

A G E N D A
City of Aztec
CITY COMMISSION MEETING
February 25, 2014
201 W. Chaco, City Hall
6:00 p.m.

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. AGENDA APPROVAL

VI. PRESENTATION(MAXIMUM 15 MIN.)

A. Museum Board and Historical Society Annual Report (Vicky Ramakka)

VII. PROCLAMATION

A. National Athletic Training Month (Justin Segotta, Aztec High School)

VIII. CITIZEN RECOGNITION

IX. EMPLOYEE RECOGNITION

X. CONSENT AGENDA

- A. Workshop Meeting Minutes, February 11, 2014
- B. Commission Meeting Minutes, February 11, 2014
- C. Travel
- D. Bid #201-395 Hartman Park Change Order #1

Items placed on the Consent Agenda will be voted on with one motion. If any item proposed does not meet the approval of all Commissioners, a Commissioner may request that the item be heard under "Items from Consent Agenda"

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

Note: A final agenda will be posted 24 hours prior to the meeting. Copies of the agenda may be obtained from City Hall, 201 W. Chaco, Aztec, NM 87410

X. CONSENT AGENDA (CONTINUED)

- E. Bid #2014-401 Blanco St. Sewer Relocation
- F. Bid 204-402 Reservoir 3 Waterline Extension
- G. Appointment of EDAB Board Members
- H. Library Department Document Destruction

XI. ITEMS FROM CONSENT AGENDA

XII. CITIZENS INPUT (3 Minutes Maximum)

(Citizens who wish to speak will sign up prior to the meeting – this section is for items not otherwise listed on the agenda)

XIII. BUSINESS ITEMS

- A. Final Adoption of Ordinance 2014-434 Amending Chapter 17, Section 17-3 Safety Policy
- B. RFP 2014-228 Animas River Pump Diversion
- C. City of Aztec Vision Plan
- D. Purchase of Real Property
- E. Resolution 2014-930 Recognizing Aztec Community Events

XIV. LAND USE HEARING

- A. Variance for Residential Dwelling on an A-1 Parcel Located on McCoy Ave

XV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

XVI. DEPARTMENT REPORTS

(When this item is announced, all Department Heads who wish to give a report will move to the podium)

XVII. ADJOURNMENT

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

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CITY OF AZTEC
COMMISSION WORKSHOP MINUTES
FEBRUARY 11, 2014

I. Call to Order

Mayor Burbridge called the Meeting into order at 5:30p.m. at the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec NM.

MEMBERS PRESENT: Mayor Sally Burbridge; Commissioner Sherri Sipe; Commissioner Roberta Locke; Commissioner Gene Current

MEMBERS ABSENT: Mayor Pro-Tem Jim Crowley

OTHERS PRESENT: Larry Turk, Aztec Ruins; City Manager, Joshua Ray; City Attorney, Larry Thrower; City Clerk, Karla Saylor; Project Manager, Edward Kotyk; Roshana Moojen via Face Time (see attendance sheet)

A. Resolution 2014-930 Recognizing Aztec Community Events

City Manager, Josh Ray stated that this item came to Commission in an effort to allow different Banner advertisements on Main Street and to decide if there will be a resolution for this item which would clearly define which events would be on the pre-approved list so they would not have to come to Commission every time they want to put a banner up in the City. Mayor Burbridge stated that this workshop is to decide if they want to have a pre-approved list of events and if so what they should be, and that per City Sign Code this does not pertain to the over the street banner codes. Commission was provided with a list of City funded events and events that are sponsored by the City. Staff and Commission discussed how to determine which events would be charged a fee such as for-profit events and non-profit events. Larry Thrower, City Attorney mentioned to Commission that with a list it would eliminate time coming before Commission every time there is a need to place a banner, mentioning that this is just for sign code. Josh mentioned that they will get the resolution ready and bring back to commission for approval.

Adjournment

MOVED by Mayor Burbridge to Adjourn the Workshop at 6:00pm, SECONDED by Commissioner Sipe

Mayor, Sally Burbridge

ATTEST:

Karla H. Sayler, City Clerk

MINUTES PREPARED BY:

Chelsea Clowe, Support Service Secretary

DRAFT

CITY OF AZTEC
COMMISSION MEETING MINUTES
February 11, 2014

I. CALL TO ORDER

Mayor Burbridge called the Meeting to order at 6:02 p.m. at the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec, NM.

II. INVOCATION

The Invocation was led by Commissioner Sipe

III. PLEDGE OF ALLEGIANCE

The pledge of Allegiance was led by Commissioner Locke

IV. ROLL CALL

Members Present: Mayor Sally Burbridge; Commissioner Roberta Locke; Commissioner Sherri Sipe; Commissioner Gene Current

Members Absent: Mayor Pro-Tem Jim Crowley

Others Present: City Manager, Joshua Ray; City Attorney, Larry Thrower; City Clerk, Karla Sayler; Project Manager, Edward Kotyk (see attendance sheet)

V. AGENDA APPROVAL

MOVED by Commissioner Current, SECONDED by Commissioner Locke to Approve the Agenda.

VI. CITIZEN RECOGNITION

Code Compliance Officer, Bob Carmen presented the Aztec Spirit Award for Yard of the Month to William Hall at 417 Parkland Drive, and Commercial Spirit Award of the Month to Four Corners Community Bank.

VII. EMPLOYEE RECOGNITION

None

VIII. CONSENT AGENDA

MOVED by Commissioner Current, SECONDED by Commissioner Locke to Approve the Consent Agenda with the exception of item H. RFP 2014-227 Legion Rd. Extension Design

All Voted Aye; Motion Passed Four to Zero

- A. Commission Meeting Minutes, January 28, 2014
- B. Travel Request
- C. Bid 2014-400 Hampton Arroyo Sewer Line Crossing-Final Change Order 2
- D. RFP 2014-230 City Attorney-contract Award
- E. Simonds Road Reconstruction Design Contract
- F. PERA Volunteer Firefighters Annual Reporting
- G. Resolution 2014-932 Concerning the Governing Body Meetings and Public Notice Requirements
- H. Pulled

IX. ITEMS FROM CONSENT AGENDA

H. RFP 2014-227 Legion Rd. Extension Design

Commissioner Sipe questioned that if the design fees will be from the General Fund Contingency Budget where will the money be coming from to do the construction of the project. Josh answered that the City did not foresee this because of the FHWA/NMDOT requirement and that the City hopes zero dollars comes for funding for the road, however the City has to have this engineered and ready for the City to have the money for the Arterial Project.

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to approve RFP 2014- 227 to Huitt-Zollars in the amount of \$22,000.

X. CITIZENS INPUT

Pam Shenton, Owner of Vanilla Moose, proposed an idea on how to make citizens responsible for their yard sale signs. She mentioned that when code compliance is out they drive by the residence that the sign belongs to and he gives them a warning before they get fined.

XI. BUSINESS ITEMS

A. Final Adoption of Ordinance 2014-432 Amending Chapter 1 General Administration

Josh mentioned that this is the final adoption of this ordinance, and there have been no changes or comments.

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to approve the Adoption of Ordinance 2014-432 Amending Chapter 1 General Administration

A Roll Call Was Taken; All Voted Aye; Motion Passed Four to Zero

B. Final Adoption of Ordinance 2014-433 Amending Chapter 2 Administration

Josh mentioned that this item is about the EDAB Board and the change to City Staff and Commission serving as members of the board instead of voting members and no other comments have been received. He also mentioned that the other change was updating the name of the Planning Department to Community Development Department.

MOVED by Commissioner Current, SECONDED by Commissioner Sipe to approve the Adoption of Ordinance 2014-433 Amending Chapter 2 Administrations

A Roll Call Was Taken; All Voted Aye; Motion Passed Four to Zero

C. Intent to Adopt Ordinance 2014-435 Amending of Article 1, Section 17.1 of Chapter 17 Personnel

Josh stated that this Ordinance is for updates to the City Personnel Policy; it was reviewed through the HR Department and at Staff level that looked at the policy to see what needed to be updated. Commissioner Locke questioned why Tobacco is not included in Section 15 of the Policy. Josh stated that there was a long discussion with Staff and it was decided that Tobacco does not damage a city vehicle or city building.

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to approve the Intent to Adopt Ordinance 2014-435 Amending Article 1, Section 17.1 of Chapter 13-Personnel

A Roll Call Was Taken; All Voted Aye; Motioned Passed Four to Zero

D. Intent to Adopt Ordinance 2014-436 Amending Chapter 5 Animals

Josh stated that these next three items all pertain to Animal Code updates and this intent is for the changes to the actual Ordinance.

MOVED by Commissioner Locke, SECONDED by Commissioner Current to approve the Intent to Adopt Ordinance 2014-436 Amending Chapter 5 Animals-5

A Roll Call Was Taken; All Voted Aye; Motion Passed Four to Zero

E. Intent to Adopt Ordinance 2014-437 Amending Chapter 16 Article V. Animal Fees

Josh mentioned that it has been several years since this chapter has been amended. Mayor Burbridge questioned why fees and fines are two separate chapters. Judge Carlton Gray clarified that fees are what you pay at the shelter, for example of you had to pick up your animal at the shelter you would have to pay a fee, and that a fine is when you pay the court for a violation to the code.

MOVED by Commissioner Current, SECONDED by Commissioner Sipe to approve the Intent to Adopt Ordinance 2014-437 Amending Chapter 16, Article V. Animal Fees

A Roll Call Was Taken; All Voted Aye; Motion passed Four to Zero

F. Intent to Adopt Ordinance 2014-438 Amending Chapter 1, Section 12 Fine Schedule for Section 1-12-4 Animals

Josh stated this intent is that the changes proposed to Chapter 5 was reviewed and determined that fees needed to be changed for Section 16-251, Article V of Chapter 16-Fee Schedule to accommodate changes to Chapter 5 Animals.

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to approve the Intent to Adopt Ordinance 2014-438 Amending Chapter 1 Section 12 Fine Schedule for Section 1-12-4.

A Roll Call Was Taken; All Voted Aye; Motion Passed Four to Zero

XII. LAND USE HEARINGS

None

XIII. CITY MANAGER/COMMISSIONER/ATTORNEY REPORTS

Josh stated that the City Potluck will be this Thursday February 13th at 12pm in the Commission Room and the drawing for the raffle will be held at the potluck. He stated that the City is still working diligently to receive more funding for the Arterial Project. He reminded everyone that the Election is coming up on March 4 and to get out there and vote and early voting starts this Wednesday, February 12th at 7am. He informed everyone that budget planning has started and with the change of Commission we are going to wait until after the election to have the Commission Retreat.

Mayor Burbridge stated that there is a Public Input Session for the North Main Project March 5th from 4 to 7 pm at the Aztec Senior Center.

XIV. DEPARTMENT REPORTS

Chief Mike Heal mentioned that he had a meeting with Commissioner Butch Matthews and that DOT will not start the intersection project on Ruins Road again until school is out for summer break and the Bloomfield project is done.

XV. ADJOURNMENT

MOVED by Commissioner Sipe to Adjourn the Meeting at 6:40 pm, SECONDED by Commissioner Current.

Mayor, Sally Burbridge

ATTEST:

Karla H. Sayler, City Clerk

MINUTES PREPARED BY:

Chelsea Clowe, Support Service Secretary

Staff Summary Report

MEETING DATE: February 25, 2014
AGENDA ITEM: X. CONSENT AGENDA (C)
AGENDA TITLE: Travel Requests

ACTION REQUESTED BY: Police, General Service and Electric
ACTION REQUESTED: Approval of Employee/Public Official Travel Requests
SUMMARY BY: Cheryl Franklin

PROJECT DESCRIPTION / FACTS (Leading Department)

- Resolution 2003-603 identifies the requirement for employee/public official travel requests to be pre-approved by the commission. All travel requests will be submitted to the commission for approval prior to the travel occurring except in unusual circumstances when the City Manager may approve as provided in resolution 2003-603.
- The attached log is sorted by dates of travel and then by department. One request for travel had already occurred and the Police Dept. is requesting approval for travel on the date of this meeting; however, the remaining request are dated for future.
- If travel/training is to be reimbursed or some of the costs will be paid by another entity, those notes have been included on the log.

