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SECOND AMENDMENT TO SUBCONTRACT NO. 28569

28569

THIS SECOND AMENDMENT TO SUBCONTRACT NO. 28569 is made and entered, in duplicate, as of August 10, 2005 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting held on August 24, 2004, by and between the CALIFORNIA STATE UNIVERSITY, LONG BEACH FOUNDATION, a California nonprofit corporation, on behalf of the CENTER FOR BEHAVIORAL RESEARCH AND SERVICES ("CBRS"), 6300 State University Drive, Long Beach, California 90815, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the City will receive monies from the State Department of Health Services for the 2006 HIV Education and Prevention Program Grant (the "State Contract"); and

WHEREAS, said Subcontract provided that it could be extended for an additional eight month period if certain conditions were met and those conditions have been met; and

WHEREAS, the parties desire to so extend said Subcontract and to amend it in certain respects;

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

1. Section 1 of Subcontract No. 28569 is hereby amended in its entirety to read as follows:

"1. The original term of this Subcontract shall commence at midnight on November 1, 2003, and, unless sooner terminated as provided herein, shall terminate at 11:59 p.m. on June 30, 2006."

2. Section 2 of Subcontract No. 28569 is hereby amended in its entire

"2. CBRS shall provide HIV/AIDS prevention services to drug users in Long Beach in accordance with Exhibit 'A' attached to the Agreement and incorporated by reference. City shall pay to CBRS for such services for the period from November 1, 2003

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1 through October 31, 2004, a sum not to exceed \$180,000, for the period from November
2 1, 2004 through October 31, 2005, a sum not to exceed \$180,000, and for the period from
3 November 1, 2005 through June 30, 2006 a sum not to exceed \$102,000. Payment by
4 City is contingent on receipt by City of monies from the State of California and on
5 satisfactory performance, in City's sole opinion, of work by CBRS under this Agreement."

6 3. Except as set forth in this Second Amendment to Subcontract No.
7 28569, all terms and conditions of said Subcontract are ratified and confirmed and shall
8 remain in full force and effect.

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

CALIFORNIA STATE UNIVERSITY, LONG
11 BEACH FOUNDATION, a California nonprofit
12 corporation, on behalf of the CENTER FOR
13 BEHAVIORAL RESEARCH AND SERVICES

14 2/16/06, 2006

14 By [Signature]
15 President
15 Susanne DeRosa, Director - Grants,
(Type or Print Name)
16 Contracts & Foundation Programs

16 _____, 2006

16 By _____
17 Secretary
18 (Type or Print Name)

19 "CBRS"

CITY OF LONG BEACH, a municipal corporation

20 3/20, 2006

20 By Christine J. Sheppin ASSISTANT
21 City Manager

22 "City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

23 This Second Amendment to Subcontract No. 28569 is approved as to form
24 on 3/2, 2006.

25 ROBERT E. SHANNON, City Attorney

26 By [Signature]
27 Senior Deputy