



City of Las Vegas

1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov

Mayor Louie A. Trujillo

**CITY OF LAS VEGAS
SPECIAL CITY COUNCIL MEETING
July 27, 2023– Thursday – 11:00 a.m.
City Chambers
1700 North Grand Avenue
Las Vegas, NM 87701**

AGENDA

*City Council Meetings are
Available via YouTube*

https://www.youtube.com/channel/UCNGDVGRRAL0qVevel5JYeRw?view_as=subscriber

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. MOMENT OF SILENCE**
- V. APPROVAL OF AGENDA**
- VI. PUBLIC INPUT (comments limited to topics on current agenda; not to exceed 3 minutes per person and individuals must sign up at least fifteen (15) minutes prior to meeting.)**
- VII. MAYOR'S APPOINTMENTS**
 - Appointments to the Board of Adjustment and Planning & Zoning Commission:
 - 1. Kerry Rodriguez – Ward 4
 - 2. Andrew Salazar – Ward 4
 - 3. Oliver Lesperance – Ward 3
- VIII. APPROVAL OF MINUTES (July 12, 2023)**

David Ulibarri
Councilor Ward 1

Michael Montoya
Councilor Ward 2

Barbara Casey
Councilor Ward 3

David G. Romero
Councilor Ward 4

IX. BUSINESS ITEMS

1. Request approval of Resolution No. 23-21, the final quarter report for 2022-2023 for submission to Department of Finance & Administration, Local Government Division.

Tasha Martinez, Finance Director, The City of Las Vegas is required to approve and submit the Final 2022-2023 DFA Financial Report.

2. Request approval of Resolution No. 23-22 to adopt the Final Fiscal Year 2023-2024 Budget for submission to DFA Local Government Division.

Tasha Martinez, Finance Director, The City of Las Vegas is required to develop, approve and adopt a 2023-2024 final budget as per DFA Local Government Division requirements.

3. Request rejection of bid received for RFB# 2023-23 for Street and Drainage Improvements for Hot Springs Boulevard from Mills Avenue to Bernalillo Street.

Arnold Lopez, Public Works Director Desert Fox, LLC was the sole bidder in the amount of \$1,190,029.00. The request to reject RFB #2023-23 is due to the bid coming in over budget.

X. EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, NMSA 1978, Section 10-15-1, (H)(2), Limited personnel matters, Discussion/Direction and Possible Action on City Manager Position and to appoint a Community Development Director.

XI. EXECUTIVE SESSION ACTION ITEM

1. Discussion/Direction and Possible Action on City Manager Position.
2. Approval to appoint Lucas Marquez as the Community Development Director

XII. ADJOURN

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are 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 prior to the meeting so that arrangements may be made.

ATTENTION PERSONS ATTENDING COUNCIL MEETING: By entering the City Chambers you consent to photography, audio recording, video recording and its/their use for inclusion on the City of Las Vegas website and to be broadcast on YouTube.

NOTE: A final agenda will be posted 72 hours prior to the meeting. Copies of the Agenda may be obtained from City Hall, Office of the City Clerk, 1700 N. Grand Avenue, Las Vegas, NM 87701 or the City's website at www.lasvegasnm.gov

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, JULY 12, 2023 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.**

MAYOR: Louie A. Trujillo

COUNCILORS: David G. Romero *Absent*
Barbara Casey
Michael L. Montoya
David Ulibarri

ALSO PRESENT: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
Antonio Salazar, Sergeant at Arms

CALL TO ORDER

Mayor Trujillo called the meeting to order at 5:30 pm.

ROLL CALL

PLEDGE OF ALLEGIANCE

Mayor Trujillo invited Miguel Coca to help lead the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Trujillo asked to take a moment to thank everyone who had a part in the Fiestas and for working long hours. Mayor Trujillo thanked Miguel Coca for being Co-Grand Marshal for the Fiesta Parade.

APPROVAL OF AGENDA

City Clerk Fresquez advised there was an amendment to the agenda to remove the recognition of Beatrice Salazar which will be placed on next week's Council meeting.

Councilor Casey made a motion to approve the agenda as amended. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Barbara Casey	Yes
David Ulibarri	Yes		

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

There was no public input.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Trujillo presented a Buen Vecino Award in recognition of Miguel Coca for receiving a National Championship in Track and Field in which he completed a mile in 4 minutes and 7 seconds.

Mayor Trujillo discussed meeting with Sunny 505 for Marketing and Rebranding of the City. Mayor Trujillo advised there were so many ideas generated on how they would market Las Vegas. Mayor Trujillo discussed more focus groups being set up throughout town and encouraged people to attend and a survey available on how the webpage could be improved.

COUNCILORS' REPORTS

Councilor Casey discussed the several phone calls she received regarding Solid Waste being closed. Councilor Casey asked for PSAs regarding Solid Waste being closed to be sent to the radio so people are aware and also to have a day for people who are cleaning up their properties due to issues with Code Enforcement. Councilor Casey thanked all the City employees who worked for the Fiestas, the Musicians and the Vendors. Councilor Casey advised she had gone early the day

after the Fiestas and everything was already cleaned. Councilor Casey also thanked Robert Archuleta for keeping the Community Development department going until they can find a Director, Valerie Macias from the Recreation Center for also helping in the mornings and Eric Hidalgo. Councilor Casey thanked Mayor Trujillo for his idea for Saturdays in the park for activities for Senior Citizens. Councilor Casey advised the community to feel free to call her if they have an issue.

Councilor Montoya thanked Parks and Recreation Director Arturo Padilla for all he's done at the parks. Councilor Montoya advised he heard a lot of positive things about the Fiestas and Ana Romero did a great job with the pageant. Councilor Montoya discussed the Legislative funding that was appropriated for all NM airports in the amount of \$55 million. Councilor Montoya advised the City is moving forward with changes to parks, streets and the construction on Legion Drive. Councilor Montoya acknowledged San Miguel County Manager Joy Ansley.

Councilor Ulibarri advised the fiestas were a success and people noticed the work done at Rodriguez Park. Councilor Ulibarri thanked all the City employees who worked the Fiestas.

Mayor Trujillo thanked City Clerk Fresquez and her staff for decorating the City Council Chambers.

CITY MANAGER'S REPORT

City Manager Maestas discussed the following;

- Welcomed new staff to the City of Las Vegas
- Capital Outlay update
- Opioid Settlements (\$1.4 million)
- Lodgers Tax would be used for those who worked during the Fiestas
- Gabion basket sediment removal
- RFP for sediment removal
- Reimbursements received from U.S Forest Service

Councilor Casey asked for the Capital Outlay updates to be emailed to them.

Discussion took place regarding phase one of the Plaza Park electrical system and using Lodgers Tax infrastructure for phase two.

Mayor Trujillo thanked City Manager Maestas for his involvement with the Fiestas.

APPROVAL OF MINUTES

Councilor Montoya made a motion to approve the minutes from June 14 and June 21, 2023. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

Mayor Trujillo recognized City Clerk Fresquez and her staff for the wonderful and timely job done on the minutes.

CONSENT ITEMS

City Clerk Fresquez read the Consent Agenda (1-3) into the record as follows:

1. Request approval of Addendum #3 to Contract #3661-20 with Domenici Law Firm, P.C. for legal representation and legal services relating to the City's water rights.
2. Request approval of Addendum #3 to Contract #3665-20 with Glorieta Geoscience, Inc. for professional services related to water rights and hydrology.
3. Request approval of Addendum #3 to Contract #3673-20 with DUB-L-EE for maintenance and emergency repairs to City natural gas transmission.

Councilor Casey made a motion to approve the Consent Agenda (1-3) as presented. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	David Ulibarri	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

BUSINESS ITEMS

1. Request review and approval of the contract with American Medical Response (AMR) for ambulance service.

Fire Chief Spann discussed the County going out for an RFP and AMR was the one they went with. Fire Chief Spann advised the contract came out to 1.5 million and the City would pay 56% of that.

Discussion took place regarding how much of an increase there was from the previous contract and PRC approval from AMR.

Fire Chief Spann advised they want to procure and move forward with getting their PRC license. Fire Chief Spann advised the contract with AMR is for 2 years with the ability to extend it for an additional 2 years but before the 2 years the City would like to have their ambulance transport license.

Mayor Trujillo asked if AMR increased their availability of transport because that is the biggest problem, they are never available to transport or attend.

Fire Chief Spann advised the contract grants them 3 full time paramedic units that will be within the City of Las Vegas and one unit stationed in Pecos. Fire Chief Spann advised AMR cannot do out of town transfers for the hospital if it leaves the City with less than 2 available ambulances.

Mayor Trujillo asked what the call volume was in Pecos.

Fire Chief Spann advised he didn't have the actual numbers but the area is too far out to have someone from the city respond should there be a critical patient. Fire Chief Spann advised that Pecos was paying \$100,000 towards the contract.

