



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
REGULAR CITY COUNCIL MEETING
September 8, 2021–Wednesday– 5:30 p.m.
City Chambers
1700 North Grand Avenue
Las Vegas, NM 87701**

Public comments can be made in person at the meeting **OR** submitted in writing to the City Clerk no later than 4:30 p.m. on September 8, 2021, via email to cfresquez@lasvegasnm.gov or faxed to (505) 425-7335.

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.)** Public Input submitted to the City Clerk via email or fax will be read into the record.
- VII. MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS**
 - Appointment of Pat Leahan to the Youth Commission
 - Proclamation for Semilla Natural Foods, in Business for 50 Years
 - Recognition of Police Officers, Elia Fasanella and Dennis Lujan III

VIII. COUNCILORS' REPORTS

IX. CITY MANAGER'S REPORT

X. PRESENTATIONS (Not to exceed 10-15 minutes per person)

- Presentation by Charter Commission reporting on their recommended revisions to the City of Las Vegas Municipal Charter.

XI. APPROVAL OF MINUTES (August 18, 2021)

XII. BUSINESS ITEMS

Conduct a Public Hearing for Business Item 1 *(Public comments can be made in person for the public hearing OR submitted in writing to the City Clerk no later than 4:30 p.m. on September 8, 2021 via email to cfresquez@lasvegasnm.gov or faxed to (505)425-7335. Written comments will be read into the record during the discussion of the item it pertains to.*

1. Adoption of Ordinance No. 21-15 "Short Term Residential Rentals".

Bill Hendrickson, Community Development Director This ordinance is enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City's home rule powers. Ordinance No. 21-15 is a new ordinance that establishes the permitting, inspections, and fees governing short-term rentals within the City limits. City will now collect lodger's tax on all room rentals. Publication requirements have been met.

2. Request approval of Resolution No. 21-39, the 2023-2027 Infrastructure Capital Improvement Plan (ICIP) for the City of Las Vegas.

Bill Hendrickson, Community Development Director The Department of Finance Administration recommends that municipalities prepare and submit an infrastructure Capital Improvement Plan (ICIP). The ICIP is a five year plan to establish priorities for anticipated capital improvement projects; it is developed and submitted annually. The ICIP plays an integral part in priority setting and decision making at the State level and upcoming legislature.

3. Request approval of Encroachment Agreement between the City of Las Vegas and the Estate of Rosalia V. Crespin.

Scott Aaron, City Attorney The City is owner of real property known as 11th Street right-of-way and the alley behind 1022 Tilden Street. The property has been surveyed by LSC Surveys LLC.

4. Approval to award request for re-bids #2021-27 for Hanna Park Effluent Re-Bid to New Image Construction Inc. for \$683,068.00.

Maria Gilvarry, Utilities Director Due to DWSRF-5362 grant requirements, a change order will be submitted to decrease project by \$174,750.00 for ineligibility for sewer construction. There were a total of two (2) bidders.

XIII. EXECUTIVE SESSION

**THE COUNCIL MAY CONVENE INTO EXECUTIVE SESSION IF
SUBJECT MATTER IS EXEMPT PURSUANT TO THE OPEN MEETINGS
ACT.**

XIV. 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



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

Meeting Date: September 8, 2021

Date Submitted: August 27, 2021

Department: Police

Item/Topic: Employee Recognition for outstanding bravery above and beyond that which would normally be expected while putting self at great personal risk of harm to save lives of others.

Fiscal Impact: None

Attachments: Certificate of Valor

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 Attorney (Approved as to Form)

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

Resolution No. _____

Continued To: _____

Ordinance No. _____

Referred To: _____

Contract No. _____

Denied _____

Approved _____

Other _____

LAS VEGAS POLICE DEPARTMENT

MEDAL OF VALOR

IN RECOGNITION OF HIGHLY CREDITABLE ACT

PROUDLY PRESENTED TO:

OFFICER ELIA FASANELLA

OFFICER ELIA FASANELLA DISPLAYED OUTSTANDING
BRAVERY ABOVE AND BEYOND THAT WHICH WOULD
NORMALLY BE EXPECTED WHILE PUTTING SELF AT GREAT
PERSONAL RISK OF HARM TO SAVE LIVES OF OTHERS.



ANTONIO SALAZAR CHIEF OF POLICE

DATE

TRUJILLO, LOUIE, MAYOR

DATE

"STRIVING FOR EXCELLENCE"



LAS VEGAS POLICE DEPARTMENT

MEDAL OF VALOR

IN RECOGNITION OF HIGHLY CREDITABLE ACT

PROUDLY PRESENTED TO:

OFFICER DENNIS LUJAN III

**OFFICER DENNIS LUJAN III DISPLAYED OUTSTANDING
BRAVERY ABOVE AND BEYOND THAT WHICH WOULD
NORMALLY BE EXPECTED WHILE PUTTING SELF AT GREAT
PERSONAL RISK OF HARM TO SAVE LIVES OF OTHERS.**



ANTONIO SALAZAR CHIEF OF POLICE

DATE

TRUJILLO, LOUIE, MAYOR

DATE

"STRIVING FOR EXCELLENCE"





CITY OF LAS VEGAS
COUNCIL REGULAR MEETING AGENDA REQUEST FORM

Meeting Date: September 8, 2021

Date Submitted: 8/27/21

Department: Charter Commission

Item/Topic: Presentation by Charter Commission reporting on their recommended revisions to the Las Vegas Municipal Charter.

