

1 [Contract Amendment - Vitalant - Blood and Blood Products - Department of Public Health -  
2 Not to Exceed \$28,249,000]

3 **Resolution approving Amendment No. 2 between the City, acting by and through the**  
4 **Office of Contract Administration, and Vitalant for blood and blood products for the**  
5 **Department of Public Health, extending the contract by five years for a total term of 10**  
6 **years from October 1, 2021, through September 30, 2031, and increasing the contract**  
7 **amount by \$18,259,000 for a total not to exceed amount of \$28,249,000 effective upon**  
8 **approval of this Resolution; and to authorize the Office of Contract Administration to**  
9 **enter into amendments or modifications to the contract that do not materially increase**  
10 **the obligations or liabilities to the City and are necessary to effectuate the purposes of**  
11 **the contract or this Resolution.**

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13 WHEREAS, On October 1, 2021, the Office of Contract Administration (“OCA”) and  
14 Vitalant entered into an agreement for blood and blood products for Department of Public  
15 Health (“Original Agreement”) pursuant to Administrative Code, Section 21.5(b); and

16 WHEREAS, The Original Agreement has a term of October 1, 2021, through  
17 September 30, 2024, and a not to exceed amount of \$9,990,000; and

18 WHEREAS, OCA amended the Original Agreement on October 1, 2024, to extend the  
19 term by two years to September 30, 2026 (the “First Amendment”); and

20 WHEREAS, OCA wishes to amend the contract a subsequent time to extend the term  
21 an additional five years to September 30, 2031, and increase the maximum expenditure to  
22 \$28,249,000 (the “Second Amendment”); and

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

1           WHEREAS, The proposed Amendment contained in File No. \_\_\_\_\_, is  
2 substantially in final form, with all material terms and conditions included, and only remains to  
3 be executed by the parties upon approval of this Resolution; now, therefore, be it

4           RESOLVED, That the Board of Supervisors hereby approves the Amendment in  
5 substantially the form contained in File No. \_\_\_\_\_; and, be it

6           FURTHER RESOLVED, That the Board of Supervisors authorizes OCA to make any  
7 modifications to the Amendment, prior to its final execution by all parties, that OCA  
8 determines, in consultation with the City Attorney, are consistent with this Resolution, in the  
9 best interest of the City, do not materially increase the obligations or liabilities of the City, are  
10 necessary or advisable to effectuate the purposes of the Amendment, and are in compliance  
11 with all applicable laws, including City's Charter; and, be it

12           FURTHER RESOLVED, That within 30 days of the Amendment being fully executed by  
13 all parties, OCA shall submit to the Clerk of the Board of Supervisors a completely executed  
14 copy for inclusion in File No. \_\_\_\_\_. This requirement and obligation resides with the  
15 Department, and is for purposes of having a complete file only, and in no manner affects the  
16 validity of approved Amendment.

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