

73
City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 6 Ordinance/Resolution # 10-11-421 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 ENVIRONMENTAL ENGINEERING SERVICES TO SOUDER, MILLER AND ASSOCIATES; TERRACON CONSULTANTS, INC. AND ZIA ENGINEERING AND ENVIRONMENTAL CONSULTANTS, LLC., ALL OF LAS CRUCES, NM, 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 environmental engineering services.

Drafter and Staff Contact: Nancy Montoya <i>NM</i>		Department: Public Works <i>Y.R. LR</i>		Phone: 528-3171	
Department	Signature	Phone	Department	Signature	Phone
Department Director	<i>ACT. 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 Environmental Engineering Services. These services are required to perform design functions that include, but are not limited to, the following: preparation of solid waste studies, landfill system design and analysis, environmental surveys, assessments, monitoring and management, such as indoor air quality and asbestos, and the testing of soil and groundwater for contaminants. The purpose of the Environmental Engineering Services RFP is to prequalify three (3) engineering firms that can provide specialized environmental 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 environmental 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 Environmental 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 environmental engineering services with Souder, Miller and Associates; Terracon Consultants, Inc. and Zia Engineering and Environmental Consultants, all of Las Cruces, NM, 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 environmental engineering services to Souder, Miller and Associates; Terracon Consultants, Inc. and Zia Engineering and Environmental Consultants, all of Las Cruces, NM to provide environmental 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 environmental engineering services.
3. Vote to "Amend"; this action could approve the extension of an indefinite cost, indefinite quantity price agreement for environmental engineering services to Souder, Miller and Associates; Terracon Consultants, Inc. and Zia Engineering and Environmental Consultants, all of Las Cruces, NM 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 environmental engineering services to Souder, Miller and Associates; Terracon Consultants, Inc. and Zia Engineering and Environmental Consultants, all of Las Cruces, NM 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. 08-09-322 and 09-10-436.

RESOLUTION NO: 10-11-421

A RESOLUTION APPROVING THE EXTENSION OF AN INDEFINITE COST, INDEFINITE QUANTITY PRICE AGREEMENT FOR ENVIRONMENTAL ENGINEERING SERVICES TO SOUDER, MILLER AND ASSOCIATES; TERRACON CONSULTANTS, INC. AND ZIA ENGINEERING AND ENVIRONMENTAL CONSULTANTS, LLC., ALL OF LAS CRUCES, NM, 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 Environmental Engineering Services in November 2008; and

WHEREAS, these services are required to perform design functions that include, but are not limited to, the following: preparation of solid waste studies, landfill system design and analysis, environmental surveys, assessments, monitoring and management, such as indoor air quality and asbestos, and the testing of soil and groundwater for contaminants; and

WHEREAS, the purpose of the Environmental Engineering Services request for proposals is to prequalify three (3) engineering firms that can provide environmental 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 environmental engineering services to Souder, Miller and Associates; Terracon Consultants, Inc. and Zia Engineering and Environmental Consultants, all of Las Cruces, NM, for years three through five of a five year term conditioned upon annual renewals and pending approved budgets.

Resolution No: 10-11-421

Page 2

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 environmental engineering services to Souder, Miller and Associates; Terracon Consultants, Inc. and Zia Engineering and Environmental Consultants, all of Las Cruces, NM 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_____.

APPROVED:

(SEAL)

Mayor

ATTEST:

VOTE:

City Clerk

Mayor Miyagishima: _____

Councillor Silva: _____

Moved by: _____

Councillor Connor: _____

Councillor Pedroza: _____

Seconded by: _____

Councillor Small: _____

Councillor Sorg: _____

Councillor Thomas: _____

Approved as to Form:



City Attorney

CITY OF LAS CRUCES

PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: January 18, 2011

Resolution No.: 10-11-421

Existing Contract Purchase For Environmental Engineering Services (Years 3 through 5)

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

RFP SOLICITATION INFORMATION:

1. Original RFP & Due Date: **RFP#08-09-322/November 21, 2008**
2. Description of RFP: **Environmental 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. 09-10-436/December 21, 2009**
6. Using Department: **Public Works**
7. Current Award Recommendation To: **Souder Miller and Associates,
Terracon Consultants, and Zia Engineering and Environmental Consultants, LLC
All of Las Cruces, 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

