

**AMENDMENT NO. 3  
INCORPORATED COUNTY OF LOS ALAMOS  
SERVICES AGREEMENT NO. 20-50**

This **AMENDMENT NO. 3** is entered into by and between the **Incorporated County of Los Alamos**, an incorporated county of the State of New Mexico ("County"), and **Dekker/Perich/Sabatini, Ltd.**, a New Mexico corporation ("Contractor"), to be effective for all purposes January 25, 2023.

**WHEREAS**, County and Contractor entered into Agreement No. AGR20-50 dated May 27, 2020, Amendment No. 1, AGR20-50-A1, dated June 1, 2022, and Amendment No. 2, AGR20-50-A2 dated July 27, 2022 (as amended, the "Agreement") for Downtown Master Plans and Development Code Update Services; and

**WHEREAS**, the County Council approved this Amendment at a public meeting held on January 24, 2023; and

**WHEREAS**, the Services are ongoing, and County and Contractor wish to amend the Agreement in accordance with Section A(6)(d), Contractor, County, and as requested by County Council and the Planning and Zoning Commission, to add additional meetings and deliverables and to provide for additional compensation related to the requests by County Council and the Planning and Zoning Commission.

**NOW, THEREFORE**, for good and valuable consideration, County and Contractor agree as follows:

I. Add **SECTION A. SERVICES subparagraph 18.**, as follows:

**18. County Council Requested Analysis:**

- a. Contractor shall develop and deliver up to three (3) site development concepts to test height maximums south of Trinity Drive.
- b. Contractor shall develop and provide recommendation for revisions to Chapter 16 for DTLA zoning development standards for the area south of Trinity Drive.
- c. Contractor shall provide a summary of results of a parking study for Mixed-Use developments and recommendations for revisions to parking ratios.
- d. Contractor shall participate in up to three (3) meetings, including Planning and Zoning, County Council, and staff to address questions or concerns related to the above additional scope and to present results related to the scope contained in subparagraph 18.

II. Delete **SECTION C. COMPENSATION** in its entirety and replace with the following:

**SECTION C. COMPENSATION:**

1. **Amount of Compensation.** County shall pay compensation for performance of the Services in an amount **not to exceed FOUR HUNDRED SEVENTY-ONE THOUSAND THREE HUNDRED DOLLARS (\$471,300.00)**, which amount does not include applicable New Mexico gross receipts taxes (NMGR). Compensation shall be paid in

accordance with the rate schedule set out in Exhibit "A," attached hereto and made a part hereof for all purposes.

2. **Monthly Invoices.** Contractor shall submit itemized invoices to County's Project Manager showing amount of compensation due, amount of any NMGR, and total amount payable. Payment of undisputed amounts shall be due and payable thirty (30) days after County's receipt of the invoice.

III. Delete **Exhibit "A"** in its entirety and replace it with the following Exhibit "A" attached hereto to include charges for additional Services.

Except as expressly modified by this Amendment, the terms and conditions of the Agreement remain unchanged and in effect.

**IN WITNESS WHEREOF**, the parties have executed this Amendment No. 3 on the date(s) set forth opposite the signatures of their authorized representatives to be effective for all purposes on the date first written above.

