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City of Las Cruces
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 14 Ordinance/Resolution# 09-10-404 Council District: 5

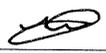
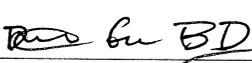
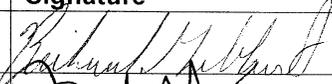
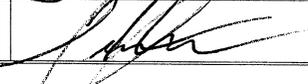
For Meeting of December 21, 2009
 (Adoption Date)

TITLE:

A RESOLUTION AWARDING A CONTRACT FOR THE RENOVATION OF THE SAGE CAFE, BID NUMBER 09-10-404, TO DURAN CONSTRUCTION, INC., OF LAS CRUCES, NEW MEXICO, FOR THE CONTRACT SUM OF \$612,367.00, PLUS AN ALLOWANCE OF \$45,544.80 FOR NEW MEXICO GROSS RECEIPTS TAX AND A CONTINGENCY OF \$61,236.00 FOR A TOTAL PROJECT AUTHORIZATION OF \$719,147.80.

PURPOSE(S) OF ACTION:

To authorize a contract for the renovation of the Sage Café.

Name of Drafter: D. Eric Martin 		Department: Facilities/Project Mgmt. 		Phone: 541-2502	
Department	Signature	Phone	Department	Signature	Phone
Facilities Department	 <u>BD</u>	541-2651	Budget		2300
			Assistant City Manager		2221
Legal		2124	City Manager		2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

As part of the City expanding its presence and to improve services to the citizens on the East Mesa, the City acquired, through a land transaction with the New Mexico Department of Transportation (NMDOT), approximately six acres of developable real estate. This parcel is bounded by Porter Road to the west, Bataan Memorial Highway to the north, Reynolds to the south, and private land to the east. Part of the transaction included the former Church on the Rock Building, located at the west end of the parcel. The City has also constructed the East Mesa Bataan Memorial Pool to the east of the former church building. The City sees potential in ultimately creating a campus-style complex that serves citizens of all ages. Discussion has also included the construction of a mini-park, walkways, a branch library, police sub-station, etc.

The City assessed the former church building and found it to be reasonably sound, and relatively easy to renovate. In addition, the building is accessible from all sides and is located across the street from Fire Station 5 and the East Mesa Recreation Center.

The City solicited bids for the Renovation of the Sage Cafe building, resulting in the receipt of five responses on November 19, 2009. The general scope of work consists of the adaptive re-use of a former church building for a new use as a multi-service facility focused around a café theme. The project was bid with two bid lots: Number One provides for the general construction of the renovation work while bid lot Number Two provides for the construction of site work, a parking lot, and landscaping. The apparent low and cumulative bid (both bid lots combined) of \$612,367.00 was submitted by Duran Construction, Inc., of Las Cruces, New Mexico.

The renovation of the Sage Cafe is budgeted and funded with appropriations from the State of New Mexico that total \$774,035.00. The accompanying resolution authorizes a contract between the City of Las Cruces and Duran Construction, Inc., for the Renovation of the Sage Cafe for a contract sum of \$612,367.00, plus New Mexico Gross Receipts Tax of \$45,544.80 and \$61,236.00 for Project Contingency; for a total project authorization of \$719,147.80.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
4012 – NM State Capital Outlay		
40803010-852100-60A01	\$83,740.00	\$83,740.00
40803150-852100-60A04	\$50,000.00	\$50,000.00
40803170-852100-60A05	\$41,000.00	\$41,000.00
40800030-852100-61002	\$544,407.80	\$599,295.00

1. Resolution
2. Bid Tabulation Sheet
3. Purchasing Manager's Request to Contract

OPTIONS / ALTERNATIVES:

1. Vote "Yes" and approve the Resolution; thereby, awarding the contract to Duran Construction, Inc., of Las Cruces, New Mexico. Construction would commence pending outcome of the state capital appropriation freeze.
2. Vote "No" and not approve the Resolution; thereby, not awarding the contract to Duran Construction, Inc., of Las Cruces, New Mexico. Should state capital appropriations become available, this could delay expenditure of those funds.
3. Vote to "Postpone" the Resolution and direct staff to review other options. Should state capital appropriations become available, this could delay expenditure of those funds.

