

## AMENDMENT TO AGREEMENT

This AMENDMENT TO AGREEMENT is dated for identification this 17<sup>th</sup> day of April 2024 and amends that certain (AGREEMENT DESCRIPTION) dated March 1<sup>st</sup>, 2022 made by and between the Town of Los Gatos, ("Town,") and the DKS Associates ("Consultant") identified as an S Corporation and whose address is 1970 Broadway, Suite 740 Oakland, CA 94612.

### RECITALS

- A. Town and Consultant entered into a Consulting Agreement on April 17, 2022, ("Agreement"), a copy of which is attached hereto and incorporated by reference as Exhibit A to this Amendment.
- B. Town desires to amend the Agreement to complete additional analysis as defined in Exhibit B to this Amendment.

### AMENDMENT

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

Consultant shall provide services as described in that certain Proposal sent to the Town on April 12, 2024, which is hereby incorporated by reference and attached as Exhibit B.

2. Section 2.6 Compensation is amended to read as follows:

Additional compensation for Consultant's professional services shall be increased by \$6,142 for a total agreement amount **not to exceed \$166,647** inclusive of all costs. Payment shall be based upon Town approval of each task based on Exhibit B.

3. 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.

4. Section 4.6 Notices is amended to change the Consultant address as follows:

DKS Associates  
1050 SW 6<sup>th</sup> Ave, Suite 600  
Portland, OR 97204

5. All other items 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:

\_\_\_\_\_  
Laurel Prevetti, Town Manager

\_\_\_\_\_  
Carl Springer, Principal DKS

Department Approval:

\_\_\_\_\_  
Nicolle Burnham  
Director of Parks and Public Works

Approved as to Form:

Attest:

\_\_\_\_\_  
Gabrielle Whelan, Town Attorney

\_\_\_\_\_  
Wendy Wood, CMC, Town Clerk