Councilor Casey voiced her concerns regarding incidents from a Dr. at the hospital that stated the ambulance personnel refused to transport a heart patient to Santa Fe because they were afraid that person would die enroute.

Fire Chief Spann advised he could not speak on that incident without reading the medical report and in cases of cardiac patients on multiple medications it's better that they are taken by flight or the weather could have been a reason.

Councilor Casey advised the flights from here to Santa Fe are costly and some don't have insurance. Councilor Casey also voiced her concerns regarding a patient who needed dialysis and the hospital did not have a dialysis machine. Councilor Casey advised they requested the ambulance service to transport the patient to Santa Fe but they wouldn't transport the patient unless they had proof that they would pay for the ambulance transport. Councilor Casey advised the patient passed away while they waited for verification from the insurance company. Councilor Casey advised they need people who have compassion for those who are ill and they need to focus on people first and money second.

Fire Chief Spann agreed, and stated that's why they want to look at the City and County starting their own transport within the fire services. Chief Spann advised they now have quarterly meetings to review calls and any issues they may have.

Councilor Montoya thanked San Miguel County Manager Ansley and Fire Chief Spann and discussed the County Commissioners allowing the City to have input while they approved the AMR contract at their meeting. Councilor Montoya advised he hadn't heard any bad complaints about AMRs service. Councilor Montoya advised everything is going up in price and they negotiated the contract from \$1.8 million to \$1.5. Councilor Montoya advised they need to move forward with certifying the City's own fire department personnel. Councilor Montoya clarified the contract is for 2 years and the cost is \$1.5 million each year.

San Miguel County Manager Ansley discussed a county wide gross receipts tax that the county could push for, if they do their intent would be to pay for EMS services and still work in an MOU with the City.

Councilor Montoya advised the City would support the County.

Councilor Montoya made a motion to approve the contract with American Medical Response (AMR) for ambulance service for Mora/San Miguel and Pecos counties. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

Mayor Trujillo thanked Fire Chief Spann and County Manager Ansley for all the work they did with the contract and negotiations.

- 2. Request approval of Resolution 23-20, repealing and replacing Resolution 23-17 to fulfill requirements for the Community Development Block Grant (CDBG).

Public Works Director Lopez discussed within the grant requirements the City acknowledged the certification, commitments and plans of exhibit 1-Y and exhibit 1-Z for citizen participation, fair housing, residential anti-displacement & relocation assistance, section 3 and procurement. Public Works Director Lopez advised the wording in resolution 23-17 was not sufficient enough.

Councilor Montoya made a motion to approve Resolution 23-20. Councilor Ulibarri seconded the motion.

Resolution 23-20 was presented as follows:
THE CITY OF LAS VEGAS, NEW MEXICO
RESOLUTION 23-20

A RESOLUTION TO REPEAL RESOLUTION 23-17 AND REPLACE WITH RESOLUTION 23-20 TO FULFILL REQUIREMENTS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG).

Whereas, the City of Las Vegas accepted resolution 23-17 on June 21, 2023, Exhibit 1-Z CDBG Federal Requirements, Citizen Participation Required Elements; and

Whereas, the City of Las Vegas accepted resolution 23-17 on June 21, 2023, Adoption of Required CDBG Certifications and Commitments; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are hereby incorporated herein by reference, and

PASSED, APPROVED AND ADOPTED this _____ day of July, 2023.

Louie A. Trujillo, Mayor

ATTEST:

Casandra Fresquez, City Clerk

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	David Ulibarri	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

3. Request to award Re-Bid #2023-19 Supervisory Control and Data Acquisition (SCADA) to I & C Solutions.

Utilities Director Gilvarry advised they received two bids I & C Solutions and Alpha Southwest. Utilities Director Gilvarry advised I & C Solutions had the lower bid, it was reviewed by an engineer and Construction Programs Bureau. Utilities Director Gilvarry advised the bid was within their budget of funding they had received from the state. Utilities Director Gilvarry advised it did go to the Utility Advisory Committee and they recommended approval.

Councilor Casey made a motion to approve Re-Bid #2023-19, Supervisory Control and Data Acquisition (SCADA) to I & C Solutions. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Barbara Casey	Yes
David Ulibarri	Yes		

City Clerk Fresquez advised the motion carried.

4. Request to award Re-Bid #2023-20 Trac Vac Sludge Removals to TLC Company Inc.

Utilities Director Gilvarry advised they had two bidders, TLC and Hays Plumbing and TLC had the lower bid and would also be a funded project that would exceed the funds they received from the state but they had budgeted enough to cover the project. Utilities Director Gilvarry advised the Utility Advisory Committee had looked at it and questioned why TLC was \$10,000 less expensive but Hays was local. Utilities Director Gilvarry advised it was a bid so they have to go with the lower bidder.

Councilor Casey made a motion to approve Re-Bid #2023-20 Trac Vac Sludge Removals to TLC Company Inc. Councilor Montoya seconded the motion.

Councilor Montoya recommended City Manager Maestas have someone from the Finance department attend a Utility Advisory Committee meeting to explain the process of bids to them.

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Barbara Casey	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

5. Discussion/Direction regarding future use of funds generated by cannabis.

Mayor Trujillo asked how much money the Cannabis industry has brought into Las Vegas.

City Manager Maestas advised they currently have \$98,960.36. City Manager Maestas advised it fluctuates depending on the time of year but he could get a breakdown.

Mayor Trujillo discussed fentanyl overdoses and the recent death of a high school student. Mayor Trujillo advised they should earmark the Cannabis monies to be used towards the Police department for drug enforcement and community outreach for kids and parents. Mayor Trujillo advised he means no disrespect but parents are oblivious as to what their kids are doing and how available drugs are to kids in schools and at parties. Mayor Trujillo discussed having drug enforcement to stop drugs from coming into the community, and funding to improve community outreach. Mayor Trujillo recommended the Cannabis money be earmarked specifically for the Police department for expenses to cover narcotics agents, to strengthen the narcotics division so they could arrest those who are in possession of any drugs and for community outreach and educational purposes.

Councilor Casey asked Police Chief Salazar if they have a Region IV Drug Task Force.

Police Chief Salazar advised they do, along with the San Miguel County Sheriff's Office and the District Attorney's Office, each agency has one officer.

Mayor Trujillo asked if it was possible to increase the number of agents.

Police Chief Salazar advised they have three vacancies in the Region Task Force.

Mayor Trujillo advised that other communities enforce their ordinances to include illegal possession of fentanyl. Mayor Trujillo advised they need to make it very clear to the community that it's not welcomed in our town.

Councilor Montoya asked if the first \$80,000 of funding was used.

City Manager Maestas advised he believed they discussed with the Police and Fire departments regarding a joint effort.

Councilor Montoya asked what has been done with the Police department's \$40,000.

Police Chief Salazar advised they spent about \$16,000 for drug enforcement memorabilia, say no to drugs campaign (be a leader not a follower), T-shirts for kids, a canopy that has the slogan and the Police departments number.

Councilor Montoya asked what the plan is for the other \$24,000.

Police Chief Salazar advised they wanted to have a joint collaboration with the Fire department to specifically reach the community.

Councilor Montoya asked what the Fire department's done with their \$40,000.

City Manager Maestas advised he didn't believe they had purchased any materials but he would confirm with the Fire Chief.

Councilor Montoya voiced his concerns regarding the \$80,000 being given 9 months ago and advised there should be programs at the Recreation Center for kids so they could stay away from drugs. Councilor Montoya advised they need to have more activities at Rodriguez Park for kids so it could help deter kids from drugs. Councilor Montoya mentioned having counseling sessions for kids, and opening the Police and Fire departments for kids to show them how things are done and what they could be.

Mayor Trujillo advised some of the money could be used to contract Special Agents to come to town and clean up the drugs. Mayor Trujillo would like to see a comprehensive plan in a month on how the money would be used, whether it's giving \$40,000 for after school programs at the Recreation Center, using \$60,000 to hire a drug agent to come or using \$30,000 for community outreach. Mayor Trujillo advised the point is they can't wait, they can't wait for another life in the community to be taken.

Councilor Casey advised that Councilor Montoya had good ideas and stated there are different entities in town that deal with parents and recommended the Police and Fire department to collaborate with them to educate parents about the dangers of drugs.

Mayor Trujillo advised he had a conversation with the Parks and Recreation Director regarding kids not going to the recreation center because of the cost. Mayor Trujillo advised the money could help to offset the costs at the recreation center or for little league so more kids could participate.

Councilor Montoya discussed Coach C'de Baca at West having summer camps and working with those types of groups to provide them with a class on drug prevention and then providing a luncheon for kids if they attended that class. Councilor Montoya asked if there was a 1-800 number to report any drugs to the Police department.

