



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

**ISSUE:**

22. Request for Approval of **Amendment No. 1** to Professional Services Agreement – Perform Rate Evaluations and Financial Services for Public Utilities Department; MWH Americas, Inc. (Nick Schiavo)

**FINANCE COMMITTEE ACTION: APPROVED AS CONSENT ITEM**

Requested approval of amendment no. 1 to professional services agreement to perform rate evaluations and financial services for public utilities department with MWH Americas, Inc. in the amount of \$130,000 plus gross receipts tax not to exceed \$260,000 plus gross receipts tax. Budget is available in water fund.

**SPECIAL CONDITIONS OR AMENDMENTS**

**STAFF FOLLOW-UP:**

| <b>VOTE</b>           | <b>FOR</b> | <b>AGAINST</b> | <b>ABSTAIN</b> |
|-----------------------|------------|----------------|----------------|
| COUNCILOR TRUJILLO    | X          |                |                |
| COUNCILOR RIVERA      | X          |                |                |
| COUNCILOR LINDELL     | X          |                |                |
| COUNCILOR MAESTAS     | X          |                |                |
| CHAIRPERSON DOMINGUEZ |            |                |                |

3-17/14/FCIssue

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

**ISSUE NO. 22**

Request for approval of Amendment No. 1 to the Professional Services Agreement with MWH America's, Inc. for Public Utilities Rate Evaluation and Financial Services for the amount of \$130,000.00 exclusive of NMGRT. (Nick Schiavo)

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 20, 2014

**TO:** Public Utilities Committee

**FROM:** Nick Schiavo, Interim Public Utilities Dept. Director *NS*

**ITEM AND ISSUE:**

Approval of Contract Amendment #1 with MWH Americas Inc. in the amount of \$130,000 plus GRT for FY 14/15.

**BACKGROUND AND SUMMARY:**

In June 2013 MWH Americas Inc. was selected through an RFP process to perform rate evaluations and other financial services for the Public Utilities Department. The contract was approved by the City Council.

This contract amendment is for the yearly update to the rate evaluation, cost of service studies and other financial consulting for the Public Utilities Department Division for Fiscal Year 14/15. Budget will be available in each of the Public Utilities Department Division's Admin Funds in the approved FY 14/15 Budget.

**ACTION REQUESTED:**

Staff requests review and approval of:

- Approval of contract amendment #1 with MWH Americas Inc. in the amount of \$130,000 plus GRT.
- Forwarding and recommendation of approval to the Finance Committee and City Council.

**CITY OF SANTA FE  
AMENDMENT No. 1 TO  
PROFESSIONAL SERVICES AGREEMENT**

AMENDMENT No. 1 (the "Amendment") to the CITY OF SANTA FE PROFESSIONAL SERVICES AGREEMENT, dated June 10, 2013 (the "Agreement"), between the City of Santa Fe (the "City") and MWH Americas 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 financial services to the City.

B. Pursuant to Article 18 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 thirty thousand dollars (\$130,000.00) plus applicable gross receipts tax so that Article 3, paragraph A reads in its entirety as follows:

A. The City shall pay to the Contractor in full payment for services rendered, a sum not to exceed two hundred sixty thousand dollars (\$260,000.00), plus applicable gross receipts tax. Compensation shall be paid only for services actually performed as outline in Exhibit "A" attached hereto and incorporated herein.

2. TERM.

Article 5 of the Agreement is amended to extend the term of the Agreement, so that Article 5 reads in its entirety as follows:

This Agreement shall terminate on June 30, 2015, unless terminated pursuant to Paragraph 6, infra. This Agreement shall have the option to be renewable for up to two (2) years , not to exceed four (4) years with the mutual agreement of both parties.

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

CITY OF SANTA FE:

CONTRACTOR:  
MWH Americas

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

\_\_\_\_\_

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

52300, 52251 & 52451. 510300  
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 MWH Stepwise

3 Complete information requested  Plus GRT  
 Inclusive of GRT

Original Contract Amount: \$130,000.00

Termination Date: June 30, 2014

Approved by Council Date: June 10, 2013

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

Contract is for: Water Finance 13/32/P

Amendment # 1 to the Original Contract# 13-0605

Increase/(Decrease) Amount \$ 130000

Extend Termination Date to: June 30, 2014

Approved by Council Date: Pending

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

Amendment is for: Increase compe and extend term for new FY year 2 of 4

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

Amount \$ 130,000.00 of original Contract# 130605 Termination Date: 06/30/2014

Reason: finance pu

Amount \$ 130,000.00 amendment # 1 Termination Date: 06/30/2015

Reason: Increase comp and extend term

Amount \$ \_\_\_\_\_ amendment # \_\_\_\_\_ Termination Date: \_\_\_\_\_

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

Amount \$ \_\_\_\_\_ amendment # \_\_\_\_\_ Termination Date: \_\_\_\_\_

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

Amount \$ \_\_\_\_\_ amendment # \_\_\_\_\_ Termination Date: \_\_\_\_\_

Reason: scope, comp and term.

Total of Original Contract plus all amendments: \$ 260,000



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

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

RFP# 13/32/P Date: May 1, 2013

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

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

Other \_\_\_\_\_

6 **Procurement History:** Year 2 of 4  
example: (First year of 4 year contract)

7 **Funding Source:** \_\_\_\_\_ **BU/Line Item:** 52300; 52251; 52451

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:**