

**SECOND AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT

BETWEEN THE CITY OF LOS ALAMITOS
AND
THE CITY OF BREA
FOR INFORMATION TECHNOLOGY SUPPORT SERVICES**

1. PARTIES AND DATE.

This Second Amendment to the Information Technology Support Services Professional Services Agreement is made and entered into this 6th day of July, 2009 by and between the City of Los Alamitos ("City") and the City of Brea, a municipal corporation ("BreaIT"). City and BreaIT are sometimes individually referred to as "Party" and collectively as "Parties" in this Second Amendment.

2. RECITALS.

2.1 Agreement. City and BreaIT entered into that certain Professional Services Agreement dated July 1, 2007 ("Agreement"), whereby BreaIT agreed to provide Information Technology Support Services.

2.2 Amendment. City and BreaIT desire to amend the Agreement for the second time to extend the term of the Agreement for one additional year to June 30, 2010.

3. TERMS.

3.1 Term. The term of the Agreement shall be extended for one year with an ending date of June 30, 2010.

3.2 Compensation. The compensation for the use of BreaIT shall remain the same, as detailed in the First Amendment to the Agreement. The rate shall be \$105.25 per hour of service, with service hours of 68 hours per month, for a not to exceed amount of \$87,570.

3.3 Continuing Effect of Agreement. Except as amended by this Second Amendment, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Second Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this Second Amendment.

3.4 Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Second Amendment.

3.5 Counterparts. This Second Amendment may be executed in duplicate originals, each of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

CITY OF LOS ALAMITOS

CITY OF BREA

By: _____
Jeffrey L. Stewart
City Manager

By: _____
Terry Matz
Assistant City Manager

Attest:

City Clerk

Approved as to Form:

City Attorney