

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 16 Ordinance/Resolution#10-11-427 Council District: 1

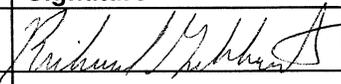
For Meeting of January 18, 2011
(Adoption Date)

TITLE:

A RESOLUTION AUTHORIZING A CONTRACT FOR PHASE I OF THE MUSEUM OF NATURE AND SCIENCE GENERAL CONSTRUCTION SERVICES (RFP 10-11-427) WITH WOOTEN CONSTRUCTION, LAS CRUCES, NEW MEXICO, FOR A CONTRACT AMOUNT OF \$763,730.00, PLUS AN ALLOWANCE OF \$57,757.08 FOR NEW MEXICO GROSS RECEIPTS TAX, FOR A TOTAL PROJECT AUTHORIZATION OF \$821,487.08.

PURPOSE(S) OF ACTION:

Award a contract for the first phase of general construction services for the Museum of Nature and Science project.

Drafter and Staff Contact: Sonya Harmon 		Department: Facilities/Project Mgmt.		Phone: 541-2573	
Department	Signature	Phone	Department	Signature	Phone
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 Museum of Natural History is being relocated from the Mesilla Valley Mall to downtown Las Cruces at 411 N. Main Street (the former Bank of the Rio of Grande Building) and at such time will change the name to the Museum of Nature and Science (MoNaS). This project is included in the City's Strategic Plan and works toward accomplishing the goal of Renovating and Opening the New Museum of Nature and Science, as part of the "Acknowledging and Promoting our Community Identity" category. Various funding sources are being used to complete this project, including State of New Mexico Legislative Funds, a Brownfield Economic Development Initiatives (BEDI) grant, a Housing and Urban Development (HUD) loan, a Department of Energy (DOE) American Recovery and Reinvestment Act (ARRA) grant, and a Bureau of Land Management (BLM) grant.

For this project, City Council has already awarded a contract for Architectural and Engineering Services for design of the building improvements, as well as a contract for design and construction of the museum exhibits. The next step in completing this project is to award a contract for general construction services. Therefore, a Request for Proposals

(Continue on additional sheets as required)

(RFP) #10-11-427: MoNaS General Construction Services was solicited through the Purchasing Department after document review by the Selection Advisory Committee (SAC). A total of five (5) proposals were received on November 24, 2010. After SAC scored the initial evaluation of the submitted proposals, the three (3) highest ranked firms proceeded on to the interview portion of the evaluation process. After completing the interviews on December 14, 2011, the SAC ranked Wooten Construction, Las Cruces, New Mexico as the highest ranked proposer. The contract resulting from this RFP solicitation will provide for construction services to be delivered in two phases: the first phase consists of pre-construction services, asbestos abatement/selective demolition, and construction of the renewable energy portion of the project. The second phase will address the remaining general construction to complete the project. The contract authorization sought in the attached Resolution provides for the first phase scope of services.

The amount allocated for pre-construction services is \$19,500.00. The use of pre-construction services as part of the project delivery method lends itself well to this type of project. It allows the general contractor to work with the project architect and owner to employ value engineering methods during the design process to arrive at construction documents that will best fulfill the City's desires for use and functionality with the highest degree of value and cost efficiency.

The allocated amount of \$156,400.00 is for the abatement of asbestos and lead from the building as well as selective demolition associated with the abatement and preparing the building for further improvements.

The portion of the contract award for the construction of the renewable energy portion of this project is in the amount of \$587,830.00. The City Council accepted ARRA funding via Resolution 10-095, which is restricted specifically for use in this project for various renewable energy components. This award is for installation of a photovoltaic array, installation of a wind turbine demonstration project, and installation of a new energy efficient HVAC system at the MoNaS location, as required by the grant. City staff is recommending award of this contract at this time, due to the ARRA funding encumbrance deadline of February 1, 2011 associated with this grant.

The first phase of this contract award amounts to \$763,730.00, plus an allowance of \$57,757.08 for gross receipts tax; for a total project authorization of \$821,487.08. Once the pre-construction and design portions of this project have been completed by the contractor and the architect, a change order for the second phase will be brought before City Council via Resolution to authorize the stipulated lump sum amount for the completion of the overall general construction services for the MoNaS Project.

SUPPORT INFORMATION:

1. Resolution
2. Exhibit "A" - Purchasing Manager's Request to Contract
3. Exhibit "B" - SAC RFP Evaluation Sheet

(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 EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
HUD Loan	40803200 852100 63406	\$116,828.54	\$1,697,865.12	\$1,581,036.58	Construction
HUD BEDI Grant	40803190 852100 63405	\$116,828.54	\$545,020.00	\$428,191.46	Construction
Federal Stimulus DOE ARRA	49205010 852100 63404	\$587,830.00	\$587,830.80	\$0.80	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will authorize a contract for the Museum of Nature and Science General Construction Services, RFP 10-11-427 with Wooten Construction, Las Cruces, New Mexico for a contract amount of \$763,730.00 plus an allowance of \$57,757.08 for New Mexico gross receipts tax for a total project authorization of \$821,487.08.
2. Vote "No"; this will not authorize a contract for the Museum of Nature and Science General Construction Services, RFP 10-11-427 with Wooten Construction, Las Cruces, New Mexico for a Contract Amount of \$763,730.00 plus an allowance of \$57,757.08 for

(Continue on additional sheets as required)

New Mexico gross receipts tax for a total project authorization of \$821,487.08.; and will jeopardize the previously authorized ARRA contractually obligated funding timeline.