Fiscal Impact: N/A

Attachments: Recommended revisions/Resolution 20-66 and Resolution 21-09

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:

Chairman Francisco Apodaca, Charter Commission

Finance Director

 8/30/21
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, NEW MEXICO
Resolution No. 20-66

**A RESOLUTION TO SET THE DURATION, TERMS AND DUTIES OF THE
CHARTER REVIEW COMMISSION.**

WHEREAS, the City Council is required by Section 1.05 of the City Charter to set the duration of the commission and such other terms and duties; and

WHEREAS, the City Council is required by Section 1.05 of the City Charter to approve a Commission of seven (7) members to review the City Charter ("Commission").

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 the Governing Body approves the following seven named persons as members of the Charter Review Commission, and directs said Commission as follows:

1. Christine Ludi, Matt Martinez, Francisco Apodaca, Stephen Salas, Greg Salazar, Lee Einer and Sandra Madrid are hereby appointed as Commission members, with Scott Aaron appointed as an ex-officio non-voting member of the Commission.
2. The Commission is hereby instructed to review the initial draft as compiled by Scott Aaron as a starting point, and to report monthly to the Governing Body regarding the Commission's progress and any suggested amendments.

PASSED, APPROVED AND ADOPTED this 11th day of November, 2020.



Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:



Casandra Fresquez, City Clerk



Scott Aaron, City Attorney

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 21-09

A RESOLUTION SETTING DURATION OF THE CHARTER REVIEW COMMISSION

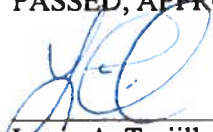
WHEREAS, the Governing Body is tasked with setting the duration of the charter review commission and other terms and duties as the Governing Body deems advisable; and

WHEREAS, the charter review commission members have already been appointed and begun meeting; and

WHEREAS, the Governing Body deems this resolution advisable regarding the other terms and duties of the charter review commission.

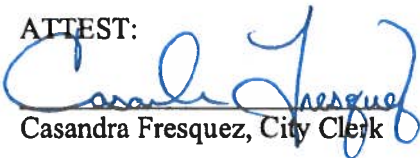
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are hereby incorporated herein by reference and the Governing Body hereby sets the duration of the charter review commission, and the term of each commission member, to expire on September 1, 2021. The City Council further instructs the charter review commission to elect a representative from its members to appear before the Governing Body on a monthly basis and report on the progress of the commission, with the purpose of the commission finishing its duties by or before September 1, 2021.

PASSED, APPROVED AND ADOPTED this 17th day of March, 2021.



Louie A. Trujillo, Mayor

ATTEST:



Casandra Fresquez, City Clerk

Reviewed and approved as to legal sufficiency only:



Scott Aaron, City Attorney

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, AUGUST 18, 2021 AT 5:30 P.M. IN THE CITY COUNCIL
CHAMBERS.**

MAYOR: Louie A. Trujillo

COUNCILORS: David G. Romero
Elaine Rodriguez
Michael L. Montoya
David A. Ulibarri, Jr.

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

CALL TO ORDER

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

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Trujillo thanked all Police Officers in the community who keep us safe and are always there when we need them. Mayor Trujillo asked for a moment of silence and prayers for Police Officers in our community.

APPROVAL OF AGENDA

City Manager Maestas recommended amending the agenda to remove business item 5 and also to move business item 6 to be the last item on the agenda.

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

Michael L. Montoya	Yes	Elaine Rodriquez	Yes
David G. Romero	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

City Clerk Fresquez read the following public input into the record:

Pilar Tirado Murray, ESQ., spoke about community oversight of the Las Vegas Police Department regarding the Police Advisory Commission.

Lee Einer spoke about ordinance 21-16 lacking community oversight of the Las Vegas Police Department.

Michael Martinez spoke about the City Council being open and transparent regarding the use of taxpayers monies.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

- Appointment of April Morrell to the Library Board.

Councilor Rodriquez made a motion to approve the appointment of April Morrell to the Library Board. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Elaine Rodriquez	Yes
David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo recognized City employees that have served 20 years plus.

Mayor Trujillo reported briefly on the impact the filming of Outer Range had on the community, working on becoming a better film friendly community, expectations for the Police Department including Walk the Block with the Police Officers.

Discussion took place regarding where the money from the film industries goes and how some of the monies need to bring developments into the community.

COUNCILORS' REPORTS

Councilor Rodriquez advised some residents contacted her regarding basketball courts and the possibility of placing basketball courts at Keys Park.

Councilor Montoya advised he met with City Manager Maestas over the weed problems in the community and also thanked City Manager Maestas and Staff for addressing the weed issues.

Councilor Ulibarri Jr., thanked all the City Staff and construction workers for the project on Keen Street and West National Avenue.

Councilor Romero spoke about the weeds on South Grand, the cannabis ordinance and asked how a business was allowed a permit that does CBD or cannabis extraction.

POLICE CHIEF'S REPORT

Police Chief Salazar gave a presentation regarding the statistics for the Month of July for calls of service, burglaries, non-traffic citations, traffic citations and narcotics collected. Police Chief Salazar advised two Police Officers attended the Police Academy and the process for Lieutenant promotions had begun. Police Chief Salazar advised there were no new hires and interviews for Community Service Aides, Animal Control and Animal Control Supervisor positions were conducted.

Discussion took place regarding the number of vacant positions in the Police Department, who maintains the shooting range and issues with equipment that are not working at the Police Department.

CITY MANAGER'S REPORT

City Manager Maestas introduced and welcomed ten new employees from different departments within the City of Las Vegas. City Manager Maestas discussed the following:

- The Plaza project
- The completion of the Keen Street road construction project
- Water Restrictions being at stage III
- Solar Lights installed at the Gallinas River Park
- The Farmers Market roof scheduled to begin in two weeks
- Seven Billboards in different locations
- Ten new businesses
- Senior Citizens Recognition event

Discussion took place regarding the billboards.

