

326  
**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 25      Ordinance/Resolution# 09-10-453      Council District: 4

For Meeting of December 21, 2009

(Adoption Date)

**TITLE:**

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE CITY OF LAS CRUCES AND HUITT-ZOLLARS, INC. FOR THE MUNSON SENIOR CENTER PHASE I RENOVATIONS AS APPROVED BY CITY COUNCIL UNDER RESOLUTION NO. 09-277, AUTHORIZING AN INCREASE IN THE AMOUNT OF \$30,000.00 PLUS NEW MEXICO GROSS RECEIPTS TAX OF \$2,231.25 AND PROJECT CONTINGENCY OF \$3,000.00 FOR A TOTAL CHANGE ORDER AUTHORIZATION OF \$35,231.25.

**PURPOSE(S) OF ACTION:**

Execution of a change order

<b>Name of Drafter:</b> D. Eric Martin <i>[Signature]</i>		<b>Department:</b> Facilities/Project Mgmt. <i>[Signature]</i>		<b>Phone:</b> 541-2616	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
Facilities Department	<i>[Signature]</i>	541-2651	Budget	<i>[Signature]</i>	2300
			Assistant City Manager	<i>[Signature]</i>	2271
Legal	<i>[Signature]</i>	2126	City Manager	<i>[Signature]</i>	2076

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

City staff engaged Huitt-Zollars, Inc., to perform conceptual design services for renovations to the Munson Senior Center Complex. Areas under review include expansion of the facility, integration into the existing park environment (Heske Garden), parking lot rehabilitation, and mechanical and electrical upgrades. Since funding is not sufficient to address the entire scope as outlined, staff has prioritized facility needs and is in the process of developing a phased-approach for the renovation of the facilities during the next few years.

The services for this project were procured under the Architectural and Engineering Services (A&E) Pricing Agreement, as approved by City Council via Resolution No. 09-277. Huitt-Zollars, Inc., of Albuquerque, NM is one of the vendors under the pricing agreement. The firm was already under contract for the existing work, and staff believes it to be the most cost effective and efficient approach to proceed with this

(Continue on additional sheets as required)

contractor at this time. In the future, within applicable procurement regulations, the City will evaluate additional local vendor options. The primary work to be performed under this change order will be mechanical and electrical design, most of which will be subcontracted to a local firm as part of the design process.

The existing scope of work for Phase I includes upgrades to the HVAC system, and a new exhaust system for the Lapidary and Kiln Rooms. The fee included in this scope includes design, bid evaluation, and construction contract administration.

Due to a hold being placed on state legislative appropriations, a Notice to Proceed related to this change order will be executed once funding has been re-established for this project. All paperwork will be put into place in anticipation of this eventuality. Should such funding not materialize, the City will either search for an alternate source of funds, or will put the remainder of the project "on-hold" for the foreseeable future.

### **SUPPORT INFORMATION:**

<b>Fund Name / Account Number</b>	<b>Amount of Expenditure</b>	<b>Budget Amount</b>
4012 – State Capital Outlay 40803090-852100-60U04	\$35,231.25	\$35,231.25

1. Resolution
2. Exhibit "A" - Purchasing Manager's Request to Contract
3. Attachment 1 – Proposed Change Order No. 1

### **OPTIONS / ALTERNATIVES:**

1. Vote "Yes" and approve the Resolution, authorizing City staff to execute Change Order No. 1. This will allow the project to proceed in a timely manner, assuming funding becomes available.
2. Vote "No" and not approve the Resolution, authorizing City staff to execute the Change Order No. 1. This will delay the project and potentially result in missed funding opportunities.
3. Vote to "Postpone" the Resolution and direct staff to review other options. This will delay the project and potentially result in missed funding opportunities.

(Continue on additional sheets as required)

**RESOLUTION NO. 09-10-453**

**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE CITY OF LAS CRUCES AND HUITT-ZOLLARS, INC. FOR THE MUNSON SENIOR CENTER PHASE I RENOVATIONS AS APPROVED BY CITY COUNCIL UNDER RESOLUTION NO. 09-277, AUTHORIZING AN INCREASE IN THE AMOUNT OF \$30,000.00 PLUS NEW MEXICO GROSS RECEIPTS TAX OF \$2,231.25 AND PROJECT CONTINGENCY OF \$3,000.00 FOR A TOTAL CHANGE ORDER AUTHORIZATION OF \$35,231.25.**

The City Council is informed that:

**WHEREAS**, City staff engaged Huitt-Zollars, Inc., to perform conceptual design services for renovations to the Munson Senior Center Complex; and

**WHEREAS**, the services for this project were procured under the Architectural and Engineering Services (A&E) Pricing Agreement; and

**WHEREAS**, the existing scope of work for Phase I includes upgrades to the HVAC system, and a new exhaust system for the Lapidary and Kiln Rooms. The fee included in this scope includes design, bid evaluation, and construction contract administration; and

**WHEREAS**, the total change order authorization is \$35,231.25, including \$2,231.25 for NMGRT and \$3,000.00 for project contingency; and

**WHEREAS**, a Notice to Proceed related to this change order will be executed once funding has been re-established for this project.

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

Resolution 09-10-453, cont'd  
Page 2

(I)

THAT, City staff is authorized to execute Change Order No. 1, to Huitt-Zollars, Inc.,  
for the Munson Senior Center Phase I Improvements.

