

1 FIRST AMENDMENT TO AGREEMENT NO. 35478

2 **35478**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 35478 is made and
4 entered, in duplicate, as of January 7, 2021 for reference purposes only, pursuant to
5 Resolution No. RES-20-0026 adopted by the City Council of the City of Long Beach at its
6 meeting on February 11, 2020, by and between DELL MARKETING L.P., a Texas foreign
7 limited partnership ("Contractor"), whose address is One Dell Way, Round Rock, Texas
8 78682, and the CITY OF LONG BEACH ("City"), a municipal corporation.

9 WHEREAS, City and Contractor (the "Parties") entered into Agreement No.
10 35478 (the "Agreement") whereby Contractor agreed to provided Microsoft product
11 licenses and support services; and

12 WHEREAS, the County of Riverside, California has a Licensing Solution
13 provider Agreement, No. PSA-0001524, and a Master Microsoft Enterprise Agreement, No.
14 8084445 with Dell Marketing L.P. (together the "Riverside Agreements"); and

15 WHEREAS, Resolution No. RES-20-0026 authorizes the City to purchase
16 Microsoft product licenses and support services by virtue of the Riverside Agreements; and

17 WHEREAS, the County of Riverside Licensing Solution Provider Agreement,
18 No. PSA-0001524 was amended to extend the term through October 31, 2024; and

19 WHEREAS, the Parties desire to amend the Agreement;

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

22 1. Section 1.E of the Agreement is hereby amended to read as follows:

23 "E. The term of this Agreement shall commence at midnight on
24 February 11, 2020, and shall terminate at 11:59 p.m. on October 31, 2024, unless
25 sooner terminated as provided in this Agreement."

26 2. Except as expressly modified herein, all of the terms and conditions
27 contained in Agreement No. 35478 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.

DELL MARKETING L.P., a Texas foreign limited partnership

February 25, 2021

By *Alyssa Sayles*
Name Alyssa Sayles
Title Contract Administrator

February 25, 2021

By *Cheryle Greenup*
Name Cheryle Greenup
Title Contact Administrator

"Contractor" APPROVED

CITY OF LONG BEACH, a municipal corporation

March 3, 2021

By *Linda J. Jabum*
City Manager

"City" **EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER**

This First Amendment to Agreement No. 35478 is approved as to form on

March 2, 2021.

CHARLES PARKIN, City Attorney

By *[Signature]*
Deputy

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90902-4664

1 IN WITNESS WHEREOF, the Parties have caused this document to be duly
2 executed with all formalities required by law as of the date first stated above.

3 DELL MARKETING L.P., a Texas foreign
4 limited partnership

5 February 25, 2021

By Alyssa Sayles
6 Name Alyssa Sayles
7 Title Contract Administrator

8 February 25, 2021

By Charyne Greenup
9 Name Charyne Greenup
10 Title Contract Administrator

11 "Contractor" 

12 CITY OF LONG BEACH, a municipal
13 corporation

14 _____, 2021

By _____
15 City Manager

16 "City"

17 This First Amendment to Agreement No. 35478 is approved as to form on

18 _____, 2021.

19 CHARLES PARKIN, City Attorney

20 By _____
21 Deputy

22 OFFICE OF THE CITY ATTORNEY
23 CHARLES PARKIN, City Attorney
24 411 West Ocean Boulevard, 9th Floor
25 Long Beach, CA 90802-4664