

1 [Revenue Agreement Amendment - JC Decaux San Francisco, LLC - Extending Term to
2 October 1, 2017]

3 **Resolution approving the second amendment to the revenue agreement between**
4 **Public Works and JC Decaux San Francisco, LLC, for the Automatic Public Toilet and**
5 **Public Service Kiosk Program, extending the agreement term by one year for a total**
6 **agreement term of August 2, 1994, through October 17, 2017.**

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8 WHEREAS, The original agreement with JC Decaux San Francisco, Inc. was initiated
9 as a pilot program with an effective date of August 2, 1994; and

10 WHEREAS, The First Amended and Restated Automatic Public Toilet and Public
11 Service Kiosk Agreement which expanded the program beyond the trial phase to
12 October 17, 2016, was approved by the Board of Supervisors in Ordinance No. 354-98 on
13 December 7, 1998; and

14 WHEREAS, The First Amended and Restated Automatic Public Toilet and Public
15 Service Kiosk Agreement is on file with the Clerk of the Board of Supervisors in File
16 No. 98-1599, which is hereby declared to be a part of this resolution as if set forth fully herein;
17 and

18 WHEREAS, The process for soliciting competitive proposals to continue the program
19 began in mid-2015 and due to non-responsive submittals to the Request for Proposals
20 needed to be re-advertised; and

21 WHEREAS, The extension of the Automatic Public Toilet and Public Service Kiosk
22 Agreement via the second amendment to October 17, 2017, a copy of which is on file with the
23 Clerk of the Board of Supervisors in File No. 161019, is necessary to keep the existing public
24 toilets and public service kiosks in operation and to allow adequate time to negotiate a
25

1 replacement revenue agreement with JC Decaux San Francisco, LLC, the only responsive
2 proposer to the re-advertised Request for Proposals of April 29, 2016; and

3 WHEREAS, The San Francisco Charter, Section 9.118(a) requires that amendments to
4 contracts that when entered into had anticipated revenues of \$1,000,000 or more be approved
5 by the Board of Supervisors; now, therefore, be it

6 RESOLVED, That the San Francisco Board of Supervisors approves the Second
7 Amendment to the Revenue Agreement with JC Decaux San Francisco, LLC which extends
8 the term of the First Amended and Restated Automatic Public Toilet and Public Service Kiosk
9 Agreement by one year to October 17, 2017; and, be it

10 FURTHER RESOLVED, That within thirty (30) days of the second amendment to the
11 revenue agreement being fully executed by all parties Public Works shall provide the
12 executed amendment to the Clerk of the Board for inclusion into the official file.

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