

**BUCKMAN DIRECT DIVERSION BOARD
AMENDMENT No. 1 TO SERVICES AGREEMENT
WITH B & D Industries, Inc.
#19-0056**

THIS AMENDMENT No. 1 (the "Amendment") to the SERVICES AGREEMENT, dated November 30, 2018, and as subsequently amended (the "Agreement"), is made between the Buckman Direct Diversion Board ("BDDDB") and B & D Industries, Inc. ("Contractor"). The effective date of this Amendment shall be the date it is executed by the BDDDB.

RECITALS

A. Under the terms of the Agreement, Contractor has agreed to provide on call repair, replacement, and installation of HVAC systems at the Buckman Direct Diversion facilities.

B. Pursuant to Article 18 of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the BDDDB and 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 Fifty Thousand Dollars (\$50,000.00) plus applicable gross receipts tax, so that Article 3 reads in its entirety as follows:

A. Compensation under this Agreement shall be in an amount not to exceed One Hundred Ten Thousand Dollars (\$110,000.00), plus applicable gross receipts tax.

B. Contractor shall be responsible for payment of gross receipts taxes levied by the State of New Mexico on the sums paid under this Agreement.

C. Payment shall be made upon receipt and approval by the BDDDB of detailed statements containing a report of services completed. Compensation shall be paid only for services performed.

2. TERM AND EFFECTIVE DATE.

Article 5, of the Agreement is amended to extend the term on June 30, 2020.

3. 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 Services Agreement as of the dates set forth below.

***[BALANCE OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE FOLLOWS]***

BUCKMAN DIRECT DIVERSION BOARD

CONTRACTOR:

B & D Industries, Inc.

By: Anna T. Hamilton
Anna T. Hamilton, BDDDB Chair

Signature: Nikki Parsons

Printed Name: Nikki Parsons

Title: Corp Secretary

Date: 6/30/19

Date: 6/6/19

ATTEST

Geraldine Salazar
Geraldine Salazar, County Clerk



APPROVED AS TO FORM

Nancy R. Long
Nancy R. Long, BDDDB Counsel

APPROVED

Mary T. McCoy
Mary T. McCoy, City Finance Director

ATTEST

Yolanda Y. Vigil
Yolanda Y. Vigil, City Clerk

File Date: 8-9-19