

# City of Las Cruces

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 15 Ordinance/Resolution# 10-11-314 Council District:     

For Meeting of September 7, 2010

(Adoption Date)

**TITLE:** A RESOLUTION APPROVING AWARD OF YEAR TWO OF A POSSIBLE THREE YEAR CONTRACT WITH THE DARDEN LAW FIRM FOR THE HEARING OFFICER FOR THE S.T.O.P. PROGRAM IN THE AMOUNT OF \$75,000

**PURPOSE(S) OF ACTION:** TO APPROVE AN AWARD OF YEAR TWO OF THREE FOR THE TRAFFIC HEARING OFFICER FOR THE S.T.O.P. PROGRAM

<b>Drafter and Staff Contact:</b> LAURIE PADILLA		<b>Department:</b> POLICE/ADMIN		<b>Phone:</b> 528-4135	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
Department Director		528-4200	Budget		541-2107
Other			Assistant City Manager		541-2271
Legal		541-2128	City Manager		541-2076

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The City of Las Cruces has received funds to run enforcement for the Red Light Enforcement Cameras, and to have a Hearing Officer that is paid thru the S.T.O.P. program. The duties of the hearing officer are to make a judgment on the case that is presented before them regarding the position that the driver may or may not take in the Photo Enforcement citation that has been issued to them. The purchase order for the services is in place for \$10,000, the increase requested will bring the purchase order to a total of \$75,000 for the FY 11 budget.

**SUPPORT INFORMATION:**

1. Resolution
2. Purchasing Managers Request to Contract, Exhibit "A"

**SOURCE OF FUNDING:**

Is this action already budgeted?	Yes	<input checked="" type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	Budget Adjustment Attached	<input type="checkbox"/>	Expense reallocated from:
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in

(Continue on additional sheets as required)

		the ____ Fund.
<b>Does this action create any revenue?</b>		
	Yes	<input type="checkbox"/> Funds will be deposited into this fund: _____
	No	<input checked="" type="checkbox"/> There is no new revenue generated by this action.

**FUND SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
<b>S.T.O.P. PROGRAM</b>	<b>24147430-710900</b>	<b>\$65,000</b>	<b>\$69,000</b>	<b>\$4,000</b>	<b>To be used to pay for the services of the Hearing Officer</b>

**OPTIONS / ALTERNATIVES:**

1. Vote "yes" to approve the contract for the Hearing Officer
2. Vote "no" and not approve the contract for the Hearing Officer
- 3.

**REFERENCE INFORMATION**

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. Resolution No. 10-238, adopted 3/15/10

(Continue on additional sheets as required)

**RESOLUTION NO. 10-11-314**

A RESOLUTION APPROVING AWARD OF YEAR TWO OF A POSSIBLE THREE YEAR CONTRACT WITH THE DARDEN LAW FIRM FOR THE HEARING OFFICER FOR THE S.T.O.P. PROGRAM IN THE AMOUNT OF \$75,000

The City Council of the City of Las Cruces is informed that:

**WHEREAS**, the police department has received funds in conjunction with Red Light Enforcement Cameras for the City of Las Cruces; and

**WHEREAS**, the police department will utilize these funds to continue the services for the Hearing Officer; and

**WHEREAS**, the hearing officer services are needed to make a judgment on the citation that has been issued and the case presented by the driver is heard, and

**WHEREAS**, an award of year two of three is required to maintain the services for the Hearing Officer, by The Darden Law Firm,

**NOW**, therefore be it resolved by the governing body of the City of Las Cruces,  
(I)

**THAT** the Purchasing Manager is authorized to contract year Two of a possible Three year contract with the Darden Law Firm for the Hearing Officer for the S.T.O. P. program as outlined in the Exhibit "A", Purchasing Manager's Request to Contract form; and

(II)

**THAT** City staff is authorized to do all deeds necessary to accomplish the intent of this Resolution and the Agreement.

**DONE AND APPROVED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

{SEAL}

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas:	_____

APPROVED AS TO FORM:

\_\_\_\_\_  
*R. J. (Pub) Lemmly*  
 City Attorney

**CITY OF LAS CRUCES**

**PURCHASING MANAGER'S REQUEST TO CONTRACT**

**For Meeting of: September 7, 2010**

**Resolution No.: 10-11-314**

**Existing Contract Purchase For  
Hearing Officer For The S.T.O.P. Program**

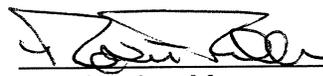
The Las Cruces City Council is provided the following information concerning this request:

**BID/RFP SOLICITATION INFORMATION:**

- |  |  |
|--|--|
| 1. Original Bid/RFP & Due Date:                          | <b>RFP #08-09-496/ December 12, 2008</b> |
| 2. Description of Bid/RFP:                               | <b>Safe Traffic Hearing Officer</b>      |
| 3. Number of Original Responses Accepted:                | <b>Four (4)</b>                          |
| 4. Existing Contract Expiration Date:                    | <b>June 30, 2011</b>                     |
| 5. Last Contract Renewal by Council:                     | <b>N/A</b>                               |
| 6. Using Department:                                     | <b>Police</b>                            |
| 7. Current Award Recommendation To:                      | <b>The Darden Law Firm</b>               |
| 8. Total Award Amount (includes any tax and contingency) | <b>\$75,000.00</b>                       |
| 9. Contract Duration:                                    | <b>One Year</b>                          |

**PROCUREMENT CODE COMPLIANCE:**

The City of Las Cruces Procurement Code was administered in the conduct of this procurement and approval to purchase is hereby requested pursuant to **Section 24-316.**

	/ 8/19/2010
Purchasing Manager	Date

**CONFIRMATION OF FUND ENCUMBRANCE:**

REQUISITION NUMBER:	<b>11100036</b>
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