Mayor Trujillo advised they did have a drug tip hotline .

Councilor Montoya asked for that number to be advertised more. Councilor Montoya advised like the Mayor stated, he would like to see a plan. Councilor Montoya advised he would want to be a part of it if they did a subcommittee. Councilor Montoya asked when the next lump sum would be.

City Manager Maestas advised it comes in every month.

Councilor Ulibarri discussed having a flier for parents and kids to educate them on how bad the use of drugs are.

Mayor Trujillo advised Councilor Montoya to make a motion to have a focus group and present a plan. Mayor Trujillo advised for the Police department to be the main one to facilitate it and come back in a month with a plan on how to use the monies effectively.

Councilor Montoya made a motion to take the direction the Mayor gave to come up with a subcommittee to discuss and bring back to Mayor and Council in a month's time with a solution on how to spend the money, along with the schools, the Police department, Councilors, Recreation Center, City Manager and DA's Office. Mayor Trujillo advised he would be happy to help facilitate the meeting. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	David Ulibarri	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

EXECUTIVE SESSION

There was no need for executive session.

ADJOURN

Councilor Casey made a motion to adjourn. All were in favor.

City Clerk Fresquez advised the motion carried.

City Manager Maestas advised he finalized the paperwork with Mr. Litherland on the donation of three parcels of land and would like to discuss what they would like to do with those properties in the future.

Meeting adjourned at 6:44pm.

Mayor Louie A. Trujillo

ATTEST:

Casandra Fresquez, City Clerk



**CITY OF LAS VEGAS
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: 7/27/2023

Date Submitted: July 24, 2023

Department: Finance

Item/Topic: Approval of Resolution 23-21 to approve the final quarter report for 2022-2023 for submission to the Department of Finance & Administration, Local Government Division Requirements.



Fiscal Impact: N/A

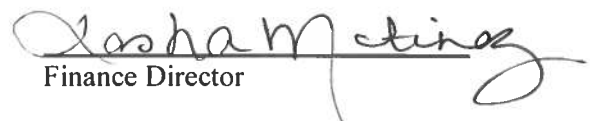
Attachments: Budget Recap Spreadsheet, DFA Summary.

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

Approved For Submittal By:

Reviewed By:


Department Director

City Manager


Finance Director

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____
Ordinance No. _____
Contract No. _____
Approved _____

Referred To: _____

Continued To: _____

Denied _____
Other _____

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 23-21

**A RESOLUTION FOR THE APPROVAL OF THE FINAL FY2022-2023
DFA REPORT**

WHEREAS, the Governing Body in and for the Municipality of the City of Las Vegas, State of New Mexico has developed the Final Quarter Report for Fiscal Year 2022-2023; and

WHEREAS, the final quarterly report has been reviewed and approved to ensure the accuracy of the beginning balances used on the fiscal year 2023-2024; and

WHEREAS, it is hereby certified that the contents in this report are true and correct to the best of our knowledge and that this report depicts all funds for fiscal year 2022-2023; and

WHEREAS, it is the majority opinion of this governing body the Final Budget meet the requirements as currently determined of Fiscal Year 2023-2024; and,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Las Vegas, that the recitals and any exhibits are incorporated herein by reference and the Governing Body hereby approves the aforementioned final quarterly report request and respectfully requests approval from the Local Governing Division of the Department of Finance and Administration.

ACCEPTED AND APPROVED this day _____ of July 2023.

Mayor Louie A. Trujillo

ATTEST:

Casandra Fresquez, City Clerk



**CITY OF LAS VEGAS
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: 7/27/23

Date Submitted: July 24, 2023

Department: Finance

Item/Topic: Approval of Resolution 23-22 to adopt the Final FY2023-2024 as per Department of Finance & Administration, Local Government Division Requirements.

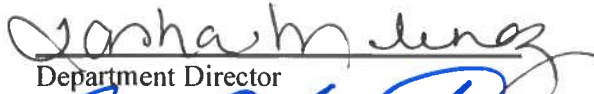
Fiscal Impact: FY2023-2024

Attachments: Resolution No. 23-22, Six (6) bound copies of the FY2023-2024 Budget Books.

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

Approved For Submittal By:

Reviewed By:


Department Director


Finance Director


City Manager

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____

Ordinance No. _____

Contract No. _____

Approved _____

Referred To: _____

Continued To: _____

Denied _____

Other _____

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 23-22

A RESOLUTION FOR THE FINAL BUDGET ADOPTION 2023-2024
FISCAL YEAR

WHEREAS, the Governing Body in and for the Municipality of the City of Las Vegas, State of New Mexico has developed a Final Budget for Fiscal Year 2023-2024; and

WHEREAS, said budget was developed on basis of need through cooperation with all user departments, elected officials and other department supervisors, City Administration and elected officials; and

WHEREAS, the official meeting for the review of said documents was posted publicly on July 26, 2023 in compliance with State Open Meetings Act; and

WHEREAS, it is the majority opinion of this governing body the Final Budget meet the requirements as currently determined of Fiscal Year 2023-2024; and,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Las Vegas, that the recitals and any exhibits are incorporated herein by reference and the Governing Body hereby approves the aforementioned final budget request and respectfully requests approval from the Local Governing Division of the Department of Finance and Administration.

ACCEPTED AND APPROVED this day _____ of July 2023.

Mayor Louie A. Trujillo

ATTEST:

Casandra Fresquez, City Clerk



**CITY OF LAS VEGAS
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: July 27, 2023

Date Submitted: 7/21/23

Department: Public Works

Item/Topic: Request rejection of bid received for RFB #2023-23 for Street and Drainage Improvements for Hot Springs Boulevard from Mills Avenue to Bernalillo Street.

Desert Fox, LLC was the sole bidder in the amount of \$1,190,029.00 The request to reject RFB # 2023-23 is due to the bid coming in over budget.

Fiscal Impact:

Attachments:

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

Approved For Submittal By:

Reviewed By:



Department Director

Finance Director



City Manager

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____
Ordinance No. _____
Contract No. _____
Approved _____

Continued To: _____
Referred To: _____
Denied _____
Other _____

CITY OF LAS VEGAS
RFP/BID/OPENING

DATE: 21-Jul-2023

OPENING NO.: 2023-23

TIME: 2:00 PM

DEPARTMENT: **PUBLIC WORKS**

LOCATION: City of Las Vegas Chambers
1700 N. Grand Ave.
Las Vegas, NM 87701

ITEM(S): **STREET AND DRAINAGE IMPROVEMENTS**
HOT SPRINGS BOULEVARD FROM MILLS TO MORA STREET
CDBG #21-C-NR-I-01-G-03

RECEIVED FROM:	AMOUNT	SUB CONTRACTOR LIST	BID BOND	AFFIDAVIT NOTARIZED	CAMPAIGN DISC. FORM
1 Desert Fox Paving	1,190,029.00	✓	✓	✓	✓
2					
3					
4					
5					
6					

COMPANY REPRESENTATIVE	COMPANY NAME
1 Desert Fox Paving Anthony Martin	CLV Purchasing
2 File	CLV Purchasing
3 Rita Campbell Stantec PM/Grant Spec.	Stantec
4 Margaret Silva	CLV - INVENTORY
5 Arnold Lopez CLV	CLV - PUBLIC WORKS
6 Wayland Oliver, Project Engineer	Stantec - Virtual Attende
7 Deanna Masceneanas, PMA	Stantec - Virtual Attende
8	
9	
10	

(use other side of form when full)
ORIGINALS TAKEN BY CITY CLERK:

Donna Simpson
DATE: 7.21.23

OPENED BY: FINANCE DEPARTMENT

Margaret Silva
DATE: 7-21-2023

COPIES TAKEN BY DEPT:

W.M.S.
DATE: 7.21-23

BID FORM
Lump Sum or Unit Price

BID FORMS
Section 00310

Project: **CITY OF LAS VEGAS
STREET AND DRAINAGE IMPROVEMENTS
HOT SPRINGS BOULEVARD FROM
MILLS AVENUE TO BERNALILLO STREET
CDBG #21-C-NR-I-01-G-03
STANTEC PROJECT #181712010/181711182**

IFB No. 2023-23

2:02 PM
JUL 21 2023
RECEIVED

Bidder:

Desert Fox, LLC
PO Box 1499
Peralta, NM 87042

This Bid is submitted to: City of Las Vegas
City Council Chamber,
Helen Vigil, Purchasing Officer
1700 North Grand Avenue
Las Vegas, NM 87701

1.0 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with the Owner in the form included in the Bidding Documents to perform and furnish all Work as specified or indicated in the Bidding Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

2.0 The Bidder accepts all of the terms and conditions of the Invitation for Bid and Instructions to Bidders, including without limitation those dealing with the disposition of bid security and other Bidding Documents. This Bid will remain subject to acceptance for 90 days after the day of Bid opening. The Bidder shall sign and submit the Agreement between Owner and Contractor (hereinafter called Agreement) with the bonds and other documents required by the Bidding Requirements within 15 calendar days after the date of the Owner's Notice to Award.

