

**FIRST AMENDMENT TO THE AS-NEEDED PRODUCT SUPPLY AGREEMENT WITH FLO-SYSTEMS, INC.**

This First Amendment to the As-Needed Product Supply Agreement (First Amendment) is made and entered into by and between the City of San Diego (City) and Flo-Systems, Inc. (Contractor), also referred to individually as “Party” and collectively as the “Parties.”

**RECITALS**

1. City approved Sole Source #3824, resulting in a contract between the City and Contractor (Contract) to provide as-needed replacement equipment, parts, and materials. The Contract is comprised of the Contract and the City’s General Contract Terms and Provisions.
2. The Contract may be amended by written agreement executed by duly authorized representatives of both Parties.
3. The Parties wish to amend the Contract to change the City’s Contract Administrator, add additional locations and compensation as required for the duration of the contract.

**TERMS**

1. Section 1.2 of the Contract is hereby **DELETED** in its entirety and **REPLACED** with the following:

1.2 **Contract Administrator.** The Public Utilities Department (PUD), Wastewater Treatment and Disposal Division (WWTD) is the Contract Administrator for this Agreement. Contract shall provide Goods and Services under the direction of a designated representative of the Department as follows:

Craig Boyd  
Interim Deputy Director, PUD-WWTD  
9191 Kearny Villa Court  
San Diego, CA 92123  
CBoyd@sandiego.gov

2. Section 3.1 of the Contract is hereby **DELETED** in its entirety and **REPLACED** with the following:

3.1 **Amount of Compensation.** City shall pay Contractor for supply of all goods and services in accordance with this Agreement in an amount not to exceed \$3,000,000.00 or the

amount referenced in the Purchase Order, whichever is less, not cumulatively exceeding \$3,000,000.00.

3. Exhibit A, Scope of Work, III. Product Delivery Requirements, Section A. Delivery and/or Pick-up of the Contract is hereby **REVISED** in part to **ADD** the following locations:

City of San Diego  
Public Utilities Department  
Otay River Pump Station  
1800 Boundary Ave.  
San Diego, CA 92154

City of San Diego  
Public Utilities Department  
Sewer Pump Station 22  
102 Fern Glen Ave.  
La Jolla, CA 92037

City of San Diego  
Public Utilities Department  
Sewer Pump Station 27  
2211 Avenida De La Playa  
La Jolla, CA 92037

City of San Diego  
Public Utilities Department  
Sewer Pump Station 79  
10332 San Dieguito Road  
San Diego, CA 92130

City of San Diego  
Public Utilities Department  
Sewer Pump Station 77A  
18130 West Bernardo Drive  
San Diego, CA 92127

City of San Diego  
Public Utilities Department  
Sewer Pump Station 11  
18130 West Bernardo Dr.  
San Diego, CA 92109

City of San Diego  
Public Utilities Department  
Sewer Pump Station 48T  
1600 Heritage Road  
San Diego, CA 92154

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

5. All provisions of the Agreement 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.

Flo-Systems, Inc.  
By: [Signature]  
Name: Jessica Soltanich  
Title: Operations Manager  
Date: 10/13/20

City of San Diego  
By: [Signature]  
Name: Christiana Gauger  
Title: Interim Director  
Purchasing and Contracting  
Date: 10/15/2020

Approved as to form this 16<sup>th</sup> day of  
Oct., 2020

MARA W. ELLIOTT, City Attorney

By: [Signature]  
Deputy City Attorney  
C. Leone  
Print Name