(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 \_\_\_\_\_, 2009.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

(SEAL)

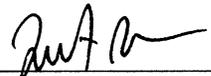
Moved by: \_\_\_\_\_

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

VOTE:

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

APPROVED AS TO FORM:

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

**CITY OF LAS CRUCES****PURCHASING MANAGER'S REQUEST FOR CHANGE ORDER**

For Meeting of: December 21, 2009

Resolution No.: 09-10-453

**Change Order to Existing Contract For  
Architectural and Engineering Services Under 06-07-197  
For Renovation of the Munson Senior Center Phase I Project**

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

**BID/RFP SOLICITATION INFORMATION:**

- |                                 |  |
|---------------------------------|--|
| 1. Original Bid/RFP & Due Date: | RFP #06-07-197/ May 10, 2007           |
| 2. Description of Bid/RFP:      | Architectural and Engineering Services |
| 3. Contract Award:              | Resolution No. 09-277/May 18, 2009     |
| 4. Project Award:               | August 5, 2009                         |
| 5. Project Award Revision:      |  |
| Previous Project Award Amount:  | \$49,309.69                            |
| Change Order Amount:            | <u>\$35,231.25</u>                     |
| New Project Amount:             | \$84,540.94                            |
| 6. Project Contractor:          | Huitt-Zollars, Inc., of Las Cruces, NM |
| 7. Using Department:            | Facilities/Project Management          |
| 8. Project Duration:            | Two (2) Months                         |

**PROCUREMENT CODE COMPLIANCE:**

The City of Las Cruces Procurement Code was administered in the conduct of this procurement and approval to change the above contract is hereby requested pursuant to **Section 24-228**.

  
Purchasing Manager

/ 12/11/09  
Date

**CONFIRMATION OF FUND ENCUMBRANCE:**

REQUISITION OR PURCHASE ORDER NUMBER:

10100614

# HUITT-ZOLLARS

HUITT-ZOLLARS, INC. • 6501 Americas Pkwy. NE • Suite 550 • Albuquerque, NM 87110-5372 • 505.883.8114 phone • 505.883.5022 fax • huitt-zollars.com

November 6, 2009

Mr. Eric Martin  
Project Management Administrator  
Facilities Department  
City of Las Cruces  
1501 E. Hadley  
Las Cruces, NM 88004

**RE: A/E Design Services for  
Construction Documents and Construction Services for Phase One  
Renovation to Munson Senior Center**

Dear Eric:

Huitt-Zollars is pleased to provide our revised fee proposal for architectural and engineering services for the above referenced project. Per the scope of work as discussed at our November 5, 2009 meeting, I have developed the following Scope of Services, Schedule and Fee based on our understanding of the project requirements.

## **SCOPE OF WORK**

---

The design effort will include the construction document and construction phase services for the Phase One Renovation to Munson Senior Center. The Phase One Renovation will include HVAC upgrades to the center and a new exhaust system for the Lapidary and Kiln Rooms. The HVAC upgrades will include new HVAC units to replace the existing multi-zone unit. Existing controls will be replaced as necessary. Existing ductwork will remain within the existing areas, if possible. Upgrades to the kiln and lapidary rooms will include new exhaust hoods and / or fans to meet OSHA and other applicable codes.

The scope of the project as described above and with the following assumptions / clarifications:

- The budget for the work outlined above is \$300,000.00.(excluding NMGRIT)
- The design will be completed by February 5, 2010, assuming an NTP by December 15, 2009.
- The project will be designed and bid as one project; however, the City may elect to use a JOC contractor to expedite the schedule.
- The City may purchase the new HVAC units to expend funds for the project by June 30, 2010, if necessary.
- The scope of services does not include the dining room remodel or parking lot upgrades.
- The design will not require LEED certification.
- Environment / hazardous material documentation are not included in scope of services.

The following is a brief description of the services anticipated for the scope of work described above:

### **Construction Document Phase**

- Field Verification
- Code Analysis
- Construction Documents
  - Architectural
  - Mechanical / Plumbing
  - Electrical / Special Systems
- Final Cost Estimate

- Specifications

**Bidding / Construction Administration**

- Evaluate Bids
- Clarification of Drawings / Respond to RFI's
- Review Submittals
- Provide Periodic Site Observations
- Conduct Final Inspection

**SCHEDULE**

The following project schedule has been developed for the project based on the above scope of services and with the understanding that the project may need to be completed by June 30, 2010.

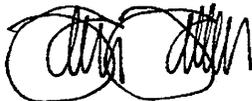
	<b>Estimated Date of Completion</b>
• Notice To Proceed	December 15, 2009
• Construction Document Phase	February 5, 2010
• Owner Review	February 12, 2010
• Bidding Phase	March 5, 2010
• Construction Phase (12 Weeks)	June 30, 2010

**FEE**

Huitt-Zollars' fee for the scope of services enumerated above will be a fixed fee of **\$30,000.00** (excluding NMGR). Reimbursable expenses, as approved by the City, will be billed in addition to the fee indicated. Additional Services if required will be performed on an hourly basis per the hourly rates indicated in our contract. New Mexico Gross Receipts Tax will be invoiced in addition to these professional and any reimbursable fees. All services will be invoiced monthly based on a percentage of work complete to date. Permit and related application fees for regulatory agencies are not included in the design fees.

We look forward to continuing our working relationship with you and the City of Las Cruces and are available to start immediately on this project. Please do hesitate in calling me if you have any questions or need any additional information.

Sincerely,  
Huitt-Zollars, Inc.



John L. Jarrard, AIA  
Vice President