



**ACTION SHEET  
CITY COUNCIL MEETING OF 01/28/09  
ITEM FROM FINANCE COMMITTEE MEETING OF 01/20/09**

**ISSUE:**

8. BID OPENINGS:

- A. BID NO. 09/20/B – ARROYO CHAMISO TRAIL EXTENSION AND CONSTRUCTION AGREEMENT; STAR PAVING COMPANY (LEROY PACHECO)

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

Requested approval of Bid No. 09/20/B for Arroyo Chamiso Trail extension and construction agreement with Star Paving Company in the amount of \$581,802. Budget is available in project fund.

**SPECIAL CONDITIONS OR AMENDMENTS:**

**STAFF FOLLOW UP:**

Directions to staff for revisions.

<b>VOTE:</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
COUNCILOR WURZBURGER	X		
COUNCILOR CALVERT	X		
COUNCILOR CHAVEZ	X		
COUNCILOR DOMINGUEZ	X		
CHAIRPERSON ORTIZ			

# City of Santa Fe, New Mexico

# memo

**DATE:** January 12, 2009

**TO:** Finance Committee

**FROM:** Robert Rodarte, Purchasing Officer   
Purchasing Office

**VIA:** David Millican, Director   
Finance Department

**ISSUE:** Award of Bid # '09/20/B  
Arroyo Chamisos Trial Extension Non-Motorized Multi-Use Trail

## SUMMARY:

On December 17, 2008, five bids were received for the procurement of the above referenced project as follows:

	<u>Bid Amount</u>	<u>Local Preference</u>
<b>Star Paving Co., Albuquerque</b>		
Base Bid Amount	\$581,802.00	
GRT	\$ 46,180.53	
Total Base Bid Plus Tax	<u>\$627,982.53</u>	
<b>A.S. Horner, Inc., Albuquerque</b>		
Base Bid Amount	\$737,420.00	\$678,426.40
*GRT	\$ 58,532.71	
Total Base Bid Plus Tax	<u>\$795,952.71</u>	
<b>RL Leeder Company, Santa Fe</b>		
Base Bid Amount	\$749,274.00	\$689,332.08
GRT	\$ 59,473.62	
Total Base Bid Plus Tax	<u>\$808,747.62</u>	
<b>Road Construction Northwest, Inc., WA</b>		
Base Bid Amount	\$743,579.70	
GRT	\$ 59,035.93	
Total Base Bid Plus Tax	<u>\$802,795.63</u>	
<b>Kewit New Mexico Co., Albuquerque</b>		
Base Bid Amount	\$887,891.00	
GRT	\$ 70,476.35	
Total Base Bid Plus Tax	<u>\$958,367.35</u>	

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Award of '09/20/B

The using department has reviewed the bid and recommends award to Star Paving Co., Albuquerque in the amount of \$581,802.00 plus GRT.

Budget is available in account number 32803.572970 (Exp Trails – Engineering – WIP Construction) in the amount of \$4,116,281.00.

**ACTION:**

It is requested that this recommendation of award to Star Paving Co., Albuquerque in the total amount of \$627,982.53, be reviewed, approved and submitted to the City Council for its consideration.

**Attachment(s):**

1. Memo of recommendation from the using division.
2. Bid tabulation sheet.
3. Copy of the agreement between the owner and contractor.





**ACTION SHEET  
ITEM FROM THE  
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING  
OF  
MONDAY, JANUARY 12, 2009**

**ITEM 15**

CIP PROJECT #420A – ARROYO CHAMISOS TRAIL EXTENSION

- REQUEST FOR APPROVAL OF BID #09/20/B AND AWARD OF CONSTRUCTION FOR EXTENSION OF NON-MOTORIZED MULTI-USE TRAIL PROJECT WITH STAR PAVING IN THE AMOUNT OF \$581,802 EXCLUSIVE OF NMGR (LEROY PACHECO)

**PUBLIC WORKS COMMITTEE ACTION: Approved on consent**

**SPECIAL CONDITIONS OR AMENDMENTS:**

**STAFF FOLLOW UP:**

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON BUSHEE			
COUNCILOR CALVERT	X		
COUNCILOR CHAVEZ	X		
COUNCILOR ROMERO	X		
COUNCILOR TRUJILLO	X		

# City of Santa Fe, New Mexico

# memo

**DATE:** December 19, 2008

**TO:** Public Works Committee

**VIA:** Robert P. Romero, Public Works Department Director *RP*  
Chris A. Ortega, Engineering Division Director *CO*

**FROM:** Leroy N. Pacheco, Project Engineer *LP*

**ITEM & ISSUE:**

**BID NUMBER '09/20/B RECOMMENDATION OF AWARD FOR CONSTRUCTION OF PROJECT CIP-420A - ARROYO CHAMISOS TRAIL EXTENSION NON-MOTORIZED MULTI-USE TRAIL PROJECT WITH STAR PAVING COMPANY IN THE AMOUNT OF \$581,802.00 EXCLUSIVE OF NEW MEXICO GROSS RECEIPTS TAX.**

