


Amendment to Management Agreement

The Agreement between the City of Lincoln and Republic Parking System Inc., hereinafter "Republic", approved by Resolution A-85673 and adopted the Lincoln City Council on January 11, 2010, shall be amended as follows:

1. The parties agree to adding On Street Enforcement to the scope of services currently performed by Republic. Such On Street Enforcement services shall be as indicated in Attachment A.
2. The original agreement approved by Resolution A-85673 indicates that Republic will be reimbursed for projected expenses and additionally paid a management fee for specific services. The services contracted for under this amendment will follow the same payment/reimbursement processes as indicated in the original agreement.
3. The projected budget (expenses and management fees) for this amendment shall be as indicated in Attachment B. The projected budget assumes that the handheld computers and the four Lincoln Police Department vehicles currently used by the City's Public Service Officers shall be provided to Republic for performing the services under this amendment.
4. All other provisions of the agreement shall remain unchanged.

Dated this ____ day of August, 2010.

Mayor Chris Buetler



Republic Parking System, Inc.
Title: VICE PRESIDENT

ATTACHMENT A

ON-STREET ENFORCEMENT

1. COST REQUIREMENT

- 1.1 The budget for the proposal must be broken down as follows:
- 1.2 A schedule showing the monthly cost of providing parking enforcement service, including the following line items:
- 1.3 Enforcement officer, supervisor, payroll taxes and benefits, supplies, insurance, uniforms, miscellaneous costs, enforcement hardware/software, and overhead/management fees.
- 1.4 Costs should be shown for the term of the contract as well as for any optional years.

2. GENERAL PROVISIONS

- 2.1 Patrol Areas –
 - 2.1.1 The contractor shall be responsible for patrolling all streets in downtown Lincoln while on duty.
 - 2.1.2 The downtown area is defined as the Parking Services Enforcement Area indicated in Lincoln Municipal Code 10.02.254.
 - 2.1.3 Patrol areas may be modified by the City with written notice.

3. HOURS AND BILLINGS

- 3.1 Enforcement Hours Time/Day – The Respondent will perform enforcement duties Monday through Saturday 8:00 a.m. to 6:00 p.m. or as may be modified by the City with written notice.
 - 3.1.1 The Respondent shall provide a minimum of 140 hours per week of enforcement patrol.

Number of Enforcement Officers	Days	Time
1	Tuesday - Saturday	8:00 am - 4:00pm
1	Tuesday - Friday	8:00 am - 6:00pm
1	Monday - Friday	7:00 am - 3:00pm
1	Evening Shift	20 Hours

- 3.2 Non-Enforcement Hours Time/Day – An additional 1.0 hours per day, Monday through Friday, is designated for use by the Enforcement Officer for customer service, court time, researching vehicle registration information and other non-enforcement activity.
 - 3.2.1 These hours shall be known as non-enforcement hours.
- 3.3 Overtime – The use of any overtime rate is to be determined based on the Respondent’s necessity to pay its enforcement officers overtime.

- 3.3.1 Any additional hours above 40 hours per week requires the City's pre-approval.
- 3.4 Inclement Weather – The Respondent will review and seek approval from the City for any modifications to enforcement duties due to weather conditions.
 - 3.4.1 Modifications may include but not be limited to not using hourly employees during this period.
- 3.5 Holidays
 - 3.5.1. Holidays with no enforcement – According to City Ordinance, on the following holidays no parking enforcement activity will take place: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day.
 - 3.5.2 The Respondent shall contact the City to verify level of enforcement that will occur on these days.

4. **METHODOLOGY**

- 4.1 The City strongly believes in customer service, and expects the enforcement personnel to treat the public in a polite, helpful, and professional manner.
- 4.2 Enforcement action is to be carried out in a uniform and fair manner.
 - 4.2.1 The Respondent shall not directly or indirectly give any preferential treatment to any person or entity in the performance of enforcement duties.

5. **ENFORCEMENT SPECIFIC DUTIES**

- 5.1 Patrol
 - 5.1.1 Respondent's enforcement activities will be limited to city property and public streets.
 - 5.1.2 At a minimum, the Parking Services Enforcement Area described in Lincoln Municipal Code 10.02.254 shall be consistently patrolled approximately once every two hours and fifteen minutes.
 - 5.1.2.1 Other patrol requirements to be established by the City.