FISCAL INPUT (Finance Department)

- All departments requesting travel have sufficient funds budgeted within their travel/training budgets

SUPPORT DOCUMENTS: Travel Log February 25, 2014

DEPARTMENT'S RECOMMENDED MOTION: Approve Employee/Public Official Travel Requests

EMPLOYEE/PUBLIC OFFICIAL TRAVEL REQUESTS FOR COMMISSION APPROVAL
MEETING DATE: February 25, 2014

Dates of Travel	Department	Employee	Purpose of Travel/Location	Over-night	Out of State	Costs	Explanation of Cost	FY14 Budget Available
02/07/14	Police	Michael Heal	Chiefs' Meeting Santa Fe, NM.	No	No	36.00	Meal & Gratuity Allowance	Yes
02/25/14	Gen. Service	Jeff Blackburn	Direct Solutions- Spring CEU Seminar Albuquerque, NM.	No	No	36.00 50.00	Meal & Gratuity Allowance Estimated fuel expense	Yes
02/25/14	Gen. Service	Caleb Robison	Direct Solutions- Spring CEU Seminar Albuquerque, NM.	No	No	36.00 50.00	Meal & Gratuity Allowance Estimated fuel expense (will be riding w/Jeff)	Yes
03/03-07/14	Electric	Ken George	Power Line Design & Staking Level 1 Brighton, CO.	Yes	Yes	252.60 1,295.00 200.00 450.00	Meal & Gratuity Allowance Registration Estimated fuel expense Lodging	Yes
03/03/14- 05/16/14	Police	Joe Gonzales	Staff & Command School Albuquerque, NM.	Yes	No	245.45 60.00 371.84	Meal & Gratuity Allowance Estimated fuel expense Lodging (All are weekly estimates for total of 11 weeks)	Yes
03/24-26/14	Gen. Service	Steve Mueller	Maxicom Training Grand Junction, CO.	Yes	Yes	144.60 150.00 175.36 150.00	Meal & Gratuity Allowance Registration Lodging Estimated fuel expense	Yes
03/24-26/14	Gen. Service	Jeff Blackburn	Maxicom Training Grand Junction, CO.	Yes	Yes	144.60 150.00 175.36	Meal & Gratuity Allowance Registration Lodging (will be riding w/Steve)	Yes

Staff Summary Report

MEETING DATE:	February 25, 2014
AGENDA ITEM:	X. CONSENT AGENDA (D)
AGENDA TITLE:	Bid # 2014-395 Hartman Park Baseball Facility Electrical Upgrades CHANGE ORDER #1

ACTION REQUESTED BY:	Purchasing/Electric/Parks
ACTION REQUESTED:	APPROVAL
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS (Leading Department)

- Commission approved award of Bid 2014-395 Hartman Baseball Electric Upgrades on October 8, 2013 to Nightlight Electric Company, Inc.
- Nightlight Electric Company Inc, working with Ken George, Electric Department Director, reviewed the electric infrastructure requirements for existing and future needs. This review resulted in a change in equipment than was originally bid.
- The new equipment specifications have extended the time for completion of the electric improvements from January 1, 2014 to March 7, 2014, an extension of 39 contract days. The field lighting will be operational prior to the start of the baseball season.
- Additional costs, not related to this contract, includes a concrete pad for the electric equipment to be installed. Cost is estimated at \$2,000 and funds are available in the existing budget. Also, fencing with gate will be installed around the equipment as a barrier between the equipment and general public. Estimated cost is \$3,000 and funds are available in the existing budget.

TECHNICAL INPUT (Supporting Departments)

- Just weeks after the bid was let for the installation of new electrical infrastructure at Hartman Park I met with the Milbank Rep. He had heard about our project and showed me what Milbank had to offer in regards to control cabinets. The cabinets were so far advanced and better looking than what we had originally planned that I immediately knew these cabinets were far superior to what we had originally specified for the project. I felt it would be a dis-service to the Citizens of Aztec not to have them installed. I gave direction to Night Light Electric to install the Milbank cabinets instead of just upgrading the new but same older looking infrastructure. These new cabinets not only look extremely nice, the installation is compact. They include a step-down transformer helping the Electric Dept. from having to install two transformers on the site. These new control cabinets should last

the City 50 years with little maintenance. We have built in additional space as to control future parking lot lighting and additional field lighting. (KBG)

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PROCUREMENT INPUT (Purchasing)

- October 8, 2013 – Commission approved award of the project to Nightlight Electric Company, Inc. in the amount of \$31,000 + tax
- Change Order #1 will increase the contract total to \$41,996.30 plus tax, an increase of \$10,996.30 plus tax
- Change Order #1 will increase the contract time from January 1, 2014 to March 7, 2014.

FISCAL INPUT (Finance Department)

- FY14 Annual Adopted Budget, General Fund, Recreation (101-6410-85520) included \$50,000 for this project, sufficient to meet the financial requirements of the approval of this change order and the other items (concrete pad and fencing) to complete this project.

SUPPORT DOCUMENTS:

Bid 2014-395 Change Order #1

DEPARTMENT'S RECOMMENDED MOTION: Move to APPROVE Bid # 2014-395 Change Order #1 in the amount of \$10,996.30 plus GRT and increase contract completion date to March 7, 2014.

Nightlight Electric Company

2405 A Southside River Rd
Farmington, NM 87401
505-327-6565 505-564-3184 (Fax)

February 20, 2014

Att: Ken George
Purchasing Agent
City of Aztec

Dear Mr. George,

Nightlight Electric Company is requesting an extension on the completion date for the Hartman Ball Field from Dec 31st, 2013 to March 7th, 2014 due to redesigning the service to condense electrical equipment to a more organized Configuration and lead time on equipment is longer.

Sincerely
Roger E. Sheak

Nightlight Electric Company

P. O. Box 1241
Farmington, NM 87499
505-327-6565
505-564-3184 (Fax)
nightlightelec@netscape.net

February 10, 2014
City of Aztec
Electric Utility
402 S Lightplant Rd
Aztec, NM 87410
505-334-7667
505-330-7463 C
Attn: Ken George

Thank you for allowing Nightlight Electric Company to give you a proposal for relocating the electrical service at Hartman Field.

Included in the Change Order proposal is the following:

- 1) Provide and install One (1) new Milbank Pad Mount equipment as per the attached paperwork with 480/277 volt three phase and 240/120 volt three phase and UL listed controls.
- 2) Provide Engineered Stamped Drawings to the State Of New Mexico Construction Industries for Plan review.
- 3) Credit One (1) 400 amp 480/277 volt three phase main breaker panelboard rated for outdoor locations at the transformer location.
- 4) Credit One (1) new 200 amp 240/120 volt single phase main breaker panelboard rated for outdoor locations at the transformer location.

Material Cost Difference
Plus Tax

\$10,996.30

New Mexico Electrical Contractors License #356901

New Mexico Department of Workforce Solutions Certificate of Public Works Registration # 01217020091126

Nightlight Electric Company's first goal is to provide you with a quality service. Our commitment to you is to be of service for suggestions, recommendations and flexibility for the duration of your project. We approach our work with professionalism and strive to complete the wiring of this project in a timely and efficient manner. Nightlight Electric does everything possible to keep your costs contained.

Thank you for giving me the opportunity to be of service to you. Should you have any further questions about the submitted estimate, please do not hesitate to call me.

Sincerely
Roger E Sheak



Border States Electric Supply
Harris Electric Supply - UtiliCor

INVOICE

BSE Invoice: 906864318
Cust Acct#: 38296
P.O.#: HARTMAN FIELD
Sales Order#: 13577537
Sales Doc Type: Special Order
Ship Condition: UPS / Parcel
Inco terms: PPA ORIGIN
Payment Terms: 1.0 % 10th prox net 25th (25)

Duplicate printout

Date: 02/03/2014

Border States Electric - FRM
865 South Browning Parkway
Farmington NM 87401-1007
Phone: 505-324-8800

Nightlight Electric Co
2405A Southside River Rd
Farmington NM 87401

Please remit to:
Border States Electric Supply
P.O. Box 911105
Denver CO 80291-1105

Ship to:
Nightlight Electric Co
TAG; HARTMAN FIELD
C/O BORDER STATES ELECTRIC
865 S. BROWNING PARKWAY
Farmington NM 87401

Order Note:
4/24/12-Is-Printed name required with Signature

Cust Item	BSE Item	Material MFG - Description	Order Qty	Ship Qty	Back Ordered	Price	Per	UoM	Total Value
	000010	- MILBANK LOT PRICE	1 EA	1		19,000.00 /1		EA	19,000.00
		1----- CP-32PDMNT PAD MOUNT BASE 32 IN							
		1----- CP3B-DXX QUOTED COMMERCIAL PEDS LIGHTING PEDESTAL							
		1----- CP-ABK5/8 ANCHOR BOLT KI 5/8							
		1----- CP3B-DXX COMMERCIAL PEDS TRANSFORMER PEDESTAL							
		Notes: CP3B0481XQAGSP- (LIGHTING PEDESTAL) 32"W x 20"D x 43.5"H TYPE 3R ENCLOSURE 10K SCCR 480/277V 3PH 4W UNMETERED 400AMP 3P MAIN C/B(L-L)-10KAIC 42 CIRCUIT PANELBOARD (1) 30A 3P C/B (8) 40A 3P C/B-CONTACTORS (1) 50A 3P C/B (8) 20A 1P C/B'S (1) 20A 1P C/B-CONTROL (1) 50A 3P C/B-XFMR PRIMARY (8) HOA SWITCHES PE SOCKET (PE CONTROL SUPPLIED BY OTHERS) (8) 60A 3P E/H CONTACTORS (277V) ALUMINUM CONSTRUCTION PAINTED MINT GREEN							
		CP3B0151YDAGSP- (TRANSFORMER PEDESTAL) 44"W x 24"D x 60"H TYPE 3R ENCLOSURE 10K SCCR 208/120V 3PH 4W UNMETERED 100AMP 3P MAIN C/B(L-L)-10KAIC 42 CIRCUIT LOADCENTER (42) 20A 1P C/B'S (1) 30KVA TRANSFORMER (480-208/120) ALUMINUM CONSTRUCTION PAINTED MINT GREEN							

INVOICE

BSE Invoice: 906864318

Date: 02/03/2014

Cust Acct:
38296 Nightlight Electric Co

Cash discount of 190.00 by 03/10/2014

Total due by 03/25/2014

Mail at least 5 business days before due date.

Please return invoice with your remittance noting all adjustments.

Freight \$			0.00
Total \$			19,000.00
State Tax \$	0.00 %	0.00	
County Tax \$	0.00 %	0.00	
Local Tax \$	0.00 %	0.00	
Other Tax1 \$	0.00 %	0.00	
Other Tax2 \$	0.00 %	0.00	
Other Tax3 \$	0.00 %	0.00	
Tax Subtotal \$			0.00

Net Invoice Amount \$ 19,000.00

A finance charge of 1.5% per month or the maximum allowable by law whichever is greater, will be assessed if payment is not received by invoice due date.

To access BSE's Terms and Conditions of Sale, please go to
<https://www.borderstateselectric.com>

* * * * *
Thank you for your business
* * * * *
ORIGINAL REPRINT



BORDER STATES
Supply Chain Solutions™

Border States Electric Supply
Harris Electric Supply - UtiliCor

Border States Electric - FRM
865 South Browning Parkway
Farmington NM 87401-1007
Phone: 505-324-8800

Quote

BSE Quote: 23087991
Sold-to Acct #: 38296
Valid From: 09/26/2013 **To:** 11/10/2013
PO No: HARTMAN PARK BASEBALL FAC.

Created By: Harold Martinez
Tel No: 505-566-5009
Fax No: 505-324-8899

Nightlight Electric Co
2405A Southside River Rd
Farmington NM 87401

Inco Terms:
FOB ORIGIN

Payment Terms:
1.0 % 10th prox net 25th (25)

Taxes, if applicable, are not included.