**BACKGROUND & SUMMARY:**

Five (5) bids were received for construction of the project on Wednesday, December 17, 2008. All bids were reviewed for completeness and accuracy. A tabulation of the accepted bids is attached to this memo. The lowest qualified bidder is Star Paving Company, of Albuquerque. The total amount bid for the construction project is \$581,802.00, excluding applicable taxes. The base bid was 17% less than the engineer's estimate.

The project will require a construction budget of at least \$700,000.00, in order to award the work, including approximately 10% for construction engineering and contingencies. Funds for this project are available and budgeted in business unit 32803.572970.

**RECOMMENDED ACTION:**

The Public Works Department recommends the following:

- Approve a total of \$700,000.00 allocated for the project construction budget for the work and related construction services, and
- Award of Bid 09/20/B, and Approval to contract with Star Paving Company of Albuquerque, in the amount of \$581,802.00, excluding taxes for the project from Business Unit & Line Item 32803.572970

Attachments: Bid Tabulations

**CITY OF SANTA FE  
PURCHASING OFFICE  
BID TABULATION SUMMARY SHEET**

**Arroyo Chamisos Trail Extension Non-Motorized Multi-Use Trail**

DATE: 12/17/08 BID: #09/20/B PREPARED BY: Luis Alba	Engineer's Estimate	Star Paving Company	A.S. Horner, Inc.	R.L. Leeder Co.	Road Construction Northwest, Inc.	Kiewit New Mexico Co.
<b>ITEM &amp; DESCRIPTION</b>	<b>BID AMOUNT</b>	<b>BID AMOUNT</b>	<b>BID AMOUNT</b>	<b>BID AMOUNT</b>	<b>BID AMOUNT</b>	<b>BID AMOUNT</b>
Base Bid Total Amount	\$ 707,335.00	\$ 581,802.00	\$ 737,420.00	\$ 749,274.00	\$ 743,759.70	\$ 887,891.00
NMGRT	\$ 56,144.72	\$ 46,180.53	\$ 58,532.71	\$ 59,473.62	\$ 59,035.93	\$ 70,476.35
Bid Total Including NMGRT	\$ 763,479.72	\$ 627,982.53	\$ 795,952.71	\$ 808,747.62	\$ 802,795.63	\$ 958,367.35
Base Bid (Less 8% Local Pref.)			\$ 678,426.40	\$ 689,332.08		
<b>SUBMITTAL REQUIREMENTS</b>						
BID BOND		X	X	X	X	X
EQUAL EMPLOYMENT		X	X	X	X	X
NON-SEGREGATED FACILITIES		X	X	X	X	X
NON-COLLUSION AFFIDAVIT		X	X	X	X	X
SUBCONTRACTOR LISTING		X	X	X	X	X
LOCAL PREFERENCE			X	X		
NM RESIDENT PREFERENCE No.						
RECEIPT ADDENDUM #1		X	X	X	X	X
RECEIPT ADDENDUM #2						
RECEIPT ADDENDUM #3						

**B.1 Construction Agreement**

(Revised 4/24/2000)

THIS AGREEMENT dated \_\_\_\_\_, 20\_\_\_\_, is made and entered into by and between the City of Santa Fe, a New Mexico municipal corporation, hereinafter called the "City" and STAR PAVING CO., hereinafter called the "Contractor" for construction of the Arroyo Chamisos Trail Extension Non-Motorized Multi-Use Trail Improvements - CIP #420-A.

The City and the Contractor agree as follows:

1. To perform this contract and construct the work in accordance with the terms and conditions of these Contract Documents, including the following documents:
  - a) Agreement (this instrument);
  - b) Addenda to Contract Documents, if any;
  - c) Legal and Procedural Documents;
    1. Bid Form;
    2. Instructions for Bidders;
    3. Advertisement inviting bids dated: **Friday, December 5, 2008;**
    4. Supplemental General Provisions;
  - d) Special Provisions;
  - e) Supplemental Specifications;
  - f) Bonds;
    1. Performance Bond;
    2. Labor and Material Payment Bond;
    3. Bid Guarantee;
  - g) The "New Mexico Department of Transportation Standard Specifications for Highway and Bridge Construction, 2005 Interim";
  - h) The "New Mexico Standard Specifications for Public Works Construction, 1987 Edition";
  - i) Plans and Drawings;
  - j) Everything else bound in these documents;
  - k) The sequence of construction and traffic control plan.
2. There is one (1) original signed copy of this agreement.
3. Compensation:
  - a) Base Bid Amount: \$581,802.00 to which applicable New Mexico Gross Receipt Taxes will be added.
4. The Contract Completion Time for this contract is 120 **Calendar Days**. The Contract Completion Time count will commence on the date specified in the Notice to Proceed submitted to the Contractor by the City and shall end upon Physical Completion of the contract. All work in the contract, including bid alternates (if applicable), shall be completed within this time in accordance with the definition of

