

1 [Agreement Amendment - Medline Industries, Inc. - Bulk Medical, Surgical, and Laboratory
2 Supplies and Services - Not to Exceed \$165,038,293]

3 **Resolution approving Amendment No. 4 to the agreement between the City and County**
4 **of San Francisco, acting by and through, the Department of Public Health (DPH), and**
5 **Medline Industries, Inc., for bulk medical, surgical, and laboratory supplies and**
6 **services, to extend the term by four years from June 30, 2026, for a new term of July 1,**
7 **2021, through June 30, 2030; to increase the amount by \$70,835,221.36 for a new total**
8 **not to exceed amount of \$165,038,293; to update the Medline Master Distribution**
9 **Agreement, and to authorize DPH to enter into amendments or modifications to the**
10 **agreement that do not materially increase the obligations or liabilities to the City and**
11 **are necessary to effectuate the purposes of the agreement or this Resolution.**

12
13 WHEREAS, The Department is authorized under Administrative Code, Section 21A.2
14 to procure certain goods and services through a Group Purchasing Organization, and Medline
15 Industries, Inc. was selected through that process; and

16 WHEREAS, The contract is consistent with the Civil Service Commission’s (CSC)
17 approval obtained on May 17, 2021, under PSC No. 43503-20/21; and

18 WHEREAS, On April 5, 2021, DPH and Medline Industries, Inc. entered into an
19 agreement for bulk medical, surgical, and laboratory supplies and services (“Original
20 Agreement”); and

21 WHEREAS, The Original Agreement has a term of July 1, 2021, through June 30,
22 2026, and a not to exceed amount of \$94,203,072; and

23 WHEREAS, DPH amended the Original Agreement on July 29, 2021, to update the
24 supply agreement and update the calculation of charges (the “First Amendment”); and

1 WHEREAS, DPH amended the First Agreement on December 1, 2023, to insert an
2 emergency use authorization acknowledgement and order form (the “Second Amendment”);
3 and

4 WHEREAS, DPH amended the Second Agreement on October 12, 2021, to insert true
5 price program requirements and processes, and insert protected information destruction order
6 purge certification form (the “Third Amendment”); and

7 WHEREAS, DPH wishes to amend the agreement by extending the term to June 30,
8 2030, and increasing the maximum expenditure by \$70,835,221.36 to \$165,038,293, and
9 updating the Medline Master Distribution Agreement (the “Fourth Amendment”); and

10 WHEREAS, The Fourth Amendment is consistent with the Civil Service Commission’s
11 approval obtained on May 17, 2021, under PSC number 43503-20/21; and

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

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

18 RESOLVED, That the Board of Supervisors hereby approves the amendment in
19 substantially the form contained in File No. _____; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors authorizes DPH to make any
21 modifications to the amendment, prior to its final execution by all parties, that DPH
22 determines, in consultation with the City Attorney, are consistent with this Resolution, in the
23 best interest of the City, do not materially increase the obligations or liabilities of the City, are
24 necessary or advisable to effectuate the purposes of the amendment, and are in compliance
25 with all applicable laws, including the City’s Charter; and, be it