3. Vote to "Amend"; this will direct staff to proceed as amended by City Council.
4. Vote to "Table"; this may jeopardize the previously authorized ARRA contractually obligated funding timeline for installation of a photovoltaic array, installation of a wind turbine demonstration project, and installation of a new energy efficient HVAC system at the MoNaS location.

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. 08-245
2. Resolution No. 09-237
3. Resolution No. 10-095
4. Resolution No. 09-10-405
5. Ordinance No. 2576
6. Resolution No. 11-002
7. Resolution No. 11-007
8. Resolution No. 10-11-309
9. Resolution No. 10-11-310

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RESOLUTION NO. 10-11-427

A RESOLUTION AUTHORIZING A CONTRACT FOR PHASE I OF THE MUSEUM OF NATURE AND SCIENCE GENERAL CONSTRUCTION SERVICES (RFP 10-11-427) WITH WOOTEN CONSTRUCTION, LAS CRUCES, NEW MEXICO, FOR A CONTRACT AMOUNT OF \$763,730.00, PLUS AN ALLOWANCE OF \$57,757.08 FOR NEW MEXICO GROSS RECEIPTS TAX, FOR A TOTAL PROJECT AUTHORIZATION OF \$821,487.08.

The City Council of the City of Las Cruces is informed that:

WHEREAS the Museum of Natural History is being relocated from the Mesilla Valley Mall to 411 N. Main Street (the former Bank of the Rio of Grande Building) and at such time will change the name to the Museum of Nature and Science (MoNaS); and

WHEREAS, this project is included in the City's Strategic Plan and works toward accomplishing the goal of Renovating and Opening the new Museum of Nature and Science as part of the "Acknowledging and Promoting our Community Identity" category; and

WHEREAS, various state and federal funding sources are being used to complete this project; and

WHEREAS, a request for proposals was solicited through the Purchasing Department and after review by the Selection Advisory Committee (SAC), Wooten Construction was ultimately rated as the highest ranked proposer; and

WHEREAS, the contract resulting from this RFP solicitation will provide for construction services to be delivered in two phases; and.

WHEREAS, the first phase consists of pre-construction services, asbestos abatement/selective demolition, and construction of the renewable energy portion of the project; and

WHEREAS, once the first phase of this project has been completed, a change order for the second phase will be brought before the City Council via resolution to authorize the stipulated lump sum amount for the completion of the general construction services for the MoNaS project; and

WHEREAS, City staff is recommending award of this contract at this time due to the ARRA funding encumbrance deadline of February 1, 2011 associated with this grant.

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

(I)

THAT City staff is authorized to contract with Wooten Construction of Las Cruces, New Mexico for the first phase of general construction services consisting of pre-construction services, asbestos abatement/selective demolition and general construction of the renewable energy portion of the Museum of Nature and Science project located at 411 N. Main Street for a contract amount of \$763,730.00, plus an allowance of \$57,757.08 for gross receipts tax, for a total project authorization of \$821,487.08.

(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 _____, 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

VOTE:

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

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

[Signature]

City Attorney

CITY OF LAS CRUCES

PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: January 18, 2011

Resolution No.: 10-11-427

**Contract Purchase For
Phase I of the Museum of Nature and Science (MoNaS) General Construction Services**

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

RFP SOLICITATION INFORMATION:

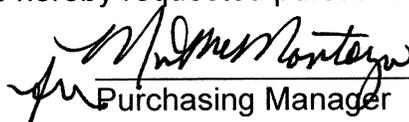
- 1. RFP No./Due Date: **RFP No. 10-11-427/November 24, 2010**
- 2. Description: **Phase I of the MoNaS General Construction Services**
- 3. Using Department: **Facilities**
- 4. Number of Responses Accepted: **Five (5)**
- 5. Award Recommendation To: **Wooten Construction of Las Cruces, NM**
- 6. Total Award Amount (including any tax and contingency): **\$821,487.08**
- 7. Contract Duration: **18 Months**

LOCAL PREFERENCE FACTOR

Local Preference Factor Applied Per LCMC §24-100	No	X	LCMC §24-100 not applicable to this solicitation
	Yes		Made A Difference To Awards(s)
			Made No Difference To Bid Award(s)

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 24-92**.


Purchasing Manager

12/30/10
Date

CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION or PURCHASE ORDER NUMBER:	11102365
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