

1 [Contract Modification - Recology San Francisco - Refuse Collection Services - Not to
2 Exceed - \$43,800,000]

3 **Resolution authorizing the Office of Contract Administration to enter into a Fifth**
4 **Amendment to the agreement between the City and County of San Francisco and**
5 **Sunset Scavenger Company d/b/a Recology Sunset Scavenger, Golden Gate**
6 **Disposal & Recycling Company d/b/a Recology Golden Gate, and Recology San**
7 **Francisco (collectively “Contractor”) for refuse collection services at City**
8 **facilities, increasing the contract amount by \$4,200,000 for a total not to exceed**
9 **amount of \$43,800,000 and extending the duration of the term by four months**
10 **from July 1, 2024, for a total contract term of December 1, 2020, through October**
11 **31, 2024.**

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13 WHEREAS, The City has historically contracted with Sunset Scavenger Company
14 d/b/a Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company d/b/a
15 Recology Golden Gate, and Recology San Francisco (collectively, “Contractor”) on a
16 sole source basis to provide refuse collection services at City facilities; and

17 WHEREAS, Pursuant to the sole source authority under Administrative Code,
18 Chapter 21.5, the Office of Contract Administration entered into an agreement with
19 Contractor dated December 1, 2020 (“Agreement”), for refuse collection services in the
20 amount of \$5,600,000 and for a duration of seven months to June 30, 2021, as amended
21 by the:

22 First Amendment, dated June 29, 2021, which extended the end date to
23 November 30, 2021, and increased contract not to exceed amount to \$9,900,000; and

24 Second Amendment, dated November 5, 2021, which extended the end date to
25 June 30, 2022, and increased contract not to exceed amount to \$15,622,000; and

1 Third Amendment, dated July 1, 2022, which extended the end date to June 30,
2 2024, and increased contract not to exceed amount to \$39,600,000; and

3 Fourth Amendment, dated June 20, 2023, which adjusted contract pricing for the
4 time period July 1, 2023, to June 30, 2024; and

5 WHEREAS, The Office of Contract Administration issued a solicitation to
6 competitively procure a new agreement for City refuse collection services in June 2022,
7 and issued a conditional Notice of Intent to Award the agreement to the highest-ranked
8 proposer in January 2023; and

9 WHEREAS, The highest-ranked proposer withdrew its proposal in March 2024,
10 prior to execution of the new agreement for City refuse collection services, and the Office
11 of Contract Administration thereby terminated negotiations with this proposer; and

12 WHEREAS, The Office of Contract Administration commenced negotiations for
13 the new City refuse collection services agreement with the second-highest ranked
14 proposer to the solicitation in March 2024; and

15 WHEREAS, The Office of Contract Administration seeks to enter into a Fifth
16 Amendment to the Agreement with Contractor for City refuse collection services,
17 increasing the not to exceed contract amount to \$43,800,000 and extending the
18 Agreement duration by four months to October 31, 2024, to meet City business needs
19 until a new agreement can be executed through the current competitive solicitation; and

20 WHEREAS, The parties have agreed the pricing for the four-month contract
21 extension will remain unchanged from the current contract pricing; and

22 WHEREAS, Under the Agreement the City has the option, in its sole discretion, to
23 terminate the Agreement, at any time during the term, for convenience and without
24 cause; and

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1 WHEREAS, Charter, Section 9.118(b), requires the Board of Supervisors to
2 approve by Resolution contracts estimated to cost the City \$10,000,000 or more; and

3 WHEREAS, The Board of Supervisors approved Second Amendment to the
4 contract on November 16, 2021, by Resolution No. 532-21 (File No. 211083) to increase
5 the contract amount from \$9,900,000 to \$15,622,000 and extend contract from
6 December 1, 2021, to June 30, 2022; and

7 WHEREAS, The Board of Supervisors approved Third Amendment to the contract
8 on July 12, 2022, by Resolution No. 312-22 (File No. 220422) to increase the contract
9 amount from \$15,622,000 to \$39,600,000 and extend contract from June 30, 2022, to
10 June 30, 2024; and

11 WHEREAS, The Agreement, including the previous amendments and the
12 proposed Fifth Amendment, is on file with the Clerk of the Board of Supervisors in File
13 No. 240365; now, therefore, be it

14 RESOLVED, That the Board of Supervisors hereby approves the Fifth
15 Amendment to the Agreement with the Contractor, to increase the not to exceed
16 contract amount by \$4,200,000, for a total not to exceed contract amount of
17 \$43,800,000, and to extend the duration by four months, for a total duration of three
18 years and 11 months, from December 1, 2020, through October 31, 2024; and, be it

19 FURTHER RESOLVED, That within 30 days of the Agreement being fully
20 executed by all parties, the Purchaser shall provide the final Agreement to the Clerk of
21 the Board for inclusion into the official file.

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