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

SECOND AMENDMENT TO AGREEMENT NO. 35982

THIS SECOND AMENDMENT TO AGREEMENT NO. 35982 is made and entered, in duplicate, as of July 5, 2023, for reference purposes only, pursuant to Resolution No. RES-21-0061, adopted by the City Council of the City of Long Beach at its meeting on June 15, 2021, by and between THE BROADBAND GROUP, a Nevada corporation ("Consultant"), with a place of business at 900 South Pavilion Center Drive, Suite 155, Las Vegas, Nevada 89144, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35982 (the "Agreement") whereby Consultant agreed to support in the preparation of the Citywide Fiber Network Infrastructure Initiative through fiber field audits, engineering plans, and construction bid preparations; and

WHEREAS, the Parties desire to extend the term to July 31, 2023; and WHEREAS, the Parties desire to extend the term one (1) additional one-year period;

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

- 1. Section 2 of the Agreement is hereby amended to read as follows:
- "2. <u>TERM.</u> The term of this Agreement shall commence at midnight on August 1, 2021, and shall terminate at 11:59 p.m. on July 31, 2024, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."
- 2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35982 are ratified and confirmed and shall remain in full force and effect.

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OFFICE OF THE CITY ATTORNEY

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 above.

. T. 11 1		THE BROADBAND GROUP, a Nevada corporation
July 25	_, 2023	By Symmetry Pulled Name Syffia Ruina Title
July 25	_, 2023	By JEPFREY M. BEIMAN Title PRESIDENT
		"Consultant"
		CITY OF LONG BEACH, a municipal corporation
August 9	_, 2023	By Sunda J. Jahum City Manager EXECUTED PURSUANT
		"City" TO SECTION 301 OF

THE CITY CHARTER.

This Second Amendment to Agreement No. 35982 is approved as to form on

August 3 , 2023.

DAWN/MCINTOSH, City Attorney

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