

Jan. 9 2013 8:54AM GSA-OCA CITY HALL

No. 5750 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 4

Decal Permits; Residential Parking, Contractor,  
Motorcycle and Temporary No Stopping Signs

East Bay Sign Company  
Christina Lau  
201 11<sup>th</sup> Street  
San Francisco, CA 94103  
E-mail: christina@bordendecal.com

Date: January 2, 2013  
Buyer Name: Owen Williams  
Term contract: 95037  
City Blanket No: BPSF00003413  
Type: Indefinite quantity  
NTE Amount: \$1,000,000

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

Modification	Start date	End date	Amount	Other changes
Original contract	12-01-07	11-30-10	\$1,000,000	
Modification 1	12-01-10	11-30-11	\$1,000,000	5% Price Increase 12 Month Extension
Modification 2	12-01-11	11-30-12	\$1,000,000	5% Price Increase 12 Month Extension
Modification 3	12-01-12	11-30-13	\$1,000,000	5% Price Increase 12 Month Extension
Modification 4	02-01-13	11-30-13	\$1,000,000	Price Increase of .025 per decal Packaging changed from bundles of 100 to 25 each

This modification 4 changes the contract as follows:

- 1) Increases pricing by .025 per decal, effective February 01, 2013. See Attachment A.
- 2) Changes decals from being packaged in bundles of 100 to 25 each.

All other terms and conditions remain the same.

Approved by the City:

*ew*

*Jacel Fong*  
for Jacel Fong, Director of OCA

1/8/13  
Date

Approved by Contractor:

*Christina Lau*  
Signature

1/8/13  
Date

Name and title

CHRISTINA LAU

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

P-280 (11/20/09)

## ATTACHMENT A

CONTRACT MODIFICATION 4  
 REVISED AWARD SHEET – EAST BAY SIGN COMPANY  
 (Effective February 1, 2013)

<u>EXPIRATION DATE</u>	<u>AREA</u>	<u>COLOR</u>	<u>OLD UNIT PRICE</u>	<u>NEW UNIT PRICE</u>
CONTRACTORS (Expiring May 31, 2014)		Color should be the same as Department of Motor Vehicle TABS for the year	<u>\$0.47</u>	<u>\$0.495</u>
<b>RESIDENTIAL DECALS</b>				
AUGUST 31, 2014	B	Blue	<u>\$0.47</u>	<u>\$0.495</u>
AUGUST 31, 2014	R	Orange	<u>\$0.47</u>	<u>\$0.495</u>
AUGUST 31, 2014	T	Brown	<u>\$0.47</u>	<u>\$0.495</u>
AUGUST 31, 2014	X	Yellow	<u>\$0.47</u>	<u>\$0.495</u>
AUGUST 31, 2014	CC	Green	<u>\$0.47</u>	<u>\$0.495</u>
SEPTEMBER 31, 2014	E	Orange	<u>\$0.47</u>	<u>\$0.495</u>
SEPTEMBER 31, 2014	F	Brown	<u>\$0.47</u>	<u>\$0.495</u>
SEPTEMBER 31, 2014	U	Green	<u>\$0.47</u>	<u>\$0.495</u>
OCTOBER 31, 2014	M	Green	<u>\$0.47</u>	<u>\$0.495</u>
OCTOBER 31, 2014	W	Brown	<u>\$0.47</u>	<u>\$0.495</u>
NOVEMBER 31, 2014	I	Orange	<u>\$0.47</u>	<u>\$0.495</u>
NOVEMBER 31, 2014	J	Red	<u>\$0.47</u>	<u>\$0.495</u>
DECEMBER 31, 2013	N/A			
JANUARY 31, 2014	D	Green	<u>\$0.47</u>	<u>\$0.495</u>
	H	Red	<u>\$0.47</u>	<u>\$0.495</u>
	L	Blue	<u>\$0.47</u>	<u>\$0.495</u>
	V	Orange	<u>\$0.47</u>	<u>\$0.495</u>
	BB	Orange	<u>\$0.47</u>	<u>\$0.495</u>
FEBRUARY 28, 2014	A	Red	<u>\$0.47</u>	<u>\$0.495</u>
MARCH 31, 2014	N	Red	<u>\$0.47</u>	<u>\$0.495</u>
	O	Green	<u>\$0.47</u>	<u>\$0.495</u>
	P	Red	<u>\$0.47</u>	<u>\$0.495</u>
	Y	Orange	<u>\$0.47</u>	<u>\$0.495</u>

