

**SANTA FE SOLID WASTE MANAGEMENT AGENCY  
AMENDMENT No. 4  
SERVICES AGREEMENT WITH  
TOWN RECYCLING, LLC  
(Processing and Marketing of Recyclable Materials - 2019)**

This AMENDMENT No. 4 (“Amendment”) to the SERVICES AGREEMENT, dated May 30, 2019 (“Agreement”), is made and entered into between the Santa Fe Solid Waste Management Agency (“Agency”) and Town Recycling, LLC (“Contractor”). The date of this Amendment shall be the date this Amendment is executed by the Agency.

**RECITALS**

Under the terms of the Agreement, Contractor has agreed to provide processing and marketing of recyclable materials for the Agency (RFP '19/06/P).

Pursuant to Article 18, Amendment of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the Agency and Contractor agree as follows:

**1. COMPENSATION**

Article 3, Compensation of the Agreement is hereby amended to increase the compensation in Paragraph A by One Million Two Hundred Thousand Dollars and No Cents (\$1,200,000.00) so that Paragraph A of Article 3 is deleted entirely and replaced with the following:

- A. The Agency shall pay to Contractor in full payment for services rendered, including applicable gross receipts taxes, a sum not to exceed Three Million Seven Hundred Fifty Thousand Dollars and No Cents (\$3,750,000.00).

DESCRIPTION	AMOUNT
ORIGINAL CONTRACT	\$600,000.00
AMENDMENT NO. 1	\$900,000.00
AMENDMENT NO. 2	\$750,000.00
AMENDMENT NO. 3	\$300,000.00
AMENDMENT NO. 4	\$1,200,000.00
CONTRACT TO DATE	\$3,750,000.00

**2. TERM AND EFFECTIVE DATE**

Article 5, Term and Effective Date of the Agreement is amended to extend the term of the Agreement, so that Article 5 reads in its entirety as follows:

A. This Agreement shall be effective when signed by the Agency and terminate on May 30, 2024, unless it is terminated sooner pursuant to Article 4 or Article 6 of this Agreement.

B. Pursuant to the limitations on multi-term contracts for services contracts codified in NMSA 1978 § 13-1-150, this Agreement may not exceed ten (10) years, including all extensions and renewals. Subject to that limitation, this Agreement can be renewed annually, if agreed upon by the Agency and Contractor and approved by the Joint Powers Board.


**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. 4 to the


Services Agreement as of the dates set forth below.

**SANTA FE SOLID WASTE MANAGEMENT AGENCY:**

  
\_\_\_\_\_  
Michael Garcia  
Chairperson

4/20/23  
Date:

**ATTEST:**


*for*  \_\_\_\_\_ *all*  
Kristine Bustos-Mihelcic  
Santa Fe City Clerk

**CONTRACTOR:**

  
\_\_\_\_\_  
Victor Lara  
Director of Operations  
Town Recycling, LLC

4/21/2023  
Date:

**APPROVED AS TO FORM:**

 \_\_\_\_\_ *for*  
Nancy R. Long  
Agency Attorney

4/20/23  
Date: