

AMENDMENT TO AGREEMENT

This FIFTH AMENDMENT TO AGREEMENT amends that certain agreement titled Agreement for Consultant Services dated December 7, 2021, made by and between the Town of Los Gatos, ("Town,") and AMS Electric LLC dba Prime Electric LLC ("Contractor"), a Limited Liability Company and whose address is 1941 Ringwood Ave., San Jose, CA 95131.

RECITALS

1. Town and Consultant entered into an Agreement for Consultant Services on December 7, 2021, ("Agreement").
2. First Amendment to Agreement for Consultant Services on June 6, 2023.
3. Second Amendment to Agreement for Consultant Services on May 7, 2024.
4. Third Amendment to Agreement for Consultant Services on May 20, 2025.
5. Fourth Amendment to Agreement for Consultant Services on August 14, 2026.
6. The parties desire to amend the Agreement in order to extend the term and time of performance.

AMENDMENT

1. Section 2.2 Term and Time of Performance is replaced and will read: This contract will remain in effect from December 7, 2021 to January 29, 2027.
2. As a condition of this extension, Consultant shall, no later than January 29, 2027, either: (a) obtain the necessary Pacific Gas and Electric Company (PG&E) approval for the installed battery system, complete commissioning, and place the system into operation; or (b) remove the existing battery system and replace it, at no additional cost to the Town, with a system that satisfies PG&E requirements and can be commissioned and placed into operation.
3. All other terms and conditions of the Agreement remain in full force and effect.

TOWN OF LOS GATOS

CONTRACTOR: AMS ELECTRIC LLC DBA PRIME
ELECTRIC LLC

SIGNATURE

Chris Constantin

FULL NAME

Town Manager

TITLE

DATE SIGNED

Approved as to form:

SIGNATURE

Gabrielle Whelan

FULL NAME

Town Attorney

TITLE

DATE SIGNED

SIGNATURE

Aaron Hanks

CONTRACTOR SIGNATORY'S FULL NAME

Chief Operating Officer

CONTRACTOR SIGNATORY'S TITLE

DATE SIGNED

The execution date is the date on which the last party has signed.