

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 No. 1

Sodium Percarbonate

Cygnnet Enterprises
Attn: Andrea Sealock
5040 Commercial Circle Suite E
Concord, CA 94523
asealock@cygnnetenterprises.com

Date: May 23, 2014
Buyer's Name: Howard Tevelson
Term Contract: 66401
City Blanket No.: BPSF00003802
Type: Indefinite quantity
Not to exceed amount: \$ 750,000

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


Modification	Start date	End date	Amount	Notes
Original contract	07/15/11	07/14/14	\$ 750,000	
1	07/15/14	07/14/15	No Change	Price increases, extends contract, and updates Terms and Conditions

This modification 1 changes the contract as follows:

- 1) Extends the Contract term for one (1) year from July 15, 2014 through July 14, 2015
- 2) Increases prices effective 7/01/14. (See Attachment A).
- 3) Replaces Term and Conditions 29 "Submitting False Claims", 51 "Reports by Contractor" and deletes Condition 66 "Graffiti Removal" (See Attachment B)

All other terms, and conditions remain the same.

AD Approved by the City:

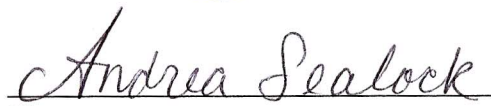


Jaci Fong, Director of OCA and Purchaser

Date

5/27/2014

Approved by Contractor:



Signature

Date

6-2-14

Name and title:

Andrea Sealock, Western Region Manager

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

Effective July 15, 2014, price increases will be allowed on item.

Item #		Old Price	New Price
1	Sodium Percarbonate	\$.932 per pound	.947 per pound

Bid and Contract Condition 29 "Submitting False Claims; Monetary Penalties" has been deleted and replaced in its entirety to read as follows:

29. Submitting False Claims; Monetary Penalties. Pursuant to San Francisco Administrative Code §21.35, any contractor, subcontractor or consultant who submits a false claim shall be liable to the City for the statutory penalties set forth in that section. The text of Section 21.35, along with the entire San Francisco Administrative Code is available on the web at [http://www.amlegal.com/nxt/gateway.dll/California/administrative/administrativecode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$sync=1](http://www.amlegal.com/nxt/gateway.dll/California/administrative/administrativecode?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sync=1). A contractor, subcontractor or consultant will be deemed to have submitted a false claim to the City if the contractor, subcontractor or consultant: (a) knowingly presents or causes to be presented to an officer or employee of the City a false claim or request for payment or approval; (b) knowingly makes, uses, or causes to be made or used a false record or statement to get a false claim paid or approved by the City; (c) conspires to defraud the City by getting a false claim allowed or paid by the City; (d) knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the City; or (e) is a beneficiary of an inadvertent submission of a false claim to the City, subsequently discovers the falsity of the claim, and fails to disclose the false claim to the City within a reasonable time after discovery of the false claim.

General Condition 51 “Reports by Contractor; Multi-year Term Contracts” has been deleted and replaced in its entirety to read as follows:

51. Reports by Contractor; Multi-year Term Contracts

Each year, no later than February 15; Contractor shall submit a soft copy report of the total items ordered, by month, under this contract during the preceding calendar year (January 1 – December 31). The report must be in a format acceptable to City and must list by department or location the following: (1) all items awarded under this contract; and (2) total quantity and dollar value of each item ordered, including items for which there were no orders. Contractor must also furnish a separate similar report for the total of all items ordered by City which are not part of this Contract, and any usage reports required prior to the extension of a Contract or Contract Modification. Emailed reports must not be larger than **10MB**.

Contractor shall email reports to: OCAVendor.Reports@sfgov.org

Any report files larger than **10MB** must be submitted in electronic format on CD-ROM or USB drive and mailed to the address shown below with the term contract number and “Annual Vendor Reporting” clearly marked on the envelope/packaging.

Contractor shall mail the reports to:

OCA Vendor Reporting
Re: Term Contract No. 76051
City and County of San Francisco
Office of Contract Administration – Purchasing
City Hall, Room 430
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4685

General Condition 66 “Graffiti Removal” is hereby deleted in its entirety.