Order Note:
4/24/12-Is-Printed name required with Signature

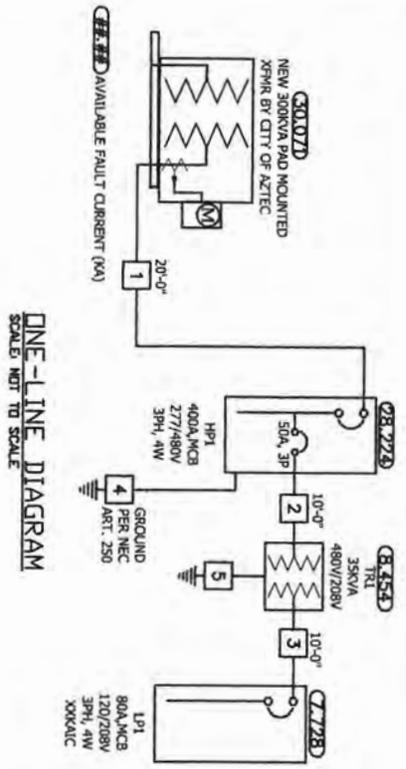
Cust Item	BSE Item	Material MFG - Description	Quantity	Price	Per UoM	Value
	000010	- SIEMENS PANELBOARD LOT PRICE	1 EA	3,065.00 / 1	EA	3,065.00
		1 HP-PANELBOARD P1				
		1 - SECTION				
		P1E42JX400CTS, System Voltage: 480Y/277 3Ø 4W Wye AC, IR @ 10,000				
		AIC, Top Feed, Surface Mount, Bus Rating: 400A, Bus Material: Copper,				
		Plating: Tin, NEMA 3R/12 OUTDOOR.				
		1 - INTERIOR W/ 400A /3P-JXD6 MAIN BREAKER				
		1 - (2)3/0-500Kcmil Cu/ 4/0-500 Al				
		1 - Std Al/Cu Gnd Connector				
		1 - Master NP Secured -Adhesive				
		1 - NEMA 3R/12 Enclosure				
		1 - Certification - UL				
		1 - No Front				
		1 - Card Holder-Std Plastic Sleeve				
		1 - 20A /2P-BQD				
		1 - 30A /2P-BQD				
		5 - 40A /2P-BQD				
		2 - 50A /2P-BQD				
		24 - 1P-BQD - PROV				
		Enclosure, Catalog Number WP68				
		1 LP-PANELBOARD P1				
		1 - SECTION				
		P1A42FX200CTS, System Voltage: 120/240 1Ø 3W GND Neutral AC, IR @				
		10,000 AIC, Top Feed, Surface Mount, Bus Rating: 250A, Bus Material:				
		Copper, Plating: Tin, NEMA 3R/12 OUTDOOR.				
		1 - INTERIOR W/ 200A /2P-FXD6 MAIN BREAKER				
		1 - (1)#6-350Kcmil Cu / #4-350 Al				
		1 - Std Al/Cu Gnd Connector				
		1 - Master NP Secured -Adhesive				
		1 - NEMA 3R/12 Enclosure				
		1 - Certification - UL				
		1 - No Front				
		1 - Card Holder-Std Plastic Sleeve				
		1 - 15A /2P-BL				
		1 - 20A /2P-BL				
		1 - 15A /1P-BL				
		25 - 20A /1P-BL				

BSE Quote: 23087991
Sold-to Acct #: 38296
Valid From: 09/26/2013 **To:** 11/10/2013

Cust Item	BSE Item	Material MFG - Description	Quantity	Price	Per UoM	Value
		11 - 1P-BL - PROV 1 - 30A /1P-BL Enclosure, Catalog Number WP44				
	000030	- siemens lighting contactor [lot price 8EA LC-40A,LC-40A_1,LC-40A_2,LC-40A_3,LC-40A_4,LC-40A_5,LC-40A_6,LC-40A_7- -CONTACTOR,LTG,EH,OPEN,60A,6NO,120V, WITH HOA Catalog No.: US2:LEN00D006120B	1 EA	4,748.00 / 1	EA	4,748.00
	000040	133032 HOF - A24R2412 NEMA3R SCR CVR BOX	1 EA	200.87 / 1	EA	200.87
	000050	131436 HOF - A24P24 PANEL ONLY	1 EA	67.28 / 1	EA	67.28
	000060	1108749 THM - A1200HS-10-EG CHNL 1-5/8IN GALV HSL0T	100 EA	148.49 / 100	EA	148.49
	000070	1093591 LEV - 1221-2KL TGL-SW AC 1P 20A BRN KEYLCK	4 EA	6,298.50 / 100	EA	251.94
	000080	1679846 COSS - 80LBS OF CEMENT W/GRAVEL ATTENTION: Hazardous material: Check Shipping Requirements. DO NOT SHIP AIR!!!!	4 EA	11.25 / 1	EA	45.00
	000090	102079 THM - AB205 CRNR ANGL FTG 4H 90DEG STL GALV	8 EA	278.50 / 100	EA	22.28
	000100	614109 THM - A100-3/8 SPRING NUT 3/8IN STL GALV	16 EA	61.88 / 100	EA	9.90
	000110	118059 INT - T104R TMR-SW 24HR 2PST 40A 208/277V N3R	1 EA	123.37 / 1	EA	123.37
Total Value						8,682.13

To access BSE's Terms and Conditions of Sale, please go to
<https://www.borderstateselectric.com>

This quote has not been reviewed for compliance with the Buy American Act or the American Recovery and Reinvestment Act requirements. BSE reserves the right to amend both our bill of material and our proposal accordingly if BAA/ARRA compliance is required.



CABLE LEGEND

1	(2) 2" PVC(SCH 180)-4-4/0(CU, THHN)
2	2" GRC-3#6(CU, THHN)-1-1/2" 10(CU, THHN) GND
3	2" GRC-4#1(CU, THHN)-1-1/2" 10(CU, THHN) GND
4	1# 1/0(CU, THWN) GROUNDING ELECTRODE CONDUCTOR TO: * BUILDING STEEL * METAL UNDERGROUND WATER SERVICE PIPE (IF AVAILABLE) WITHIN 5 FEET OF BUILDING ENTRANCE * #6AWG(CU, THWN) TO (2) 8' X 5/8" COPPER-CLAD GROUND RODS. GROUND SHALL CONFORM TO THE REQUIREMENTS OF THE STATE OF NEW MEXICO, CITY OF AZTEC, AND AZTEC ELECTRIC UTILITY SYSTEM.
5	1# 6(CU, THHN) GROUNDING ELECTRODE CONDUCTOR TO 8" X 5/8" COPPER-CLAD GROUND ROD.

LOAD CALCULATIONS

TRU LPT - 208V/AC SYSTEM:
 RECEPTACLE: 87,000VA (87,000VA DEMAND)
 LIGHTING: 2,275VA (2,844VA DEMAND)
 MISC: 5,400VA (5,400VA DEMAND)
 LPT1 DEMAND = 16,375VA (45.5A @ 208V, 3PH)
 LPT1 DEMAND = 16,944VA (47.1A @ 208V, 3PH)

HP1 - 480V/AC SYSTEM:
 NON-CONTINUOUS LIGHTING: 117,000VA (117,000VA DEMAND)
 LPT/TR1: 16,375VA (16,944VA DEMAND)

TOTAL CONNECTED = 133,375VA (160.6A @ 480V, 3PH)
 TOTAL DEMAND = 133,944VA (292.05A @ 480V, 3PH)
 NEW SERVICE TO BE 400A @ 480V, 3PH, 4W

VERTIFERRE CORPORATION
 Engineering a Greener Planet

816 W. BROADWAY AV, BLOOMFIELD, NV 87413
 PH: 505-336-7382 FAX: 505-242-0811
 E-MAIL: INFO@VERTIFERRE.COM
 WEB SITE: VERTIFERRE.COM

HARTMAN PARK BASEBALL FACILITY ELECTRICAL UPGRADE

Aztec, NM 87410

PROJECT NO: 333
 DRAWN BY: J. SANDOZ
 CHECKED BY: J. SANDOZ
 DATE: 07-28-2014

REFERENCE SHEET ONE-LINE & CULDS

E1

1/8/2014



Hartman Field

Invoice Number: INV-100044.0001-1
Invoice Date: 01/20/2014

BILL TO: Nightlight Electric Co.
Attn: Accounts Payable
P.O. Box 1241
Farmington, NM 87499

REMIT TO:
Vertterre Corporation
P.O. Box 1685
Middletown, OH 45042

Terms: Net 30 Days
Due Date: 02/19/2014

Project Number: 100044.0001
PO Number: Signed proposal dated 1/7/14
by Roger Sheak
Project Manager: Jeremy Mohler

Description:

Aztec Ball Field

PERFORMANCE PERIOD 1/7/14 THROUGH 1/12/14

Jeremy Mohler	6.0 hrs. @ \$105/hr	\$ 630.00
SUBTOTAL	6.0 hrs.	630.00
Plus 7.6875% New Mexico Gross Receipts Tax		<u>48.43</u>

INVOICE TOTAL

\$ 678.43

REMITTANCE ADDRESS:
Vertterre Corporation
P.O. Box 1685
Middletown, OH 45042-1685



Commercial Pedestals

Application Examples



Location: Manchester, TN

Description: Milbank pedestals used for annual outdoor music and arts festival. Operating in remote farmland, multiple pedestals provide temporary power receptacles for organizer's use. Shown with in-use cover which allows for security and safety for plugs-in-use.



Utility requirements for this equipment may vary. Always consult the serving utility for their requirements before ordering or installing equipment.

Commercial Pedestals

Application Examples

35

COMMERCIAL
PEDESTAL
APPLICATION
EXAMPLES



Location: Louisville, KY

Description: The Parklands of Floyd's Fork multi-phase park project. Provides power and automated controls for area and walkway lighting. Includes receptacles for temporary power for concerts, festivals and other events.



Utility requirements for this equipment may vary. Always consult the serving utility for their requirements before ordering or installing equipment.



Staff Summary Report

MEETING DATE:	February 25, 2014
AGENDA ITEM:	X. CONSENT AGENDA (E)
AGENDA TITLE:	Bid # 2014-401 Blanco St Sewer Relocation

ACTION REQUESTED BY:	Purchasing/Public Works
ACTION REQUESTED:	APPROVAL
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS (Leading Department)

- The aged sewer line on Blanco between Arriba and 250' west of Pollard is failing and must be replaced.
- This line currently exists across private property and the city holds no utility easements for the sewer infrastructure.
- The line will be relocated into Blanco Street but service extensions will cross private property which the city has now secured utility easements. Extensions are required to provide customers with sewer service at existing connection points; requiring customers to change their connection point would create a financial hardship.
- Construction is anticipated to require 120 days due to the depth the line must be installed.

TECHNICAL INPUT (Supporting Departments)

- The City contracted with CHC Engineers, LLC to design the relocation of the sewerline. CHC Engineers will also provide construction oversight which is included in their existing professional services agreement with the City on this project.
- The design includes a new 8" sewer service line (1,010') and 4" sewer service line (625'). Blanco Street will have a asphalt patch rather than curb to curb paving due to budget restrictions.

PROCUREMENT INPUT (If applicable, Purchasing)

- Bid # 2014-401 was advertised on January 26, 2014.
- A mandatory pre bid was held on February 6, 2014.
- Received bids were opened on February 20, 2014 at 2:00 pm.
- Eight (8) responsive bids were received (Bid tabulation attached)

- TRC Construction submitted the low Total Bid.
 - **Total Bid: \$136,474.43 + tax**

- This bid also includes liquidated damages at \$500 per calendar day that extends beyond the 120 calendar day requirement unless modified by City approved changes. An incentive of \$500 per calendar day will be assessed for up to ten (10) calendar days for early final completion.

- It is Staff's recommendation that Commission approve the total bid to TRC Construction

- In an effort to expedite getting started on this project, Staff also requests Commission approve the City Manager to execute the ensuing Construction Contract.

FISCAL INPUT (If applicable, Finance Department)

- The FY14 Annual Adopted Budget, Joint Utility Fund, Wastewater Collection Department, includes \$200,000 specific to the construction of this project.

- Total project cost including GRT: **\$147,136.50**

- If the contractor completes the project in advance of the 120 days allowed for construction, a maximum of \$5,390.63 incentive would be funded from the existing budget.

