

FIRST AMENDMENT TO AGREEMENT NO. 20-3776
BETWEEN THE CITY OF LOS ANGELES AND
INTERNATIONAL BUSINESS MACHINES CORPORATION

THIS FIRST AMENDMENT to Agreement No. 3776 ("First Amendment") is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board"), and INTERNATIONAL BUSINESS MACHINES CORPORATION ("Consultant") as follows:

1. Section 3, subsection B.1. is amended to read:

"1. This Agreement shall commence on December 9, 2020 and shall terminate on December 8, 2025, subject to the termination rights of City as set forth in subsection B.2 below and Section 4 of this Agreement."

2. Section 5 is amended by deleting in its entirety and inserting a new subsection B to read:

"B. The maximum amount payable under this Agreement, including reimbursable expenses (see Exhibit B-1) shall be Eleven Million Eight Hundred Thousand Dollars (\$11,800,000)."

3. Exhibit B "Compensation" is removed in its entirety and replaced with a Exhibit B-1 "Compensation" which is attached hereto and made a part hereof.

Except as amended herein, all remaining terms and conditions of Agreement No. 20-3776 shall remain in full force and effect.

Subject to the provisions of Charter Section 373, the effective date of this First Amendment shall be the date of its execution by the Executive Director upon authorization of the Board. Consultant is aware that pursuant to Charter Section 373 and Administrative Code Section 10.5, this First Amendment requires approval by City Council prior to becoming effective.

IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Agreement No. 20-3776 on the date to the left of their signatures.

[signature page follows below]

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THE CITY OF LOS ANGELES, by its
Board of Harbor Commissioners

Dated: _____

By _____
EUGENE D. SEROKA
Executive Director

Attest _____
AMBER M. KLESGES
Board Secretary

Dated: Aug 25, 2023

INTERNATIONAL BUSINESS
MACHINES CORPORATION

By: _____
Sam Samarah, Strategic Account Senior
Partner, CyberSecurity Services

(Print/type name and title)

By: _____
SHAW-CHIN KUIE, MANAGING CLIENT
PARTNER

APPROVED AS TO FORM AND LEGALITY

August 31, 2023
HYDEE FELDSTEIN SOTO, City Attorney
Steven Y. Otera, General Counsel



By _____
Helen J. Sok, Deputy City Attorney



Rev. 12/21/22



**First Amendment to Agreement AG-20-3776
INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM)
Budget Information**



Date: August 28, 2023

Contractor/Vendor Name: INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM)

Account #	54310	W.O. #	2555500
Ctr/Div #	1179	Job Fac. #	
Proj/Prog #	640		
Budget FY:		Amount:	
23/24		\$491,627	
24/25		\$491,626	
25/26		\$113,122	
TOTAL		\$1,096,375	
For Acct Div. Use Only:			
Verified by:		Digitally signed by Joanna Leack Date: 2023.08.28 10:22:05 -07'00'	
Verified Funds Available:		Digitally signed by Frank Liu Date: 2023.08.28 11:02:59 -07'00'	
Date Approved:	8/28/23		

Account #	55130	W.O. #	2555500
Ctr/Div #	1179	Job Fac. #	
Proj/Prog #	640		
Budget FY:		Amount:	
23/24		\$746,997	
24/25		\$0	
25/26		\$0	
TOTAL		\$746,997	
For Acct Div. Use Only:			
Verified by:		Digitally signed by Joanna Leack Date: 2023.08.28 10:20:19 -07'00'	
Verified Funds Available:		Digitally signed by Frank Liu Date: 2023.08.28 11:03:05 -07'00'	
Date Approved:	8/28/23		

Account #	54120	W.O. #	
Ctr/Div #	0640	Job Fac. #	
Proj/Prog #	000		
Budget FY:		Amount:	
23/24		\$107,861	
24/25		\$0	
25/26		\$0	
TOTAL		\$107,861	
For Acct Div. Use Only:			
Verified by:		Digitally signed by Joanna Leack Date: 2023.08.28 10:23:53 -07'00'	
Verified Funds Available:		Digitally signed by Frank Liu Date: 2023.08.28 11:03:12 -07'00'	
Date Approved:	8/28/23		

Account #	54310	W.O. #	
Ctr/Div #	0640	Job Fac. #	
Proj/Prog #	000		
Budget FY:		Amount:	
23/24		\$378,505	
24/25		\$1,135,515	
25/26		\$787,750	
TOTAL		\$2,301,770	
For Acct Div. Use Only:			
Verified by:		Digitally signed by Joanna Leack Date: 2023.08.28 10:24:15 -07'00'	
Verified Funds Available:		Digitally signed by Frank Liu Date: 2023.08.28 11:03:18 -07'00'	
Date Approved:	8/28/23		



Account #	55130	W.O. #	
Ctr/Div #	0640	Job Fac. #	
Proj/Prog #	000		
Budget FY:		Amount:	
23/24		\$0	
24/25		\$746,997	
25/26		\$0	
TOTAL		\$746,997	
For Acct Div. Use Only:			
Verified by:		Digitally signed by Joanna Ladd Date: 2023.08.28 10:34:28 -07'00'	
Verified Funds Available:		Digitally signed by Frank Liu Date: 2023.08.29 11:02:34 -07'00'	
Date Approved:	8/28/23		

EXHIBIT B-1 Cyber Resilience Center Pricing Table

Contractor must receive a written Notice-to-Proceed from the Executive Director, or designee, before starting work or incurring expenses for any deliverable below.

