PORT OF GALVESTON
REQUEST FOR DISCUSSION AND
TRUSTEES ACTION

BUSINESS ITEM

PREPARED BY: Julio De Leon Mobility Director May 26, 2020

SUBJECT: Consider and Approve 6 Month Extension to Shuttle and lot attendant Contract with ABM Parking Services.

BACKGROUND: Currently operating under a 1Yr extension that began in July 1, 2019 and ends June 30, 2020.

RECOMMENDATIONS: The Board of Trustees is respectfully requested to consider the recommendation by staff to approve this extension.

Respectfully Submitted By: Rodger Rees, Port Director/CEO

DATE ACTION TAKEN: 

Approved: Motion By: 
Disapproved: Seconded By: 
Deferred To: Unanimous: Yes_____ No____
FIRST AMENDMENT TO
AGREEMENT FOR PARKING LOT OPERATIONS SERVICES

THIS FIRST AMENDMENT TO AGREEMENT FOR PARKING LOT OPERATIONS SERVICES (the “First Amendment”), effective as of July 1, 2020, is made by and between Board of Trustees of the Galveston Wharves ("Wharves"), a separate utility of the City of Galveston, Texas (the “City”) and ABM Parking Services, Inc. ("Contractor"), a California corporation. Contractor and Wharves are hereinafter referred to as the “Parties” to this First Amendment.

RECITALS:

A. WHEREAS, the Parties have entered into a Service Agreement dated July 1, 2016 (referred to as the “Agreement”), whereby Wharves retained Contractor to perform various services specified in the Agreement itself; and

B. WHEREAS, the Parties desire to make certain modifications, revisions and amendments to the Agreement itself.

NOW, THEREFORE, for and in consideration of the mutual promises and undertakings herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties state and agree as follows:

1. **Term.** Section 1.1 of the Agreement is hereby amended to extend the term, which extended term shall commence as of July 1, 2020 and terminate December 31, 2020 (the “Term”), unless sooner terminated as provided in the Agreement.

2. **Pricing.** Article 4 to the Agreement shall be re-stated as set forth in Attachment A below.

3. **Ratification.** Except as and to the extent amended, altered, and/or modified as provided in this First Amendment, all terms, covenants, conditions and provisions of the Agreement are hereby ratified and reaffirmed, and shall remain in full force and effect.

4. **No Default.** The Parties hereby acknowledge and agree that, as of the date of this First Amendment, neither party is in default or otherwise in breach of the Agreement, and to their best knowledge no facts exist which, with the passage of time, the giving of notice, or both, could become a default or breach of the Agreement.

5. **Counterparts.** This First Amendment may be executed in one or more counterparts, and exchanged via facsimile or other electronic transmission, each of which shall for all purposes be deemed to be an original and all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year first above written.

BOARD OF TRUSTEES OF THE GALVESTON WHARVES

By: ____________________________
Name: __________________________
Title: __________________________
Date: __________________________

ABM PARKING SERVICES, INC.

By: ____________________________
Name: __________________________
Title: __________________________
Date: __________________________
**ATTACHMENT A**

**PRICING**

Pricing Effective July 1, 2020 – December 31, 2020

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<thead>
<tr>
<th>Shuttle Services</th>
<th>Hourly Rate</th>
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<tr>
<td>1. Shuttle Bus Including Driver</td>
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<td>2. Baggage Handler</td>
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<td>4. Gate Controller</td>
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<tr>
<td>5. Parking Attendant</td>
<td>$14.75</td>
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<table>
<thead>
<tr>
<th>Shuttle Services</th>
<th>Hourly Standby Rate</th>
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</thead>
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<tr>
<td>2. Baggage Handler</td>
<td>$14.00</td>
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