

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

Scrap Metal Pick Up/Disposal for Recycling

Circosta Iron and Metal Company
 Attn: Nick Circosta
 1801 Evans Avenue
 San Francisco, Ca 94124

Date: September 18, 2015
 Buyer Name: Gloria Gill
 Term contract: 76615
 City Blanket No. BPSF00003927
 Type: Indefinite quantity
 Not-to-exceed amount: N/A

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

Modification	Start date	End date	Amount	Other changes
Original contract	11-01-12	10-31-15	- N/A -	
1	03-01-15	10-31-15	No Change	Replace various Conditions as stated in Attachment A and Revised Award Sheet for Items #5 and #6 as stated in Attachment B
2	11-01-15	10-31-16	No Change	Add Condition 64 and extend the contract term

This modification 2 changes the contract as follows:

- It adds General Condition 64, "Sugar-Sweetened Beverage Prohibition." See Attachment A.
- It extends the contract term from November 1, 2015 through October 31, 2016.

All other terms and conditions remain the same.

Approved by the City:

[Handwritten initials]

[Handwritten Signature]
 Jaci Fong, Director of OCA and Purchaser

9/11/15
 Date

Approved by Contractor:

[Handwritten Signature]
 Signature

9/14/15
 Date

Name and title

Nick Circosta Treasurer

Attachment A
Contract Modification No. 2
Scrap Metal Pick Up/Disposal for Recycling
Circosta Iron and Metal Company
September 18, 2015
Page 2 of 2

General Condition 64 "Sugar-Sweetened Beverage Prohibition" is hereby added with the following:

64. Sugar-Sweetened Beverage Prohibition

Contractor agrees that it will not sell, provide, or otherwise distribute Sugar-Sweetened Beverages, as defined by San Francisco Administrative Code Chapter 101, as part of its performance of this Agreement.

OK CDB

City and County of San Francisco
 Office of Contract Administration
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 San Francisco, CA 94102-4685



Contract Modification 1

Scrap Metal Pick Up/Disposal for Recycling

Circosta Iron and Metal Company
 Attn: Nick Circosta
 1801 Evans Avenue
 San Francisco, Ca 94124

Date: March 26, 2015
 Buyer Name: Gloria Gill
 Term contract: 76615
 City Blanket No. BPSF00003927
 Type: Indefinite quantity
 Not-to-exceed amount: N/A

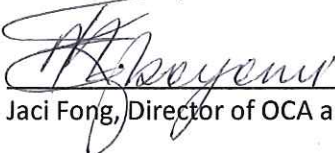
The history of this contract and its modifications is as follows:

Modification	Start date	End date	Amount	Other changes
Original contract	11-01-12	10-31-15	- N/A-	
1	03-01-15	10-31-15	No Change	Replace various Conditions as stated in Attachment A and Revised Award Sheet for Items #5 and #6 as stated in Attachment B

This modification 1 changes the contract as follows:

- It updates Bid and Contract Condition 29, "Submitting False Claims, Monetary Penalties", and General Condition 51, "Reports by Contractor".
- It replaces General Condition 60, "Earned Income Credit (EIC) Forms" with "Consideration of Criminal History in Hiring and Employment Decision"; and Special Condition 71 "Bidder's/Contractors Qualifications and Requirements" with "Bidder's/Contractor's Qualifications and Requirements" dated March 26, 2015. See Attachment A.
- It revises the Award Sheet for Items #5 and #6. See Attachment B.
- It revises Appendix F for List of Scrap Metal Pick Up Points and Contacts. See Attachment C.

All other terms and conditions remain the same.

Approved by the City:  3/27/15
 Jaci Fong, Director of OCA and Purchaser Date

Approved by Contractor: _____
 Signature Date

Name and title _____

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

Bid and Contract Condition 29 "Submitting False Claims, Monetary Penalties" is hereby deleted in its entirety and replace with the following:

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?f=templates&fn=default.htm&vid=amlegal:sanfrancisco_ca. 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" is hereby deleted in its entirety and replaced with the following:

51. Reports by Contractor

Multi-Year Term Contractor

Each year, ninety days before each anniversary date of this contract or upon Purchaser's request, Contractor must furnish a summary report of all scrap metal removed from City property during the preceding twelve months. The report must be in the format listed in **Appendix E** of this contract and must list by department/location the following: (1) in pounds, the total amount of scrap metal removed by metal type; and (2) in dollars, the total amount remitted to the City.