Councilor Montoya thanked City Manager and Human Resources for hiring the ten new employees.

Discussion took place regarding planting a Christmas tree by the Plaza, also permanently planting a Christmas tree on Douglas Avenue at the old SafeWay parking lot and the Creston Park project.

Councilor Romero thanked City Manager Maestas for all he's done.

Discussion took place regarding the cost to remove playground equipment.

FINANCE REPORT

Finance Director Baquera reported on the month of July, in the General fund revenues were at 8%, expenditures were at 7%, with a deficit of \$2,688, the Enterprise fund revenues were at 7%, expenditures were at 4%, with a surplus of \$416,783, the Recreation department revenues were at 5%, expenditures were at 3%, with a surplus of \$23,049 and Lodger's Tax revenues were at 12%, expenditures were at 1%, with a surplus of \$50,515.

Discussion took place regarding why there was a deficit in the General fund and an explanation as to what the City is investing their monies in.

PRESENTATIONS

Animal Welfare Coalition Chairman Marshall Poole gave a brief presentation regarding impacts during COVID such as by appointment only but currently have a walk up window, different types of procedures, different transport areas, animal overpopulation, and free spay/neuter and other programs.

Mayor Trujillo thanked Animal Welfare Coalition Chairman Poole for all they do.

Discussion took place regarding vacant positions for Animal Control Officers needing to be filled but the issue being low salaries. City Manager Maestas was given direction to look into the Animal Control Supervisor salary or the possibility of eliminating the Animal Control Supervisor position and increasing the salaries for the Animal Control Officer positions.

MainStreet Director Michael Peranteau gave a report regarding MainStreet's focus on the Plaza/Bridge Street areas, Douglas Avenue and the historic railroad district. MainStreet Director Peranteau discussed various projects. MainStreet Director Peranteau spoke about how much money they've raised.

Mayor Trujillo thanked MainStreet Director Peranteau for all they do.

Discussion took place regarding six businesses that received grant monies.

A lengthy discussion took place regarding if the scope of work was completed in the last contract, from August, 2020 to June 30, 2021 as MainStreet had received payment and the issue with the anti-donation clause if they got paid but services weren't rendered. Community Development Director Hendrickson was asked if he had received a plan from MainStreet pertaining to management of garbage cans, flower boxes and other items placed within the MainStreet districts.

Community Development Director Hendrickson advised due to COVID some projects did not get completed but other projects were substituted.

Councilor Romero asked if there was a contract for those substituted projects.

Community Development Director Hendrickson advised no.

A lengthy discussion took place regarding some projects in the scope of work not being done due to COVID but other projects were substituted. There was also discussion about updating MainStreet's bylaws and the lack of accountability.

Councilor Montoya advised in the bylaws and contract it states a quarterly report is to be submitted to the City. Councilor Montoya advised they have not received a quarterly report.

MainStreet Director Peranteau advised he submits quarterly reports to Community Development Director Hendrickson every quarter.

Councilor Montoya advised since he's been there he's never received a quarterly report.

Councilor Romero asked who received the USDA grant and how many of them were on the MainStreet Board.

MainStreet Director Peranteau advised Toby Sanchez, Sara Jo Matthews and Frank Beurskens, however they were not serving on the board at the time.

Discussion and questions took place regarding conflicts of interests and how many hispanic businesses has MainStreet helped.

Las Vegas/San Miguel Chamber of Commerce President Phillip Martinez gave a report regarding what was done last year such as partnerships with schools, and various grants.

Discussion and questions took place regarding promoting economic development with help from other non-profit organizations and conflicts of interests.

Councilor Romero advised he missed the last business and council meeting due to being in isolation from coming in contact with someone who had COVID.

Councilor Montoya requested if the Meadow City Express could help with transporting people to the job fair and also requested the air conditioner be fixed at the train station. Councilor Montoya thanked Las Vegas/San Miguel Chamber of Commerce President Martinez for what he's doing for the City of Las Vegas.

Frank Beurskens with Las Vegas Citizens Committee for Historic Preservation gave a brief report regarding the "Connect Las Vegas" application funded by CCHP and Lodger's Tax. Mr. Beurskens with Las Vegas CCHP discussed how many people have downloaded the "Connect Las Vegas" application, how many times people have used it and how many pages of information have been viewed. Mr. Beurskens with Las Vegas CCHP discussed what people look at on the application and comments people have left.

Discussion and questions took place regarding where the application is advertised and the possibility of the City taking over the "Connect Las Vegas" application.

APPROVAL OF MINUTES

Councilor Romero made a motion to approve the minutes for July 21, July 30, August 2 and August 11, 2021. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David G. Romero	Yes
David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

CONSENT ITEMS

Councilor Romero made a motion to remove consent item 3 and to move it under business items. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
Elaine Rodriquez	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

City Clerk Fresquez read the Consent Agenda (1, 2, 4, 5 & 6) into the record as follows:

1. Request approval of Resolution No. 21-34 to apply for the American Rescue Plan Act (ARPA) grant offer in the amount of \$22,000.00 for the City of Las Vegas Municipal Airport.

Resolution 21-34 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 21-34

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE AIRPORT RESCUE GRANT PROGRAM ("ARGP")

WHEREAS, the City of Las Vegas Municipal Airport is eligible to apply for the Federal Aviation Administration's American Rescue Plan Act of 2021 ("ARPA") grant offer in the amount of Twenty Two Thousand Dollars (\$22,000); and

WHEREAS, the grant will provide economic relief to airports in response to the COVID-19 pandemic; and

WHEREAS, the grant offering will be used for costs related to operations, personnel, cleaning and sanitization within the City of Las Vegas Municipal Airport upon FAA approval.

THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are hereby incorporated herein by reference, and the City Council hereby approves the submission of an application for the FAA ARPA grant offer for the City's municipal airport.

PASSED, APPROVED AND ADOPTED this ____ day of August, 2021.

Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

2. Request approval to award request for proposals, RFP #2021-23 for WasteWater planning, design and construction phase engineering services to Molzen Corbin and Souder Miller & Associates.

4. Request approval to award request for proposals, RFP #2021-25 for pump, motor, mechanical and electrical services to all three bidders; The Electric Horseman, Inc., Alpha Southwest, Inc. and JCH, Inc.
5. Request approval of Resolution No. 21-36 authorizing the donation of a 2007 Autocart Expediter packer truck to the Village of Wagon Mound, New Mexico.

Resolution 21-36 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 21-36

A RESOLUTION AUTHORIZING THE TRANSFER OF A PACKER TRUCK TO THE VILLAGE OF WAGON MOUND

WHEREAS, the Village of Wagon Mound ("Village") is currently without an operable Solid Waste packer truck;

WHEREAS, the FY 22 Capitol Outlay funds have not been dispersed;

WHEREAS, it will be a few months before the Village is able to order a packer truck;

WHEREAS, the lead time for the delivery of a packer truck can be upwards of a year;

WHEREAS, the Village staff are currently picking up the trash route by hand;

WHEREAS, the Village has requested a vehicle to be donated or loaned;

WHEREAS, the City of Las Vegas has ordered two new packer trucks that will be delivered in September of 2021;

WHEREAS, the City of Las Vegas has an operable and rarely used 2007 Autocart Expediter packer truck with a current odometer reading of 97,884 miles, which can be considered excess and not needed for any essential government function; and

WHEREAS, the Village will accept the donation "as-is", and accepts any and all costs and liability associated with the donation.

THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are hereby incorporated herein by reference, and the City Council hereby declares the above described Autocart packer truck as excess property and not needed for any City purpose, and hereby approves the donation and transfer of said packer truck to the Village of Wagon Mound.

PASSED, APPROVED AND ADOPTED this ____ day of August, 2021.

Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

6. Request approval of Resolution No. 21-37 regarding virtual attendance for Governing Body meetings.

Resolution 21-37 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 21-37**

A RESOLUTION REGARDING VIRTUAL ATTENDANCE FOR GOVERNING BODY MEETINGS

WHEREAS, the City of Las Vegas ("City") and the State of New Mexico have recently experienced a surge in new covid-19 infections; and

WHEREAS, recently members of the City's Governing Body have had documented exposure to persons testing positive for covid-19; and

WHEREAS, the meetings of the City's Governing Body are of the utmost importance for the efficient and effective operation of the City's governmental obligations; and

WHEREAS, the City desires to adopt a resolution which would enable the City's Governing Body to have the option to permit one or more members of the Governing Body to attend meetings of the Governing Body in a virtual manner.

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 the City Council hereby approves the following:

When it becomes necessary, due to circumstances such as a Public Health Order limiting public gatherings, or otherwise difficult or complicated for the Mayor or Councilpersons to attend a Governing Body meeting in person, the Mayor and each individual Councilperson may attend and participate in said meetings by conference telephone, video or other electronic means which may be available, on the condition that each Governing Body member participating can be identified when speaking, all Governing Body members are able to hear each other, and members of the public attending said meeting are able to hear the Governing Body members when they speak during the meeting.

PASSED, APPROVED AND ADOPTED this ____ day of August, 2021.

Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

Councilor Romero made a motion to approve the Consent Agenda (1, 2, 4, 5 & 6) as read into the record. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	Michael L. Montoya	Yes
David G. Romero	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

BUSINESS ITEMS

1. Request approval to award request for proposals, RFP #2021-24 for Solid Waste facility planning, design and construction phase engineering services to Souder Miller & Associates and Molzen Corbin.

Discussion and questions took place regarding how the RFP would work with two different firms and if in fact it could be done with two different firms and how long the contract would be for.

Councilor Romero made a motion to approve award request for proposals, RFP #2021-24. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David A. Ulibarri Jr.	Yes
David G. Romero	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

2. Request approval of MainStreet fiscal year 2022 Contract.

Community Development Director Hendrickson asked Mayor and Council to look at the scope of work where he placed a value on each line item in the event something comes up and it can't be accomplished.

Mayor Trujillo asked for a motion, no motion was given, business item 2 died.

Councilor Romero stated he likes to see physical deliverables and have accountability.

- 3. Request approval of Las Vegas San Miguel Chamber of Commerce fiscal year 2022 contract.

Councilor Romero made a motion to approve the Las Vegas San Miguel Chamber of Commerce fiscal year 2022 contract. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
Elaine Rodriquez	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

- 4. Request approval to publish Ordinance No. 21-15 "Short Term Residential Rentals".

Councilor Romero made a motion to approve publication of Ordinance No. 21-15 "Short Term Residential Rentals". Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Elaine Rodriquez	Yes
David G. Romero	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

- 5. Request approval of Resolution No. 21-35 budget adjustment request.

Councilor Romero made a motion to approve Resolution No. 21-35 budget adjustment request. Councilor Rodriquez seconded the motion.

