

**AMENDMENT NO. 1
TO MEMORANDUM OF AGREEMENT
BETWEEN
SANTA FE COUNTY AND THE
SANTA FE PUBLIC SCHOOL DISTRICT**

THIS AMENDMENT is made and entered into as of this 16th day of August, 2011, by and between **Santa Fe County**, a political subdivision of the State of New Mexico (hereinafter referred to as “the County”) and the **Santa Fe Public School Board** (hereinafter referred to as “SFPS”).

WHEREAS, on October 18, 2010 the County and SFPS entered into a Memorandum of Agreement to provide for the parties’ agreement on certain construction work to benefit SFPS that is to be completed as part of the County’s Agua Fria Phase III Project, a roadway and utility improvement project along Agua Fria Street in Santa Fe County;

WHEREAS, according to the Memorandum of Agreement, the SFPS indicated that its portion of the costs for roadway and utility improvements that benefit SFPS is not to exceed \$30,000;

WHEREAS, the Agreement states that any costs to SFPS for service utilities above \$30,000 shall be reviewed and approved by the School Board before exceeding such amount;

WHEREAS, during the construction the SFPS requested modification of the utility services for SFPS and completion of additional utility work as part of the SFPS’s development of the new Agua Fria Elementary School;

WHEREAS, the additional work requires an increase to the SFPS’s not-to-exceed amount of \$30,000 and modification of the Agreement to describe the additional utility work that will benefit SFPS;

WHEREAS, Article 7 of the Agreement allows the parties to amend the Agreement by an instrument in writing;

WHEREAS, the parties wish to amend the Memorandum of Agreement to supplement the Scope of Work and increase the compensation to be paid by SFPS to Santa Fe County for completion of additional utility services that benefit SFPS.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

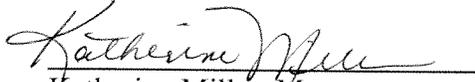
1. Article 1 SCOPE is amended by adding the following as paragraphs A.5:
 5. to complete modifications to the utility plan and additional utility services pertaining to future planning and the utility needs of the Agua Fria Elementary School on Agua Fria Street.

2. Article 2 COMPENSATION is amended by deleting reference to “thirty thousand dollars (\$30,000),” and replacing with “Thirty-Five Thousand Nine Hundred Forty-Three Dollars and Forty-Seven Cents (\$35,943.47), inclusive of gross receipts tax.”

3. All other provisions of the Memorandum of Agreement not specifically amended as stated in this Amendment No. 1, remain in full force and effect.

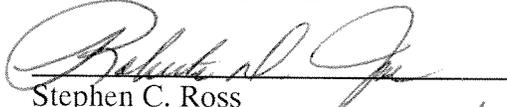
IN WITNESS WHEREOF, the parties have executed this Amendment No.1 as of the last date of signature below.

SANTA FE COUNTY


Katherine Miller, Manager
Santa Fe County

Aug 9, 2011
Date

APPROVED AS TO FORM:


Stephen C. Ross
Santa Fe County Attorney *smby 8/8/11*

Aug 9, 2011
Date

**BOARD OF EDUCATION
SANTA FE PUBLIC SCHOOLS**


Superintendent

8-16-2011
Date