

**AMENDMENT NO. 5 TO AGREEMENT BETWEEN
SAN DIEGO UNIFIED PORT DISTRICT
and
R.I. PROPERTIES, INC.
dba
RETAIL INSITE
for
REAL ESTATE BROKER SERVICES
AGREEMENT NO. 163-2018**

The parties to this Amendment No. 5 to Agreement (Amendment) are the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation (District) and R.I. PROPERTIES, INC. dba RETAIL INSITE, a California Corporation (Service Provider).

Recitals:

District and Service Provider are parties to an Agreement for Real Estate Broker Services. The Agreement is on file in the Office of the District Clerk as Document No. 68690 dated July, 2018, as amended by Amendment No. 1, Document No. 69947 dated May 24, 2019, as amended by Amendment No. 2, Document No. 70609 dated November 8, 2019, as amended by Amendment No. 3, Document No. 71890 dated October 13, 2020, and as amended by Amendment No. 4, Document No. 73177 dated September 27, 2021. It is now proposed to extend the Agreement from June 30, 2023 to June 30, 2024 and to increase the maximum expenditure amount under the Agreement by \$250,000 from a total of \$1,050,000 to a new not-to-exceed total amount of \$1,300,000.

The Parties Agree:

1. The **TERM OF AGREEMENT**, Section 2, is hereby extended to June, 30, 2024, subject to earlier termination as provided in the Agreement. For the avoidance of doubt, all options to extend under the Agreement have been exercised and no options to extend the term remain under the Agreement.

2. **Section 3.a. Maximum Expenditure** is hereby amended to increase the maximum expenditure amount under the Agreement by \$250,000 from a total of \$ 1,050,000 to a new not-to-exceed total amount of \$ 1,300,000.
3. All other Agreement terms, covenants, and conditions shall remain in full force and effect and shall be applicable to this Amendment.

SAN DIEGO UNIFIED PORT DISTRICT**R.I. PROPERTIES, INC., DBA RETAIL
INSITE**

Anthony Gordon
Director, Real Estate

Don Moser

Don Moser
Secretary

Approved as to form and legality:
GENERAL COUNSEL

By: Assistant/Deputy

A manually signed copy of this Amendment transmitted by email or any other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment.

Certificate Of Completion

Envelope Id: 6592D08ED10A4E1491422BFFCBF7E7E4	Status: Sent	
Subject: Please DocuSign: Amendment No. 5 to Agreement with R.I Properties Inc. dba Retail Insite.pdf		
Source Envelope:		
Document Pages: 2	Signatures: 1	Envelope Originator:
Certificate Pages: 5	Initials: 0	Sonia Pacheco
AutoNav: Enabled		3165 Pacific Highway
Enveloped Stamping: Enabled		San Diego, CA 92101
Time Zone: (UTC-08:00) Pacific Time (US & Canada)		spacheco@portofsandiego.org
		IP Address: 207.215.153.162

Record Tracking

Status: Original	Holder: Sonia Pacheco	Location: DocuSign
9/7/2022 10:59:12 AM	spacheco@portofsandiego.org	
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: San Diego Unified Port District	Location: DocuSign

Signer Events

Signature	Timestamp
Don Moser	Sent: 9/7/2022 12:12:50 PM
dmoser@retailinsite.net	Viewed: 9/7/2022 12:14:59 PM
Security Level: Email, Account Authentication (None)	Signed: 9/12/2022 2:02:02 PM
Signature Adoption: Pre-selected Style	
Using IP Address: 98.173.35.157	

Electronic Record and Signature Disclosure:

Accepted: 9/7/2022 12:14:59 PM
ID: 05da617d-4d3b-435d-92ed-37e0ebcad116
Company Name: San Diego Unified Port District

Sonia Pacheco	Sent: 9/12/2022 2:02:03 PM
spacheco@portofsandiego.org	
Security Level: Email, Account Authentication (None)	

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Elizabeth Alonso

ealonso@PORTOFSANDIEGO.ORG

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:

Accepted: 8/11/2022 12:35:46 PM
ID: 1fdf7c28-2309-4bdf-bd50-f8711166d8d2
Company Name: San Diego Unified Port District

Tony Gordon

agordon@portofsandiego.org

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:

Accepted: 8/11/2022 12:48:03 PM
ID: b3c33e99-76b1-4347-9589-97dd1da9b277
Company Name: San Diego Unified Port District

ODCDocusign

Signing Group: ODCDocusign

Security Level: Email, Account Authentication (None)

Signer Events	Signature	Timestamp
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Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
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Editor Delivery Events	Status	Timestamp
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Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Alexa Paulus

apaulus@PORTOFSANDIEGO.ORG

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

DocuSign Core Notify Group

DocuSign_Core_Notify@portofsandiego.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

OGC Incoming Docs

ogcincomingdocs@portofsandiego.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Accepted: 8/25/2022 10:15:26 AM
ID: cfcc5925-a162-4d93-8fad-50c94ed0bfb9
Company Name: San Diego Unified Port District

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	9/7/2022 12:12:50 PM
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Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

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If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact San Diego Unified Port District:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: customerservicecenter@portofsandiego.org

To advise San Diego Unified Port District of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at customerservicecenter@portofsandiego.org and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from San Diego Unified Port District

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to customerservicecenter@portofsandiego.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with San Diego Unified Port District

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to customerservicecenter@portofsandiego.org and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

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- Until or unless you notify San Diego Unified Port District as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by San Diego Unified Port District during the course of your relationship with San Diego Unified Port District.