

**AMENDMENT TO OWNER-ENGINEER AGREEMENT**  
**Amendment No. 4**

1. *Background Data:*

Effective Date of Owner-Engineer Agreement: February 12, 2013

b. Owner: Santa Fe County, 102 Grant Ave., Santa Fe, NM 87504

c. Engineer: Occam Engineers, Inc. 994 Old Pecos Trails, Santa Fe, NM 87505

d. Project: Northeast and Southeast Connector Alignment and Corridor Study

2. *Description of Modification:*

**WHEREAS**, on February 12, 2013, the Owner and Engineer entered into Agreement No. 2013-0014-PW/MS (the Agreement) to provide for the Engineer's completion of the Northeast and Southeast Connector Alignment and Corridor Study for contract a sum of \$388,214.91, exclusive of NM grt; and

**WHEREAS**, Amendment No. 1 to the Agreement amended the time period stated in Exhibit A, part A.3.01 of the Agreement to extend the time period during which the Engineer is required to render services from 12 months to 18 months; and

**WHEREAS**, Amendment No. 2 to the Agreement again increased the time period for rendering services by extending it an additional 7 months and increased the Engineer's compensation by \$31,550.30; and

**WHEREAS**, Amendment No. 3 to the Agreement again increased the time period for rendering services by extending it an additional 6 months, amended the Engineer's basic services, and increased the Engineer's compensation by \$33,392.82 for a total contract sum of \$453,158.03; and

**WHEREAS**, the parties have been extending the time period for the Engineer to render and complete services under the Agreement pursuant to the provisions in Exhibit A, part A.3.01 (*Times for Rendering Services*) of the Agreement based on an apparent ambiguity in Exhibit A, part A.3.01; and

**WHEREAS**, pursuant to Article 3 (Times for Rendering Services) and Article 6.02 (Total Agreement) of the Agreement, the Owner wishes to increase the compensation payable to the Engineer in the amount of \$21,620.55 to allow the Engineer and its sub-consultants to complete Phase C of the project; extend the time period in which the Engineer shall perform and completed services under the

Agreement; and amend part A.3.01 to clarify the time period in which Engineer shall perform services and complete the deliverables under the Agreement.

Now therefore, Agreement No. 2013-0014-PW/MS is amended as follows:

- a. Exhibit A, part A.3.01 *Times for Rendering Services* is amended by deleting it in its entirety and replace with the following:

*A.3.01 Time for Rendering Services*

A. Engineer's services under this Agreement shall be performed and all deliverables completed and delivered to the Owner no later than February 12, 2017.

b *Agreement Summary (Reference only)*

a. Original Contract Sum:	\$ 388,214.91
b. Net change for prior amendments:	\$ 64,943.12
c. This amendment amount:	\$ 21,620.55
d. Adjusted Contract Sum:	\$ 474,778.58

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of Agreement No. 2013-0014-PW/MS not modified by Amendment Nos. 1, 2, 3 and this Amendment No. 4 shall remain in full force and effect. The Effective Date of this Amendment is upon signature of both parties hereto.

**OWNER - SANTA FE COUNTY:**

**ENGINEER - OCCAM ENGINEERS, INC.:**

By:   
Katherine Miller

Title: Santa Fe County Manager

Date: 10.7.16

By:   
Carlos D. Ruiz

Title: Project Manager

Date Signed: 

Approved as to form:



Gregory S. Shaffer  
Santa Fe County Attorney

9-29-16  
Date

Finance Department



Carol H. Jaramillo  
Finance Director

10/5/16  
Date

