

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lana Beach, CA 90802-4664

SECOND AMENDMENT TO AGREEMENT NO. 35424

**35424**

THIS SECOND AMENDMENT TO AGREEMENT NO. 35424 is made and entered, in duplicate, as of December 10, 2021 for reference purposes only, pursuant to Resolution No. RES-19-0172, adopted by the City Council of the City of Long Beach at its meeting held on November 12, 2019, by and between BRÜEL & KJAER EMS INC., a Delaware corporation ("Supplier"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Supplier (the "Parties") entered into Agreement No. 35424 (the "Agreement") to provide maintenance, upgrade and support of the Long Beach Airport Noise and Operations Monitoring System (ANOMS) dated December 1, 2019; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to December 30, 2021 and add \$297,851 for a total not to exceed amount of \$936,127; and

WHEREAS, the Parties desire to amend the Agreement to exercise City's second option to extend the term and increase the total not to exceed amount;

NOW, THEREFORE, in consideration of the terms and conditions contained herein, City and Supplier agree as follows:

1. This Amendment shall be effective as of the date on which this Amendment is executed by both parties (the "Effective Date").

2. The term of the Agreement shall be extended commencing at 12:01 a.m. on December 1, 2021, and shall terminate at midnight on November 30, 2022, unless sooner terminated as provided in this Agreement, or unless the services to be performed or the Project is completed sooner. The term may be extended for two (2) additional one-year periods.

3. City shall pay to Supplier for the services described in the Agreement a total amount not to exceed amount One Million Two Hundred Seventy-Seven Thousand Five Hundred Twenty-Two Dollars (\$1,277,522).

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lona Beach, CA 90802-4664

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

4. Except as expressly amended in this Second Amendment, all terms and conditions in Agreement No. 35424 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.

BRÜEL & KJAER EMS INC., a Delaware corporation

December 14, 2021

By [Signature]  
Name Gregory C. Bracci  
Title Vice President

DECEMBER 14, 2021

By [Signature]  
Name JAMES P. CLINNIN  
Title DIRECTOR

"Supplier"

CITY OF LONG BEACH, a municipal corporation

1/21, ~~2021~~ <sup>2022</sup>

By [Signature]  
City Manager

"City"

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

This Second Amendment to Agreement No. 35424 is approved as to form on

January 19, 2021<sup>2</sup>

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4664

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

4. Except as expressly amended in this Second Amendment, all terms and conditions in Agreement No. 35424 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.

BRÜEL & KJAER EMS INC., a Delaware corporation

December 14, 2021

By [Signature]  
Name Gregory C Bracci  
Title Vice President

DECEMBER 14, 2021

By [Signature]  
Name JAMES P CLINNIN  
Title DIRECTOR

"Supplier"

CITY OF LONG BEACH, a municipal corporation

\_\_\_\_\_, 2021

By \_\_\_\_\_  
City Manager

"City"

This Second Amendment to Agreement No. 35424 is approved as to form on

\_\_\_\_\_, 2021.

CHARLES PARKIN, City Attorney

By \_\_\_\_\_  
Deputy