## OFFICE OF THE CITY ATTORNEY ROBERT E. SHANNON, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664

## SECOND AMENDMENT TO MASTER AGREEMENT NO. 29130

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THIS SECOND AMENDMENT TO MASTER AGREEMENT No. 29130 is made and entered, in duplicate, as of September 1, 2009 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 May 24, 2005 by and between ORACLE USA, INC., a Colorado corporation, whose business address is 500 Oracle Parkway, Redwood City, California 94065 ("Contractor"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the City and Contractor entered into Master Agreement No. 29130 ("Agreement") on April 25, 2005, to provide computer software licenses and related services for as long as the County Agreement is in effect or the City gives thirty (30) days' notice of termination; and

WHEREAS, the parties desire to extend the term of the Agreement for another one (1) year term;

NOW, THEREFORE, in consideration of the mutual terms and conditions in the Agreement and this Second Amendment, the parties agree as follows:

- Section 6 of the Master Agreement No. 29130 is omitted in its entirety and amended to read as follows:
  - "6. The term of this Agreement shall commence on April 15, 2008 and shall terminate at midnight on April 15, 2010, or when the warranty on the computer software and related services expires, whichever is later. If the County Agreement is extended, then the City shall have an option to extend the term of this Agreement to coincide with the extension of the County Agreement. The parties shall sign amendments memorializing each extension."

Except as expressly stated herein, all of the terms, covenants and conditions in the Master Agreement No. 29130 are ratified and confirmed and shall remain in full force and effect.