

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

FIFTH AMENDMENT TO AGREEMENT NO. 26276

26276

THIS FIFTH AMENDMENT ("Fifth Amendment") to Agreement No. 26276 ("Agreement") is made and entered into as of June 8, 2007 pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting of August 17, 2004, and minute order adopted by the Board of Harbor Commissioners of the City of Long Beach ("Board") at its meeting August 30, 2004, among the CITY OF LONG BEACH, a municipal corporation ("COLB"), the CITY OF LONG BEACH, a municipal corporation, acting by and through the Board ("Port" and together with the COLB, the "City") and VERIZON CALIFORNIA, INC. (formerly known as GTE California, Inc.), a California corporation ("Contractor").

1. This Fifth Amendment is made and entered into with reference to the following facts and objectives:

WHEREAS, City and Contractor entered into an agreement dated as of May 28, 1999 ("Agreement No. 26276"), pursuant to which Contractor is providing the City with common carrier dial tone and other telecommunications services ("Services"); and

WHEREAS, Agreement No. 26276 was amended by that certain First Amendment to Agreement No. 26276 dated February 27, 2001 ("First Amendment"), that certain Second Amendment to Agreement No. 26276 dated June 25, 2003 ("Second Amendment"), that certain Third Amendment to Agreement No. 26276 dated June 15, 2004 ("Third Amendment"), and that Fourth Amendment to Agreement 26276 dated September 2, 2004 ("Fourth Amendment"). The Agreement, as so modified, is referred to herein as the "Agreement; and

WHEREAS, the parties now wish to further amend the Agreement to extend the term;

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

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

2. The City of Long Beach and VERIZON Business, invoking the first of two one-year extension options pursuant to the terms in Agreement No. 26276, mutually agree to extend the terms and conditions of the agreement for a period of one additional year, beginning September 1, 2007 and terminating on August 31, 2008.

3. Except as hereby specifically amended, all terms and conditions of the Agreement shall remain in full force and effect.

4. This Fifth Amendment shall be effective upon last execution hereof.

VERIZON CALIFORNIA, INC., a California corporation

By [Signature]
Name: _____
Title: _____ Suleiman Hessami
By _____ VP Pricing/Contract Management
Name: _____
Title: _____

"Contractor"

CITY OF LONG BEACH, a municipal corporation

By [Signature] ASSISTANT
City Manager

"COLB"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

CITY OF LONG BEACH, a municipal corporation
acting through its Board of Harbor
Commissioners

By [Signature]
Executive Director

"Port"

This Fifth Amendment to Agreement No. 26276 is approved as to form on

June 28, 2007.

ROBERT E. SHANNON, City Attorney

By [Signature]
Deputy