SUPPORT DOCUMENTS: Bid 2014-401 Tabulation Form

DEPARTMENT'S RECOMMENDED MOTION: Move to APPROVE the Award of Bid # 2014-401 to TRC Construction in the amount of \$136,474.43 plus GRT and authorize City Manager to execute the ensuing construction contract.



Bid Tabulation
Bid 2014-401
Blanco Street Sewer Relocation
Opened February 20, 2014 2:00 PM

Item	Description	Quantity	Unit	AAC Construction LLC		Adame Construction Inc.		AUI Inc		Century Club Construction, LLC	
				Unit Bid	Total Bid	Unit Bid	Total Bid	Unit Bid	Total Bid	Unit Bid	Total Bid
1	Sawcut and Remove Curb & Gutter	35	LF	\$25.00	\$875.00	\$10.00	\$350.00	\$18.00	\$630.00	\$10.00	\$350.00
2	24" Curb & Gutter	35	LF	\$35.00	\$1,225.00	\$27.00	\$945.00	\$52.00	\$1,820.00	\$21.00	\$735.00
3	Sawcut and Remove Existing Pavement	899	SY	\$5.50	\$4,944.50	\$7.20	\$6,472.80	\$18.00	\$16,182.00	\$13.00	\$11,687.00
4	Base Course	1159	SY	\$11.05	\$12,806.95	\$13.00	\$15,067.00	\$11.50	\$13,328.50	\$8.00	\$9,272.00
5	HMA SPIII	899	SY	\$35.00	\$31,465.00	\$38.00	\$34,162.00	\$39.00	\$35,061.00	\$30.00	\$26,970.00
6	4" Sidewalk	2	SY	\$250.00	\$500.00	\$72.00	\$144.00	\$543.00	\$1,086.00	\$84.00	\$168.00
7	8" Sewer Line	1010	LF	\$35.00	\$35,350.00	\$7.00	\$7,070.00	\$16.20	\$16,362.00	\$13.50	\$13,635.00
8	4" Sewer Service Line	625	LF	\$18.00	\$11,250.00	\$5.00	\$3,125.00	\$15.00	\$9,375.00	\$5.00	\$3,125.00
9	Trenching and Backfill 10'-12'	200	LF	\$23.00	\$4,600.00	\$20.00	\$4,000.00	\$34.00	\$6,800.00	\$20.00	\$4,000.00
10	Trenching and Backfill 8'-10'	394	LF	\$19.00	\$7,486.00	\$18.00	\$7,092.00	\$34.00	\$13,396.00	\$15.00	\$5,910.00
11	Trenching and Backfill 6'-8'	233	LF	\$15.00	\$3,495.00	\$14.00	\$3,262.00	\$28.00	\$6,524.00	\$12.00	\$2,796.00
12	Trenching and Backfill 0'-6'	809	LF	\$12.00	\$9,708.00	\$14.00	\$11,326.00	\$33.00	\$26,697.00	\$10.00	\$8,090.00
13	4' dia Type B Manhole with Collar	1	EA	\$3,000.00	\$3,000.00	\$5,000.00	\$5,000.00	\$3,053.00	\$3,053.00	\$3,400.00	\$3,400.00
14	4' dia Type E Manhole with Collar	4	EA	\$3,000.00	\$12,000.00	\$5,000.00	\$20,000.00	\$3,245.00	\$12,980.00	\$3,600.00	\$14,400.00
15	4' dia Type E Drop Manhole with Collar	2	EA	\$6,500.00	\$13,000.00	\$8,000.00	\$16,000.00	\$3,802.00	\$7,604.00	\$5,700.00	\$11,400.00
16	4" Cleanout	5	EA	\$500.00	\$2,500.00	\$800.00	\$4,000.00	\$429.00	\$2,145.00	\$450.00	\$2,250.00
16	4" Sewer Service Tap Saddle	9	EA	\$150.00	\$1,350.00	\$1,000.00	\$9,000.00	\$189.00	\$1,701.00	\$300.00	\$2,700.00
17	Remove or Abandon Manhole	5	EA	\$750.00	\$3,750.00	\$300.00	\$1,500.00	\$2,997.00	\$14,985.00	\$800.00	\$4,000.00
18	Pumping Sewage	1	LS	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$3,534.00	\$3,534.00	\$6,092.00	\$6,092.00
19	Rock Excavation - Addition to Trenching	200	CY	\$90.00	\$18,000.00	\$60.00	\$12,000.00	\$54.80	\$10,960.00	\$81.00	\$16,200.00
20	Select Backfill and Haul for Rock Excavation	200	CY	\$35.00	\$7,000.00	\$50.00	\$10,000.00	\$31.00	\$6,200.00	\$25.00	\$5,000.00
21	Construction Staking by Contractor	1	LS	\$6,500.00	\$6,500.00	\$4,000.00	\$4,000.00	\$6,005.00	\$6,005.00	\$1,993.00	\$1,993.00
22	Traffic Control	1	LS	\$12,500.00	\$12,500.00	\$10,000.00	\$10,000.00	\$22,862.00	\$22,862.00	\$5,500.00	\$5,500.00
23	Construction Testing	1	LS	\$3,000.00	\$3,000.00	\$6,000.00	\$6,000.00	\$4,002.00	\$4,002.00	\$3,500.00	\$3,500.00
24	Mobilization	1	LS	\$10,000.00	\$10,000.00	\$12,000.00	\$12,000.00	\$27,000.00	\$27,000.00	\$10,000.00	\$10,000.00
TOTAL BID:					\$231,305.45		\$212,515.80		\$270,292.50		\$173,173.00
Total Bid Comparison Including 5% NM State Preference:					\$219,740.18		\$201,890.01				
Total Bid Comparison Including 10% Resident Veteran Preference									\$243,263.25		\$155,855.70

Staff Summary Report

MEETING DATE:	February 25, 2014
AGENDA ITEM:	X. CONSENT AGENDA (F) DRAFT, BID OPENING FEBRUARY 24, 2014 2:00pm
AGENDA TITLE:	Bid # 2014-402 Reservoir 3 Waterline Extension

ACTION REQUESTED BY:	Purchasing/Public Works
ACTION REQUESTED:	APPROVAL
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS (Leading Department)

- Reservoir #1 has numerous improvements which are anticipated to occur during FY15. Prior to any improvements, reservoir #1 must be drained. While reviewing the various improvements to be completed at the water treatment plant, including reservoir #1, it was recognized there was no existing infrastructure to allow raw water from Tiger Reservoir (#3) to directly flow into the water treatment plant. The project is required for plant operation while Reservoir #1 is being rejuvenated. Project construction cost estimate is \$130,000.
- An extension of 860 feet of 16" PVC pipe will be added to the raw water line from Tiger Reservoir beyond Reservoir #2 the water plant to draw water directly from the Tiger Reservoir and would allow the treatment plant sufficient water to meet the demands of the public.
- This project will also remove a concrete cap over an existing water line that was constructed in the Aztec Ditch that is presently restricting water flow in the ditch.
- Construction is anticipated to require 120 days to complete. Aztec Ditch anticipates water will be flowing in the ditch as of March 15, 2014. The City, Aztec Ditch, and contractor will work together to ensure a successful project.
- Reservoir # 1 will be drained following completion of the project.

TECHNICAL INPUT (Supporting Departments)

- The City contracted with CHC Engineers, LLC to design the extension of the waterline. CHC Engineers will also provide construction oversight which is included in their existing professional services agreement with the City on this project. Design and construction management costs are \$10,000.

PROCUREMENT INPUT (If applicable, Purchasing)

- Bid # 2014-402 was advertised on February 9, 2014.
- A mandatory pre bid was held on February 18, 2014.
- Received bids were opened on February 24, 2014 at 2:00 pm.
- Four (4) responsive bids were received (Bid tabulation attached)
- xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx submitted the low Total Bid.
 - **Total Bid:** \$xxxxxxxx + tax
- Staff recommends that Commission approve the total bid of \$xxxxxx
- In an effort to expedite getting started on this project, Staff also requests Commission approve the City Manager to execute the ensuing Construction Contract.

FISCAL INPUT (If applicable, Finance Department)

- The FY14 Annual Adopted Budget, Joint Utility Fund, Water Treatment Department, includes \$1,560,296 for multiple improvements to the treatment plant operation. Of this amount, \$1,506,000 remains. A significant amount of this budget will be reappropriated to FY15 to continue improvements to the water treatment plant.
- Total project cost including GRT: \$_____

SUPPORT DOCUMENTS: Bid 2014-402 Tabulation Form

DEPARTMENT'S RECOMMENDED MOTION: Move to APPROVE the Award of Bid # 2014-402 to _____ in the amount of \$_____ plus GRT and authorize City Manager to execute the ensuing construction contract.

Staff Summary Report

MEETING DATE: February 25, 2014
AGENDA ITEM: X. Consent Agenda (G)
AGENDA TITLE: Appointment of EDAB Board Members

ACTION REQUESTED BY: EDAB
ACTION REQUESTED: Approve Appointment
SUMMARY BY: Roshana Moojen

PROJECT DESCRIPTION / FACTS

- Bryan Vincent, representative for the Aztec Chamber of Commerce, resigned in January. On January 16, 2014, the Board recommended the appointment of Amanda Hawks to serve for the Aztec Chamber of Commerce.
- Sec. 2-481 of Aztec Municipal Code requires all appointed members of the Economic Development Advisory Board to be reappointed every two years. Kim Preston and John Faverino, both members at large, are up for reappointment; the Board recommended their appointment on January 16.

SUPPORT DOCUMENTS: NONE

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the appointment of Amanda Hawks, John Faverino and Kim Preston to the Aztec Economic Development Advisory Board.

Staff Summary Report

MEETING DATE: February 25, 2014

AGENDA ITEM: X. CONSENT AGENDA (H)

AGENDA TITLE: Library Department Record Destruction

ACTION REQUESTED BY: Library Department

ACTION REQUESTED: Approval of Library Department Record Destruction

SUMMARY BY: Sabrina Hood

PROJECT DESCRIPTION / FACTS (Leading Department)

- To destroy Library Department records identified below:
 - 1965-1992 Record of Books Borrowed & Circulation Records
 - FY1985/86 Purchase Orders/Invoice & Receipts
 - FY1988/89 Monthly Expenditures
 - FY1989 Inventory List
 - FY2000/01 Purchase Orders/Invoice & Receipts
 - FY2001/02 Purchase Orders/Invoice & Receipts
 - FY2004/05 Purchase Orders/Invoice & Receipts
 - FY2005/06 Purchase Orders/Invoice & Receipts
 - FY2006/07 Purchase Orders/Invoice & Receipts
 - FY2007/08 Purchase Orders/Invoice & Receipts
 - FY2009/10 Purchase Orders/Invoice & Receipts
 - Timesheets (2005, 2006, 2007, & 2008)
 - Petty Cash Receipts (2005, 2006, 2007, 2008, & 2009)
 - Library Deposit Receipt 2007 & 2008

- Prior to the destruction of any city document Commission Approval must be obtained.

- This meets the Library Documents & Finance Retention Schedule.

- If approval is obtained, the documents will be destroyed and the *Destruction Form* will be signed by a Library Department Representative and the City Clerk and will be held by the City Clerk.

SUPPORT DOCUMENTS: None

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Destruction of Library Department Records as identified in staff summary

Staff Summary Report

MEETING DATE: February 25, 2014
AGENDA ITEM: XIII. BUSINESS ITEM (A)
AGENDA TITLE: Final Adoption of Ordinance 2014-434 Amending Chapter 17, Section 17-3 Safety Policy.

ACTION REQUESTED BY: Safety Coordinator Troy Morris
ACTION REQUESTED: Approve Final Adoption Ordinance 2014-434 Amending Chapter 17, Section 17-3 Safety Policy
SUMMARY BY: Troy Morris

PROJECT DESCRIPTION / FACTS

The Safety Policy was adopted and once it was initiated there were minor details in the policy that were found to be unreasonable or a hardship to the employees. The issues were discussed in several Staff Meetings and it was decided that the safety Committee would work on the policy to recommend possible changes. The policy was also made available to all the city employees and their input was requested.

