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

SECOND AMENDMENT TO AGREEMENT NO. 34147

THIS SECOND AMENDMENT TO AGREEMENT NO. 34147 is made and entered, in duplicate, as of December 19, 2018 for reference purposes only, pursuant to Resolution No. RES-15-0146 adopted by the City Council of the City of Long Beach at its meeting on November 17, 2015, by and between OFFICE DEPOT, INC., a Delaware corporation ("Contractor"), with a place of business located at 6600 North Military Trail, Boca Raton, Florida 33496, and the CITY OF LONG BEACH ("City"), a municipal corporation.

WHEREAS, Section 1802 of the Long Beach City Charter permits the City to make purchases under the purchasing contracts of other governmental agencies when authorized to do so by a resolution; and

WHEREAS, the Region 4 Education Service Center through The Cooperative Purchasing Network has a contract for the purchase of custodial supplies, Contract No. R5120 ("TCPN Contract"); and

WHEREAS, Resolution No. RES-15-0146 authorizes the City to purchase custodial supplies by virtue of the TCPN Contract; and

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 34147 (the "Agreement") whereby Contractor agreed to provide City with custodial supplies; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term; and

WHEREAS, the Partied desire to extend the term one (1) additional one (1) year period;

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

- 1. Section 1.D of the Agreement is hereby amended to read as follows:
- "D. The term of this Agreement shall commence at midnight on January

- 4, 2016, and shall terminate at 11:59 p.m. on January 3, 2020. In the event the underlying Agreement expires prior to the renewal term, Contractor will enter into a new Agreement with substantially similar terms and conditions."
- 2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 34147 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.

→ ECEMBER 25 , 2018	OFFICE DEPOT, INC., a Delaware corporation By Elmath Gray Name Elizabith Gray Title VICIE 27 ESIDENT
, 2018	By Name Title
	"Contractor"
, 2018	CITY OF LONG BEACH, a municipal corporation By City Manager
	"City"
This Second Amendment to	Agreement No. 34147 is approved as to form
on $\sqrt{2/9}$, $\frac{2018}{}$.	
	CHARLES PARKIN, City Attorney
State of Washington County of King certify that I know or have satisfactory evidence that Elizabeth Color is lare the person who appeared before me, and signed and sworn on 12 29 16 (date). Signature Notary Public Commission Expires	Deputy Deputy A A A A A A A A A A A A A A A A A A A
ARW:bg A15-02410 00965109.DOC	WASHINGTON

Office DEPOT.

OFFICE DEPOT, INC.

ASSISTANT SECRETARY'S CERTIFICATE

The undersigned, Joseph White, hereby certifies that he is the Assistant Secretary of Office Depot, Inc., a corporation incorporated under the General Corporation Law of the State of Delaware (the "Corporation"), and that, as such, he is authorized to execute this Certificate on behalf of the Corporation, and further certifies that:

- 1. The Corporation is a corporation duly incorporated and in good standing under the laws of the State of Delaware; and
- 2. Elizabeth Gray serves as Vice President, Emerging Growth, West Region, and as such, she is authorized to execute bids and contracts for the sale of office supplies on behalf of the Corporation.

IN WITNESS WHEREOF, the undersigned has hereunder set his hand as of this 15th day of May, 2018.

OFFICE DEPOT, INC.

Joseph White

Assistant Secretary