



**ACTION SHEET  
PUBLIC UTILITES COMMITTEE MEETING OF 6/4/14**

**ISSUE NO. 18**

Request for approval of Amendment No. 4 to the Professional Services Agreement with Chavez Security for security services for the Water Division the amount of \$174,294.56 exclusive of NMGRT. (Alex Puglisi)

Public Utilities Committee – 6/4/14  
 Finance Committee – 6/16/14  
 City Council – 6/25/14

**PUBLIC UTILITES COMMITTEE ACTION: Approved to forward to 6/16/14 Finance Committee.**

**SPECIAL CONDITIONS OR AMENDMENTS:**

**STAFF FOLLOW UP:**

<b>VOTE:</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR MAESTAS	Absent		
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	Absent		
COUNCILOR IVES	X		

# City of Santa Fe, New Mexico

# memo

**DATE:** May 14, 2014  
**TO:** Public Utilities/Finance Committee Members  
**VIA:** Nick Schiavo, Interim Public Utilities Department and Water Division Director  
**FROM:** Alex Puglisi, Interim Manager, Source of Supply Section

*NS*  
*Alex A. Puglisi*

## ITEM AND ISSUE:

The Public Utilities Department is requesting an extension of the contract with Chavez Security Incorporated (CSI) beyond July 01, 2014, to avoid any break in security services for City of Santa Fe water system facilities until the contract can be rebid. The current contract was put into effect on December 08, 2010, and the current fourth year extension could be continued through December 8, 2014.

## BACKGROUND AND SUMMARY:

This contract provides 24 hour, 7 days per week, security services for the Buckman Well Field, the City Well Field, the Santa Fe Watershed and Reservoirs, and all associated facilities such as lift stations, pump stations, and storage tanks. Proper security and surveillance is required for all drinking water sources and facilities under the provisions of State and Federal law including the Safe Drinking Water Act and the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, or Bioterrorism Act (BTA). Title IV of this Act amended the Safe Drinking Water Act to help protect the public water supply. Failure to provide continuous surveillance of water supply sources and facilities is a violation under both the SDWA and BTA.

The contract is in its fourth year of the BID award authorized in 2010. This BID was approved by Council on December 8, 2010 and can be extended until December 8, 2014. We are requesting this extension to afford the Department additional time to BID a new contract. The Public Utilities Department, with Council approval, would then award a new 4 year BID upon the termination of the current contract on December 8, 2014. The extension beyond July 1, 2014 will allow for a seamless transition of the contracts without an interruption in security services. Funding will be available upon Council approval of the FY 14/15 Budget in BU/LI # 52361.510310 in the amount of 174,294.56 + NMGRT.

## RECOMMENDATION:

The Public Utilities Department recommends review and approval of this request to extend the current security services contract with CSI until December 08, 2014. Staff further recommends that the recommendation for approval be forwarded to the Finance Committee on June 16<sup>th</sup> for their consideration and approval, and subsequently to the Governing Body on June 25<sup>th</sup> for final consideration and approval.

**CITY OF SANTA FE  
AMENDMENT No. 4 TO  
PROFESSIONAL SERVICES AGREEMENT**

AMENDMENT No. 4 (the "Amendment") to the CITY OF SANTA FE PROFESSIONAL SERVICES AGREEMENT, dated 12/8/10 (the "Agreement"), between the City of Santa Fe (the "City") and Chavez Security, Inc. (the "Contractor"). The date of this Amendment shall be the date when it is executed by the City and the Contractor, whichever occurs last.

**RECITALS**

A. Under the terms of the Agreement, Contractor has agreed to provide security services to the City.

B. Pursuant to Article 17 of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the City and the Contractor agree as follows:

1. COMPENSATION.

Article 3, paragraph A of the Agreement is amended to increase the amount of compensation by a total of one hundred seventy four thousand two hundred ninety four dollars and 56/100's (\$174,294.56), plus gross receipts taxes, so that Article 3, paragraph A reads in its entirety as follows:

A. Payment shall be made for services actually rendered at an hourly rate of twenty three dollars and 72/100 (\$23.72) per hour for each Security Officer I, including the vehicle and all equipment for each Security Officer I. The hourly estimates are given on Attachment A. The City shall pay the contractor in full payment for services rendered a

sum not to exceed one million three hundred ninety four thousand three hundred fifty six dollars and 48/100's (\$1,394,356.48), plus gross receipts tax, in total for the term of this Agreement.

