

AMENDMENT TO AGREEMENT

This FIRST AMENDMENT TO AGREEMENT amends that certain agreement titled Agreement for Services dated June 4, 2024, made by and between the Town of Los Gatos, ("Town,") and Air Systems, Inc. ("Service Provider"), a Corporation and whose address is 940 Remillard Court, San Jose, CA 95122.

RECITALS

- A. Town and Service Provider entered into an Agreement for Services on June 4, 2024 ("Agreement").
- B. The parties wish to amend the Agreement in order to increase the compensation.

AMENDMENT

- A. Section 2.6 Compensation is replaced and amended to read: Compensation for Year 1 (FY 2024/25) shall not exceed \$104,320.00. Compensation for Year 2 shall not exceed \$108,442.00. Compensation for future years will be the base cost of \$104,320.00 and shall be adjusted upward annually for the remaining term of this agreement by the change, if any, in the San Francisco - Oakland - San Jose Metropolitan Area Consumer Price Index for All Urban Consumers, all items (CPI). The adjustment shall be based upon the CPI published on December 31 of the preceding year. If the CPI indicates a downward adjustment, compensation would remain at the base amount. Payment shall be based upon Town approval of each task.

Year 1 - FY 2024/25 = \$64,320.00 + \$40,000.00 (Unforeseen Repairs) = \$104,320.00

Year 2 - FY 2025/26 = \$64,320.00 + \$44,122.00 (Unforeseen Repairs) = \$108,442.00

Year 3 - FY 2026/27 = \$64,320.00 + \$40,000.00 (Unforeseen Repairs) + CPI Increase

Year 4 - FY 2027/28 = \$64,320.00 + \$40,000.00 (Unforeseen Repairs) + CPI Increase

Year 5 - FY 2028/29 = \$64,320.00 + \$40,000.00 (Unforeseen Repairs) + CPI Increase

- B. All other terms and conditions of the Agreement remain in full force and effect.

TOWN OF LOS GATOS

CONTRACTOR: Air Systems Inc.

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

Marty Cull

CONTRACTOR SIGNATORY'S FULL NAME

Executive Vice President, and Chief Financial Officer

CONTRACTOR SIGNATORY'S TITLE

DATE SIGNED

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