The minor changes have been completed and the policy is available for viewing.

SUPPORT DOCUMENTS: Ordinance 2014-434
Safety Policy is available for review at City Clerk's office

DEPARTMENT'S RECOMMENDED MOTION: Move and Second to Approve the Final Adoption of Ordinance 2014-434 Amending Chapter 17, Section 17-3 Safety Policy.

City of Aztec
ORDINANCE 2014-434

An Ordinance to Amend Chapter 17, Personnel.

WHEREAS, the City of Aztec has a responsibility to create a safe working environment for its employees; and

WHEREAS, the City has created a Safety Program and a written Safety Policy to provide policies and procedures to guide the creation of the safe working environment; and

WHEREAS, the Safety Policy may have financial implications for the City and therefore should be formally adopted.

NOW THEREFORE BE IT ORDAINED by the Governing Body of the City of Aztec, New Mexico that Chapter 17 Personnel be amended as follows with the addition of Section 17-3:

Sec. 17-3. Safety Policy.

The document entitled "City of Aztec Safety Policy, Revised February 2014" is adopted by reference. All Appendices with forms can be amended through an Administrative Regulation process.

PASSED, APPROVED, SIGNED AND ADOPTED this ____ day of _____ 2014.

By the Aztec City Commission, City of Aztec, New Mexico.

Mayor Sally Burbridge

ATTEST:

Karla Sayler, City Clerk

APPROVE AS TO FORM:

Larry Thrower, City Attorney

ADVERTISED DATE OF FINAL ADOPTION: _____

EFFECTIVE DATE OF ORDINANCE: _____

Staff Summary Report

MEETING DATE:	February 25, 2014
AGENDA ITEM:	XIII. BUSINESS ITEM (B) DRAFT SUMMARY PENDING FINAL NEGOTIATION
AGENDA TITLE:	RFP 2014-228 Animas River Pump Diversion

ACTION REQUESTED BY:	Purchasing / Public Works / Water Treatment
ACTION REQUESTED:	Approval
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS (Leading Department)

- The City's Water Treatment System currently draws raw water from the Animas River using the Animas River Pump Station. The River Pump is located on a short bypass ditch that allows water to flow by our Pump Station. During periods of low flow on the river (primarily October through mid-April) a temporary structure (dike) is required to divert water to the Pump Station. For years, the City has erected the temporary structure by pushing existing rubble from the river up into a temporary diversion dike. In the Spring, during higher water periods, the diversion would wash down the river, and the City would have to repeat the reconstruction process in the Fall.

Recently, the Army Corps of Engineers has required a 404 Permit for the City to erect the temporary structure, and is now requiring a more permanent solution to minimize the impacts within the affected area.

TECHNICAL INPUT (Supporting Departments)

- Purchasing advertised a Request for Proposals for a professional engineering firm to provide the necessary environmental assessment, hydraulic analysis, and designed solution(s) to mitigate impacts on upstream and downstream localities that surround the Animas River Pump Station. Designed solutions will include a plan in which the Pump Station will continue to provide raw water to the Water Treatment Plant during periods of low flow in the Animas River. Any solutions developed will meet the requirements of the San Juan County Damage Prevention Ordinance and associated floodplain requirements, and address the New Mexico Environment Department's Surface Water Quality Bureau concerns.

PROCUREMENT INPUT (Purchasing)

- Purchasing solicited a Request for Proposals in December , 2013.
- Five (5) proposals were received, evaluated, and scored. The top two firms were interviewed by the evaluation committee, Streamtech, Inc and Smith Engineering Co.
- Smith Engineering Co. was selected as the top ranked firm and a cost has been negotiated to perform the required engineering services for this project.

FISCAL INPUT (Finance Department)

- Negotiated costs are as follows:
 - Preliminary Study & Report: \$
 - Design: \$
 - Bidding Support: \$
 - Construction Services: \$
 - TOTAL \$ + GRT
-

SUPPORT DOCUMENTS:

- RFP 2014-228 Scope and Sample Agreement
- RFP 2014-228 Evaluation Results
- Smith Engineering Co. Cost Proposal

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Award of RFP 2014-228 - Animas River Pump Diversion to Smith Engineering Co., in the amount of \$ + GRT and authorize the City Manager to execute Professional Services Agreement.

The City previously contracted with an engineering firm to provide the services in this RFP along with researching and evaluating several different solutions (wells, infiltration gallery, etc.). A permanent diversion structure which runs parallel to the flow of the Animas River has been determined as the only acceptable and realistic solution at this time. The previous engineering firm failed to provide a sufficient final design for this project; therefore, the City is seeking professional engineering firms to help complete this time-sensitive project. Project MUST be complete and functional by October 31, 2014. It is uncertain whether or not the previous information gathered from various environmental and geotechnical firms can be reliably utilized moving forward. The City does have previous geotechnical and cultural resource reports on file.

B: SUMMARY SCOPE OF WORK:

The City of Aztec is seeking proposals for professional engineering firms to provide environmental assessments, hydrologic and hydraulic analyses, and a designed diversion structure to mitigate impacts on upstream and downstream localities that surround the Animas River Pump Station. The design must include a plan in which the Pump Station will continue to provide water to the Water Treatment Plant during periods of low flow in the Animas River, meet all regulatory requirements, address New Mexico Environment Department sediment load concerns, maintain the flood carrying capacity of the river, and comply with all local and federal floodplain requirements.

Any solution must adhere to the following design parameters:

- 1) Any structure must be able to deliver at least 2,600 gallons per minute (gpm), with river flows between 100 cubic feet per second (cfs) to 13,000 cfs.
- 2) The design must maintain the flood carrying capacity of the river so as to minimize impacts to upstream and downstream users. The designed solution may not increase the base floodwater surface elevation by more than 12 inches throughout the entire NFIP community.
- 3) The designed solution must be able to withstand 1% chance flood events and the design should strive to minimize the amount of maintenance needed to maintain flow capacity.

See the attached 'Exhibit A' detailing the location of the project requiring professional services to be included in this project. Below is a generalization of the projects to be completed:

Scope of Services: Engineer and sub-consultant team will provide the following services in conjunction with the planning, design and construction of the project. RFP respondents can offer additional services or a proposed restructuring of services to enhance the overall utility and/or cost effectiveness of the project.

Service rendered should include (but are not limited to):

- 1) Design analysis and engineering report:
The design shall coincide with the development and submission of an analytic report (with supporting modeling data) for a hydrologic and hydraulic model to ensure the proposed

design meets the project requirements; the report must include a detailed assessment of all changes/impacts to the existing special flood hazard areas. A site and river survey should be performed with enough detail and scope necessary to support the hydrologic and hydraulic analyses, design, and meet the requirements of the City of Aztec Flood Damage Prevention Ordinance, the San Juan County Flood Damage Prevention Ordinance, and National Flood Insurance Program Regulations (44 CFR). A preliminary design should be developed along with cost estimates for permitting and construction, and annual operating costs. The engineering report should detail all data used to develop the design and explain all design/project constraints and assumptions. The historic river geomorphology should be detailed in the report by reviewing and analyzing historic aerial imagery to show all impacts from the existing structure. The report should provide a final recommended design.

- 2) Environmental Analysis: A cultural resource survey should be performed at the site. The consultant should seek cultural clearance from the U.S. Army Corps of Engineers (USACE) and the State Historic Preservation Office (SHPO). Any other environmental services as needed to complete the project.
- 3) A USACE Jurisdictional Determination should be obtained if required.
- 4) Once the engineering report is complete, the consultant should seek the approval of the final design from the City. Any changes to the design made during review may necessitate revisions to hydrologic and hydraulic analyses and report. Once the City has issued final approval, the consultant shall seek concurrence from all required agencies.
- 5) Preliminary Design: A detailed hydraulic model shall be developed, including water surface and sediment transport, to assure the diversion meets the design criteria. A brief design report should be created to document all assumptions, modeling, etc. that support the creation of the design. To support the design, geotechnical analysis should be performed of sufficient scope and detail to determine the engineering properties of the soils. The consultant should perform all tasks necessary to secure the geotechnical data, including how geotechnical data will be collected in the river if such data is needed to support the design.
- 6) Preliminary plans should be reviewed with the City at the 30% and 60% phases. The consultant shall be responsible for coordinating and conducting all plan reviews. Plan reviews shall take place at City Offices. Preliminary design should be submitted to the USACE, the New Mexico Environment Department Surface Water Quality Bureau, the Aztec Community Development Department (Aztec Floodplain Manager), and the San Juan County Floodplain Manager for review, comment and approval. The cost estimate should also be updated during the preliminary design phase.
- 7) Bidding Assistance: The proposal should include bidding support services, including development of advertisements, a pre-bid meeting, responding to requests for information during the bidding process, and an engineer's review of bids with recommendation for selection of a contractor. Conduct a preconstruction conference at a time and date of the City's choosing.
- 8) Construction Observation and Support Services:
 - a) Conduct a project kick-off meeting
 - b) Provide construction administration, including construction staking, construction management, construction observation, and construction materials testing. Construction observation should include daily reports of project progress and identified issues with digital photographic documentation.
 - c) Provide weekly progress reports to the City.
 - d) Monitor and document all pay items.
 - e) Review and approve submittals.

- f) Review contractor's as-builts as necessary to ensure the proper documentation of field changes.
- g) Track contractor's questions during construction through the use of RFIs (Requests for Information). Respond to RFIs in a timely manner (weekly) with sufficient detail for the contractor to proceed. Document all responses and provide responses to all interested parties.
- h) Monitor the contractor's adherence to SWPPP and report any issues to the City and the contractor.
- i) Conduct a final inspection and work with the contractor to address any punch list items and deficiencies.
- j) Provide project closeout services.

Additional Items:

The Consultant (Engineer) shall provide professional engineering, professional surveying, design, and environmental services. The work shall include, but not be limited to the following:

- 1. Confer with the City to review project requirements.
- 2. Assist the City with any Right of Way and Easement issues with adjacent land owners, to include negotiating land acquisitions if required.
- 3. Provide location surveying and topographic mapping.
- 4. Provide any environmental services that may be necessary for this project.
- 5. Prepare preliminary engineering report and design.
- 6. Prepare construction plans and bid documents.
- 7. Assist City with construction bidding phase.
- 8. Provide construction observation related services, if requested.

BASIC SERVICES

- 1. The Engineer responsible and directly in charge will coordinate all information between the consulting firm, any sub-contractors, and the City of Aztec.
- 2. The Engineer shall prepare reports, plans and recommendations as required for the completion of the project.
- 3. The Engineer shall assist in conducting all meetings and periodic presentations on the project if needed. The consultant should include support for any public meetings that may be required by regulatory agencies.
- 4. The Engineer shall be the focal point for the flow of all project activity, including the sub-contractor work.
- 5. The Engineer shall document all meetings, conferences, coordination and send documentation to the City within five working days.
- 6. The Engineer shall seal/stamp all work prepared under his direction and supervision and shall ensure that all required documents completed by subcontractors are sealed/stamped as may be required.
- 7. The Engineer shall serve as the City's professional representative in those phases of the project to which the Contract for Services applies, and shall give consultation and advice to the City during the performance of services.

8. The City is relying upon the skill and expert knowledge of the Engineer to furnish the City with an adequate work product and construction cost estimates. The City's review of any documents prepared by the Engineer is only general in nature. Therefore, any errors and /or omissions in the Final Design and Plans will be the full responsibility of the Engineer.
9. FEMA Floodplain Revisions: The City prefers to avoid a design that will require a CLOMR or LOMR submittal to FEMA, however, in the event that such an effort is needed, a plan shall be presented to the City to address the situation as such need arises.
10. It is important to note that liquidated damages will be assessed for missed deadlines and milestones as agreed-upon by contract.

