

1 [Contract Amendment - 1231 Market Street Owner L.P. - Emergency Agreement - Not to  
2 Exceed \$54,800,664]

3 **Resolution approving a fourth amendment to an emergency agreement between the**  
4 **Office of Contract Administration and 1231 Market Street Owner L.P., for the City’s**  
5 **continued use of 459 hotel rooms and associated services; increasing the contract**  
6 **amount by \$19,192,122 for a total amount not to exceed \$54,800,664; and extending the**  
7 **current booking period, which expires on July 1, 2021, until March 1, 2022, for a**  
8 **potential total term of April 8, 2020, to March 1, 2022.**

9  
10 WHEREAS, In response to the COVID-19 pandemic, Mayor London Breed declared a  
11 “Local Emergency” on Tuesday, February 25, 2020, as supplemented from time to time,  
12 including the Thirty-Fifth Supplemental Declaration dated February 19, 2021, authorizing the  
13 extension of COVID-19-related contracts; and

14 WHEREAS, The Human Services Agency (“HSA”), in coordination with the Department  
15 of Public Health, the Department of Emergency Management, the Department of  
16 Homelessness and Supportive Housing, the Real Estate Division (“RED”), the Office of  
17 Contract Administration (“OCA”), and other City stakeholders (collectively, the “City’s COVID-  
18 19 Response Team”), procured hotel rooms and related emergency services in support of the  
19 Local Emergency; and

20 WHEREAS, The City temporarily uses the rooms to further the public health and safety  
21 in connection with its response to the Local Emergency by sheltering: (a) people who have  
22 been exposed to the COVID-19 virus or are under medical quarantine; (b) people who are  
23 otherwise within a vulnerable population and have no means to self-isolate or shelter-in-place;  
24 and (c) health care workers and first responders; and

1           WHEREAS, The City entered into an Emergency Agreement dated April 4, 2020,  
2 with 1231 Market Street Owner L.P. (“Hotel”) for the City’s use of 459 hotel rooms plus  
3 associated services, including food service, as amended by a First Amendment to Emergency  
4 Agreement dated May 15, 2020, to include requirements for City’s reimbursement through the  
5 Federal Emergency Management Agency, a Second Amendment to Emergency Agreement  
6 dated July 27, 2020, to increase the maximum contract amount to pay for food services, and a  
7 “Third Amendment” to Emergency Agreement dated August 28, 2020 (collectively, the  
8 “Booking Contract”); and

9           WHEREAS, The Third Amendment was approved by the Board of Supervisors through  
10 Resolution No. 380-20, a copy of the Booking Contract is on file with the Clerk of the Board in  
11 File No. 200819; and

12           WHEREAS, The Booking Contract originally ran for 122 nights from April 8, 2020  
13 through August 7, 2020 (the initial “Booking Period”) and through the Third Amendment, the  
14 Booking Period was extended through the night of June 30, 2021; and

15           WHEREAS, The City’s COVID-19 Response Team wishes to continue to use the hotel  
16 rooms in connection with the Local Emergency; and

17           WHEREAS, OCA and HSA, in consultation with the Office of the City Attorney,  
18 negotiated a proposed Fourth Amendment to Emergency Agreement (the “Fourth  
19 Amendment”) with the Hotel to increase the contract amount to a not to exceed contract  
20 amount of \$54,800,664, and to extend the Booking Period through March 1, 2022, for a total  
21 potential Booking Period of April 8, 2020 to March 1, 2022 (691 nights), subject to City’s early  
22 termination rights as described in the Booking Contract; and

23           WHEREAS, A copy of the Fourth Amendment is on file with the Clerk of the Board in  
24 File No. 210500; and

1           WHEREAS, Charter, Section 9.118, requires Board of Supervisors approval of the  
2 Fourth Amendment; now, therefore, be it

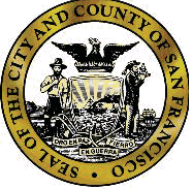
3           RESOLVED, That the Board of Supervisors hereby authorizes the City's Purchaser, on  
4 behalf of the City and County of San Francisco, as recommended by the Executive Director of  
5 HSA, to execute the Fourth Amendment to increase the contract amount to a total not to  
6 exceed amount of \$54,800,664, and to extend the potential Booking Period until  
7 March 1, 2022, subject to City's early termination rights as described in the Booking Contract,  
8 and to perform all of City's obligations under the Booking Contract as amended; and, be it

9           FURTHER RESOLVED, That all actions heretofore taken by the officers of the City  
10 with respect to the Booking Contract are hereby approved, confirmed and ratified; and, be it

11           FURTHER RESOLVED, That the Board of Supervisors authorizes the Purchaser to  
12 enter into any amendments or modifications to the Booking Contract that HSA determines, in  
13 consultation with the Executive Director of HSA and the City Attorney, do not otherwise  
14 materially increase the obligations or liabilities of the City, are necessary or advisable to  
15 effectuate the purposes of the Booking Contract or this Resolution, and are in compliance with  
16 all applicable laws, including the City's Charter; and, be it

17           FURTHER RESOLVED, That within thirty (30) days of the Fourth Amendment being  
18 fully executed by all parties, HSA shall provide the final Fourth Amendment to the Clerk of the  
19 Board for inclusion into the official file.  
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22  
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 210500

Date Passed: June 15, 2021

Resolution approving a fourth amendment to an emergency agreement between the Office of Contract Administration and 1231 Market Street Owner L.P., for the City's continued use of 459 hotel rooms and associated services; increasing the contract amount by \$19,192,122 for a total amount not to exceed \$54,800,664; and extending the current booking period, which expires on July 1, 2021, until March 1, 2022, for a potential total term of April 8, 2020, to March 1, 2022.

June 03, 2021 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

June 03, 2021 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED

June 15, 2021 Board of Supervisors - ADOPTED

Ayes: 10 - Chan, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani and Walton
Excused: 1 - Melgar

File No. 210500

I hereby certify that the foregoing Resolution was ADOPTED on 6/15/2021 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Handwritten signature of London N. Breed
London N. Breed
Mayor

6/25/2021
Date Approved