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

## FIRST AMENDMENT TO AGREEMENT NO. 29490

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THIS FIRST AMENDMENT TO AGREEMENT NO. 29490 is made and entered, in duplicate, as of February 6, 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 February 3, 2009, by and between METAVANTE CORPORATION, a Wisconsin corporation ("Contractor"), whose address is 4900 W. Brown Deer Road, Milwaukee, Wisconsin 53223, as successor in interest to LINK2GOV CORP., and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the parties entered into Agreement No. 29490 whereby LINK2GOV CORP. agreed to provide specialized services requiring unique skills to be performed in connection with credit card processing services ("Services"); and

WHEREAS, LINK2GOV CORP. was acquired by Contractor; and

WHEREAS, Contractor has agreed to extend the term of the original agreement under the same terms and conditions;

NOW, THEREFORE, in consideration of the mutual terms and conditions herein contained, the parties agree as follows:

- 1. Section 4 of Agreement No. 29490 is hereby amended in its entirety to read as follows:
- "4. <u>TERM.</u> The initial term of this Agreement shall commence at midnight on March 1, 2006 and shall terminate at 11:59 p.m. on April 30, 2009. The extended term of this Agreement shall commence at midnight on March 1, 2009 and shall terminate at 11:59 p.m. on April 30, 2010, with the option to renew for an additional one (1) year period, unless otherwise terminated as provided in Section 5 below. The termination or expiration of this Client Agreement automatically effects a termination of all Addenda except as to any right, remedy, obligation or liability accrued, or outstanding fees, payments, setoffs, reserves or settlements accrued hereunder prior to the effective date of termination or expiration."

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	2.	Exce	pt as	s expre	ssly	modifie	d her	rein, all of t	the te	erms a	and con	ditio	ons
contained in	Agree	ment	No.	29490	are	ratified	and	confirmed	and	shall	remain	in	full
force and effe	ect.												

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.

executed with all formalities required by law	as of the date first stated above.
VERLA GAYLE GILROY NOTARY PUBLIC · MINNESOTA My Commission Expires Jan. 31, 2010	METAVANTE CORPORATION as successor in interest to LINK2GOV CORP. a Wisconsin corporation
Merch Segle Lessey	President Senior Vice  Sylver President  Type or Print Name
STATE OF TENNESSEE NOTARY PUBLIC AMP	By Holly Hugged VP GENMEN HOLLY HUGGING Type or Print Name
My Commission Expires MAY 2, 2011	"Contractor"  CITY OF LONG BEACH, a municipal corporation  Assistant City Manager
AVS 4 , 2009	City Manager EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.
This First Amendment to Agr Quy 17 , 2009.	eement No. 29490 is approved as to form on
	By Deputy