PRELIMINARY ENGINEERING REPORT – PHASE 1

Upon receipt of a Notice of Proceed, the Engineer shall prepare the Preliminary Engineering Report. The work performed during this phase of the services shall include, but not be limited to the following tasks:

1. Confer with the City to review project requirements, estimated costs, and schedule of the work and to discuss submittal requirements for this phase of the project. The Engineer shall then submit a project schedule to the City. Any specific reimbursement costs that would be borne by the City also need to be identified in writing at this time.
2. Provide location surveying for the project including topographic mapping.
3. Prepare a preliminary determination of existing Environmental Conditions to accompany the Preliminary Engineering Report.
4. Review with the City possible design options and features of the diversion. Prepare outline of the diversion to include all requirements.
5. Submit with the Preliminary Engineering Report a preliminary location drawing of the diversion.
6. Submit Two (2) copies of the Preliminary Engineering Report.
 - a. One (1) hard-copy and one (1) electronic.

PRELIMINARY DIVERSION DESIGN – PHASE 2

Upon approval of the Preliminary Engineering Report, and upon receipt of a Notice to Proceed, the Engineer shall prepare the Preliminary Design Plans. These plans shall be prepared in a manner and detail so that they may be used as part of the Final Design Plans.

1. The Engineer shall provide environmental and geotechnical recommendations and submit Preliminary and Final Reports.
2. The Engineer shall provide a site plan with the location of the diversion.
3. A Preliminary Construction Cost Estimate shall be submitted with the preliminary plans.
4. Submit Five (5) copies of the Preliminary Plans.
 - a. Four (4) hard copies and one (1) electronic

FINAL CONSTRUCTION PLANS, AND BID DOCUMENTS – PHASE 3A

Upon receipt of the City’s written authorization to proceed with the Final Construction Plans and Bid Documents Phase, the Engineer shall do the following:

1. Incorporate changes requested by the City and other governmental authorities after review of pre-final documents.
2. Furnish to the City three (3) hard copies and one (1) electronic copy of the drawings and bid documents in final approved form for bidding purposes. In order to obtain approval, final plans must be complete so that they will be ready to be advertised for bids and letting of contract for project.

BIDDING PHASE – PHASE 3B

Upon receipt of the City’s written authorization to proceed with the Bidding Phase (Construction Phase 1), the Engineer shall do the following:

1. Provide necessary date for preparation of the bid documents.
2. Assist the City in responding to all questions from prospective bidders concerning drawings and specifications.
3. Attend a pre-bid conference, if any, to explain the project and to answer questions regarding the Project.
4. Assist the City in evaluating bids including obtaining and providing to the City reasonably available information as to the quality, ability, and record of performance of the three (3) lowest responsible bidders.
5. Advise the City concerning the acceptability of subcontractors, organizations and other persons proposed by the general construction contractor for those portions of the work for which acceptability is required by the construction contract documents.

CONSTRUCTION SERVICES – PHASE 4

Construction shall commence with the award of the first construction contract and shall terminate upon written approval of final payment to the Contractor by the City, except that this phase may be extended, if required, by written agreement between the Engineer and the City. Also, additional Construction Services may be added, if required, for additional construction phases. During the Construction Phase, the Engineer shall:

1. Attend the pre-construction conference, if required, to assist the City in responding to all questions from the construction contractor.
2. Visit the construction site as required by the City, to observe the progress and quality of the executed work and to determine if such work meets the essential performance and design features along with the technical and functional requirements of the construction contract documents. Based on these on-site observations, the Engineer shall endeavor to guard the City against apparent defects and deficiencies in the permanent work constructed by the construction contractor. Reports of these on-site visits must also be furnished to the City within 5 days of Inspections.

3. Review shop drawings, diagrams, illustrations, brochures, catalog data, scheduled, samples, the results of tests and inspections and other data which the construction contractor is required to submit for conformance with design concept of each construction contract and compliance with the information given in the construction contract documents. The Engineer shall also assemble maintenance and operating instructions, schedules, guarantees, bonds, certificates of inspections, and other documents.
4. Based on on-site observations as an experienced and qualified design professional and on review of the construction contractor's applications for payment and supporting data, determine the amount outstanding to the construction contractor.
5. Schedule and conduct a final inspection of the Project with City representatives and the construction contractor. Upon inspection, prepare and publish a "punch list" of minor deficiencies to be corrected prior to final payment to the construction contractor. The "punch list" shall be furnished to the construction contractor and City within two (2) business days after the final inspection.
6. Issue a Certificate of Substantial Completion when the final inspection reveals that the Project is substantially complete and fully usable for its intended purpose with only minor deficiencies to be corrected. The certificate shall be issued within two (2) business days after the final inspection.

QUALIFICATIONS

1. The Engineer in direct responsible charge must be currently registered in the State of New Mexico and have been engaged in lawful practice of engineering as a professional engineer for at least ten years, including "responsible charge" of engineering projects for at least five years in the related field.
2. Extensive knowledge of Standard Specifications and other applicable design standards.
3. The Consultant shall demonstrate ability to perform the duties assigned during the Project. This includes a submission of a list of key personnel to be assigned to the project and their qualifications. It is highly recommended that at least one of the registered engineers assigned to the project is a Certified Floodplain Manager.
4. The Engineer shall submit the names and all sub-contractors and names of sub-contractor personnel that will be assigned to the project and their qualifications.
5. The Engineer shall clearly demonstrate the ability of the firm to provide the required services in a professional and timely manner.

C. PROJECT CONTACTS

Any questions concerning the selection process for this Request for Proposals should be submitted to the City of Aztec Purchasing Department. All responses will be in writing and will be distributed to all potential offerors who receive a copy of this Request for Proposals. For any questions concerning the project process or scheduling during the selection process, please call the Purchasing Department, Austin Randall, 201 W Chaco, Aztec, NM 87410, phone: (505) 334-7656, fax: (505) 334-7649 or email: arandall@aztecnm.gov.

ATTACHMENT A
SAMPLE AGREEMENT

THIS AGREEMENT is made and entered into by and between the City of Aztec, hereinafter referred to as the "Agency", and _____., hereinafter referred to as the "Engineer".

IT IS MUTUALLY AGREED BETWEEN THE PARTIES:

1. Scope of Work.

Engineer shall provide the following services:

See Scope of Services RFP # 2014-228

ENGINEER shall perform professional services as hereinafter stated that include customary civil, structural, mechanical and electrical engineering services and customary architectural services incidental thereto. This Agreement provides for the Project to be developed in Phases. The Phases are:

As noted in the RFP, the City of Aztec wishes to separate the cost proposals for all Phases.

Animas River Diversion

Phase 1 – Preliminary Engineering Report \$_____

Phase 2 – Preliminary Diversion Design \$_____

Phase 3A – Final Construction Plans & Bid Documents \$_____

Phase 3B – Bidding Phase \$_____

Phase 4 – Construction Services \$_____

The above amounts exclude New Mexico Gross Receipts Tax at the rate of _____%. It is understood and agreed that this rate may vary from time to time.

General.

If authorized in writing by **OWNER**, **ENGINEER** shall furnish or obtain from others, additional services which are either not covered by Appendix "A" supplements, or are a result of changes in the scope of services, which cause additional work or changes in previously completed work, or are of such a minor and short term nature that a supplement is not deemed necessary by the **OWNER**.

Any such Additional Services that may be ordered by the **OWNER** shall be paid as follows:

Labor Costs at a rate of 3.0 times direct salary costs.

For out of pocket expenses of **ENGINEER** for travel cost, sub-consultant costs, or other expenses on behalf of the **Project** the invoice cost plus 10%.

2. Compensation.

- A. The Agency shall pay to Engineer for services rendered, compensation at the fee agreed to in each separate subsequent Purchase Order, including all reimbursable expenses and applicable gross receipts tax on the services provided.
- B. Reimbursable expenses shall be limited to mileage, per diem and related actual costs required in the interest of the services provided. An estimate of reimbursable expenses shall be included in each separate subsequent Purchase Order and authorized in advance by the Agency.
- C. The New Mexico gross receipts tax levied on the amounts payable under this Agreement shall be at the rate of Engineer's home office and shall be paid by the Agency to Engineer. Engineer shall be responsible for reporting and paying any taxes owed on money received under this agreement.
- D. The Agency shall pay Engineer upon receipt of a monthly detailed statement of accounting for services performed and expenses incurred hereunder.
- E. Engineer shall invoice the Agency monthly for Services completed at the time of invoicing. Such invoices shall be prepared in a form and supported by documentation as Agent may reasonably require. Agent shall pay Engineer within 30 days of receipt of invoice, less any retainage specified in this Agreement.

3. Term.

THIS AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE AZTEC CITY COMMISSION.

This agreement shall terminate upon written approval of final payment to the Engineer by the City, except that this agreement may be extended, if required, by written agreement between the Engineer and the City.

4. Termination.

This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least ten (10) days prior to the intended date of termination. By such termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination.
THE PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE OTHER LEGAL RIGHTS AND REMEDIES AFFORDED THE CITY IN SUCH CIRCUMSTANCES AS ENGINEER'S DEFAULT/BREACH OF CONTRACT.

5. Appropriations.

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the City of Aztec Commission for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Commission, this Agreement shall terminate upon written notice being given by the Agency to Engineer. The Agency's decision as to whether sufficient appropriations are available shall be accepted by Engineer and shall be final.

6. Status of Engineer.

Engineer and its agents and employees are independent Engineers performing professional services for the Agency and are not employees of the City of Aztec. Engineer and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City of Aztec as a result of this Agreement. Engineer acknowledges that all sums received hereunder are personally reportable by it for income tax purposes as self-employment or business income and are reportable for self-employment tax.

7. Assignment.

Engineer shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of the Agency.

8. Subcontracting.

Engineer shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the Agency.

9. Records and Audit.

Engineer shall maintain, for three years, detailed time records which indicate the date, time and nature of services rendered. These records shall be subject to inspection by the Agency and the City Auditor. The Agency shall have a right to audit billings both before and after payment; payment under this Agreement shall not foreclose the right of the Agency to recover excessive and/or illegal payments.

10. Release.

Engineers acceptance of final payment of the amount due under this Agreement shall operate as a release of the Agency, its officers and employees, and the City of Aztec from all liabilities, claims and obligations whatsoever arising from or under this Agreement. Engineer agrees not to purport to bind the City of Aztec unless Engineer has express written authority to do so, and then only within the strict limits of that authority.

11. Confidentiality.

Any confidential information provided to or developed by Engineer in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by Engineer without the prior written approval of the Agency.

12. Product of Service – Copyright.

All materials developed or acquired by Engineer under this Agreement shall become the property of the City of Aztec and shall be delivered to the Agency no later than the termination date agreed upon by the Agency and Engineer, the date of which has yet to be determined. Nothing produced, in whole or in part, by Engineer under this Agreement shall be the subject of an application for copyright or other claim of ownership by or on behalf of Engineer. All materials must be submitted to the City in hard copy and electronic form. (Word and/or AutoCad)

13. Conflict of Interest.

Engineer warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement. Engineer certifies that the requirements of the Governmental Conduct Act, Sections 10-16-1 through 10-16-18 NMSA 1978, regarding contracting with a public officer or City employee have been followed.

14. Amendment.

This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto.

15. Insurance.

Engineer shall procure, pay for, and maintain in full force and effect during the terms of this Agreement insurance as required herein. Policies of insurance shall be written by companies authorized to write such insurance in New Mexico. Engineer shall furnish copies of certificates of required insurance in a form

satisfactory to the Agency (or copies of insurance policies if requested by the Agency). All certificates of insurance (or policies) shall provide that thirty (30) days written notice be given to the Agency before a policy is canceled, materially changed or not renewed. Various types of required insurance may be written in one or more policies.

Professional Liability Insurance. Engineer shall procure and maintain during the term of this Agreement professional liability insurance in an amount not less than \$250,000 per occurrence, not including defense costs. Such insurance shall have no greater than a \$10,000 deductible unless a different form of security is specifically accepted in writing by the Agency. The amount of any deductible shall be stated.

Comprehensive General Liability. Engineer shall procure and maintain during the life of this Agreement a comprehensive general liability and automobile insurance policy with liability limits in amounts not less than \$1,000,000 combined single limit of liability for bodily injury, including death, and property damage in any one occurrence. Said policies of insurance shall include coverage for all operations performed for the Agency by Engineer, coverage for the use of all owned, non-owned, hired automobiles and vehicles, and other equipment both on and off work. Contractual liability coverage shall specifically insure the indemnity and hold harmless provisions of this Agreement.

