

THIRD AMENDMENT OF THE AGREEMENT FOR  
DOWNTOWN PARKING MANAGEMENT SERVICES

THIS THIRD 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") and 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 26<sup>th</sup> 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 the Fort Myers Regional Library parking lot, located at 1651 Lee St., to the Exhibit A. SPECIFICATIONS OR SCOPE OF SERVICES of the Agreement; and,

WHEREAS, it was also discovered after the execution of the Agreement that it would be in the best interest of the County to require the Vendor to provide a detailed monthly report of income generated at each individual parking lot listing the income generated at each separate lot; and,

WHEREAS, pursuant to Article V. ADDITIONAL PURCHASES of the Agreement, the Parties desire to add the new report requirement and to add the new location, the Fort Myers Regional Library 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:

1. The Parties agree that, effective upon full execution of this Amendment, Subsection 2.2. COLLECTION AND ACCOUNTING OF PARKING FEES of Section 2. DETAILED SPECIFICATIONS of the Exhibit A, SPECIFICATIONS OR SCOPE OF SERVICES of the Agreement shall be supplemented by:

*"2.2.1.5 Provide a detailed report of income generated for each individual parking lot, with income for each parking lot separately notated."*

2. The Parties agree that, effective upon written notification to the Vendor by the County, Subsection 2.1. PARKING SERVICES of 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 DETAILED SPECIFICATIONS of the Exhibit A, SPECIFICATIONS OR SCOPE OF SERVICES of the Agreement shall be superseded by: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
- 1651 Lee 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.]

3. The Parties agree that, effective upon written notification to the Vendor by the County, Subsection 2.4. PARKING RATES of Section 2. DETAILED SPECIFICATIONS of the Exhibit A, SPECIFICATIONS OR SCOPE OF SERVICES of the Agreement shall be supplemented by:

**“2.4.3. Parking Fees for Fort Myers Regional Library**

Hours of paid parking will end at 3:00am and overnight parking will be prohibited.

**Overview**

- Free parking during library business hours.
- \$5.35 flat rate weekday evenings (Monday – Thursday)
- \$7.35 flat rate weekends (Friday & Saturday evening, all day Sunday)
- \$12.35 flat rate special events

**Details**

|                                     |                                    |
|-------------------------------------|------------------------------------|
| Free for library & meeting room use | 6:30am – 8:30pm Monday – Wednesday |
| Free for library & meeting room use | 6:30am – 6:30pm Thursday           |
| Free for library & meeting room use | 6:30am – 5:30pm Friday – Saturday  |
| \$5.35 flat rate                    | 8:30pm – 3:00am Monday - Wednesday |
| \$5.35 flat rate                    | 6:30pm – 3:00am Thursday           |
| \$7.35 flat rate                    | 5:30pm Friday –3:00am Saturday     |
| \$7.35 flat rate                    | 5:30pm Saturday – 3:00 am Sunday   |
| \$7.35 flat rate                    | 6:30am Sunday – 3:00am Monday      |
| \$12.35 flat rate                   | Special Events                     |

[Remainder of the page left intentionally blank.]

B210046DWJ

Downtown Parking Management Services

Premium Parking Service, L.L.C. - Amendment No. 3

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

DATED this 7/10/2024 | 3:44 PM EDT by the Lee County Board of County  
Commissioners.

COUNTY: LEE COUNTY, FLORIDA

DocuSigned by:

*Mindi Simon*

BY:

A86C32725B7B4A9...

Mindi Simon

Director, Lee County Library System on  
behalf of the Board of County  
Commissioners

APPROVED as to Form for the Reliance of  
Lee County Only

DocuSigned by:

*L. Chuck Lira*

BY:

EE5F3145616844F...

County Attorney's Office

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

ATTEST:

DocuSigned by:

*James M. Huger*

BY:

07209A9957B74C1...

Authorized Signature

DocuSigned by:

*[Signature]*

55238A25584342C...

