

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

1 FIRST AMENDMENT TO AGREEMENT NO. 35424

2 **35424**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 35424 is made and
4 entered, in duplicate, as of December 2, 2020 for reference purposes only, pursuant to
5 Resolution No. RES-19-0172, adopted by the City Council of the City of Long Beach at its
6 meeting held on November 12, 2019, by and between BRÜEL & KJAER EMS INC., a
7 Delaware corporation ("Supplier"), and the CITY OF LONG BEACH, a municipal
8 corporation ("City").

9 WHEREAS, City and Supplier (the "Parties") entered into Agreement No.
10 35424 (the "Agreement") to provide maintenance, upgrade and support of the Long Beach
11 Airport Noise and Operations Monitoring System (ANOMS) dated December 1, 2019; and

12 WHEREAS, the Parties desire to amend the Agreement to exercise City's
13 first option to extend the term and increase the total not to exceed amount;

14 NOW, THEREFORE, in consideration of the terms and conditions contained
15 herein, City and Supplier agree as follows:

16 1. This Amendment shall be effective as of the date on which this
17 Amendment is executed by both parties (the "Effective Date").

18 2. The term of the Agreement shall be extended commencing at 12:01
19 a.m. on December 1, 2020, and shall terminate at midnight on November 30, 2021, unless
20 sooner terminated as provided in this Agreement, or unless the services to be performed
21 or the Project is completed sooner. The term may be extended for three (3) additional one-
22 year periods.

23 3. City shall pay to Supplier for the services described in the Agreement
24 a total amount not to exceed Nine Hundred Thirty-Six Thousand One Hundred Twenty-
25 Seven Dollars (\$936,127).

26 4. Except as expressly amended in this First Amendment, all terms and
27 conditions in Agreement No. 35424 are ratified and confirmed and shall remain in full force
28 and effect.

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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.

BRÜEL & KJAER EMS INC., a Delaware corporation

December 4, 2020

By [Signature]
Name Gregory C. Bracci
Title Vice President

_____, 2020

By [Signature]
Name JAMES CENNIN
Title DIRECTOR

"Supplier"

CITY OF LONG BEACH, a municipal corporation

December 15, 2020

By [Signature]

~~CITY MANAGER~~
EXECUTIVE DEPUTY
TO SECTION 301 OF
THE CITY CHARTER

"City"

This First Amendment to Agreement No. 35424 is approved as to form on

DEC. 10, 2020.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy