

1 [Contract Amendment - Retroactive - Western States Oil - Gasoline Fuel - Not to Exceed
2 \$35,450,000]

3 **Resolution retroactively authorizing the Office of Contract Administration to**
4 **enter into a Fifth Amendment (Modification 5) to Contract 1000012394 between**
5 **the City and County of San Francisco and Western States Oil (Contractor) for the**
6 **purchase of gasoline for all City departments, increasing the contract amount by**
7 **\$2,950,000 for a total not to exceed amount of \$35,450,000 and extending the**
8 **contract duration by 19 days, for a total duration of five years and 19 days from**
9 **November 1, 2018, through November 19, 2023.**

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

13 WHEREAS, This Agreement was competitively procured pursuant to
14 Administrative Code, Chapter 21.1, through Invitation for Bids #0000000839, issued April
15 2018, in which City selected Contractor as the lowest qualified bidder to provide gasoline
16 to all City locations except the Sierra locations (Aggregate 1); and

17 WHEREAS, The Office of Contract Administration entered into Contract
18 1000012394 with Contractor, dated November 1, 2018, to allow City departments to
19 purchase gasoline for the City's trucks, cars, and equipment for all City locations except
20 the Sierras, as amended by:

21 Modification No. 1, dated March 17, 2020, updating the contract terms and
22 conditions,

23 Modification No. 2, dated June 10, 2021, extending the contract end date to
24 October 31, 2022,

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1 Modification No. 3, dated April 29, 2022, extending the contract end date to
2 October 31, 2023,

3 Modification No. 4, dated March 29, 2023, increasing the contract not to exceed
4 amount by \$500,000, for a total not-to-exceed amount of \$32,500,000; and

5 WHEREAS, The Office of Contract Administration seeks retroactive approval to
6 enter into a fifth amendment (Modification No. 5), increasing the total not to exceed
7 contract amount to \$35,450,000 and extending the duration to November 19, 2023 to
8 meet critical City business needs, and

9 WHEREAS, The amendment referenced above is on file with the Clerk of the
10 Board of Supervisors in File No. 2301037, which is hereby declared to be part of this
11 resolution as if set forth fully herein; now, therefore, be it

12 RESOLVED, That the Board of Supervisors, under Charter, Section 9.118(b),
13 hereby retroactively authorizes the Office of Contract Administration to execute
14 Modification No. 5 to Contract 1000012394 between the City and County of San
15 Francisco and Contractor to increase the contract amount by \$2,950,000 for a total
16 contract amount of \$35,450,000 and to extend the duration by 19 days, to November
17 19, 2023, for a total contract duration of five years and 19 days; and, be it

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

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