

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

1 SEVENTH AMENDMENT TO AGREEMENT NO. 34977

2 **34977**

3 THIS SEVENTH AMENDMENT TO AGREEMENT NO. 34977 is made and  
4 entered, in duplicate, as of June 20, 2023 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 entered into a Second Amendment to the Agreement  
15 to extend the term to March 30, 2021 and add the authorized annual amount of \$2,087,000  
16 for a total not to exceed Agreement amount of \$12,779,600; and

17 WHEREAS, the Parties entered into a Third Amendment to the Agreement  
18 to extend the term to July 31, 2021; and

19 WHEREAS, the Parties entered into a Fourth Amendment to the Agreement  
20 to add the authorized annual amount of \$2,087,000 for a total not to exceed amount of  
21 \$14,866,600 and extend the term to July 31, 2022; and

22 WHEREAS, the Parties entered into a Fifth Amendment to extend the  
23 Agreement through February 28, 2023; and

24 WHEREAS, NASPO Contract No. MNWNC-109 entered into a Sixth  
25 Amendment to extend the Agreement through July 31, 2023; and

26 WHEREAS, the Parties desire to extend the Agreement through October 31,  
27 2023; and

28 WHEREAS, the Parties desire to extend the term through the NASPO

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1 extension;

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

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

5 "D. The term of this Agreement shall commence at midnight on June 19,  
6 2018, and shall terminate at 11:59 p.m. on October 31, 2023."

7 2. Except as expressly amended herein, all terms and conditions in  
8 Agreement No. 34977 are ratified and confirmed and shall remain in full force and effect.

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

11  
12  
13 July 7, 2023  
14  
15 \_\_\_\_\_, 2023  
16

EMC CORPORATION, a Massachusetts  
corporation  
By [Signature]  
Name Stacey Reanick  
Title Advisor, Paralegal  
By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

17  
18 EXECUTED PURSUANT  
19 TO SECTION 301 OF  
20 THE CITY CHARTER.  
21 July 13, 2023  
22

"Contractor"  
CITY OF LONG BEACH, a municipal  
corporation  
By [Signature]  
City Manager

23 This Seventh Amendment to Agreement No. 34977 is approved as to form  
24 on July 13, 2023.  
25

"City"  
DAWN MCINTOSH, City Attorney  
By [Signature]  
Deputy