

1 [Contract Amendment - Sid Tool Co., Inc. dba MSC Industrial Supply Company, Inc. - As-
2 Needed Citywide Contract for Industrial Supplies - Not to Exceed \$17,100,000]

3 **Resolution approving Amendment No. 2 to the Agreement between City, acting by and**
4 **through the Office of Contract Administration, and Sid Tool Co., Inc. dba MSC**
5 **Industrial Supply Company, Inc. for the purchase of As-Needed Citywide Contract for**
6 **Industrial Supplies, to increase the Agreement's not to exceed amount by \$7,600,000**
7 **for a total not to exceed amount of \$17,100,000 with no changes to the contract term of**
8 **December 1, 2023, through November 8, 2028; and to authorize the Office of Contract**
9 **Administration to make non-material changes to the Amendment prior to its final**
10 **execution by all parties that do not materially increase the obligations or liabilities to**
11 **the City and are necessary or advisable to effectuate the purposes of the Agreement.**

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13 WHEREAS, Contractor was one of six proposers awarded pursuant to Solicitation No.
14 091422 for Industrial and Building-Related Supplies and Equipment issued on July 27, 2022,
15 by Sourcewell, a State of Minnesota local government unit and service cooperative that
16 conducts solicitations for commonly used goods and services on behalf of state and local
17 governments located in the United States and Canada; and

18 WHEREAS, Administrative Code, Section 21.16(b), authorizes the Office of Contract
19 Administration ("OCA") to select Contractor pursuant to solicitation conducted by other
20 government entities and/or national cooperatives;

21 WHEREAS, On December 4, 2023, OCA and Contractor entered into an agreement for
22 the purpose of selling industrial supplies to City departments ("Original Agreement"); and

23 WHEREAS, The Original Agreement has an initial term of December 1, 2023, through
24 November 8, 2026, and a not to exceed amount of \$7,000,000; and
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1 WHEREAS, The City executed Amendment 1 on March 18, 2026, to update terms,
2 extend the contract term through November 8, 2028, and increasing the not to exceed amount
3 to \$9,500,000; and

4 WHEREAS, The Office of Contract Administration now seeks to execute Amendment
5 No. 2 to increase the not to exceed amount to \$17,100,000, with all other terms and
6 conditions remaining unchanged; and

7 WHEREAS, Charter, Section 9.118(b), requires Board of Supervisors' approval by
8 Resolution of any contract which, when entered into, extends over 10 years, and of any
9 contract which, when entered into, costs the City \$10,000,000 or more; and

10 WHEREAS, The proposed Amendment No. 2 contained in File No. _____ is
11 substantially in final form, with all material terms and conditions included, and only remains to
12 be executed by the parties upon approval of this Resolution; now, therefore, be it

13 RESOLVED, That the Board of Supervisors hereby approves Amendment No. 2 to the
14 Agreement in substantially the form contained in File No. _____; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors authorizes the Office of Contract
16 Administration to make any modifications to Amendment No. 2, prior to its final execution by
17 all parties, that the Office of Contract Administration determines, in consultation with the City
18 Attorney, are consistent with this Resolution, in the best interest of the City, do not materially
19 increase the obligations or liabilities of the City, are necessary or advisable to effectuate the
20 purposes of the Amendment, and are in compliance with all applicable laws, including the City
21 Charter; and, be it

22 FURTHER RESOLVED, That within 30 days of Amendment No. 2 being fully executed
23 by all parties, the Office of Contract Administration shall submit to the Clerk of the Board of
24 Supervisors a complete, fully executed copy for inclusion in File No. _____; this requirement
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1 is for purposes of maintaining a complete legislative record and does not affect the validity of
2 the approved Amendment.
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