

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 6

Security Guard Service ("Unarmed and Armed")  
for Alemany Farmers and Flea Market – Civic Center United Nations Plaza Market

Black Bear Security  
Moura Borisova  
2016 Oakdale Avenue  
San Francisco, CA 94124  
E-mail: Msmoura@BlackBearSecurity.com

Date: August 17, 2010  
Buyer Name: Deirdre Darley  
Term contract: 86030  
City Blanket No: BPSF00003425  
Type: Indefinite Quantity  
Not-to-exceed amount: \$1,000,000

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

Modification	Start date	End date	Amount	Location
Original contract	03-01-08	02-28-10	\$1,000,000	Alemany Farmers and Flea Market
1	09-04-08	06-30-09	N/C	Civic Center United Nations Plaza Market
2	07-01-09	12-31-09	N/C	Civic Center United Nations Plaza Market
3	01-01-10	03-31-10	N/C	Civic Center United Nations Plaza Market
4	03-01-10 04-01-10	05-31-10 05-31-10	N/C N/C	Alemany Farmers and Flea Market Civic Center United Nations Plaza Market
5	06-01-10	07-31-10	N/C	Alemany Farmers and Flea Market Civic Center United Nations Plaza Market

This modification 6 changes the contract as follows:

It extends the contract from August 1, 2010 through October 31, 2010.  
[Civic Center United Nations Plaza Market and Alemany Farmers and Flea Market]

Effective August 1, 2010 by mutual agreement, the wage rates are increased by 1.5%. This increase is due to Minimum Compensation Ordinance (MCO). (See Attachment "A") General Condition 53, Minimum Compensation Ordinance ("MCO") has been revised. (See Attachment "B").

All other terms and conditions remain the same.

Approved by the City:

\_\_\_\_\_  
Naomi Kelly, Director of OCA and Purchaser

8/18/2010  
Date

Approved by Contractor:

\_\_\_\_\_  
Signature

8/23/10  
Date

Name and title

Moura Borisova, CEO

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

**Attachment "A"**  
 Contract No. 86030  
 Contract Modification No. 6  
 Security Guard Service ("Unarmed and Armed") for  
 Alemany Farmers and Flea Market - Civic Center United Nations Plaza Market  
 August 17, 2010

*Revised Award Sheet*

Effective August 1, 2010

*Item 1: Total charges for all services specified in the Scope of Work (Appendix A)*

	<u>Annual Hours</u>	<u>Old Hourly Rate</u>	<u>New Hourly Rate</u>
A.) Guard, unarmed per shift, normal service		Per	Per
Straight Time Rate	1664 hours	\$ <u>20.01</u> Hour	\$ <u>20.31</u> Hour
Straight Time Hourly Rate to be based on the "Hours of Service" specified in the "Scope of Work" Appendix "A", Items I-B - 2a-d, Holidays included.			
B.) Guard, armed per shift, normal service		Per	Per
Straight Time Rate	364 Hours	\$ <u>26.72</u> Hour	\$ <u>27.12</u> Hour
Straight Time Hourly Rate to be based on the "Hours of Service" specified in the "Scope of Work" Appendix "A", Items I-B - 2e, Holidays included.			

*Item 2: For information only; will not be considered in the bid evaluation.*

A.) Hourly rate for extra unarmed guard(s) if required by department	Per	Per
	\$ <u>30.00</u> Hour	\$ 30.45 Hour
B.) Hourly rate for extra armed guard(s) if required by department	Per	Per
	\$ <u>40.00</u> Hour	\$ 40.60 Hour

**Item 3:**

One (1) Security Guard Services (Unarmed) for Civic Center United Nations Plaza Market, Standing Post and Perimeter patrol on Mondays, Thursdays and Fridays during the hours from 8:00 a.m. - 6:00 p.m. [10 hours, 1 day] or 30 hours per week.	1560 Hours	Per \$ <u>20.01</u> Hour	Per \$ 20.31 Hour
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Attachment "B"  
Contract No. 86030  
Contract Modification No. 6  
Security Guard Service ("Unarmed and Armed") for  
Alemany Farmers and Flea Market ~ Civic Center United Nations Plaza Market  
August 17, 2010

General Condition 53, Minimum Compensation Ordinance ("MCO") has been revised.

