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**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 8 Ordinance/Resolution # 10-11-423 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 STRUCTURAL ENGINEERING SERVICES TO 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 structural engineering services.

<b>Drafter and Staff Contact:</b> <i>NM</i> Nancy Montoya <i>NM</i>		<b>Department:</b> Public Works <i>GE FOR LR</i>		<b>Phone:</b> 528-3171	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
Department Director	<i>ACTS 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 Structural Engineering Services. These services are required to perform design functions that include, but are not limited to, the following: the design of buildings and additions, retaining walls, and drainage structures, such as box culverts, channels, and wing walls, determining structural integrity of existing materials, equipments, and facilities. The purpose of the Structural Engineering Services RFP is to prequalify an engineering firm that can provide specialized structural engineering services.

This agreement is a one- (1-) year contract 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 structural engineering firm in order to get budgeted projects completed. All departments within the City will be able to enter into individual project agreements with this engineering firm 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 prequalified engineering firm, 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. This agreement will allow the

Public Works Department and other City departments to contract with the prequalified firm. 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 Structural Engineering Services Agreement 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 agreement was 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 structural engineering services with 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:**

<b>Is this action already budgeted?</b>	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.	
<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 EXPENDITURE SUMMARY:**

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

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this action will approve the extension of an indefinite cost, indefinite quantity price agreement for structural engineering services to Parkhill, Smith and Cooper, Inc. of El Paso, TX to provide structural 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 this agreement altogether. Without this agreement, engineering projects could be delayed and the City of Las Cruces will have to explore an alternative means of procuring structural engineering services.
3. Vote to "Amend"; this action could approve the extension of an indefinite cost, indefinite quantity price agreement for structural engineering services to 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 structural engineering services to 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. 08-09-324 and 09-10-438.

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**RESOLUTION NO: 10-11-423**

**A RESOLUTION APPROVING THE EXTENSION OF AN INDEFINITE COST, INDEFINITE QUANTITY PRICE AGREEMENT FOR STRUCTURAL ENGINEERING SERVICES TO 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 Structural Engineering Services in November 2008; and

**WHEREAS**, these services are required to perform design functions that include, but are not limited to, the following: the design of buildings and additions, retaining walls, and drainage structures, such as box culverts, channels, and wing walls, determining structural integrity of existing materials, equipments, and facilities; and

**WHEREAS**, the purpose of the Structural Engineering Services request for proposals is to prequalify an engineering firm that can provide structural engineering services City of Las Cruces (City) engineering projects; and

**WHEREAS**, this agreement was 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**, the 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 structural engineering services to 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 structural engineering services to 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\_\_\_\_\_.

APPROVED:

(SEAL)

ATTEST:

\_\_\_\_\_  
Mayor

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

VOTE:

Mayor Miyagishima: \_\_\_\_\_  
Councillor Silva: \_\_\_\_\_  
Councillor Connor: \_\_\_\_\_  
Councillor Pedroza: \_\_\_\_\_  
Councillor Small: \_\_\_\_\_  
Councillor Sorg: \_\_\_\_\_  
Councillor Thomas: \_\_\_\_\_

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

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

Approved as to Form:

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

**CITY OF LAS CRUCES****PURCHASING MANAGER'S REQUEST TO CONTRACT**

For Meeting of: January 18, 2011

Resolution No.: 10-11-423

**Existing Contract Purchase For  
Structural 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#08-09-324/November 21, 2008**
2. Description of RFP: **Mechanical Engineering Services**
3. Number of Original Responses: **One (1)**
4. Existing Contract Expiration Date: **January 19, 2011**
5. Last Contract Renewal by Council: **Resolution No. 09-10-438/December 21, 2009**
6. Using Department: **Public Works**
7. Current Award Recommendation To: **Parkhill, Smith, and Cooper of El Paso, TX**
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**.

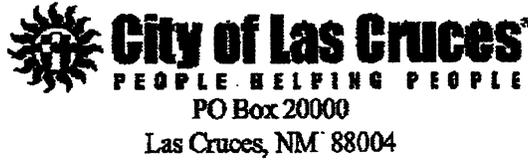
  
Purchasing Manager

1/27/10  
Date

**CONFIRMATION OF FUND ENCUMBRANCE:**

REQUISITION OR PURCHASE ORDER NUMBER:

VARIOUS



September 27, 2010

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

F A C S I M I L E: (915) 544-2059  
Re: Renewal RFP 08-09-324 Structural Engineering Services PA

Dear Mr. Sanchez,

The City of Las Cruces would like to exercise the renewal option from RFP 09-10-438, second extension of original RFP 08-09-324 Structural Engineering Services Price Agreement. The renewal period is for year three (3) of five (5) commencing January 20, 2011 thru January 19, 2012.

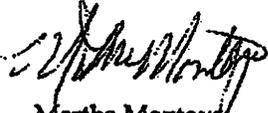
Please indicate below if your company desires to renew the contract. If you choose to renew please check the appropriate box, sign the attached amendment to the contract and along with an updated insurance certificate return to the Purchasing Office:

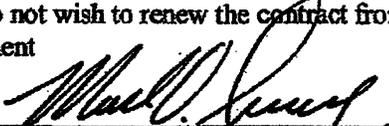
Mailing address: P.O. Box 20000, Las Cruces, NM 88004  
Delivery address: 700 N. Main St. Ste. 3134, Las Cruces 88001

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

<input checked="" type="checkbox"/>	I wish to renew the contract from RFP 08-09-324 Structural Engineering Services Price Agreement
<input type="checkbox"/>	I do not wish to renew the contract from RFP 08-09-324 Structural Engineering Services Price Agreement
Signed: 	Title: Firm Principal

9-28-10

Attachment: Amendment to contract

**STRUCTURAL ENGINEERING SERVICES AGREEMENT  
ANNUAL EXTENSION  
(RFP NO. 08-09-324)**

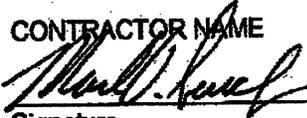
Pursuant to Section 9 of the 08-09-324 Structural Engineering Services Contract dated January 20, 2009 between the City of Las Cruces (City) and Parkhill, Smith & Cooper, Inc. (Contractor), the City and Contractor agree to extend the term of the Agreement for a period of one (1) year, to begin January 20, 2011 and terminate January, 19, 2012.

All other terms of the Agreement will remain the same.

CITY OF LAS CRUCES

 Date: 11/23/2010  
Robert Telles,  
Purchasing Manager

CONTRACTOR NAME

 Date: 9-28-10  
Signature  
Mark O. Sanchez, P.E., Firm Principal  
Printed Name/Title