

City of Las Cruces®

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Council Action and Executive Summary

Item # 15 Ordinance/Resolution# 11-121 Council District: 6

For Meeting of November 15, 2010
(Adoption Date)

TITLE: A RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE TO THE RINCONADA/NORTHRISE TRAFFIC SIGNAL CONTRACT, PROJECT NUMBER 09-10-496, FOR THE PURCHASE OF TRAFFIC SIGNAL HARDWARE IN THE AMOUNT OF \$13,022.48 PLUS APPLICABLE GROSS RECEIPT TAX OF \$984.82 FOR A TOTAL AMOUNT OF \$14,007.30.

PURPOSE(S) OF ACTION: TO OBTAIN COUNCIL APPROVAL TO INCREASE THE CONTRACT BY \$13,022.48 FOR THE PURCHASE OF TESCO METER AND TRAFFIC SIGNAL HARDWARE AS PART OF CHANGE ORDER NUMBER ONE TO R.T. ELECTRIC, INC.

Drafter and Staff Contact: Ruben Altamirano <i>RA</i>		Department: PW Contracts Admin. <i>Dr</i>		Phone: 528-3158	
Department	Signature	Phone	Department	Signature	Phone
Department Director	<i>[Signature]</i>	528-3333	Budget	<i>[Signature]</i>	541-2107
Other			Assistant City Manager	<i>[Signature]</i>	541-2271
Legal	<i>[Signature]</i>	541-2128	City Manager	<i>[Signature]</i>	541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On November 6, 2006, City Council approved an agreement between the City of Las Cruces and Alameda Land Investment Corporation (Alameda) for the construction improvements of Sonoma Ranch Boulevard, Rinconada Boulevard, Lohman Boulevard, and South Fork Arroyo Improvements.

The Agreement provided that a municipal lien would be placed on designated properties owned by Alameda. The Lien would be created on all property as outlined in state statues, and would give the City a first and prior lien in front of any other mortgages or private liens on the property. The lien would be payable to the City as each property is sold, exchanged, assigned, transferred, subdivided, or developed. Payment with interest would be due when the property, or a portion thereof, is sold or developed; and a balloon payment with interest, will be due at the end of a ten-year period, whichever comes first. The City had issued a revenue bond in the amount of \$9,985,448.00 of which Alameda would be responsible for 100% of the cost as outlined previously after adjusted to reflect actual design and construction cost.

(Continue on additional sheets as required)

On June 21, 2010 the City of Las Cruces, City Council awarded the Rinconada/Northrise Signal Project to R.T. Electric, Inc. in the amount of \$182,840.40 plus \$13,598.75 for New Mexico Gross Receipt Tax. The City Manager is authorized to approve change orders in an amount not to exceed \$9,142.02 for a total project authorization in the amount of \$205,581.17. The project involves the installation of a new traffic signal at the intersection of Rinconada Blvd and Northrise Drive, and the re-stripping of the intersection; which will include stop bars, crosswalks and traffic lanes.

During the July 22, 2010 pre-construction meeting, it was noted that key components necessary for the functionality of the traffic signal project which included: Tesco meter and traffic signal hardware as well as labor cost were not included in the final contract bid. The City bid this contract complete based on a plan set and contract designed by Zia Engineering. The City's contract scope with Zia called for the design and documents to install a fully functional signalized intersection. Without the components listed above the signal would not be powered. Therefore, staff requested and received price quotes from R.T. Electric to complete this work. The estimated cost of the items needed is \$13,022.48, plus New Mexico Gross Receipt Tax in the amount of \$984.82 for a total amount of \$14,007.30.

The revenue bond outlined herein has sufficient fund balance to cover the additional \$14,007.30 expenditure.

SUPPORT INFORMATION:

1. Resolution
2. Change Order Number One, attached as Exhibit "A"
3. Attachment #1 (Itemized Cost Break Down)
4. Attachment #2 (Traffic Signal Functionality Components Letter)

(Continue on additional sheets as required)

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:
	<i>Budget Adjustment Attached</i>	<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 the _____ Fund.	
Does this action create any revenue?	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
NMFA ST'06 Fund 4213	42806170-854124-70722	\$14,007.30	\$31,306.00	\$17,298.70	To be used to purchase necessary traffic signal hardware.

