

1 [Amending a contract with anticipated expenditures in excess of \$10 million.]

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3 **Resolution approving the Eleventh Amendment to the Agreement between the City and**
4 **County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for**
5 **sludge hauling, extending the term of the contract by ~~one year to May 31, 2009~~ 11 months to**
6 **April 30, 2009 and increasing the total compensation to the Contractor by \$3 million,**
7 **pursuant to San Francisco Charter Section 9.118(b).**

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9 WHEREAS, the Purchaser entered into an Agreement with Contractor dated
10 December 6, 2001 for hauling of sludge, grit and other waste materials, as amended by the:

- 11 First Amendment, dated December 12, 2003,
- 12 Second Amendment, dated December 19, 2005,
- 13 Third Amendment, dated June 13, 2006,
- 14 Fourth Amendment, dated October 31, 2006,
- 15 Fifth Amendment, dated November 17, 2006,
- 16 Sixth Amendment, dated May 2, 2007,
- 17 Seventh Amendment, dated May 21, 2007,
- 18 Eighth Amendment, dated July 27, 2007,
- 19 Ninth Amendment, dated November 29, 2007, and
- 20 Tenth Amendment, dated February 14, 2008; and,

21 WHEREAS, the Purchaser and Contractor propose to enter into an Eleventh Amendment
22 to extend the contract by ~~one year to May 31, 2009~~ eleven months to April 30, 2009 or sooner
23 based on court action and/or notice of earlier termination date from the City, and to increase the
24 total compensation from a not-to-exceed amount of \$13,615,000 to a not-to-exceed amount of
25 \$16,615,000 and,

26 WHEREAS, San Francisco Charter Section 9.118(b) provides that when agreements of
27 \$10 million or more are amended to increase the not-to-exceed amount by \$500,000 or more, then
28 such amendments shall be subject to approval of the Board of Supervisors by resolution; and,

29 WHEREAS, the Agreement and the proposed Eleventh Amendment are on file with the
30 Clerk of the Board of Supervisors in File No. 080362, which are hereby declared to be a part of
31 this resolution as if set forth fully herein; now, therefore be it

32 RESOLVED, that the Board of Supervisors approves the Eleventh Amendment to the
33 Agreement.

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