



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/15/2026

ITEM NO: 11

DATE: September 15, 2026
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: **Authorize the Town Manager to Execute a Fifth Amendment to the Agreement for Consultant Services with AMS Electric LLC (dba Prime Electric LLC) for the Library Battery Power Supply Project**

RECOMMENDATION: Authorize the Town Manager to execute a Fifth Amendment to the Agreement for Consultant Services with AMS Electric LLC (dba Prime Electric LLC) to extend the term and time of performance through January 29, 2027, for the Library Battery Power Supply Project (4118721, 4218721; CIP 821-2505).

FISCAL IMPACT:

There is no fiscal impact associated with executing this fifth amendment. The amendment extends the contract term to January 29, 2027, and does not change the original contract amount. Sufficient funds for the remaining services are included in the FY 2026-27 adopted budget.

STRATEGIC PRIORITY:

This item aligns with the Strategic Priority of public safety and aligns with the Core Goal of Quality Public Infrastructure. This is a resiliency project and supports a critical facility that will provide community services during power outages.

BACKGROUND:

The Library Battery Storage Project included the development of design plans and installation of a battery energy storage system tied to the solar photovoltaic (PV) system at the Library. In FY

PREPARED BY: Nicolle Burnham
Parks and Public Works Director

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Administrative Services Director

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SUBJECT: Fifth Amendment to a Consultant Services Agreement with AMS Electric LLC
(dba Prime Electric LLC) Installation of a Battery Storage System at the Library
DATE: September 15, 2026

2020-21, Parks and Public Works staff issued a Request for Proposals (RFP), and AMS Electric LLC was selected. An Agreement for Consultant Services was executed on December 7, 2021.

On June 6, 2023, a First Amendment to the Agreement for Services was executed to extend the agreement term to June 30, 2024, to allow for installation and completion of the project, which was delayed due to extended plan review time with Santa Clara County Fire and delays in the manufacturing and delivery of equipment.

On May 7, 2024, a Second Amendment to the Agreement for Services was executed to extend the agreement term to June 30, 2025, to allow time for welded anchoring inspection of the battery cabinet and time for the battery manufacturer to test, operate, and run the internal HVAC system.

On May 20, 2025, a Third Amendment to the Agreement for Services was executed to extend the agreement term to June 30, 2026, to allow time for the replacement of a meter required by PG&E and the extensive reprogramming of the meter that was needed.

On June 16, 2026, a Fourth Amendment to the Agreement for Services was executed to extend the agreement term to September 30, 2026, to allow time for certification and commissioning of the battery by PG&E.

DISCUSSION:

Since its inception, this project has undergone significant design changes. These changes were partially due to the advancing technology and discontinuation of the originally specified equipment. This includes the battery itself and components that allow better regeneration of power through the PV system.

After replacement and reprogramming the meter, commissioning of the Library Battery and its operation occurred in November 2025. During the final Pacific Gas and Electric (PG&E) inspection, it was determined that a critical component was not on the Electric Generation Interconnection (EGI) Equipment list for PG&E. Therefore, PG&E did not approve the operation of the battery and asked the contractor to work with the manufacturer to provide engineering documentation and qualification.

Since June 2026, staff and the contractor have been working closely to seek the required PG&E authorization. This work is ongoing. Given the extensive delays with the project, the Consultant has committed to replacing the existing battery at their cost if PG&E certification is not achieved.

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CONCLUSION:

Staff recommend authorizing the Town Manager to execute a Fifth Amendment to the Agreement for Consultant Services with AMS Electric LLC (dba Prime Electric LLC) for installation of a battery storage system at the Library to extend the term and time of performance through January 29, 2027.

COORDINATION:

This Staff Report was coordinated with the Town Manager's office and the law firm of Jarvis Fay.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Fifth Amendment to Agreement
2. Original Agreement with Amendments