

DUPLICATE

FIRST AMENDMENT TO THE COOPERATIVE PROCUREMENT CONTRACT BETWEEN THE CITY OF SAN DIEGO AND REHRIG PACIFIC COMPANY FOR WASTE CARTS, RECYLING CARTS, CART PARTS, BINS & RELATED PRODUCTS AND SERVICES

This First Amendment to the Cooperative Procurement Contract between the City of San Diego and Rehrig Pacific Company for Refuse and Recycling Containers (Contract) is made and entered into by and between the City of San Diego (City) and Rehrig Pacific Company (Contractor), also referred to individually as "Party" and collectively as the "Parties."

RECITALS

1. On October 5, 2016, based on the results of the competitive process, Miami-Dade County, the administering agent on behalf of the US Communities Government Purchasing Alliance, entered into a contract with Contractor entitled "Waste Carts, Recycling Carts, Cart Parts, Bins and Related Products and Services" identified as Contract No. 00254, which was subsequently amended on January 1, 2017, and April 1, 2017, and is cumulatively referred to herein as the "Agency Agreement".
2. On August 10, 2017, the City's Purchasing Agent certified in writing that the Agency Agreement meets the requirements set forth in the San Diego Municipal Code § 22.3208.
3. On January 2, 2018, City and Contractor entered in the Contract, which is comprised of the Agency Agreement and the City's Cooperative Procurement Contract (Exhibit 1).
4. The Contract may be amended by written agreement executed by duly authorized representatives of the Parties.
5. The Parties wish to amend the Contract to increase the not to exceed amount to a total of \$8,545,000 while otherwise keeping intact the same terms and conditions.

TERMS

1. Section IV.1 of the Contract is revised in its entirety to read as follows:

City shall pay Contractor for the goods or services provided in accordance with this Contract in an amount not to exceed \$8,545,000. Contractor is not obligated to provide goods or services in excess of this amount, and does so at its own risk, unless this Contract is amended in writing duly executed by City and Contractor increasing this not-to-exceed amount.

2. This First Amendment will be effective when signed by both parties and approved by the City Attorney in accordance with Charter section 40.

Contract Amendment
Effective: October 13, 2014
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San Diego, California

3. All provisions of the Contract not addressed in this First Amendment remain in full force and effect.

IN WITNESS WHEREOF, this First Amendment is executed by City and Contractor acting by and through their authorized officers.

Rehrig Pacific Company


By: 

Name: RAJESH J. WHARK

Title: CFO

Date: 11/8/19

City of San Diego

By: 

Name: Jey S Senth

Title: Deputy City Attorney

Date: 12/21/19

Approved as to form this 6th day of January, 2020.

MARA W. ELLIOTT, City Attorney

By: 
Deputy City Attorney

DAVID KRUPEL
Print Name

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