

Item# _____
Munis Contract# _____
Original Contract Item# 23-0548
RFP #: 23/17/P

**CITY OF SANTA FE
AMENDMENT No. 2 TO
EXCLUSIVE NEGOTATING AGREEMENT
ITEM# 23-0548**

This AMENDMENT No. 2 (the "Amendment") amends the CITY OF SANTA FE MIDTOWN SITE DEVELOPMENT EXCLUSIVE NEGOTIATING AGREEMENT, dated September 5, 2023 (the "Agreement"), between the City of Santa Fe (the "City") and Santa Fe Art Institute (the "Offeror"), collectively the "Parties". The date of this Amendment shall be the date when it is executed by the City and the Offeror whichever occurs last.

RECITALS:

- A. Parties entered into the Agreement, an Exclusive Negotiating Agreement pursuant to RFP #: 23/17/P, on September 5, 2023.
- B. Parties entered in Amendment Number 1 extending the term to December 31, 2024 in August 2024.
- C. Parties now desire to Amend the Agreement to extend the Term.

NOW, THEREFORE, the Parties hereby agree that the Agreement is amended as follows:

TERM:

Article 2 of the Agreement is hereby deleted in its entirety and substitute the following Article 2 in its place:

2.1 Effective Date and Initial Term. This Agreement shall be effective as of September 5, 2023 and shall terminate on April 30, 2025.

2.2 Extended Term. If the Parties have not executed and delivered a DDA during the Initial Term, then either party may extend the Initial Term of this Agreement for two (2) additional months ("Extended Term"). Together, the Initial Term and any Extended Term are referred to as "Term". A party shall exercise the right to extend the Initial Term by giving written notice thereof to other Party on or before the last day of the Initial Term. The City Manager, acting on behalf of the City, shall have the right to extend the Initial Term.

AGREEMENT IN FULL FORCE.

Except as specifically provided in this Amendment, the Agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 to the Contract as of the dates set forth below.

CITY OF SANTA FE:

OFFEROR:
Santa Fe Arts Institute

CITY MAYOR/MANAGER

Jamie Blosser
Jamie Blosser (Nov 22, 2024 04:27 MST)

Jamie Blosser, Executive Director/CEO

DATE: _____

DATE: **Nov 22, 2024**

ATTEST:

ANDREA SALAZAR, CITY CLERK

CITY ATTORNEY'S OFFICE:

Patricia Feghali

Patricia Feghali (Nov 21, 2024 15:50 MST)

ASSISTANT CITY ATTORNEY

APPROVED FOR FINANCES:

EMILY OSTER, FINANCE DIRECTOR

Org. Name/Org.#