

# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 7 Ordinance/Resolution# 11-084 Council District: 4

For Meeting of October 4, 2010  
(Adoption Date)

**TITLE:** A RESOLUTION ADJUSTING THE CITY'S FISCAL YEAR 2010-2011 BUDGET IN THE AMOUNT OF \$13,915.31 TO ALLOW FINAL PAYMENT TO DELTA AIRPORT CONSULTANTS, INC., FOR ENGINEERING SERVICES FOR THE RUNWAY 12-30 REHABILITATION PROJECT AT THE LAS CRUCES INTERNATIONAL AIRPORT.

**PURPOSE(S) OF ACTION:** To adjust the City's Fiscal Year 2010-2011 Budget to allow final payment to Delta Airport Consultants, Inc., for engineering services at the airport.

<b>Drafter and Staff Contact:</b> Lisa Murphy, Airport Administrator LM		<b>Department:</b> Facilities		<b>Phone:</b> 541-2471	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
Facilities Director		541-2651	Budget		541-2107
Other			Assistant City Manager		541-2271
Legal		541-2128	City Manager		541-2076

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:** The rehabilitation of Runway 12-30 was substantially complete in May of 2010. However, there were some outstanding project items that required some additional work on the part of the airport's consulting engineer, Delta Airport Consultants, Inc. This work included a final project report, record drawings, and close-out coordination with FAA and the contractor, and it occurred after the start of the 2010-2011 Fiscal Year.

The work will be paid for with American Recovery and Reinvestment Act (ARRA) Grant funds allocated for this project which were budgeted in the Fiscal Year 2009-2010. They were not carried forward to the current fiscal year as staff believed the work would all be completed in FY 2009-2010, but project delays caused some of the work to be actually performed in July 2010. This Resolution will budget these funds in the current fiscal year to allow the work to be paid for in the fiscal year in which it was performed, in conformance with generally accepted accounting procedures. The amount requested does not exceed the ARRA funds available for this project, and no local match is required as ARRA airport projects are funded at 100%.

**SUPPORT INFORMATION:**

1. Resolution
2. Budget Adjustment Form, Exhibit "A"
3. Final Invoice from Delta Airport Consultants, Inc.

(Continue on additional sheets as required)

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>	Yes	<input type="checkbox"/>	See fund summary below
	No	<input checked="" type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input checked="" type="checkbox"/>	Expense reallocated from: FY 2010
		<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 the _____ Fund.	
<b>Does this action create any revenue?</b>	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$_____.
	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
Runway 12-30 Reconstruction – ARRA Grant	49803010-854132-70B09	\$13,915.31	\$13,915.31 (pending budget adjustment)	\$0	None

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will adjust the City's Fiscal Year 2010-2011 Adopted Budget in the amount of \$13,915.31 and allow payment of the final engineering services invoice from Delta Airport Consultants, Inc., for the Runway 12-30 Rehabilitation Project.
2. Vote "No"; this will not adjust the City's Fiscal Year 2010-2011 Adopted Budget and would not permit the payment of the final engineering services invoice from Delta Airport Consultants, Inc.
3. Vote to "Amend"; this could include directing staff to identify a different funding source to pay for these engineering services.
4. Vote to "Table"; this would delay payment to Delta Airport Consultants, Inc., for engineering services work that has already been performed.

(Continue on additional sheets as required)

**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. 07-08-319B

**RESOLUTION NO. 11-084**

**A RESOLUTION ADJUSTING THE CITY'S FISCAL YEAR 2010-2011 BUDGET IN THE AMOUNT OF \$13,915.31 TO ALLOW FINAL PAYMENT TO DELTA AIRPORT CONSULTANTS, INC., FOR ENGINEERING SERVICES FOR THE RUNWAY 12-30 REHABILITATION PROJECT AT THE LAS CRUCES INTERNATIONAL AIRPORT.**

The City Council is informed that:

**WHEREAS**, the City received American Recovery and Reinvestment Act (ARRA) Grant funding for the Runway 12-30 Rehabilitation Project; and

**WHEREAS**, the Project was substantially complete in May 2010; and

**WHEREAS**, the Airport's consulting engineer, Delta Airport Consultants, Inc., performed final engineering services work to close out the Project which occurred after the start of Fiscal Year 2010-2011; and

**WHEREAS**, no project funds were carried over to pay for this engineering services work out of the Fiscal Year 2010-2011 Adopted Budget; and

**WHEREAS**, a budget adjustment will be required in order to pay for these engineering services out of the current Fiscal Year's budget in conformance with generally accepted accounting principles; and

**WHEREAS**, there are sufficient ARRA Grant funds available to pay for this work.

**NOW, THEREFORE**, be it resolved by the governing body of the City of Las Cruces:

**(I)**

**THAT** the City's Fiscal Year 2010-2011 Adopted budget is hereby amended in the amount of \$13,915.31 as shown in the attached Budget Adjustment Request, attached hereto as Exhibit "A".