3.0 In submitting this Bid, the Bidder represents, as more fully set forth in the Agreement, that:

A. The Bidder has examined copies of all the Bidding Documents and of the following Addenda (receipt of all of which is hereby acknowledged):

No. 1 Dated 07/17/23

No. 2 Dated 07/19/23

No. _____ Dated _____

No. _____ Dated _____

B. The Bidder has familiarized himself with the nature and extent of the Bidding Documents, Work, site, locality, and all local conditions, laws, and regulations that in any manner may affect cost, progress, performance, or furnishing of the Work.

C. The Bidder has carefully studied all reports and drawings of subsurface conditions which are identified in the Information Available to Bidders and accepts the determination set forth in the Information Available to Bidders of the extent of the technical data contained in such reports and drawings upon which the Bidder is entitled to rely.

D. The Bidder has correlated the results of all such observations, examinations, investigations, explorations, tests, reports, and studies with the terms and conditions of the Bidding Documents.

E. The Bidder has given the Architect/Engineer written notice of all conflicts, errors, and discrepancies that he has discovered in the Bidding Documents, and the written resolution thereof by the Architect/Engineer is acceptable to the Bidder.

F. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; the Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; the Bidder has not solicited or induced any person, firm, or corporation to refrain from bidding; and the Bidder has not sought by collusion to obtain for himself any advantage over any other Bidder or over the Owner.

G. The Bidder acknowledges that he has attended any mandatory pre-bid conference scheduled by the Owner and/or the Architect/Engineer pertaining to this project.

H. The Bidder agrees to show clearly on the envelope in which the Bid is submitted the Project Name and Number, as well as Invitation for Bid Number.

I. The Bidder will complete the Work for the

following price(s) which do not include any gross receipts tax in the price(s):

4.0 Bids shall be presented in the form of a total Base Bid proposal under a lump sum contract plus any additive or deductive alternates that are selected by the Owner. A bid must be submitted on all bid items and alternatives. The Owner will not select segregated bids.

CONTRACTORS NAME:
CONTRACTORS LICENSE #:
(PLEASE TYPE OR PRINT)

Desert Fox, LLC
367698

PLEASE DO NOT RETYPE BID PROPOSAL - AN ELECTRONIC VERSION WILL BE PROVIDED UPON REQUEST.

CITY OF LAS VEGAS
2021 STREET AND DRAINAGE IMPROVEMENTS
HOT SPRINGS BOULEVARD FROM
MILLS AVENUE TO MORA STREET
CDBG #21-C-NR-I-01-G-03
STANTEC PROJECT #181711182
BID PROPOSAL

Bidder agrees to perform all of the work in said project, described in the Specifications and shown on the Plans for the following Unit Prices.

(Discrepancies between the multiplication of units of Work and unit prices will be resolved in favor of the unit prices. Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum.)

It is the responsibility of the Contractor to verify unit bid prices, subtotals, and totals when submitting Bid Proposal. Stantec is not responsible for any errors occurring in this submission.

BASE BID

ITEM #	UNIT	DESCRIPTION	UNIT BID PRICE	TOTAL
203000	1,190 CU. YD.	UNCLASSIFIED EXCAVATION	\$35.00 -	Dollars & Cents \$ 41,650.00 -
203211	373 SQ. YD.	UNSTABLE SUBGRADE STABILIZATION	\$150.00 -	Dollars & Cents \$ 55,950.00 -
207000	3,730 SQ. YD.	SUBGRADE PREPARATION	\$7.00 -	Dollars & Cents \$ 26,110.00 -
303160	3,730 SQ. YD.	BASE COURSE 6"	\$19.00 -	Dollars & Cents \$ 70,870.00 -
408100	7 TON	PRIME COAT MATERIAL	\$4200.00 -	Dollars & Cents \$ 29,400.00 -
416025	3,710 SQ. YD.	HMA SP IV 3"	\$36.00 -	Dollars & Cents \$ 133,560.00 -

\$ 357,540.00 -

BASE BID

ITEM #	UNIT	DESCRIPTION	UNIT BID PRICE	TOTAL
451060	30 SQ. YD.	CONCRETE PAVEMENT CLASS AA 6"	\$ 815.00	Dollars & Cents \$ 24,450.00 -
570018	530 LIN. FT.	18" CULVERT PIPE	\$ 80.00 -	Dollars & Cents \$ 42,400.00 -
601000	1 L.S.	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	\$ 51,000.00	Dollars & Cents \$ 51,000.00 -
603000	1 L.S.	SWPPP PLAN, PREPARATION & MAINTENANCE	\$ 5,500.00	Dollars & Cents \$ 5,500.00 -
603262	100 LIN. FT.	COMPOSTED MULCHSOCK	\$ 4.00 -	Dollars & Cents \$ 400.00 -
604310	3,710 SQ. YD.	GEOGRID BASE REINFORCEMENT	\$ 28.00 -	Dollars & Cents \$ 103,880.00 -
608004	480 SQ. YD.	CONCRETE SIDEWALK 4"	\$ 155.00 -	Dollars & Cents \$ 62,000.00 -
608106	400 SQ. YD.	CONCRETE DRIVEPAD 6"	\$ 175.00 -	Dollars & Cents \$ 70,000.00 -
609424	510 LIN. FT.	CONCRETE VERTICAL C&G TYPE B 6" X 24"	\$ 80.00 -	Dollars & Cents \$ 40,800.00 -
609636	52 LIN. FT.	CONCRETE VALLEY GUTTER 6" X 36"	\$ 102.00 -	Dollars & Cents \$ 5,304.00 -
609706	170 LIN. FT.	CONCRETE LAYDOWN CURB 6"	\$ 130.00	Dollars & Cents \$ 22,100.00 -
618000	1 L.S.	TRAFFIC CONTROL MANAGEMENT	\$ 75,000.00	Dollars & Cents \$ 75,000.00 -
621000	1 L.S.	MOBILIZATION	\$ 75,000.00	Dollars & Cents \$ 75,000.00 -
623332	1 EACH	CDI TYPE II-B OVER 4'	\$ 46,000.00	Dollars & Cents \$ 46,000.00 -

TOTAL - THIS PAGE:

\$ 623,834.00 -

BASE BID

ITEM #	UNIT	DESCRIPTION	UNIT BID PRICE	TOTAL
623520	1 L.S.	SPECIAL CONCRETE CHANNEL DRAIN, 2.0'Wx2.0'Hx47.8'L W/ GRATE ON TOP	\$ 41,000.00	Dollars & Cents \$ 41,000.00 -
623600	1 L.S.	JUNCTION BOX	\$ 57,000.00	Dollars & Cents \$ 57,000.00 -
662400	2 EACH	MANHOLE ADJUSTMENT	\$ 4,850.00	Dollars & Cents \$ 9,700.00 -
663850	3 EACH	WATER VALVE ADJUSTMENT	\$ 3,425.00	Dollars & Cents \$ 10,275.00 -
702810	1 L.S.	TRAFFIC CONTROL DEVICES FOR CONSTRUCTION	\$ 14,000.00	Dollars & Cents \$ 14,000.00 -
704000	1,550 LIN. FT.	RETROREFLECTORIZED PAINTED MARKINGS 4"	\$ 6.00 -	Dollars & Cents \$ 9,300.00 -
704706	630 LIN. FT.	HOT THERMOPLASTIC MARKINGS 12"	\$ 14.00 -	Dollars & Cents \$ 8,820.00 -
704704	80 LIN. FT.	HOT THERMOPLASTIC MARKINGS 24"	\$ 32.00 -	Dollars & Cents \$ 2,560.00 -
801000	1 L.S.	CONSTRUCTION STAKING BY CONTRACTOR	\$ 24,000.00	Dollars & Cents \$ 24,000.00 -
903000	1 L.S.	QUALITY ASSURANCE TESTING	\$ 32,000.00	Dollars & Cents \$ 32,000.00 -

TOTAL - THIS PAGE:

\$ 208,655.00 -

TOTAL - BASE BID:

\$ 1,190,029.00 -

BID SUMMARY

BASE BID

(\$ 1,190,029.00)

TOTAL PROJECT

(\$ 1,190,029.00)

Note: Gross receipts not included.

Respectfully Submitted:

Beverly Zastrow

Name

Managing Member

Title

367698

Contractor's License Number

P O Box 1499, Peralta, NM 87042

Address

07/21/23

Date

Contractor's Registration Number

[SEAL] If by Corporation:

Steve John

Attest:

5.0 The Bidder agrees that:

A. The Work to be performed under this Contract shall be commenced not later than 10 consecutive calendar days after the date of written Notice to Proceed, and that Substantial Completion shall be achieved not later than Seventy-Five (75) calendar days after the date of written Notice to Proceed, except as hereafter extended by valid written Change Order by the Owner.

