

FOURTH AMENDMENT TO AGREEMENT NO. 33580

33580

THIS FOURTH AMENDMENT TO AGREEMENT NO. 33580 is made and entered, in duplicate, as of July 28, 2020, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on July 16, 2019, by and between SIMPLER SYSTEMS, INC., a California corporation ("Consultant"), with a place of business at 1233 B State Street, Santa Barbara, California 93101, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 33580 (the "Agreement") whereby Consultant agreed to provide services in connection with maintenance of the City's Financial Accounting Information System; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to September 30, 2017 and add the authorized annual amount of \$150,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to September 18, 2018 and add the authorized annual amount of \$150,000; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to extend the term to September 30, 2020, add the authorized annual amount of \$150,000, and update the City's Notice address; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year period and add the authorized annual amount of \$150,000;

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

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

"A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to the Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay

1 for these services in the manner described below, in a total amount not to exceed
2 One Million Fifty Thousand Dollars (\$1,050,000) at the rates or charges shown in
3 Exhibit "A".

4 2. Section 2 of the Agreement is hereby amended to read as follows:

5 "2. TERM. The term of this Agreement shall commence on October 1,
6 2014, and shall terminate on September 30, 2021, unless terminated earlier, as provided
7 in this Agreement. The term may be extended for two (2) additional one-year periods, at
8 the discretion of the City Manager."

9 3. Except as expressly modified herein, all of the terms and conditions
10 contained in Agreement No. 33580 are ratified and confirmed and shall remain in full
11 force and effect.

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

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.

SIMPLER SYSTEMS, INC., a California
corporation

August 14, 2020

By R. Se
Name Richard Schaffer
Title President

August 14, 2020

By Travis Kimes
Name Travis Kimes
Title Partner

"Consultant"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

CITY OF LONG BEACH, a municipal
corporation

August 28, 2020

By Linda F. Jabum
City Manager

"City"

This Fourth Amendment to Agreement No. 33580 is approved as to form on

August 25, 2020.

CHARLES PARKIN, City Attorney

By Deputy

**WRITTEN CONSENT OF THE
BOARD OF DIRECTORS
OF
SIMPLER SYSTEMS, INC.
TO CORPORATE ACTION IN LIEU OF MEETING**

Pursuant to Section 307(b) of the *California Corporations Code* and the Bylaws of **SIMPLER SYSTEMS, INC.**, a California corporation (the "Corporation"), and by the written consent of the Board of Directors of the Corporation as indicated below, the following resolutions were adopted on behalf of the Corporation in lieu of a meeting of the Board of Directors:

WHEREAS:

A. The current officers ("Officers") of the Corporation are:

President/CEO:	Rick Schaffer
Chief Financial Officer:	Rick Schaffer
Secretary:	Travis Kimes

B. Pursuant to the Bylaws of the Corporation, the Officers are authorized to take actions appropriate to their offices on behalf of the Corporation; and

C. As set forth below, the Officers are hereby duly authorized to execute and deliver documents as described below.

NOW, THEREFORE, BE IT RESOLVED: That each Officer of the Corporation, be and hereby is expressly authorized and directed to execute any and all documents on behalf of the Corporation.

RESOLVED FURTHER: That the Officers are hereby authorized to take such actions as may be necessary and appropriate to implement the intent of these resolutions.

RESOLVED FURTHER: That the effective date of these resolutions shall be July 1, 2020.

WITNESS our signatures below.