6. **ISSUANCE OF INFRACTION NOTICES**

- 6.1 The Respondent shall issue Notices of Infraction for violations of parking ordinances when and where appropriate.
 - 6.1.1 The Respondent shall only use standard Infraction Notices that have been approved by the City.
 - 6.1.2 Each Infraction Notice shall have a unique identification number.
 - 6.1.2.1 No duplicate numbered Infraction Notices shall be issued.
 - 6.1.3 All Infraction Notices shall include complete and accurate information as approved by the City.
 - 6.1.4 All Infraction Notices submitted to the City shall include complete and accurate vehicle City registration information.
 - 6.1.5 The backside of all Infraction Notices submitted to the City shall be completed in full and include a signed, and dated description of the infraction.

- 6.1.5.1 The description shall include the time the infraction occurred.
- 6.1.6 The Respondent shall be responsible for submitting all Infraction Notices to the City with complete and accurate information within 48 business hours of issuance.
- 6.1.7 All Infraction Notices issued by the Respondent shall be legible.
- 6.1.8 All infraction notices shall be issued with a ticket envelope.

7. **HAND-HELD COMPUTER**

- 7.1 The Respondent shall use a portable/hand-held computer as approved or provided by the City to determine overtime parking violations and eliminate the need for tire marking.
- 7.2 The computer shall record the date, time, location, and license number of the parked vehicle.
- 7.3 This data shall be easily retrieved by the Enforcement Officer during the course of his/her rounds.

8. **TYPES OF VIOLATIONS**

- 8.1 The Respondent shall enforce all parking related ordinances as indicated in Lincoln Municipal Code 10.06.110 (b)(1).

9. **IMPOUNDING OR BOOTING**

- 9.1 Respondent will determine whether any parked vehicle needs to be impounded or booted in accordance with criteria provided in compliance with the City's impounding or booting policies.
- 9.2 When the Respondent determines that a particular parked vehicle meets these criteria, the Respondent shall call the City authorized towing company.
- 9.3 The Respondent will keep a log of events leading up to the decision including why the impound or boot was initiated and, if applicable, which company performs the impound.

10. **REPORTING OF MISSING OR DAMAGED SIGNAGE**

- 10.1 Missing or damaged signs observed in the field by Enforcement Officers are to be called in immediately to the City.
- 10.2 The type of sign and its exact location will be included in any communication with the City.

11. **COURT APPEARANCE**

- 11.1 The Respondent will be responsible for its employees appearing in court, on time, and prepared to testify on parking related cases in a professional manner.
- 11.2 Respondent shall refer questions concerning Court appearances to the City.

12. **COMPLAINTS**

- 12.1 The line of contact for complaints received from Citizens shall be as follows:
 - 12.1.1 Respondent,
 - 12.1.2 City; or City's designee.
- 12.2 The Respondent shall promptly and courteously respond to all complaints and shall thoroughly investigate them.
- 12.3 If the City receives a complaint concerning the Respondent, it will notify the Respondent within 48 hours of receiving such complaint.

- 12.4 The City, or City's designee, will be the point of contact for complaints and follow-up.
- 12.5 All complaint reports are to be documented and provided to the City for review upon completion.
- 12.6 The Respondent shall have a specific telephone number solely for the purpose of handling questions and complaints regarding the City's Parking Program.

13. PRE-ENFORCEMENT INTRODUCTIONS

- 13.1 At the beginning of the contract, the Respondent shall personally introduce themselves and explain the City's Parking Program to the business and property along the patrol routes for a period of time specified by the City's Parking Manager, but not to exceed three weeks' time.
- 13.2 On an on-going basis, the Respondent's Enforcement Officer(s) shall introduce themselves and the City's Parking Program to new businesses and property that establish along patrol routes.

14. VEHICLES

- 14.1 The following shall apply to the use of vehicles:
 - 14.1.1 All vehicles used by enforcement personnel shall be clearly identifiable as performing parking enforcement.
 - 14.1.2 The vehicle markings must be approved by the City prior to placement on enforcement vehicles.
- 14.2 Vehicles shall be operated at all times in compliance with all state and local motor vehicle and emissions laws.
- 14.3 The rear of all patrol vehicles shall have a sign warning of frequent vehicle stops.
- 14.4 All vehicles used by enforcement personnel shall have blinking flasher lights installed on the vehicle's roof.
 - 14.4.1 These lights shall be used when patrolling to warn other vehicles about the slower moving enforcement vehicle.
- 14.5 Any vehicle used for parking enforcement purposes must be approved by the City.
- 14.6 Foot enforcement and/or bike enforcement personnel may be used as a supplement to, but not in lieu of, a motorized enforcement vehicle.
 - 14.6.1 This may include periods of dry weather or motorized vehicle maintenance up to two weeks in duration, as long as adequate coverage is maintained and all state and local pedestrian and bicycle laws are adhered to.

