City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 10 **Ordinance/Resolution #** 12-13-410

For Meeting of _____ (Ordinance First Reading Date)

For Meeting of April 15, 2013 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☐ LEGISLATIVE ☒ ADMINISTRATIVE

TITLE: **A RESOLUTION AWARDING A CONTRACT TO LYNCO ELECTRIC COMPANY, INC., OF LAS CRUCES, NM, FOR CONSTRUCTION OF BURN LAKE SOCCER FIELD LIGHTING, IN THE AMOUNT OF $356,435.00, PLUS NEW MEXICO GROSS RECEIPTS TAX OF $26,955.40, AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO $38,339.00; FOR A TOTAL AUTHORIZATION OF $421,729.40.**

PURPOSE(S) OF ACTION:

To approve a contract.

COUNCIL DISTRICT: 4		
Drafter/Staff Contact: Cathy Mathews	**Department/Section:** Public Works/Facilities Management (D&C8)	**Phone:** 541-2592
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On August 1, 2008, during a windstorm, one of the soccer field light poles blew over. Upon investigation, it was found that the pole was rusted through. The other poles at the field were assessed and found to be failing as well. Therefore, due to the potential danger to the public, the remaining poles were removed. Use of the field has continued during daylight hours only. This has put a burden on the other City-provided/Las Cruces Public School soccer fields, which are typically used day and night.

To help remedy the issue, this item was included as part of the FY13 Infrastructure Capital Improvement Program (ICIP) for this and other improvements at Burn Lake. By installing new lighting, it is expected to reduce the pressure placed on the other fields by allowing night-time use and providing a safer environment. In addition, these lights will comply with the Dark Skies Ordinance requirements and will utilize the latest controls and technology to help reduce energy consumption. As an example, these newer systems require fewer light heads (six compared to the twelve that were there previously).

In September 2012, the City contracted with Morrow Reardon Wilkinson Miller to develop the design and construction documents for this project. Advertisement for bids commenced on January 25, 2013; a pre-bid meeting was held on February 1, 2013; and bids were opened on February 13, 2013.

Lynco Electric Company, Inc., was the apparent low bidder with an amount of $356,435.00. The budget allows for the construction and installation of sports lighting, pull boxes, conduit, branch circuits, and preparation for future security lighting on each pole.

The Resolution calls for a contract to be awarded to Lynco Electric Company, Inc., of Las Cruces, NM, in the amount of $356,435.00 for the Burn Lake Soccer Field Lighting Project. In addition, the City Manager is authorized to execute change orders up to $38,339.00. The allowance for New Mexico gross receipts tax is $26,955.40; which results in a total project authorization of $421,729.40.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Purchasing Manager's Request to Contract Form.
3. Attachment "A", Bid Tabulation Sheet.

SOURCE OF FUNDING:

Is this action already budgeted?			
	Yes	☒	See fund summary below
	No	☐	If No, then check one below:
	Budget Adjustment Attached	☐	Expense reallocated from: _____
		☐	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?			
	Yes	☐	Funds will be deposited into this fund: _____ in the amount of $__ for FY_____.
	No	☒	There is no new revenue generated by this action.

BUDGET NARRATIVE

The project is in the FY13 ICIP. The funding is from the 2011 Bond funding, the 2005 Bond funding, and the Burn Lake/Esslinger Park State Appropriation.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
2011 GRT Facilities Projects	4028-40806120-854124-60305	$ 357,827.99	$ 357,827.99	$ 0.00	None
Park/Land Capital Improvements	4112-41803170-854223-60304	$ 7,924.17	$ 7,924.17	$ 0.00	None
Sales Tax 2005 Public Improvement	4023-40803250-854222-61R02	$ 55,977.24	$ 384,268.65	$ 328,291.41	Burn Lake – Phase II construction projects

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the Resolution awarding a contract to Lynco Electric Company, Inc., of Las Cruces, NM, for construction of Burn Lake Soccer Field Lighting, in the amount of $356,435.00, plus New Mexico gross receipts tax of $26,955.40, and authorizing the City Manager to approve change orders up to $38,339.00; for a total authorization of $421,729.40.
2. Vote "No"; this will not authorize the Resolution.
3. Vote to "Amend"; the Resolution and provide staff with further direction.
4. Vote to "Table"; the Resolution and provide staff with further direction.

REFERENCE INFORMATION:

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

N/A

RESOLUTION NO. 12-13-410

A RESOLUTION AWARDING A CONTRACT TO LYNCO ELECTRIC COMPANY, INC., OF LAS CRUCES, NM, FOR CONSTRUCTION OF BURN LAKE SOCCER FIELD LIGHTING, IN THE AMOUNT OF $356,435.00, PLUS NEW MEXICO GROSS RECEIPTS TAX OF $26,955.40, AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO $38,339.00; FOR A TOTAL AUTHORIZATION OF $421,729.40.