Deliverable	Description	Qty	Unit	Unit Price	Total
1	50% Design deliverable document, Governance Stand-Up	1	lump sum	\$ 382,215.00	\$ 382,215.00
2	80% Design deliverable document	1	lump sum	\$ 229,328.00	\$ 229,328.00
3	100% Design deliverable document	1	lump sum	\$ 152,886.00	\$ 152,886.00
4	Finished Data Sharing Agreement - PCR 001 - Price reduced 50% to account for POLA's share of the work on it.	1	lump sum	\$ 47,220.00	\$ 47,220.00
5	Signed Data Sharing Agreements - PCR 001 - Quantity reduced to 0 to account for POLA's performance of this work.	0	group of 10	\$ 11,018.00	\$ 0
CRC Solution and Installation					
6A	- TruStar Software and Management	1	lump sum	\$ 1,100,000.00	\$ 1,100,000.00
6B	- Cloud Pak for Security (1000 Servers)	1	lump sum	\$ 105,223.00	\$ 105,223.00
6C	- Resilient (3 Users)	1	lump sum	\$ 62,452.00	\$ 62,452.00
6D	- Cloud Pak for Security Deployment	1	lump sum	\$ 99,600.00	\$ 99,600.00
6E	- CRC Physical Buildout - Deliver hardware for CRC Solution	1	lump sum	\$ 335,000.00	\$ 335,000.00
6F	- CRC Physical Buildout - Completed CRC Solution and Installation	1	lump sum	\$ 455,000.00	\$ 455,000.00
6G	- On-Board Stakeholders (up to 100 on-boarded over 3 years)	10	group of 10	\$ 11,018.00	\$ 110,180.00
7	Operations - staffing, subscriptions, warranties, maintenance, support, on-going governance and other operations costs to meet CRC requirements. On-site staffing of a minimum of two analysts from 8:00 am to 5:00 pm, Monday to Friday, and automated alerts and notifications for after-hours on-call coverage and call-back if needed.	26	month	\$ 100,074.15	\$ 2,601,928.00
8	ISO 27001 certification	1	lump sum	\$ 25,000.00	\$ 25,000.00
9	ISO 27001 surveillance audit	1	lump sum	\$ 15,000.00	\$ 15,000.00
10	Contingency - for new requirements that are beyond the original scope and are required to meet the objectives of the CRC.	TBD	TBD	TBD	\$ 1,418,334.00
11	Anomali Threatstream Enterprise with 60 Community Member Orgs*	1	lump sum	\$ 356,994.00	\$ 356,994.00
12	IBM X-Force Premier Threat Intelligence	1	lump sum	\$ 50,004.00	\$ 50,004.00
13	Recorded Future* and additional as-needed threat intelligence feeds	1	lump sum	\$ 300,000.00	\$ 300,000.00
14	IBM Cloud Pak for Security (1000 Servers)	1	lump sum	\$ 14,175.00	\$ 14,175.00
15	IBM Security QRadar SOAR (5 Users)	1	lump sum	\$ 25,824.00	\$ 25,824.00
16	CRC Enhancement Implementation Services	12	monthly	\$ 63,084.13	\$ 757,009.50
17	Operations - staffing, subscriptions, warranties, maintenance, support, on-going governance and other operations costs to meet CRC requirements. On-site staffing of a minimum of two analysts from 8:00 am to 5:00 pm, Monday to Friday, and automated alerts and notifications for after-hours on-call coverage and call-back if needed.	12	monthly	\$ 63,084.13	\$ 757,009.50
18	MaueLL Hardware Extended Warranty (24 months), Xonmium Software Support and Maintenance (24 months), and Preventative Maintenance (6 - Onsite Visits)	1	lump sum	\$ 107,861.00	\$ 107,861.00
19	Anomali Threatstream Enterprise with 60 Community Member Orgs*	1	lump sum	\$ 356,994.00	\$ 356,994.00
20	IBM X-Force Premier Threat Intelligence	1	lump sum	\$ 50,004.00	\$ 50,004.00
21	Recorded Future* and additional as-needed threat intelligence feeds	1	lump sum	\$ 300,000.00	\$ 300,000.00
22	IBM Cloud Pak for Security (1000 Servers)	1	lump sum	\$ 14,175.00	\$ 14,175.00
23	IBM Security QRadar SOAR (5 Users)	1	lump sum	\$ 25,824.00	\$ 25,824.00
24	ISO 27001 Surveillance Audit 2	1	lump sum	\$ 30,741.00	\$ 30,741.00
25	Operations - staffing, subscriptions, warranties, maintenance, support, on-going governance and other operations costs to meet CRC requirements. On-site staffing of a minimum of two analysts from 8:00 am to 5:00 pm, Monday to Friday, and automated alerts and notifications for after-hours on-call coverage and call-back if needed.	12	monthly	\$ 126,168.25	\$ 1,514,019.00

*Pricing based on a two year commitment

TOTAL \$ 11,800,000.00