

61
City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5 Ordinance/Resolution # 10-11-420 Council District: 1-6

For Meeting of January 18, 2011
 (Adoption Date)

TITLE:

A RESOLUTION APPROVING THE EXTENSION OF AN INDEFINITE COST, INDEFINITE QUANTITY PRICE AGREEMENT FOR ELECTRICAL ENGINEERING SERVICES TO APEX ENGINEERING AND AUTOMATION OF EL PASO, TX; BEAUDIN GANZE CONSULTING ENGINEERS, INC. OF ALBUQUERQUE, NM AND PARKHILL, SMITH AND COOPER, INC. OF EL PASO, TX, FOR YEARS THREE THROUGH FIVE OF A FIVE YEAR TERM CONDITIONED UPON ANNUAL RENEWALS AND PENDING APPROVED BUDGETS.

PURPOSE(S) OF ACTION: Extension of an indefinite cost, indefinite quantity price agreement for electrical engineering services.

Drafter and Staff Contact: Nancy Montoya <i>NM</i>		Department: Public Works <i>GR SELF</i>		Phone: 528-3171	
Department	Signature	Phone	Department	Signature	Phone
Department Director	<i>ACTING FOR MS</i> <i>[Signature]</i>	528-3333	Budget	<i>[Signature]</i>	541-2107
Other			Assistant City Manager		541-2271
Legal	<i>[Signature]</i>	541-2128	City Manager	<i>[Signature]</i>	541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

In November 2008, the Engineering Services Section of the Public Works Department requested proposals for Electrical Engineering Services. These services are required to perform design functions that include, but are not limited to, the following: electrical system design for buildings, booster stations, lift stations, and odor control stations. The purpose of the Electrical Engineering Services RFP is to prequalify three (3) engineering firms that can provide specialized electrical engineering services.

These agreements are one- (1-) year contracts with the option to renew for four (4) additional one (1) year terms at the discretion of the City and under mutual agreement. It is advantageous for the City to have a prequalified list of electrical engineering firms from which to select, in order to get budgeted projects completed. All departments within the City will be able to enter into individual project agreements with these engineering firms on an as-needed basis. There are times when special funding (e.g., legislative, NMDOT) is made available to the City for specific projects. The funding sources often give strict time frames within which improvements must be designed and constructed in order to secure the funding. By having a list of three (3) prequalified engineering firms, it will not be necessary to go through the

extensive and time consuming request for proposal process in order to contract the necessary work for each individual project. These agreements will allow the Public Works Department and other City departments to contract with any one of the three (3) prequalified firms. As a result, valuable time is saved in the design of each project and staff time can be used on other projects and in other capacities.

The Electrical Engineering Services Agreements will be set up as individual purchase orders depending on available funding. The agreements for individual engineering projects will be authorized pursuant to the provisions of the Las Cruces Municipal Code, 1998, Chapter 24, Procurement Code.

The original agreements were awarded in January of 2009. The City of Las Cruces Public Works Department-Engineering Services Section requests approval from the City Council to extend an indefinite cost, indefinite quantity price agreement for electrical engineering services with APEX Engineering and Automation of El Paso, TX; Beaudin Ganze Consulting Engineers, Inc. of Albuquerque, NM, and Parkhill, Smith and Cooper, Inc. of El Paso, TX, for years three through five of a five year term conditioned upon annual renewals and pending approved budgets.

SUPPORT INFORMATION:

1. Resolution.
2. Purchasing Manager's request to Contract Form, Exhibit "A".
3. Vendor Extension Letters, Exhibit "B".
4. Contract Extensions, Exhibit "C".

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 EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Various as projects are identified	Various	Various	Various	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this action will approve the extension of an indefinite cost, indefinite quantity price agreement for electrical engineering services to APEX Engineering and Automation of El Paso, TX; Beaudin Ganze Consulting Engineers, Inc. of Albuquerque, NM, and Parkhill, Smith and Cooper, Inc. of El Paso, TX to provide electrical engineering services to the City of Las Cruces for years three through five of a five year term conditioned upon annual renewals and pending approved budgets.
2. Vote "No"; this action will reject the proposed extension and instruct staff to either rebid, rescope, or abandon these agreements altogether. Without these agreements, engineering projects could be delayed and the City of Las Cruces will have to explore an alternative means of procuring electrical engineering services.
3. Vote to "Amend"; this action could approve the extension of an indefinite cost, indefinite quantity price agreement for electrical engineering services to APEX Engineering and Automation of El Paso, TX; Beaudin Ganze Consulting Engineers, Inc. of Albuquerque, NM, and Parkhill, Smith and Cooper, Inc. of El Paso, TX with additional conditions or changes as requested by City Council.
4. Vote to "Table"; this action could delay the extension of an indefinite cost, indefinite quantity price agreement for electrical engineering services APEX Engineering and Automation of El Paso, TX; Beaudin Ganze Consulting Engineers, Inc. of Albuquerque, NM, and Parkhill, Smith and Cooper, Inc. of El Paso, TX and could delay engineering projects.