15. ROUTES

- 15.1 The City requires that the enforcement personnel follow pre-approved patrol routes.
 - 15.1.1 The Respondent will be responsible for proposing patrol routes and schedules.
 - 15.1.2 The City needs assurance that coverage is adequate, fair, regular and consistent.
- 15.2 The Respondent will alternate the Enforcement Officers' patrol routes on a regular basis to eliminate predictability.
- 15.3 Enforcement Officers must be rotated on a regular basis between route/beat assignments.

16. PERSONNEL

- 16.1 The Respondent will be responsible for all aspects of recruitment and selection of parking enforcement personnel.
 - 16.1.1 The Respondent shall employ only persons competent and skilled in the performance of the work assigned to them and shall provide skilled and responsible supervision for such persons.
 - 16.1.2 The Respondent's employees shall not carry a firearm or any type of weapon while on duty.
 - 16.1.3 The Respondent's personnel shall be polite and courteous to all citizens. Confrontations are to be avoided if at all possible.
 - 16.1.4 Respondent's personnel shall be required to speak and write easily-understandable English Language as the primary language.
 - 16.1.5 Respondent's employees are not to imply they are Police Officers.
 - 16.1.6 The Respondent shall not use discriminatory hiring practices in regard to ethnic origin, race, religion, sex, and physical or mental disability.
 - 16.1.6.1 Respondent will adhere to all local, state and federal hiring guidelines.
- 16.2 Respondent will be responsible for assuring employee compliance with all laws and regulations, respond to inspections/audits by regulatory agencies, and pay any fines or assessments levied by regulatory agencies.
 - 16.2.1 The Respondent will be responsible for all supervision, disciplinary and termination actions.

17. UNIFORMS

- 17.1 All enforcement personnel are to be provided with professional appearing uniforms.
 - 17.1.1 They are to be designated with logos on shirt and jacket sleeves, and on hats with an emblem designating them as official parking enforcement personnel.
 - 17.1.2 The color and design of uniforms must be approved by City.
 - 17.1.3 The uniforms shall not resemble a Police Department uniform.
- 17.2 Appropriate attire includes coordinated shirt, coat and trousers.
 - 17.2.1 During periods of hot weather, long shorts and a short sleeve collared shirt are acceptable.
 - 17.2.2 Items such as tee shirts are not allowed.
- 17.3 All personnel are to be in complete uniform at any time during duty hours including time in court.
- 17.4 All enforcement personnel must carry a city approved photo identification and a copy of their Limited Commission while on duty.

18. TRAINING

- 18.1 The Respondent will be responsible for complete training of parking enforcement personnel.
 - 18.1.1 Respondent shall maintain complete training records for each employee, as well as any other records prescribed by law or policy as appropriate.
- 18.2 The City will provide all materials related to enforcement regulations to the Respondent.
 - 18.2.1 All other training material is to be provided by the Respondent.
- 18.3 Training will include, but not be limited to:
 - 18.3.1 Customer Service and expectations.

- 18.3.2 Conflict management.
- 18.3.3 Job procedures and emergency protocol.
- 18.3.4 Job Safety as required by OSHA/DOSH.

19. TRAINING IN THE FOLLOWING AREAS IS A MUST

- 19.1 Civil rights law and procedures.
- 19.2 Municipal law and ordinances relating to parking enforcement.
- 19.3 Giving testimony and courtroom procedures.
- 19.4 Conflict management
- 19.5 Customer service

20. REPORTS AND RECORDS

20.1 Record Keeping

- 20.1.1 Respondent is responsible for all employment related record keeping, and will provide, upon request by the City, personnel and training information for each employee.
- 20.1.2 Each Enforcement Officer shall maintain a daily logbook of conversations, complaints and unusual circumstances that occur while performing work duties.
 - 20.1.2.1 The logbook shall be brought current at the end of each shift.
 - 20.1.2.2 In addition, each Enforcement Officer shall include in the daily activity log the following:
 - Number of citations by type of violation
 - Number of warnings
 - Number of impounds/bootings
 - Number of parking related service requests from citizens
 - Hours on duty
 - All of the above reports by day, date, hour, and location
 - Location and hour of disabled parking enforcement
- 20.1.3 Each Enforcement Officer shall document in writing the events and circumstances:
 - Leading to the impound/booting of a vehicle
 - Dealing with a difficult customer service situation
- 20.1.4 Individual Respondent employees shall have personnel file containing the following information, with copy of file to be furnished to the City's Parking Manager upon request:
 - Completed application form
 - Completed background investigation and testing process
 - Training including date received
 - Complaints received against employee including disposition
- 20.1.5 The Respondent shall keep all records as listed above for at least three (3) years following the expiration or termination of the Agreement, or deliver the records to the City.
 - 20.1.5.1 Respondent shall keep all records in its regular business office and shall keep the records in an orderly manner as may be instructed by the City to assure easy access and reference to the records.

