

**City and County of San Francisco
Office of Contract Administration
Purchasing Division**

First Amendment

TC 63002

THIS FIRST AMENDMENT (this “Amendment”) is made as of **June 1, 2023**, in San Francisco, California, by and between **Lysek International Limited** (“Contractor”), and the City and County of San Francisco, a municipal corporation (“City”), acting by and through its Director of the Office of Contract Administration.

Recitals

WHEREAS, City and Contractor have entered into the Agreement (as defined below); and

WHEREAS, City and Contractor desire to modify the Agreement on the terms and conditions set forth herein to adjust Contractor’s pricing in accordance with Section 3 of Appendix C to the Agreement; and

WHEREAS, the Agreement was competitively procured as required by San Francisco Administrative Code Chapter 21.1 through an Invitation for Bids (Sourcing Event ID 0000006728) issued March 29, 2022, and this modification is consistent therewith; and

WHEREAS, approval for the original Agreement was obtained on July 18, 2022 from the Civil Service Commission under PSC number 47589-21/22 in the amount of \$15,900,000 for the period commencing May 15, 2022 and ending August 19, 2027; and

WHEREAS, the City’s Board of Supervisors approved this Agreement by Resolution 314-22 on July 21, 2022.

NOW, THEREFORE, Contractor and the City agree as follows:

Article 1 Definitions

The following definitions shall apply to this Amendment:

1.1 **Agreement.** The term “Agreement” shall mean the Agreement dated August 8, 2022 between Contractor and City.

1.2 **Other Terms.** Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Agreement.

Article 2 Modifications of Scope to the Agreement

The Agreement is hereby modified as follows:

2.1 **Appendix B.** Appendix B is hereby replaced in its entirety by Appendix B-1, attached to this Amendment and fully incorporated within the Agreement. To the extent the Agreement

refers to Appendix B in any place, the true meaning shall be Appendix B -1, which is a correct and updated version.

Article 3 Reserved.

Article 4 Effective Date

Each of the modifications set forth in Article 2 shall be effective on and June 1, 2023

Article 5 Legal Effect

Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Contractor and City have executed this Amendment as of the date first referenced above.

CITY

Recommended by:

DocuSigned by:

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Linda Repola
Procurement Manager
Office of Contract Administration

CONTRACTOR

Lystek International Limited

DocuSigned by:

DFE2F8E07CF848B...
James Dunbar
General Manager

City Supplier number: 0000016015

Approved as to Form:

David Chiu
City Attorney

DocuSigned by:

806936117B564DF...
By: _____
[name of Deputy City Attorney]
Deputy City Attorney

Approved:

Sailaja Kurella
Director of the Office of Contract
Administration and Purchaser

DocuSigned by:

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By: _____
Taraneh Moayed

Attached Appendices: B-1

Appendix B-1
Calculation of Charges
Effective June 1, 2023

	Unit of Measure Wet Ton		
Site	Minimum Capacity	Original Price	Amendment 1 Effective June 1, 2023
Lystek Fairfield OMRC	17,500 wet tons	\$111.73	\$116.41
SynaGro Central Valley Compost (CVC)	17,500 wet tons	\$69.44	\$72.35