

**AMENDMENT NO. 1
TO PRICE AGREEMENT BETWEEN SANTA FE COUNTY
AND WESTERN EMULSIONS, INC.**

THIS AMENDMENT is made and entered into this 20th day of MARCH 2015, by and between **SANTA FE COUNTY**, (hereinafter referred to as "County"), a New Mexico political subdivision, and **WESTERN EMULSIONS, INC.**, (hereafter referred to as "the Contractor").

WHEREAS, in accordance with NMSA 1978 Sections 13-1-102 and 113-1-110, the County issued Invitation for Bid No. 2014-0263-PW/MS for the purchase of various specified oils and emulsions; and

WHEREAS, on April 29, 2014 the County and Contractor entered into Agreement No. 2014-0263-A-PW/MS for these services for a term of one year; and

WHEREAS, Section 7, "AMENDMENT" of Agreement No. 2014-0263-A-PW/MS allows the parties to amend the Agreement by an instrument in writing executed by the parties; and

WHEREAS, Article 4, "TERM", the County has the option to extend the term for one (1) year to April 29, 2016; and

WHEREAS, the County wishes to amend the Price Sheet Attachment "A" of Agreement No. 2014-0263-A-PW/MS to add tack oil to the items to be provided by the Contractor under this Price Agreement.

WHEREAS, both parties desire to enter into Amendment No.1.

NOW THEREFORE, both parties agree as follows:

1. ARTICLE 4. "TERM" a new subparagraph "a" is inserted to read as follows:
 - a. By Amendment No. 1, the County notifies Contractor and exercises the County's option to extend the term of this Agreement for one (1) year from April 29, 2015 to April 29, 2016, on the same terms and conditions as stated in Agreement No. 2014-0263-A-PW/MS, as amended.
2. Agreement No. 2014-0263-A-PW/MS is amended by deleting Attachment A in its entirety and replace it with the attached Attachment A (Revised), which lists the price for tack oil.
3. All other provisions of Agreement No. 2014-0263-A-PW/MS not specifically amended or modified by this Amendment No. 1 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have duly executed this Amendment No. 1 to Agreement No. 2014-0263-A-PW/MS as of the date first written above.

SANTA FE COUNTY:

Katherine Miller
Katherine Miller
Santa Fe County Manager

3-17-15
Date

Approved as to Form

Gregory S. Shaffer
Gregory S. Shaffer
Santa Fe County Attorney

3-11-15
Date

Finance Department Approval

Teresa C. Martinez
Teresa C. Martinez
Finance Department Director

3/10/15
Date

CONTRACTOR:

Rusty Smallwood
(Signature)

3/20/15
Date

Rusty Smallwood
(Print Name)

Regional Sales Director
(Print Title)

ATTACHMENT A REVISED

Santa Fe County Public Works Department

VARIOUS SPECIFIED OILS AND EMULSIONS

ITEM #	EST. QTY (TONS)	ITEM DESCRIPTION	UNIT	UNIT PRICE	WRITTEN IN WORDS
CATIONIC HIGH FLOAT RAPID SET POLYMER MODIFIED EMULSIONS (CHFRS-2P)					
1	750	Cationic High Float Rapid Set Polymer Modified Emulsions (CHFRS-2P) or approved equal	Ton	\$610.00 \$509.00	Six hundred ten dollars & no cents Five hundred nine & no cents
CATIONIC RAPID SET (CRS-2P)					
2	750	Cationic Rapid Set (CRS-2P) or approved equal	Ton	\$560.00 \$485.00	Five hundred sixty dollars & no cents Four hundred eighty five & no cents
FASTSET 60% EMULSION 40% WATER					
3	750	Fastset 60% Emulsion 40% Water or approved equal	Ton	\$402.00 \$365.00	Four hundred two dollars & no cents Three hundred sixty five & no cents
POLYMER ASPHALT SURFACE SEALER (PASS)					
4	750	Polymer Asphalt Surface Sealer (PASS) or approved equal	Ton	\$850.00 \$756.00	Eight hundred fifty dollars & no cents Seven hundred fifty six & no cents
PASS RECYCLE EMULSION - REJUVENATING (PASS-R)					
5	750	PASS Recycle Emulsion- Rejuvenating (PASS-R) or approved equal	Ton	\$611.00 \$550.00	Six hundred eleven dollars & no cents Five hundred fifty & no cents