Contractor shall send the reports to the Purchaser in electronic version:

Gloria Gill, Purchaser
gloria.gill@sfmta.com
Re: Term Contract No. 76615
Office of Contract Administration
Purchasing Division
City Hall, Room 430
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4685

General Condition 60, Earned Income Credit (EIC) Forms is hereby deleted in its entirety and replaced with the following:

60. Consideration Of Criminal History in Hiring and Employment Decisions

A. Contractor agrees to comply fully with and be bound by all of the provisions of Chapter 12T "City Contractor/Subcontractor Consideration of Criminal History in Hiring and Employment Decisions," of the San Francisco Administrative Code (Chapter 12T), including the remedies provided, and implementing regulations, as may be amended from time to time. The provisions of Chapter 12T are incorporated by reference and made a part of this Agreement as though fully set forth herein. The text of the Chapter 12T is available on the web at <http://sfgov.org/olse/fco>. A partial listing of some of Contractor's obligations under Chapter 12T is set forth in this Section. Contractor is required to comply with all of the applicable provisions of 12T, irrespective of the listing of obligations in this Section. Capitalized terms used in this Section and not defined in this Agreement shall have the meanings assigned to such terms in Chapter 12T.

B. The requirements of Chapter 12T shall only apply to a Contractor's or Subcontractor's operations to the extent those operations are in furtherance of the performance of this Agreement, and shall apply only to applicants and employees who would be or are performing work in furtherance of this Agreement.

C. Contractor shall incorporate by reference in all subcontracts the provisions of Chapter 12T, and shall require all subcontractors to comply with such provisions. Contractor's failure to comply with the obligations in this subsection shall constitute a material breach of this Agreement.

D. Contractor or Subcontractor shall not inquire about, require disclosure of, or if such information is received base an Adverse Action on an applicant's or potential applicant for employment, or employee's: (1) Arrest not leading to a Conviction, unless the Arrest is undergoing an active pending criminal investigation or trial that has not yet been resolved; (2) participation in or completion of a diversion or a deferral of judgment program; (3) a Conviction that has been judicially dismissed, expunged, voided, invalidated, or otherwise rendered inoperative; (4) a Conviction or any other adjudication in the juvenile justice system; (5) a Conviction that is more than seven years old, from the date of sentencing; or (6) information pertaining to an offense other than a felony or misdemeanor, such as an infraction.

E. Contractor or Subcontractor shall not inquire about or require applicants, potential applicants for employment, or employees to disclose on any employment application the facts or details of any conviction history, unresolved arrest, or any matter identified in subsection 53.D, above. Contractor or Subcontractor shall not require such disclosure or make such inquiry until either after the first live interview with the person, or after a conditional offer of employment.

F. Contractor or Subcontractor shall state in all solicitations or advertisements for employees that are reasonably likely to reach persons who are reasonably likely to seek employment to be performed under this Agreement, that the Contractor or Subcontractor will consider for employment qualified applicants with criminal histories in a manner consistent with the requirements of Chapter 12T.

G. Contractor and Subcontractors shall post the notice prepared by the Office of Labor Standards Enforcement (OLSE), available on OLSE's website, in a conspicuous place at every workplace, job site, or other location under the Contractor or Subcontractor's control at which work is being done or will be done in furtherance of the performance of this Agreement. The notice shall be posted in English, Spanish, Chinese, and any language spoken by at least 5% of the employees at the workplace, job site, or other location at which it is posted.

H. Contractor understands and agrees that if it fails to comply with the requirements of Chapter 12T, the City shall have the right to pursue any rights or remedies available under Chapter 12T, including but not limited to, a penalty of \$50 for a second violation and \$100 for a subsequent violation for each employee, applicant or other person as to whom a violation occurred or continued, termination or suspension in whole or in part of this Agreement.

Special Condition 71 "Bidder's/Contractors Qualifications and Requirements" is hereby deleted in its entirety and replaced with the following:

71. Bidder's/Contractor's Qualifications and Requirements

Minimum Qualifications

Any bid that does not demonstrate that the bidder meets these minimum requirements by the bid due date will be considered non-responsive and will not be eligible for award of the contract.

