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

FIFTH AMENDMENT TO AGREEMENT NO. 33580

THIS FIFTH AMENDMENT TO AGREEMENT NO. 33580 is made and entered, in duplicate, as of August 5, 2021, 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 entered into a Fourth Amendment to the Agreement to extend the term to September 30, 2021 and add the authorized annual amount of \$150,000; and

WHEREAS, the Parties desire to extend the term one (1) additional oneyear 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:

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"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 for these services in the manner described below, in a total amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000) at the rates or charges shown in Exhibit "A"."

- 2. Section 2 of the Agreement is hereby amended to read as follows:
- "2. <u>TERM</u>. The term of this Agreement shall commence on October 1, 2014, and shall terminate on September 30, 2022, unless terminated earlier, as provided in this Agreement. The term may be extended for one (1) additional one-year period, at the discretion of the City Manager."
- 3. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 33580 are ratified and confirmed and shall remain in full force and effect.

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IN WITNESS WHEREOF, 1	the Parties have caused this document to be
duly executed with all formalities required	by law as of the date first stated above.
<u>9/15</u> , 2021 <u>9/21</u> , 2021	SIMPLER SYSTEMS, INC., a California corporation By Lubul X L Name Richard Schaffer Title President By Name Travis Kimes Title Secretary
	"Consultant" CITY OF LONG BEACH, a municipal
4.	corporation
<u>lletober 19</u> , 2021	By Sinda J. Jahrn City Manager EXECUTED PURSUANT TO SPOTION 301 OF "City" THE CITY CHARTER.
This Fifth Amendment to Ag	reement No. 33580 is approved as to form or
October 14, 2021.	
	CHARLES PARKIN, City Attorney

Deputy