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THIRD AMENDMENT TO PURCHASE AGREEMENT NO. 35380

35380

THIS THIRD AMENDMENT TO AGREEMENT NO. 35380 is made and entered, in duplicate, as of October 5, 2022 for reference purposes pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting held on October 1, 2019, by and between the CITY OF LONG BEACH, a municipal corporation ("City"), and CARAHSOFT TECHNOLOGY CORP., a Maryland corporation ("Seller"), whose address is 11493 Sunset Hills Road, Suite 100, Reston, Virginia 20190-5357.

WHEREAS, City and Seller (the "Parties") entered into Agreement No. 35380 (the "Agreement") whereby Seller has agreed to sell City software licenses; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to October 31, 2021 and add \$312,518.84 to the extension for a total not to exceed amount of \$607,325.84; and

WHEREAS, the Parties entered into a Second Amendment to extend the term one additional one year period and add \$229,700.68 to the extension for a total not to exceed amount of \$837,026.52; and

WHEREAS, the Parties currently desire to extend the term for one (1) additional one-year period and add \$229,657.18 to the extension for a total amount not to exceed \$1,066,683.70;

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

- 1. Section 2.A. of the Agreement is hereby amended to read as follows:
- "A. City shall pay for the software licenses for the term November 1, 2019 to October 31, 2020, Two Hundred Ninety-Four Thousand Eight Hundred Seven Dollars (\$294,807); for the term November 1, 2020 to October 31, 2021, Three Hundred Twelve Thousand Five Hundred Eighteen Dollars and Eighty-Four Cents (\$312,518.84); for the term November 1, 2021 to October 31, 2022, Two Hundred Twenty-Nine Thousand Seven Hundred Dollars and Sixty-Eight Cents

(\$229,700.68); and for the term November 1, 2022 to October 31, 2023, Two Hundred Twenty-Nine Thousand Six Hundred Fifty-Seven Dollars and Eighteen Cents (\$229,657.18)."

- 2. Section 3 of the Agreement is hereby amended to read as follows:
- "3. <u>Term.</u> The term of this Agreement shall begin at 12:01 a.m. on November 1, 2019, and shall end at midnight on October 31, 2023. The term may be renewed for one (1) additional one-year periods, at the discretion of the City Manager."
- 3. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35380 are ratified and confirmed and shall remain in full force and effect.

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CARAHSOFT TECHNOLOGY CORP., a Maryland corporation CITY OF LONG BEACH, a municipal corporation This Third Amendment to Agreement No 352000 is approved as to form on THE CITY CHARTER.

CHARLES PARKIN, City Attorney

Deputy