

DOCKLESS SHARED MICROMOBILITY DEVICE
PILOT PROGRAM
OPERATING AGREEMENT AND PERMIT

AMENDMENT NO. 1

THIS AMENDMENT TO THE AGREEMENT is made and entered into this _____ day of _____ 2022, by and between the City of Pensacola, a Florida municipal corporation, whose address is 222 West Main Street, Pensacola, Florida 32502 (“City”) and Bird Rides, Inc., whose address is 406 Broadway, Santa Monica, CA 90401 (“Vendor”). The City and Vendor are each individually referred to as “Party,” and collectively as the “Parties.”

THAT WHEREAS, the Parties entered into an Operating Agreement dated June 30, 2021, pursuant to the Dockless Shared Micromobility Device Pilot Program (“Pilot Program”); and

WHEREAS, the Parties now desire to amend the Agreement upon the terms and conditions hereinafter set forth; and

WHEREAS, the Parties desire to continue their mutually beneficial relationship beyond the term of the Agreement as amended;

NOW, THEREFORE, in consideration of the mutual covenants of the Parties hereto, the City and Vendor amend the Agreement as follows:

1. The Recitals above are true and correct and are hereby incorporated into this Amendment No. 1.
2. Pursuant to Section 1 of the Agreement, the City shall extend the expiration of this Agreement by three (3) days up to and including July 21, 2022 unless terminated sooner as provided in the original terms of the Agreement.
3. Vendor acknowledges that this extension does not modify the Operating Agreement in any way but for the end date, which modification is prompted by the timing of the City of Pensacola’s City Council meeting on July 21, 2022, at which meeting the City Council is expected to address potential changes to or termination of the Pilot Program; accordingly, this extension does not reflect an intent to extend the Pilot Program or provide any rights or privileges to Vendor on which to base any reasonable reliance as to the future of the Pilot Program or Vendor’s ability to continue to operate after July 21, 2022.

IN WITNESS WHEREOF, the Parties, by their respective duly authorized representatives, have executed this Agreement to be effective on the Effective Date.

ATTEST:

CITY OF PENSACOLA

Ericka L. Burnett
City Clerk

Grover C. Robinson, IV
Mayor

ATTEST:

Bird Rides, Inc.,

By: Corporate Secretary

By: President

Legal in form and
Valid as drawn:

Approved as to Substance:

City Attorney's Office

Amy Tootle
Public Works & Facilities Director