- a. Contractor agrees to comply fully with and be bound by all of the provisions of the Minimum Compensation Ordinance (MCO), as set forth in San Francisco Administrative Code Chapter 12P (Chapter 12P), including the remedies provided, and implementing guidelines and rules. The provisions of Sections 12P.5 and 12P.5.1 of Chapter 12P are incorporated herein by reference and made a part of this Agreement as though fully set forth. The text of the MCO is available on the web at [www.sfgov.org/olse/mco](http://www.sfgov.org/olse/mco). A partial listing of some of Contractor's obligations under the MCO is set forth in this Section. Contractor is required to comply with all the provisions of the MCO, irrespective of the listing of obligations in this Section.
- b. The MCO requires Contractor to pay Contractor's employees a minimum hourly gross compensation wage rate and to provide minimum compensated and uncompensated time off. The minimum wage rate may change from year to year and Contractor is obligated to keep informed of the then-current requirements. Any subcontract entered into by Contractor shall require the subcontractor to comply with the requirements of the MCO and shall contain contractual obligations substantially the same as those set forth in this Section. It is Contractor's obligation to ensure that any subcontractors of any tier under this Agreement comply with the requirements of the MCO. If any subcontractor under this Agreement fails to comply, City may pursue any of the remedies set forth in this Section against Contractor.
- c. Contractor shall not take adverse action or otherwise discriminate against an employee or other person for the exercise or attempted exercise of rights under the MCO. Such actions, if taken within 90 days of the exercise or attempted exercise of such rights, will be rebuttably presumed to be retaliation prohibited by the MCO.
- d. Contractor shall maintain employee and payroll records as required by the MCO. If Contractor fails to do so, it shall be presumed that the Contractor paid no more than the minimum wage required under State law.
- e. The City is authorized to inspect Contractor's job sites and conduct interviews with employees and conduct audits of Contractor.
- f. Contractor's commitment to provide the Minimum Compensation is a material element of the City's consideration for this Agreement. The City in its sole discretion shall determine whether such a breach has occurred. The City and the public will suffer actual damage that will be impractical or extremely difficult to determine if the Contractor fails to comply with these requirements. Contractor agrees that the sums set forth in Section 12P.6.1 of the MCO as liquidated damages are not a penalty, but are reasonable estimates of the loss that the City and the public will incur for Contractor's noncompliance. The procedures governing the assessment of liquidated damages shall be those set forth in Section 12P.6.2 of Chapter 12P.
- g. Contractor understands and agrees that if it fails to comply with the requirements of the MCO, the City shall have the right to pursue any rights or remedies available under Chapter 12P (including liquidated damages), under the terms of the contract, and under applicable law. If, within 30 days after receiving written notice of a breach of this Agreement for violating the MCO, Contractor fails to cure such breach or, if such breach cannot reasonably be cured within such period of 30 days, Contractor fails to

Attachment "B"

Contract No. 86030

Contract Modification No. 6

Security Guard Service ("Unarmed and Armed") for

Alemany Farmers and Flea Market -- Civic Center United Nations Plaza Market

August 17, 2010

commence efforts to cure within such period, or thereafter fails diligently to pursue such cure to completion, the City shall have the right to pursue any rights or remedies available under applicable law, including those set forth in Section 12P.6(c) of Chapter 12P. Each of these remedies shall be exercisable individually or in combination with any other rights or remedies available to the City.

- h. Contractor represents and warrants that it is not an entity that was set up, or is being used, for the purpose of evading the intent of the MCO.
- i. If Contractor is exempt from the MCO when this Agreement is executed because the cumulative amount of agreements with this department for the fiscal year is less than \$25,000, but Contractor later enters into an agreement or agreements that cause contractor to exceed that amount in a fiscal year, Contractor shall thereafter be required to comply with the MCO under this Agreement. This obligation arises on the effective date of the agreement that causes the cumulative amount of agreements between the Contractor and this department to exceed \$25,000 in the fiscal year.



