Lee County Clerk of Courts Signing Group: Minutes Security Level: Email, Account Authentication (None)	Completed Using IP Address: 198.184.170.4	Sent: 4/9/2024 6:34:20 AM Viewed: 4/9/2024 8:03:11 AM Signed: 4/9/2024 8:03:15 AM
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Electronic Record and Signature Disclosure:
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
Erica Temerario etemerario@leegov.com Lauren Schaefer lschaefer@leegov.com Tina Boone tboone@leegov.com Legal Administrative Specialist, Sr Lee County BoCC Signing Group: County Attorney's Office Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 4/4/2024 8:46:28 AM
Connie Prevatte cprevatte@leegov.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 4/9/2024 8:03:17 AM
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	4/4/2024 7:25:50 AM
Certified Delivered	Security Checked	4/9/2024 8:03:11 AM
Signing Complete	Security Checked	4/9/2024 8:03:15 AM
Completed	Security Checked	4/9/2024 8:03:17 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Lee County BOCC-Procurement Management (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Lee County BOCC-Procurement Management:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: mpatterson@leegov.com

To advise Lee County BOCC-Procurement Management of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at mpatterson@leegov.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Lee County BOCC-Procurement Management

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to mpatterson@leegov.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Lee County BOCC-Procurement Management

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to mpatterson@leegov.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Lee County BOCC-Procurement Management as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Lee County BOCC-Procurement Management during the course of your relationship with Lee County BOCC-Procurement Management.



AGENDA ITEM REPORT

DATE: April 20, 2021
DEPARTMENT: Facilities Construction and Management
REQUESTER: Ehab Guirguis
TITLE: Award Contract for Downtown Parking Management Services

I. MOTION REQUESTED

- A) Award Invitation to Bid No. B210046DWJ, Downtown Parking Management Services to Premium Parking Service, L.L.C. for the downtown parking management services, on an as-needed basis, for an initial term of three years.
 B) Authorize the Chair to execute the contract documents on behalf of the Board of County Commissioners.
 C) Grant the County Manager or designee the authority to renew the contract for up to three additional years and to execute all associated documents as approved in the departments' annual adopted budgets, if doing so is in the best interest of Lee County.

II. ITEM SUMMARY

Award contract to Premium Parking Service, L.L.C. (Premium Parking) to provide parking management services as needed for parking lots in downtown Fort Myers. Premium Parking provided the highest revenue percentage for the County from three sealed bids.

Premium Parking will manage the Public Parking Lot on MLK Blvd and the parking lots for the Admin East and Community Development/Public Works (CD/PW) Buildings. The CD/PW parking lot will be managed by Premium Parking after normal work hours and weekends. The other two parking lots will be managed continuously by Premium Parking.

The County will receive 80% of the revenue generated from each of the parking lots. Additional parking lots may be managed by Premium Parking if it is in the best interest of the County.

III. BACKGROUND AND IMPLICATIONS OF ACTION

A) Board Action and Other History

In anticipation of the current Annual Parking Management Contract expiring, Facilities Construction and Management requested Procurement Management initiate a bid solicitation for Downtown Parking Management Services. The solicitation was advertised on November 20, 2020, with a January 14, 2021 opening date. At the time of opening, three (3) vendors submitted bid packages.

Bid packages were opened in a public meeting and Premium Parking Service, L.L.C. was the apparent low bidder. Procurement Management conducted due diligence and confirmed that Premium Parking, L.L.C. was both responsive and responsible. Staff recommends award to Premium Parking, L.L.C.

B) Policy Issues

C) BoCC Goals

D) Analysis

County staff currently manage the Public Parking Lot on MLK Blvd and the parking lots for the Admin East and Community Development/Public Works (CD/PW) Buildings. The management of parking lots and collection of revenue is not a core service for Facilities Construction and Management. Staff can be better utilized and more efficient performing core services.

Premium Parking specializes in the management of parking lots. They will manage the CD/PW parking lot after normal work hours and weekends. The Public Parking Lot on MLK Blvd and the Admin East parking lot will be completely managed by Premium Parking.

The County will receive 80% of the revenue generated from each of the parking lots managed by Premium Parking. Additional parking lots may be managed by Premium Parking if it is in the best interest of the County.

E) Options

IV. FINANCIAL INFORMATION

A)	Current year dollar amount of item:	No funding required.
B)	Is this item approved in the current budget?	Yes
C)	Is this a revenue or expense item?	Revenue
D)	Is this Discretionary or Mandatory?	
E)	Will this item impact future budgets?	No

	If yes, please include reasons in III(D) above.	
F)	Fund: Program: Project: Account Strings:	
G)	Fund Type?	General Fund
H)	Comments: Revenue will be received for use of County-owned parking lots.	

V. RECOMMENDATION

Approve

VI. TIMING/IMPLEMENTATION**VII. FOLLOW UP****ATTACHMENTS:**

Description	Upload Date	Type
Contract with Premium Parking Services	3/30/2021	Contract
Sunbiz	4/9/2021	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Facilities Construction and Management	Tucker, Mary	Approved	4/7/2021 - 1:59 PM
Facilities Construction and Management	Guirguis, Ehab	Approved	4/7/2021 - 2:25 PM
Budget Services	Guttery, Angela	Approved	4/8/2021 - 8:22 AM
Budget Services	Winton, Peter	Approved	4/8/2021 - 10:07 AM
County Attorney	Lira, Louis C.	Approved	4/9/2021 - 10:28 AM
County Manager	Mora, Marc	Approved	4/12/2021 - 5:18 PM