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes" on the Resolution authorizing Change Order Number One to increase the contract by \$13,022.48, plus New Mexico Gross Receipt Tax in the amount of \$984.82 for a total amount of \$14,007.30. This will authorize the complete installation for the functionality of the traffic signals.
2. Vote "No" on the Resolution. Disapproval of Change Order Number One will halt the installation of the fully functional traffic signals.
3. Vote to "Amend" the Resolution. This will reject the installation of the traffic signals lights at Rinconada Blvd. and Northrise Drive.
4. Modify the proposed change order and instruct staff to seek an alternative course of action.

REFERENCE INFORMATION

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

N/A

(Continue on additional sheets as required)

RESOLUTION NO. 11-121

A RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE TO THE RINCONADA/NORTHRISE TRAFFIC SIGNAL CONTRACT, PROJECT NUMBER 09-10-496, FOR THE PURCHASE OF TRAFFIC SIGNAL HARDWARE IN THE AMOUNT OF \$13,022.48 PLUS APPLICABLE GROSS RECEIPT TAX OF \$984.82 FOR A TOTAL AMOUNT OF \$14,007.30.

The City Council of Las Cruces is informed that:

WHEREAS, on June 21, 2010 the City of Las Cruces, City Council awarded the Rinconada/Northrise Traffic Signal Project to R.T. Electric, Inc. in the amount of \$182,840.40 plus \$13,598.75 for New Mexico Gross Receipt Tax. The City Manager is authorized to approve change orders in an amount not to exceed \$9,142.02 for a total project authorization in the amount of \$205,581.17; and

WHEREAS, This change order is primarily being presented to begin and complete the installation of the new traffic signals at the intersection of Rinconada Blvd and Northrise Drive; and

WHEREAS, staff has received an estimated cost \$13,022.48, plus New Mexico Gross Receipt Tax in the amount of \$984.82 for a total amount of \$14,007.30 for the necessary components for the functionality of the traffic signal project; and

WHEREAS, Public Works Staff have calculated the cost of the change order to be \$14,007.30.

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

(I)

THAT, the Change Order Number One to obtain Council approval to increase the contract amount in the amount of \$14,007.30 is hereby authorized and approved.

(II)

THAT, the City Manager is hereby authorized to approve Change Order Number One.

(III)

THAT, City Staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 2010

APPROVED:

Mayor

ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

VOTE:

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

APPROVED AS TO FORM:

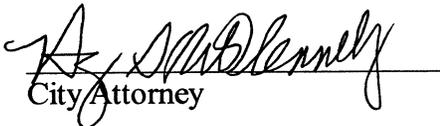

City Attorney

Exhibit "A"**THE CITY COUNCIL IS INFORMED OF THE FOLLOWING INFORMATION CONCERNING THIS CHANGE ORDER:****I. PROJECT NAME: RICONADA/NORTHRISE TRAFFIC SIGNAL
CLC Project No. 09-10-496****II. PROJECT SUMMARY:**

Award Amount:	<u>\$182,840.40</u>	Original Contract Time:	<u>45</u>	Working Days
Change Order One:	<u>\$13,022.48</u>	Change Order #1 Time:	<u>0</u>	Working Days
Revised Project Cost:	<u>\$195,862.88</u>	Revised Contract Time:	<u>0</u>	Working Days
Total Cost Increase:	<u>7.1%</u>	Time Increase:	<u>0</u>	

III. DESCRIPTION OF CHANGE:

Change Order Number One to obtain Council approval to increase the contract amount by \$13,022.48 is being presented to address the increase in cost to R.T. Electric, Inc. in the amount of \$13,022.48.

