

30462

SECOND AMENDMENT TO AGREEMENT NO. 30462

1
2 This Second Amendment to Agreement No. 30462 ("Amendment") is made
3 and entered, in duplicate, pursuant to a minute order adopted by the City Council of the
4 City of Long Beach on December 18, 2007, by and between the CITY OF LONG BEACH,
5 a municipal corporation ("City") and LOCHARD CORPORATION, a Delaware corporation
6 ("Lochard").

7 WHEREAS, City and Lochard previously entered into a Services
8 Agreement dated September 14, 2007 (the "Agreement"); and

9 WHEREAS, City and Lochard now desire to amend the Agreement to
10 reflect City's exercise of its second option to extend the term of the Agreement and to
11 update the fee schedule attached to the Agreement;

12 NOW, THEREFORE, City and Lochard mutually agree as follows:

13 1. This Amendment shall be effective as of the date on which this
14 Amendment is executed by both parties (the "Effective Date").

15 2. Pursuant to the exercise of City's option to extend the term of the
16 Agreement under Section 3.1 of the Agreement, the term of the Agreement shall expire
17 on September 17, 2010. City has no more remaining options under Section 3.1 of the
18 Agreement.

19 3. Schedules C and D attached to the Agreement are hereby amended
20 and restated in their entirety by revised Schedules C and D attached to this Amendment
21 as Exhibit "A".

22 4. All terms, covenants, and conditions of the Agreement, except as
23 amended herein, shall remain unchanged and in full force and effect.

24 \\
25 \\
26 \\
27 \\
28 \\

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN WITNESS WHEREOF, the parties hereto have executed this Second
Amendment.

"City"

CITY OF LONG BEACH, a California municipal
corporation

By: [Signature] Assistant City Manager
Name: Patrick H. West
Title: City Manager

EXECUTED PURSUANT
TO SECTION 30 OF
THE CITY CHARTER.

"Lochard"

LOCHARD CORPORATION,
a Delaware corporation

By: [Signature]
Name: ROBERT RECORDER
Title: VICE PRESIDENT

By: [Signature]
Name: Bobbi Gallagher
Title: Office mgr.

Approved as to form this 26 day of October, 2009.

ROBERT E. SHANNON, City Attorney

By: [Signature]
Deputy

07-05857

EXHIBIT A



LOCHARD

SCHEDULE C: THE DESIGNATED SITES

Site	Address
Long Beach Airport	4100 Donald Douglas Drive, Long Beach CA
Long Beach Fixed Noise Monitoring Terminal Locations	Schedule B (18) Fixed EMUs

SCHEDULE D: THE FEES

THE MAINTENANCE FEES

Item	Due Date	Quarterly (USD)	Annual (USD)
Year 1 Annual Support Fee 18 th September, 2009 - 17 th September, 2010	On the effective date and every Quarter thereafter	\$37,365.30	\$149,461.20

THE WEBTRAK FEES

Item	Due Date	Quarterly (USD)	Annual (USD)
Year 1 Annual Support Fee 1 st November, 2009 - 31 st October 2010	On the effective date and every Quarter thereafter	\$9,426.33	\$37,705.32

THE SECURED RADAR GATEWAY FEES

Item	Due Date	Quarterly (USD)	Annual (USD)
Year 1 Annual Support Fee The SRG Subscription Service Charge will take effect after acceptance of the SRG system	On the effective date and every Quarter thereafter	\$5,400.00	\$21,600.00

*plus escalation calculated in accordance with clause 25.2