

**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 CHAPTER 16 DEVELOPMENT CODE UPDATE		
Phase I: Downtown Master Development Plans		
	Project Initiation/Existing Conditions Assessment	
	Data Gathering, Kick-Off Meeting	\$7,160
	Existing Conditions Assessment	\$7,840
	Subtotal	\$15,000
	Public Engagement	
	Visioning Workshop/Design Charrette	\$20,800
	Open House /Council Session	\$13,780
	Subtotal	\$34,580
	Master Plan Concepts/Report	
	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
	Subtotal	\$87,300
	Review and Approvals	
	Planning and Zoning	\$5,680
	County Council	\$5,680
	Final Revisions	\$6,960
	Subtotal	\$18,320
	Subtotal Phase I: Downtown Master Development Plans	\$155,200
	Expenses	\$3,500
	Total Phase I with Expenses	\$158,700
Phase II: Chapter 16 Development Code Update		
	Project Initiation/Code Diagnosis/Revisions	
	Code Diagnosis	\$24,720
	Module One: Use Regulations	\$22,000
	Module Two Development Standards	\$26,080

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

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
	Subtotal	\$69,500
	Exterior Lighting Analysis	\$33,000
	Accessory Dwelling Units Analysis	\$15,000
	Wireless Telecommunication Facilities	\$15,500
	Subtotal	\$63,500
	Expenses	\$2,800

	Total Additional Meetings & Analysis with Expenses	\$135,800

Additional Meetings & Analysis Per Council Action December 13, 2022		
	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	
	Subtotal	\$25,500
	Total for all Tasks	\$454,340

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

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