



Cover Memorandum/Staff Report

File #: 22-18 CRA

Agenda Date: 11/17/2022

Item #: 71.

TO: CRA Board of Commissioners
FROM: Ivan Cabrera, AICP, Redevelopment Manager
THROUGH: Renée A. Jadusingh, Esq., CRA Executive Director
DATE: November 17, 2022

APPROVE FIFTH AMENDMENT TO THE ORIGINAL AGREEMENT WITH BEEFREE, INC. D/B/A FREEBEE FOR THE POINT-TO-POINT TRANSPORTATION SERVICES

Recommended Action:

Approve the Fifth Amendment to the Original Agreement with BeeFree Inc. d/b/a Freebee to terminate Point-to-Point Transportation Services, in substantially the attached form.

Background:

On January 28, 2019, the CRA issued a Request for Proposals for a Pilot Program for Point-to-Point Transportation Services ("Program").

After which, the CRA and BeeFree, Inc. d/b/a Freebee entered into a Point-to-Point Transportation Services Agreement on June 25, 2019, ("Original Agreement"). Subsequently, both parties executed two (2) amendments due to COVID-19. The First Amendment was executed on March 27, 2020, and included temporary changes to the service area and hours of operation. The Second Amendment was executed on April 8, 2020, and included temporary changes related to ceasing operations of the service and modifications to the contract price paid by the CRA to Freebee during this time period.

Per the Original Agreement, the parties may mutually agree to renew the term of the Original Agreement for two (2) additional one (1) year terms, subject to the approval of the CRA's Board of Commissioners, and the execution by both parties of a written amendment to the Original Agreement. On June 23, 2020, the CRA Board approved the Third Amendment to the Original Agreement extending the term of the Original Agreement to August 30, 2021.

The CRA and Freebee entered into a Fourth Amendment to the Original Agreement dated September 28, 2021 where upon the expiration date provided in the Third Amendment, the term of the Original Agreement, as amended, shall be automatically extended to a month-to-month basis until either party provides forty-five (45) days prior written notice of termination.

Freebee has agreed to terminate the Original Agreement, as amended, for convenience, on November 30, 2022, without any additional notice requirement.

At this time, CRA Staff is requesting the CRA Board approve the Fifth Amendment to the Original Agreement terminating the Original Agreement, as amended, for convenience, on November 30, 2022, without any additional notice requirement, in substantially the attached form.

Attachment(s): Exhibit A - Original Agreement and Amendments; Exhibit B - Fifth Amendment to the Original Agreement

CRA Attorney Review:

The CRA Legal Advisor has reviewed the Agreement as to form and determined it to be acceptable.

Finance Review:

N/A

Funding Source/Financial Impact:

Funding is available in the amount of \$150,000 - GL# 5230 - Transportation Services