B. Should the Contractor neglect, refuse, or otherwise fail to complete the Work within the time specified, the Contractor agrees to pay to the Owner in partial consideration for the award of this Contract the amount of **One Thousand Dollars (\$1,000.00)** per consecutive calendar day, not as a penalty, but as liquidated damages for such breach of the Contract.

C. The above prices shall include all labor, materials, removal, overhead, profit, insurance, taxes (not including gross receipts tax), etc., to cover the finished work of the several kinds called for. Changes shall be processed in accordance with the Contract Documents.

D. It is understood that the Owner reserves the right to reject any or all Bids and to waive any technical irregularities in the bidding.

6.0 The following documents are attached to and made a condition of this Bid:

8.0 If the Bidder is

A. An **INDIVIDUAL**:

By _____
(Individual's Signature)

doing business as _____

Business address: _____

Telephone: (____) _____ Fax: (____) _____

[Seal]

- A. Bid Bond
- B. Bid Security with Agent's Affidavit
- C. Subcontractors Listing & NMDWS Registration form.
- D. Certification of Bidder Regarding Equal Employment Opportunity, Form 950.1
- E. Certification of Bidder Regarding Section 3 and Segregated Facilities
- F. Section 3 Plan
- G. Table A Proposed Subcontracts Breakdown
- H. Table B Estimated Project Workforce Breakdown
- I. Active or "in progress" status in the System of Award Management (sam.gov) for contractor and subcontractor(s)
- J. Other (list):

7.0 The terms used in this Bid and the Bidding and Contract Documents which are defined in the Conditions of the Construction Contract (General, Supplementary, and Other Conditions), included as part of the Bidding Documents, have the meanings assigned to them in those Conditions.

B. A PARTNERSHIP:

By _____
(Firm Name)

(General Partner's Signature)

Business address: _____

Telephone: () _____ Fax: () _____ [Seal]

C. A CORPORATION:

Corporation Name: Desert Fox, LLC

State of Incorporation: New Mexico

By: Beverly Zastrow Title: Managing Member
(Name of Person Authorized to Sign)

If a New Mexico Corporation: _____
NM Certificate of Incorporation Number

If a Foreign Corporation: _____
NM Certificate of Authority Number

Attest (Secretary): 

Business address: P O Box 1499, Peralta, NM 87042

Telephone: (505) 892-5400 Fax: (505) 869-1937

D. A JOINT VENTURE:

By _____
(Name)

Address: _____

Telephone: () _____ Fax: () _____

By _____
(Name)

Address: _____

Telephone: () _____ Fax: () _____

[Each Joint Venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated in the appropriate category]

BIDDER MUST FILL IN THE FOLLOWING (If none, write none)
--

NM License N°.	<u>367698</u>	Classification(s)	<u>GB-98, GA-1, GA-4</u>
Resident Contractor's Preference N°.	<u>Not Applicable for this Project</u>	Workforce Solutions Dept. Registration N°.	<u>0219522012222</u>

System of Award Management Registration No.
(CAGE Number or DUNS Number) DUNS No. 060400726

Federal Employer Tax ID No. 90-0611289

State of New Mexico Tax ID No. 03-199598-00-5

BID BOND

SUPPLEMENTS TO BID FORMS
Section 00420

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, Desert Fox, L.L.C.
as Principal, and Granite Re, Inc. as Surety, are hereby held and firmly bound unto
City of Las Vegas, NM as Owner in the penal sum of
Five percent of bid amount (5%) for which, well and truly to be made, we hereby jointly and severally bind
ourselves, our heirs, executives, administrators, successors and assigns.

SIGNED, this 21st day of July, 2023.

The condition of the above obligation is such that whereas the Principal has submitted to the Owner a certain Bid,
attached hereto and hereby made a part hereof to enter into a contract in writing,
for (Project) 2021 Street & Drainage Improvements Hot Springs Blvd From Mills Ave. to Mora Street / #: 181711182

NOW, THEREFORE,

- A. If said Bid shall be rejected, or in the alternate,
- B. If said Bid shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract, attached hereto (properly completed in accordance with said Bid) and shall furnish a Bond (Bid Security) for the faithful performance of said Contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid.

Then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to signed by their proper officers, the day and year first set forth above.

Principal: Desert Fox, L.L.C. (L.S.)

Surety: Granite Re, Inc.

[Seal]

By: Melynn Young
Melynn Young, Attorney-in-Fact

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, Beverly Zastrow, certify that I am the Managing Member, Secretary of the Corporation named as Principal in this bond, that Beverly Zastrow who signed the bond on behalf of the Principal was then Managing Member of said corporation; that I know his/her signature, and his/her signature thereto is genuine; and that said bond was duly signed, sealed, and attested to for and on behalf of said corporation by authority of this governing body.

Beverly Zastrow
Title: Managing Member

[Corporate Seal]

BID SECURITY REVIEW FORM

SUPPLEMENTS TO BID FORMS
Section 00421

1. **Review and Approval:** This Bond has been executed by a Surety named in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies," as published in Circular 570 (July 1st edition) by the Audit Staff Bureau of Accounts, United States Treasury Department.

☐ Yes ☐ No (If No, report to Funding Agency immediately)

2. I, as Owner's Representative, have verified with (Name of Contact) _____ of the Office of the Superintendent of Insurance, 1-855-427-5674 that the Surety Company listed on the Bid Bond is licensed/authorized to do business in the state of New Mexico in accordance with §§ 13-1-46 and §§ 13-4-18 NMSA 1978. If source of verification is other than the State Corporation Commission, Insurance Division, identify the source document below and publication date.

(Name of Source Document) Dated: _____

(Signature of Owner's Representative) Date _____

AGENT'S AFFIDAVIT

SUPPLEMENTS TO BID FORMS
Section 00422

This Form Must Be
Used By Surety

[To be filled in by Agent]

STATE OF Oklahoma)
) ss.
COUNTY OF Oklahoma)

Melynn Young, being first duly sworn, deposes and says that he/she is the duly
appointed agent for Federated Insurance
and is licensed in the State of New Mexico.

Deponent further states that a certain bond given to indemnify the Owner in connection
with the construction of 2021 Street & Drainage Improvements Hot Springs Blvd From Mills Ave. to Mora Street #B 181711182

dated the 21st day of July, 20 23, executed by
Desert Fox, L.L.C., Contractor, as principal, and Granite Re, Inc.

, as surety, signed by this Deponent; and Deponent further states that said bond was written, signed, and
delivered by him/her; that the premium on the same has been or will be collected by him/her; and that the full
commission thereon has been or will be retained by him/her.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21st DAY OF July,
20 23.

NOTARY PUBLIC

Glenda S. Cohrs
Glenda S. Cohrs

MY COMMISSION EXPIRES: 03/08/2027

[Seal]

Agent's Address:

14001 Quailbrook Drive
Oklahoma City, OK 73134
Telephone (405) 752-2600 Fax (405) 749-6800



[This form must be used for all bonds required in the Bidding Documents. Power of Attorney for person signing for Surety Company must
be attached to bond]

GRANITE RE, INC.
GENERAL POWER OF ATTORNEY

Know all Men by these Presents:

That GRANITE RE, INC., a corporation organized and existing under the laws of the State of MINNESOTA and having its principal office at the City of OKLAHOMA CITY in the State of OKLAHOMA does hereby constitute and appoint:

MELYNN YOUNG its true and lawful Attorney-in-Fact(s) for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said GRANITE RE, INC. a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said GRANITE RE, INC. through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said:

MELYNN YOUNG may lawfully do in the premises by virtue of these presents.

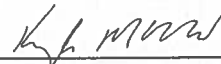
In Witness Whereof, the said GRANITE RE, INC. has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Assistant Secretary, this 3rd day of January, 2020.

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)





Kenneth D. Whittington, President

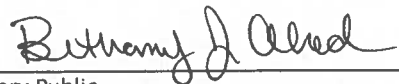


Kyle P. McDonald, Assistant Secretary

On this 3rd day of January, 2020, before me personally came Kenneth D. Whittington, President of the GRANITE RE, INC. Company and Kyle P. McDonald, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said Kenneth D. Whittington and Kyle P. McDonald were respectively the President and the Assistant Secretary of GRANITE RE, INC., the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so fixed by order of the Board of Directors of said corporation, and that they signed their name thereto by like order as President and Assistant Secretary, respectively, of the Company.

