

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

1 FIFTH AMENDMENT TO AGREEMENT NO. 33387

2 **33387**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 33387 is made and
4 entered, in duplicate, as of November 2, 2016, for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on
6 November 3, 2015, by and between APOLLO PROFESSIONAL SOLUTIONS, a
7 Massachusetts corporation, with offices located at 4010 Watson Plaza Dr., Suite 138,
8 Lakewood, California 90712 ("Consultant"), and the CITY OF LONG BEACH, a municipal
9 corporation ("City").

10 WHEREAS, the City requires specialized services requiring unique skills to
11 be performed on an as-needed basis in connection with professional and technical services
12 for information technology projects and systems; and

13 WHEREAS, City and Consultant entered into Agreement No. 33387 (the
14 "Agreement") whereby Consultant agreed to provide these services; and

15 WHEREAS, City and Consultant entered into a First Amendment to the
16 Agreement to clarify the terms of the Agreement; and

17 WHEREAS, City and Consultant entered into a Second Amendment to the
18 Agreement to extend the term and increase the total not to exceed amount to \$500,000;
19 and

20 WHEREAS, City and Consultant entered into a Third Amendment to the
21 Agreement to increase the total not to exceed amount to \$600,000; and

22 WHEREAS, City and Consultant entered into a Fourth Amendment to the
23 Agreement to increase the total not to exceed amount to \$800,000; and

24 WHEREAS, the City and Consultant again desire to increase the total not to
25 exceed amount;

26 NOW, THEREFORE, in consideration of the mutual terms, covenants, and
27 conditions in this Amendment, the parties agree as follows:

- 28 1. Section 1.A of the Agreement is hereby amended to read as follows:

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1 "A. Consultant shall furnish specialized services more particularly
2 described in Exhibit "A", attached to this Agreement and incorporated by this reference, in
3 accordance with the standards of the profession, and City shall pay for these services in
4 the manner described below, a total not to exceed contract amount of One Million Dollars
5 (\$1,000,000), at the rates or charges shown in Exhibit "A"."

6 2. Except as expressly modified herein, all of the terms and conditions
7 contained in Agreement No. 33387 are ratified and confirmed and shall remain in full force
8 and effect.

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

11 APOLLO PROFESSIONAL SOLUTIONS, a
12 Massachusetts corporation

13 November 10, 2016

13 By [Signature]
14 Name [Signature]
14 Title [Signature]

15 November 10, 2016

15 By [Signature]
16 Name DANA KRUGER
16 Title Account Manager

17 "Consultant"

18 CITY OF LONG BEACH, a municipal
19 corporation

20 Nov. 17, 2016

20 By [Signature]
21 City Manager
21 Assistant City Manager

22 "City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

23 This Fifth Amendment Agreement No. 33387 is approved as to form on
24 Nov. 15, 2016.

25 CHARLES PARKIN, City Attorney

26 By [Signature]
27 Deputy
28