

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

Sodium Hypochlorite

Olin Chlor Alkali Products
 Attn: John M. Schabacker
 26700 S. Banta Road
 Tracy, CA 95304

Date: July 13, 2010
 Buyer Name: Howard Tevelson
 Term contract: 66323
 City Blanket No. BPSF00003437
 Type: Indefinite quantity
 Not-to-exceed amount: \$11,936,963.90

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

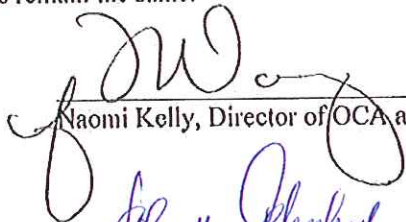
Modification	Start date	End date	Amount	Other changes
Original contract	9/1/07	8/31/10	\$13.25 Million	Board Resolution No. 491-07
1	9/1/07	8/31/10		Contract Assignment Dated 01/01/2008
2	9/1/07	8/31/10	\$11,936,963.90	Price Increase
3	9/1/10	12/31/10	N/C	Four (4) month extension, added Bid and Contract Condition "Food Service Waste Reduction Requirements".

This modification 3 changes the contract as follows:

It extends the contract from **SEPTEMBER 1, 2010** through **December 31, 2010**, and adds Bid and Contract Condition "Food Service Waste Reduction Requirements" as shown on Attachment A.

All other terms and conditions remain the same.

Approved by the City:



 Naomi Kelly, Director of OCA and Purchaser

7/14/2010
 Date

Approved by Contractor:



 Signature

7/15/10
 Date

Name and title

John M. Schabacker, Business Director

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

P-280 (11-20-09)

Contract Modification 3

Sodium Hypochlorite

BID AND CONTRACT CONDITIONS

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.

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Contract Modification No. 2

Sodium Hypochlorite

Olin Chlor Alkali Products
Attn: John M. Schabacker
700 Ygnacio Valley Road, Suite 250
Walnut Creek, CA 94596

Date August 14, 2009
Buyer's Name: Raymond Low
Term Contract 66323
Type: Indefinite quantity
Not to exceed amount: \$11,936,963.90

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

Modification	Date	Start date	End date	Amount	Notes
Original contract	8/14/07	9/1/07	8/31/10	\$13.25 Million	
1	9/21/07	9/1/07	8/31/10		Board Resolution No. 071065
2	8/14/09	9/1/09	8/31/10	\$11,936,963.90	Price Increase

This modification 2 changes the contract as follows:

By mutual agreement, there is a price increase per Special Condition No. 82, Contract Price Escalation effective September 1, 2009 for Group No. A, B, and C. (See Attachment A).

All other terms and conditions remain the same.

Approved by the City:

Naomi Kelly
Naomi Kelly, Director of OCA and Purchaser

8-29-09
Date

Approved by Contractor:

John M. Schabacker
Signature

8/29/09
Date

Name and title

John M. Schabacker, Business Director

Please sign and return one original. The second original is for your records.

Acknowledge receipt and acceptance of this Contract Modification. Return to Purchaser, 1 Dr. Carlton B. Goodlett Place, Room 430, San Francisco, CA, 94102-4685. DUPLICATE COPY IS FOR YOUR FILES.

P-280 (12-4-08)

Attachment A
 Contract Modification No. 2
 Contract 66323
 Olin Chlor Alkali Products
 August 14, 2009

Per Special Condition No. 82, Contract Price Escalation, effective September 1, 2009, an increase of 15% will be allowed on the following items:

Group No.	Descriptions	Old Price	New Price
<u>SODIUM HYPOCHLORITE</u>			
A.	<p style="text-align: center;">9190-36-03-4000 Various Wastewater Enterprise</p>	<p style="text-align: center;"><u>\$ 0.5404</u> Per Lb. CL₂</p>	<p style="text-align: center;"><u>\$ 0.6252</u> Per Lb. CL₂</p>
B.	<p style="text-align: center;">9190-36-03-4200 Various San Francisco Water Department</p>	<p style="text-align: center;"><u>\$ 0.4923</u> Per Lb. CL₂</p>	<p style="text-align: center;"><u>\$ 0.5695</u> Per Lb. CL₂</p>
C.	<p style="text-align: center;">9190-36-03-4300 San Francisco International Airport</p>	<p style="text-align: center;"><u>\$ 0.617</u> Per Lb. CL₂</p>	<p style="text-align: center;"><u>\$ 0.7139</u> Per Lb. CL₂</p>

Received Time Aug. 31, 2009 10:05AM No. 6396,cc-cit 4 airtc Agricultural Research Station TOTAL P.03

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



CONTRACT MODIFICATION NO. 1

Indefinite Quantity

PIONEER AMERICAS, LLC.
700 Ygnacio Valley Road, Suite 250
Walnut Creek, CA 94596
Attn: John Schabacker

Date September 21, 2007

Contract Proposal No. 66323

Estimated Amount: Indefinite

The City and County of San Francisco does hereby accept your offer to modify the prices and furnish the Articles indicated below. Such Articles are to be delivered in the manner and the form and at the times and prices set forth in the above numbered Contract Bid Proposal, but only after receipt of order properly certified by the Controller of the City and County of San Francisco.

MAXIMUM ALLOWABLE FUNDS

For furnishing and delivering Sodium Hypochlorite.

This contract is not to exceed \$13.25 million per Resolution file number 071065, enacted number 0491-07.

All other prices, terms and condition of the Contract shall remain unchanged and in full force and effect.

Acknowledge receipt and acceptance of this Contract Modification in the space below. Return to Purchaser, 1 Dr. Carlton B. Goodlett Place, Room 430, San Francisco, CA, 94102-4685. DUPLICATE COPY IS FOR YOUR FILES.

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Eric Jones 9-27-07
As the duly appointed Purchaser Date
of the City and County of San Francisco

RECEIPT OF THE ABOVE IS HEREBY ACKNOWLEDGED:

Contractor *Olin (Pioneer)*
By *John Schabacker* *Business Director*
Signature Title
Date *9/28/07*