Resolution 21-35 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 21-35

A RESOLUTION TO MAKE BUDGET ADJUSTMENT FOR THE 2021-2022 FISCAL YEAR

WHEREAS, the Governing Body of Las Vegas has developed a budget adjustment request for fiscal year 2021-22; and

WHEREAS, said budget was developed on basis of increases in revenues, expenditures and transfer (in) out through cooperation with all user departments, elected officials and other department supervisors. Please see attached schedule: and,

WHEREAS, the City of Las Vegas is in need of making a budget adjustment in the 2021-2022 fiscal Year budget to include a revenue and expense increase to Fund 101-4800, General Fund Police Department in the amount of \$20,326.20, Fund 282, Project #A21G139 in the amount of \$10,778, Project #A21G105 in the amount of \$15,076, Project #A21G138 in the amount of \$18,400, Project #A21G106 in the amount of \$12,939, Project #A21G103 in the amount of \$11,551, and,

WHEREAS, the Governing Body finds that the budget adjustment request should be as it meets the requirements as currently determined for fiscal year 2021-22, and,

NOW, THEREFORE BE IT RESOLVED 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 budget adjustment request and respectfully request approval from the Local Governing Division of the Department of Finance and Administration.

ACCEPTED AND APPROVED this day of August 2021.

Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

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

David A. Ulibarri Jr.	Yes	Elaine Rodriquez	Yes
Michael L. Montoya	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

6. Discussion/Direction regarding proposed Ordinance No. 21-16, An ordinance to amend the Code of the City of Las Vegas by adding a new Article VII to the existing Chapter 18 entitled "Police Advisory Commission".

Councilor Romero advised he put the ordinance together with help from input from others and from what was in the Charter.

City Attorney Aaron briefly discussed Ordinance 21-16.

Mayor Trujillo took a moment to recognize Councilor Romero for the work that he did on the ordinance.

Discussion took place regarding having input from the Police Advisory Committee and the Police Union, the Committee not having power to make any decisions other than advising Council and the Committee being able to receive complaints regarding the Police Department and then letting Mayor and Council know of such complaints.

Councilor Romero made a motion to give the draft ordinance from City Attorney Aaron and his draft ordinance to the Police Advisory Committee and the Police Union for review. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriguez	Yes	David G. Romero	Yes
Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

7. Request approval to move forward on a lease to build a hanger on the City of Las Vegas Airport property.

City Manager Maestas advised the lessee would handle all construction costs and the demolition of the existing structure.

Councilor Montoya asked if the monies would go to operate the Airport.

City Manager Maestas advised yes.

Councilor Montoya recommended in the future to focus on fixing the main hanger and renting it out to generate some revenue or so it could be used as a training area for the Fire Department.

Councilor Montoya made a motion to approve a lease to build a hanger on the City of Las Vegas Airport property. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	Michael L. Montoya	Yes
David A. Ulibarri Jr.	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

8. Discussion and consideration to approve funding for the Salute to the Troops event.

Mayor Trujillo asked if any City money used towards the Salute to the Troops event would be viewed as anti-donation.

City Attorney Aaron advised it would be violating the anti-donation clause except for monies from Lodgers's Tax used for advertisements or promotions and also because it is not a City event unless it became a City event.

Film and Events Coordinator Chuck Griego introduced Abby Sanger and Robert Gonzalez and advised the event is a Gonzalo event but they would like to extend the City the opportunity to take it over.

A lengthy discussion took place regarding the City of Las Vegas taking over the event and what the cost of the event would look like, what would happen if the Governor makes changes prior to the event, if there was money in the budget for the event and if the construction at the Plaza would affect the event.

Mayor Trujillo asked Ms. Sanger and Mr. Gonzalez how they benefit from the event.

Ms. Sanger advised they don't profit from the event, and Mr. Gonzalez advised it was his idea for his uncle who is a veteran and his classmates who were part of Desert Storm. Mr. Gonzalez advised they have funded the event out of pocket and do not intend to make a profit out of the event.

Discussion and questions took place regarding when it would become a City event, the amount bands were getting for the event, and the consideration to keep Salute to the Troops in Las Vegas.

Councilor Rodriquez thanked Ms. Sanger and Mr. Gonzalez for all they have done and advised she would like to see how much time is put into the event in a dollar amount and would like to see an amount for Gonzalo for his performance during the event.

Councilor Montoya made a motion to approve and accept the Salute to the troops event as a City Event and provide funding for the event, increasing the amount by \$2,000 for a total amount of \$28,000 and also the maximum allowable amount be taken from Lodgers Tax for Police and Fire. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David G. Romero	Yes
David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

9. Request for Mayor and Council's consideration of a salary increase for City Attorney, Scott Aaron.

City Attorney Aaron thanked Mayor and Council for giving him the opportunity to work for the City. City Attorney Aaron gave a brief presentation regarding all he has done since he started in April 2020, his evaluation from Dr. William Taylor and also discussed previous City Attorney contracts.

EXECUTIVE SESSION

Councilor Montoya made a motion to convene into executive session for the purpose of discussing limited personnel matters as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Rodriguez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
Elaine Rodriguez	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero made a motion to exit executive session and reconvene into regular session after being in executive session for the purpose of discussing limited personnel matters as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978 and only those matters were discussed and no action was taken. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Elaine Rodriguez	Yes
Michael L. Montoya	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Councilor Montoya advised they brought City Attorney Aaron from Rio Rancho along with his family and stated that he's done a great job for the City of Las Vegas and is probably the only City Attorney on a full time basis. Councilor Montoya advised when they hired City Attorney Aaron, Mayor and Council agreed to revisit his contract after a year and knew they brought him in at a low salary.

Councilor Montoya made a motion to approve a salary increase for City Attorney Scott Aaron by \$30,000 for a total of \$130,000. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	Michael L. Montoya	Yes
David G. Romero	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

Councilor Montoya thanked City Attorney Aaron for his services.

ADJOURN

Councilor Rodriquez made a motion to adjourn. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Elaine Rodriquez	Yes
Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 9:30 pm.

