

**PORT OF PALM BEACH DISTRICT
REQUEST FOR DISCUSSION AND
COMMISSION ACTION**

**CONSENT AGENDA
ITEM H-13**

PREPARED BY: Paul J. Zielinski Deputy Director-CFO September 20, 2018

**SUBJECT: PALM BEACH PARKING AGREEMENT
 Contract Amendment – Rate Adjustment**

BACKGROUND: At the July 2018 Board Meeting, the Board of Commissioners authorized the Executive Director to execute an Amendment to our agreement with Palm Beach Parking (PBP) to increase their rates charged to the Port. This is being done in order to reflect their increased costs incurred to service two cruise vessels. An agreement in accordance with the terms approved at that meeting is being provided to the Board for ratification.

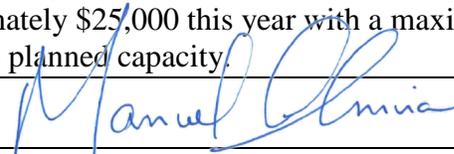
Currently, the Port pays PBP \$15.10 for each car parked west of US 1. Port staff is recommending that this be increased by \$1.00 per car to \$16.10 per car, retroactive to June 1, 2018. Additionally, the Port has an option to request traffic control support from PBP at \$12.00/hour. This rate was established three years ago and PBP is requesting that it be increased to \$14.00. Again, this would be for optional traffic control staff at the Port's discretion.

ADDITIONAL INFORMATION ATTACHED: No _____ Yes X

RECOMMENDATIONS: Motion to ratify the Amendment to the Palm Beach Parking Agreement raising the fee paid to Palm Beach Parking to \$16.10 for cars parked west of US 1 and to raise the hourly rate for optional personnel to \$14.00/hour.

FINANCIAL IMPACT: Financial impact is dependent on the number of cars parked west of US 1 and is estimated to be approximately \$25,000 this year with a maximum of about \$50,000 when both vessels achieve the planned capacity.

Respectfully Submitted By:



Manuel Almira, Executive Director

DATE ACTION TAKEN:

Approved: _____
Disapproved: _____
Deferred To: _____
Incorporated into Minutes: _____

Motion By: _____
Seconded By: _____
Unanimous: Yes _____ No _____
By: _____

Second Amendment to Second Restated and Amended Parking Agreement

This Second Amendment is dated August 28, 2018, amends that certain Second Restated and Amended Valet Parking Agreement dated February 26, 2015 and is made and entered into by and between the Port of Palm Beach District (“District”), a quasi-public corporation and political subdivision of the State of Florida, organized and existing under and by virtue of Chapter 7081, Laws of Florida, Acts of 1915, and subsequent and supplemental acts thereto having its offices at Sixth Floor, One East Eleventh Street, Riviera Beach, Florida 33404, and Palm Beach Parking, Inc. (“Contractor”), a Florida Corporation, having its address at 1499 Forest Hill Boulevard, #105, Lake Clark Shores, FL 33406.

WHEREAS, the District desires to continue to provide valet parking services to Cruise Customers of the Port of Palm Beach; and

WHEREAS, the District has limited parking areas for Cruise operations; and

WHEREAS, Contractor has expressed interest in providing the efficient and orderly planning, operation, and management of self-parking and valet parking operations.

NOW THEREFORE BOTH PARTIES AGREE AS FOLLOWS:

The effective date of this Amendment shall be as of June 1, 2018.

The following replaces Section 2 of the Second Restated and Amended Parking Agreement:

2. **Fees of Contractor.** Contractor will collect all parking fees from the patrons and remit the balance due to the District as directed.

A. Multiday Cruise Rates:

- (a) Multiday Cruise Vehicle Rates are per vehicle, not per vehicle per day.
- (b) All Multiday Cruise Vehicles shall be valet parked.
- (c) Vehicles Parked by Contractor East of Broadway

The per vehicle rate for cars valet parked by Contractor East of Broadway, Contractor shall retain \$10.00 per vehicle. This is a per vehicle rate, not a per vehicle per day rate. All Multiday Cruise vehicles shall be valet parked.

(d) Vehicles Parked by Contractor West of Broadway

The per vehicle rate for cars valet parked by Contractor West of Broadway, Contractor shall be \$16.00 per vehicle. This is a per vehicle rate, not a per vehicle per day rate.

B. Day Cruise Rates. For Day Cruise vehicles, Contractor shall retain the sum of \$1.00 per vehicle for each self-parked vehicle, and \$2.50 per each Contractor valet parked vehicle.

C. Other Services. Contractor shall be paid the sum of \$14.00 per person-hour for the additional services to be rendered hereunder provided that such services are requested in writing (e.g. E-Mail) by the Director of Operations or his designee.

D. Credit Cards. Notwithstanding the provisions of Paragraphs A and B, above, Contractor shall retain an additional \$.10 (ten cents) per car parked for so long as both District and Contractor agree that Contractor shall accept credit cards for payment of parking fees.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals as of the date first above written.

WITNESSES:

[Signature]

Printed Name of Witness
Paul J Zielinski:

[Signature]

Printed Name of Witness:
Karen J. Emery

Printed Name of
Witness: _____

Printed Name of Witness: _____

DISTRICT:
PORT OF PALM BEACH DISTRICT

BY [Signature]

CONTRACTOR:
Palm Beach Parking, Inc.

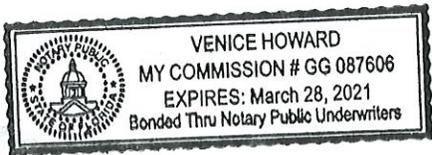
BY [Signature] V/R

STATE OF FLORIDA]
COUNTY OF PALM BEACH]

The foregoing instrument was acknowledged before me this 28th day of August, 2018 by Manuel Almeida, who is personally known to me or who produced Florida Driver's license _____ as identification, as Executive Director of PORT OF PALM BEACH DISTRICT, a Political Subdivision of the State of Florida.

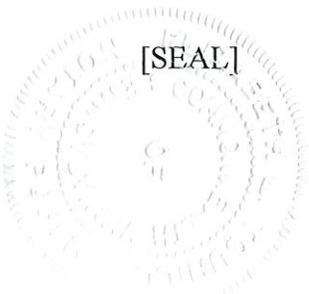
[SEAL]

[Signature]
NOTARY PUBLIC
My commission expires:



STATE OF FLORIDA]
COUNTY OF PALM BEACH]

The foregoing instrument was acknowledged before me this 7th day of ~~August~~ September, 2018
by JAY WEIRMAN, who is personally known to me or who produced Florida
Driver's license _____ as identification, as President of Palm Beach Parking, Inc.



[SEAL]

Elizabeth Touhill
NOTARY PUBLIC

My commission expires:

Commonwealth of Pennsylvania - Notary Seal
ELIZABETH L. TOUHILL, Notary Public
Montgomery County
My Commission Expires December 1, 2021
Commission Number 1167986