

## SECOND AMENDMENT TO AGREEMENT

This SECOND AMENDMENT TO AGREEMENT is dated for identification this 1<sup>st</sup> day of April 2023 and amends that certain First Amendment to Agreement for Consultant Services dated March 1, 2022, made by and between the Town of Los Gatos, ("Town") and the ActiveWayz Engineering ("Consultant").

### RECITALS

- A. Town and Consultant entered into an Agreement for Consultant Services on May 3, 2021 ("Agreement") and a First Amendment for Consultant Services Agreement on March 1, 2022 for the Shannon Road Pedestrian and Bikeway improvements Project (CIP No. 813-0218), copies of which are attached hereto and incorporated by reference as Exhibit A to this Amendment.
- B. Town desires to amend the Agreement to add to the scope of services and for additional compensation.

### AMENDMENT

1. 2.1 Scope of Services is amended to read as follows:

Consultant shall provide services as described in that certain Proposal sent to the Town on March 8, 2023, which is hereby incorporated by referenced and attached as Exhibit B.

2. 2.6 Compensation is amended to read as follows:

Additional compensation for Consultant's professional services shall be increased by \$25,238. For a total agreement amount **not to exceed \$196,709**, inclusive of all costs. Payment shall be based upon Town approval of each task based on Exhibit B.

3. All other items and conditions of the Agreement remain in full force and effect.

ATTACHMENT 1

IN WITNESS WHEREOF, the Town and Consultant have executed this Amendment.

Town of Los Gatos:

ActiveWayz Engineering:

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Laurel Prevetti, Town Manager

\_\_\_\_\_  
Admas Zewdie, President

Department Approval:

\_\_\_\_\_  
Nicolle Burnham  
Director of Parks and Public Works

Approved as to Form:

Attest:

\_\_\_\_\_  
Gabrielle Whelan, Town Attorney

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Wendy Wood, CMC, Town Clerk