



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 05/07/2024

DATE: May 2, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a Second Amendment to the Agreement for Consultant Services with Kier and Wright Civil Engineers and Surveyors, Inc. to Provide Services as the "Acting Town Surveyor" for Various Land Development Mapping Services, Extending the Term to June 30, 2025

RECOMMENDATION:

Authorize the Town Manager to execute a Second Amendment (Attachment 1) to the Agreement for Consultant Services with Kier and Wright Civil Engineers and Surveyors, Inc. to provide services as the "Acting Town Surveyor" for various land development mapping services, extending the term to June 30, 2025.

BACKGROUND:

As part of its Engineering Development Services, the Town prepares and reviews mapping, performs map check reviews, and requires land surveying services. The Parks and Public Works Department does not have a Town Surveyor on staff, so these services are performed by a consultant who acts as the Town Surveyor. This includes the review of parcel maps and final maps; legal descriptions and plats for lot line adjustments, easements, and rights-of-way dedications; certificates of compliance; and other documents for technical correctness, adherence to codes, ordinances, the Professional Land Surveyor's Act, and the Subdivision Map Act.

Several complicated and sometimes invalid requests for lot line adjustments and map approvals come from developers looking to create new developable lots in the Town. These requests require review by an experienced surveyor with extensive knowledge in the field of historical chain of title review to verify the validity of these requests.

PREPARED BY: James Watson
Senior Civil Engineer

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Parks and Public Works Director

PAGE 2 OF 3

SUBJECT: Authorize the Town Manager to Execute a Second Amendment to the Agreement for Consultant Services with Kier and Wright Civil Engineers and Surveyors, Inc. to Provide Services as the “Acting Town Surveyor” for Various Land Development Mapping Services, Extending the Term to June 30, 2025

DATE: May 2, 2024

BACKGROUND (continued):

In 2018, the Town Council authorized a five-year agreement with Kier and Wright Civil Engineers and Surveyors, Inc. (Attachment 1, Exhibit A) to serve as the Town’s Surveyor. In 2023, the Town Council authorized the First Amendment to that agreement, which will expire on June 30, 2024.

The Town is required to use a licensed surveyor by California’s Subdivision Map Act Law for the review and signing of development maps and other land development documents.

DISCUSSION:

In addition to their previous experience completing challenging mapping services for the Town, Kier and Wright has a total of 12 California registered land surveyors on staff and available to assist the Town with complicated land development applications. This contract extension to June 30, 2025 would allow Kier and Wright to continue to review and sign the development maps and other land development documents, allowing Town engineering staff to develop a new Request for Proposals (RFP) and execute a new contract with a qualified survey firm by July 1, 2025. Staff is satisfied with the work done by Kier and Wright to date and recommends extending their contract for another year.

CONCLUSION:

Authorize the Town Manager to execute a Second Amendment to the Agreement for Consultant Services with Kier and Wright to provide services as the “Acting Town Surveyor” for various land development mapping services extending the term to June 30, 2025 (Attachment 1).

FISCAL IMPACT:

This agreement is based on a cost recovery activity as part of the development review process in which the Town uses fees and deposits collected from various development applications to pay for these services using “pass-through” accounts.

The original agreement was written with a not to exceed amount of \$125,000; however, the First Amendment incorporated the following for compensation language which will remain unchanged in this Second Amendment:

PAGE 3 OF 3

SUBJECT: Authorize the Town Manager to Execute a Second Amendment to the Agreement for Consultant Services with Kier and Wright Civil Engineers and Surveyors, Inc. to Provide Services as the "Acting Town Surveyor" for Various Land Development Mapping Services, Extending the Term to June 30, 2025

DATE: May 2, 2024

FISCAL IMPACT (continued):

Compensation for Consultant's professional services shall not exceed the established hourly rates and payment shall be based upon Town approval of each task.

There is no additional fiscal impact associated with the contract extension.

ENVIRONMENTAL ASSESSMENT:

The proposed agreement and related services are not a project defined under CEQA, and no further action is required.

Attachment:

1. Second Amendment with Exhibit A (First Amendment and Original Agreement for Consultant Services with Kier & Wright Civil Engineers and Surveyors, Inc.) and Exhibit B (Hourly Rate Schedule)