ATTACHMENT A

CONTRACT MODIFICATION 4  
 REVISED AWARD SHEET – EAST BAY SIGN COMPANY  
 (Effective February 1, 2013)

<u>EXPIRATION DATE</u>	<u>AREA</u>	<u>COLOR</u>	<u>OLD UNIT PRICE</u>	<u>NEW UNIT PRICE</u>
APRIL 30, 2014	S	Blue	<u>\$0.47</u>	<u>\$0.495</u>
MAY 31, 2014	K	Blue	<u>\$0.47</u>	<u>\$0.495</u>
	Z	Red	<u>\$0.47</u>	<u>\$0.495</u>
JUNE 30, 2014	G	Green	<u>\$0.47</u>	<u>\$0.495</u>
JULY 31, 2014	C	Yellow	<u>\$0.47</u>	<u>\$0.495</u>
<b>NO EXPIRATION MONTH</b>				
<b>Motorcycle</b>		Color should be the same as Department of Motor Vehicle TABS for the year	<u>\$0.45</u>	<u>\$0.475</u>

**HOLOGRAM STICKERS**

Size: 1" x 1.5"

Material: 2-mil Hologram material (chrome Mylar material), laminate, transfer tape, #78 Liner.  
 The City and County of San Francisco seal will be the only embellishment of the sticker.  
 Must have bonding agent

Ink One PMS color + black, transparent PMS ink. \$0.45 \$0.475  
 100% flood on the PMS ink.  
 PMS color used for the calendar year must be same as yearly tabs issued by DMV.

Finishing  
 Die cut to size.  
 Straight slit or serpentine back-slit liner.  
 Shrink-wrap and bundle in quantities of 100.

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

Decal Permits; Residential Parking, Contractor,  
 Motorcycle and Temporary No Stopping Signs

**East Bay Sign Company**  
 Christina Lau  
 201 11<sup>th</sup> Street  
 San Francisco, CA 94103  
 E-mail: christina@bordendecal.com

Date: November 15, 2012  
 Buyer Name: Gwen Williams  
 Term contract: 95037  
 City Blanket No: BPSF00003413  
 Type: Indefinite quantity  
 NTE Amount: \$1,000,000


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


Modification	Start date	End date	Amount	Other changes
Original contract	12-01-07	11-30-10	\$1,000,000	
Modification 1	12-01-10	11-30-11	\$1,000,000	5% Price Increase 12 Month Extension
Modification 2	12-01-11	11-30-12	\$1,000,000	5% Price Increase 12 Month Extension
Modification 3	12-01-12	11-30-13	\$1,000,000	5% Price Increase 12 Month Extension

This modification 3 changes the contract as follows:

- 1) Extends the contract 12 months, from December 1, 2012 to November 30, 2013 and increases pricing by 5%, effective December 1, 2012. See Attachment A.

All other terms and conditions remain the same.

Approved by the City:  \_\_\_\_\_ Date 11/27/12  
 Jaci Long, Director of OCA

Approved by Contractor:  \_\_\_\_\_ Date 11/30/12  
 Signature

Name and title: CHRISTINA LAU (President)

November 29, 2012

ATTACHMENT A

CONTRACT MODIFICATION 3  
 REVISED AWARD SHEET – EAST BAY SIGN COMPANY  
 (Effective December 1, 2012)

