[Contract Modification - Retroactive - Recology San Francisco - Refuse Collection Services - Not to Exceed -$39,600,000]

Resolution retroactively authorizing the Office of Contract Administration to enter into a Third Amendment to the agreement between the City and County of San Francisco and Sunset Scavenger Company d/b/a Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company d/b/a Recology Golden Gate, and Recology San Francisco (collectively, "Contractor") for refuse collection services at City facilities; increasing the contract amount by $23,978,000 for a total not to exceed amount of $39,600,000 and extending the term by two years from June 30, 2022, for a total contract duration of three years and seven months of December 1, 2020, through June 30, 2024.

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

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

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

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

WHEREAS, The City's Refuse Ordinance does not prohibit the City from competitively procuring refuse collections services for City facilities, and

WHEREAS, The Office of Contract Administration presently intends to issue a solicitation to competitively procure a new agreement for City refuse collection services, and

WHEREAS, The Office of Contract Administration seeks to enter into a Third Amendment, increasing the not to exceed contract amount to $39,600,000 and extending the contract duration by two years to June 30, 2024, to meet City business needs until a new agreement can be competitively procured, and

WHEREAS, The parties have negotiated set collection rates for the two-year contract extension allowing for the Contractor to request a price adjustment the second year of the extension based on the U.S. Department of Labor's CPI for All Urban Consumers (CPI-U) for San Francisco-Oakland-Hayward, CA; and

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

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

WHEREAS, The Board of Supervisors approved Second Amendment to the contract on November 16, 2021 by Resolution No. 532-21 (File No. 211083) to increase

the contract amount from $9,900,000 to $15,622,000 and extend contract from December 1, 2021, to June 30, 2022; and

WHEREAS, The Agreement, including the previous amendments and the proposed Third Amendment, is on file with the Clerk of the Board of Supervisors in File No. 220422, which is hereby declared to be part of this resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That the Board of Supervisors, under Charter, Section 9.118(b), hereby retroactively approves the Third Amendment to the Agreement with the Contractor, to commence on July 1, 2022, to increase the contract amount by $23,978,000 for a total not to exceed contract amount of $39,600,000 and to extend the duration by two years to June 30, 2024; and, be it

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

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 220422 **Date Passed:** July 12, 2022

Resolution retroactively authorizing the Office of Contract Administration to enter into a Third Amendment to the agreement between the City and County of San Francisco and Sunset Scavenger Company d/b/a Recology Sunset Scavenger, Golden Gate Disposal & Recycling Company d/b/a Recology Golden Gate, and Recology San Francisco (collectively, "Contractor") for refuse collection services at City facilities; increasing the contract amount by $23,978,000 for a total not to exceed amount of $39,600,000 and extending the term by two years from June 30, 2022, for a total contract duration of three years and seven months of December 1, 2020, through June 30, 2024.

June 16, 2022 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

June 16, 2022 Government Audit and Oversight Committee - CONTINUED AS AMENDED

July 07, 2022 Government Audit and Oversight Committee - RECOMMENDED AS COMMITTEE REPORT

July 12, 2022 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

July 12, 2022 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220422

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 7/12/2022 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

7/14/22

Date Approved