

1 SECOND AMENDMENT TO AGREEMENT NO. 34977

2 **34977**

3 THIS SECOND AMENDMENT TO AGREEMENT NO. 34977 is made and  
4 entered, in duplicate, as of February 27, 2020 for reference purposes only, pursuant to  
5 Resolution No. RES-18-0090 adopted by the City Council of the City of Long Beach at its  
6 meeting on June 19, 2018, by and between EMC CORPORATION, a Massachusetts  
7 corporation ("Contractor"), whose address is 176 South Street, Hopkinton, Massachusetts  
8 01748, and the CITY OF LONG BEACH ("City"), a municipal corporation.

9 WHEREAS, City and Contractor (the "Parties") entered into Agreement No.  
10 34977 (the "Agreement") whereby Contractor agreed to provide data center systems  
11 equipment; and

12 WHEREAS, the Parties entered into a First Amendment to the Agreement to  
13 extend the term to March 30, 2020; and

14 WHEREAS, the Parties desire to extend the term one (1) additional one-year  
15 period and add the authorized annual amount of \$2,087,000 for a total not to exceed  
16 Agreement amount of \$12,779,600;

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

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

20 "D. The term of this Agreement shall commence at midnight on June 19,  
21 2018, and shall terminate at 11:59 p.m. on March 30, 2021."

22 2. Except as expressly amended herein, all terms and conditions in  
23 Agreement No. 34977 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.

EMC CORPORATION, a Massachusetts corporation

Mar 16, 2020, 2020

By *James Coughlin*  
Name James Coughlin  
Title Senior Managing Legal Counsel

Mar 16, 2020, 2020

By *Chantal Lyon*  
Name Chantal Lyon  
Title Senior Director, Managing Counsel

"Contractor"

CITY OF LONG BEACH, a municipal corporation

March 19, 2020

By *Rebecca G. Garner*  
City Manager

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER

This Second Amendment to Agreement No. 34977 is approved as to form on

March 17, 2020.

CHARLES PARKIN, City Attorney

By *[Signature]*  
Deputy

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