<u>EXPIRATION DATE</u>	<u>AREA</u>	<u>COLOR</u>	<u>OLD UNIT PRICE</u>	<u>NEW UNIT PRICE</u>
CONTRACTORS (Expiring May 31, 2014)		Color should be the same as Department of Motor Vehicle TABS for the year	<u>\$0.45</u>	<u>\$0.47</u>
RESIDENTIAL DECALS				
AUGUST 31, 2014	B	Blue	<u>\$0.45</u>	<u>\$0.47</u>
AUGUST 31, 2014	R	Orange	<u>\$0.45</u>	<u>\$0.47</u>
AUGUST 31, 2014	T	Brown	<u>\$0.45</u>	<u>\$0.47</u>
AUGUST 31, 2014	X	Yellow	<u>\$0.45</u>	<u>\$0.47</u>
AUGUST 31, 2014	CC	Green	<u>\$0.45</u>	<u>\$0.47</u>
SEPTEMBER 31, 2014	E	Orange	<u>\$0.45</u>	<u>\$0.47</u>
SEPTEMBER 31, 2014	F	Brown	<u>\$0.45</u>	<u>\$0.47</u>
SEPTEMBER 31, 2014	U	Green	<u>\$0.45</u>	<u>\$0.47</u>
OCTOBER 31, 2014	M	Green	<u>\$0.45</u>	<u>\$0.47</u>
OCTOBER 31, 2014	W	Brown	<u>\$0.45</u>	<u>\$0.47</u>
NOVEMBER 31, 2014	I	Orange	<u>\$0.45</u>	<u>\$0.47</u>
NOVEMBER 31, 2014	J	Red	<u>\$0.45</u>	<u>\$0.47</u>
DECEMBER 31, 2013	N/A			
JANUARY 31, 2014	D	Green	<u>\$0.45</u>	<u>\$0.47</u>
	H	Red	<u>\$0.45</u>	<u>\$0.47</u>
	L	Blue	<u>\$0.45</u>	<u>\$0.47</u>
	V	Orange	<u>\$0.45</u>	<u>\$0.47</u>
	BB	Orange	<u>\$0.45</u>	<u>\$0.47</u>
FEBRUARY 28, 2014	A	Red	<u>\$0.45</u>	<u>\$0.47</u>
MARCH 31, 2014	N	Red	<u>\$0.45</u>	<u>\$0.47</u>
	O	Green	<u>\$0.45</u>	<u>\$0.47</u>
	P	Red	<u>\$0.45</u>	<u>\$0.47</u>
	Y	Orange	<u>\$0.45</u>	<u>\$0.47</u>

ATTACHMENT A

CONTRACT MODIFICATION 3  
 REVISED AWARD SHEET -- EAST BAY SIGN COMPANY  
 (Effective December 1, 2012)

<u>EXPIRATION DATE</u>	<u>AREA</u>	<u>COLOR</u>	<u>OLD UNIT PRICE</u>	<u>NEW UNIT PRICE</u>
APRIL 30, 2014	S	Blue	<u>\$0.45</u>	<u>\$0.47</u>
MAY 31, 2014	K	Blue	<u>\$0.45</u>	<u>\$0.47</u>
	Z	Red	<u>\$0.45</u>	<u>\$0.47</u>
JUNE 30, 2014	G	Green	<u>\$0.45</u>	<u>\$0.47</u>
JULY 31, 2014	C	Yellow	<u>\$0.45</u>	<u>\$0.47</u>
<b>NO EXPIRATION MONTH</b>				
Motorcycle		Color should be the same as Department of Motor Vehicle TABS for the year	<u>\$0.45</u>	No Change

**HOLOGRAM STICKERS**

Size: 1" x 1.5"

Material: 2-mil Hologram material (chrome Mylar material), laminate, transfer tape, #78 Liner.  
 The City and County of San Francisco seal will be the only embellishment of the sticker.  
 Must have bonding agent

Ink One PMS color + black, transparent PMS Ink. \$0.45 No Change  
 100% flood on the PMS Ink.  
 PMS color used for the calendar year must be same as yearly tabs issued by DMV.

