



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 02/18/2025

ITEM NO: 6

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DATE: February 13, 2025  
TO: Mayor and Town Council  
FROM: Chris Constantin, Town Manager  
SUBJECT: Authorize the Town Manager to Execute the First Amendment to a Contract with Anvil Builders, Inc. dba Sonoma Tree Surgery to Extend the Term of Performance to September 30, 2027 for Vegetation Management – Townwide Open Spaces Project (CIP No. 832-4508)

**RECOMMENDATION:**

Authorize the Town Manager to execute the First Amendment (Attachment 1) to a Contract with Anvil Builders, Inc. dba Sonoma Tree Surgery to extend the term of performance to September 30, 2027 for Vegetation Management – Townwide Open Spaces Project (CIP No. 832-4508).

**BACKGROUND:**

On October 15, 2024, the Town Council authorized the Town Manager to execute an agreement with Anvil in the amount of \$1,513,712.00. Through this contract, Anvil will perform wildfire risk reduction work in the Town-owned properties of La Rinconada Park, Worcester Park, Novitiate Park, Heintz Open Space, and Santa Rosa Open Space. The work will be funded through a Hazard Mitigation Grant from the Federal Emergency Management Agency (FEMA) and required Town of Los Gatos matching funds.

**DISCUSSION:**

In the executed contract, the performance term was set at 150 days from the Notice to Proceed. This does not allow adequate time for the completion of the two years of maintenance that is required per the contract. This amendment corrects the time of performance to September 30, 2027 to appropriately reflect the scope of work.

**PREPARED BY:** Nicolle Burnham  
Parks and Public Works Director

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

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SUBJECT: Open Space Vegetation Management – Townwide Open Spaces (CIP No. 832-4508) Contract Modifications – Anvil Builders, Inc.

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Termination of this agreement is defined by Article 13 of the General Conditions included in the Bid Documents for the project. Article 13 reads, in part:

***Suspension for Convenience.*** Town reserves the right to suspend, delay, or interrupt the performance of the Work in whole or in part, for a period of time determined to be appropriate for Town's convenience. Upon notice by Town pursuant to this provision, Contractor must immediately suspend, delay, or interrupt the Work and secure the Project site as directed by Town except for taking measures to protect completed or in-progress...

And

***Termination for Convenience.*** Town reserves the right, acting in its sole discretion, to terminate all or part of the Contract for convenience upon written notice to Contractor...

In the event that federal funding is rescinded or delayed, these provisions would provide the opportunity for the Town to delay or terminate the work.

**CONCLUSION:**

The proposed action will match the contract period to the scope of work requested.

**COORDINATION:**

This report was coordinated with the Town Attorney, the Finance Director, and Anvil Builders, Inc. dba Sonoma Tree Surgery.

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FISCAL IMPACT:

There are no fiscal impacts associated with this action. The fiscal report presented below is consistent with the October 15, 2024 staff report.

<b>Vegetation Management - Town-wide CIP No. 832-4508</b>		
	<b>Budget</b>	<b>Costs</b>
<b>Phase 2 - Source of Funds</b>		
GFAR	\$ 530,448	
FEMA Hazard Mitigation Grant	\$ 1,627,320	
<b>Total Budget</b>	<b>\$ 2,157,768</b>	
		<b>Costs</b>
<b>Phase 2 - Expenditures</b>		
Previously Authorized Consultant Services Agreement with Sequoia Ecological Consulting		\$ 231,355
Previously Authorized Contractor Services for Vegetation Management (10/15/24 TC Meeting)		\$ 1,513,712
Previously Authorized Contractor Services 20% Contingency for Vegetation Management (10/15/24 TC Meeting)		\$ 302,742
<b>Total Expenditures</b>		<b>\$ 2,047,809</b>
<b>Total Project Balance</b>		<b>\$ 109,958</b>

ENVIRONMENTAL ASSESSMENT:

This is a project as defined under CEQA and is covered by the Towns Project Specific Analysis (PSA) filed with CAL FIRE in Sacramento.

Attachments:

1. First Amendment to Contract with Anvil Builders, Inc. dba Sonoma Tree Surgery