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. 08-09-321 and 09-10-435.

RESOLUTION NO: 10-11-420

A RESOLUTION APPROVING THE EXTENSION OF AN INDEFINITE COST, INDEFINITE QUANTITY PRICE AGREEMENT FOR ELECTRICAL ENGINEERING SERVICES TO APEX ENGINEERING AND AUTOMATION OF EL PASO, TX; BEAUDIN GANZE CONSULTING ENGINEERS, INC. OF ALBUQUERQUE, NM AND PARKHILL, SMITH AND COOPER, INC. OF EL PASO, TX, FOR YEARS THREE THROUGH FIVE OF A FIVE YEAR TERM CONDITIONED UPON ANNUAL RENEWALS AND PENDING APPROVED BUDGETS.

The City Council is informed that:

WHEREAS, the Public Works Department-Engineering Services Section requested proposals for Electrical Engineering Services in November 2008; and

WHEREAS, these services are required to perform design functions that include, but are not limited to, the following: electrical system design for buildings, booster stations, lift stations, and odor control stations; and

WHEREAS, the purpose of the Electrical Engineering Services request for proposals is to prequalify three (3) engineering firms that can provide electrical engineering services City of Las Cruces (City) engineering projects; and

WHEREAS, these agreements were established for a one-(1-) year term with the option to renew for four (4) additional one-(1-) year terms at the discretion of the City and upon mutual agreement; and

WHEREAS, each firm has agreed to the agreement extension; and

WHEREAS, Public Works Department-Engineering Services Section requests approval of an indefinite cost, indefinite quantity price agreement for electrical engineering services to APEX Engineering and Automation of El Paso, TX; Beaudin Ganze Consulting Engineers, Inc. of Albuquerque, NM, and Parkhill, Smith and Cooper, Inc. of El Paso, TX, for years three through five of a five year term conditioned upon annual renewals and pending approved budgets.

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

(I)

THAT the extension of an indefinite cost, indefinite quantity price agreement for electrical engineering services to APEX Engineering and Automation of El Paso, TX; Beaudin Ganze Consulting Engineers, Inc. of Albuquerque, NM, and Parkhill, Smith and Cooper, Inc. of El Paso, TX, for years three through five of a five year term conditioned upon annual renewals and pending approved budgets is hereby approved.

(II)

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

DONE AND APPROVED this _____ day of _____, 20_____.

(SEAL)

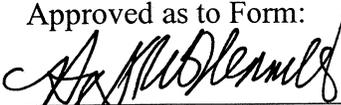
ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

Approved as to Form:



City Attorney

APPROVED:

Mayor

VOTE:

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

CITY OF LAS CRUCES

PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: January 18, 2011

Resolution No.: 10-11-420

**Existing Contract Purchase For
Electrical Engineering Services (Years 3 of 5)**

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

RFP SOLICITATION INFORMATION:

- 1. Original RFP & Due Date: **RFP #08-09-321/November 21, 2008**
- 2. Description of RFP: **Electrical Engineering Services**
- 3. Number of Original Responses **Five (5)**
- 4. Existing Contract Expiration Date: **January 19, 2011**
- 5. Last Contract Renewal by Council: **Resolution No. 09-10-435/December 21, 2009**
- 6. Using Department: **Public Works**
- 7. Current Award Recommendation To: **Apex Engineering and Automation, LLC;
Parkhill, Smith and Cooper, Inc., both of El Paso, TX
and Beaudin/Ganze Consulting Engineers, Inc., of Albuquerque, NM**
- 8. Total Award Amount (includes any tax and contingency) **Indefinite Cost
Pending Approved Budget**
- 9. Contract Duration: **Years Three (3) through (5) Pending Approved
Budget & Annual Renewals**

PROCUREMENT CODE COMPLIANCE:

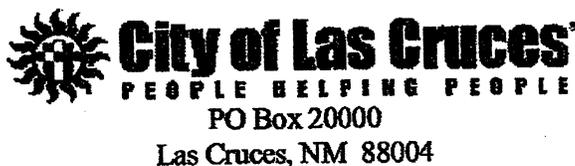
The City of Las Cruces Procurement Code was administered in the conduct of this procurement and approval to purchase is hereby requested pursuant to **Section 24-316.**


 Purchasing Manager

1/12/27/10
 Date

CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION OR PURCHASE ORDER NUMBER:	VARIOUS
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September 22, 2010

10SEP 29 11:02AM

Mr. R. Ben Canfield
 APEX Engineering and Automation
 6248 Edgemere #450
 El Paso, TX 79925

FACSIMILE: (800) 683-8702
 Re: Renewal RFP 08-09-321 Electrical Engineering Services PA

Dear Mr. Canfield,

The City of Las Cruces would like to exercise the renewal option from RFP 09-10-435, first extension of original RFP 08-09-321 Electrical Engineering Services Price Agreement. The renewal period is for year 3 of 5 commencing January 20, 2010 thru January 19, 2011.

Please indicate below if your company desires to renew the contract. If you choose to renew please check the appropriate box, sign the attached amendment to the contract and along with an updated insurance certificate return to the Purchasing Office:

Mailing address: P.O. Box 20000, Las Cruces, NM 88004
 Delivery address: 700 N. Main St. Ste. 3134, Las Cruces 88001

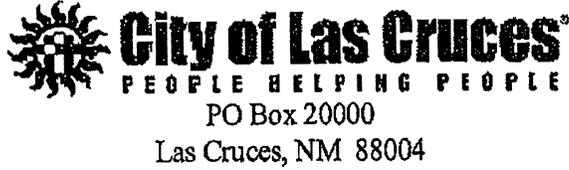
If I do not hear from you by September 29, 2010 I will assume you do not wish to participate.

If you have any questions regarding this matter please call me at (575) 541-2696.

Sincerely,

Martha Montoya
 Contract Analyst

<input checked="" type="checkbox"/> I wish to renew the contract from RFP 08-09-321 Electrical Engineering Services Price Agreement <input type="checkbox"/> I do not wish to renew the contract from RFP 08-09-321 Electrical Engineering Services Price Agreement Signed: <u>R Ben</u> Title: <u>VP of Engineering</u>
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10 SEP 30 10:42AM

September 22, 2010

Mr. David A. Lyle
 Beaudin Ganze Consulting Engineers, Inc.
 6501 Wyoming NE, Bldg I, Suite 3
 Albuquerque, NM 87109

FACSIMILE: (505) 323-9075
 Re: Renewal RFP 08-09-321 Electrical Engineering Services PA

Dear Mr. Lyle,

The City of Las Cruces would like to exercise the renewal option from RFP 09-10-435, first extension of original RFP 08-09-321 Electrical Engineering Services Price Agreement. The renewal period is for year 3 of 5 commencing January 20, 2010 thru January 19, 2011.

Please indicate below if your company desires to renew the contract. If you choose to renew please check the appropriate box, sign the attached amendment to the contract and along with an updated insurance certificate return to the Purchasing Office: *Insurance cert requested.*

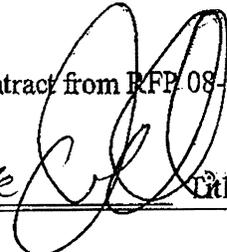
Mailing address: P.O. Box 20000, Las Cruces, NM 88004
 Delivery address: 700 N. Main St. Ste. 3134, Las Cruces 88001

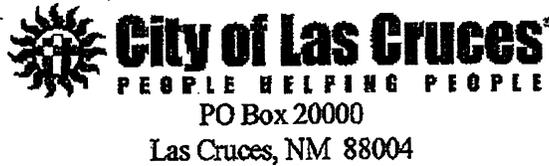
If I do not hear from you by September 29, 2010 I will assume you do not wish to participate.

If you have any questions regarding this matter please call me at (575) 541-2696.

