

**AMENDMENT NO. 1
TO THE AGREEMENT BETWEEN
SANTA FE COUNTY AND THE
OCCUPATIONAL HEALTH CENTERS OF THE SOUTHWEST, P.A.,
TO PROVIDE DRUG AND ALCOHOL TESTING SERVICES**

THIS AMENDMENT is made and entered into this 12th day of Sept. 2013, by and between **Santa Fe County**, hereinafter referred to as "County", a New Mexico political subdivision, and **Occupational Health Centers of the Southwest, P.A., dba Concentra Medical Centers ("Concentra")**, hereafter referred to as "the Contractor."

WHEREAS, in accordance with Section 13-1-112 NMSA 1978, the County issued Request for Proposal (RFP) No. 2012-0224-HR/PL for this service;

WHEREAS, on October 19, 2012 the County and Contractor entered into Agreement No. 2012-0224-HR/PL to provide for the Contractor's provision of drug and alcohol testing services for the County;

WHEREAS, Article 15, "NO ORAL MODIFICATIONS; WRITTEN AMENDMENTS REQUIRED," of Agreement No. 2012-0224-HR/PL allows the parties to amend the Agreement by an instrument in writing executed by the parties hereto;

WHEREAS, the County wishes to amend the scope of work to clarify the Contractor's operating hours, extend the term of the Agreement, and increase the compensation by \$50,000 for the term of October 19, 2013 to October 19, 2014;

WHEREAS, both parties desire to enter into the Amendment No. 1.

NOW THEREFORE, both parties agree as follows:

1. ARTICLE 1. "SCOPE OF WORK", subparagraph "C" is deleted in its entirety and replaced with the following:
 - C. Provide drug and alcohol collections and testing 8:00 a.m. to 5:00 p.m. Monday through Friday.
2. ARTICLE 2. "COMPENSATION, INVOICING, AND SET-OFF" a new subparagraph "A.2.a" is inserted to read as follows:
 - a. By Amendment No. 1, the County exercised its first option to extend this Agreement from October 19, 2013 to October 19, 2014. The total amount payable to the Contractor for the period of October 19, 2013 to October 19, 2014, exclusive of NM gross receipts tax, shall not exceed Fifty Thousand Dollars (\$50,000). The total amount payable to the Contractor under this Agreement, as amended and extended, shall not exceed One Hundred Thousand Dollars, (\$100,000) exclusive of NM gross receipts tax.

3. ARTICLE 3. "EFFECTIVE DATE AND TERM" a new subparagraph "A" is inserted to read as follows:

A. By Amendment No. 1, the County notifies Contractor and exercised the first option to extend the term of this Agreement for one (1) year from October 19, 2013 to October 19, 2014 on the same terms and conditions as stated herein and a \$50,000 increase in compensation.

4. All other provisions of Agreement No. 2012-0224-HR/PL not specifically amended or modified by this Amendment No. 1 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have duly executed this Amendment to the Agreement as of the date first written above.

SANTA FE COUNTY:

Katherine Miller
Katherine Miller
Santa Fe County Manager

9.12.13
Date

Approved as to Form

Stephen C. Ross
Stephen C. Ross
Santa Fe County Attorney

8/9/13
Date

Finance Department Approval

Teresa Martinez
Teresa Martinez
Finance Department Director

9/10/13
Date

CONTRACTOR:

W. Tom Fogarty
(Signature)

Date

W. Tom Fogarty, M.D.
(Print Name)

President
(Print Title)

FEDERAL TAX I.D. NUMBER: 75-2014828