

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4684

SECOND AMENDMENT TO AGREEMENT NO. 35981

35981

THIS SECOND AMENDMENT TO AGREEMENT NO. 35981 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. 35981 (the "Agreement") whereby Consultant agreed to provide ongoing expert support to further produce and revise the Citywide Fiber Network Infrastructure Initiative; 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. TERM. 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. The term may be extended for two (2) additional one-year periods, at the discretion of the City Manager."

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35981 are ratified and confirmed and shall remain in full force and effect.

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

3
4 July 25, 2023

THE BROADBAND GROUP, a Nevada corporation

By [Signature]
Name Cynthia Reiman
Title CFO

6
7 July 25, 2023

By [Signature]
Name JEFFREY M. REIMAN
Title PRESIDENT

8
9 "Consultant"

10 CITY OF LONG BEACH, a municipal corporation

11
12 August 9, 2023

By [Signature]
City Manager

13
14 "City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

15 This Second Amendment to Agreement No. 35981 is approved as to form on

16 August 3, 2023.

17 DAWN MCINTOSH, City Attorney

18 By [Signature]
19 Deputy

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