**(II)**

**THAT** City staff and officials are directed to do all deeds necessary in the accomplishment of the herein above.

Resolution No. 11-084  
Page 2

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

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

VOTE:

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

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

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

APPROVED TO FORM:

  
\_\_\_\_\_  
City Attorney

CITY OF LAS CRUCES  
ADOPTED BUDGET FY 2010/2011

FUND	DIVISION		FUND TYPE	
Federal Stimulus Capital Projects Fund 4900	Various		Capital Project	
	FY 2009/10 Projected*	FY 2010/11 Adopted	Adjustment	FY 2010/11 Adjusted
<b>RESOURCES</b>				
Beginning Balance	\$ 0	0		0
<b>REVENUES</b>				
70B09 Airport Runway 12-30 Reconstruction	\$ 8,039,348	0	13,916	13,916
63404 Museum of Nature and Science DOE	0	888,000		888,000
<b>Total Revenues</b>	\$ 8,039,348	888,000	13,916	901,916
<b>Total Resources</b>	\$ 8,039,348	888,000	13,916	901,916
<b>EXPENDITURES</b>				
70B09 Airport Runway 12-30 Reconstruction	\$ 8,039,348	0	13,916	13,916
63404 Museum of Nature and Science DOE	0	888,000		888,000
<b>Total Expenditures</b>	\$ 8,039,348	888,000	13,916	901,916
<b>ENDING BALANCE</b>	\$ 0	0	0	0

\*Projected based on 8 months actual through February 28, 2010 and 4 months projected.

**DELTA AIRPORT  
CONSULTANTS, INC.**

---

**CLIENT:** City of Las Cruces  
**INVOICE #:** Fifteen (15)  
**DATE:** July 29, 2010  
**PROJECT #:** NM 08093.03  
**DESCRIPTION:** LRU-Rehabilitate Runway 12-30 (CO Phase Services)  
AIP Project No. 3-35-0024-22/23

---

---

<b>TOTAL BILLING TO DATE</b>	<b>\$ 895,374.74</b>
<b>LESS PRIOR INVOICES</b>	<b>\$ <u>881,459.43</u></b>
<b>AMOUNT DUE THIS INVOICE</b>	<b>\$ 13,915.31</b> <i>Kwm/dsh</i>

---

**REMIT TO:** DELTA AIRPORT CONSULTANTS, INC.  
P. O. BOX 758764  
BALTIMORE, MD 21275-8764

EIN: 54-1214032

TERMS: NET 30

*L Murphy*  
*Susan Pfeiffer*

**Invoice**

Delta Airport Consultants, Inc.  
9711 Farrar Court, Suite 100  
Richmond, Virginia 23236

July 29, 2010

Project No: 08093

Invoice No: 0000015

Ms. Lisa L. Murphy, ACIP  
Airport Manager, KLRU  
City of Las Cruces Facilities Department  
P. O. Box 20000  
Las Cruces, NM 88004-9002

Project 08093 LRU-Rehabilitate Runway 12-30-Ph. 1

**Professional Services through July 29, 2010**

Phase	003	Bidding & Construction
Sub-phase	001	AIP-22

Task Order No. 3R, dated 5/15/09  
AIP Project No. 3-35-0024-22/23  
Article 7.9  
Budget \$1,082,174 (UP+FF)  
(Budget amount includes \$68,428 NMGR)

**Fee**

Total Fee	92,786.00		
Percent Complete	100.00	Total Earned	92,786.00
		Previous Fee Billing	88,146.70
		Current Fee Billing	4,639.30
		<b>Total Fee</b>	<b>4,639.30</b>

**Professional Personnel**

	Hours	Rate	Amount
Administrative	7.00	69.68	487.76
Project Manager	36.00	147.68	5,316.48
Project Designer/Planner	23.50	76.96	1,808.56
Technician	3.00	67.60	202.80
<b>Totals</b>	<b>69.50</b>		<b>7,815.60</b>
<b>Total Labor</b>			<b>7,815.60</b>

**Reimbursable Expenses**

Travel & Miscellaneous	132.42	
Printing	417.64	
<b>Total Reimbursables</b>	<b>550.06</b>	<b>550.06</b>

**Taxes**

Albuquerque NMGR	7.00% of 13,004.96	910.35	
<b>Total Taxes</b>		<b>910.35</b>	<b>910.35</b>
<b>Total this Sub-phase</b>			<b>\$13,915.31</b>

Sub-phase	002	AIP-23
-----------	-----	--------

**Fee**

Total Fee	26,171.00		
Percent Complete	100.00	Total Earned	26,171.00
		Previous Fee Billing	26,171.00
		Current Fee Billing	0.00
		<b>Total Fee</b>	<b>0.00</b>
<b>Total this Sub-phase</b>			<b>\$0.00</b>
<b>Total this Phase</b>			<b>\$13,915.31</b>

