

36103

FIRST Amendment to Sponsored Research Agreement NO. 36103

This First Amendment to Agreement No. 36103 is made and entered, as of July 22, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on July 12, 2022, by and between the CITY OF LONG BEACH, a municipal corporation, hereinafter referred to as "Sponsor", and the President and Fellows of Harvard College, on behalf of the Taubman Center for State and Local Government at the Harvard Kennedy School, hereinafter referred to as "Harvard".

WHEREAS, Sponsor and Harvard (the "Parties") entered into Agreement No. 36103 whereby Harvard agreed to provide technical assistance to improve the City's procurement processes and achieve better contracting outcomes for historically marginalized populations, under the What Works Cities Initiatives; and

WHEREAS, Harvard and Sponsor desire to amend certain provisions of Agreement No. 36103 based on the extension of the project timeline;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions herein contained and in Agreement No. 36103, the Parties agree as follows:

1. Section 17 of Agreement No. 36103 is hereby amended to read as follows:
"17. **Term and Termination.** This Agreement will expire on July 31, 2023" Either party may terminate this Agreement upon thirty (30) days prior written notice to the other party. The provisions of this Agreement concerning confidential information, limitation of liability, intellectual property and publication rights, and publicity and use of names shall survive expiration or termination of this Agreement."

2. Section 2 of Agreement No. 36103 is hereby amended to read as follows:
"2. **Payment.** In consideration of Harvard agreeing to the Amendment to the Statement of Work, Sponsor agrees to pay Harvard the firm fixed price of USA \$200,000 ("Fixed Price"). Modifications to the Fixed Price shall only be effective if made in writing and signed by duly authorized representatives of both Parties.

Harvard shall provide the City with a single line-item fixed price invoice that lists: i) the amount due ii) the names of the Fellows, iii) the time period the invoice covers, and iv) Harvard's bank information, in accordance with the schedule below:

- August 1, 2022: \$100,000, which shall cover the period from August 1, 2022 to January 31, 2023; and
- February 1, 2023: \$100,000, which shall cover the period from February 1, 2023 to July 31, 2023.

Invoices shall be paid by City within thirty (30) days of receipt. Harvard's failure to provide invoices by the date(s) specified above will not relieve City from its obligation to make the corresponding payment, but instead will entitle Sponsor to delay the due date of such payment until the date that is thirty (30) days after the date of Harvard's invoice. The parties agree that the payment reflects a payment for sponsored research and agree not to take inconsistent reporting positions."

3. Exhibit "A" to Agreement No. 36103 is hereby amended to include an additional Scope of Work, attached hereto as Exhibit "A-1", and incorporated by this reference.

4. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 36103 are ratified and confirmed and shall remain in full force and effect.

In WITNESS WHEREOF, the Parties have caused this Amendment to the Sponsored Research Agreement to be duly executed and delivered on the date first above written.

City of Long Beach, California,
a municipal corporation

The President and Fellows of Harvard College

By:

By:

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

Name: Linda J. Takum

Name: Meghan Coughlin

Title: Asst City Manager

Title: Team Lead, Awards Management and Operations

Date: October 4, 2022

Date: 09/21/2022

APPROVED AS TO FORM

9-21-2022
CHARLES PARKIN City Attorney

By

RICHARD ANTHONY
DEPUTY CITY ATTORNEY

EXHIBIT "A-1"

Goal: Long Beach will build the capacity of City staff to continuously create opportunities for underrepresented local and small businesses through City procurement, streamline procurement processes, and implement results-driven contracting techniques to improve the performance of government programs and services.

Outcomes: In order to achieve this goal, the Government Performance Lab will work with the City of Long Beach so that the City sustainably:

- a) Staffs and trains the Purchasing Division to operate as a proactive, strategic function within the City
- b) Facilitates training and coaching sessions, and create modular training resources to build City of Long Beach staff capacity;
- c) Implements and scales local procurement strategies to uplift diverse small businesses and create economic opportunities for underrepresented business owners, including new outreach strategies, vendor capacity building activities, and templates and resources;
- d) Sustains and evolves changes to City procurement procedures, processes, and policies, including tracking the Purchasing Division's strategic goals;
- e) Sustains and scales results-driven contracting strategies, active contract management strategies, and other procurement best practices when applicable, including structuring, monitoring, and managing priority procurements to drive better performance.