Sincerely,

Martha Montoya
 Contract Analyst

<input checked="" type="checkbox"/> I wish to renew the contract from RFP 08-09-321 Electrical Engineering Services Price Agreement
<input type="checkbox"/> I do not wish to renew the contract from RFP 08-09-321 Electrical Engineering Services Price Agreement
Signed: <i>DAVID A. LYLE</i>  Title: <i>PRINCIPAL</i>



10SEP 30 8:21AM

September 22, 2010

Mr. Mark O. Sanchez, PE
Parkhill, Smith & Cooper, Inc.
810 E. Yandell
El Paso, TX 79902

FACSIMILE: (915) 544-2059
Re: Renewal RFP 08-09-321 Electrical Engineering Services PA

Dear Mr. Sanchez,

The City of Las Cruces would like to exercise the renewal option from RFP 09-10-435, first extension of original RFP 08-09-321 Electrical Engineering Services Price Agreement. The renewal period is for year 3 of 5 commencing January 20, 2010 thru January 19, 2011.

Please indicate below if your company desires to renew the contract. If you choose to renew please check the appropriate box, sign the attached amendment to the contract and along with an updated insurance certificate return to the Purchasing Office:

Mailing address: P.O. Box 20000, Las Cruces, NM 88004
Delivery address: 700 N. Main St. Ste. 3134, Las Cruces 88001

If I do not hear from you by September 29, 2010 I will assume you do not wish to participate.

If you have any questions regarding this matter please call me at (575) 541-2696.

Sincerely,

Mariha Montoya
Contract Analyst

<input checked="" type="checkbox"/>	I wish to renew the contract from RFP 08-09-321 Electrical Engineering Services Price Agreement
<input type="checkbox"/>	I do not wish to renew the contract from RFP 08-09-321 Electrical Engineering Services Price Agreement
Signed:	Title: Firm Principal

9-24-10

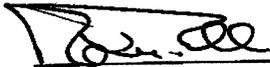
**ELECTRICAL ENGINEERING SERVICES PRICE AGREEMENT
ANNUAL EXTENSION
(RFP NO. 08-09-321)**

'10SEP 29 11:02AM

Pursuant to Section 24-92 of the Electrical Engineering Services Price Agreement dated January 20, 2009 between the City of Las Cruces (City) and APEX Engineering and Automation (Contractor), the City and Contractor agree to extend the term of the Agreement for a period of one (1) year, to begin January 20, 2011 and terminate January 19, 2012.

All other terms of the Agreement will remain the same.

CITY OF LAS CRUCES

 Date: 12/15/2010
Robert Telles,
Purchasing Manager

CONTRACTOR NAME

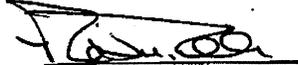
 Date: 9/27/10
Signature
R. Ben Canfield P.E.
Printed Name/Title

**ELECTRICAL ENGINEERING SERVICES PRICE AGREEMENT
ANNUAL EXTENSION
(RFP NO. 08-09-321)**

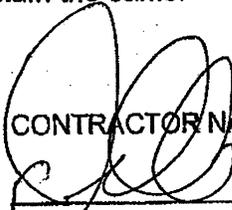
Pursuant to Section 24-92 of the Electrical Engineering Services Price Agreement dated January 20, 2009 between the City of Las Cruces (City) and Beaudin Ganze Consulting Engineers, Inc. (Contractor), the City and Contractor agree to extend the term of the Agreement for a period of one (1) year, to begin January 20, 2011 and terminate January 19, 2012.

All other terms of the Agreement will remain the same.

CITY OF LAS CRUCES

 Date: 12/15/2010
Robert Telles,
Purchasing Manager

CONTRACTOR NAME

 Date: 9/23/2010
Signature
DAVID A. LYUE / PRINCIPAL
Printed Name/Title

10SEP 30 10:42AM

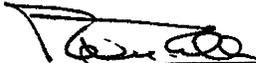
10SEP 30 8:21AM

**ELECTRICAL ENGINEERING SERVICES PRICE AGREEMENT
ANNUAL EXTENSION
(RFP NO. 08-09-321)**

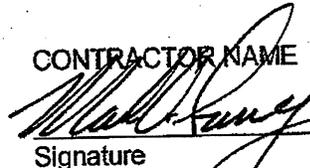
Pursuant to Section 9 of the Electrical Engineering Services Contract dated February 5, 2010 between the City of Las Cruces (City) and Parkhill Smith & Cooper, Inc. (Contractor), the City and Contractor agree to extend the term of the Agreement for a period of one (1) year, to begin January 20, 2011 and terminate January 19, 2012.

All other terms of the Agreement will remain the same.

CITY OF LAS CRUCES

 Date: 12/15/2010
Robert Telles,
Purchasing Manager

CONTRACTOR NAME

 Date: 9-24-10
Signature
Mark O. Sanchez, P.E. Firm
Printed Name/Title Principal