

**City and County of San Francisco
Municipal Transportation Agency
One South Van Ness Ave., 7th Floor
San Francisco, California 94103**

**Second Amendment
Agreement for Operation and Management of the
Fifth & Mission/Yerba Buena Parking Garage**

THIS AMENDMENT (Amendment) is made as of October 22, 2018, in San Francisco, California, by and between IMCO Parking LLC (Contractor), and the City and County of San Francisco, a municipal corporation (City), acting by and through its Municipal Transportation Agency (SFMTA).

Recitals

- A. City and Contractor have entered into the Agreement (as defined below).
- B. City and Contractor desire to modify the Agreement on the terms and conditions set forth herein to extend the term of the agreement by eighteen months.
- C. The Agreement was competitively procured as required by San Francisco Administrative Code Chapter 21.1 through a Request for Proposals on April 29, 2011, and this modification is consistent with the procurement process.

NOW, THEREFORE, Contractor and the City agree as follows:

Article 1 Definitions

The following definitions shall apply to this Amendment:

1.1 **Agreement.** The term "Agreement" shall mean the Agreement dated January 9, 2012 between Contractor and City, as amended by the:

Assignment & Assumption Agreement, dated August 24, 2011.

First Amendment, dated March 1, 2017.

1.2 **Other Terms.** Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Agreement.

Article 2 Modifications to the Agreement

The Agreement is modified as follows:

2.1 Section 5.1 (Term of the Agreement) is replaced in its entirety to extend the Agreement two years, for a total term of nine years, to read as follows:

Term. The term of this Agreement shall be for a period of nine (9) years, commencing at 12:00 a.m. on March 1, 2012, and expiring at 11:59 p.m. on February 28, 2021, unless sooner terminated or extended as provided herein.

2.2 Section 3.3 (Expiration Date) is replaced in its entirety to read as follows:

3.3 "Expiration Date" means February 28, 2021, the last date this Agreement is in effect, unless sooner terminated or extended.

Article 3 Effective Date




Each of the modifications set forth in Section 2 shall be effective on and after the date of this Amendment.

Article 4 Legal Effect

Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

The remainder of this page has been intentionally left blank.

IN WITNESS WHEREOF, Contractor and City have executed this Amendment as of the date first referenced above.

CITY	CONTRACTOR
San Francisco Municipal Transportation Agency	IMCO Parking, LLC
	 10/1/2018
Edward D. Reiskin Director of Transportation	Jeff Miller Senior Vice President, Southwest Region
Approved as to Form:	City vendor number: 0000018478
Dennis J. Herrera City Attorney	
By:  Robert K. Stone Deputy City Attorney	

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