

1 THIRD AMENDMENT TO AGREEMENT NO. 33580

2 **33580**

3 THIS THIRD AMENDMENT TO AGREEMENT NO. 33580 is made and
4 entered, in duplicate, as of July 24, 2019, for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on July
6 16, 2019, by and between SIMPLER SYSTEMS, INC., a California corporation
7 (“Consultant”), with a place of business at 210 West Cota Street, Santa Barbara,
8 California 93101, and the CITY OF LONG BEACH, a municipal corporation (“City”).

9 WHEREAS, City and Consultant (the “Parties”) entered into Agreement No.
10 33580 (the “Agreement”) whereby Consultant agreed to provide services in connection
11 with maintenance of the City’s Financial Accounting Information System; and

12 WHEREAS, the Parties entered into a First Amendment to the Agreement
13 to extend the term and add \$150,000; and

14 WHEREAS, the Parties entered into a Second Amendment to the
15 Agreement to extend the term to September 18, 2018 and add \$150,000 for a total not to
16 exceed amount of \$600,000; and

17 WHEREAS, the Parties desire to extend the term one (1) additional two-
18 year period, add the \$150,000 annual amount, and update the City’s Notice address;

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

21 1. Section 1.A. of the Agreement is hereby amended to read as follows:

22 “A. Consultant shall furnish specialized services more particularly
23 described in Exhibit “A”, attached to the Agreement and incorporated by this
24 reference, in accordance with the standards of the profession, and City shall pay
25 for these services in the manner described below, in a total amount not to exceed
26 Nine Hundred Thousand Dollars (\$900,000) at the rates or charges shown in
27 Exhibit “A”.”

28 2. Section 2 of the Agreement is hereby amended to read as follows:

1 “2. TERM. The term of this Agreement shall commence on October 1,
2 2014, and shall terminate on September 30, 2020, unless terminated earlier, as provided
3 in this Agreement. The term may be extended for three (3) additional one-year periods,
4 at the discretion of the City Manager.”

5 3. Section 22 of the Agreement is hereby amended to read as follows:

6 “22. NOTICES. Any notice or approval required by this Agreement shall
7 be in writing and personally delivered or deposited in the U.S. Postal Service, first class,
8 postage prepaid, addressed to Consultant at the address first stated above, and to City at
9 411 West Ocean Boulevard, Long Beach, California 90802, Attn: City Manager. Notice of
10 change of address shall be given in the same manner as stated for other notices. Notice
11 shall be deemed given on the date deposited in the mail or on the date personal delivery
12 is made, whichever occurs first.”

13 4. Except as expressly modified herein, all of the terms and conditions
14 contained in Agreement No. 33580 are ratified and confirmed and shall remain in full
15 force and effect.

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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.

SIMPLER SYSTEMS, INC., a California corporation

July 29, 2019

By Richard K. Schaffer
Name Richard K. Schaffer
Title President

July 29, 2019

By [Signature]
Name Darryl Tangbar
Title Vice President

Tom Modica
Assistant City Manager

"Consultant"

**EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER**

CITY OF LONG BEACH, a municipal corporation

August 12, 2019

By [Signature]
City Manager

"City"

This Third Amendment to Agreement No. 33580 is approved as to form on
8-1, 2019.

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

CHARLES PARKIN, City Attorney

By [Signature]
Deputy