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# Contract Modification 5

Security Guard Service ("Unarmed and Armed")  
for Alemany Farmers and Flea Market – Civic Center United Nations Plaza Market

<b>Black Bear Security</b>	Date	05-28-10
Moura Borisova	Buyer Name:	Deirdro Darley
2016 Oakdale Avenue.	Term contract	86030
San Francisco, CA 94124	City Blanket No:	BPSF00003425
E-mail: Ms.Moura@BlackBearSecurity.com	Type:	Indefinite Quantity
	Not-to-exceed amount:	\$1,000,000

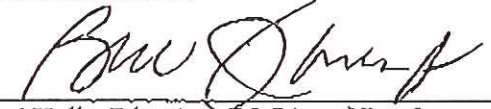

The history of this contract and its modifications is as follows:

Modification	Start date	End date	Amount	Location
Original contract	03-01-08	02-28-10	\$1,000,000	Alemany Farmers and Flea Market
1	09-04-08	06-30-09	N/C	Civic Center United Nations Plaza Market
2	07-01-09	12-31-09	N/C	Civic Center United Nations Plaza Market
3	01-01-10	03-31-10	N/C	Civic Center United Nations Plaza Market
4	03-01-10	03-31-10	N/C	Alemany Farmers and Flea Market
	04-01-10	05-31-10	N/C	Civic Center United Nations Plaza Market

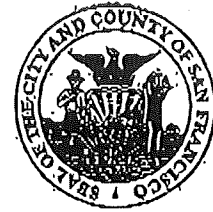
This modification 5 changes the contract as follows:

It extends the contract from June 1, 2010 to July 31, 2010:  
[Civic Center United Nations Plaza Market and Alemany Farmers and Flea Market]

All other terms, conditions and pricing remain the same.

Approved by the City:		6-2-10
	Naomi Kelly, Director of OCA and Purchaser	Date
Approved by Contractor:		6-3-10
	Signature	Date
Name and title	CEO MOURA BORISOVA	

City and County of San Francisco  
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San Francisco, CA 94102-4685



# Contract Modification 4

Security Guard Service ("Unarmed and Armed")  
for Alemany Farmers and Flea Market – Civic Center United Nations Plaza Market

**Black Bear Security**  
Moura Borisova  
2016 Oakdale Avenue  
San Francisco, CA 94124  
E-mail: Ms.Moura@BlackBearSecurity.com

Date: 03-23-10  
Buyer Name: Deirdre Darley  
Term contract: **86030**  
City Blanket No: BPSF00003425  
Not-to-exceed amount: \$125,665  
[Includes: Original Contract and  
Modifications No. 1 & 2]

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

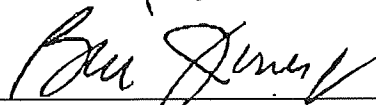
Modification	Start date	End date	Amount	Location
Original contract	3-01-08	2-28-10	\$86,045	Alemany Farmers and Flea Market
1	9-04-08	6-30-09	\$24,012	Civic Center United Nations Plaza Market [Item 3]
2	7-01-09	12-31-09	\$15,608	Civic Center United Nations Plaza Market [Item 3]
3	01-01-10	03-31-10		Civic Center United Nations Plaza Market [Item 3]

This modification 4 changes the contract as follows:

It extends the contract from April 1<sup>st</sup>, 2010 to May 31<sup>st</sup>, 2010.  
[Civic Center United Nations Plaza Market and Alemany Farmers and Flea Market]

All other terms, conditions and pricing remain the same.  
[Note: Pricing the same as Modification No. 1: Hourly Rate: \$20.01 and Weekly Rate: \$600.30]

Approved by the City:

  
\_\_\_\_\_  
Naomi Kelly, Director of OCA and Purchaser

3-26-10

Date

Approved by Contractor:

  
\_\_\_\_\_  
Signature

3/29/10

Date

Name and title

MOURA BORISOVA, CEO

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

Security Guard Service ("Unarmed and Armed")

for Alemany Farmers and Flea Market – Civic Center United Nations Plaza Market

**Black Bear Security**  
Moura Borisova  
2016 Oakdale Avenue  
San Francisco, CA 94124  
E-mail: Ms.Moura@BlackBearSecurity.com

Date: 02-03-10  
Buyer Name: Lynnette Benard  
Term contract: 86030  
City Blanket No: BPSF00003425  
Not-to-exceed amount: \$125,665  
[Includes: Original Contract and  
Modifications No. 1 & 2]

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

Modification	Start date	End date	Amount	Location
Original contract	3-01-08	2-28-10	\$86,045	Alemany Farmers and Flea Market
1	9-04-08	6-30-09	\$24,012	Civic Center United Nations Plaza Market [Item 3]
2	7-01-09	12-31-09	\$15,608	Civic Center United Nations Plaza Market [Item 3]
3	01-01-10	03-31-10		Civic Center United Nations Plaza Market [Item 3]

This modification 3 changes the contract as follows:

It extends the contract from January 1<sup>st</sup>, 2010 to March 31, 2010.  
[Civic Center United Nations Plaza Market only]

All other terms, conditions and pricing remain the same.

