

ACTION SHEET
CITY COUNCIL COMMITTEE MEETING OF 06/25/14
ITEM FROM FINANCE COMMITTEE MEETING OF 06/16/14

ISSUE:

17. Request for Approval of **Amendment No. 3** to Professional Services Agreement – City Wide Water Utility Pavement Restoration Project for Water Division; TLC Plumbing & Utility, Inc. (Mike Moya)

FINANCE COMMITTEE ACTION: APPROVED AS CONSENT ITEM

Requested approval of amendment no. 3 to professional services agreement for City wide utility pavement restoration project for water division with TLC Plumbing & Utility, Inc. in the amount of \$200,000 plus gross receipts tax not to exceed \$600,000 plus gross receipts tax. Budget is available in water fund.

SPECIAL CONDITIONS OR AMENDMENTS

STAFF FOLLOW-UP:

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR TRUJILLO	X		
COUNCILOR RIVERA	X		
COUNCILOR LINDELL	X		
COUNCILOR MAESTAS	X		
CHAIRPERSON DOMINGUEZ			

3-17/14/FCMissue

**0ACTION SHEET
PUBLIC UTILITES COMMITTEE MEETING OF 6/4/14**

ISSUE NO. 17

Request for approval of Amendment No. 3 to the agreement with TLC Plumbing & Utility, Inc. for the City Wide Water Utility Pavement Restoration project for the amount of \$200,000 exclusive of NMGRT. (Bill Huey/Mike Moya)

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:

VOTE:	FOR	AGAINST	ABSTAIN
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: PUC Committee/ Finance
VIA: Nick A. Schiavo, Interim Public Utilities Department and Water Division Director ^{NSA}
FROM: Michael R. Moya, T&D Section Manager ^{MRM}
Bill Huey, Water Division Engineer ^{BH}

ITEM AND ISSUE:

Request Approval of Amendment #3 with TLC Plumbing & Utility, Inc. to increase the amount of not to exceed compensation by two-hundred thousand dollars (\$200,000.00) plus tax.

BACKGROUND AND SUMMARY:

On July 25, 2012, Bid # '12/33/B was awarded by City Council to TLC Plumbing and Utility, Inc. (TLC). The City Wide Water Utility Pavement Restoration Contract is a requirements contract with the Water Division issuing work orders as needed for work such as asphalt street replacements, concrete street replacement and emergency street repair. The Contract amount is limited to \$200,000.00 plus NMGRT per year.

The Water Division has requested that TLC extend their commitment for an additional year for the same compensation. TLC has agreed to this request.

Funds for this work are available under Line Extensions Mains and Services business unit/fund number 52363.5202 in the approved FY 13/14 Budget in the amount of \$200,000.00 plus NMGRT.

ACTION REQUESTED:

Staff requests review and approval of:

- Amendment No. 3 with TLC in the amount of \$200,000.00 plus NMGRT.
- Forwarding and recommendation of approval amendment # 3 to the Finance Committee on June 16th for their consideration and approval and to the Governing Body on June 25th for their final consideration and approval.

**CITY OF SANTA FE
AMENDMENT No. 3 TO
PROFESSIONAL SERVICES AGREEMENT**

AMENDMENT No. 3 (the "Amendment") to the CITY OF SANTA FE Agreement, dated July 25, 2012 (the "Agreement"), between the City of Santa Fe (the "City") and TLC Plumbing & Utility, 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 City Wide Water Utility Pavement Restoration services to the City.

B. Pursuant to Article 9.21 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 4, of the Agreement is amended to increase the amount of compensation for services for fiscal year 2014/15 by a total two hundred thousand dollars (\$200,000), plus gross receipts tax so that Article 4 reads as follows:

The City shall pay to the Contractor in full payment for services rendered, a sum not to exceed six hundred thousand dollars (\$600,000) plus applicable gross receipts taxes.

2. TERM.

Article 8 of the Agreement is amended to extend the term of the Agreement to June 30, 2015.

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

CITY OF SANTA FE:

CONTRACTOR:
TLC PLUMBING & UTILITY, INC.

JAVIER M. GONZALES, MAYOR

NAME & TITLE

Date: _____

Date: _____

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

Kelley A. Brennan for

KELLEY A. BRENNAN,
INTERIM CITY ATTORNEY

5/13/14

APPROVED:

MARCOS A. TAPIA, FINANCE DIRECTOR

52363.520200Business 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 TLC

3 Complete information requested Plus GRT
 Inclusive of GRT

Original Contract Amount: \$200,000.00

Termination Date: June 30, 2013

Approved by Council Date: June 25, 2012

or by City Manager Date: _____

Contract is for: City Wide Pavement Contract 1213

Amendment # 3 to the Original Contract# 12-0684

Increase/(Decrease) Amount \$ 200000

Extend Termination Date to: June 30, 2015

Approved by Council Date: Pending

or by City Manager Date: _____

Amendment is for: Increase term and comp for fy 1415

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

Amount \$ 200,000.00 of original Contract# 12-0684 Termination Date: 06/30/2013

Reason: city wide

Amount \$ 0.00 amendment # 1 Termination Date: 06/30/2014

Reason: term

Amount \$ 200,000.00 amendment # 2 Termination Date: na

Reason: increase fy 1314 comp

Amount \$ _____ amendment # _____ Termination Date: _____

Reason: _____

Total of Original Contract plus all amendments: \$ 600,000



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

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

RFP# 12/33/B Date: June 1, 2012

RFQ _____ Date: _____

Sole Source _____ Date: _____

Other _____

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

7 **Funding Source:** water revenues BU/Line Item: 52363.5202

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:** _____
Phone # _____

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: