

## Attachment A

On July 30, 2014, the City Commission adopted Resolution No. 2014-28708, authorizing the City to execute Amendment No. 1 to the Agreement, which increased the scope of the Agreement to include optional equipment, as well as additional automated stop announcement equipment, with the capability of displaying public advertisements. Amendment No. 1 was executed on October 6, 2014.

On March 18, 2015, the Mayor and the City Commission adopted Resolution No. 2015-28967, approving, and authorizing Amendment No. 2 to the Agreement, incorporating an enhanced Scope of Services to the Agreement, in order to accommodate additional transportation expenses needed for the City's Centennial celebration. Amendment No. 2 was executed on March 24, 2015.

On October 21, 2015, the Mayor and City Commission adopted Resolution No. 2015-29194, waiving, by 5/7<sup>th</sup> vote, the competitive bidding requirement, exercising provisions of the contract allowing for additional routes at the City's sole discretion, and approving Amendment No. 3 to the Agreement; said amendment providing for the following: 1) the addition of the operation and maintenance services for two (2) new routes in Middle Beach (the Middle Beach Loop and the Collins Link); 2) the addition of fourteen (14) new modified/kneeling high-floor/rear end wheel chair lift trolley vehicles (New Modified/High Floor trolley vehicles) for the operation of the North Beach and Middle Beach routes, in an amount not to exceed \$6,700,000 annually; 3) a negotiated new hourly rate commensurate with the cost of said trolley vehicles and the additional services for the new Middle Beach routes; 4) the early exercise of the two (2) renewal options, extending the agreement to May 7, 2021; 5) in addition to the term provided in the previous subsection (4), further extending the term, as to each route, to include a full sixty (60) month term, commencing as of the roll-out date of all the modified high-floor trolley vehicles for each respective route; and 6) authorizing the City Manager to approve the purchase of additional optional equipment for the New Modified/High Floor Trolley vehicles. Amendment No. 3 was executed on January 14, 2016.

On July 20, 2016, the Mayor and City Commission adopted Resolution No. 2016-29519, accepting the recommendation of the City Manager and waiving, by 5/7<sup>th</sup> vote, the competitive bidding requirement, finding such waiver to be in the best interest of the City, exercising provisions of the contract allowing for additional routes at the City's sole discretion, and approving Amendment No. 4 to the Agreement in substantial form, increasing the scope of the Agreement to include the following: 1) the addition of one (1) bi-directional route in South Beach for a term of sixty (60) months, commencing as of the roll-out date for the Low-Floor trolley vehicles; 2) the addition of twelve (12) new Low-Floor trolley vehicles for use in all City trolley routes; 3) a negotiated new hourly rate for the Low-Floor trolley vehicles and additional associated services; and 4) increasing the annual cost of the Agreement, from a not to exceed cost of \$6,700,000 to a not to exceed cost of \$12,000,000; authorizing the City Manager to approve the purchase of additional optional equipment for the Low-Floor trolley vehicles, as may be needed in the Administration's discretion, subject to funding availability; and authorizing the City Manager to terminate the existing Interlocal Agreement (for the South Beach Local), in connection with the negotiation of a new Interlocal Agreement with Miami-Dade County for the South Beach Trolley route. Amendment No. 4 was executed on March 29, 2017.

On May 17, 2017, the Mayor and City Commission adopted Resolution No. 2017-29873, approving and authorizing the City Manager and City Clerk to execute Amendment No. 5 to the Agreement; approving the replacement of Collins Link route alignment with Collins Express route,

## Attachment A

at no additional cost to the City, to provide more direct intracity connectivity between Washington Avenue/Lincoln Road and 88 Street. Amendment No. 5 was executed on October 26, 2017.

