NEW MEXICO SUPPLEMENTAL TERMS AND CONDITIONS
VERSION 1.0, REVISED APRIL 1, 2021

1. REVISIONS TO THE STANDARD TERMS AND CONDITIONS.

1.1 Replace *Paragraph 3.2 Partial Payments and Retainage* in its entirety with the following:

> "3.2 **Partial Payments.**
>
> On a DOA basis, partial payments shall be due to Subcontractor in the amount of the Work in place which has been approved by Contractor and the Owner. If the Contract Documents allow Contractor partial payments for stored materials, partial payments shall also be due to Subcontractor in the amount of stored materials which have been approved by Contractor and the Owner. For the purpose of determining partial payments, Subcontractor shall submit to Contractor for approval a breakdown of the total price of each DOA showing the amount included therein in each principal category of work within five (5) days of the execution of each individual DOA. In the event Contractor disapproves said breakdown, Contractor shall establish a reasonable breakdown that shall serve as the basis for partial payments."

1.2 Add the following Paragraph to Article 7 Subcontractor's Insurance:

> "7.6 **Limitation to Additional Insured Requirement.**
>
> With respect to additional insured coverage for the indemnity obligations of this contract, the requirement to add Centennial as an additional insured shall be limited by N.M. STAT. ANN. 1978, §57-7-1."

2. CONTRACTOR'S LICENSE REQUIREMENT.

The Subcontractor must be licensed through the New Mexico Regulations and Licensing Department. NMSA § 60-13-1 *et seq.*

3. PROVISIONS REQUIRED BY LAW DEEMED INSERTED.

Each and every provision of laws and clauses required by law to be inserted in this Subcontract Agreement and will be deemed to be inserted herein and incorporated by reference. The Subcontract Agreement will be read and enforced as though it were included and if—through mistake or otherwise—any such provision is not inserted or not correctly inserted, then upon the application of other party the Subcontract Agreement will be amended to make such insertion.