

Contract No.: **B05100**  
Vendor No.: \_\_\_\_\_  
Project No.: **5100650**  
Control No.: **5100650**

**FIRST AMENDMENT  
UTILITY COOPERATIVE AGREEMENT  
NEW MEXICO DEPARTMENT OF TRANSPORTATION  
COUNTY OF LOS ALAMOS**

**THIS FIRST AMENDMENT** is entered into by and between the **NEW MEXICO DEPARTMENT OF TRANSPORTATION (“STATE”)** and the **INCORPORATED COUNTY OF LOS ALAMOS (“COUNTY”)**. This first amendment is effective as of the date of the last party to sign it on the signature page below.

**RECITALS**

**WHEREAS**, STATE and COUNTY entered into a Utility Cooperative Agreement designated as Contract No. B05100, on June 24, 2015 for the installation of its Sanitary Sewer, Water Line, Gas Line, and Underground Electric/Communication Conduits during the reconstruction of the roadway on NM 502 from Mile Post 1.900 to Mile Post 4.100 (**“PROJECT”**); and

**WHEREAS**, STATE agreed to be the lead for the installation the COUNTY’s Sanitary Sewer, Water Line, Gas Line, and Underground Electric/Communication Conduits and the COUNTY agreed to reimburse the State for all costs; and

**WHEREAS**, SECTION FIFTEEN--AMENDMENT allows the parties to alter the Agreement by written consent of both parties hereto; and

**WHEREAS**, the time for the installation of its Sanitary Sewer, Water Line, Gas Line, and Underground Electric/Communication Conduits will exceed the date on SECTION SIXTEEN--EXPIRATION on December 18, 2018; and

**WHEREAS**, both parties want to amend the agreement to allow sufficient time for the completion of the PROJECT.

**NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

To delete **SECTION SIXTEEN-- EXPIRATION** of the original Agreement in its entirety and replace it with the following:

This AGREEMENT shall expire six (6) months after final project acceptance (close out) unless terminated earlier by mutual consent of the parties.

All other obligations set forth in the Agreement shall remain in full force and effect unless expressly amended or modified by this First Amendment.

In witness whereof, each party is signing this First Amendment on the date stated opposite that party's signature.

**NEW MEXICO DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_  
**SECRETARY OR DESIGNEE**

Date: \_\_\_\_\_

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE DEPARTMENT'S  
OFFICE OF GENERAL COUNSEL**

By: \_\_\_\_\_  
**ASSISTANT GENERAL COUNSEL**

Date: \_\_\_\_\_

**COUNTY COUNCIL FOR THE INCORPORATED COUNTY OF LOS ALAMOS**

By: \_\_\_\_\_  
**DAVID IZRAELEVITZ  
COUNCIL CHAIR**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
**TIM GLASCO  
UTILITIES MANAGER**

Date: \_\_\_\_\_

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE COUNTY  
ATTORNEY**

By: \_\_\_\_\_  
**J. ALVIN LEAPHART  
COUNTY ATTORNEY**

Date: \_\_\_\_\_