



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 06/06/2023

ITEM NO: 5

DATE: May 22, 2023
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a First Amendment to the Agreement with Pacific Water Art for Fountain Maintenance and Repair Services, Extending the Term to June 30, 2024, and to Add to the Compensation \$46,495 for a Total Agreement Amount Not to Exceed \$253,505

RECOMMENDATION:

Authorize the Town Manager to execute a First Amendment to the Agreement with Pacific Water Art for fountain maintenance and repair services (Attachment 1), extending the term to June 30, 2024, and to add to the compensation \$46,495 for a total Agreement amount not to exceed \$253,505.

BACKGROUND:

The Town of Los Gatos has used contract services for the maintenance and repair of the interactive fountain located in Plaza Park for the past 22 years and the Civic Center fountain for the past five years. Staff reviews these maintenance contracts regularly to ensure that the services provided are being performed satisfactorily, are competitively priced, and continue to meet the Town's expectations and contract terms.

Pacific Water Art built the Plaza Fountain 22 years ago as part of a Town Plaza Capital Improvement Project, along with providing ongoing maintenance and repair services. In 2018 the Town issued a Request for Proposals and subsequently entered into an agreement with Pacific Water Art to provide maintenance services for both of these assets following a competitive bidding process (Attachment 2).

PREPARED BY: Jim Harbin
Parks and Public Works Superintendent

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

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DISCUSSION:

Pacific Water Art, Inc. is the best qualified vendor to provide the requested services. The extension of the Agreement term would allow for continuity of service and maximizes savings by engaging the vendor for another year. The contract language provides for cancellation should the need arise during the contract term and ties the work to the budget appropriated by the Town Council annually. To accommodate the potential impacts of inflation on the service, the contract allows for annual increases based on the Consumer Price Index (CPI).

The current fountain maintenance and repair contract with Pacific Water Art will expire on June 30, 2023. Due to the extreme storms experienced this year and the damage to the many trees, streets, and sidewalks still outstanding, resources have been shifted to prioritize those efforts and a new Request for Proposals for the fountain maintenance and repair was not able to be issued. As such, staff is requesting the time extension and additional budget required to continue operation of the fountains for one additional year.

CONCLUSION:

Authorize the Town Manager to execute a First Amendment to the Agreement for Services with Pacific Water Art to provide services for fountain maintenance and repair services, extending the term to June 30, 2024, and to add to the compensation \$46,495 for a total agreement amount not to exceed \$253,505.

FISCAL IMPACT:

The Proposed FY 2023/24 Operating Budget includes sufficient funding for these services.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. First Amendment to Agreement for Services with Pacific Water Art
2. Original Agreement for Services with Pacific Water Art