

1 THIRD AMENDMENT TO AGREEMENT NO. 34987

2 **34987**

3 THIS THIRD AMENDMENT TO AGREEMENT NO. 34987 is made and
4 entered, in duplicate, as of May 12, 2021 for reference purposes only, pursuant to
5 Resolution No. RES-18-0091 adopted by the City Council of the City of Long Beach at its
6 meeting on June 19, 2018, by and between OFFICE DEPOT, LLC, a Delaware limited
7 liability company, formerly known as OFFICE DEPOT, INC., a Delaware corporation,
8 ("Contractor"), whose address is 3366 W. Willow Street, Signal Hill, California 90755, and
9 the CITY OF LONG BEACH ("City"), a municipal corporation.

10 WHEREAS, City and Contractor (the "Parties") entered into Agreement No.
11 34987 (the "Agreement") whereby Contractor agreed to sell, furnish and deliver data center
12 systems equipment, telecommunications equipment, and user devices; and

13 WHEREAS, the Parties entered into a First Amendment to the Agreement to
14 extend the term to June 15, 2020; and

15 WHEREAS, the Parties entered into a Second Amendment to the Agreement
16 to extend the term to June 15, 2021; and

17 WHEREAS, June 30, 2020 Office Depot, Inc. merged with Office Depot, LLC;
18 and

19 WHEREAS, the Parties desire to extend the term one (1) additional one-year
20 period and reflect the name of the surviving company;

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

23 1. Section 1.D of the Agreement is hereby amended to read as follows:

24 "D. The term of this Agreement shall commence at midnight on June 19,
25 2018, and shall terminate at 11:59 p.m. on June 15, 2022."

26 2. Except as expressly modified herein, all of the terms and conditions
27 contained in Agreement No. 34987 are ratified and confirmed and shall remain in full force
28 and effect.

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

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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.

OFFICE DEPOT, LLC, a Delaware limited liability company, formerly known as OFFICE DEPOT, INC., a Delaware corporation,

JUNE 8, 2021

By *Beth Gray*
Name BETH GRAY
Title VICE PRESIDENT

_____, 2021

By _____
Name _____
Title _____

"Contractor"



CITY OF LONG BEACH, a municipal corporation

June 23, 2021 -#

By *Linda J. Johnson*
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

This Third Amendment to Agreement No. 34987 is approved as to form on

June 17, 2021.

CHARLES PARKIN, City Attorney

By *[Signature]*
Deputy