Item #	Requirement	Items to be Submitted with Bid
MQ1	Not used	Not used
MQ2	Possession of Junk Dealer Permit	Photocopy of valid Junk Dealer Permit issued by San Francisco Chief of Police
MQ3	Proof of driver(s) commercial vehicle driver's license	Photocopy of driver(s) current Class B or Class A license (appropriate to vehicles used on contract)
MQ4	Possession of California State certified weighing facility within the nine (9) counties of San Francisco Bay Area	Photocopies of California State Weigh Station Certification for each location
MQ5	Possession of adequate equipment/vehicles to load and transport collected scrap metal	List of equipment/vehicles owned including year/make/model
MQ6	Employ full time sales/service representative(s) for customer service coverage in service areas	Name(s) and resume(s) of sales and service representative(s)
MQ7	Five (5) years minimum experience	Photocopy of company incorporation documents showing formation date
MQ8	Three (3) verifiable references provided	Document containing three (3) references including contact name, company name, phone number and email address. If possible, bidders should include a letter from each reference

“Award Sheet” is hereby deleted in its entirety and replaced with the following:

REVISED AWARD SHEET

Item No.	Description (Contaminants consist of wood, concrete, plastics, insulation and other metals. Estimated Qty. and number of occurrences are derived from the period of July 1, 2010 through June 30, 2011)	AMM Scrap Metal Category and Market Area	Bid amount as a % above or below AMM published price
1.	Aluminum materials including old street signs containing a maximum of 35% contaminants. Estimated Qty: 15,969 lbs.	Aluminum, Old, Sheet & Cast San Francisco Prices	__7__ % Above or ____ % Below
2.	Brass materials other than plumbing fixtures containing a maximum of 35% contaminants. Estimated Qty: 1,221 lbs.	Brass, Yellow, Solids San Francisco Prices	__1.5__ % Above or ____ % Below
3.	Brass plumbing fixtures including water meters and valves containing a maximum of 1.5% contaminants. Estimated Qty: 17,903 lbs.	Brass, Red, Solids, Cocks & Faucets San Francisco Prices	____ % Above or __50__ % Below
4.	Copper materials including insulated wire containing a maximum of 35% contaminants. Estimated Qty: 5,121 lbs.	Copper & Wire, Heavy, No. 2 San Francisco Prices	____ % Above or __17__ % Below
5.	Iron and steel materials including furniture and appliances containing a maximum of 35% contaminants. Estimated Qty: 1,448 GT (GT = 2,240 lbs.)	<u>Export Yard Buying,</u> <u>No. 2 bundles</u> <u>L.A Prices</u>	__35__ % Above or ____ % Below
6.	All of the above metals containing 36% or more contaminants, or requiring special handling such as onsite cutting and special loading, and other metals not specified above such as stainless steel, steel turnings, and lead. Estimated Qty: 108 GT (GT = 2,240 lbs.)	<u>Export Yard Buying,</u> <u>No. 2 bundles</u> <u>L.A Prices</u>	____ % Above or __25__ % Below
	Allowable charges	Application of charge	Charge Amount
7.	Estimated Occurrences: See Special Condition 70 “Specifications” Section H	Free waiting time before applying charge: 3060 Minutes	\$ __\$80.00__ Per Occurrence
8.	Estimated Occurrences: 8	30 Minutes	Per Hour
9.	Estimated Occurrences: 4	(2,240 lbs.)	Per Load

“Appendix F” is hereby deleted in its entirety and replaced with the following:

TC76615
REVISED APPENDIX F
LIST OF CURRENT SCRAP METAL PICK UP POINTS and CONTACTS
(As of March 23, 2015)

3 Letter Dept. Code	Division - Section	Address	Facility Coordinator	Phone	Email
ADP	Adult Probation	880 Bryant St., #200 SF	Sylvia Selinger	415-575-8855	Sylvia.Selinger@sfgov.org
AIR	SF Airport – Facilities Maintenance, Pavement & Grounds,	682 McDonnell Rd., San Bruno	Kevin Allen Glenn Pierce	650-821-5431 650-642-0041	Kevin.Allen@flysf.com Glenn.Pierce@flysf.com
ANC	Animal Care & Control	1200 15 th St., SF	Liam Curry	415-554-9432	Liam.Curry@sfgov.org
DBI	Dept. of Building Inspections	1660 Mission Street	Joel Cusi	415-575-6846	Joel.Cusi@sfgov.org
DPH	Community Behavioral Health Services	11380 Howard St., SF	Jesse Cristo	415-255-3634	Jesse.Cristo@sfph.org
DPH	Tom Waddell Health Center	50 Lech Walesa	Willie Crawford	415-269-6623	Willie.Crawford@sfph.org
DPH	General Hospital – Environmental Svcs.	1001 Potrero Ave., SF	Francisco Saenz Mosquera, Gonzalo	415-206-8009 415-206-8480	Francisco.Saenz@sfdph.org No email address available at this time
DPH	Laguna Honda Hospital – Environmental Services	375 Laguna Honda Blvd., SF	Maxwell Chikere	415-759-3030	Not available at this time
DPH	Dept. of Public Health	101 Grove St., SF	Willie Crawford	415-269-6623	Willie.Crawford@sfph.org
DPW	Corp Yard	2323 Cesar Chavez St., SF	Steve Shih	415-695-2088	Steve.Shih@sfdpw.org
DSS	Support Services	170 Otis St., SF	Roxanne Hansen	415-554-5874	Roxanne.Hansen@sfgov.org
GSA	Central Shops	1800 Jerrold Ave., SF	Jonathan Fennell	415-550-4631	Jonathan.Fennell@sfgov.org
JUV	Juvenile Probation	375 Woodside Ave., SF	Dave Kolkana	415-753-7789	Dave.Kolkana@sfgov.org

