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

**Council Action and Executive Summary**

Item # 3 Ordinance/Resolution# 12-13-303

For Meeting of \_\_\_\_\_  
 (Ordinance First Reading Date)

For Meeting of July 2, 2012  
 (Adoption Date)

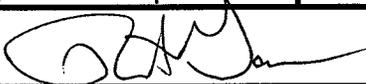
Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE:** A RESOLUTION AWARDING THE BID FOR THE 2012/2013 HOT MIX FOR OVERLAY TO JOBE MATERIALS, L.P., OF EL PASO, TEXAS AND CEMEX CONSTRUCTION MATERIALS, L.P., OF LAS CRUCES, NEW MEXICO.

**PURPOSE(S) OF ACTION:**

Bid award.

<b>COUNCIL DISTRICT: 1, 2, 3, 4, 5</b>		
<b><u>Drafter/Staff Contact:</u></b> Louis Grijalva, PE	<b><u>Department/Section:</u></b> Public Works/ Project Development	<b><u>Phone:</u></b> 528-3479
<b><u>City Manager Signature:</u></b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The Public Works Department has identified the streets to receive a new layer of hot mix material for the 2012/2013 Overlay Maintenance Project. The streets were prioritized and the type of maintenance was identified using the recommendations from the Pavement Analysis Report produced by IMS Infrastructure Management Services. The computer software used to generate the report utilizes best management strategies and optimizes the use of City funds for pavement maintenance.

The Public Works Department has a separate contract with Cutler Repaving, Inc., to mill the roadway to remove a layer of pavement from the roadway, perform heater scarification of the remaining pavement, followed by an application of a new layer of hot mix. As a requirement of the contract with Cutler Repaving, Inc., the City of Las Cruces (City) is responsible for furnishing the new hot mix material to the paving machine at the project site.

Presently, the City does not have the capability to produce hot mix for the project and lacks the surfacing pits, hot mix plant, sufficient trucks for delivery and manpower for this type of work. This contract will be used to supply the hot mix material for the 2012/2013 Overlay Maintenance Project with no option to renew. Based on the City's need to obtain timely delivery of hot mix and the concern that a single award would not be sufficient to meet the City's delivery

requirements it is requested that the contract be awarded to multiple suppliers. In the event of a multi-source award, orders will be based upon low cost and timely delivery determinants that are in the City's best interest.

The Public Works Department/Project Development Section has reviewed the bids for compliance with the specifications. The bidders, Jobe Materials, L.P., of El Paso, Texas and CEMEX Construction Materials, L.P., of Las Cruces, New Mexico provided unit prices for the different types of hot mix materials as listed in the attached Attachment "A".

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Purchasing Manager's Request to Contract.
3. Attachment "A", Bid Abstract and Tabulation.
4. Attachment "B", Streets identified for overlay maintenance.

**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 \$ _____ for FY _____.
	No	<input checked="" type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

N/A

**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
GRT Street Maintenance: 4202	42806140-854121	Dependent on supplier and unit prices *	\$1,300,000.00	Remainder	Micro Surfacing, Overlay Projects and Materials Testing
GRT Street Maintenance: 4202	42806150-854121	Dependent on supplier and unit prices *	\$1,200,000.00	Remainder	Micro Surfacing, Overlay Projects and Materials Testing

\* Contract will be awarded to multiple suppliers with different unit prices. Orders will be based on lowest cost and timeliness of deliveries.

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will award the bid for the 2012/2013 Hot Mix for Overlay for the 2012/2013 Overlay Maintenance Project to Jobe Materials, L.P., of El Paso, Texas and CEMEX Construction Materials, L.P., of Las Cruces, New Mexico.
2. Vote "No"; this will reject the contract award for the 2012/2013 Hot Mix for Overlay for the 2012/2013 Overlay Maintenance Project to Jobe Materials, L.P., from El Paso, Texas and CEMEX Construction Materials, L.P., of Las Cruces, New Mexico. Without this award the City will have to find another way to provide the hot mix material for the 2012/2013 Overlay Maintenance Project. Staff will need further direction to re-bid or abandon the 2012/2013 Overlay Maintenance Project altogether.
3. Vote to "Amend"; this will reject the contract award for the 2012/2013 Hot Mix for Overlay to Jobe Materials, L.P., from El Paso, Texas and CEMEX Construction Materials, L.P., of Las Cruces, New Mexico and will provide an opportunity to re-scope and re-bid the 2012/2013 Hot Mix Overlay.
4. Vote to "Table"; this will allow Council to postpone consideration of the resolution and direct staff accordingly to seek an alternative direction.

