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

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#### SECOND AMENDMENT TO CONTRACT NO. 33852

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THIS SECOND AMENDMENT TO CONTRACT NO. 33852 is made and entered, in duplicate, as of February 28, 2018, for reference purposes only, pursuant to Resolution No. RES-14-0068, adopted by the City Council of the City of Long Beach at its meeting on August 12, 2014, by and between AXON ENTERPRISE, INC. formerly known as TASER INTERNATIONAL, INC., a Delaware corporation located at 17800 N. 85th Street, Scottsdale, AZ 85255, ("Contractor") and the CITY OF LONG BEACH ("City"), a municipal corporation.

WHEREAS, City did by Resolution No. RES-14-0068 determine that the City's need to purchase X26P tasers and accessories could only be met by Contractor and, by reason of the foregoing, no useful purpose would be served by advertising for bids to purchase such tasers and accessories; and

WHEREAS, City and Contractor (the "Parties") entered into Contract No. 33852 whereby Contractor agreed to furnish such tasers and accessories for the Police Department; and

WHEREAS, the Parties wish to revise the Contractor's 2018 product pricing; and

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

- 1. The prices shown in Exhibit "A" to the Agreement, including shipping and handling costs are hereby amended in accordance with Exhibit "A", attached hereto and incorporated by this reference.
- 2. Except as expressly modified herein, all of the terms and conditions contained in Contract No. 33852 are ratified and confirmed and shall remain in full force and effect.

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|                                |                 | e parties have signed this document with all the          |
|--------------------------------|-----------------|---|
| formalities required by law as | of the date fir | 'St stated above.   |
|                                |                 | AXON ENTERPRISE, INC., a Delaware corporation             |
| March 15                       | , 2018          | Name Josh Isner<br>Title Chief Revenue Officer            |
| March 15                       | , 2018          | Name Robert Driscoll Title VP, Sales & Support Operations |
|                                |                 | "Contractor"  |
|                                |                 | CITY OF LONG BEACH, a municipal corporation               |
| 3/27                           | , 2018          | By City Manager   |
|                                |                 | "City"  |
| This Second An                 | nendment to (   | Contract No. 33852 is approved as to form on              |
| March 21, 20                   | 018.            |   |
|                                |                 | CHARLES PARKIN, City Attorney                             |
|                                |                 | By Deputy   |
|                                |                 |   |
|                                |                 |   |
|                                |                 | •   |
|                                |                 |   |

## EXHIBIT "A"







17800 N. 85th St. Scottsdale, AZ 85255-6311 Toll Free: 800.978.2737 • Fax: 480.991.0791

www.axon.com • Sales@axon.com

| 2018 TASER X26 | P CEW Law Enforcement | Pricina |
|----------------|-----------------------|---------|
|----------------|-----------------------|---------|

| Agency Price  |
|---------------|
|               |
| \$1,022.00 ea |
|               |

| Optional Accessories |                                       |            |  |  |  |
|----------------------|---------------------------------------|------------|--|--|--|
| X26P Ho              | pisters                               |            |  |  |  |
| 11501                | Holster, X26P, Right Hand, Blackhawkl | \$61.00 ea |  |  |  |
| 11504                | Holster, X26P, Left Hand, Blackhawk!  | \$61.00 ea |  |  |  |

| Dataport L | Download Kits               |             |
|------------|-----------------------------|-------------|
| 22013      | Kit, Dataport Download, USB | \$188.00 ea |

Axon Enterprise, Inc.'s Sales Terms and Conditions for Direct Sales to End User Purchasers apply to all sales and are available at http://www.axon.com/sales-terms-and-conditions.

For delivery status or to place an order, call Axon's sales department at 800-978-2737 or fax the order to: 480-991-0791.

BLACKHAWK is a trademark of BLACKHAWK! Products Group, HANDALL is a trademark of Hogue, Inc., and HOGUE is a trademark of Hogue, Inc.

Axon Body 2, Axon Flex, Axon Signal, TASER CAM, X26P, X26P and Design, X26, XP, TASER, 'Protect Life,' and (2) are trademarks of Axon Enterprise, Inc., some of which are registered in the US and other countries. For more information, visit www.axon.com/legal. All rights reserved. © 2018 Axon Enterprise, Inc.

<sup>&</sup>lt;sup>1</sup> When the CEW's safety switch is shifted to the up (ARMED) position, the SPPM sends a signal recognizable by Axon Body 2 cameras and Axon Flex systems that are equipped with Axon Signal technology.

<sup>&</sup>lt;sup>2</sup> Part 85147 must be purchased before 85150 can be purchased.