

1 FIFTH AMENDMENT TO MASTER AGREEMENT NO. 29130

2 **29130**

3 THIS FIFTH AMENDMENT TO MASTER AGREEMENT No. 29130 is made
4 and entered, pursuant to a minute order adopted by the City Council of the City of Long
5 Beach at its meeting held on May 24, 2005 by and between ORACLE AMERICA, INC., a
6 Delaware corporation, whose business address is 500 Oracle Parkway, Redwood City,
7 California 94065 ("Contractor"), and the CITY OF LONG BEACH, a municipal corporation
8 ("City").

9 WHEREAS, the City and Contractor entered into Master Agreement No.
10 29130 ("Agreement") on April 25, 2005, to provide computer software licenses and
11 related services for as long as the County Agreement is in effect or the City gives thirty
12 (30) days' notice of termination; and

13 WHEREAS, the parties desire to extend the term of the Agreement for
14 another one (1) year term;

15 NOW, THEREFORE, in consideration of the mutual terms and conditions in
16 the Agreement and this Fifth Amendment, the parties agree as follows:

17 1. Section 6 of the Master Agreement No. 29130 is omitted in its
18 entirety and amended to read as follows:

19 "6. The term of this Agreement shall commence on April 15, 2012
20 and shall terminate at midnight on April 15, 2013. If the County Agreement
21 is extended, then the City shall have an option to extend the term of this
22 Agreement to coincide with the extension of the County Agreement. The
23 parties shall sign amendments memorializing each extension."

24 Except as expressly stated herein, all of the terms, covenants and
25 conditions in the Master Agreement No. 29130 are ratified and confirmed and shall
26 remain in full force and effect.

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OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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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 herein.

ORACLE AMERICA, INC., a Delaware corporation

May 22, 2012

By 

Karen M. Galindo
~~Contract Manager~~
Type or Print Name

_____, 2012

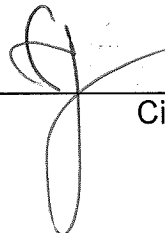
By _____

Type or Print Name

"Contractor"

CITY OF LONG BEACH, a municipal corporation

6.4, 2012

By  **Assistant City Manager**

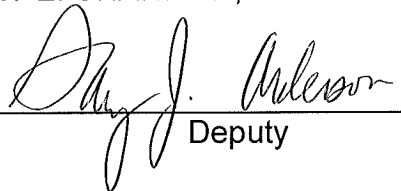
City Manager

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"City"

This Fifth Amendment to the Master Agreement No. 29130 is approved as to form on May 24, 2012.

ROBERT E. SHANNON, CITY ATTORNEY

By  Deputy

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664