

1 [Agreement Amendment - Retroactive - IMCO Parking, LLC - Garage Management Services -
2 Not to Exceed \$46,478,944]

3 **Resolution retroactively authorizing the San Francisco Municipal Transportation**
4 **Agency to approve an agreement with IMCO Parking LLC for the management of the**
5 **5th and Mission Garage with total expenditures in the amount of \$42,959,252 from**
6 **March 1, 2012, through January 31, 2022; and approving the Fourth Amendment to**
7 **extend the contract term one year from March 1, 2022, for a total term of 11 years from**
8 **March 1, 2012, through February 28, 2023, to correct the contract amount and increase**
9 **the contract amount by \$3,519,692 for a total contract amount of \$46,478,944.**

10

11 WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) owns the
12 5th & Mission Garage; and

13 WHEREAS, On January 3, 2012, the SFMTA Board approved the contract between the
14 City of San Francisco Downtown Parking Corporation and IMCO Parking LLC for Operation
15 and Management of the 5th & Mission Garage (5th and Mission Contract) for a term not to
16 exceed nine years and an amount not to exceed \$587,510, which contract was assigned to
17 the SFMTA in July 2013, when the Corporation dissolved and the SFMTA regained control of
18 the garage in late 2014; and

19 WHEREAS, Three prior amendments to the Fifth and Mission Contract extended the
20 term five years and added \$75,225 to the contract amount (calculated only using
21 management fees and excluding operating expenses); and

22 WHEREAS, Due to apparent staff error, for purposes of determining the application of
23 Charter section 9.118(b), the contract amount was previously calculated only using the
24 management fees paid to the contractor, and staff have subsequently determined that total
25 expenditures incurred under the contract should be included in the contract amount; and

1 WHEREAS, The total expenditures under this contract (that were previously excluded
2 from calculation of the contract amount) through January 31, 2022, are \$42,959,252, and total
3 anticipated expenditures are \$3,519,692, for a total contract amount not to exceed
4 \$46,478,944; and

5 WHEREAS, The proposed Fourth Amendment to the Fifth and Mission Contract will
6 extend the term one more year and add \$3,519,692 to the contract amount for a total term of
7 11 years and a contract amount of \$46,478,944; and

8 WHEREAS, The proposed term extension will provide SFMTA staff additional time to
9 issue an RFP and complete a competitive process to select garage management firms for
10 new contracts, which has been delayed but will be completed within the next twelve months;
11 and

12 WHEREAS, SFMTA staff had planned to issue a Request for Proposals (RFP) in the
13 summer of 2021 seeking proposals that would result in new parking operator contracts that
14 would have had terms beginning on February 1, 2022, but staff has since determined that
15 issuing the RFP and awarding contracts will take more time than previously anticipated, and
16 that a one-year extension of the existing contract is needed; now, therefore, be it

17 RESOLVED, That the Board of Supervisors retroactively approves the contract with
18 IMCO Parking LLC for the management of the 5th & Mission Garage for a term of ten years
19 and a contract amount of \$42,959,252; and be it

20 FURTHER RESOLVED, That the Board of Supervisors approves the SFMTA's Fourth
21 Amendment to a contract with IMCO Parking LLC for the management of the 5th and Mission
22 Garage to extend the contract term one year to February 28, 2023, for a total term of 11
23 years, and to increase the contract amount \$3,519,692, to a total contract amount of
24 \$46,478,944; a copy of the Agreement is on file with the Clerk of the Board of Supervisors in
25 File No. 220004; and, be it

1 FURTHER RESOLVED, That within 30 days of the Agreement being fully executed by
2 the parties the SFMTA shall provide it to the Clerk of the Board for inclusion in the official file.

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