

**AMENDMENT NO. 1  
TO AGREEMENT NO. 2026-0395-CMO/TJ**

**THIS AGREEMENT** is entered into this 24th day of June, 2026, between **Santa Fe County** (the “County”), and **Xynergy Inc.**, 315 Alameda Blvd., Albuquerque, New Mexico 87113 (the “Contractor”).

**WHEREAS**, the County and Contractor entered into Agreement No. 2026-0395-CMO/TJ (the “Agreement”) on June 14, 2026, to provide for the Contractor’s professional website design, hosting, maintenance, support, and related services for the County website; and

**WHEREAS**, Article 14 (Amendment) of the Agreement allows the parties to amend the Agreement by an instrument in writing signed by the parties; and

**WHEREAS**, by this Amendment No. 1 the parties agree to amend the Agreement to include the Contractor’s services the duty to ensure that all services performed under the Agreement will comply with ADA Title II and WCAG 2.1 AA accessibility standards, and to increase the compensation payable to the Contractor for these services.

**NOW THEREFORE**, the parties agree to amend the Agreement as follows:

1. Article 1 (Contractor’s Services) insert a subparagraph B to read:
  - B. By Amendment No. 1 the Contractor Services will include the include the services described in the Contractor’s proposal dated June 5, 2026, pertaining to ADA and WCAG 2.1 AA compliance (see Attachment B).
  
2. Article 3.A. (Compensation, Invoicing and Set-off) insert a subparagraph i to read:
  - (i) By Amendment No. 1 the compensation payable to the Contractor is increased by the sum of \$20,179.69. The total amount payable to the Contractor for the term of the Agreement will not exceed **\$107,625.00**, *inclusive* of NM GRT.
  
3. All other provisions of the Agreement not specifically amended or modified by this Amendment No. 1 will remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have executed this Agreement as of the date of last signature by the parties.

**SANTA FE COUNTY:**

  
\_\_\_\_\_  
Gregory S. Shaffer  
Santa Fe County Manager

6/24/2026  
\_\_\_\_\_  
Date

Approved as to form:

Roberta D. Joe for W.B.

6/17/2026

Walker Boyd

Date

Santa Fe County Attorney

**CONTRACTOR – XYNERGY, INC.**



6/18/2026

Signature

Date



Scope of Work:

The scope of this work is for the Contractor to provide professional services to evaluate, improve, and ensure accessibility compliance for the Procuring Entity's public website, <https://www.santafecountynm.gov/>. The Contractor shall deliver services that strengthen the site's usability, inclusivity, and conformance with current accessibility standards and state and federal regulations.

This will be leveraging the Statewide Pricing Agreement **30-00000-23-00080DW**

The Contractor's primary objectives are:

- To conduct comprehensive automated and manual accessibility scans and audits of the Procuring Entity's website.
- To remediate identified accessibility issues in website code, design, and content to meet **WCAG 2.1 AA** and **ADA Title II** compliance requirements.
- To enhance user interface and user experience (UI/UX) design elements where needed to ensure equitable access for all users, including individuals with disabilities.
- To update and maintain an Accessibility Statement and complaint process in alignment with State of New Mexico IT policies.
- To provide accessibility training and documentation

Service Category(ies) and Negotiated Unit Rates:

Contractor's Key Staff and Qualified Personnel will not be diverted from this Agreement absent Procuring Entity's prior written approval. The Procuring Entity considers the following Key Staff and Qualified Personnel to be mandatory to the work to be performed hereunder and their associated negotiated unit rate applicable to this agreement are as follows:

| <b>Key Staff and Qualified Personnel<br/>(Include Name/Title, IT Professional<br/>Service Category and<br/>Experience Level)</b> | <b>SWPA Unit Rate<br/>(excluding GRT)<br/>Per hour</b> | <b>Negotiated Unit Rate<br/>(excluding GRT)<br/>Per hour</b> |
|--|--|--|
| Toby Sapusek<br>Web Developer<br>Application Development Services<br>Mid-level   | \$125  | \$125  |
| Donald DeLeeuw<br>Web Developer<br>Application Development Services<br>Mid-level   | \$125  | \$125  |
| Ethan Graham<br>VP of Operations<br>Project Management Services<br>Mid-Level   | \$125  | \$125  |
| Avery Pearson<br>UX/UI Designer<br>Application Development Services<br>Mid-level   | \$125  | \$125  |

**Americans with Disabilities Act (ADA) Compliance Adjustments For Santa Fe County Website**

| <b><u>Deliverable</u></b>   | <b><u>Due Date</u></b>                       | <b><u>Compensation</u></b>   |
|---|--|--|
| <b>Americans with Disabilities Act (ADA) Compliance Adjustments For Santa Fe County Website</b> | <b>Within 16 weeks of contract execution</b> | <b>Total Compensation Amount for this deliverable not to exceed \$20,179.69 including 7.625% GRT, as applicable billed pursuant to SWPA Article 3.</b> |

| <b>Task Item</b>               | <b>Subtask</b>                       | <b>Description</b>   |
|--------------------------------|--------------------------------------|--|
| <b>1.0 Accessibility Audit</b> | <b>Automated Accessibility Scans</b> | The contractor will run scans on <a href="https://www.santafecountynm.gov/">https://www.santafecountynm.gov/</a> templates and high-traffic pages to identify WCAG 2.1 AA issues (contrast, headings, links, forms). |

|  |                                       |  |
|--|---------------------------------------|--|
|  | <b>Keyboard/Screen Reader Testing</b> | Verify full keyboard navigation, focus order, screen reader roles/labels, ARIA usage, and visible focus.   |
|  | <b>Media &amp; Documents</b>          | Audit downloadable content and embedded media for tags, captions, transcripts, and reading order.  |
|  | <b>Forms &amp; Transactions</b>       | Ensure form labels, instructions, error messaging, and timeouts are accessible.  |
| <b>2.0 Remediation &amp; Design Tweaks</b> | <b>Code Remediation</b>               | Implement fixes: headings, landmarks, ARIA roles, labels, skip links, and focus management. This will include all blogs and content pages throughout the site but does not include 3rd party embedded content or downloadable files such as Word Docs, PDFs, and the like. |
|  | <b>Content Updates</b>                | Improve link clarity, add alternative text, and update content for accessibility.  |
| <b>Policy, Reporting and Training</b>      | <b>Policy Refresh</b>                 | We will work with the team to create an accessibility page. Replace the accessibility statement with updated ADA Title II & WCAG 2.1 AA-compliant statement.   |
|  | <b>Reporting</b>                      | Implement a clear path for users to report accessibility issues and track responses.   |
|  | <b>Training</b>                       | Provide role-based training for editors or marketing staff with live session(s) and recordings.  |