Project	08093	LRU-Rehabilitate Runway 12-30-Ph. 1	Invoice	15
---------	-------	-------------------------------------	---------	----

**Billings To Date Phase 003**

	Current	Prior	Total
Fee	4,639.30	114,317.70	118,957.00
Labor	7,815.60	486,726.36	494,541.96
Consultant	0.00	140,354.50	140,354.50
Expense	550.06	57,429.10	57,979.16
Tax	910.35	54,105.52	55,015.87
<b>Totals</b>	<b>13,915.31</b>	<b>852,933.18</b>	<b>866,848.49</b>

Phase	004	Supplemental RPR (AIP-22)
-------	-----	---------------------------

**Fee**

Total Fee	7,895.00		
Percent Complete	100.00	Total Earned	7,895.00
		Previous Fee Billing	7,895.00
		Current Fee Billing	0.00
		Total Fee	0.00
		Total this Phase	\$0.00

**Billings To Date Phase 004**

	Current	Prior	Total
Fee	0.00	7,895.00	7,895.00
Labor	0.00	15,122.64	15,122.64
Expense	0.00	3,736.17	3,736.17
Tax	0.00	1,772.44	1,772.44
<b>Totals</b>	<b>0.00</b>	<b>28,526.25</b>	<b>28,526.25</b>

**Total this Invoice****\$13,915.31****Billings To Date Project 08093**

	Current	Prior	Total
Fee	4,639.30	122,212.70	126,852.00
Labor	7,815.60	501,849.00	509,664.60
Consultant	0.00	140,354.50	140,354.50
Expense	550.06	61,165.27	61,715.33
Tax	910.35	55,877.96	56,788.31
<b>Totals</b>	<b>13,915.31</b>	<b>881,459.43</b>	<b>895,374.74</b>



**RESOLUTION NO. 07-08-319B**

**A RESOLUTION APPROVING THE AWARD OF A CONTRACT TO DELTA AIRPORT CONSULTANTS, INC., OF LITTLE ROCK, ARKANSAS IN THE AMOUNT OF \$1,146,784 TO PERFORM BIDDING AND CONSTRUCTION PHASE SERVICES FOR THE RUNWAY 12-30 REHABILITATION PROJECT AT THE LAS CRUCES INTERNATIONAL AIRPORT.**

The City Council is informed that:

**WHEREAS**, the City of Las Cruces, New Mexico, a municipal corporation, is the owner of certain real property known as the Las Cruces International Airport; and

**WHEREAS**, Runway 12-30 has been identified as being in need of rehabilitation; and

**WHEREAS**, the City entered into a contract for Airport Architectural and Engineering Services with Delta Airport Consultants of Little Rock, Arkansas pursuant to Resolution 07-08-319; and

**WHEREAS**, the Federal Aviation Administration has offered the City a \$11,378,000 American Recovery and Reinvestment Act grant for the Runway 12-30 Rehabilitation project.

**WHEREAS**, Delta Airport Consultants has submitted a proposal to perform said bidding and construction phase services for this project.

**NOW, THEREFORE**, be it resolved by the governing body of the City of Las Cruces:

(I)

**THAT** the Airport Architectural and Engineering Services Contract for Bidding and Construction Phase Services for the Runway 12-30 Rehabilitation Project at the Las Cruces International Airport is awarded to Delta Airport Consultants, Inc. in the amount of \$1,074,271 plus New Mexico Gross Receipts Tax of \$72,513 for a total of \$1,146,784 is approved.

(II)

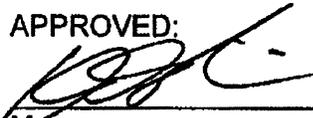
THAT the Purchasing Manager is authorized to contract with Delta Airport Consultants, Inc. as outlined in the signed Exhibit "A", Purchasing Manager's Request to Contract Form.

(III)

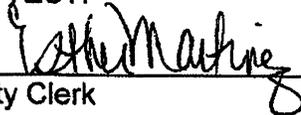
THAT City staff and officials are directed to do all deeds necessary in the accomplishment of the herein above, and as necessary to carry out the provision of said agreement.

DONE AND APPROVED this 26th day of May, 2009.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

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

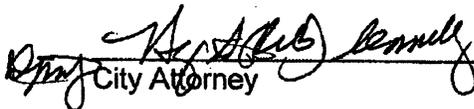
VOTE:

Mayor Miyagishima:	<u>Aye</u>
Councillor Silva:	<u>Aye</u>
Councillor Connor:	<u>Aye</u>
Councillor Archuleta:	<u>Aye</u>
Councillor Small:	<u>Aye</u>
Councillor Jones:	<u>Aye</u>
Councillor Thomas:	<u>Aye</u>

Moved by: Archuleta

Seconded by: Small

APPROVED TO FORM:

  
\_\_\_\_\_  
City Attorney