Mayor Louie A. Trujillo

ATTEST:

Casandra Fresquez, City Clerk



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

Meeting Date: 9/8/21

Date Submitted: 8/27/21
Development

Department: Community

Item/Topic: Public Hearing for the Adoption of Ordinance No.21-15 "Short Term Residential Rentals". This ordinance is enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City's home rule powers.

Ordinance No 21-15 is a new ordinance that establishes the permitting, inspections, and fees governing short-term rentals within the City limits.

Fiscal Impact: City will now collect lodger's tax on all room rentals

Attachments: Ordinance 21-15 and the Permitting Application.

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:

Department Director

Reviewed By:

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, NEW MEXICO

Ordinance No. 21-15

AN ORDINANCE TO AMEND the Code of the City of Las Vegas by adding a new Article XII to Chapter 450, to be entitled “Short Term Residential Rentals”. This Ordinance is enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City of Las Vegas home rule powers.

BE IT ENACTED by the Governing Body of the City of Las Vegas as follows:

Section 1. The Code of the City of Las Vegas is hereby amended by adding thereto a new Article XII to Chapter 450, to read as follows:

Section 141.	Short title
Section 142.	Purpose of zone
Section 143.	Applicability
Section 144.	Definitions
Section 145.	Short-term residential rental period required
Section 146.	Application for permit
Section 147.	Application renewal or update
Section 148.	Fees
Section 149.	Review of application and permit issuance
Section 150.	Tenant notification requirements
Section 151.	Exterior advertising or signage
Section 152.	Penalties

§ 450-141. Short title.

This ordinance shall be known and cited as the "Short-term Rental Ordinance" and referred to in this Article XII of Chapter 450 as the “Ordinance”.

§ 450-142. Purpose.

(1) Short-term Residential Rentals provide a benefit to the City, its residents and visitors, by expanding the number and type of lodging facilities available to City residents and visitors.

(2) Generally, Short-term Residential Rentals are not located in commercial zones, but are usually located in a residential zone. However, for purposes of this Ordinance, any and all Short-term Residential Rentals, whether located in a residential zone, commercial zone, or any other zone, shall be treated as commercial property subject to the City’s fire code requirements for properties zoned R2, R3 or R4.

(3) The provisions above are necessary to prevent the burdens on City services and impacts on residential neighborhoods resulting from Short-term Residential Rentals.

§ 450-143. Applicability.

This Ordinance creates an overlay zone, which shall apply to all non-commercial residential properties within the City regardless of where the property is located. The requirements of this Ordinance shall apply to dwelling units that are rented at anytime for a short duration that are not part of a commercial business enterprise, such as hotels, motels or commercial unit rentals located on a single lot or a group of contiguous lots within a commercial zoning district. The requirements in this Ordinance apply to dwelling units on non-contiguous property owned or operated by a hotel, motel or commercial unit rental owner.

§ 450-144. Definitions.

For purposes of Sections 450-141 through 450-152, the following words and phrases shall have the meaning as contained below:

Local Contact Person shall mean an owner, representative of the owner or local property manager who resides in the City or within proximity of the City limits such that he or she is available to respond within an hour or less to any tenants, renters, and/or is authorized to respond to any violation of this Ordinance.

Managing Agency or Managing Agent shall mean a person, entity or any other agent licensed with the New Mexico Real Estate Commission and representing the owner of the subject property, or a person or entity owning the subject property.

Operator shall mean a person who is a proprietor of a residential rental unit, whether in the capacity of owner, lessee, sub-lessee or mortgagee in possession of the subject property.

Owner shall mean any person or entity who has any interest of the whole or part of the subject property, or any person or entity in possession and control of the subject property.

Remuneration shall mean compensation, money, rent or any other consideration given in return for occupancy, possession or use of the subject property.

Rent shall mean the consideration charged, whether or not received, for the occupancy or use of a Short-term Residential Rental, valued in money, whether received as money, goods, labor or other form of payment, including all receipts, cash, credit, property, other items of value or services of any kind, without any deductions whatsoever.

Short-term Residential Rental shall mean one or more dwelling units, including without limitation a single-family detached or multi-family attached unit, rented for the purpose of overnight lodging for a period of not less than one night or more than 29 consecutive days to the same person, persons or entity.

Sleeping Unit shall have the meaning in the International Building Code 2015, as amended, including without limitation a room or space in which a person or persons may sleep, which may also include permanent provisions for living, eating, sanitation facilities and/or kitchen facilities. Such rooms and spaces that are part of a dwelling unit are not sleeping units.

Third-party Internet Listing Service shall mean an internet-based or online marketplace that connects Short-term Residential Rentals to potential customers by way of a website or application for a service fee. Third-party listing agent shall not mean Local Contact Person or Managing Agency.

§ 450-145. Short-term Residential Rental permit required.

No residential unit shall be rented without having a current valid Short-term Residential Rental permit issued by the City. Short-term Residential Rental permits may be issued by the City to the owner of the subject property for a period of one year, which said permits shall not be transferable or refundable. Nothing in this Ordinance shall be construed to constrain the ability of neighborhood covenants, deed restrictions or other constraints to be more restrictive than the requirements contained in this Ordinance.

§ 450-146. Application for permit.

The subject property owner or Managing Agency or Managing Agent shall apply to the City for a Short-term Residential Rental permit and shall provide to the City the following information:

1. The maximum number of occupants and vehicles that the dwelling unit can accommodate.

- a. The parking calculation shall be based upon a minimum of one off-street parking space provided per sleeping unit.

- b. The occupancy per sleeping unit shall be determined by the floor area of each sleeping unit, number of restrooms per dwelling unit, infrastructure suitable to service the occupants and shall be in accord with habitable and occupancy codes contained within the City codes.

2. The name, address, email address and telephone numbers, including a 24-hour emergency contact name and phone number, for all persons and entities having an interest in the property, including without limitation any and all Managing Agency or Managing Agents.

