

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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SEVENTH AMENDMENT TO AGREEMENT NO. 33801

33801

THIS SEVENTH AMENDMENT TO AGREEMENT NO. 33801 is made and entered, in duplicate, as of June 12, 2019, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on April 17, 2018, by and between CALIFA GROUP, a California corporation ("Califa"), with a place of business at 32 West 25th Avenue, Suite 201, San Mateo, California 94403, and the CITY OF LONG BEACH, a municipal corporation ("City") acting through its Library Services Department ("Library"), whose address is 101 Pacific Avenue, Long Beach, California 90822.

WHEREAS, City desires to purchase high-speed data communication services for the Department of Library Services; and

WHEREAS, City and Califa (the "Parties") entered into Agreement No. 33801 (the "Agreement") whereby Califa agreed to provide such services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to purchase high-speed data communications network equipment and increase the Agreement amount by \$134,000 for the equipment; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to attach a revised Appendix I; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to attach a revised Appendix I to remove the costs of the circuit to the North Branch Library; and

WHEREAS, the Parties entered into a Fourth Amendment to the Agreement to attach a revised Appendix I, effective March 1, 2017, and to reflect a reduction in costs for all circuits; and

WHEREAS, the Parties entered into a Fifth Amendment to the Agreement to attach a revised Appendix I, effective February 2018; and

WHEREAS, the Parties entered into a Sixth Amendment to the Agreement

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1 to extend the term to June 30, 2019; and

2 WHEREAS, the Parties desire to extend the term one (1) additional one-year
3 period and attach a revised Appendix I, effective April 1, 2019;

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

6 1. Section 3 (a) of the Agreement is hereby amended as follows:

7 "(a) TERM OF THIS AGREEMENT. This Agreement shall be in effect from
8 July 1, 2015 through June 30, 2020."

9 2. Appendix I effective February 1, 2018 is hereby replaced with
10 Appendix I effective April 1, 2019, attached hereto and incorporated by this reference.

11 3. Except as expressly amended in this Amendment, all terms and
12 conditions in Agreement No. 33801 are ratified and confirmed and shall remain in full force
13 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.

CALIFA GROUP, a California corporation

6.14, 2019

By [Signature]
Name PAULA MACKINNON
Title Executive Director

_____, 2019

By [Signature]
Name CHRISTIAN DELAY
Title Broadband Project Manager

"Consultant"

CITY OF LONG BEACH, a municipal corporation

6/27, 2019

By [Signature]
City Manager

"City"

This Seventh Amendment to Agreement No. 33801 is approved as to form on 6-20, 2019.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

Appendix #1, revised, April 2019.

Provision, Installation and Maintenance

Of Advanced Network (Data) Services:

Reimbursement of Circuit Costs

This Appendix lists the circuits contracted for by CENIC on behalf of Califa and the Library for connecting CENIC's fiber optic backbone to Library and for library connections that are not direct connections to CENIC's fiber optic backbone, e.g. direct connections between libraries. Library understands that CENIC will bill Califa, and Califa will bill Library, for actual costs of circuits charged by network service providers, including taxes and surcharges and without markup. Prior to approval of CENIC's Library consortium E-rate application by the FCC's E-rate contractor, not all applicable E-rate and CTF discounts will be reflected on invoices. After the E-rate application for any given year is approved, the network service provider will coordinate with CENIC to provide appropriate credits and such credits will be passed from CENIC to Califa and from Califa to the Library. Such credits are typically issued sometime during the fiscal year after the year in which the circuits are installed and services are first provided. In subsequent years, credits continue to be issued in the fiscal year after the year for which services have been provided. Library further understands that the exact discounted cost of circuits will not be known until after the E-rate consortium application is approved. The actual start date of the service, and therefore of circuit costs, will be dependent on coordination among CENIC, the Library and the network service provider. Any one time (Non recurring or NRC) costs included below are typically invoiced by carriers prior to circuit installation and will be invoiced to Library upon receipt of invoice to CENIC from carrier.

