

SECOND SUPPLEMENTAL TO AGREEMENT NUMBER C-113008 OF  
CITY OF LOS ANGELES CONTRACT  
BETWEEN  
THE CITY OF LOS ANGELES  
AND  
THE CITY OF LONG BEACH

**30978**

THIS SECOND SUPPLEMENTAL ("Second Supplemental") to Agreement Number C-113008 of the City of Los Angeles Contract is made and entered into by and between the City of Los Angeles, a municipal corporation (hereinafter called the "City,"), and the City of Long Beach a municipal corporation (hereinafter called "City of Long Beach" or "Contractor").

WITNESSETH

WHEREAS, the City and the City of Long Beach have entered into that certain Agreement Number C-113008 of City of Los Angeles Contract (hereinafter "Agreement") wherein the City of Long Beach shall provide certain services and the City shall pay for them using grant funds from the Urban Area Security Initiative for year 2006 ("UASI 06"), said Agreement having an original term of August 28, 2006 through March 31, 2008, the execution of such Agreement being authorized by the Los Angeles City Council (C.F. # 07-0582); and

WHEREAS, on or about December 10, 2008, the California Governor's Office of Homeland Security extended the subgrantee performance period for the UASI 06 grant from March 31, 2008 to September 30, 2009; and

WHEREAS, on or about May 6, 2009, the Los Angeles City Council authorized the City (C.F. #07-0582) to extend the time of performance of the Agreement to September 30, 2009 (the "Grant Extension"); and

WHEREAS, Section 505 of the Agreement provides for amendments to the Agreement; and

WHEREAS, the Office of the Mayor, Office of Homeland Security and Public Safety ("Mayor's Office"), which has been designated by the City to administer the Agreement and the project contemplated therein, desires to amend or modify the Agreement for the purpose of extending the time of performance to September 30, 2009 pursuant to authorization granted by the Los Angeles City Council; and

WHEREAS, the City and the City of Long Beach are desirous of entering into this Second Supplemental for the purpose of amending or modifying the Agreement as for the purpose of (a) extending the time of performance for Agreement Number C-113008 of City of Los Angeles Contract to September 30,

2009; and (b) making such other changes as are required in connection with the foregoing, all as detailed elsewhere in this Agreement; and

WHEREAS, this Second Supplemental is necessary and proper to continue and/or complete certain activities authorized under the Agreement.

NOW, THEREFORE, the parties hereby covenant and agree as follows:

1. The Agreement and the First Supplemental, both of which are attached hereto as Exhibit 1, are revived by this Second Supplemental and incorporated herein by this reference. The terms and conditions of said Agreement and First Supplemental shall be the terms and conditions of this Second Supplemental, except as expressly modified herein.
2. Term: The term of this Second Supplemental shall be from April 1, 2009 to September 30, 2009. Such term modifies the original term of the Agreement, which was from August 28, 2006 to March 31, 2008, and subsequently extend to March 3, 2009 by the First Supplemental.
3. Except as herein amended or modified, all terms and conditions of the Agreement shall remain unchanged and in full force and effect by way of this First Supplemental.
4. Ratification Clause: Due to the need for the Contractor's services to be provided continuously on an ongoing basis, Contractor may have provided services prior to the execution of this Second Supplemental. To the extent that said services were performed in accordance with the terms and conditions of this Second Supplemental, those services are hereby ratified.
5. This Second Supplemental may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. This Second Supplemental includes three (3) pages and one (1) Exhibit which constitute the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the City and the City of Long Beach have caused this Agreement to be executed by their duly authorized representatives.

APPROVED AS TO FORM:

CARMEN TRUTANICH,  
City Attorney

By

  
Deputy City Attorney

Date

8/6/09

ATTEST:

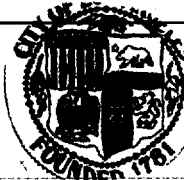
June Lagmay, City Clerk

By

  
Deputy City Clerk

Date

8.17.09



APPROVED AS TO FORM:

By

  
for City Attorney

Date

6/23/09

ATTEST:

By

  
Clerk

Date

July 8, 2009

THE CITY OF LOS ANGELES,  
a municipal corporation

ANTONIO R. VILLARAIGOSA,  
Mayor

By

  
Antonio R. Villaraigosa, Mayor  
Homeland Security and  
Public Safety, Mayor's Office

Date

AUG 14 2009

THE CITY OF LONG BEACH  
a municipal corporation

By

 Assistant City Manager

Date

7.1.09

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

City Business License Number: \_\_\_\_\_

Internal Revenue Service ID Number: \_\_\_\_\_

Council File/OARS File Number: \_\_\_\_\_ Date of Approval \_\_\_\_\_

Said Agreement is Number C-113008-2 of City Contracts

Supplemental

Second Supplemental, UASI '06  
City of Los Angeles & City of Long Beach

FIRST SUPPLEMENTAL TO AGREEMENT NUMBER C-113008 OF  
CITY OF LOS ANGELES CONTRACT  
BETWEEN  
THE CITY OF LOS ANGELES  
AND  
THE CITY OF LONG BEACH **30978**

THIS SUPPLEMENTAL AGREEMENT to Contract Number C-113008 of City of Los Angeles Contract is made and entered into by and between the City of Los Angeles, a municipal corporation (hereinafter called the "City,"), and the City of Long Beach, a municipal corporation (hereinafter called "City of Long Beach" or "Contractor").