Attachment C
 Contract Modification No. 1
 Scrap Metal Pick Up/Disposal for Recycling
 Circosta Iron and Metal Company
 March 26, 2015
 continued

3 Letter Dept. Code	Division - Section	Address	Facility Coordinator	Phone	Email
MTA	Bldgs & Grounds	700 Pennsylvania Ave., SF	Perry Bonelli	415-401-3123	Perry.Bonelli@sfmta.com
			Leo Martinez	415-401-3108	Leo.Martinez@sfmta.com
			Italo Young	415-310-6834	No email address available
MTA	Bldgs & Grounds	1399 Marin St. (700 Pennsylvania Ave.), SF	Violet Henderson- Green	415-401-3162	Violet.Henderson@sfmta.com
			Italo Young	415-310-6834	No email address available
MTA	Cable Car	1201 Mason St., SF	James Shih	415-292-2094	James.Shih@sfmta.com
MTA	Cable Car Machine Shop	700 Pennsylvania Ave., SF	Lester Lamug	415-401-3205	Lester.Lamug@sfmta.com
MTA	Rails	700 Pennsylvania Ave., SF	Bob Ramirez	415-401-3179	Bob.Ramirez@sfmta.com
			Italo Young	415-310-6834	No email address available
MTA	Central Warehouse	1580 Burke Ave., SF	Rick Figueroa	415-970-9408	Ricardo.Figueroa@sfmta.com
MTA	Flynn	1940 Harrison St., SF	Deneitra Henry	415-554-9355	Deneitra.Henry@sfmta.com
MTA	Geneva	2301 San Jose Ave., SF	Karl Johnson	415-337-4750	Karl.Johnson@sfmta.com
MTA	Green	2200 San Jose Ave., SF	Gary Dawson	415-337-2314	Gary.Dawson@sfmta.com
MTA	Green - Motor Shop	2200 San Jose Ave., SF	Muhammad Khan	415-337-2311	Muhammad.Khan@sfmta.com
MTA	Kirkland	151 Beach St., SF	Bryan Biber	415-274-0210	Bryan.Biber@sfmta.com
MTA	Metro - Running Repair	2200 San Jose Ave., SF	Mike Ellis	415-337-2200	Mike.Ellis@sfmta.com
MTA	Metro - Machine Shop	2200 San Jose Ave., SF	Paul Rullhausen	415-337-2302	Paul.Rullhausen@sfmta.com
MTA	Metro East	601 25 th St., SF	Mohammed Khan	415-401-3709	Mohammed.Khan@sfmta.com
MTA	Overhead Lines	2502 Alameda St. (1401 Bryant St.), SF	Gary Fitzgerald	415-554-9232	Gary.Fitzgerald@sfmta.com
			Mike Johnson	415-554-9230	Mike.Johnson@sfmta.com

Attachment C
 Contract Modification No. 1
 Scrap Metal Pick Up/Disposal for Recycling
 Circosta Iron and Metal Company
 March 26, 2015
 continued

