

**CITY OF SANTA FE
AMENDMENT No. 1 TO
AGREEMENT BETWEEN OWNER AND CONTRACTOR**

AMENDMENT No. 1 (the "Amendment") to the CITY OF SANTA FE AGREEMENT 19-0648 BETWEEN OWNER AND CONTRACTOR, dated July 31, 2019 (the "Agreement"), between the City of Santa Fe (the "Owner") and B&D Industries, Inc. (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, the Contractor has agreed to provide construction services for CIP Project #503A, Salvador Perez Recreation Building - Structural and Building Envelope Rehabilitation;

B. Pursuant to Article 8.5.11 of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the Owner and the Contractor agree as follows:

1. **SUBSTANTIAL COMPLETION:**

Article 3 of the Agreement is amended to increase the Contract Time by thirty (30) calendar days for completion of the additional scope of work and for additional days for unforeseen conditions due to no fault of the Contractor, so that Article 3.3 reads as follows:

§ 3.3 Substantial Completion

§ 3.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Contractor shall achieve Substantial Completion of the entire Work:

[X] Not later than ~~one hundred seventy-five~~ (**175**) calendar days from the date of commencement of the Work, subject to adjustments of this Contract Time as provided in the Contract Documents.

2. CONTRACT SUM:

Article 4 of the Agreement is amended to increase the total contract sum dollar amount by \$51,396.88 to include provision for additional Work per the attached proposal dated December 13, 2019 (Exhibit 1,A), so that Article 4.1 reads as follows:

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be ~~one million, three hundred four thousand, three hundred eighty-one dollars and twenty-six cents (\$ 1,304,381.26)~~, inclusive of New Mexico Gross Receipts Tax, subject to additions and deductions as provided in the Contract Documents.

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.

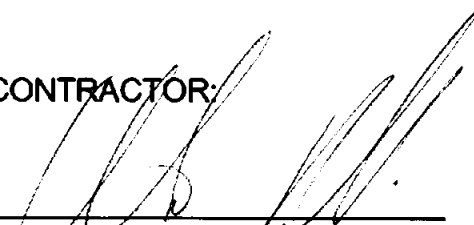
IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 to the City of Santa Fe Agreement 19-6048 Between Owner and Contractor for CIP Project #503A, Salvador Perez Recreation Building Structural and Building Envelope Rehabilitation.

CITY OF SANTA FE:


ALAN WEBBER, MAYOR

DATE: 2/14/20

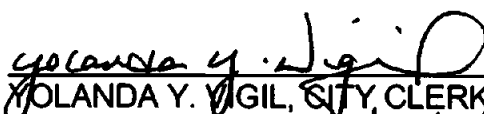
CONTRACTOR:


CLINTON BEALL, SENIOR VP
B&D INDUSTRIES, INC.

DATE: 2/19/2020

NM LICENSE #1426
CRS# 01-716872-004
City of Santa Fe Business
Registration# 17-00110523
NM Resident Pref # L1754397648

ATTEST:


YOLANDA Y. VIGIL, CITY CLERK
Clerk 1/25/20

CITY ATTORNEY'S OFFICE:

MDM 1/14/20
SENIOR ASSISTANT CITY ATTORNEY

APPROVED:

Mary McCoy
MARY MCCOY, FINANCE DIRECTOR

Business Unit/Line Item

32151.572970.0119900: \$51,396.88, EXP Salvador Perez Building, WIP Construction (2-018 GRT Bond)