

**SANTA FE COUNTY
AMENDMENT NO. 2
TO THE AGREEMENT WITH ACC HEALTH, INC.
TO PROVIDE DENTAL SERVICES**

THIS AMENDMENT is made and entered into this 13 day of August 2013 by and between **Santa Fe County**, (hereinafter referred to as "County"), a New Mexico political subdivision, and **ACC Health, Inc.**, (hereafter referred to as "the Contractor"), a New Mexico corporation with a principal address located at 9008 Washington NE, Albuquerque, N.M. 87113.

WHEREAS, pursuant to the Procurement Code, the County procured an agreement dated July 27, 2012 with Contractor (the "Agreement") for the provision of dental services to the Santa Fe County Corrections Department;

WHEREAS, Article 15 (Modifications; Amendment) of the Agreement allows the parties to amend the Agreement by an instrument in writing executed by the parties;

WHEREAS, by Amendment No. 1 dated November 19, 2012, the County and Contractor agreed to modify the Scope of Work to include the services of a dental assistant and to increase the compensation by \$17,600.00;

WHEREAS, according to Article 3 (Effective Date and Term), the Agreement is due to expire July 27, 2013 and the County has the option to extend the term of the Agreement for one (1) year by providing written notice to the Contractor;

WHEREAS, by written notice to the Contractor dated June 5, 2013, the County exercised its option to extend the term of the Agreement for one (1) year from July 27, 2013 to July 27, 2014;

WHEREAS, the County needs the continuation of dental services provided by the Contractor and both parties agree to amend Agreement No. 2012-0218-CORR/PL to incorporate the extension of the term, and increase the compensation to the Contractor for services provided from July 27, 2013 to July 27, 2014.

WHEREAS, both parties desire to enter into this Amendment.

NOW THEREFORE, it is mutually agreed between the parties to amend the Agreement as follows:

1. Article 2. COMPENSATION AND INVOICING, insert a new subparagraph A.2.a to read as follows:
 - a. By Amendment No. 2 to this Agreement, the total amount payable to the Contractor exclusive of gross receipts tax shall not exceed One Hundred Fifty Three Thousand Four Hundred Dollars (\$153,400.00) for the term of July 27,

2013 to July 27, 2014. Any New Mexico gross receipts tax levied on the amounts payable under this Agreement shall be paid by the County to the Contractor. The total amount payable to the Contractor under this Agreement, as amended and extended, exclusive of gross receipts tax, shall not exceed **Two Hundred and Ninety Five Thousand Eight Hundred Dollars and No Cents (\$295,800.00)**.

2. Article 3 (EFFECTIVE DATE AND TERM), insert a new subparagraph 3.A to read as follows:

A. By written notice dated June 5, 2013, the County notified the Contractor that this Agreement shall be extended for one (1) year from July 27, 2013 to July 27, 2014 on the same terms and conditions as stated herein and a \$153,400 increase in compensation.

3. All other provisions of Agreement No. 2012-0218-CORR/PL not specifically amended by Amendment No. 1, modified by the County's notice to extend dated June 5, 2013, and this Amendment No. 2, 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:

Kathleen S. Holian
Kathleen S. Holian, Chair
Santa Fe County Board of County Commissioners

August 13, 2013
Date

ATTEST:
Geraldine Salazar *ty vt*
Geraldine Salazar
Santa Fe County Clerk

8-15-13
Date



Approved as to form:
Stephen C. Ross
Stephen C. Ross
Santa Fe County Attorney

July 23, 2013
Date

Finance Department:

Teresa C. Martinez
Teresa C. Martinez
Director

7/31/12
Date

CONTRACTOR: *Ashlee Bower for Virginia Berger*
(Signature)

8/12/13
Date

By: *Virginia Berger*
(Print Name)

Its: *CEO*
(Print Title)

FEDERAL ID. NUMBER: *85-0385296*