Long Beach Public Library					
5 year term					
		5G to CalREN, ****10G Collector & 1G to branches			
Summary Totals		Pre Discount Costs (not including Taxes & Surcharges)		Estimated Net Costs, after discounts applied (not including Taxes & Surcharges)	
		NRC*	Monthly	NRC*	Monthly
		\$750.00	\$11,779.50	\$150.00	\$1,177.95
Note 1: Design is for a circuit from Long Beach Public Library to a CalREN Hub site. Circuits from the Branch Libraries are to go to Long Beach Public Library.					
		5G Circuit to CalREN			
Connection to HUB	Disc %	Pre Discount Costs		Estimated Net Costs, after discounts applied	
E-rate Discount for Long Beach Public Library**:	0.8				
CTF Discount***:	0.5				
Connection to CalREN Hub at Long Beach Public Library		NRC*	Monthly	NRC*	Monthly
*****Service commencing fiscal year 7/1/2015 to 6/30/2016 (to be replaced by 5G link below)					
Link 1: 1G to CalREN Hub		\$ -	\$1,450.00	\$ -	\$145.00

*****Service commencing fiscal year 7/1/2019 to 6/30/2020 (to replace 1G link to Hub)					
Link 2: 5G to CalREN Hub	\$750.00	\$1,955.00	\$150.00	\$195.50	
Cross Connect	*Cross Connect costs have been aggregated into CalREN Hub costs				
Taxes & Surcharges on links	Varies				
Library Equipment	Long Beach Public Library is responsible to provide a router with at least one LAN interface. This router should support BGP and NAT. An upgraded Firewall appliance may also be needed to support the data streams.				
	One Time Cost	Annual Cost			Total
Equipment to Connect to CalREN Hub	23,276.00	2311.00			\$25,587.00
	****10G Collector & 1G circuits to branches				
Itemized - Main to Branches	Pre Discount Costs		Estimated Net Costs, after discounts applied		
Circuits to Long Beach Public Library	NRC*	Monthly	NRC*	Monthly	
Service commencing fiscal year 7/1/2015 to 6/30/2016	\$ -	\$ -	\$ -	\$ -	
****Link 3: 10G Collector circuit to Long Beach Public Library****	\$ -	\$ 3,400.00	\$ -	\$ 340.00	
*****Link 4: Alamitos Branch Library to Long Beach Public Library	\$ -	\$ 925.00	\$ -	\$ 92.50	
*****Link 5: Bay Shore Branch Library to Long Beach Public Library	\$ -	\$ 925.00	\$ -	\$ 92.50	
*****Link 6: Brewitt Branch Library to Long Beach Public Library	\$ -	\$ 925.00	\$ -	\$ 92.50	
*****Link 7: Dana Branch Library to Long Beach Public Library	\$ -	\$ 925.00	\$ -	\$ 92.50	
*****Link 8: El Dorado Branch Library to Long Beach Public Library	\$ -	\$ 925.00	\$ -	\$ 92.50	
*****Link 9: Los Altos Branch Library to Long Beach Public Library	\$ -	\$ 925.00	\$ -	\$ 92.50	

	\$	\$	\$	\$
	-	-	-	-
Service commencing fiscal year 7/1/2018 to 6/30/2019	\$	\$	\$	\$
	-	-	-	-
Link 10: Bret Harte Branch to Long Beach Public Library	\$	\$	\$	\$
	-	874.00	-	87.40
Taxes & Surcharges on links	<i>Varies</i>			
Library Equipment	Main Library will need a router or switch with at least one LAN interface. This router should support BGP and NAT. An upgraded Firewall appliance may be necessary. Each branch will also need a router or switch with at least one LAN interface.			

Note 2: These numbers do not include early termination fees that might be required from current provider(s), nor equipment the Library may need to purchase to support these circuits, nor Taxes & Surcharges on the circuits.

Note 3: E-rate and CTF discounts are dependent upon the continued funding of these programs. CENIC/Califa cannot guarantee the E-rate and CTF discounts, and these discounts are subject to change.

Note 4: Service commencing reflects the fiscal year that the carrier can deliver and provide handoff for the circuit

Definitions

*NRC - Non-Recurring Charges

**E-rate discount: percent discount indicated is an estimate based on data available at the time the quote was generated. Actual discount percentage will be

identified by the E-rate authorities at a later point.

***CTF discount: percent discount of amount after E rate discount is applied. CTF discount is always 50%.

****Collector Circuit - a multi-site aggregation

or trunk circuit between the main site and the branch circuits

*****It is expected that there will be an overlap of monthly recurring circuit costs where Library will be invoiced for both the new circuit and the old circuit. Once the library confirms that the new circuit is in production, the old circuit will be disconnected and the Library will be invoiced only for the new circuit(s) going forward.

*****To accommodate the move to the main library, the costs of Link 1-Link 8 will double for a period of time starting from delivery of the new circuit by the carrier and ending with the completed cancellation of the old circuit during the transition from one building to another.

*****For a period of time, starting from delivery of the new circuit by the carrier and ending with the completed cancellation of the old circuit, the costs for Link 1-Link8 will double as explained above, increasing the monthly cost.