IV. REASON FOR CHANGE:

During the July 22, 2010 pre-construction meeting, it was noted that key components necessary for the functionality of the traffic signal project which included: the phase selector, Tesco meter and traffic signal hardware as well as labor cost were not included in the final contract bid. The City bid this contract complete based on a plan set and contract designed by Zia Engineering. The City's contract scope with Zia called for the design and documents to install a fully functional signalized intersection. Without the components listed above the signal would not be powered or able to detect traffic movements in order to time signal changes at the intersection as well as coordinate with the nearby signalized intersections. Therefore, staff requested and received price quotes from R.T. Electric to complete this work. The estimated cost of the items needed is \$13,022.48, plus New Mexico Gross Receipt Tax in the amount of \$984.82 for a total amount of \$14,007.30.

V. DETAILED COST OF CHANGE:

See attached #1.

Accepted for the Contractor:

Firm: R.T. Electric, Inc.

By: [Signature]

Title: President

Date: 10/13/10

Contracts Administration Division

Recommended Approval:

By: [Signature]

Title: Contracts Administrator

Date: 10-13-10

Traffic Engineering Department

Recommended Approval:

By: [Signature]

Title: Traffic Administrator

Date: 10-14-10

Public Works Department

Recommended Approval:

By: [Signature]

Title: Public Works Director

Date: 10/27/10

Project Development Administration

Division Recommended Approval:

By: [Signature]

Title: Project Development Administrator

Date: 10-13-2010

City Manager Recommended

Approval:

By: [Signature]

Title: City Manager

Date: 11/6/10

APPROVED AS TO FORM:
[Signature]
City Attorney

Attachment #1**MATERIAL**

ITEM NO.	DESCRIPTION	UNITS	EST QYT.	UNIT PRICE	ESTIMATED COST
CO-1	2" PVC	EA	25	\$3.66	\$91.62
CO-2	2" PVC COUPLING	EA	6	\$1.25	\$7.52
CO-3	2"PVC 90 DEG ELBOW	EA	2	\$4.60	\$9.20
CO-4	3/0 BARE COPPER	FT	75	\$4.01	\$300.86
CO-5	CONCRETE 3000 lb	YD	1	\$110.00	\$110.00
CO-6	TESCO METER	EA	1	\$8,820.00	\$8,820.00
					\$9,339.20

LABOR

ITEM NO.	DESCRIPTION	UNITS	EST QYT.	UNIT PRICE	ESTIMATED COST
CO-7	JOURNEYMAN	HRS	20.63	\$42.41	\$874.92
CO-8	FOREMAN @ 25%	HRS	5.16	\$42.41	\$218.84
CO-9	APPRENTICE	HRS	10.32	\$28.29	\$291.95
CO-10	LABORER	HRS	10.32	\$14.08	\$145.31
					\$1,531.01

Subtotal		\$10,870.21
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Overhead @10%		\$1,087.02
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Markup @ 9%		\$978.32
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		\$12,935.55
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Bond @ 0.672%		\$86.93
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Amount		\$13,022.48
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Final w/Tax		\$14,007.30
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14 October 2010

Ruben Altamirano
Project Manager
City of Las Cruces
P.O. Box 20000
Las Cruces, NM 88004-9002

Project: Rinconada/Northrise Traffic Signal; 09-10-496
RE: Traffic Signal Functionality Components

Mr. Altamirano,

On behalf of Mr. Donnie Brainard and the Alameda Property Group, Zia is submitting this letter to the city of Las Cruces as authorization to allocate an additional \$14,007.30, from the Alameda Bond Projects fund source, to address the change order issued by R.T. Electric.

If you have any questions or comments regarding this proposal, please feel free to contact me via phone at (575) 532-1526 ext-748 or email at akfort@ziaeec.com. Thank you for your patience and understanding regarding the resolution of this concern.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Kelly Fort". The signature is fluid and cursive, with a large initial "A" and "K".

A. Kelly Fort P.E.
Project Engineer

cc: Francisco Urueta, PE, Zia Civil Division Director
Kevin Salcido, PE, Zia Senior Engineer
Mike Johnson, PE, Public Works Director
David Maestas, PE, Contracts Administrator
Dan Soriano, PE, Traffic Administrator
Louis Grijalva, PE, Project Development Administrator