2. TERM.

Article 5 of the Agreement is deleted. A new article 5 of the Amendment is inserted to extend the term of the Agreement, so that Article 5 reads in its entirety as follows:

This Agreement shall be effective when signed by the City and the Contractor, whichever occurs last, and shall terminate on December 8, 2014, unless terminated sooner pursuant to Article 6 below.

3. 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.4 to the City of Santa Fe Professional Services Agreement as of the dates set forth below.

CITY OF SANTA FE:

CONTRACTOR:  
Chavez Security, Inc.

\_\_\_\_\_  
JAVIER M. GONZALES, MAYOR

\_\_\_\_\_  
NAME & TITLE

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

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

ATTEST:

\_\_\_\_\_  
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM :

  
\_\_\_\_\_  
KELLEY A. BRENNAN, INTERIM CITY ATTORNEY 5/14/14

APPROVED:

\_\_\_\_\_  
MARCOS A. TAPIA, FINANCE DIRECTOR

52381.510300 FY 13/14  
Business Unit/Line Item



## City of Santa Fe Summary of Contracts, Agreements, & Amendments

**Section to be completed by department for each contract or contract amendment**

1 **FOR:** ORIGINAL CONTRACT  or CONTRACT AMENDMENT

2 Name of Contractor Chavez Security

3 Complete information requested  Plus GRT  
 Inclusive of GRT

Original Contract Amount: \$174,294.56

Termination Date: June 30, 2011

Approved by Council Date: December 8, 2010

or by City Manager Date: \_\_\_\_\_

**Contract is for:** Security Services watershed and sos

Amendment # 4 to the Original Contract# 10-1142

Increase/(Decrease) Amount \$ 174,294.56

Extend Termination Date to: December 8, 2014

Approved by Council Date: Pending

or by City Manager Date: \_\_\_\_\_

**Amendment is for:** Increase Comp and extend term for 1/3 FY till bid out

4 **History of Contract & Amendments:** (option: attach spreadsheet if multiple amendments)  Plus GRT  
 Inclusive of GRT

Amount \$ 174,294.56 of original Contract# 101142 Termination Date: 06/30/2012

Reason: security

Amount \$ 348,589.12 amendment # 1 Termination Date: 06/30/2012

Reason: amend comp

Amount \$ 348,589.00 amendment # 2 Termination Date: 630/13

Reason: \_\_\_\_\_

Amount \$ 348,589.12 amendment # 3 Termination Date: 06/30/2014

Reason: increase comp and extend term

Total of Original Contract plus all amendments: \$ 1,394,356



**City of Santa Fe  
Summary of Contracts, Agreements, & Amendments**

**5 Procurement Method of Original Contract:** (complete one of the lines)

RFP# 11/04/P Date: November 1, 2010

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

Sole Source  \_\_\_\_\_ Date: \_\_\_\_\_

Other \_\_\_\_\_

**6 Procurement History:** 1 additional year of 3year contract  
example: (First year of 4 year contract)

**7 Funding Source:** Water Division Professional Services **BU/Line Item:** 52361.5103

**8 Any out-of-the ordinary or unusual issues or concerns:**  
none  
(Memo may be attached to explain detail.)

**9 Staff Contact who completed this form:** Maya Martinez  
Phone # 955-4271

**10 Certificate of Insurance attached.** (if original Contract)

**Submit to City Attorney for review/signature**

Forward to Finance Director for review/signature  
Return to originating Department for Committee(s) review or forward to City Manager for review and approval (depending on dollar level).

**To be recorded by City Clerk:**

Contract # \_\_\_\_\_

Date of contract Executed (i.e., signed by all parties): \_\_\_\_\_

Note: If further information needs to be included, attach a separate memo.

**Comments:**

Going to committee for approval for FY 10/11 budget.

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