

NINTH AMENDMENT TO AGREEMENT NO. 33387

33387

THIS NINTH AMENDMENT TO AGREEMENT NO. 33387 is made and entered, in duplicate, as of January 3, 2019, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on October 3, 2017, by and between APOLLO PROFESSIONAL SOLUTIONS, a Massachusetts corporation, with offices located at 4010 Watson Plaza Dr., Suite 138, Lakewood, California 90712 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the City requires specialized services requiring unique skills to be performed on an as-needed basis in connection with professional and technical services for information technology projects and systems; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 33387 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to clarify the terms of the Agreement; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term and increase the total not to exceed amount to \$500,000; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to increase the total not to exceed amount to \$600,000; and

WHEREAS, the Parties entered into a Fourth Amendment to the Agreement to increase the total not to exceed amount to \$800,000; and

WHEREAS, the Parties entered into a Fifth Amendment to the Agreement to increase the total not to exceed amount to \$1,000,000; and

WHEREAS, the Parties entered into a Sixth Amendment to the Agreement to increase the total not to exceed amount to \$1,500,000 and extend the term; and

WHEREAS, the Parties entered into a Seventh Amendment to the Agreement to increase the total not to exceed amount to \$2,000,000; and

1 WHEREAS, the Parties entered into an Eighth Amendment to the Agreement
2 to increase the total not to exceed amount to \$3,000,000 and extend the term to January
3 22, 2019; and

4 WHEREAS, the Parties desire to add \$300,000 for a total not to exceed
5 amount of \$3,300,000 and extend the term to May 22, 2019;

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

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

9 "A. Consultant shall furnish specialized services more particularly
10 described in Exhibit "A", attached to this Agreement and incorporated by this
11 reference, in accordance with the standards of the profession, and City shall pay for
12 these services in the manner described below, a total not to exceed contract amount
13 of Three Million Three Hundred Thousand Dollars (\$3,300,000), at the rates or
14 charges shown in Exhibit "A".

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

16 "2. TERM. The term of this Agreement shall commence on February 24,
17 2014, and shall terminate on May 22, 2019, unless sooner terminated as provided in this
18 Agreement, or unless the services or the Project is completed sooner."

19 3. Except as expressly modified herein, all of the terms and conditions
20 contained in Agreement No. 33387 are ratified and confirmed and shall remain in full force
21 and effect.

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

3 APOLLO PROFESSIONAL SOLUTIONS, a
4 Massachusetts corporation

5 1/17, 2019

6 By [Signature]
7 Name DAVID MARIANO
8 Title GENERAL MGR

9 1/17, 2019

10 By [Signature]
11 Name AS Schweiger
12 Title Account Manager

13 Tom Modica
14 Assistant City Manager

15 "Consultant"

16 EXECUTED PURSUANT
17 TO SECTION 301 OF
18 THE CITY CHARTER

19 CITY OF LONG BEACH, a municipal
20 corporation

21 Feb. 7, 2019

22 By [Signature]
23 City Manager

24 "City"

25 This Ninth Amendment Agreement No. 33387 is approved as to form on

26 1-29, 2019.

27 CHARLES PARKIN, City Attorney

28 By [Signature]
Deputy