

SECOND AMENDMENT TO AGREEMENT

This SECOND AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES is dated for identification this 20th day of June 2023 and amends that certain FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES dated August 18, 2020, made by and between the Town of Los Gatos, ("Town,") and Whitlock & Weinberger Transportation, Inc. ("Consultant") identified as an S Corporation and whose address is 490 Mendocino Avenue, Suite 201, Santa Rosa, CA 95401.

RECITALS

- A. Town and Consultant entered into a Consultant Services Agreement on April 12, 2018 ("Agreement"), a First Amendment to Agreement for Consultant Services on August 18, 2020, copies of which are attached hereto and incorporated by reference as Exhibit A to this Amendment.
- B. Town desires to amend the Agreement for Consultant Services to modify the scope of services, extend the term, add to the compensation, and add to the minimum scope of insurance of the agreement.

AMENDMENT

1. Section 2.1 Scope of Services is amended to read:

Consultant shall provide services as described in that certain Proposal dated June 7, 2023, which is hereby incorporated by reference and attached as Exhibit B.

2. Section 2.2 Term and Time of Performance is amended to read:

This contract will remain in effect from April 12, 2018, to June 30, 2024.

3. Section 2.6 Compensation is amended to read:

Compensation for Consultant's professional services for the additional scope of services **shall not exceed \$50,000**, for a **total agreement amount not to exceed \$250,000** inclusive of all costs. Payment shall be based upon Town approval of each task.

4. Section 3.1 Minimum Scope of Insurance is amended to read as follows:

Service Provider agrees to have and maintain, for the duration of the contract, General Liability insurance policies insuring him/her and his/her firm to an amount not less than: two million dollars (\$2,000,000) combined single limit per occurrence for bodily injury, personal injury and property damage.

5. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Town and Consultant have executed this Amendment.

Town of Los Gatos

Approved as to Consent:

By: _____
Laurel Prevetti, Town Manager

By: _____
Mark Spencer, Vice President, and
Senior Principal

Department Approval:

Nicolle Burnham
Parks and Public Works Director

Approved as to Form:

Attest:

Gabrielle Whelan, Town Attorney

Wendy Wood, CMC, Town Clerk