

SECOND SUPPLEMENTAL TO CONTRACT NUMBER C-114336 OF
CITY OF LOS ANGELES CONTRACT
BETWEEN
THE CITY OF LOS ANGELES
AND
CITY OF LONG BEACH
30830

THIS SECOND SUPPLEMENTAL ("Second Supplemental") to Contract Number C-114336 of City of Los Angeles Contract is made and entered into by and between the City of Los Angeles, a municipal corporation (hereinafter called the "City"), and the City of Long Beach, a municipal corporation (hereinafter called the "City of Long Beach" or "Subrecipient").

WITNESSETH

WHEREAS, the City and the Subrecipient have entered into that certain Contract Number C-114336 (the "Agreement") related to the Urban Area Security Initiative Grant 2007 ("UASI 07"), whereby the City agreed to disburse UASI 07 grant funds to the Subrecipient in accordance with the UASI 07 budget and the Subrecipient agreed to use such funds to address the unique equipment, training, planning and exercise needs of the area, and to assist it in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism, the execution of the Agreement having been authorized by the Los Angeles City Council on or about April 29, 2008 (Council File #07-0609), said Agreement having a term of October 16, 2007 through March 31, 2010; and

WHEREAS, on or about January 26, 2010, the California Emergency Management Agency ("CalEMA") extended the subgrantee performance period for the UASI 07 grant from March 31, 2010 to April 30, 2011 ("Grant Extension"), such Grant Extension having been accepted by the Los Angeles City Council (10-0455-S1, 6/1/10); and

WHEREAS, on or about January 7, 2011, the City and the Subrecipient entered into that certain First Supplemental to the Agreement ("First Supplemental") whereby the term of the Agreement was extended to March 31, 2011 in accordance with the Grant Extension and pursuant to authority provided by the Los Angeles City Council (10-0455-S1, 6/1/10); and

WHEREAS, Section § 505 of the Agreement provides for amendments to the Agreement; and

WHEREAS, the Office of the Mayor, Office of Homeland Security and Public Safety ("Mayor's Office"), which has been designated by the City to administer the Agreement and the project contemplated therein desires to amend or modify the Agreement for the purpose of extending the performance period term of the Agreement to April 30, 2011 in accordance with the Grant Extension and pursuant to authority provided by the Los Angeles City Council (10-0455-S1, 6/1/10); and

WHEREAS, in order for the Subrecipient to receive payment for services rendered and reflect the actions taken by the City in connection with the Agreement, the First Supplemental and this Second Supplemental, the City and the Subrecipient desires for the term of this Second Supplemental to extend to December 30, 2011 for the sole purpose of releasing funds by the City Controller to reimburse Subrecipient's expenditures incurred during the performance period for projects funded under UASI 07 pursuant to the Agreement, the First Supplemental and this Second Supplemental; and

WHEREAS, the City and the Subrecipient are desirous of entering into this Second Supplemental for the purpose of amending or modifying the Agreement and the First Supplemental to (a) extend the performance period term of the Agreement and the First Supplemental to April 30, 2011, (b) extend the term of the Agreement to December 30, 2011 for the sole purpose of payment for expenditures incurred by Subrecipient up to April 30, 2011, which is the end of the performance period term of this Second Supplemental, and (c) make such other changes as are required in connection with the foregoing, all as detailed elsewhere in this Second Supplemental; and

WHEREAS, this Second Supplemental is necessary and proper to continue and/or complete certain activities authorized under the Agreement and the First Supplemental.


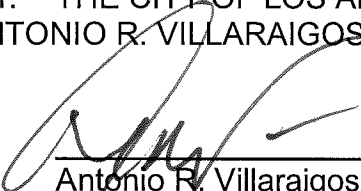



NOW, THEREFORE, the City and Subrecipient hereby covenant and agree as follows:

1. The Agreement and the First Supplemental, which is attached hereto as Exhibit 1, is revived by this Second Supplemental and incorporated herein by this reference. The terms and conditions of the First Supplemental shall be the terms and conditions of this Second Supplemental, except as expressly modified herein.
2. The term of this Second Supplemental for the purposes of the performance of Subrecipient's activities as set forth in the Agreement, the First Supplemental, and this Second Supplemental shall be from October 16, 2007 to April 30, 2011. For the sole purpose of payment by the City's Office of the Controller for Subrecipient's services under the Agreement, the First Supplemental and this Second Supplemental, the term of this Second Supplemental shall be extended to December 30, 2011.

This Second Supplemental modifies the performance period term of the First Supplemental, which was from October 16, 2007 through March 31, 2011.

3. Except as herein amended or modified, all terms and conditions of the First Supplemental shall remain unchanged and in full force and effect by way of this Second Supplemental.
4. Ratification Clause: Due to the need for Subrecipient's services to be provided continuously on an ongoing basis, Subrecipient may have provided services prior to the execution of this Second Supplemental. To the extent that said services were performed in accordance with the terms and conditions of this Second Supplemental, those services are hereby ratified.
5. This Second Supplemental may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. This Second Supplemental includes four (4) pages and one (1) Exhibit which constitute the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the City and Subrecipient have caused this Second Supplemental to be executed by their duly authorized representatives.

<p>APPROVED AS TO FORM AND LEGALITY: CARMEN A. TRUTANICH, City Attorney</p> <p>By <u></u> Deputy City Attorney Steven Hong</p> <p>Date <u>11/16/11</u></p>	<p>For: THE CITY OF LOS ANGELES ANTONIO R. VILLARAIGOSA, Mayor</p> <p>By <u></u> Antonio R. Villaraigosa, Mayor Homeland Security and Public Safety, Mayor's Office</p> <p>Date _____</p>
<p>ATTEST:</p> <p>JUNE LAGMAY, City Clerk</p> <p>By <u></u> Deputy City Clerk</p> <p>Date <u>11-29-2011</u></p> 	<p>For: City of Long Beach, a municipal corporation</p> <p>By <u></u> Patrick H. West, City Manager</p> <p>Date <u>9-16-11</u></p> <p>[SEAL]</p>

City Business License Number: _____
Internal Revenue Service ID Number: _____
Council File/OARS File Number: 07-0609 Date of Approval 10/21/2011
City Contract Number: C-114336-52