

Enrique Guadianos

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DocuSigned by:

Eva Cheong

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DocuSigned by:

Jeff Littlefield

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DocuSigned by:

Ricardo Valle

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**City and County of San Francisco
Airport Commission
P.O. Box 8097
San Francisco, California 94128**

Modification No. 1

This Modification is made this 1st day of February 2023, in the City and County of San Francisco, State of California, by and between: **Professional Business Providers, Inc., 25759 N. Hillview Ct., Mundelein, IL 60060** (the “Contractor”) and the City and County of San Francisco, a municipal corporation (the “City”), acting by and through its Airport Commission (the “Commission”).

RECITALS

- A. City and Contractor have entered into the Agreement for the San Francisco International Airport (the “Airport” or “SFO”) (as defined below); and
- B. The Commission is authorized to enter into all contracts which relate to matters under its jurisdiction; and
- C. On May 17, 2022, by Resolution No. 22-0080, the Commission awarded this Agreement to the Contractor in an amount not to exceed \$13,114,615, for a three (3) year term, with an option to extend the contract for two (2) years exercisable at the Commission’s sole discretion; and
- D. On July 19, 2022, by Resolution No. 330-22, the San Francisco Board of Supervisors (“BOS”) approved the Agreement under San Francisco Charter Section 9.118; and
- E. City and Contractor desire to administratively modify the Agreement on the terms and conditions set forth herein to amend Appendix B, Calculation of Charges, to update overtime language and to update standard contractual clauses; and
- F. Approval for this Agreement was obtained when the Civil Service Commission approved PSC No. 48746-20/21 on July 19, 2021; and
- G. The Contractor represents and warrants that it is qualified to perform the services required by City under this Agreement.

Now, THEREFORE, Contractor and City agree as follows:

1. Section 1.1 Agreement is hereby replaced in its entirety with a new **Section 1.1 Agreement** to read as follows:

1.1 “Agreement” means the contract document dated August 1, 2022, including all attached appendices, and all applicable City ordinances and “Mandatory City Requirements” which are specifically incorporated by reference into the Agreement.

2. Appendix B, Calculation of Charges, is hereby amended as follows:

a. Section 7. Overtime, is hereby replaced in its entirety with a new **Section 7 Overtime** to read as follows:

7. Overtime

With the exception of the Site Manager classification the Parties agree that employees with jobs in all job classifications are eligible to receive overtime pay.

The Contractor must obtain prior approval from the Airport before permitting or requiring employees to work hours in excess of their regular shift that would result in the receipt of additional overtime pay. The hourly rate of pay for overtime shall be calculated and paid in accordance with applicable law, including but not limited to the Fair Labor Standards Act (FLSA) and the California Wage and Hour Laws. Overtime charges included in the monthly billing must be accompanied with supporting documentation of applicable rate for each job classification as well as Airport overtime approval.

As the services required under this contract must be provided 24/7/365 days a year, hours worked on Saturdays and Sundays as part of the Weekly Staffing Schedule shall be staffed by employees working their regular shift, and not by employees working overtime shifts, except in extenuating circumstances and with prior approval from the Airport.

3. Effective Date. Each of the changes set forth in this Modification shall be effective on and after the date of this Modification.

4. Legal Effect. Except as expressly changed by this Modification, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Contractor and City have executed this Modification as of the date first referenced above.

CITY	CONTRACTOR
AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO	
By: <u>DocuSigned by: Ivar C. Satero</u> 8CFDC3E9126544B... Ivar C. Satero, Airport Director	<u>DocuSigned by: Nicholas P. Fasano</u> 57328E1ACA8D4FF... Authorized Signature
Approved as to Form:	<u>Nicholas P. Fasano</u> Printed Name
David Chiu City Attorney	<u>President</u> Title
By: <u>DocuSigned by: Sallie Gibson</u> DE0F4C2305AE4DA... Sallie Gibson Deputy City Attorney	<u>Professional Business Providers, Inc.</u> Company Name
	<u>0000048881</u> City Supplier ID
	<u>25759 N. Hillview Ct.</u> Address
	<u>Mundelein, IL 60060</u> City, State, ZIP
	<u>(547) 550-9366</u> Telephone Number
	<u>36-4483147</u> Federal Employer ID Number