1/27/10
Date

CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION OR PURCHASE ORDER NUMBER:	VARIOUS
---------------------------------------	----------------



PO Box 20000
Las Cruces, NM 88004

10 SEP 29 11:05 AM

September 27, 2010

Mr. Karl E. Tonander, P.G., P.E.
Souder, Miller & Associates
401 Seventeenth Street, Suite 4
Las Cruces, NM 88005

F A C S I M I L E : (575) 647-0680

Re: Renewal RFP 08-09-322 Environmental Engineering Services PA

Dear Mr. Tonander,

The City of Las Cruces would like to exercise the renewal option from RFP 09-10-436, second extension of original RFP 08-09-322 Environmental Engineering Services Price Agreement. The renewal period is for year three (3) of five (5) commencing January 20, 2011 thru January 19, 2012.

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 October 4, 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,

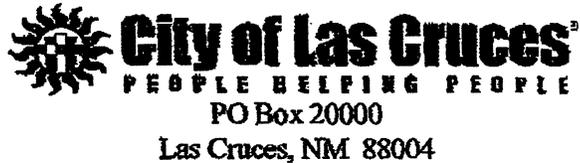
Martha Montoya
Contract Analyst

I wish to renew the contract from RFP 08-09-322 Environmental Engineering Services Price Agreement

I do not wish to renew the contract from RFP 08-09-322 Environmental Engineering Services Price Agreement

Signed: Title: V.P.

Attachment: Amendment to contract



September 27, 2010

Ms. Mary E. Wells, P.E.
Terracon Consultants, Inc.
1640 Hickory Loop, Ste. 105
Las Cruces, NM 88005

F A C S I M I L E: (575) 527-1092

Re: Renewal RFP 08-09-322 Environmental Engineering Services PA

Dear Ms. Wells,

The City of Las Cruces would like to exercise the renewal option from RFP 09-10-436, second extension of original RFP 08-09-322 Environmental Engineering Services Price Agreement. The renewal period is for year three (3) of five (5) commencing January 20, 2011 thru January 19, 2012.

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 October 4, 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

I wish to renew the contract from RFP 08-09-322 Environmental Engineering Services Price Agreement

I do not wish to renew the contract from RFP 08-09-322 Environmental Engineering Services Price Agreement

Signed:  Title: Principal

Attachment: Amendment to contract

**ENVIRONMENTAL ENGINEERING SERVICES AGREEMENT
ANNUAL EXTENSION
(RFP NO. 08-09-322)**

Pursuant to Section 9 of the 08-09-322 Environmental Engineering Services Contract dated January 23, 2009 between the City of Las Cruces (City) and Souder, Miller & Associates (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

CONTRACTOR NAME

for *Robert Telles* Date: *12/21/10*
Robert Telles,
Purchasing Manager

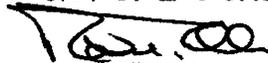
Karl Tanander Date: *27 Sep 10*
Signature
Karl Tanander, V.P.
Printed Name/Title

**ENVIRONMENTAL ENGINEERING SERVICES AGREEMENT
ANNUAL EXTENSION
(RFP NO. 08-09-322)**

Pursuant to Section 9 of the 08-09-322 Environmental Engineering Services Contract dated January 23, 2009 between the City of Las Cruces (City) and Terracon Consultants, 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: 9/27/10
Signature
Mary E. Wells / Principal
Printed Name/Title

10 OCT 11:08 AM

**ENVIRONMENTAL ENGINEERING SERVICES AGREEMENT
ANNUAL EXTENSION
(RFP NO. 08-09-322)**

Pursuant to Section 9 of the 08-09-322 Environmental Engineering Services Contract dated January 23, 2009 between the City of Las Cruces (City) and Zia Engineering & Environmental Consultants, LLC Consultants, 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

[Signature] Date: 12/15/2010
Robert Telles,
Purchasing Manager

CONTRACTOR NAME

[Signature] Date: 9/29/10
Signature
A. K. KHERA, P.E.
Printed Name/Title
Vice - President