

Jan. 12. 2010 4:37PM

No. 7797 P. 2

City and County of San Francisco  
Office of Contract Administration  
Purchasing Department  
City Hall, Room 430  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4685



## Contract Modification 3

### Asphalt Materials and Services

Tri-American, Inc.  
Attn: Pete Schultz  
980 Ames Avenue  
Milpitas, CA 94063  
E-mail: pete@triamerican.com

Date December 30, 2009  
Buyer Name: Tony Fiore  
Term contract: 75970  
City Blanket No. BPSF 00003306  
Type: Indefinite  
Quantity  
Not-to-exceed amount: \$ 2,000,000

The history of this contract and its modifications is as follows:

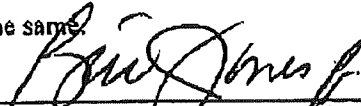
Modification	Start date	End date	Amount	Other changes
Original contract	July 1, 2006	June 30, 2009	\$2,000,000.	
1	7/1/09	9/30/09	No Change	No Change
2	10/01/09	12/31/09	No Change	Add Food Srv Waste Reduction Requirements
3	01/01/10	03/31/10	No Change	No Change

This modification 3 changes the contract as follows:

It extends the contract from January 1, 2010 TO March 31, 2010.

All other terms and conditions remain the same.

Approved by the City:

  
Naomi Kelly, Director of OCA and Purchaser

1-11-10  
Date

  
Approved by Contractor:

  
Signature

1/12/10  
Date

Name and title

Peter Schultz - President

Sign and return one original. The duplicate original is for your files.

F-280 (11/20-09)

Oct. 9. 2009 1:53PM

No. 6833 P. 2

City and County of San Francisco  
Office of Contract Administration  
Purchasing Department  
City Hall, Room 430  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4685



## Contract Modification 2

Asphalt Materials and Services

Tri-American, Inc.  
Attn: Pete Schultz  
980 Ames Avenue  
Milpitas, CA 95035

Date: September 28, 2009  
Buyer's Name: Tony Fiore  
Term Contract: 75970  
Type: Indefinite quantity  
Not-to-exceed amount: \$ 2,000,000

The history of this contract and its modifications is as follows:

Original Contract term and estimated amount: July 1, 2006 through June 30, 2009 \$ 2,000,000.

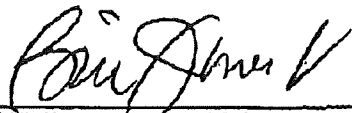
Modification	Start date	End date	Amount	Other Changes
1	7/1/2009	9/30/09	No Change	No Change
2	10/01/09	12/31/09	No Change	Add Food Srvc Waste Re- duction Requirements.

This Modification 2 changes the contract as follows:

It extends the contract from 10/01/2009 through 12/31/09 and adds the attached Food Service Waste Reduction Requirements condition to the contract.

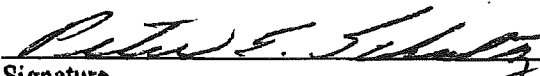
All other terms and conditions remain the same.

Approved by the City:

  
Naomi Kelly, Director of OCA and Purchaser

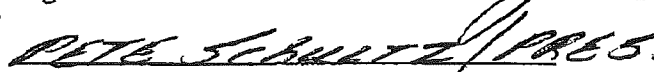
10-8-09  
Date

Approved by Contractor:

  
Signature

10/12/09  
Date

Name and title

  
PETE SCHULTZ / PRES.

Sign and return one original. The duplicate original is for your files.

P-280 (02-09-09)

Oct. 9. 2009 1:53PM

No. 6833 P. 3

**Contract Modification # 2**  
**Asphalt Materials and Services**

In accordance with City & County of San Francisco Ordinance No. 295-06, effective June 1, 2007, the following Food Service Waste Reduction Requirements condition is incorporated into the contract.

**103. Food Service Waste Reduction Requirements**

Effective June 1, 2007, Contractor agrees to comply fully with and be bound by all of the provisions of the Food Service Waste Reduction Ordinance, as set forth in San Francisco Environment Code Chapter 16, including the remedies provided, and implementing guidelines and rules. The provisions of Chapter 16 are incorporated herein by reference and made a part of this Agreement as though fully set forth. This provision is a material term of this Agreement. By entering into this Agreement, Contractor agrees that if it breaches this provision, City will suffer actual damages that will be impractical or extremely difficult to determine; further, Contractor agrees that the sum of one hundred dollars (\$100) liquidated damages for the first breach, ~~two hundred dollars (\$200)~~ liquidated damages for the second breach in the same year, and five hundred dollars (\$500) liquidated damages for subsequent breaches in the same year is reasonable estimate of the damage that City will incur based on the violation, established in light of the circumstances existing at the time this Agreement was made. Such amount shall not be considered a penalty, but rather agreed monetary damages sustained by City because of Contractor's failure to comply with this provision.

Jul. 28. 2009 8:03AM

No. 5834 P. 2

City and County of San Francisco  
Office of Contract Administration  
Purchasing Department  
City Hall, Room 430  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4685



## Contract Modification 1

### Asphalt Materials and Services

Tri-American, Inc.  
Attn: Pete Schultz  
980 Ames Avenue  
Milpitas, CA 95035

Date: June 18, 2009  
Buyer's Name: Tony Fiore  
Term Contract: 75970  
Type: Indefinite quantity  
Not-to-exceed amount: \$ 2,000,000

The history of this contract and its modifications is as follows:

Original Contract term and estimated amount: July 1, 2006 through June 30, 2009 \$ 2,000,000

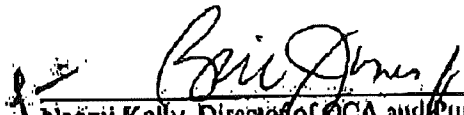
Modification	Start date	End date	Amount	Other Changes
1	7/1/2009	9/30/09	No Change	No Change

This Modification 1 changes the contract as follows:

It extends the contract from 7/1/2009 through 9/30/09.

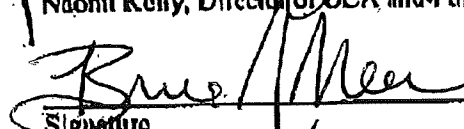
All other terms and conditions remain the same.

Approved by the City:

  
Naomi Kelly, Director of OCA and Purchaser

7-22-09  
Date:

Approved by Contractor:

  
Signature

7/28/09  
Date

Name and title

Brian Weir / ops. manager

Sign and return one original. The duplicate original is for your files.

B-280 (02-09-00)