(Witness)

James M. Huger

Authorized Signature Printed Name

CEO

Authorized Signature Title

CORPORATE SEAL:



## 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:<br>Program:<br>Project:<br>Account Strings:                           |              |
| G) | Fund Type?  | General Fund |
| H) | Comments:<br>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       |
|--|-------------|------------|
| <a href="#">Contract with Premium Parking Services</a> | 3/30/2021   | Contract   |
| <a href="#">Sunbiz</a>                                 | 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 |

Certificate Of Completion

Envelope Id: 3FDE25EBE25C4E5AA089B4B3C2514AF7

Status: Completed

Subject: Routing for Signatures - B210046DWJ - Downtown Parking Mgmt Svcs - Premium - Am 3 - New Location

Source Envelope:

Document Pages: 4

Signatures: 2

Envelope Originator:

Supplemental Document Pages: 4

Initials: 0

Daniel Goggin

Certificate Pages: 5

AutoNav: Enabled

2115 Second St, First Floor

Fort Meyers, FL 33901

Envelopeld Stamping: Enabled

dgoggin@leegov.com

Time Zone: (UTC-05:00) Eastern Time (US & Canada)

IP Address: 208.89.76.205

Record Tracking

Status: Original

Holder: Daniel Goggin

Location: DocuSign

7/8/2024 2:17:44 PM

dgoggin@leegov.com

Signer Events

L. Chuck Lira

Signature

Timestamp

llira@leegov.com

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Sent: 7/8/2024 3:36:14 PM

Viewed: 7/10/2024 2:48:51 PM

Signed: 7/10/2024 2:51:27 PM

Security Level: Email, Account Authentication (None)

Signature Adoption: Pre-selected Style

Using IP Address: 208.89.76.205

Electronic Record and Signature Disclosure:

Accepted: 7/10/2024 2:48:51 PM

ID: 54b917c6-bb8c-41c2-a4e7-28783f5b77d0

Mindi Simon

Signature

Timestamp

MSimon@leegov.com

DocuSigned by:



A86C32725B7B4A9...

Sent: 7/10/2024 2:51:28 PM

Viewed: 7/10/2024 3:43:26 PM

Signed: 7/10/2024 3:44:18 PM

Library Director

Signature Adoption: Pre-selected Style

Using IP Address: 69.137.5.147

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:

Accepted: 7/10/2024 3:43:26 PM

ID: 21f00ab1-ccc4-4b4b-a470-90b9882e6543

Melissa Butler

Completed

Sent: 7/10/2024 3:44:20 PM

mbutler@leeclerk.org

Viewed: 7/10/2024 3:56:16 PM

Deputy Clerk

Signed: 7/10/2024 3:56:27 PM

Lee County Clerk of Courts

Using IP Address: 198.184.170.4

Signing Group: Minutes

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

| 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<br>etemerario@leegov.com<br>Lauren Schaefer<br>lschaefer@leegov.com<br>Tina Boone<br>tboone@leegov.com<br>Legal Administrative Specialist, Sr<br>Lee County BoCC<br>Signing Group: County Attorney's Office<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign | COPIED           | Sent: 7/8/2024 3:36:15 PM  |
| Connie Prevatte<br>cprevatte@leegov.com<br>Security Level: Email, Account Authentication (None)<br><b>Electronic Record and Signature Disclosure:</b><br>Not Offered via DocuSign   | COPIED           | Sent: 7/10/2024 3:56:28 PM |
| Witness Events  | Signature        | Timestamp                  |
| Notary Events   | Signature        | Timestamp                  |
| Envelope Summary Events   | Status           | Timestamps                 |
| Envelope Sent   | Hashed/Encrypted | 7/8/2024 2:57:49 PM        |
| Certified Delivered   | Security Checked | 7/10/2024 3:56:16 PM       |
| Signing Complete  | Security Checked | 7/10/2024 3:56:27 PM       |
| Completed   | Security Checked | 7/10/2024 3:56:28 PM       |
| Payment Events  | Status           | Timestamps                 |
| Electronic Record and Signature Disclosure  |                  |                            |



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### **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](mailto: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](mailto: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.

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#### **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](mailto: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.

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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](mailto: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..

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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.

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- 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.