On October 18, 2017, the Mayor and City Commission adopted Ordinance No. 2017-4143, amending certain provisions of the City Living Wage Ordinance as codified in Sections 2-407 through 2-410 of the City Code. The primary purpose of the amendment to the Ordinance was to adjust and increase the hourly living wage rate and health benefit paid by service contractors covered under the Ordinance to their covered employees, with the proposed increase for the calendar year 2018 to be “phased-in” over a three (3) year period commencing on January 1, 2018. In order to assure that covered service contractors doing business with the City, including LSF, continue to comply with the provisions of the Ordinance as amended, Amendment No. 6 to the Agreement, incorporating the Living Wage Ordinance update, was executed on December 4, 2018.

On January 16, 2019, the Mayor and City Commission adopted Resolution No. 2019-30687, approving and authorizing the City Manager and City Clerk to execute Amendment No. 7 to the Agreement; including the following modifications: (1) adding one (1) used high-floor trolley vehicle to the City’s trolley fleet to be used as a spare only, including the installation of optional equipment, which costs remained within the current not to exceed contract amount of \$12,000,000; (2) permitting the operation of all trolley vehicle types (high-floor, modified high-floor or low-floor) along any of the City’s trolley routes, as needed, to ensure proper service coverage; and (3) modifying other miscellaneous provisions of the agreement to address the current operating conditions of the trolley services, which include (i) updating the trolley routes, (ii) reducing the on-time performance goal from 95% to 85% for all trolley routes, (iii) clarifying the methodology for determining fuel charge adjustments and for calculating on-time performance, and (iv) including a release of any alleged claims (against the City) by LSF for fuel charge reimbursements and a release for any alleged claims (against LSF) by the City for on-time performance penalties, both through the effective date of the amendment. Amendment No. 7 was executed on March 15, 2019.

On September 25, 2019, the Mayor and City Commission adopted Resolution No. 2019-31000, approving and authorizing the City Manager and City Clerk to execute Amendment No. 8 to the Agreement; said amendment, adding, at no additional cost to the City, one (1) used 2006 high-floor trolley vehicle to the City’s fleet, to be used solely as a spare. Amendment No. 8 was executed on October 11, 2019.

On July 29, 2020, the Mayor and the City Commission adopted Resolution No. 2020-31373, authorizing the City Manager to negotiate and execute Amendment No. 9 to the Agreement based upon the essential terms set forth in the City Commission Memorandum accompanying the Resolution; said amendment including the following modifications: (1) approving the temporary use of the City trolley fleet by Miami-Dade County, Florida, during any periods of suspension of trolley services; and (2) approving new rates for operation during reduced levels of service.

On October 14, 2020, the Mayor and the City Commission adopted Resolution No. 2020-31459, accepting the recommendation of the Neighborhood and Quality of Life Committee, at its February 3, 2020 meeting, to modify the South Beach Trolley route, and waiving, by 5/7th vote, the formal competitive bidding requirement, finding such waiver to be in the City’s best interest, and approving, in substantial form, Amendment No. 10 to the Agreement, dated May 8, 2014, between the City and Limousines of South Florida, Inc, for turn-key operations and maintenance services

## Attachment A

of a municipal trolley system for the City of Miami Beach; said amendment (1) approving a Term Extension Formula, in lieu of paying LSF for any unrecovered fixed costs, incurred during the Suspension Period; (2) approving the new service plan for South Beach; (3) authorizing the City Manager to make operational changes to the Agreement, including approving the purchase and use of replacement trolley vehicles (even if older than the year 2016); provided such administrative changes do not increase the annual operating cost of the CITY's trolley service; and (4) modifying other miscellaneous provisions of the Agreement.

On September 16, 2020, the Mayor and City Commission adopted Resolution No. 2020-31399, accepting the recommendation of the Finance and Economic Resiliency Committee to increase the living wage rate by one percent, to no less than \$11.90 per hour with health care benefits of at least \$3.25 per hour, or \$15.15 per hour without health care benefits, for the calendar year 2021, and delegating to the City Manager the authority to execute any contract amendments memorializing the one percent increase to the living wage rate. This Amendment No. 11 to the Agreement was executed on July 8, 2021.