

OFFICE OF THE CITY ATTORNEY
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Long Beach, CA 90802-4684

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FIRST AMENDMENT TO AGREEMENT NO. 35493

35493

THIS FIRST AMENDMENT TO AGREEMENT NO. 35493 is made and entered, as of January 3, 2023, for reference purposes only, pursuant to Resolution No. RES-20-0024, adopted by the City Council of the City of Long Beach at its meeting on February 11, 2020, by and between MOBILITYCLOUD INC., a New York corporation ("Contractor"), with a place of business at 244 Madison Avenue, New York, New York 10016, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with the City's Bike Share Program ("Project"), and

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 35493 (the "Agreement") whereby Contractor agreed to provide these services; and

WHEREAS, the Parties desire to extend the term of the agreement by a period of six (6) months;

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

1. Section 2 of the Agreement is hereby amended to read as follows.

"TERM. The term of this Agreement shall commence at midnight on March 1, 2020, and shall terminate at 11:59 p.m. on September 30, 2023, unless sooner terminated as provide in this Agreement, or unless the services or the Project is completed sooner. The Term may be extended for one (1) additional one (1) year period and six (6) months, at the discretion of the City Manager."

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35493 are ratified and confirmed and shall remain in full force 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.

MOBILITYCLOUD INC., a New York corporation

10 January, 2023

By [Signature]
Name [Signature]
Title CEO

_____, 2023

By _____
Name _____
Title _____

"Contractor"

CITY OF LONG BEACH, a municipal corporation

May 26, 2023

By Linda F. Jakers
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

This First Amendment to Agreement No. 35493 is approved as to form on FEBRUARY 14, 2023.

DAWN MCINTOSH, City Attorney

By [Signature]
Deputy