Finishing  
 Die cut to size.  
 Straight slit or serpentine back-slit liner.  
 Shrink-wrap and bundle in quantities of 100.

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

Decal Permits; Residential Parking, Contractor,  
 Motorcycle and Temporary No Stopping Signs

**East Bay Sign Company**  
 Christina Lau  
 201 11<sup>th</sup> Street  
 San Francisco, CA 94103  
 E-mail: christina@bordendecal.com

Date: November 14, 2011  
 Buyer Name: Gwen Williams  
 Term contract: 95037  
 City Blanket No: BPSF00003413  
 Type: Indefinite quantity  
 NTE Amount: \$1,000,000

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

Modification	Start date	End date	Amount	Other changes
Original contract	12-01-07	11-30-10	\$1,000,000	
Modification 1	12-01-10	11-30-11	\$1,000,000	5% Price Increase 12 Month Extension
Modification 2	12-01-11	11-30-12	\$1,000,000	5% Price Increase 12 Month Extension

This modification 2 changes the contract as follows:

- 1) Extends the contract 12 months, from December 1, 2011 to November 30, 2012 and increases pricing by 5%, effective December 1, 2011. See Attachment A.

All other terms and conditions remain the same.

Approved by the City:

Jaci Fong, Acting Director of OCA

11/30/11  
 Date

Approved by Contractor:

Signature

12/6/11  
 Date

Name and title

CHRISTINA LAU

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

P-280 (11/20/09)

## ATTACHMENT A

CONTRACT MODIFICATION 2  
 REVISED AWARD SHEET – EAST BAY SIGN COMPANY  
 (Effective December 1, 2011)

<u>EXPIRATION DATE</u>	<u>AREA</u>	<u>COLOR</u>	<u>OLD UNIT PRICE</u>	<u>NEW UNIT PRICE</u>
CONTRACTORS (Expiring May 31, 2013)		Color should be the same as Department of Motor Vehicle TABS for the year	<u>\$0.43</u>	<u>\$0.45</u>
RESIDENTIAL DECALS				
AUGUST 31, 2013	B	Blue	<u>\$0.43</u>	<u>\$0.45</u>
AUGUST 31, 2013	R	Orange	<u>\$0.43</u>	<u>\$0.45</u>
AUGUST 31, 2013	T	Brown	<u>\$0.43</u>	<u>\$0.45</u>
AUGUST 31, 2013	X	Yellow	<u>\$0.43</u>	<u>\$0.45</u>
AUGUST 31, 2013	CC	Green	<u>\$0.43</u>	<u>\$0.45</u>
SEPTEMBER 31, 2013	E	Orange	<u>\$0.43</u>	<u>\$0.45</u>
SEPTEMBER 31, 2013	F	Brown	<u>\$0.43</u>	<u>\$0.45</u>
SEPTEMBER 31, 2013	U	Green	<u>\$0.43</u>	<u>\$0.45</u>
OCTOBER 31, 2013	M	Green	<u>\$0.43</u>	<u>\$0.45</u>
OCTOBER 31, 2013	W	Brown	<u>\$0.43</u>	<u>\$0.45</u>
NOVEMBER 31, 2013	I	Orange	<u>\$0.43</u>	<u>\$0.45</u>
NOVEMBER 31, 2013	J	Red	<u>\$0.43</u>	<u>\$0.45</u>
DECEMBER 31, 2012	N/A			
JANUARY 31, 2013	D	Green	<u>\$0.43</u>	<u>\$0.45</u>
	H	Red	<u>\$0.43</u>	<u>\$0.45</u>
	L	Blue	<u>\$0.43</u>	<u>\$0.45</u>
	V	Orange	<u>\$0.43</u>	<u>\$0.45</u>
	BB	Orange	<u>\$0.43</u>	<u>\$0.45</u>
FEBRUARY 28, 2013	A	Red	<u>\$0.43</u>	<u>\$0.45</u>
MARCH 31, 2013	N	Red	<u>\$0.43</u>	<u>\$0.45</u>
	O	Green	<u>\$0.43</u>	<u>\$0.45</u>
	P	Red	<u>\$0.43</u>	<u>\$0.45</u>
	Y	Orange	<u>\$0.43</u>	<u>\$0.45</u>



ATTACHMENT A

CONTRACT MODIFICATION 2  
 REVISED AWARD SHEET -- EAST BAY SIGN COMPANY  
 (Effective December 1, 2011)

<u>EXPIRATION DATE</u>	<u>AREA</u>	<u>COLOR</u>	<u>OLD UNIT PRICE</u>	<u>NEW UNIT PRICE</u>
APRIL 30, 2013	S	Blue	<u>\$0.43</u>	<u>\$0.45</u>
MAY 31, 2013	K	Blue	<u>\$0.43</u>	<u>\$0.45</u>
	Z	Red	<u>\$0.43</u>	<u>\$0.45</u>
JUNE 30, 2013	G	Green	<u>\$0.43</u>	<u>\$0.45</u>
JULY 31, 2013	C	Yellow	<u>\$0.43</u>	<u>\$0.45</u>

NO EXPIRATION MONTH

Motorcycle

Color should be the same as Department of Motor Vehicle TABS for the year

HOLOGRAM STICKERS

Size: 1" x 1.5"

Material: 2-mil Hologram material (chrome Mylar material), laminate, transfer tape, #78 Liner. The City and County of San Francisco seal will be the only embellishment of the sticker. Must have bonding agent

Ink One PMS color + black, transparent PMS ink. \$0.43 \$0.45  
 100% flood on the PMS ink.  
 PMS color used for the calendar year must be same as yearly tabs issued by DMV.

Finishing  
 Die cut to size.  
 Straight slit or serpentine back-slit liner.  
 Shrink-wrap and bundle in quantities of 100.

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

Decal Permits; Residential Parking, Contractor,  
Motorcycle and Temporary No Stopping Signs

East Bay Sign Company  
Christina Lau  
201 11<sup>th</sup> Street  
San Francisco, CA 94103  
E-mail: [Christina@borden.com](mailto:Christina@borden.com)  
(415) 431-8882

Date: December 3, 2010  
Buyer Name: Gwen Williams  
Term contract: 95037  
City Blanket No. BPSF00003413  
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	Other Changes
Original contract	12-01-07	11-30-10	\$ 1,000,000	
Modification No.1	12-01-10	11-30-11	\$1,000,000	5% Price Increase. 12 month extension

Modification No. 1 changes the contract as follows:

- 1) Extends the contract 12 months from December 1, 2010 to November 30, 2011 and increases pricing by 5%, effective December 1, 2010. See Attachment A.
- 2) Adds the following conditions: See Attachment B
  - a) Notification re: Electronic Payment
  - b) Food Service Waste Reduction Requirements

All other terms and conditions remain the same.

Approved by the City:

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

12/7/10  
Date

Buyer: Buyer: \_\_\_\_\_

Approved by Contractor:

\_\_\_\_\_  
Signature

12/8/10  
Date

Print Name:

CHRISTINA LAU

Title:

PRESIDENT

ATTACHMENT A

**CONTRACT MODIFICATION 1**  
**REVISED AWARD SHEET – EAST BAY SIGN COMPANY**

(Effective December 1, 2010)