My Commission Expires:
April 21, 2027
Commission #: 11003620





Notary Public

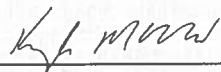
GRANITE RE, INC.
Certificate

THE UNDERSIGNED, being the duly elected and acting Assistant Secretary of Granite Re, Inc., a Minnesota Corporation, HEREBY CERTIFIES that the following resolution is a true and correct excerpt from the July 15, 1987, minutes of the meeting of the Board of Directors of Granite Re, Inc. and that said Power of Attorney has not been revoked and is now in full force and effect.

"RESOLVED, that the President, any Vice President, the Assistant Secretary, and any Assistant Vice President shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the Company in the course of its business. On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the Company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

IN WITNESS WHEREOF, the undersigned has subscribed this Certificate and affixed the corporate seal of the Corporation this
21st day of July, 2023.





Kyle P. McDonald, Assistant Secretary

SUBCONTRACTORS LISTING, NMDWS REGISTRATION, & ASSIGNMENT OF ANTITRUST CLAIMS

Project: CITY OF LAS VEGAS
2021 STREET AND DRAINAGE IMPROVEMENTS
HOT SPRINGS BOULEVARD FROM
MILLS AVENUE TO MORA STREET
CDBG #21-C-NR-I-01-G-03

Project No. 181711182

1.0 SUBCONTRACTORS LISTING, NMDWS REGISTRATION, & ASSIGNMENT OF ANTITRUST CLAIMS [by Contractor, Subcontractors, Sub-Subcontractors, and Suppliers]

1.1 To be fully executed and included with Bid as a condition of the Bid, including all Subcontractors providing services valued at \$5,000 or more, pursuant to §13-4-34 NMSA 1978.

1.2 To be signed after award of Contract by individual empowered to obligate Supplier, Subcontractor, or Sub-subcontractor.

1.3 See Instructions to Bidders, subsection 4.5 of section 00100, Subcontractors, for rules regarding changes in this list after bidding.

1.4 The undersigned agrees that any and all claims which the firm may have or may incur to it for overcharges resulting from antitrust violations as to goods, services, and materials purchased in

connection with the above-referenced project are hereby assigned to the Owner, but only to the extent that such overcharges are passed on to the Owner. It is agreed that the firm retains all rights to any such antitrust claims to the extent of any overcharges not passed on to the Owner, including the right to any treble damages attributable thereto.

1.5 A contractor or subcontractor that submits a bid valued at more than \$60,000 for a public works project subject to the Public Works Minimum Wage Act shall be registered with the Labor and Industrial Division of the Workforce Solutions Department (NMDWS) (formerly the Department of Labor (DOL)). The Owner shall not accept a bid on a public works project from a Contractor that does not provide proof of required registration for itself. Contractors, prime contractors and subcontractors must be registered with the NMDWS (§13-4-13.1 NMSA 1978).

Company Name of Contractor/Subcontractor	Email and phone number	NMDWS Registration No	DUNS number	SAMs registration number
Breakline Engineering	jonathon@breaklineengineering.com 505-469-0899	28310476382018	08-132-3293	CAGE 85GS7
ROAD SAFE SYSTEMS	ccatlin@highwaysupply.net	22610844182023	80846-1615-1R4	GS4VHFL4JE63
Caldon Seeding	lenhoran@rocketmail.com	01679820101127		7KAN5

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
**CERTIFICATION OF BIDDER REGARDING
EQUAL EMPLOYMENT OPPORTUNITY**

INSTRUCTIONS

This certification is required pursuant to Executive Order 11246 (30 F. R. 12319-25). The implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and, if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicates that the bidder has not filed a compliance report due under applicable instructions, such bidder shall be required to submit a compliance report within seven calendar days after bid opening. No contract shall be awarded unless such report is submitted.

CERTIFICATION BY BIDDER

NAME AND ADDRESS OF BIDDER *(Include ZIP Code)*

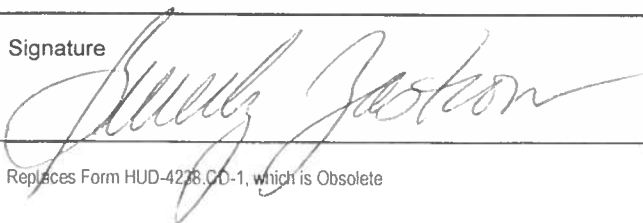
Desert Fox, LLC
Po Box 1499
Peralta, NM 87042

- | | |
|---|---|
| 1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Compliance reports were required to be filed in connection with such contract or subcontract | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Bidder has filed all compliance reports due under applicable instructions, including SF-100. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

(Name And Title Of Signer Please type)

Beverly Zastrow Managing Member

Signature



Date

07/21/23

**CERTIFICATION OF BIDDER REGARDING SECTION 3
AND SEGREGATED FACILITIES**

SUPPLEMENTS TO BID FORMS
Section 00441

Desert Fox, LLC

Name of Prime Contractor

21-C-NR-I-01-G-03

Project Number

CITY OF LAS VEGAS
2021 STREET AND DRAINAGE IMPROVEMENTS
HOT SPRINGS BOULEVARD FROM
MILLS AVENUE TO MORA STREET
CDBG #21-C-NR-I-01-G-03

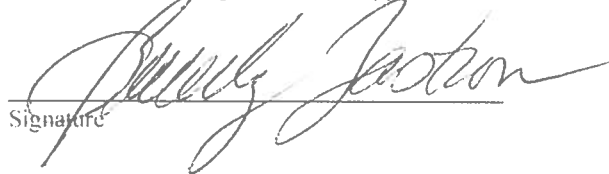
Project Name

The undersigned hereby certifies that:

- (a) Section 3 provisions are included in the Contract.
- (b) A written Section 3 plan was prepared and submitted as part of the bid proceedings (if bid equals or exceeds \$10,000).
- (c) No segregated facilities will be maintained.

Beverly Zastrow Managing Member

Name and Title of Signer (Print or Type)



Signature

07/21/23

Date

CONTRACTOR - SECTION 3 PLAN FORMAT

Desert Fox, LLC (Name of contractor) agrees to implement the following specific affirmative action steps directed at increasing the utilization of lower income residents and businesses with the Municipality/County of Las Vegas, New Mexico.

A. To ascertain from the locality's CDBG program official the exact boundaries of the Section 3 covered project area and where advantageous, seek the assistance of local officials in preparing and implementing the affirmative action plan.

B. To attempt to recruit from within the municipality or county (as applicable), the necessary number of lower income residents through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area such as Service Employment and Redevelopment (SER), Opportunities Industrialization Center (OIC), Urban League, Concentrated Employment Program, Hometown Plan, or the U. S. Employment Service.

C. To maintain a list of all lower income residents who have applied either on their own or on referral from any source, and to employ such persons, if otherwise eligible and if a vacancy exists.

D.* To insert this Section 3 Plan in all bid documents, and to require all bidders on subcontracts to submit a Section 3 affirmative action plan including utilization goals and the specific steps planned to accomplish these goals.

E.* To ensure that subcontracts which are

typically let on a negotiated rather than a bid basis in areas other than Section 3 covered project areas are also let on a negotiated basis, however, feasible, when let in a Section 3 covered project area.

F. To formally contact unions, subcontractors, and trade associations to secure their cooperation for this program.

G. To ensure that all appropriate project area business concerns are notified of pending sub-contractual opportunities.

H. To maintain records, including copies of correspondence, memoranda, etc., which document that all of the above affirmative action steps have been taken.

I. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of this Section 3 plan.

J. To list on Table A, information related to subcontracts to be awarded.

K. To list on Table B, all projected workforce needs for all phases of this project by occupation, trade, skill level, and number of positions.

* Loans, grants, contracts, and subsidies for less than \$10,000 will be exempt.

As officers and representatives of (name of contractor) Desert Fox, LLC, we the undersigned have read and fully agree to this Affirmative Action Plan, and become party to the full implementation of this program.



Signature

Managing Member

Title

07/21/23

Date

Signature

Title

Date

TABLE A
PROPOSED SUBCONTRACTS BREAKDOWN

For the Period Covering _____, 20____ through _____, 20____
[Duration of the CDBG-Assisted Project]

[illegible]

* The Project Area is coextensive with the Municipality/County of Las Vegas's boundaries.

Desert Fox, LLC
Company

2021 Street & Drainage Improvements

Project Name

Project Number

EEO Officer (Signature)

Date _____

**TABLE B
ESTIMATED PROJECT WORKFORCE BREAKDOWN**

Column 1	Column 2	Column 3	Column 4	Column 5
Job Category	Total Estimated Positions	Number Positions Currently Occupied by Permanent Employees	Number Positions Not Currently Occupied	Number Positions to be filled with LIPAR*
Officers/Supervisors	2	2	0	0
Professionals	2	2	0	0
Technicians	0	0	0	0
Housing Sales/Rental Management	0	0	0	0
Office Clerical	2	2	0	0
Service Workers	0	0	0	0
Others				
TRADE:				
Journeyman				
Helpers				
Apprentices				
Maximum Number of Trainees				
Others				
TRADE:				
Journeyman				
Helpers				
Apprentices				
Maximum Number of Trainees				
Others				

*Lower Income Project Area Residents. Individuals residing within the Municipality/County of Las Vegas whose family income does not exceed 80% of the median income of the State.