3 Letter Dept. Code	Division - Section	Address	Facility Coordinator	Phone	Email
MTA	Potrero	2500 Mariposa St., SF	Nelson Doon	415-554-9906	Nelson.Doon@sfmta.com
MTA	Presidio	875 Presidio Ave., SF	Frank Lim	415-923-6019	Not available at this time
MTA	Scott	1849 Harrison St., SF	John O'Brien	415-554-9388	John.O'Brien@sfmta.com
MTA	Woods	40 Tubbs Lane, SF	Brenda Mitchel	415-695-7132	Brenda.Mitchel@sfmta.com
MTA	Woods - Maintenance	40 Tubbs Lane, SF	Ray Alvarez	415-695-7128	Ray.Alvarez@sfmta.com
MTA	Woods – Heavy Duty	40 Tubbs Lane, SF	Wayland Lee	415-695-7130	Wayland.Lee@sfmta.com
MTA	Woods - Maintenance	1095 Indiana St., SF	Bruce Keller	415-695-7160	Bruce.Keller@sfmta.com
			Mauro Benedetti	415-6957130	Mauro.Benedetti@sfmta.com
MTA	Woods – Body Shop	1095 Indiana St., SF	Jason Quan	415-695-7148	Jason.Quan@sfmta.com
MTA	DPT - Meter Shop	1508 Bancroft Ave., SF	Walter Potselueff	415-550-2779	Walter.Potselueff@sfmta.com
MTA	DPT/Traffic Signal Division	2650 Bayshore Blvd., Daly City	Alan Blank	415-550-2736	Alan.Black@sfmta.com
PRT	Port	Pier 50, SF	Lorenza Racklin	415-597-7931	Lorenza.Racklin@sfgov.org
PRT	Port	Pier 50-D, SF	Alex Chong	415-274-0492	Alex.Chong@sfport.com
PRT	Port	Pier 90, SF	Alex Chong	415-274-0492	Alex.Chong@sfport.com
POL	Police – Hall of Justice	850 Bryant St., SF	Ivan Sequeira	415-553-1076	Ivan.Sequeira@sfgov.org
POL	Police – Hunter's Point Shipyard Warehouse	606 Manseau St., Bldg. 6, SF	Rob Siezler	415-553-9238	Not available at this time
POL	Police – Shooting Range	700 John Muir Blvd.	Ivan Sequeira	415-553-1076	Ivan.Sequeira@sfgov.org
PUC	CDD – Fire Hydrants	1990 Newcomb Ave., SF	William Toman	415-550-4977	Not available at this time.
PUC	CDD – Meter Shop	1990 Newcomb Ave., SF	William Toman	415-550-4977	Not available at this time.
PUC	Bureau of Light, Heat & Power – Bryant St.	639 Bryant St., SF	Bart Murphy	415-227-8512	BMurphy@sflower.org
PUC	Bureau of Light, Heat & Power – Treasure Island	Bldg. 260, 8 th St. & "N" Ave., Treasure Island, SF	Bart Murphy	415-227-8512	BMurphy@sflower.org
PUC	Hetch Hetchy Water & Power - Moccasin	Junction of State Hwy 49 & State Hwy 120, Moccasin	Brian Barton	209-989-2074	BBarton@sflower.org
			Lucky Young	209-989-2125	Not available at this time

Attachment C
 Contract Modification No. 1
 Scrap Metal Pick Up/Disposal for Recycling
 Circosta Iron and Metal Company
 March 26, 2015
 continued

3 Letter Dept. Code	Division - Section	Address	Facility Coordinator	Phone	Email
PUC	Wastewater Treatment Facilities –Oceanside Plant	3500 Great Highway, SF	Lenny Weinstein	415-242-5212	Not available at this time
PUC	Wastewater Treatment Facilities –Southeast Treatment Plant	750 Phelps St., SF	Patrick Flaherty	415-920-4600	PFlaherty@sfgov.org
PUC	Wastewater Treatment Facilities –Southeast Treatment Plant	1700 Jerrold Ave., SF	Steve Jones	415-648-6882	Stjones@sfgov.org
PUC	Water, Supply & Treatment - Millbrae	1000 El Camino Real, Millbrae	Jim West	650-872-5970	JWest@sfgov.org
PUC	Water, Supply & Treatment - Sunol	8653 Calaveras Rd., Sunol	Jose Ponce	650-350-8448	JPonce@sfgov.org
PUC	Water, Supply & Treatment - Sunol	505 Paloma Way Sunol	Steve Mooney	510-388-3756	Not available at this time
REC	Recreation & Park - Main Yard	100 M.L. King Dr., SF	Jack Smith	415-242-6374	Jack.Smith@sfgov.org
REL	Real Estate	1155 Market St., SF	Brian O'Connor	415-554-9877	Brian.O'Connor@sfgov.org
SHF	Sheriff's Dept. – County Jail #5	#1 Moreland Drive San Bruno	Win Htut	650-266-7613	Win.Htut@sfgov.org