Workers' Compensation Insurance. Engineer shall provide for its employees workers' compensation insurance as applicable under the New Mexico Workers' Compensation Act.

16. Merger.

This Agreement incorporates all the agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written Agreement. No prior agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

17. Notice.

The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

18. Equal Opportunity Compliance.

Engineer agrees to abide by all federal and state laws and rules and regulations, and executive orders of the City Commission of the City of Aztec, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, Engineer agrees to assure that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age or

handicap, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If Engineer is found to not be in compliance with these requirements during the life of this Agreement, Engineer agrees to take appropriate steps to correct these deficiencies.

19. Applicable Law.

This Agreement shall be governed by the laws of the State of New Mexico. Engineer agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If Engineer fails to comply with the Workers Compensation Act and applicable rules when required to do so, this agreement may be terminated by the contracting agency.

20. Contract Fees and Amendments

All agreed upon costs and fees must be approved by the City of Aztec Commission. ANY proposed increases will first be reviewed by City Staff and may require the Engineer to present the proposed increases to the City of Aztec Commission. Any and all costs incurred by the Engineer associated with presenting a proposal to the City of Aztec Commission shall NOT be reimbursable (travel, lodging, etc.)

21. Penalties

The Contractor/Engineer agrees that the following schedule of liquidated damages, unless otherwise specified in the contract, represents the reasonable projected value of inconvenience and monetary damage to the public and the City if the Contractor/Engineer does not complete the project within the contract time and does not operate as a penalty to the Contractor/Engineer:

Schedule of Liquidated Damages

Total Contract Amount	Damages assessed per day
≤ \$100,000	\$500
>\$100,000 - \$500,000	\$1,000
>\$500,000 – \$1,000,000	\$1,500
>\$1,000,000	\$2,000

IN WITNESS WHEREOF, parties have executed this Agreement as of the date of signature by the Aztec City Commission, below.

By: _____
Sally Burbridge
Mayor City of Aztec

Date: _____

By: _____
Engineer

Date: _____

Staff Summary Report

MEETING DATE:	February 25, 2014
AGENDA ITEM:	XIII. Business Items (C)
AGENDA TITLE:	Resolution #2014-932 City of Aztec Vision Plan

ACTION REQUESTED BY:	Joshua W. Ray, City Manager
ACTION REQUESTED:	Adoption of Resolution #2014-932
SUMMARY BY:	Joshua W. Ray, City Manager

PROJECT DESCRIPTION / FACTS (Leading Department)

The City of Aztec has been working on a Vision Plan for the past 8 months. Mayor Burbridge conducted a series of public work sessions disseminating and gathering information concerning the future of our City.

The main goal of the work sessions was to develop a vision document for the next 15 years. Each participant was asked to complete a survey stating his/her desires for how the City will look in both the short term and the long term.

The City took that information and provided it to the NW New Mexico Council of Governments, requesting they pull all of the information and provide a plan for Commission.

City staff provided minimal support for this document. Our goal was to not invalidate the document by steering the information included and to allow the public input sessions to be the main source of information.

Although the document may be lacking in some areas it is strong in others.

SUPPORT DOCUMENTS:	City of Aztec Vision Plan (Provided at Commission Meeting) Resolution 2014-932
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DEPARTMENT'S RECOMMENDED MOTION: Move to approve the Resolution #2014-932 City of Aztec Vision Plan.

**CITY OF AZTEC
RESOLUTION 2014-932**

**A Resolution Adopting the City Of Aztec
Vision Plan 2014**

WHEREAS, through a lengthy process of public meetings and obtaining input from the citizens of Aztec to identify their needs, desires, and values for the City of Aztec; and

WHEREAS, from this citizens' input a Vision Plan has been created; and

WHEREAS, through this Vision Plan the community now has a guide on how they would like to see the city developed in the future which is focused on the community values;

NOW THEREFORE, the Aztec City Commission now adopts the City of Aztec Vision Plan.

PASSED, APPROVED, and ADOPTED by the governing body at its meeting of February 25, 2014.

Mayor Sally Burbridge

ATTEST:

City Clerk Karla Sayler

Staff Summary Report

MEETING DATE:	February 25, 2014
AGENDA ITEM:	XIII. Business Items (D)
AGENDA TITLE:	Purchase of Real Property

ACTION REQUESTED BY:	Joshua W. Ray, City Manager
ACTION REQUESTED:	Approval
SUMMARY BY:	Joshua W. Ray, City Manager

PROJECT DESCRIPTION / FACTS (Leading Department)

City staff, working with City Commission and City Attorney, have negotiated an agreement with Ms. Patricia Arnold to purchase her property located at 802 Airport Drive in Aztec, NM 87410.

The total purchase for this property is \$40,000.

Ms. Arnold has agreed to pay all closing costs associated with the sale of the property.

Please see the attached Mobile Home Purchase Agreement.

This property will remain on this location and be used by the City.

SUPPORT DOCUMENTS:	Mobile Home Purchase Agreement
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DEPARTMENT'S RECOMMENDED MOTION: Move to approve the purchase of real property from Patricia Arnold in the amount of \$40,000 and to approve the mobile home purchase agreement.

MOBILE HOME PURCHASE AGREEMENT

AGREEMENT made and entered into on this ____ day of February, 2014, by and between PATRICIA A. ARNOLD, P.O. Box 825, Aztec, New Mexico 87410, hereafter referred to as "Seller", and the CITY OF AZTEC, New Mexico, a municipal corporation, 201 West Chaco, Aztec, New Mexico 87410, hereinafter referred to as "Purchaser".

NOW THEREFORE, in consideration of the mutual covenants set out herein, the parties agree as follows:

1. Seller shall sell and Purchaser shall purchase the following described mobile home located in San Juan County, New Mexico:

YEAR:	1999
MAKE:	Elliott Homes Solitaire
SIZE:	28' x 70' Doublewide
VIN NO:	EHID0KB653FB
LICENSE NO:	New Mexico 5532MHS

Including the refrigerator, range and dishwasher located in the mobile home on the date of this Agreement.

Also including an Easy Shade 360 square foot two-car carport cover mounted on a concrete foundation on the south side of the mobile home.

Said mobile home shall remain in its present location at 802 Airport Drive, on the grounds of the Aztec Municipal Airport in Aztec, New Mexico.

2. The total purchase price for the mobile home shall be Forty Thousand Dollars (\$40,000.00).

3. The above purchase price shall be paid to Seller by Buyers in cash or certified funds at closing.
4. Seller shall pay all closing costs associated with the sale of the mobile home.
5. Seller shall execute and deliver to Purchaser at closing a good and sufficient Bill Of Sale conveying the above described mobile home to Purchaser.
6. Seller warrants that all property and other taxes on the mobile home have been paid in full for tax year 2013 and all prior years. Seller shall deliver to Purchaser at closing a State of New Mexico Manufactured Home Tax Status Certification attesting to such tax payment by Seller. The taxes for 2014 and thereafter shall be paid by Purchaser.
7. Purchaser shall be entitled to possession of the mobile home after closing, on the date set out below.
8. The closing of this Agreement shall be held on February ____, 2014 at the City Commission Chambers, Aztec City Hall, 201 West Chaco, Aztec, New Mexico.
9. This Agreement sets out the entire understanding of the parties and no amendment to or modification of this Agreement shall be valid unless in writing and executed by all parties hereto.
10. This Agreement shall be binding upon and inure to the benefit of the

APPROVED TO FORM:

By: _____
Larry T. Thrower, City Attorney

Staff Summary Report

MEETING DATE:	February 25, 2014
AGENDA ITEM:	XIII. Business Items (E)
AGENDA TITLE:	Resolution 2014-930 Recognizing Aztec Community Events

ACTION REQUESTED BY:	City Staff
ACTION REQUESTED:	Consider Approving Resolution 2014-930
SUMMARY BY:	Roshana Moojen

PROJECT DESCRIPTION / FACTS

- Sec. 20-4-7.7(2) allows the City to place special event signs over the street or in public locations for approved special events, as recognized by the City Commission or the Lodger's Tax Advisory Board.
- At a recent staff meeting there was a discussion regarding those events that may not be officially recognized. Ken George also raised the question of whether or not the Commission intended this code to apply strictly to free events and/or events managed by nonprofits.
- The questions before Commission are:
 - Should for-profit events such as concerts at the Aztec Speedway be allowed to place a marketing banner over Main Ave.?
 - Should nonprofits such as the Lion's Club be allowed to advertise events that are not intended as community events but as fundraisers (i.e. the Gun Show)?
 - Should businesses sponsoring community events (i.e. Thomas Payne's 5K to benefit the animal shelter) be allowed to advertise events?
 - Should community associations be allowed to advertise their local organizational events that may not generate tourism (i.e. the Boys and Girls Club Halloween Carnival)?
 - Should community associations be allowed to advertise other information, such as the Baseball Associations sign-up period?
- The events listed in the resolution reflect those events recommended for consideration by the Community Development Department. The original intent of this section of code is to align with the marketing goals of the City - to advertise events in Aztec that may attract visitors to stay in Aztec, while at the same time reducing sign clutter in the City.
- The following events have received funding from the City since 2001, either via City Commission Budget Approval, Lodger's Tax Funding Requests, or via special funding disbursements from Commission that were not part of the budget preparation process; note that many events received funding numerous times, at the request of various supporting organizations:
 - LTAB:
 - Animas River Arts and Entertainment: Animas River Blues Festival
 - Aztec Trails and Open Spaces: Alien Run Mountain Bike Competition
 - Aztec Chamber of Commerce: Spring Fling, Fiesta Days, Founders Day, Animas River Blues Festival, Bike Festival, Oktoberfest, Indian Market & Aztec Highland Games and Celtic Music Festival

- Fantasy of Lights: Holiday Light Show
 - Four Corners Charity Productions: 5k RunWalk
 - Friends of the Library: UFO Symposium & Alien Run Mountain Bike Competition
 - Aztec Main Street Association: Oktoberfest
 - San Juan Scottish Fiddle Society: Aztec Highland Games and Celtic Music Festival
 - Wines of San Juan: 5th Annual Festival (2008)
- COMMISSION (via Budget) :
 - Animas River Arts and Entertainment (Boots & Brews)
 - Aztec Boys & Girls Club
 - Aztec Friends of the Library (UFO Symposium)
 - Aztec Riverside BMX
 - Aztec Ruins Lecture Series
 - Four Corners Charity 5k WalkRun
 - Aztec Highland Games and Celtic Music Festival (Chamber)
 - Aztec Highland Games and Celtic Music Festival (San Juan Scottish Fiddle)
 - NoLimit MX Racing
 - SJC Affordable Housing Alliance
 - SJC Kid's Fest
 - SJC Law Library
 - SJC Partnership (Energy Conservation)
 - Tres Rios National High School Rodeo
 - Up With People
 - Xrun Four Corners
- COMMISSION (via special authorization)
 - Big Brothers Big Sisters of San Juan County (Mayor's Ball)
 - Friends of the Aztec Library – UFO Symposium
 - Tres Rios National High School Rodeo
 - Animas River Blues Festival

PROCUREMENT / PURCHASING (if applicable)

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

SUPPORT DOCUMENTS: • Resolution 2014-930

DEPARTMENT'S RECOMMENDED MOTION: Approve Resolution 2014-930 Recognizing Aztec Community Events

City of Aztec
Resolution 2014-930

A resolution identifying certain events within the City of Aztec as approved special, as defined by Aztec Municipal Code, Sec. 20-4-7.7(2).