**REFERENCE INFORMATION:**

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

1. N/A

**RESOLUTION NO. 12-13-303**

**A RESOLUTION AWARDING THE BID FOR THE 2012/2013 HOT MIX FOR OVERLAY TO JOBE MATERIALS, L.P., OF EL PASO, TEXAS AND CEMEX CONSTRUCTION MATERIALS, L.P., OF LAS CRUCES, NEW MEXICO.**

The City Council is informed that:

**WHEREAS**, the City of Las Cruces Public Works Department is required to supply hot mix material to Cutler Repaving, Inc., for the 2012/2013 Overlay Maintenance Project; and

**WHEREAS**, the City lacks the ability to produce hot mix material as they lack surfacing pits, a hot mix plant, sufficient trucking, and manpower for this type of work; and

**WHEREAS**, bids were solicited by the Purchasing Department from hot mix suppliers to provide the hot mix material; and

**WHEREAS**, two (2) bids were received for the 2012/2013 Hot Mix For Overlay; and

**WHEREAS**, the Public Works Department recommends that the 2012/2013 Hot Mix For Overlay be awarded to Jobe Materials, L.P., of El Paso, Texas and CEMEX Construction Materials, L.P., of Las Cruces, New Mexico, in and amount not to exceed City Council approved budgets.

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

**(I)**

**THAT** the Purchasing Manager is authorized to contract with Jobe Materials, L.P., of El Paso, Texas and CEMEX Construction Materials, L.P., of Las Cruces, New

Mexico as outlined in the signed Exhibit "A", Purchasing Manager's Request to Contract Form.

(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:

\_\_\_\_\_  
Mayor

ATTEST:

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

(SEAL)

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

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

APPROVED AS TO FORM:

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

VOTE:

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

# CITY OF LAS CRUCES

## PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: July 2, 2012

Resolution No.: 12-13-303

**Contract Purchase For  
2012-13 Hot Mix for Overlay**

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

**BID SOLICITATION INFORMATION:**

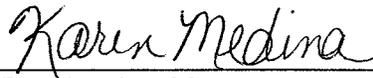
- 1. Bid Due Date: June 5, 2012
- 2. Description: 2012-13 Hot Mix for Overlay
- 3. Using Department: Public Works
- 4. Number of Responses Accepted: Two (2)
- 5. Recommended Award(s) To: Jobe Materials, L.P., of El Paso, TX  
and Cemex Construction Materials, L.P., of Las Cruces, NM
- 6. Total Award Amount (includes any tax and contingency): Indefinite as Ordered
- 7. Contract Duration: July 2012 thru October 2012

**LOCAL PREFERENCE FACTOR**

Local Preference Factor Applied Per LCMC §24-100	No	<b>X</b>	LCMC §24-100 not applicable to this solicitation
	Yes		Made A Difference To Bid 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 24-91**.

  
 for Purchasing Manager June 15, 2012  
Date

**CONFIRMATION OF FUND ENCUMBRANCE:**

REQUISITION or PURCHASE ORDER NUMBER:	VARIOUS
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BID LOT		ENGINEER'S ESTIMATE			Jobe Materials, LP		CEMEX Construction Materials, LP		
BID ITEM No.	BID ITEM	EST. QUANTITY	UNITS	UNIT PRICE	PRICE EXTENSION	UNIT PRICE	PRICE EXTENSION	UNIT PRICE	PRICE EXTENSION
HM-1	PMBP, TYPE SP-IV, W/PG 70-22 BINDER	7600	TON	\$75.00	\$570,000.00	\$65.00	\$494,000.00	\$69.50	\$528,200.00
HM-2	HMAC, TYPE B (ARTERIAL), W/PG 64-22 BINDER	1950	TON	\$70.00	\$136,500.00	\$62.00	\$120,900.00	\$61.50	\$119,925.00
HM-3	HMAC, TYPE C (RESIDENTIAL), W/PG 64-22 BINDER	2100	TON	\$70.00	\$147,000.00	\$62.00	\$130,200.00	\$75.50	\$158,550.00
	DELIVERY:					Specified		Specified	
	PRICES EFFECTIVE THROUGH:					Specified Time		Specified Time	
	PAYMENT TERMS					N/30		N/30	
	PREFERENCE NUMBER:								

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PREPARED BY: *James J. Cordova*

VERIFIED BY: *[Signature]* 6-14-12

**2012-2013  
OVERLAY**

STREET	FROM	TO	LENGTH	WIDTH
EL PASEO ROAD	S. MAIN STREET	BOUTZ ROAD	4,800	71
S. TRIVIZ DRIVE	JOHN STREET	WISCONSIN AVE.	3,215	30
COLORADO AVE.	BACA STREET	SMITH AVE.	2,515	30
JORNADA ROAD NORTH	BATAAN MEM. WEST	600' S. OF ENGLER R	3,200	33
PAYNE STREET	WYOMING AVE.	MISSOURI AVE.	2,671	37
S. MAIN STREET	ALAMEDA BLVD.	EL PRADO AVE.	225	66
S. MAIN STREET	MELENDREZ STREET	IDAHO AVE.	650	70
LA FONDA DRIVE	MISSOURI AVE.	IDAHO AVE.	2,361	33
SOLANO DRIVE	CACTUS AVE.	MADRID AVE.	2,700	57
ELKS DRIVE	KENNEDY ROAD	HATFIELD ROAD	1,150	26