[Note: Pricing the same as Modification No. 1: Hourly Rate: \$20.01 and Weekly Rate: \$600.30]

Approved by the City:

*Naomi Kelly*  
\_\_\_\_\_  
Naomi Kelly, Director of OCA and Purchaser

2-5-10  
Date

Approved by Contractor:

*Moura Borisova*  
\_\_\_\_\_  
Signature

2/19/10  
Date

Name and title

*Moura Borisova*  
\_\_\_\_\_  
Name and title

Received

Time Feb. 19. 2010 2:48PM No. 8368

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

City and County of San Francisco  
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# Contract Modification 2

Security Guard Service (“Unarmed and Armed”)

for Alemany Farmers and Flea Market – Civic Center United Nations Plaza Market

<b>Black Bear Security</b>	Date	June 4 <sup>th</sup> , 2009
Moura Borisova	Buyer Name:	Mike Ward
2016 Oakdale Avenue	Term contract	<b>86030</b>
San Francisco, CA 94124	Type:	Service
E-mail: Ms.Moura@BlackBearSecurity.com	Not-to-exceed amount:	\$125,665
<i>MSMOURA@BLACKBEARSECURITY.COM</i>	[Includes: Original Contract and Modifications No. 1 & 2]	

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

Modification	Start date	End date	Amount	Location
Original contract	3-01-08	2-28-10	\$86,045	Alemany Farmers and Flea Market
1	9-04-08	6-30-09	\$24,012	Civic Center United Nations Plaza Market [Item 3]
2	7-01-09	12-31-09	\$15,608	Civic Center United Nations Plaza Market [Item 3]

This modification 2 changes the contract as follows:

It extends the contract from July 1<sup>st</sup>, 2009 TO December 31<sup>st</sup>, 2009.  
**[Civic Center United Nations Plaza Market only]**

All other terms, conditions and pricing remain the same.

**[Note: Pricing the same as Modification No. 1: Hourly Rate: \$20.01 and Weekly Rate: \$600.30]**

Approved by the City:

*Naomi Kelly*  
 \_\_\_\_\_  
 Naomi Kelly, Director of OCA and Purchaser  
 Date: *6-10-09*

Approved by Contractor:

*Moura Borisova*  
 \_\_\_\_\_  
 Signature  
 Date: *6/12/09*

Name and title

*MOURA BORISOVA, CEO*  
 \_\_\_\_\_

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

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



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

**Black Bear Security**  
2016 Oakdale Avenue  
San Francisco, CA 94124  
Attn: Moura Borisova

Date November 14, 2008  
Contract Proposal No. 86030  
Estimated Amount Indefinite

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

## ADD ITEMS

For furnishing and delivering **Security Guard Service ("Unarmed and Armed") for Alemany Farmers and Flea Market.**

In accordance with Special Condition No. 81 – Additional New Item. Item No. 3 has been added to Contract No. 86030: (see Appendix A, Scope of Work)

Item 3. One (1) Security Guard Services (Unarmed) for Civil Center United Nations Plaza Market. Standing Post and Perimeter patrol on Mondays, Thursdays, and Fridays during the hours from 8:00 am – 6:00 pm [10 hours, 1 day] or 30 hours per week.

Hourly Rate = \$20.01/HR  
Weekly Rate = 600.30 / Week

Contract Term (This Modification No. 1 Only) Effective 9/4/08 – Termination Date 6/30/09.

All other prices, terms, and conditions remain the same.

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.**

*Bill Jones* 11-20-08  
As the duly appointed Purchaser of the City and County of San Francisco Date

### RECEIPT OF THE ABOVE IS HEREBY ACKNOWLEDGED:

Contractor Black Bear Security Serv.  
By *[Signature]* CEO  
Signature Title  
Date 11/20/08