

1 FIRST AMENDMENT TO AGREEMENT NO. 28954

2 **28954**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 28954 is made and
4 entered, in duplicate, as of August 26, 2004 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting held on
6 August 24, 2004, by and between BETTER WORLD ADVERTISING, INC., a California
7 nonprofit corporation, whose address is 870 Market Street, #1205, San Francisco,
8 California 94102 ("BWA") and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City requires the assistance of an expert in HIV/STD Social
10 Marketing; and

11 WHEREAS, it has been ascertained that BWA is willing and able to provide
12 said services required by City at a reasonable cost; and

13 WHEREAS, City desires BWA to provide said services for City, and BWA is
14 willing to do so;

15 NOW, THEREFORE, in consideration of the mutual terms and conditions in
16 this Agreement and herein, the parties agree as follows:

17 1. Section 1 of Agreement No. 28954 is hereby amended in its entirety
18 to read as follows:

19 "1. The original term of this Agreement shall commence at midnight on July
20 1, 2004, and, unless sooner terminated as provided herein, shall terminate at 11:59 p.m.
21 on June 30, 2006."

22 2. Section 2 of Agreement No. 28954 is hereby amended in its entirety
23 to read as follows:

24 "2. BWA shall provide Social Marketing Services in accordance with Exhibit
25 'A' attached to this Agreement and incorporated by this reference. City shall pay BWA for
26 such services not to exceed Three Hundred Sixty-Four Thousand Dollars (\$364,000.00).
27 Payment by City is contingent on receipt by City of monies for the State of California and
28 on satisfactory performance, in City's sole opinion, of work by BWA under this Agreement."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. Except as set forth in this First Amendment to Agreement No. 28954, all terms and conditions of said Agreement are ratified and confirmed and shall remain in full force and effect.

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.

BETTER WORLD ADVERTISING, INC., a California nonprofit corporation

10-31-5, 2005

By [Signature]
President

LES PAPPAS
(Type or Print Name)

10-31-5, 2005

By [Signature]
Secretary

LES PAPPAS
(Type or Print Name)

"BWA"

CITY OF LONG BEACH, a municipal corporation

Dec. 13., 2005

By [Signature]
City Manager

"City"

This First Amendment to Agreement No. 28954 is approved as to form on

11/23, 2005.

ROBERT E. SHANNON, City Attorney

By [Signature]
Senior Deputy

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200