

**AMENDMENT NO. 1 TO
MEMORANDUM OF AGREEMENT
BETWEEN SANTA FE COUNTY AND NEW ENERGY ECONOMY
REGARDING SOLAR PHOTOVOLTAIC PROJECTS**

THIS AMENDMENT is made and entered into as of this 24 day of September, 2013, by and between **Santa Fe County**, a political subdivision of the State of New Mexico (hereinafter referred to as the "County"), and **New Energy Economy**, a New Mexico non-profit company located at 343 E. Alameda Street, Santa Fe, New Mexico (hereinafter referred to as "NEE").

WHEREAS, the County and NEE entered into Memorandum of Agreement No. 2013-0356-PW/IC on May 30, 2013 whereby the County agreed to provide a maximum of \$25,000 and NEE agreed to provide \$15,000 toward the design and completion of a project to design and install a solar electric photovoltaic system at the County's Tesuque Fire Station No. 1 in Tesuque, NM;

WHEREAS, the placement of a 6 kilowatt solar photovoltaic system at the Tesuque Fire Station is completed and operational. The design and installation of the photovoltaic system was completed at a cost of \$18,910.00. The NEE contribution of \$15,000 remains available for expenditure related to NEE's "Sol Not Coal" campaign and the purposes of Memorandum of Agreement No. 2013-0356-PW/IC;

WHEREAS, the parties wish to amend the Memorandum of Agreement to provide for NEE's agreement to maintain its \$15,000.00 contribution by making available \$9,455.00 for NEE's contribution toward the completed and operational photovoltaic system at the County's Tesuque Fire Station, and \$5,545.00 for another future joint solar project between NEE and the County to be located in Santa Fe County District 1;

WHEREAS, Article 6 of the Agreement allows the parties to amend the Agreement by an instrument in writing executed by the parties;

WHEREAS, the parties desire to enter into this Amendment No. 1 to extend the term of the Memorandum of Agreement No. 2013-0235-PW/IC and modify the distribution and use of the \$15,000 funding contribution from NEE.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Article 1.A, insert a new subpart (vi) to read as follows:

(vi) For another solar photovoltaic system to be installed in Santa Fe County District 1, provide funding in an amount not less than Five Thousand Five Hundred Forty Five Dollars (\$5,545.00). The County shall procure the services of a qualified contractor to complete the design and installation of a solar photovoltaic system at another location in Santa Fe County District 1 no later than December 31, 2013, subject to circumstance or delay beyond the contractor's control. The contract for the design and installation of the photovoltaic system

shall be between the County and the contractor. Compensation to the contractor shall be paid by the County.

2. Article 1.B., the reference to “\$15,000.00” is deleted and replaced with “\$9,455.00.”

3. Article 1.B, insert new subparts (iii) and (iv) to read as follows:

(iii) Provide funding in the amount of Five Thousand Five Hundred Forty Five Dollars (\$5,545.00) to Santa Fe County for a solar project to be completed by the County in District 1 no later than December 31, 2013.

(iv) Provide a public informational sign approved by the County and pertaining to any project for which NEE contributes funding pursuant to this Agreement.

4. Article 2, delete this paragraph in its entirety and replace with:

2. COUNTY’S PAYMENT TO THE CONTRACTOR; NEE’S PAYMENT OF ITS CONTRIBUTION TO THE COMPLETION OF THE PHOTOVOLTAIC SYSTEMS.

A. Tesuque Fire Station No. 1. The 5.5 to 6.0 kilowatt solar electric photovoltaic system was designed and completed with funding from the County and NEE. NEE will provide funding in the amount of Nine Thousand Four Hundred Fifty Five Dollars (\$9,455.00) to the County for NEE’s contribution to the completion of the photovoltaic system. Compensation to the contractor for completed goods and services was paid by the County from County funds and funds to be provided by NEE. NEE will provide \$9,455.00 to the County for NEE’s contribution to the completion of the photovoltaic system at the Tesuque Fire Station No.1 within thirty (30) days of the effective date of this Amendment.

B. Photovoltaic System in Santa Fe County District 1. The design and installation of a second photovoltaic system in District 1 will be designed and completed with funding from the County and NEE. NEE will provide funding in the amount of Five Thousand Five Hundred Forty Five Dollars (\$5,545.00) to the County and the County will procure the services of a qualified contractor to design and install a second photovoltaic system in Santa Fe County District 1. Compensation to the contractor for completed goods and services will be paid by the County from County funds and funds provided by NEE. NEE will provide \$5,455.00 to the County for NEE’s contribution to the completion of a photovoltaic system at another site in Santa Fe County District 1 within thirty (30) days of the completion of the project.

5. Article 3 (Term), the reference to “October 2, 2013” is deleted and replace with “January 31, 2014.”

6. All other provisions of Memorandum of Agreement No. 2013-0356-PW/IC not specifically amended by this Amendment No. 1 shall remain in full force and effect.

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

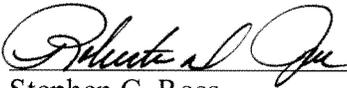
SANTA FE COUNTY



Katherine Miller
Manager

9.10.13
Date

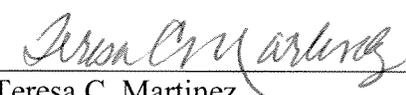
APPROVED AS TO FORM:



Stephen C. Ross
Santa Fe County Attorney

8/30/13
Date

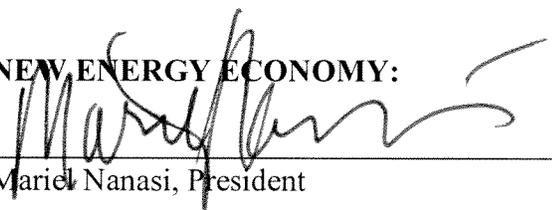
FINANCE DEPARTMENT



Teresa C. Martinez
Santa Fe County Finance Director

9/4/13
Date

NEW ENERGY ECONOMY:



Mariel Nanasi, President

9/24/13
Date

