

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

FOURTH AMENDMENT TO AGREEMENT NO. 34977

34977

THIS FOURTH AMENDMENT TO AGREEMENT NO. 34977 is made and entered, in duplicate, as of May 24 2021 for reference purposes only, pursuant to Resolution No. RES-18-0090 adopted by the City Council of the City of Long Beach at its meeting on June 19, 2018, by and between EMC CORPORATION, a Massachusetts corporation ("Contractor"), whose address is 176 South Street, Hopkinton, Massachusetts 01748, and the CITY OF LONG BEACH ("City"), a municipal corporation.

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 34977 (the "Agreement") whereby Contractor agreed to provide data center systems equipment; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to March 30, 2020; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to March 30, 2021 and add the authorized annual amount of \$2,087,000 for a total not to exceed Agreement amount of \$12,779,600; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to extend the term to July 31, 2021; and

WHEREAS, the Parties desire to add the authorized annual amount of \$2,087,000 for a total not to exceed amount of \$14,866,600 and extend the term to July 31, 2022;

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

1. Section 1.D. of the Agreement is hereby amended to read as follows:
"D. The term of this Agreement shall commence at midnight on June 19, 2018, and shall terminate at 11:59 p.m. on July 31, 2022."
2. Except as expressly amended herein, all terms and conditions in Agreement No. 34977 are ratified and confirmed and shall remain in full force and effect.

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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.

EMC CORPORATION, a Massachusetts corporation

June 2, 2021

By [Signature]
Name Charyne Greenup
Title Contract Administrator

June 2, 2021

By [Signature]
Name Alyssa Sayles
Title Contract Administrator

"Contractor"

CITY OF LONG BEACH, a municipal corporation

July 7, 2021

By [Signature]
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

This Fourth Amendment to Agreement No. 34977 is approved as to form on

June 30, 2021.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

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