

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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FOURTH AMENDMENT TO AGREEMENT NO. 33801

33801

THIS FOURTH AMENDMENT TO AGREEMENT NO. 33801 is made and entered, in duplicate, as of March 15, 2017, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on June 14, 2016, by and between CALIFA GROUP, a California corporation ("Califa"), with a place of business at 32 West 25th Avenue, Suite 201, San Mateo, California 94403, and the CITY OF LONG BEACH, a municipal corporation ("City") acting through its Library Services Department ("Library"), whose address is 101 Pacific Avenue, Long Beach, California 90822.

WHEREAS, City desires to purchase high-speed data communication services for the Department of Library Services; and

WHEREAS, City and Califa (the "Parties") entered into Agreement No. 33801 (the "Agreement") whereby Califa agreed to provide such services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to purchase high-speed data communications network equipment and increase the Agreement amount by \$134,000 for the equipment; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to attach a revised Appendix I; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to attach a revised Appendix I to remove the costs of the circuit to the North Branch Library; and

WHEREAS, the Parties desire to attach a revised Appendix I, effective March 1, 2017, to reflect a reduction in costs for all circuits;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions herein contained, the parties agree as follows:

1. Appendix I effective January 1, 2017 is hereby replaced with Appendix I effective March 1, 2017, attached hereto and incorporated by this reference.

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Lana Beach, CA 90802-4664

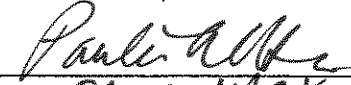
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2. Except as expressly amended in this Amendment, all terms and conditions in Agreement No. 33801 are ratified and confirmed and shall remain in full force and effect.

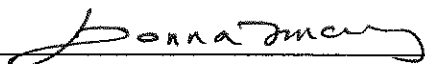
IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

CALIFA GROUP, a California corporation

March 17, 2017

By 
Name PAULA MACKINNON
Title INTERIM DIRECTOR

March 24, 2017

By 
Name Donna Truong
Title Chief Financial Officer

"Consultant"

CITY OF LONG BEACH, a municipal corporation

March 31, 2017

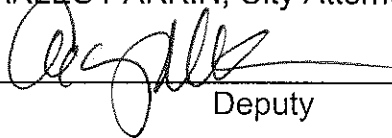
By 
City Manager

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"City" Assistant City Manager

This Fourth Amendment to Agreement No. 33801 is approved as to form on March 29, 2017.

CHARLES PARKIN, City Attorney

By 
Deputy

Appendix #1, Revised March, 2017

Provision, Installation and Maintenance

Of Advanced Network (Data) Services:

Reimbursement of Circuit Costs

This Appendix lists the circuits contracted for by CENIC on behalf of Califa and the Library for connecting CENIC's fiber optic backbone to Library and for connections that are not direct connections to CENIC's fiber optic backbone, e.g. direct connections between libraries. Library understands that CENIC will bill Califa, and Califa will bill Library, for actual costs of circuits charged by network service providers, including taxes and surcharges and without markup. Prior to approval of CENIC's Library consortium E-rate application by the FCC's E-rate contractor, not all applicable E-rate and CTF discounts will be reflected on invoices. After the E-rate application for any given year is approved, the network service provider will coordinate with CENIC to provide appropriate credits and such credits will be passed from CENIC to Califa and from Califa to the Library. Library further understands that the exact discounted cost of circuits will not be known until after the E-rate consortium application is approved. Therefore, a range of circuit costs is shown below, with the understanding that the actual discounted costs will fall within the range and until the actual discounted costs are realized, the Library is liable for the highest cost shown. The actual start date of the service, and therefore of circuit costs, will be dependent on coordination among CENIC, the Library and the network service provider.

Long Beach Public Library					
5 year term					
		1G to CalREN, 1G to branches			
Summary Totals		Pre Discount Costs (not including Taxes & Surcharges)		Estimated Net Costs, after discounts applied (not including Taxes & Surcharges)	
		NRC*	Monthly	NRC*	Monthly
		\$ -	\$ 10,400.00	\$ -	\$ 1,040.00
Note 1: Design is for a circuit from Long Beach Public Main Library to a CalREN Hub site. Circuits from the Branch Libraries are to go to Long Beach Public Main Library.		1G Circuit to CalREN			
Connection to HUB	Disc %	Pre Discount Costs		Estimated Net Costs, after discounts applied	
E-rate Discount for Long Beach Public Library**:	0.8				
CTF Discount***:	0.5				
Connection to CalREN Hub at Long Beach Public Library		NRC*	Monthly	NRC*	Monthly
Link 1: 1G to CalREN Hub		\$ -	\$ 1,450.00	\$ -	\$ 145.00
Taxes & Surcharges on links		<i>Varies</i>			

Library Equipment		Long Beach Public Library is responsible to provide a router with at least one LAN interface. This router should support BGP and NAT. An upgraded Firewall appliance may also be needed to support the data streams.			
		1G circuits to branches			
Itemized - Main to Long Beach Public Library Branches		Pre Discount Costs		Estimated Net Costs, after discounts applied	
Circuits to Long Beach Public Library		NRC*	Monthly	NRC*	Monthly
Link: Long Beach Public Library Collector Circuit		\$ -	\$ 3,400.00	\$ -	\$ 340.00
Link2: Alamitos Branch Library to Long Beach Public Library		\$ -	\$ 925.00	\$ -	\$ 92.50
Link3: Bay Shore Branch Library to Long Beach Public Library		\$ -	\$ 925.00	\$ -	\$ 92.50
Link4: Brewitt Branch Library to Long Beach Public Library		\$ -	\$ 925.00	\$ -	\$ 92.50
Link5: Dana Branch Library to Long Beach Public Library		\$ -	\$ 925.00	\$ -	\$ 92.50
Link6: El Dorado Branch Library to Long Beach Public Library		\$ -	\$ 925.00	\$ -	\$ 92.50
Link7: Los Altos Branch Library to Long Beach Public Library		\$ -	\$ 925.00	\$ -	\$ 92.50
Taxes & Surcharges on links		<i>Varies</i>			
Library Equipment		Main Long Beach Public library will need a router or switch with at least one LAN interface. This router should support BGP and NAT. An upgraded Firewall appliance may be necessary. Each branch will also need a router or switch with at least one LAN interface.			

Note 2: These numbers do not include early termination fees that might be required from

current provider(s), nor equipment the Library may need to purchase to support these circuits, nor Taxes & Surcharges on the circuits.

Definitions

*NRC - Non-Recurring Charges

**E-rate discount: percent discount indicated is an estimate based on data available at the time the quote was generated. Actual discount percentage will be identified by the E rate authorities at a later point.

***CTF discount: percent discount of amount after E rate discount is applied. CTF discount is always 50%.

Note 3: E-rate and CTF discounts are dependent upon the continued funding of these programs. CENIC/Califa cannot guarantee the E-rate and CTF discounts, and these discounts are subject to change.