

**DOWNTOWN SAN ANTONIO RIVER
BARGE CONCESSION CONTRACT**

AMENDMENT 5

This Amendment No. 5 ("Amendment") to the DOWNTOWN SAN ANTONIO RIVER BARGE CONCESSION CONTRACT is entered into by the City of San Antonio, a Texas municipal corporation ("City"), acting by and through its City Manager or her designee, pursuant to Ordinance No. _____ passed and approved on _____.

The City of San Antonio ("CITY") and RIO San Antonio Cruises, LTD. ("Contractor") entered into the Downtown San Antonio River Barge Concession Contract pursuant to Ordinance No. 100962 with an effective date of September 1, 2005. Said CONTRACT was amended pursuant to Ordinance No. 2006-11-02-1252, Ordinance No. 2008-11-20-1049, Ordinance No. 2010-06-17-0546, and Ordinance No. 2015-01-08-0007 (Amendments No. 1 through 4).

In consideration of the mutual covenants set forth herein, the Parties agree to amend, and do hereby amend, the Contract as follows:

1. Per ARTICLE 1.1 of aforementioned contract, CITY and CONTRACTOR agree to extend the term of the contract through September 30, 2017.
2. Per ARTICLE 12.1 of aforementioned contract, CITY and CONTRACTOR agree prices for barge services shall be revised as stated below and shall be effective May 1, 2016.

| Barge Service Categories | Revised Prices eff. 5/1/2016 |
|----------------------------------------|-------------------------------------|
| Adult | \$10.00 |
| Local Resident | \$8.00 |
| Child | \$4.00 |
| Military | \$7.00 |
| Senior | \$7.00 |
| One Way Taxi Downtown | \$10.00 |
| One Day Pass Taxi Downtown | \$12.00 |
| Three Day Pass Taxi Downtown | \$25.00 |
| One Day Pass Taxi Museum Reach | \$12.00 |
| Three Day Pass Taxi Museum Reach | \$25.00 |
| One Day Pass Combination Downtown & | \$16.00 |

| | |
|--------------------------|-------------------|
| Museum Reach | |
| Charter – Peak Hours | \$175.00 per Hour |
| Charter – Non-Peak Hours | \$150.00 per Hour |

3. Per ARTICLE 43.1 of aforementioned contract CITY and CONTRACTOR agree that CONTRACTOR will pay CITY a CONCESSION FEE of fifty-two percent (52%) of its ADJUSTED GROSS SALES on all Tours, Charters and Taxi services provided under the CONTRACT, effective May 1, 2016. CITY understands that CONTRACTOR has previously confirmed charter events through September 5, 2016 at original charter rates; all charter events booked after May 1, 2016 will be contracted under above approved charter rates.
4. All other terms and conditions of the Contract shall remain in full force and effect throughout the extended term.

Executed this _____ day of _____ 2016.

CITY OF SAN ANTONIO,
A Texas Municipal Corporation

RIO SAN ANTONIO CRUISES, LTD.

By: _____
Sheryl Sculley
City Manager

By: 
JoAnn E. Boone
President

APPROVED AS TO FORM:

City Attorney