WITNESSETH

WHEREAS, on or about August 28, 2006, the City and the Contractor entered into Contract No. C-113008, (hereinafter the "Original Agreement"), pursuant to the Urban Area Security Initiative Grant 2006 (UASI '06), whereby the City distributed UASI '06 Grant Funds, and the Contractor agreed to address the unique equipment, training, planning and exercise needs of the area, to assist it in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism; and

WHEREAS, Section §505 of the Original Agreement provides for amendments to the Agreement; and

WHEREAS Contract No. C-113008 expired on March 31, 2008 and the City and Contractor now agree to continue Contractor's service to March 31, 2009 by executing this Supplemental Agreement, as authorized by the Los Angeles Administrative Code Section 14.8; and


WHEREAS, on October 29, 2008, the Los Angeles City Council (CF# 08-2362) authorized the transfer of various projects from the Urban Areas Security Initiative Grant award for 2005 to the City of Long Beach Urban Areas Security Initiative Grant award for 2006, in an amount totaling One Million Seven Hundred Ninety-Two Thousand Nine Hundred Thirty-Four Dollars (\$1,792,934); and

WHEREAS, the City and Contractor are desirous of amending the Agreement as authorized by the Los Angeles City Council on October 29, 2008 (CF 08-2362) for the purpose of (a) adding an additional twelve (12) months to the time of performance; (b) adding additional funds in the amount of One Million Seven Hundred Ninety-Two Thousand Nine Hundred Thirty-Four Dollars (\$1,792,934) for a new total of \$8,159,974; (c) adding additional services to be performed by Contractor; (d) making minor revisions to the budget; and (e.) making such other changes as are required in connection with the foregoing, all as detailed elsewhere in this Agreement; and

NOW, THEREFORE, the parties hereby covenant and agree as follows:

1. Contract No. C-113008 attached hereto as Exhibit 1 (Original Agreement), is revived by this Supplemental Agreement and incorporated herein by this reference. The terms and conditions of said Contract No. C-113008 shall be the terms and conditions of this Supplemental Agreement, except as expressly modified herein.
2. As approved by the City Council and documented by CF No. 08-2362 dated October 29, 2008, Contractor shall provide additional services and receive additional funds as identified in the document entitled "Uncompleted FY05 UASI Projects to be Moved to FY06 UAS,I" Exhibit 2 to this Supplemental Agreement. Such increased funding and services shall be reflected in a revision to the stand-alone Budget Expenditure Plan incorporated by reference to Contract No. C-113008.
3. Term: The term of this Supplemental Agreement shall be from March 31, 2008 to March 31, 2009.
4. Amend Section 202, of Contract No. C-113008, Use of Grant Funds by adding new paragraph to paragraph 202A stating:  
  
Contractor shall complete additional work and receive additional funding as identified and memorialized in Exhibit 2 to this Supplemental Agreement. The City will revise the Budget Expenditure Plan of the Original Agreement to reflect these changes.
5. Amend Section 301A, of Contract No. C-113008, Payment of Grant Funds and Method of Payment, by deleting the current total dollar amount of \$6,367,040 and replacing it with the new total dollar amount of \$8,159,974.  
  
This amendment adds an additional \$1,792,934 to the total amount of the contract.
6. Except as herein amended, all terms and conditions of the Original Agreement shall remain in full force and effect.
7. This Agreement may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. This Agreement includes three (3) pages which constitute the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the City and City of Long Beach have caused this Agreement to be executed by their duly authorized representatives.

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|---|--|
| <p>APPROVED AS TO FORM AND LEGALITY:<br/>ROCKARD J. DELGADILLO, City Attorney</p> <p>By <u>[Signature]</u><br/>Deputy City Attorney</p> <p>Date <u>3/17/09</u></p>  | <p>For: THE CITY OF LOS ANGELES</p> <p>ANTONIO R. VILLARAIGOSA, Mayor</p> <p>By <u>[Signature]</u><br/>Antonio R. Villaraigosa, Mayor<br/>Homeland Security and Public Safety, Mayor's Office</p> <p>Date <u>MAR 19 2009</u></p> |
| <p>ATTEST:</p> <p>Karen E. Kalfayan, City Clerk</p> <p>By <u>[Signature]</u><br/>Deputy City Clerk</p> <p>Date <u>3-20-09</u><br/>C-113008<br/>1st Supplemental</p> |    |
| <p>APPROVED AS TO FORM:</p> <p>By <u>[Signature]</u><br/>Deputy City Attorney</p> <p>Date <u>February 5, 2009</u></p>   | <p>For: City of Long Beach, a municipal corporation</p> <p>By <u>[Signature]</u> Assistant City Manager</p> <p>Date <u>3-12-09</u></p> <p><b>EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.</b></p>                       |
| <p>ATTEST:</p> <p>By <u>[Signature]</u><br/>City Clerk</p> <p>Date <u>3-13-2009</u></p>   |  |

City Business License Number: \_\_\_\_\_  
 Internal Revenue Service ID Number: \_\_\_\_\_  
 Council File/OARS File Number: \_\_\_\_\_ Date of Approval \_\_\_\_\_

Said Agreement is Number \_\_\_\_\_ of City Contracts