



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 04/16/2024

DATE: April 12, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute the First Amendment to the Contract with DKS Associates to Modify the Scope of Services and Increase Compensation from \$160,505 to \$166,647

RECOMMENDATION:

Authorize the Town Manager to execute the first amendment to the contract with DKS Associates to modify the scope of services and increase compensation from \$160,505 to \$166,647.

BACKGROUND:

At its meeting of April 2, 2024 (Item 17), the Town Council directed to staff to evaluate in more detail certain options related to modifying the Transportation Impact Fee. In discussing the item, Councilmembers requested that staff return with two to three options and possibly a recommendation.

DISCUSSION:

DKS Associates was contracted by the Town of Los Gatos to conduct the Nexus Study and recommend a Transportation Impact Fee. The April direction provided by Town Council is outside the scope of the original agreement. Attachment 1 is a first amendment to the agreement, outlining the scope of additional analysis directed by Town Council and the associated fee increase.

PREPARED BY: Nicolle Burnham
Parks and Public Works Director

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

SUBJECT: First Amendment to Agreement with DKS Associates

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CONCLUSION:

If approved, this action would enable the requested analysis to proceed in a timely manner and facilitate future Council discussion and action regarding the Transportation Impact Fee.

COORDINATION:

This memorandum was coordinated with the Town Attorney's Office, outside legal counsel, the Town Manager's Office, and the Finance Director.

FISCAL IMPACT:

The original agreement with DKS was for services billed at hourly rates based on actual hours worked. The \$160,505 of the original agreement was not expended so the proposed amendment reflects the net change in compensation required. There are sufficient funds in the program budget to cover the additional request.

VMT Mitigation Program CIP No. 812-0133		
	Budget	Costs
GFAR	\$ 250,000	
Total Budget	\$ 250,000	
		Costs
Consultant Services Agreement with DTA		\$ 8,800
Consultant Agreement with DKS Associates ¹		\$ 160,505
First Amendment to Consultant Agreement with DKS Associates (Requested with this Staff Report) ²		\$ 6,142
Staff Costs		\$ 14,030
Total Costs		\$ 189,477
Available Balance		\$ 60,523

Notes:

1. Original agreement amount is \$160,505; with \$12,298 remaining.
2. New services are valued at \$18,440 for new net funding on \$6,142.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

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Attachment:

1. First Amendment with Exhibit A – Original Agreement for Consultant Services with DKS Associates and Exhibit B – Scope of Services for First Amendment