

1 [Modification to License and Services Agreement - Airport Research and Development
2 Foundation - Application-Based Commercial Ground Transportation Trip Fee Collection
3 Services - Aggregate Amount Not to Exceed \$1,682,000]

4 **Resolution approving Modification No. 2 to License and Services Agreement No. 50037**
5 **between the City and County of San Francisco, acting by and through its Airport**
6 **Commission, and Airport Research and Development Foundation, a not-for-profit**
7 **corporation, to extend the services term of the Agreement for use of application-based**
8 **commercial ground transportation trip fee collection services for three years through**
9 **March 12, 2023; reduce the cap of the Administrative Services Fee from \$250,000 to an**
10 **amount not to exceed \$144,000 annually for the period of March 13, 2020, through**
11 **March 12, 2023, for an aggregate amount not to exceed \$1,682,000 for the total term of**
12 **March 12, 2015, through March 12, 2023; and provide for one two-year renewal option**
13 **to extend.**

14
15 WHEREAS, On January 20, 2015, by Resolution No. 15-0008, the Airport Commission
16 (Commission) approved License and Services Agreement No. 50037 (Agreement) with Airport
17 Research and Development Foundation, a not-for-profit corporation (ARDF), under which (a)
18 the Airport provides ARDF with a revocable license to use the Airport's Application-Based
19 Commercial Ground Transportation (ABCT) Management System for the life of the intellectual
20 property, in return for a Service Development Fee equal to 25% of the total administrative
21 services fees collected by ARDF from participating airports, exclusive of the first year of the
22 term; and (b) ARDF provides the Airport with tracking, collection, and clearinghouse services
23 for permitted Transportation Network Companies for an initial two-year term with three one-
24 year options to extend at the Commission's discretion, in return for an Administrative Services
25 Fee equal to 5% of the trip fees collected on behalf of the Airport, exclusive of the first year of

1 the term, and with a \$500,000 cap on the Administrative Services Fee in the second year of
2 the term; and

3 WHEREAS, On January 30, 2015, the Office of Contract Administration approved
4 ARDF as the sole source for the Agreement; and

5 WHEREAS, On March 10, 2015, by Resolution No. 58-15, the Board of Supervisors
6 approved the Agreement under Charter, Section 9.118; and

7 WHEREAS, On February 21, 2017, by Resolution No. 17-0034, the Commission
8 exercised its three one-year options to extend, thereby extending the Services Term for an
9 additional three-year period from March 13, 2017 to March 12, 2020, and approved
10 Modification No. 1 to the Agreement to cap the City's Administrative Services Fee at \$250,000
11 annually during the option years; and

12 WHEREAS, On June 6, 2017, by Resolution No. 220-17, the Board of Supervisors
13 approved Modification No. 1 under Charter, Section 9.118; and

14 WHEREAS, On January 14, 2020, by Resolution No. 20-0010, the Commission
15 approved Modification No. 2 to the Agreement (Modification) to extend the Services Term for
16 an additional three-year period from March 13, 2020 to March 12, 2023, to reduce the cap of
17 the City's Administrative Services Fee to an amount not to exceed \$144,000 annually, and
18 impose an aggregate not-to-exceed amount of \$1,682,000 for such fees; now, therefore, be it

19 RESOLVED, That this Board of Supervisors approves Modification No. 2 to the License
20 and Services Agreement No. 50037 with Airport Research and Development Foundation; and,
21 be it

22 FURTHER RESOLVED, That within thirty (30) days of the Modification being fully
23 executed by all parties, the Airport Commission shall provide a copy of the Modification to the
24 Clerk of the Board for inclusion into the official file.

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