- 20.1.5.2 The Respondent shall make all records available for inspection and copying by the City during business hours.
- 20.2 The following reports shall be prepared, transmitted, and maintained at a minimum.
 - 20.2.1 The City may make additions or deletions to the list of reports it requests at their discretion.
 - 20.2.2 Monthly summary of activities showing total work hours, patrol and non-patrol; customer service hours; and records of court time.
 - 20.2.3 This summary will also include a cumulative total of unused non-enforcement hours.
- 20.3 Monthly summary of ticket activity including the number of tickets by infraction type, by street/area, and a listing of voided tickets with an explanation.
- 20.4 Written reports on all complaint phone calls, or on-street complaints to officer on duty. Reports shall include names of parties involved, phone numbers, addresses (if known), the nature of complaint and action taken.
- 20.5 Monthly reports containing the above data are to be furnished to the City no later than the 20th of the following month.

21. SPECIAL PROVISIONS – CITY RIGHTS

- 21.1 The City retains the right to make changes to parking zone restrictions.
- 21.2 Further, the City retains the right to:
 - 21.2.1 Establish, modify, add or delete enforcement areas, routes or hours of enforcement.
 - 21.2.1.1 Any changes which result in fewer hours of enforcement will be credited to the City.
 - 21.2.1.2 Any enforcement area additions that result in additional hours beyond those that are required in this contract will be addressed at the City’s discretion as follows:
 - 21.2.2 Reorganization of enforcement routes so all areas are included at a lower enforcement frequency.
 - 21.2.3 An increase in enforcement hours to maintain the enforcement frequency outlined in Section 4.
 - 21.2.3.1 All additional hours shall be billed as per Section 3.3.
 - 21.2.4 A combination of a & b as determined by the City.
- 21.3 Set all hours of enforcement operations and approve daily and weekly assignment schedules.

- 21.4 Modify, alter, add, delete or replace any
 - 21.4.1 City supplied forms and or equipment.
 - 21.4.2 Procedures, instructions, and codes during the contract terms.
 - 21.4.3 Enforcement areas, beats, level of enforcement, placement of enforcement effort and type of enforcement.
- 21.5 To approve or disapprove of any new hire and to test all new hires before issuing enforcement authority and to withdraw the enforcement authority of any enforcement personnel permanently or temporarily when such action is in the best interest of the City.
- 21.6 To request removal from the contract any employee when continued employment is detrimental to the best interest of the City.
 - 21.6.1 The City shall provide any such request in writing.

22. COORDINATION MEETINGS:

- 22.1 The Respondent shall attend coordination meetings as necessary with the City Parking Manager.

ATTACHMENT "B"

**Republic Parking System - City of Lincoln
On-Street Enforcement**

Expenses	YEAR				4-Year Total
	1	2	3	4	
Payroll	\$94,640	\$97,479	\$100,404	\$103,416	\$395,938
Benefits	\$27,608	\$27,817	\$28,906	\$29,372	\$113,703
Total Compensation	\$122,248	\$125,296	\$129,309	\$132,788	\$509,642
Liability Insurance	\$12,000	\$12,600	\$13,230	\$13,892	\$51,722
Ticketing Equipment	\$500	\$0	\$0	\$0	\$500
Telephone/Radios	\$2,400	\$2,400	\$2,400	\$2,400	\$9,600
Uniforms	\$1,800	\$1,200	\$1,200	\$1,200	\$5,400
Tickets	\$2,226	\$2,226	\$2,226	\$2,226	\$8,904
Supplies	\$1,800	\$1,800	\$1,800	\$1,800	\$7,200
Vehicle OM	\$19,533	\$19,533	\$19,533	\$19,533	\$78,132
Vehicle Depreciation	\$10,073	\$10,073	\$10,073	\$10,073	\$40,292
Total Operating Expenses	\$50,332	\$49,832	\$50,462	\$51,124	\$201,750
Sub-Total Expense	\$172,580	\$175,128	\$179,771	\$183,912	\$711,391
Management Fee	\$18,000	\$18,000	\$18,000	\$18,000	\$72,000
Total Expense	\$190,580	\$193,128	\$197,771	\$201,912	\$783,391