“Physical Completion” in Section 101 of the Standard Specifications. For purposes of this contract, this time shall be known as the “Contract Completion Time.” The contractor shall be assessed liquidated damages for each consecutive Calendar Day in excess of this time in accordance with Section 108.8 Liquidated Damages, in the Standard Specifications.

5. The terms of this agreement are contingent upon sufficient appropriations and authorizations being made by the City for the performance of this Agreement. If sufficient appropriations and authorization are not made by the City, this agreement shall terminate upon written notice being given by the City to the Contractor. The City’s decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final.
6. This Agreement incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into this written Agreement. No prior agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.
7. The Contractor shall indemnify, hold harmless and defend the City from all losses, damages, claims or judgments, including payments of all attorneys’ fees and costs on account of any suit, judgment, execution, claim, action or demand whatsoever arising from Contractor’s performance under this Agreement as well as the performance of Contractor’s employees, agents, representatives and subcontractors.
8. Any liability incurred by the City of Santa Fe in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et. seq. NMSA 1978, as amended. The City and its “public employees” as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and do not waive any limitation of liability pursuant to law. No provision in this Agreement modifies or waives any provision of the New Mexico Tort Claims Act.

IN WITNESS whereof the parties have executed this contract.

CONTRACTOR

CITY OF SANTA FE  
SANTA FE, NEW MEXICO

\_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

David Coss, Mayor

Title \_\_\_\_\_

And

(Seal)

By \_\_\_\_\_

ATTEST:

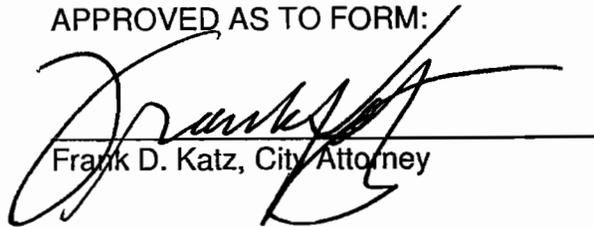
Title \_\_\_\_\_

\_\_\_\_\_  
Yolanda Y. Vigil, City Clerk

\_\_\_\_\_  
N.M. Contractor's License No. & Type

APPROVED AS TO FORM:

\_\_\_\_\_  
N.M. Taxation & Revenue CRS No.

  
\_\_\_\_\_  
Frank D. Katz, City Attorney

\_\_\_\_\_  
City of Santa Fe Business Registration No.

APPROVED:

\_\_\_\_\_  
David N. Millican, Finance Director

# City of Santa Fe, New Mexico

# memo

**DATE:** January 12, 2009

**TO:** Finance Committee

**FROM:** Robert Rodarte, Purchasing Officer  
Purchasing Office 

**VIA:** David Millican, Director   
Finance Department

**ISSUE:** Award of Bid # '09/21/B  
East DeVargas Park Renovations

**SUMMARY:**

On December 11, 2008, three bids were received for the procurement of the above referenced project as follows:

	<u>Bid Amount</u>
<b>Westwind Landscape Construction, Inc., Albuquerque</b>	
Base Bid Amount	\$188,169.34
GRT	<u>\$ 14,935.94</u>
Total Bid Amount	<u>\$203,105.28</u>
<b>Lee Landscapes, Inc., Albuquerque</b>	
Base Bid Amount	\$230,600.75
GRT	<u>\$ 18,303.93</u>
Total Bid Amount	<u>\$248,904.68</u>
<b>AIC General Contractor, Albuquerque</b>	
Base Bid Amount	\$240,576.29
GRT	<u>\$ 19,095.74</u>
Total Base Bid Plus Tax	<u>\$259,672.03</u>

The using department has reviewed the bid and recommends award of base bid only to Westwind Landscape Construction, Inc., Albuquerque in the amount of \$203,105.28 inclusive of GRT.

Budget is available as outlined in memo of recommendation from using department.

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Award of '09/21/B

**ACTION:**

It is requested that this recommendation of award to Westwind Landscape Construction, Inc., Albuquerque in the total amount of \$203,105.28, be reviewed, approved and submitted to the City Council for its consideration.

**Attachment(s):**

1. Memo of recommendation from the using division.
2. Bid tabulation sheet.
3. Copy of the agreement between the owner and contractor.