ITEM #	EST. QTY (TONS)	ITEM DESCRIPTION	UNIT	UNIT PRICE	WRITTEN IN WORDS
POLYMER ASPHALT SURFACE SEALER - CHIP RETENTION (PASS-R) (PASS CR)					
6	750	Polymer Asphalt Surface Sealer - Chip Retention (PASS-R) or approved equal (PASS CR)	Ton	\$850.00 \$ 756.00	Eight hundred fifty dollars & no cents <i>seven hundred fifty six & no cents</i>
POLYMER ASPHALT SURFACE SEALER - QUICK BREAK (PASS-QB) 50% EMULSION 50% WATER					
7	750	Polymer Asphalt Surface Sealer - Quick Break (PASS-QB) 50% Emulsion 50% Water or approved equal	Ton	\$361.00 \$ 357.00	Three hundred sixty-one dollars & no cents <i>three hundred fifty seven & no cents</i>
PLASTIC AND SEAL 60% EMULSION 40% WATER					
8	750	Plastic and Seal 60% Emulsion 40% Water or approved equal	Ton	\$518.00	Five hundred eighteen dollars & no cents
GSB-88 GILSONITE SEALER/REJUV 67% EMULSION 33% WATER					
9	750	GSB-88 Gilsonite Sealer/Rejuv 67% Emulsion 33% Water or approved equal	Ton	\$999.00	Nine hundred ninety-nine dollars & no cents
GSB-88 GILSONITE SEALER/REJUV 50% EMULSION 50% WATER					
10	750	GSB-88 Gilsonite Sealer/Rejuv 50% Emulsion 50% Water or approved equal	Ton	\$746.00	Seven hundred forty-six dollars & no cents
TEXTURE SEAL SANDING OF FOG SEAL WITH BSA-35 SAND					
11	750	Texture Seal Sanding of Fog Seals with BSA-35 Sand or approved equal	Sq. Yd.	\$.10	Ten Cents

ITEM #	EST. QTY (TONS)	ITEM DESCRIPTION	UNIT	UNIT PRICE	WRITTEN IN WORDS
SPREADING CHARGES FOR EMULSIONS					
12	As Needed	Spreading Charge for Emulsions with Distributor and Driver (24 Ton Minimum per Day)	Ton	\$45.00	Forty-five dollars & no cents
DELIVERY CHARGES FOR EMULSIONS					
13	As Needed	Delivery Charge for Emulsions All Locations in the County (24 Ton Minimum per Day)	Ton	\$43.00	Forty-three dollars & no cents
14	As Needed	Demurrage Charge for Delivery Truck (First Two Hours Free)	Per/Hour	\$80.00	Eighty dollars & no cents
15	As Needed	Pump Charge to Pump into Customer Storage Tank	Load	\$80.00	Eighty dollars & no cents
ASPHALT EMULSIONS AND ASSOCIATED PRODUCTS					
16	750	AEP	Ton	No Bid	No Bid
17	750	PEP	Ton	No Bid	No Bid
18	750	HFE-60	Ton	\$488.00	Four hundred eighty-eight dollars & no cents
19	750	HFE-60P	Ton	\$560.00	Five hundred sixty dollars & no cents
20	750	HFE-90	Ton	\$488.00 \$430.00	Four hundred eighty-eight dollars & no cents

Four Hundred thirty + no cents

ITEM #	EST. QTY (TONS)	ITEM DESCRIPTION	UNIT	UNIT PRICE	WRITTEN IN WORDS
21	750	HFE 100-1/1:1	Ton	\$320.00 \$280.00	Three hundred twenty dollars & no cents <i>Two hundred eighty + no cents</i>
22	750	HFRS-2P	Ton	\$560.00 \$509.00	Five hundred sixty dollars & no cents <i>Five hundred nine + no cents</i>
23	750	HFE-100P	Ton	\$560.00 \$509.00	Five hundred sixty dollars & no cents <i>Five hundred nine + no cents</i>
24	750	HFE-150	Ton	\$560.00	Five hundred sixty dollars & no cents
25	750	HFD-300	Ton	\$550.00	Five hundred fifty dollars & no cents
26	750	HFE-300P	Ton	\$610.00	Six hundred ten dollars & no cents
27	750	CSS-1P/1:1	Ton	\$360.00 \$307.00	<i>Three hundred seven + no cents</i> Three hundred sixty dollars & no cents
28	750	CRS-2P	Ton	\$560.00 \$495.00	Five hundred sixty dollars & no cents <i>Four hundred eighty five + no cents</i>
29	750	CHFRS-2P	Ton	\$509.00 \$610.00	<i>Five hundred nine + no cents</i> Six hundred ten dollars & no cents
30	As Needed	DISTRIBUTOR	Per Hour	\$45.00	Forty five dollars & no cents
FOG SEAL					
31	As Needed	Rubberized Fog seal or approved equal	Ton	No Bid	No Bid

ITEM #	EST. QTY (TONS)	ITEM DESCRIPTION	UNIT	UNIT PRICE	WRITTEN IN WORDS
		TACK OIL			
32	750	SS-1H	Ton	\$479.00	Four hundred seventy-nine dollars & no cents

All price reductions as per Rusty Smallwood

Rusty Smallwood
3/20/15