Desert Fox, LLC
Company

NON-COLLUSION AFFIDAVIT

TO BE EXECUTED BY EACH AWARDEE OF A PRINCIPAL CONTRACT

)
)ss
)

Beverly Zastro, being first duly sworn, deposes and says that he is
Managing Member
(sole owner, a partner, president, secretary, etc.)

of Desert Fox, LLC
the party making the foregoing bid; that such a bid is not made in the interest of or on behalf of any undisclosed person, partnership, company association, organization, or corporation; that such a bid is genuine and not collusive or sham; that said bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, nor that anyone shall refrain from bidding; that said bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of said bidder or of any other bidder, nor to fix any overhead, profit, or cost element of such bid price, nor of that of any other bidder, nor to secure any advantage against the public body awarding the contract or anyone interested in the proposed contract; that all statements contained in such bid are true; and, further, that said bidder has not directly or indirectly, submitted his bid price or any breakdown thereof, nor the contents thereof, nor divulged information or data relative thereto, nor paid and will not pay fee in connection therewith to any corporation, partnership, company, association, organization, bid depository, nor any member or agent thereof, nor any to any other individual except to such person or persons as have a partnership or other financial interest with said bidder in his general business.

Signed:

By

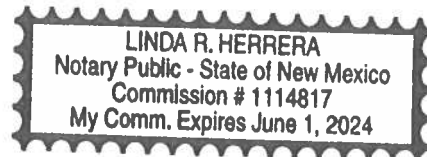
Title

Beverly Zastro
Managing Member

Subscribed and sworn before me this 20th day of July, 2023

Seal of Notary

Linda R. Herrera
NOTARY PUBLIC



GROSS RECEIPTS NOTIFICATION AND REQUEST

Under Taxation and Revenue Regulations, Contractors are required to report their gross receipts under the location of the construction activity.

For construction within the City of Las Vegas, the location number to be used on the monthly CRS-1 report form is 12-122 (current 2023 rate 8.1458%).

In order to properly track the Gross Receipts Tax portion that the State of New Mexico remits to the City of Las Vegas, we would appreciate a copy of your CRS-1 report be mailed or faxed to the following address:

City of Las Vegas
1700 N. Grand Ave.
Las Vegas, NM 87701
Fax: 505-425-7335

Copies of reports received will be kept confidential. Thank you in advance for your cooperation.

Acknowledged receipt of this form:

Steven Johnson

Contractor Representative

REQUEST FOR BIDS

The City of Las Vegas, New Mexico will open Sealed Bids at 2:00 p.m., July 21, 2023, at the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico, (Phone Conference Call in available Call in No: (833) 436-6264; Conference ID: 112 366 253#) or other designated area at the City Offices; ON THE FOLLOWING:

**CITY OF LAS VEGAS
2021 STREET AND DRAINAGE IMPROVEMENTS
HOT SPRINGS BOULEVARD FROM
MILLS AVENUE TO MORA STREET
CDBG #21-C-NR-I-01-G-03
STANTEC PROJECT #181711182**

Prospective bidders must attend a Pre-Bid Conference which will be held at City of Las Vegas, Department Conference Room, 1700 N. Grand Avenue, Las Vegas, NM 87701 on July 6, 2023 at 11:00 a.m. Phone Conference Call in available Call in No: (833) 436-6264; Conference ID: 304 019 769#

The BIDDING FORMS AND TECHNICAL SPECIFICATIONS may be examined at the following location: City Clerk's Office at 1700 North Grand Avenue, Las Vegas, NM 87701 or www.lasvegasnm.gov

Copies of the BIDDING FORMS AND TECHNICAL SPECIFICATIONS may be examined at the following location: Stantec: Email: Deanna.mascarenas@stantec.com or by calling 505-349-8453.

Mailed bids should be addressed to the City Clerk, 1700 N. Grand Ave., Las Vegas, New Mexico 87701; with the envelope marked: **Hot Springs Road Reconstruction Project from Mills Ave to Mora Street** Opening No. 2023-23; on the lower left-hand corner of the submitted envelope. It shall be the responsibility of the Offeror to see that their bid is delivered to the **City Clerk** by the date and time set for the bid request. If the mail or delivery of bid request is delayed beyond the opening date and time, bid thus delayed will not be considered. A public opening will be held and any bidder or their authorized representative is invited to attend.

CITY OF LAS VEGAS,

The City of Las Vegas reserves the right to ~~reject any or all bids submitted.~~
Leo Maestas, City Manager

City Attorney

Casandra Fresquez, City Clerk

Tasha Martinez, Finance Director

Helen Vigil, Purchasing Officer

Opening No. 2023-23 Date Issued: 06/08/2023

Published: LAS VEGAS OPTIC June 23, 2023
ALBUQUERQUE JOURNAL June 17, 2023
www.lasvegasnm.gov June 17, 2023

BIDDER INFORMATION

OFFEROR:

AUTHORIZED AGENT: Beverly Zastrow

ADDRESS: P O Box 1499, Peralta, NM 87042

TELEPHONE NUMBER (505) 892-5400

FAX NUMBER (505) 869-1937

DELIVERY: _____

STATE PURCHASING RESIDENT CERTIFICATION NO.: _____

NEW MEXICO CONTRACTORS LICENSE NO.: 367698

BID ITEM (S): Hot Springs Road Reconstruction Project

ITEM (S) UNDER THIS BID ARE TO BE F.O.B. LAS VEGAS, NEW MEXICO 87701. THE CITY OF LAS VEGAS RESERVES THE RIGHT REJECT ANY OR ALL BIDS AND TO WAIVE ANY TECHNICAL IRREGULARITY IN THE FORM OF THE BID.

AFFIDAVIT FOR FILING WITH COMPETITIVE BID

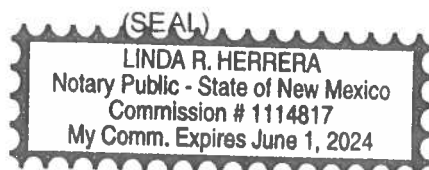
STATE OF New Mexico }

COUNTY OF Valencia } ss

I, Beverly Zastrow, being of first duly sworn, state under penalty of perjury that I am at least eighteen years of age, and am the agent authorized by the bidder to submit the attached bid. Affiant further states that the bidder has not been a party to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any city official or employee as to the terms of said prospective contract, or any other terms of said prospective contract; or in any discussion between bidders with any city official concerning an exchange of money or any other thing of value for special consideration in the letting of a contract.

Beverly Zastrow
Signature

Subscribed and sworn to before me, this 20th day of July, 2023.



Linda R. Herrera
Notary Public Signature

My Commission Expires: 06/01/2024

STANDARD BID CLAUSES

AWARDED BID

Awarding of bid shall be made to the responsible Bidder whose Bid best meets the required specifications. The City of Las Vegas (City) reserves the right to reject or accept any of all Bid specifications and to waive any insubstantial irregularity in the form of the Bid.

TIMETABLE

Bid pursuant to this request must be received at the City Clerk's Office at 1700 North Grand Avenue, Las Vegas, New Mexico, on or before: July 21, 2023; 2:00 p.m.; at which time all bids received will be opened. Phone Conference Call in available Call in No: (833) 436-6264; Conference ID: 112 366 253#
An opening will occur at the City's Council Chambers or other designated area at the City Offices. Awarding of Bid is projected for August 2023. The successful Bidder will be notified by mail.

ENVELOPES

Sealed Bid envelopes shall be clearly marked on the lower left-hand corner, identified by the Bid Name and Opening Number. Failure to comply with this requirement may result in the rejection of the submitted Bid.

BRIBERY AND KICKBACK

The Procurement Code (NMSA 13-1-28 through 13-1-199) imposes a third degree felony penalty for bribery of a public official or public employee. In addition, the New Mexico Criminal Statutes (NMSA 30-24-1 and 30-24-2) state that it is a third degree felony to commit the offense of demanding or receiving a bribe by a public official or public employee, and it is a fourth degree felony to commit the offense of soliciting or receiving illegal kickbacks. NMSA 30-41-1 through 30-41-3 include that it is a fourth degree felony to commit the offense of offering or paying illegal kickbacks.

NON-COLLUSION

In signing their Bid and Affidavit, the Bidder certifies that he/she has not, either directly or indirectly, entered into action of restraint of free competition, in connection with the submitted bid.

