

ITEM # 18-1028

**CITY OF SANTA FE
AMENDMENT No. 1 TO
PROFESSIONAL SERVICES AGREEMENT
ITEM# 17-1296**

This AMENDMENT No. 1 (the "Amendment") amends the CITY OF SANTA FE PROFESSIONAL SERVICES AGREEMENT, dated November 29, 2017 (the "Agreement"), between the City of Santa Fe (the "City") and Southwest Propane. (the "Contractor"). The date of this Amendment shall be the date when it is executed by the City and the Contractor whichever occurs last.

RECITALS:

A. Under the terms of the Agreement, Contractor has agreed to provide Propane and delivery to Environmental Services Division, located at 1142 Siler in Santa Fe County. Pricing is based on Exhibit "A" attached and incorporated herein.

B. Pursuant to Article 19 of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the City and the Contractor agree as follows:

1. COMPENSATION.

Article 3, paragraph A of the Agreement is amended to increase the amount of compensation by a total of five thousand dollars (\$5,000) so that Article 3, paragraph A reads in its entirety as follows:

A. The City shall pay to the Contractor in full payment for services rendered a sum not to exceed thirteen thousand dollars (\$13,000), inclusive of applicable gross receipts taxes. Payment shall be made for services actually rendered at a rate of one dollar and fifty five (\$1.55) cents per gallon effective November 1, 2018 based on Exhibit "A-1" attached hereto and

incorporated herein.

2. TERM:

Article 5 of the Agreement is hereby deleted in its entirety and substitute the following
This Agreement shall be effective when signed by the City and the Contractor, whichever occurs last, and shall terminate on October 31, 2019 unless sooner pursuant to article (7) below.

4 OPTION TO RENEW

Article 6 of the Agreement is hereby deleted in its entirety and substitute the following

A. Contractor is granted, upon a satisfactory performance, an option to renew this Agreement for two (2) additional one (1) year period, not to exceed four (4) years. Contractor and City shall renegotiate the term and conditions upon renewal. The option shall be exercised by the parties prior to the expiration date of this Agreement.

5. NOTICE

Article 23 of the Agreement is hereby revised, so that Article 23 reads as follows:

Any notices required to be given under this Agreement shall be in writing and served by personal delivery or by mail, postage prepaid, to the parties at the following addresses:

City of Santa Fe
Environmental Services Division
1142 Siler Road
Santa Fe, NM 87507

Southwest Propane
PO Box 69
Edgewood, NM 87015
Attn: Paula O'Neil

6. AGREEMENT IN FULL FORCE.

Except as specifically provided in this Amendment, the Agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 to the City of

Santa Fe Professional Services Agreement as of the dates set forth below.

CITY OF SANTA FE:


ERIC J. LITZENBERG, CITY MANAGER

Date: 9/5/12

SOUTHWEST PROPANE:

See Attached
PAULA O'NEIL, OFFICE MANAGER 

Date: _____

ATTEST:


YOLANDA Y. VIGIL, CITY CLERK 


CRST# 03-232634-00-3
Registration # 18-00147410

APPROVED AS TO FORM:


ERIN K. MCSHERRY, CITY ATTORNEY 

APPROVED:


MARY MCCOY, FINANCE DIRECTOR 

Business Unit/Line Item
52254, 52255, 52262 and 52265/530900


Santa Fe Professional Services Agreement as of the dates set forth below.

CITY OF SANTA FE:


ERIC J. LITZENBERG, CITY MANAGER

Date:

9/5/18

SOUTHWEST PROPANE:


PAULA O'NEIL, OFFICE MANAGER

Date:

9-11-18

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:


ERIN K. MCSHERRY, CITY ATTORNEY

8/6/16

APPROVED:


MARY MCCOY, FINANCE DIRECTOR



Business Unit/Line Item
52254, 52255, 52262 and 52265/530900
2

(Exhibit A)

**Southwest
Propane**

PO Box 69
Edgewood, NM 87015
505-407-2260 / Fax 832-5190
www.southwestpropane.org

Proposal

October 05, 2017

Summary: FUELDELIVERY
Reference #: 2309-21749
Due Date: 10/5/2017

City of Santa Fe-Environmental Services Division
1142 Siler Rd. Bldg. A
Santa Fe, NM 87507

Job Name: FUELDELIVERY
City of Santa Fe-Environmental Services Disi
1142 Siler Rd. Bldg. 1
Santa Fe, NM 87507

505-231-3751 KRIS

505-231-3751

We Hereby Submit Specifications And Estimates For:

PRICE PER GALLON \$1.25 AT A FIXED PRICE FOR FISCAL YEAR JULY 1,2017 THUR JUNE 30,2018 FROM ACCEPTANCE AND/OR BEGINNING OF CONTRACT FOR 4900 GALLONS PER YEAR.

PRICE ON PROPOSAL IS UNDER THE ASSUMPTION THAT THE CITY OF SANTA FE IS TAX EXEMPT, IF NOT SALES TAX RATE OF 7.6875% WILL APPLY.

10/5/2017	Propane	4900.00	1.25	6125.00
10/5/2017				

Material	Subtotal	Total
6125.00	6125.00	\$6,125.00

Payment to be made as follows:

DUE UPON COMPLETION.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon delays beyond our control. Purchaser agrees to pay all costs of collection, including attorney's fees. This proposal may be withdrawn by us if not accepted by the above due date.



Authorized Signature _____ Acceptance Signature _____ Date _____

Exhibit "A"-1"

Southwest Propane

Serving Albuquerque and surrounding areas...

PO Box 69, Edgewood, NM 87015

(505)407-2260, Fax (505)832-5190

www.southwestpropane.org

Date: 7-31-2018

City of Santa Fe:
Environmental Services Division
Attn: Lawrence Garcia
1142 Siler Road
Santa Fe, NM 87507

Re: Continuance Bid for PO # 17184915-000-OP

To whom it may concern,

We submit a bid to continue the above referenced purchase order from 11-1-2018 through 12-31-2019 at a fixed price per gallon of \$1.55, with the same terms and conditions.

As an additional option for your consideration, we can offer a price per gallon of .375 cents over cost, from 11-1-2018 through 12-31-2019.

If you have any questions on either bid, please do not hesitate to contact me.

Sincerely,



Paula O'Neil

Office Manager

paula@southwestpropane.org