

**SANTA FE COUNTY
AMENDMENT NO. 4 TO THE AGREEMENT
WITH BI, INCORPORATED
TO PROVIDE ELECTRONIC MONITORING SERVICES**

THIS AMENDMENT is made and entered into this 12th day of April, 2016, between **Santa Fe County**, hereinafter referred to as "County", a New Mexico political subdivision, and **BI, Incorporated**, hereafter referred to as "the Contractor."

WHEREAS, in accordance with Section 13-1-112, NMSA 1978, the County issued Request for Proposal (RFP) No. 2013-0115-CORR/PL for electronic monitoring services for the Corrections Department; and

WHEREAS, on November 28, 2012 the County and Contractor entered into Agreement No. 2013-0115-CORR/PL (the "Agreement") to provide for the Contractor to provide electronic monitoring equipment and services in the amount of \$420,000.00; and

WHEREAS, on October 29, 2013, the County and Contractor entered into Amendment No. 1 to extend the term of the Agreement for one year to November 28, 2014 and increase the compensation by \$360,000.00; and

WHEREAS, by Amendment No. 2 the term of the Agreement was extended for one year to November 28, 2015 and increased compensation by \$400,000.00 for a not to exceed amount of \$1,180,000.00; and

WHEREAS, Amendment No. 3 extended the term of the Agreement for one year to November 28, 2016, and increased compensation by \$630,000.00 for a not to exceed amount of \$1,810,000.00; and

WHEREAS, Article 15, "NO ORAL MODIFICATIONS; WRITTEN AMENDMENTS REQUIRED," of the Agreement allows the parties to amend the Agreement by an instrument in writing executed by the parties; and

WHEREAS, by Amendment No. 4 the County wishes to increase the Contractor's compensation by \$250,000.00 for a total contract sum of \$2,060,000.00; and

WHEREAS, both parties desire to enter into this Amendment No. 4.

NOW THEREFORE, both parties agree as follows.

1. **ARTICLE 2. "COMPENSATION AND INVOICING"** a new subparagraph "A.2.d" is inserted to read as follow:
 - d. By Amendment No. 4, the County increased the Contractor's compensation by two hundred fifty thousand dollars (\$250,000.00). The total amount payable to

the Contractor for the term of November 28, 2015 to November 28, 2016, shall not exceed eight hundred eighty thousand dollars (\$880,000.00) exclusive of New Mexico gross receipts tax. The total amount payable to the Contractor under this Agreement shall not exceed two million sixty thousand dollars and no cents (\$2,060,000.00), exclusive of New Mexico gross receipts tax.

2. All other provisions of the Agreement not specifically amended or modified by Amendment Nos. 1, 2, 3 and this Amendment No. 4 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:

Miguel M. Chavez 4/12/16
Miguel M. Chavez, Chair Date
Santa Fe County Board of County Commissioners

ATTESTATION:

Geraldine Salazar
Geraldine Salazar
Santa Fe County Clerk



Approved as to form

Gregory S. Shaffer 3/22/16
Gregory S. Shaffer Date
Santa Fe County Attorney

Finance Department Approval

Carole H. Jaramillo 3/24/16
Carole H. Jaramillo Date
Finance Department Director

CONTRACTOR:

Ruth Skerjanec 4/18/16
(Signature) Ruth Skerjanec Date
VP, Financial Planning
(Print Name and title)