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

SECOND AMENDMENT TO AGREEMENT NO. 35447

THIS SECOND AMENDMENT TO AGREEMENT NO. 35447 is made and entered, in duplicate, as of December 14, 2021 for reference purposes only, pursuant to Resolution No. RES-19-0195, adopted by the City Council of the City of Long Beach at its meeting on December 10, 2019, by and between AVAIL GROUP, INC., a California corporation ("Consultant"), with a place of business at 7903 Carmel Valley Road, Carmel, California 93923, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35447 (the "Agreement") whereby Consultant agreed to provide project management support for the implementation of LB Coast, the City's new Enterprise Resource Planning system; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to December 9, 2021; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year period;

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:
- "2. <u>TERM</u>. The term of this Agreement shall commence at midnight on December 10, 2019 and shall terminate at 11:59 p.m. on December 9, 2022, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."
- 2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35447 are ratified and confirmed and shall remain in full force and effect.

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