

**AMENDMENT NO. 9
TO AGREEMENT BETWEEN SANTA FE COUNTY AND
HK ADVERTISING FOR ADVERTISING AND PROMOTIONAL SERVICES**

This amendment is entered into this 30 day of July, 2019, by and between **Santa Fe County**, (hereinafter the "County"), a New Mexico political subdivision, and **HK Advertising** (hereinafter "Contractor").

WHEREAS, on August 31, 2015, the County and Contractor entered into Agreement No. 2015-0307-FI/MY (the Agreement) for the Contractor's provision of advertising and promotional services to publicize and promote tourist-related attractions, facilities and events throughout Santa Fe County; and

WHEREAS, Article 15 of the Agreement (No Oral Modifications: Written Amendments Required) allows the parties to amend the Agreement by an instrument in writing executed by the parties; and

WHEREAS, by Amendment Nos. 1 through 8 the Agreement was amended to increase the compensation payable to the Contractor by a sum of \$1,606,721.96 and extend the term to August 31, 2019; and

WHEREAS, the services under this Agreement are not "professional services" as that term is defined in Section 13-1-76, NMSA 1978, therefore the term of this Agreement is not limited to four years as provided in Section 13-1-150, NMSA 1978; and

WHEREAS, by this Amendment No. 9 the County wishes to increase the compensation payable to the Contractor by a sum of \$118,037.05 and extend the term to October 30, 2019.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. Article 3.A.2) (Compensation, Invoicing and Set-Off), is amended by inserting a subparagraph h) to read:

h) By Amendment No. 9 to this Agreement, the compensation payable to the Contractor is increased by \$118,037.05 for a not-to-exceed contract sum of \$1,724,759.01, inclusive of NM grt.

2. Article 4 (Effective Date and Term, is amended by inserting the following subparagraph D. to read:

D. By Amendment No. 9, the term of this Agreement is extended from August 31, 2019 to October 30, 2019.

3. All other provisions of the Agreement not specifically amended or modified by Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8 and this Amendment No. 9 shall remain in full force and effect.

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

SANTA FE COUNTY:

Katherine Miller
Katherine Miller
Santa Fe County Manager

7.30.19
Date

Approved as to form:

R. Bruce Frederick
R. Bruce Frederick
Santa Fe County Attorney

7/29/19
Date

Finance Division:

Gary E. J. Giron 072619
Gary E. J. Giron
Finance Director

Date

CONTRACTOR - HK ADVERTISING

Signature

Date

Print name and title


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SANTA FE COUNTY:

Katherine Miller
Santa Fe County Manager

Date

Approved as to form:




R. Bruce Frederick
Santa Fe County Attorney

7/29/19

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Finance Division:



Gary L. J. Giron
Finance Director

Date

CONTRACTOR - HK ADVERTISING



Signature

7/29/19

Date

David C. Hayduk President

Print name and title

