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| FICE OF THE CITY ATTORNEY | IARLES PARKIN, City Attorney | West Ocean Boulevard, 9th Floor | CA 90802-4664 |
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FIRST AMENDMENT TO AGREEMENT NO. 35447

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THIS FIRST AMENDMENT TO AGREEMENT NO. 35447 is made and entered, in duplicate, as of October 26, 2020 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 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. TERM. The term of this Agreement shall commence at midnight on December 10, 2019 and shall terminate at 11:59 p.m. on December 9, 2021, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The term may be extended for one (1) additional one-year period, at the discretion of the City Manager."
- 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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| | 1 | IN WITNESS WHEREOF, the Parties have caused this document to be duly | | | |
|---|----|--|--|--|--|
| 2 3 4 5 6 7 8 9 10 | 2 | executed with all formalities required by law as of the date first stated above. | | | |
| | 3 | AVAIL GROUP, INC., a California | | | |
| | 4 | corporation | | | |
| | 5 | November, 4, 2020 By of the | | | |
| | 6 | Name STEVE FULMER Title PRINCIPAL | | | |
| | 7 | , 2020 By | | | |
| | 8 | Name Title | | | |
| | 9 | "Consultant" | | | |
| | 10 | | | | |
| | 11 | CITY OF LONG BEACH, a municipal corporation | | | |
| Y ATTORNEY City Attomey ward, 9th Floo 0802-4664 | 12 | 11/6/20 , 2020 By Sinda J. Jakum | | | |
| E CITY ATTORN Kin, City Attom Boulevard, 9th F CA 90802-4664 | 13 | City Manager | | | |
| E CIT RKIN, 1 Boule CA 9 | 14 | "City" TO SECTION 301 OF THE CITY CHARTER | | | |
| FICE OF THI HARLES PAI West Ocean Lond Beach. | 15 | I his First Amendment to Agreement No. 35447 is approved as to fo | | | |
| OFFICE OF THE CITY AT CHARLES PARKIN, City 411 West Ocean Boulevard Long Beach. CA 90802 | 16 | <u>Νον. 5</u> , 2020. | | | |
| 18 19 20 21 22 | | CHARLES PARKIN City Attorney | | | |
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