

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

FIFTH AMENDMENT TO AGREEMENT NO. 35750

35750

THIS FIFTH AMENDMENT TO AGREEMENT NO. 35750 (“Amendment”) is made and entered, in duplicate, as of March 22, 2023 (“Amendment Effective Date”) for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on March 21, 2023, by and between HEALTHVANA, INC., a Delaware corporation (“Contractor”), with a place of business at 7162 Beverly Blvd., #238, Los Angeles, CA 90036, and the CITY OF LONG BEACH, a municipal corporation (“City”).

WHEREAS, City and Contractor (the “Parties”) entered into Agreement No. 35750 (the “Agreement”) whereby Contractor agreed to provide COVID-19 test patient results reporting services ; and

WHEREAS, pursuant to Resolution No. RES-20-0092 the Parties entered into a First Amendment to the Agreement to extend the Agreement for another term and increase the contract amount.

WHEREAS, pursuant to Resolution No. RES-20-0092 the Parties entered into a Second Amendment to increase the annual contract amount by \$934,800, for a total not to exceed contract amount of \$1,800,000; and

WHEREAS, pursuant to Resolution No. RES-20-0092 the Parties entered into a Third Amendment to extend the term of the Agreement to January 31, 2023; and

WHEREAS, pursuant to Chapter 2.85 of the Long Beach Municipal Code the Parties entered into a Fourth Amendment to extend the term of the Agreement to February 28, 2023; and

WHEREAS, the Parties desire to extend the term to May 11, 2023 pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on March 21, 2023; and

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

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1 1. Section 2. of the Agreement is hereby amended to read as follows:
2 “2. TERM. The term of this Agreement shall commence on July 15,
3 2020 and shall terminate at midnight on May 11, 2023 unless sooner terminated as
4 provided herein.”

5 2. Except as expressly modified herein, all the terms and conditions
6 contained in Agreement No. 35750 are ratified and confirmed and shall remain in full force
7 and effect.

8 3. This Amendment may be executed in counterparts, each of which is
9 deemed an original, but all of which constitutes one and the same agreement. Delivery of
10 an executed counterpart of this Amendment electronically shall be as effective as delivery
11 of an original signed counterpart of this Amendment.

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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.

HEALTHVANA, INC., a Delaware Corporation

March 24, 2023

By Ramin Bastani
Name Ramin Bastani
Title CEO

_____, 2023

By _____
Name _____
Title _____

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

“Contractor”
CITY OF LONG BEACH, a municipal corporation

March 29, 2023

By Sinda J. Jakum
City Manager

“City”

This Fifth Amendment to Agreement No. 35750 is approved as to form on March 28, 2023.

DAWN MCINTOSH, City Attorney
By [Signature]
Deputy

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