**ATTEST**

**INCORPORATED COUNTY OF LOS ALAMOS**

\_\_\_\_\_  
**NAOMI D. MAESTAS**  
**COUNTY CLERK**

BY: \_\_\_\_\_  
**STEVEN LYNNE** **DATE**  
**COUNTY MANAGER**

**Approved as to form:**

\_\_\_\_\_  
**J. ALVIN LEAPHART**  
**COUNTY ATTORNEY**

**DEKKER/PERICH/SABATINI, A NEW MEXICO**  
**CORPORATION**

BY: \_\_\_\_\_  
**WILL GLEASON** **DATE**  
**PRINCIPAL IN CHARGE**

Exhibit "A"  
Compensation Rate Schedule  
AGR20-50-A3

| LOS ALAMOS AND WHITE ROCK DOWNTOWN MASTER PLANS AND<br>CHAPTER 16 DEVELOPMENT CODE UPDATE |                                                                |                  |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------|
| Phase I: Downtown Master Development Plans                                                |                                                                |                  |
|                                                                                           | <b>Project Initiation/Existing<br/>Conditions Assessment</b>   |                  |
|                                                                                           | Data Gathering, Kick-Off Meeting                               | \$7,160          |
|                                                                                           | Existing Conditions Assessment                                 | \$7,840          |
|                                                                                           | <b>Subtotal</b>                                                | <b>\$15,000</b>  |
|                                                                                           |                                                                |                  |
|                                                                                           | <b>Public Engagement</b>                                       |                  |
|                                                                                           | Visioning Workshop/Design Charrette                            | \$20,800         |
|                                                                                           | Open House /Council Session                                    | \$13,780         |
|                                                                                           | <b>Subtotal</b>                                                | <b>\$34,580</b>  |
|                                                                                           |                                                                |                  |
|                                                                                           | <b>Master Plan Concepts/Report</b>                             |                  |
|                                                                                           | Concepts for White Rock Master Plan                            | \$16,860         |
|                                                                                           | Concepts for Los Alamos                                        | \$16,860         |
|                                                                                           | Preferred Alternative White Rock                               | \$15,160         |
|                                                                                           | Preferred Alternative Los Alamos                               | \$15,160         |
|                                                                                           | Master Plan Report -Draft                                      | \$14,140         |
|                                                                                           | Master Plan Report - Final                                     | \$9,120          |
|                                                                                           | <b>Subtotal</b>                                                | <b>\$87,300</b>  |
|                                                                                           |                                                                |                  |
|                                                                                           | <b>Review and Approvals</b>                                    |                  |
|                                                                                           | Planning and Zoning                                            | \$5,680          |
|                                                                                           | County Council                                                 | \$5,680          |
|                                                                                           | Final Revisions                                                | \$6,960          |
|                                                                                           | <b>Subtotal</b>                                                | <b>\$18,320</b>  |
|                                                                                           |                                                                |                  |
|                                                                                           | <b>Subtotal Phase I: Downtown Master<br/>Development Plans</b> | <b>\$155,200</b> |
|                                                                                           | <b>Expenses</b>                                                | <b>\$3,500</b>   |
|                                                                                           | <b>Total Phase I with Expenses</b>                             | <b>\$158,700</b> |
| Phase II: Chapter 16 Development Code Update                                              |                                                                |                  |
|                                                                                           | <b>Project Initiation/Code<br/>Diagnosis/Revisions</b>         |                  |
|                                                                                           | Code Diagnosis                                                 | \$24,720         |
|                                                                                           | Module One: Use Regulations                                    | \$22,000         |
|                                                                                           | Module Two Development Standards                               | \$26,080         |

|  |                                                                  |                  |
|--|------------------------------------------------------------------|------------------|
|  | Module Three: Admin /Procedures                                  | \$22,000         |
|  | <b>Subtotal</b>                                                  | <b>\$94,800</b>  |
|  |                                                                  |                  |
|  | <b>Public Engagement</b>                                         |                  |
|  | Visioning /Code Diagnostic                                       | \$7,800          |
|  | Public Open House /Council Working Session                       | \$7,800          |
|  | Website                                                          | \$6,440          |
|  | <b>Subtotal</b>                                                  | <b>\$22,040</b>  |
|  |                                                                  |                  |
|  | <b>Approval Process</b>                                          |                  |
|  | Planning and Zoning                                              | \$7,500          |
|  | County Council                                                   | \$7,500          |
|  | <b>Subtotal</b>                                                  | <b>\$15,000</b>  |
|  |                                                                  |                  |
|  | <b>Subtotal for Phase II: Chapter 16 Development Code Update</b> | <b>\$131,840</b> |
|  | Expenses                                                         | \$2,500          |
|  | <b>Total Phase II with Expenses</b>                              | <b>\$134,340</b> |
|  |                                                                  |                  |
|  |                                                                  |                  |

| Additional Meetings & Analysis |                                                                                          |                 |
|--------------------------------|------------------------------------------------------------------------------------------|-----------------|
|                                | Thirty-Two (32) Meetings (Work Sessions, Public Hearings, Comment Review, and Response). | \$35,000        |
|                                | Three (3) Additional Council Sessions and Open House Meetings                            | \$27,000        |
|                                | Project Website Updates in Support of Additional Meetings                                | \$7,500         |
|                                | <b>Subtotal</b>                                                                          | <b>\$69,500</b> |
|                                |                                                                                          |                 |
|                                | Exterior Lighting Analysis                                                               | \$33,000        |
|                                | Accessory Dwelling Units Analysis                                                        | \$15,000        |
|                                | Wireless Telecommunication Facilities                                                    | \$15,500        |
|                                | <b>Subtotal</b>                                                                          | <b>\$63,500</b> |
|                                |                                                                                          |                 |
|                                | <b>Expenses</b>                                                                          | <b>\$2,800</b>  |

|  |                                                               |                  |
|--|---------------------------------------------------------------|------------------|
|  |                                                               |                  |
|  | <b>Total Additional Meetings &amp; Analysis with Expenses</b> | <b>\$135,800</b> |

| <b>Additional Meetings &amp; Analysis Per Council Action December 13, 2022</b> |                                                                                                                      |                  |
|--------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------------|
|                                                                                | Up to 3 site development concepts to test height maximums south of Trinity Drive                                     |                  |
|                                                                                | Recommendation for revisions to Chapter 16 for DTLA zoning development standards for the area south of Trinity Drive |                  |
|                                                                                | Summary results of parking study for Mixed-Use developments and recommendations for revisions to parking ratios      |                  |
|                                                                                | Up to 3 meetings, including Planning and Zoning, County Council, and staff                                           |                  |
|                                                                                | <b>Subtotal</b>                                                                                                      | <b>\$25,500</b>  |
|                                                                                | <b>Total for all Tasks</b>                                                                                           | <b>\$454,340</b> |

Expenses include all meals, lodging, travel, and production.

| <b>Dekker Perich Sabatini Standard Hourly Rates</b> |                           |
|-----------------------------------------------------|---------------------------|
| <b><u>Position</u></b>                              | <b><u>Hourly Rate</u></b> |
| <b>Principal I</b>                                  | <b>\$180.00</b>           |
| <b>Planner II</b>                                   | <b>\$100.00</b>           |
| <b>Planner II</b>                                   | <b>\$80.00</b>            |