<u>EXPIRATION DATE</u>	<u>AREA</u>	<u>COLOR</u>	<u>OLD UNIT PRICE</u>	<u>NEW UNIT PRICE</u>
CONTRACTORS (Expiring May 31, 2007)		Colors should be the same as Department of Motor Vehicle TABS for the year	\$ 0.41	\$ 0.43
<b>RESIDENTIAL DECALS</b>				
AUGUST 31, 2007	B	Blue	\$ 0.41	\$ 0.43
AUGUST 31, 2007	R	Orange	\$ 0.41	\$ 0.43
AUGUST 31, 2007	T	Brown	\$ 0.41	\$ 0.43
AUGUST 31, 2007	X	Yellow	\$ 0.41	\$ 0.43
AUGUST 31, 2007	CC	Green	\$ 0.41	\$ 0.43
SEPTEMBER 31, 2007	E	Orange	\$ 0.41	\$ 0.43
SEPTEMBER 31, 2007	F	Brown	\$ 0.41	\$ 0.43
SEPTEMBER 31, 2007	U	Green	\$ 0.41	\$ 0.43
OCTOBER 31, 2007	M	Green	\$ 0.41	\$ 0.43
OCTOBER 31, 2007	W	Brown	\$ 0.41	\$ 0.43
NOVEMBER 31, 2007	I	Orange	\$ 0.41	\$ 0.43
NOVEMBER 31, 2007	J	Red	\$ 0.41	\$ 0.43
DECEMBER 31, 2007	N/A			
JANUARY 31, 2008	D	Green	\$ 0.41	\$ 0.43
	H	Red	\$ 0.41	\$ 0.43
	L	Blue	\$ 0.41	\$ 0.43
	V	Orange	\$ 0.41	\$ 0.43
	BB	Orange	\$ 0.41	\$ 0.43
FEBRUARY 28, 2008	A	Red	\$ 0.41	\$ 0.43

ATTACHMENT A

CONTRACT MODIFICATION 1  
 REVISED AWARD SHEET – EAST BAY SIGN COMPANY

(Effective December 1, 2010)

<u>EXPIRATION DATE</u>	<u>AREA</u>	<u>COLOR</u>	<u>OLD UNIT PRICE</u>	<u>NEW UNIT PRICE</u>
MARCH 31, 2008	N	Red	\$ 0.41	\$ 0.43
	O	Green	\$ 0.41	\$ 0.43
	P	Red	\$ 0.41	\$ 0.43
	Y	Orange	\$ 0.41	\$ 0.43
APRIL 30, 2008	S	Blue	\$ 0.41	\$ 0.43
MAY 31, 2008	K	Blue	\$ 0.41	\$ 0.43
	Z	Red	\$ 0.41	\$ 0.43
JUNE 30, 2008	G	Green	\$ 0.41	\$ 0.43
JULY 31, 2008	C	Yellow	\$ 0.41	\$ 0.43

**NO EXPIRATION MONTH  
 Motorcycle**

Color should be the same as Department of Motor Vehicle TABS for the year

\$ 0.41      \$ 0.43

**HOLOGRAM STICKERS**

Size: 1" x 1.5"  
 Material: 2-mil Hologram material (chrome Mylar material), laminate, transfer tape, #78 Liner. The City and County of San Francisco seal will be the only embellishment of the sticker. Must have bonding agent

Ink One PMS color + black; transparent PMS ink.      \$ 0.41      \$ 0.43  
 100% flood on the PMS ink.  
 PMS color used for the calendar year must be same as yearly tabs issued by DMV.

Finishing  
 Die cut to size.  
 Straight slit or serpentine back-slit liner.  
 Shrink-wrap and bundle in quantities of 100.

**Note:** The original award sheet dated 12/20/07 reflected only extended prices and the 5% increase is based on the original unit price of \$ 0.41.

# Contract Modification 1

Decal Permits; Residential Parking, Contractor,  
Motorcycle and Temporary No Stopping Signs

## ATTACHMENT B

The following terms have been added:

**Electronic payment.** The City and County of San Francisco (City) uses Bank of America's PayMode-X system to pay invoices **electronically** and **not by check** whenever possible. The City makes PayMode-X payments every business day, **but starting July 2010 will process, print and mail paper checks only one day a week.** So the City encourages you – and it is greatly to your benefit – to enroll in PayMode-X now.

There is no cost to you to enroll in PayMode-X, and you get the same information electronically from PayMode-X that you would get on the City's check stub.

For more information, please visit the Controller's website at:

<http://sfcontroller.org/index.aspx?page=85>

If you have questions, please call:

Steve W. Lee, Controller's Office (415) 554-7591

**35. 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.