RESPONSIBILITY OF BIDDER

At all times it shall be the responsibility of the Bidder to see that their bid is delivered to the City Clerk by the Date and Time scheduled for opening. If the mail or delivery of said Bid is delayed beyond the scheduled opening date and time set, this bid will not be considered.

CLARIFICATION OF BID

Bidder requiring clarification or interpretation of Bid specifications shall make a written request to the Department involved in this bid request at least five (5) days prior to the scheduled bid opening date; with a copy forwarded to the Finance Department. Any interpretation, corrections, or changes of said Bid Specifications, Opening Date, or Time Change will be made by Addendum only. Interpretations, Corrections or changes of said Bid made in any other manner will not be binding and the Bidder shall not rely upon such interpretation, corrections and changes.

MODIFICATION OF BID

Bids may be withdrawn upon receipt of written request prior to the scheduled bid opening for the purpose of making any corrections or changes. Such corrections must be properly identified and signed or initialed by the Bidder. Resubmission must be prior to the scheduled bid opening time in order to be considered. After bid opening, no price modifications of submitted bids or other provisions shall be permitted.

WITHDRAWAL OF BID

A low Bidder alleging a material mistake of fact, after bids have been opened may request their bid be withdrawn upon receipt of a written request to the Finance Department prior to the scheduled awarding date.

INSPECTION

Final inspection and acceptance will be made at the City's discretion. Products rejected for nonconformance with the specifications shall be removed by the Bidder, at his/her risk and expense promptly after notice of rejection.

FEDERAL TAX IDENTIFICATION NUMBER

Pursuant to IRS requirements, Bidder shall provide their Federal Tax ID Number if Bidder is incorporated. If Bidder is a sole proprietorship or partnership they then shall provide their Social Security Number.

FEDERAL TAX ID NUMBER: 90-0611289
SOCIAL SECURITY NUMBER: _____

NEW MEXICO TAX IDENTIFICATION NUMBER

Payment may be withheld under (Section 7-10-5, N.M.S.A. 1978) if you are subject to New Mexico Gross Receipts Tax and have not registered for New Mexico (CRS) Tax Identification Number. Contact the New Mexico Taxation & Revenue Department at (505) 827-0700 for registering instructions.

NEW MEXICO TAX IDENTIFICATION NO. (CRS): 03-199598-00-5

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

The Bidder shall submit a complete Campaign Contribution Disclosure Form Pursuant to NMSA 13-1-191.1, as amended.

COMMERCIAL WARRANTY

The Bidder agrees that the products or services furnished under a Purchase Order shall be covered by the most favorable commercial warranties that the Bidder gives to any customer for such products or services. And that the rights and remedies provided therein shall extend to the City and are in addition to and do not limit any rights afforded to the City by any other clause of its Purchase Order. Bidder agrees not to disclaim warranties of fitness for any particular purpose or merchantability.

Furthermore, Bidder agrees that its warranty for all products furnished under a Purchase Order pursuant to this Call for Bids shall be for a period of one year following the installation of said products by others. The Bidder agrees that prior to receiving payment, Bidder shall provide to the City written notice by the City's Engineer that the products have been installed correctly and have been demonstrated to be capable of performing their intended function.

SPECIAL NOTICE

To preclude possible errors and/or misinterpretations, bid prices must be affixed in ink or typewritten legibly. Enclose one (1) original and five (5) copies of Bid documents. Failure to comply with this requirement may result in the rejection of the submitted Bid.

LABELS

Bidder is required to tab pages which include the following: Notarized Affidavit, Signed Campaign Contribution form, Subcontractor list, Bid bond if applicable and total bid amount page.

DEFAULT

The City reserves the right to cancel all or any part of an order without cost to the City if the Bidder fails to meet the provision of the City's Purchase Order or the product specifications and to hold the Bidder liable for any excess costs occasioned due to the Bidder's default. The Bidder shall not be liable for any excess costs if failure to perform on an order arises out of cause beyond the control and without fault or negligence of the Bidder. Such causes include but are not restricted to acts of GOD or public enemy; acts of State or Federal Government; fires, floods, epidemics, quarantine restrictions, strikes, embargoes, unusually severe weather, or defaults of subcontractors. Due to any of the above, unless the City shall determine that the supplies or services to be furnished by the subcontractor are obtainable from other sources in the City, this paragraph shall not be exclusive and shall be in addition to any other rights now being provided by law.

BID PROTESTS

If any bidder is of the opinion that the specifications as written preclude him/her from submitting a bid, his/her opinion should be made known to the Department involved in this bid request at least fifteen (15) days prior to the scheduled bid opening date with a copy forwarded to the Finance Department. Bid protests will not be considered from parties who do not also furnish satisfactorily documentation with their protest that their proposed system fully meets the functional intent of the TECHNICAL SPECIFICATIONS which accompany a Call for Bids.

NON-EXCLUSION

Specifications of the bid request are not meant to exclude any Bidder or Manufacturer. Where a brand name or equal is indicated, it is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to restrict competition. "No Substitute" specifications may be authorized, only if required to match existing equipment.

If any Bidder is of the opinion that the specifications as written preclude him/her from submitting a bid, his/her opinion should be made known to the Department involved in this bid request at least five (5) days

prior to the scheduled bid opening date, with a copy forwarded to the Finance Department.

Brand names and numbers are for reference only and equivalents will be considered. If bidding "EQUIVALENT" Bidder must be prepared to furnish complete data upon request, preferably with the bid to avoid awarding delay.

CONTRACT

When the City issues a Purchase Order in response to an awarded Bid a binding contract is created (unless a specific contract has been created).

TERMINATION

This Price Agreement may be terminated by either party upon signing a written notice to the other party at least thirty (30) days in advance of the date of termination. Notice of termination of this Price Agreement shall not affect any outstanding orders.

TAXES:

Bidder must pay all applicable taxes.

NOTE:

If bidder is from outside the City of Las Vegas, the successful bidder must pay Gross Receipts Tax in the City of Las Vegas.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, NMSA 13-1-28, *et al*, as amended, a prospective contractor subject to this section shall disclose all campaign contributions given by the prospective contractor or a family member or representative of the prospective contractor to an applicable public official of the state or a local public body during the two years prior to the date on which a proposal is submitted or, in the case of a sole source or small purchase contract, the two years prior to the date on which the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor or a family member or representative of the prospective contractor to the public official exceeds two hundred fifty dollars (\$250.00) over the two-year period. A prospective contractor submitting a disclosure statement pursuant to this section who has not contributed to an applicable public official, whose family members have not contributed to an applicable public official or whose representatives have not contributed to an applicable public official shall make a statement that no contribution was made.

A prospective contractor or a family member or representative of the prospective contractor shall not give a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or during the pendency of negotiations for a sole source or small purchase contract.

Furthermore, a solicitation or proposed award for a proposed contract may be canceled pursuant to NMSA 13-1-181 or a contract that is executed may be ratified or terminated pursuant to NMSA 13-1-18 if a prospective contractor fails to submit a fully completed disclosure statement pursuant to this section; or a prospective contractor or family member or representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source of small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Family member" means a spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor;

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"**Prospective contractor**" means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code [NMSA 13-1-28 through 13-1-199] or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or small purchase contract.

"**Representative of a prospective contractor**" means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: _____
(Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

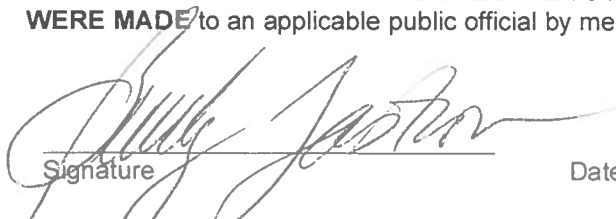
Signature

Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250.00) WERE MADE to an applicable public official by me, a family member or representative.


Signature

Date 07/21/23

Managing Member
Title (Position)



**CITY OF LAS VEGAS SPECIAL
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: 7/27/2023

Date Submitted: 7/18/2023

Department: Executive

Item/Topic: Discussion/Direction and Possible Action on City Manager Position.

Fiscal Impact:

Attachments:

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

Approved For Submittal By:

Reviewed By:

Councilor, David Romero

Councilor, Barbara Casey

Finance Director

City Manager

City Attorney (Approved as to Form)

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____
Ordinance No. _____
Contract No. _____
Approved _____

Continued To: _____
Referred To: _____
Denied _____
Other _____



**CITY OF LAS VEGAS
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: July 27, 2023

Date Submitted: 7/20/23

Department: Executive

Item/Topic: Appointment of Lucas Marquez as the Community Development Director.

Fiscal Impact: \$70,000.00 annual salary for the remainder of FY23/24

Attachments: N/A

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

Approved For Submittal By:

Reviewed By:

Department Director

Finance Director

City Manager

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____
Ordinance No. _____
Contract No. _____
Approved _____

Continued To: _____
Referred To: _____
Denied _____
Other _____