WHEREAS, the City of Aztec adopted amendments to Aztec Municipal Sign Code on August 26, 2013 via Ordinance 2013-429; and

WHEREAS, the City of Aztec recognizes the needs of special events to advertise in the City over public streets and other approved public locations; and

WHEREAS, Aztec Municipal Code Sec. 20-4-7.7(2) provides for the this advertisement for special events, approved by the Aztec City Commission or Lodger's Tax Advisory Board;

NOW THEREFORE BE IT RESOLVED that the governing body of the City of Aztec recognizes the following events as special events within the City of Aztec:

Aztec Highland Games and Celtic Music Festival
Aztec Founder's Day
Antique Truck and Equipment Show
Animas River Blues and Brews Fest
Alien Run Mountain Bike Competition
Fiesta Days
National Night Out
The X Run
Aztec Christmas Festival
Aztec Farmer's Market
Aztec MotoX Track Special Events
Aztec Museum Special Events
San Juan County Historical Society Special Events
Aztec Speedway Special Events
Aztec Ruins National Monument Special Events
Aztec Theater Special Events
Aztec Community Event Sessions / Main Street Special Events (i.e. Art Walks)

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2014.

CITY OF AZTEC

Sally Burbridge, Mayor

ATTEST

Karla Sayler, City Clerk

Land Use Hearing

MEETING DATE:	February 25, 2014
QUASI JUDICIAL ITEM:	XIV. LAND USE HEARING (A)
QUASI JUDICIAL TITLE:	Variance for Residential Dwelling on an A-1 Parcel Located on McCoy Ave.

FINDING OF FACTS

Community Development Finding of Facts

1. This variance request was originally scheduled to be heard by Commission on January 28th but on the 28th the applicant requested this agenda item be tabled until the February 25th Commission meeting
2. The property under consideration is located on McCoy Ave. and Santistevan Ln. and is identified as Parcel ID #R4008099. The property is 5.97 acres, vacant, and is zoned for agricultural use (A-1); the property is surrounded by A-1 zoned parcels and parcels in the County (no zoning).
3. The property is jointly owned by Mike and Audrey Fauteaux.
4. Mr. Fauteaux is requesting a variance to Sec. 26-2-24 Area Regulations, to allow him to subdivide the parcel (Parcel ID #R4008099) into two smaller parcels less than five acres each with the intent to allow for residential construction on the smaller parcels, once subdivided.
5. The purpose of the A-1 zone district is to protect and preserve agricultural lands and their activities in their present character (Sec. 26-2-21).
6. Hearing History - Mr. Fauteaux previously requested the subdivision of Parcel ID #R4008099 into three (3) separate lots within the A-1 zoning district. The proposed subdivision would have created two 1.00 acre lots fronting McCoy Ave. and one 3.97 acre lot accessed via a newly created 30' public access easement to be platted on lots 2C and 2A. The proposed variance request and subdivision approval was denied by Commission on November 12, 2013 following extensive testimony by parties.
7. Access to the property was also a concern in the previous variance and subdivision request made by Mr. Fauteaux. Access is still a concern as the public access easement for Lot 2A is too close to the existing driveway access and does not adhere to the requirements or standards in the Access Management Plan, adopted by the City of Aztec in 2009. William Watson, the City's Public Works Director and City Engineer, has agreed to allow the public access easement for the proposed Lot 2A (indicated on the plat from Cheney Walters and Echols) to be drawn over the existing driveway serving 1155 McCoy Ave; this driveway intersects McCoy Ave. Alternative access options involve the use of Santistevan Ln., however, in order for access to come off of Santistevan Ln., the lane would need to be converted to a public right-of-way which, after several negotiations between the City Manager and Santistevan Ln. landowners, does not appear to be an option.

8. Should Commission choose to reverse their November 12th ruling, City staff strongly recommends approving this variance with Findings of Fact and Conclusions of Law that require a minimum parcel size of 3.97 and 2 acres (respectively) for all properties connected to this variance request (NOTE: as variances run with the land, this requirement would carry with the land, in perpetuity). If denied, staff recommends Commission place a time limitation on Mr. Fauteaux, prohibiting him from seeking a variance to the same section of code for the same property within one year of this ruling on February 25, 2014.
9. One comment from a Party to the case has been received to date regarding Mr. Fauteaux's application:
 - a. I would like to recommend that the commission deny Mr. Fauteaux's variance application to subdivide parcel R4008099 adjacent to 1155 McCoy Avenue for the following reasons:
 1. If Mr. Fauteaux is allowed to subdivide his property into lots of less than five acres in an Agricultural zone, how is the city going to stop adjacent landowners from doing the same, resulting in the wholesale elimination of one of the last areas of country living within the city limits?
 2. Mr. Fauteaux's plan to subdivide his property goes against the City of Aztec's own Comprehensive Plan, dated 2002, which sets out the city's desire to maintain its rural character and open spaces.
 3. When we and our neighbors bought homes in this neighborhood, we bought knowing that the land was zoned agricultural, and that it could not be subdivided into lots smaller than five acres. If the commission approves this variance, it will be riding roughshod over the rights and desires of neighbors who have lived on McCoy Avenue for decades.
 4. Just as with Mr. Fauteaux's application for the wedding and event center, this subdivision application is being considered without any accompanying consideration for improvements on McCoy Avenue—widening, curbs, sidewalks, drainage—to handle the increased amount of traffic it will bring.
 5. What is the point of the city establishing zoning and land use ordinances if it is going to allow variances to those ordinances for no reason more compelling than one neighbor's desire to sell off his land and make money doing it?

If these points look or sound familiar, they should. They are virtually the same points I raised on November 12 against Mr. Fauteaux's application for a zoning variance on the very same parcel of land. I am getting additional mileage out of them for exactly that reason: this is an application to subdivide the same parcel—Tax ID R4008099—that Mr. Fauteaux applied to subdivide in October 2013, an application that the commission subsequently denied at its meeting on November 12.

According to Mr. Josh Hedgpeth, planning technician with the city community development department, with whom I conversed on January 15, there is no limit to the number of times Mr. Fauteaux can apply for a variance for this parcel of land. Not that we're not happy to oblige, and object to the variance, but it seems like a waste of the commission's time to hear the same application ad infinitum.

Bottom line: This is the same variance request the commissioners denied in November, and no new evidence has arisen in the interim to suggest they should change their minds. Given this absence, I ask the commission to deny this application.

Thank you for your time and consideration.

Sincerely,

Richard Ryan
1103 McCoy Avenue, Aztec

SUPPORT DOCUMENTS:

- Application packet
 - Subdivision Plat
 - Supporting Documents
-
-

COMMUNITY DEVELOPMENT RECOMMENDATION: The Community Development Department recommends **DENYING** this application for a variance to Sec. 26-2-24 Area Regulations to allow the applicant to subdivide the parcel (Parcel ID #R4008099) into two smaller parcels, located on McCoy Ave. and Santistevan Ln. in Aztec, New Mexico. Advising Commission to accept Findings of Fact #1-9 and vote "**NO**" to show the motion as **DENIED**.

RECOMMENDED RULING: Move to Approve the application for a variance to Sec. 26-2-24 Area Regulations to allow the subdivision of Parcel ID #R4008099 into two smaller parcels, located on McCoy Ave. and Santistevan Ln. in Aztec, New Mexico, accepting Findings of Fact #1-9.



CITY OF AZTEC VARIANCE APPLICATION

Application Year: 2013
2014 Application No.: 228 Application Date: 12/23/2013

Applicant Name: MIKE GAUTEAUX

Applicant Address: 155 McCOY AVE AZTEC NM 87410
(Street Name) (City) (State) (Zip Code)

Applicant Phone: 505 793-6120

Is Applicant Owner of Property? YES

Legal Description of the Property:
(Or address if different than above)

Total Area of Property (acres): 2 ACRES

Zoning District: A-1

Tax ID Number

Flood Zone

Present Use of Property: PASTURE

Desired Use of Property: HOME SITE

Reason for Requesting a Variance (include section(s) of Code for which a variance is requested):

VARIANCE TO BUILD ON LESS THAN 5 ACRES.

Plan Map Available? YES NO
(Plan map is required; failure to provide a plan map will cause a delay in the process)

[Signature]
Applicant's Signature

12-19-13
Date

City Commission Meeting Date:

ACTION: APPROVED DENIED

City Planner

Date

RECEIVED
DEC 23 2013
CITY OF AZTEC
COMMUNITY DEVELOPMENT

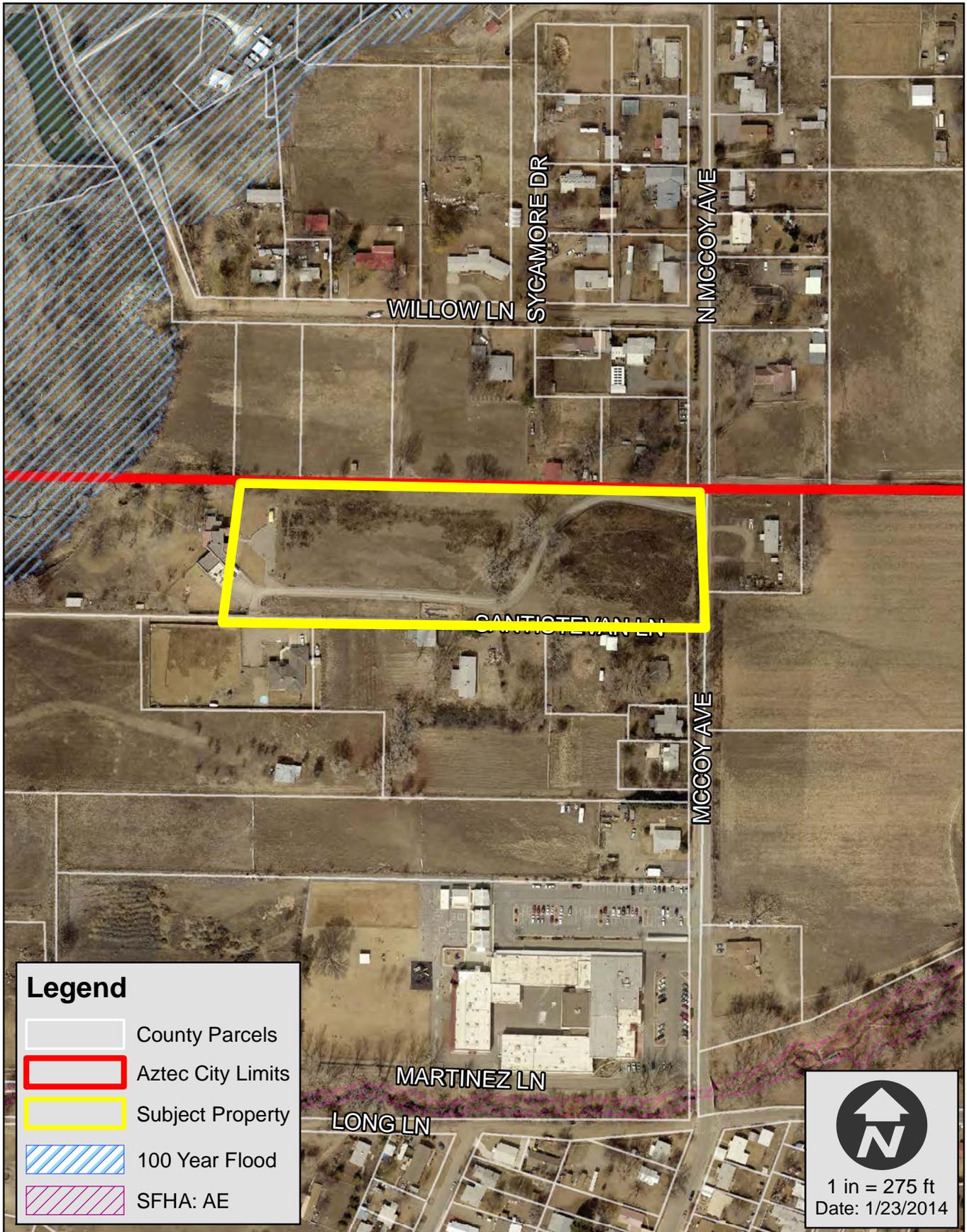
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12/23/2013 10:17 CD

CI

CM DEV ADMIN FEE (ALL PERMITS)

U-A189844	AMOUNT
FMSD CM DEV ADMIN FEE (ALL	10.00
FMSD CM DEV LAND USE PERMIT	50.00
PAYMENT RECEIVED	
VS / 8256	60.00
TOTAL	60.00

Site Map - 2013-228 Fauteaux Variance



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Joshua Hedgpeth, City of Aztec Planning Technician
(505) 334-7604