(Continue on additional sheets as required)

RESOLUTION NO. 09-10-404

A RESOLUTION AWARDING A CONTRACT FOR THE RENOVATION OF THE SAGE CAFE, BID NUMBER 09-10-404, TO DURAN CONSTRUCTION, INC., OF LAS CRUCES, NEW MEXICO, FOR THE CONTRACT SUM OF \$612,367.00, PLUS AN ALLOWANCE OF \$45,544.80 FOR NEW MEXICO GROSS RECEIPTS TAX AND A CONTINGENCY OF \$61,236.00 FOR A TOTAL PROJECT AUTHORIZATION OF \$719,147.80.

The City Council is informed that:

WHEREAS, the City solicited bids for the Renovation of the Sage Cafe building (a former church building located on Reynolds Drive) resulting in the receipt of five responses on November 19, 2009; and

WHEREAS, the general scope of the work consists of the adaptive re-use of a former church building for a new use as a multi-service facility focused around a cafe; and

WHEREAS, the project was bid with two bid lots: Number One provides for the general construction of the renovation work, while bid lot Number Two provides for the construction of site work, a parking lot, and landscaping; and

WHEREAS, the apparent low and cumulative bid of \$612,367.00 (both bid lots) was submitted by Duran Construction, Inc., of Las Cruces, New Mexico; and

WHEREAS, the renovation of the Sage Cafe is budgeted and funded with appropriations from the State of New Mexico that total \$774,035.00.

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

(I)

THAT, a contract is hereby awarded to Duran Construction, Inc., for the Renovation of the Sage Cafe for a contract sum of \$612,367.00.

(II)

THAT, the total project authorization of \$719,147.80 includes the contract sum of \$612,367.00, an allowance of \$45,544.80 for New Mexico Gross Receipts Tax, and \$61,236.00 for Project Contingency.

(III)

THAT, City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE and APPROVED this _____ day of _____, 2009.

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:



City Attorney



Bid Tabulation Renovation of Sage Cafe Bid Number: 09-10-404 for the City of Las Cruces	
	Bid Opening Nov. 19, 2009 / 2:00 p.m.

Bidder:	Addenda Received	Proposal Signed	License No.	BID LOT NO. 1	BID LOT NO. 2
Brew baker General Construction, Inc. 300 N. Telshor Las Cruces, NM 88011	5	X	81792	\$579,991.00	\$84,816.00 \$664,807.00 *
Classic Industries, Inc. 921 Bleimeyer Road Las Cruces, NM 88005	5	X	55595	\$506,792.00	\$113,943.00 \$620,735.00 *
G. Sandoval Construction 2000 E. Lohman, Ste. B Las Cruces, NM 88001	5	X	81118	\$671,163.00	\$89,099.00 \$760,262.00 *
Duran Construction 1441 Union Avenue Las Cruces, NM 88005	5	X	58389	\$519,000.00	\$93,065.00 \$612,065.00 *
Sun City Builders 1101 Med Park Dr Las Cruces, NM 88005	5	X	53979	\$609,000.00	\$55,000.00 \$664,000.00 *

* Cumulative Totals

prepared by:

 Tomás Méndez, A.I.A.
 Architect, City of Las Cruces

CITY OF LAS CRUCES

PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: December 21, 2009

Resolution No.: 09-10-404

Contract Purchase For Renovations of Sage Cafe

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

BID SOLICITATION INFORMATION:

- 1. Bid Due Date: **November 19, 2009**
- 2. Description: **Renovations of Sage Cafe**
- 3. Using Department: **Facilities/Project Management**
- 4. Number of Responses Received: **Five (5)**
- 5. Recommended Award(s) To: **Duran Construction, Inc., of Las Cruces, NM**
- 6. Total Award Amount (includes any tax and contingency): **\$719,147.80**
- 7. Contract Duration: **One Hundred Fifty (150) Calendar days**

LOCAL PREFERENCE FACTOR

Local Preference	No	<input checked="" type="checkbox"/>	LCMC §24-100 not applicable to this solicitation
Factor Applied Per LCMC §24-100	Yes	<input type="checkbox"/>	Made A Difference To Bid Awards(s)
		<input type="checkbox"/>	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 12/4/09
 Date

CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION or PURCHASE ORDER NUMBER:	REQ. 10102165
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