The City Council is informed that:

WHEREAS, due to the failure of one of the original light poles in a windstorm, and further investigation revealed the other light poles were failing as well, the previously installed lights were removed for safety reasons; and

WHEREAS, to allow night-time use of the Burn Lake Soccer Fields, lighting improvements were included as part of the Infrastructure Capital Improvement Program (ICIP); and

WHEREAS, the light replacement project will yield several benefits including: availability of the soccer field for use at night, reduced impact to other soccer fields, utilization of the latest controls and technology, compliance with the Dark Skies Ordinance, and reduced energy consumption compared to the previous system; and

WHEREAS, on February 13, 2013, bids for this construction project were opened and Lynco Electric Company, Inc., submitted the lowest cumulative bid in the amount of $356,435.00.

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

(I)

THAT the contract for the Burn Lake Soccer Field Lighting construction project is hereby awarded to Lynco Electric Company, Inc., of Las Cruces, NM in the amount of $356,435.00, plus New Mexico Gross Receipts Tax of $26,955.40, and that the City

Manager is authorized to approve change orders in an amount not to exceed $38,339.00, for a total project authorization of $421,729.40.

(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 _____, 2013.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

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

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

_____
City Attorney

Exhibit A

CITY OF LAS CRUCES

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PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: April 15, 2013

Resolution No.: 12-13-410

Contract Purchase For
Burn Lake Soccer Field Lighting Project

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

BID SOLICITATION INFORMATION:

1. Bid Due Date: **February 13, 2013**
2. Description: **Burn Lake Soccer Field Lighting Project**
3. Using Department: **Public Works**
4. Number of Responses Solicited: **One hundred fourteen (114)**
5. Number of Responses Received and Accepted: **Seven (7)**
6. Recommended Award(s) To: **Lynco Electric Company, Inc. of Las Cruces, NM**
7. Total Award Amount (includes any tax and contingency): **$421,729.40**
8. Contract Duration: **70 working days**

LOCAL PREFERENCE FACTOR

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

Purchasing Manager — Date: 3/26/13.

CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION or PURCHASE ORDER NUMBER:	**13102774**

	PROJECT:	Burn Lake Soccer Field Lighting																	
	CLC PROJECT NO.:	12-13-410																	
		Engineer's Estimate		Vendor Name		Vendor Name		Vendor Name		Vendor Name		Vendor Name		Vendor Name		Vendor Name			
	BID ITEMS	$376,000.00		Bixby Electric		Carver Electric		Current Electric		Lynco Electric		RCI Power and Lighting		R-CON		RT Electric			
Item No.	Description	Est. Qty	Units	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost		
Base Bid	Base Bid	1	ls	$242,936.00	$242,936.00	$229,000.00	$229,000.00	$290,632.00	$290,632.00	$203,382.00	$203,382.00	$199,867.00	$199,867.00	$278,169.00	$278,169.00	$227,000.00	$227,000.00		
Bid Lot 1	Bid Lot 1	1	ls	$116,527.00	$116,527.00	$109,000.00	$109,000.00	$136,850.00	$136,850.00	$104,198.00	$104,198.00	$115,330.00	$115,330.00	$145,421.00	$145,421.00	$121,500.00	$121,500.00		
Bid Lot 2	Bid Lot 2	1	ls	$55,828.00	$55,828.00	$49,000.00	$49,000.00	$65,908.00	$65,908.00	$48,855.00	$48,855.00	$54,086.00	$54,086.00	$66,453.00	$66,453.00	$55,200.00	$55,200.00		
	Total Contract				$415,291.00		$387,000.00		$493,390.00		$356,435.00		$369,283.00		$490,043.00		$403,700.00		
	NMGRT (7.5625%)				$ 31,406.38		$ 29,266.88		$ 37,312.62		$ 26,955.40		$ 27,927.03		$ 37,059.50		$ 30,529.81		
					$446,697.38		$416,266.88		$530,702.62		$383,390.40		$397,210.03		$527,102.50		$434,229.81		
	Preferences (not to exceed 10%)																		
	Resident Contractor Preference				YES		YES				YES		YES						
	Application of 5% Preference				$424,362.51		$395,453.53				$364,220.88		$377,349.53						
	Veteran Contractor Preference														YES				
	Application of 7% Preference														$490,205.33				
	Local Preference				YES		YES				YES		YES		YES		YES		
	Application of 5% Preference				$403,144.39		$375,680.85				$346,009.83		$358,482.05		$475,499.17		$412,518.32		
			Final Total		$411,744.28		$387,329.87				$357,156.97		$368,597.28		$484,624.07		$429,787.48		

Attachment "A"