

1 [Agreement Amendment - Recology - Refuse Collection - Not to Exceed \$33,120,262]

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3 **Resolution approving the Fourth Amendment to the Refuse Collection Agreement**
4 **between the City and County of San Francisco, Recology San Francisco, Recology**
5 **Golden Gate, and Recology Sunset Scavenger, increasing the total not-to-exceed**
6 **amount of the Agreement from \$28,059,629 to \$33,120,262, under Charter Section**
7 **9.118(b).**

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9 WHEREAS, The Board of Supervisors approved Resolution No. 147-07 on March
10 21, 2007, waiving a competitive solicitation process and authorizing a refuse collection
11 agreement for \$23,037,527 with Recology San Francisco, Recology Golden Gate, and
12 Recology Sunset Scavenger with an initial term of 4 years and 3 months, with two one-
13 year options to renew at the Purchaser's discretion; and,

14 WHEREAS, The Office of Contract Administration entered into an Agreement with
15 the Contractor for \$23,037,527, dated April 1, 2007 through June 30, 2011, for refuse
16 collection from City Departments; and,

17 WHEREAS, The Purchaser executed the First Amendment, which did not require
18 Board of Supervisors approval, to the Agreement on July 1, 2011, to exercise the first
19 one-year option period and increase the contract amount by \$500,000; and,

20 WHEREAS, The Board of Supervisors approved Resolution No. 523-11 and
21 Second Amendment on December 13, 2011 increasing the contract not-to-exceed
22 amount to \$27,621,479; and,

23 WHEREAS, the Purchaser executed the Third Amendment, which did not require
24 Board of Supervisors approval, to the Agreement on July 1, 2012, to extend the term by
25 one month until July 31, 2012 and increase the contract amount by \$438,150; and,

1 WHEREAS, The Agreement is approaching the contract amount of \$28,059,629;
2 and,

3 WHEREAS, The Contractor has agreed to waive its right to a COLA increase
4 during the Second Option Period, The Office of Contract Administration and Contractor
5 propose to enter into a Fourth Amendment increasing the contract's not-to-exceed
6 amount from \$28,059,629 to \$33,120,262; and,

7 WHEREAS, The San Francisco Charter Section 9.118(b) provides that when
8 agreements of \$10 million or more are amended to increase the not-to-exceed amount
9 by \$500,000 or more, then such amendment shall be subject to approval of the Board of
10 Supervisors by resolution; and,

11 WHEREAS, The Agreement and the proposed Fourth Amendment are on file with
12 the Clerk of the Board of Supervisors in File No. 120658, which are hereby declared to
13 be a part of this resolution as if set forth fully herein; now, therefore be it,

14 RESOLVED, That the Board of Supervisors approves the Fourth Amendment to
15 the contract with Recology San Francisco, Recology Golden Gate, and Recology Sunset
16 Scavenger as described above; and be it

17 FURTHER RESOLVED, That the Board of Supervisors authorizes the Office of
18 Contract Administration to increase the contract amount from \$28,059,629 to
19 \$33,120,262.

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