3. The name, address, email address and telephone numbers of a Local Contact Person.

4. An application fee in an amount to be determined by the City.

5. The following items shall be fully operational and located at the Short-term Residential Rental:

- a. An ABC type fire extinguisher to be mounted in the kitchen, at points of ingress and egress, with at least one provided per floor and minimum of one per dwelling unit with at least two per dwelling unit if the property is 1,000 square feet or more, and located at a height not to exceed 60 inches from the top of the extinguisher to the floor. Extinguishers shall be serviced on an annual basis.

- b. Smoke alarms installed as per the City's fire code.

- c. Every sleeping room and living area with access to a primary means of escape shall provide a clear, unobstructed path of travel to the exterior of the building.

- d. Outdoor cooking appliances shall be properly maintained and indoor fireplaces shall be properly maintained and inspected by the City's fire marshal or fire department.

- e. By submitting the permit application to the City, the City is authorized to conduct code compliance inspections of the subject property at intervals deemed appropriate by

the City, or may be deemed necessary by the City, in the City's sole discretion, when a violation of this Ordinance may exist or has been alleged.

f. New Mexico gross receipts tax number certificate and City business license certificate.

g. Proof of certified mail sent, or proof of hand-delivered notice signed by the recipient, to all contiguous property owners and occupants, that the subject property is to be used as a Short-term Residential Rental.

h. All persons who have an interest in the subject property, including all Managing Agencies or Managing Agents, shall attest under seal of a public notary in the permit application that they have met all the requirements in this Ordinance for each property to be used as a Short-term Residential Rental.

§ 450-147. Application renewal or update.

At least sixty days prior to the expiration of the permit, or when there is a change to the information contained in the permit, a new permit application shall be submitted to the City. Advertising, offering or accepting renters for a Short-term Residential Rental in the absence of a current and unrevoked permit shall be a violation of this Ordinance.

§ 450-148. Fees.

Fees are set forth as follows, but may be changed by the City in the City's sole discretion. The initial application fee is sufficient to cover the cost of processing the application, reviewing the information submitted, and issuing a revised permit.

1. Application Fee per year: \$50.00 for a one year permit
2. Inspection fee: in the amount set by the City Fire Department
3. There shall be a re-inspection fee for properties that do not pass inspection: in the amount set by the City Fire Department
4. City Business License: in the amount set by the City
5. Fee for registering an unregistered property after notice of non-compliance with this Ordinance: an amount of three times the Application Fee. Such amount shall be in addition to any other penalties provided by this Ordinance.

§ 450-149. Review of application and permit issuance.

1. The City shall review completed permit applications.
2. Once the application review is complete, the City shall notify the applicant whether or not the permit will be issued. If approval is granted, the City will issue a Short-term Residential Rental permit specifying the maximum number of vehicles and occupants permitted on the subject property. Failure of the owners to timely renew the permit shall incur a late permit renewal penalty fee of two times the Application Fee.
3. An application shall not be approved or renewed if:
 - a. All applicable fees and taxes have not been paid, including lodger's taxes pursuant to City code;

b. Outstanding or unresolved issues regarding property nuisance or building code violations;

c. Unpaid property taxes or City-provided utilities.

4. The City may deny or revoke any permit for failure of any subject property owner to fail to comply with any provision of Chapter 389 of the City's code.

5. In the event that two or more citations for the violation of any law occurs at the subject property within a 12 month period, the City may revoke or deny any permit.

§ 450-150. Tenant notification requirements.

Each Short-term Residential Rental shall have a clearly visible and legible notice posted within the subject property near the front door containing the following:

1. A copy of the current and unexpired Short-term Residential Rental permit.
2. The name of the Managing Agency, Managing Agent, Local Contact Person or owner(s) of the subject property, and a telephone number at which said person(s) can be reached on a 24-hour, seven days a week basis.
3. The maximum number of occupants authorized to stay in the subject property.
4. The maximum number of vehicles authorized to park in the subject property.
5. The number and location of on-site parking spaces and the parking rules.
6. The specific procedures regarding the bagging and disposal of trash.
7. A notification that an occupant may be cited and fined for creating a disturbance and/or for violating other provisions of applicable law.
8. The address of the subject property as listed with 911 service.
9. Notice that City of Las Vegas ordinances and animal leash laws will be enforced.

§ 450-151. Exterior advertising or signage.

Exterior signage on Short-term Residential Rentals is prohibited.

§ 450-152. Penalties.

In addition to any other penalties or fines authorized herein or by City code, the owner(s) of a Short-term Residential Rental shall incur a penalty of \$500.00 for each day a Short-term Residential Rental is advertised, offered for rent, or rented in absence of a current and unrevoked City-issued permit as described in this Ordinance. The permit of any Short-term Residential Rental shall automatically be revoked upon the assessment of any penalty or the violation of any part of this Ordinance, and shall remain revoked until all violations of this Ordinance are fully remedied and any and all penalties assessed pursuant to this Ordinance are paid in full.

Section 2. Severability. The provisions of this ordinance are declared to be severable, and if any portion of this ordinance, for any reason, is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. This ordinance shall become effective upon the execution by the Mayor and the affirmative vote of the majority of the Governing Body.

PASSED, ADOPTED and ENACTED this _____ day of August, 2021.

Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

Short-Term Rental Permit Application
(505) 454-1401 www.lasvegasnm.gov FAX: (505) 425-7335

Check One: New Permit ☐ Renewal ☐ Change of Owner ☐ Date Closed ☐ _____

Location Address: _____

Owner's Address: _____

Street City State ZIP

Owners Contact:

Phone #	Email

Agent's Address: _____

Street City State ZIP

Agent's Contact: _____

Phone #	Email
---------	-------

Square Footage of Building:_____ Number of Floors:_____ Maximum Occupants:_____

Number of Sleeping Units: _____ Number of Off-Street Parking: _____ Number of Restrooms: _____

Number Fire Extinguishers: _____ Number of Smoke Alarms: _____

Insurance Carrier: _____

NM Tax ID#: _____ - _____ - _____ - _____ or FEIN: _____

(NM CRS Number Required before City Business Registration is Issued - SS No. will no longer be accepted)

City Business License#: _____

FEES:

Standard Registration: ☐ **\$50/Yr, 3 Year Permit is Required: \$150**

Late Penalty ☐ \$100 A late fee will be applied after 1 August

Biennial Inspection Fee	☐	\$40, every 2 Years
-------------------------	--------------------------	---------------------

Reinspection Fee ☐ \$40, each occurrence

Transfer Fee: ☐ \$10

Change in Owner	☐	\$10
-----------------	--------------------------	------

Total \$ _____

Owner/Applicant: _____

Print Name	Signature	Date
------------	-----------	------

Contact Person: _____

Print Name	Signature	Date

State Fire Marshal Office - **REPORT REQUIRED**
OR: City Fire Department (505) 425-6321
CITY PERSONNEL WILL MAKE DETERMINATION

Community Development Dept 505-426-3314
1700 N Grand Las Vegas, NM 87701

Zoning Approval (505) 454-1401, Ext. 1608
City of Las Vegas Community Development
1700 N. Grand Avenue, Las Vegas, NM 87701



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

Meeting Date: 9/8/21

Date Submitted: 8/25/21

Department: Community Development

Item/Topic: Approval of Resolution #21-39 2023-2027 Infrastructure Capital Improvement Plan (ICIP) for the City of Las Vegas

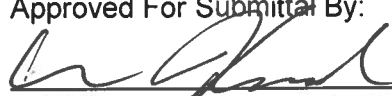
The Department of Finance Administration, recommends that municipalities prepare and submit an Infrastructure Capital improvement Plan (ICIP). The ICIP is a five year plan to establish priorities for anticipated capital improvement projects; it is developed and submitted annually. The ICIP plays an integral part in priority setting and decision making at the state level and upcoming legislature.

Fiscal Impact:

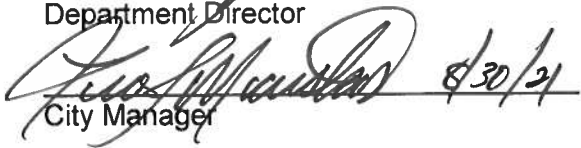
Attachments: ICIP Plan

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:

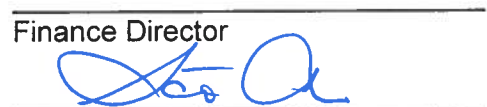


Department Director

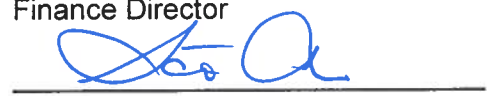


City Manager

Reviewed By:



Finance Director



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, NEW MEXICO
Resolution No. 21-39

A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENT
PLAN (ICIP)

WHEREAS, the City of Las Vegas recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

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 the Governing Body (1) adopts the attached FY 2023- 2027 Infrastructure Capital Improvement Plan; (2) intends that the Plan be a working document and is the first of many steps toward improving rational, long- range capital planning and budgeting for infrastructure; and(3) hereby rescinds Resolution 20- 37.

APPROVED AND ADOPTED this _____ day of September, 2021.

Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

Infrastructure Capital Improvement Plan FY 2023-2027

Las Vegas Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2023	2024	2025	2026	2027	Total Project Cost	Amount Not Yet Funded	Phases?
15548	2023	001	Wastewater Collection System	Water - Wastewater	400,000	300,000	700,000	700,000	700,000	700,000	3,500,000	3,100,000	Yes
35814	2023	002	Aging Water Line Infrastructure	Water - Water Supply	21,664	675,837	828,000	355,833	298,900	277,000	2,457,234	2,435,570	No
38084	2023	003	Police Department Vehicle Replacement	Vehicles - Public Safety Vehicle	185,000	65,000	0	0	0	0	250,000	65,000	No
38087	2023	004	Police Department Radio System Upgrade	Equipment - Public Safety Equipment	0	50,000	0	0	0	0	50,000	50,000	No
37597	2023	005	Roadway Maintenance Dump Truck	Equipment - Other	40,000	160,000	0	0	0	0	200,000	160,000	No
9792	2023	006	Transfer Station Facility Repairs	Facilities - Administrative Facilities	0	320,000	640,000	340,000	800,000	500,000	2,600,000	2,600,000	Yes
18959	2023	007	Riverwalk Improvements	Other - Other	448,000	844,250	844,250	844,250	516,250	0	3,497,000	3,049,000	No
37923	2023	008	Rodriguez Sports Complex Improvements	Facilities - Other	3,500,000	4,206,250	4,206,250	4,206,250	1,381,250	0	17,500,000	14,000,000	No
38085	2023	009	Historic City Museum & Municipal Court Repairs	Facilities - Museums	50,000	50,000	3,050,000	0	0	0	3,150,000	3,100,000	Yes
38086	2023	010	Historic Carnegie Library Repairs	Facilities - Libraries	0	100,000	1,900,000	0	0	0	2,000,000	2,000,000	Yes
35617	2023	011	Legion Drive Road and Drainage Improvements	Transportation - Highways/Roads/Bridges	0	313,000	2,360,000	0	0	0	2,673,000	2,673,000	No
37403	2023	012	8th Street Extension Waterline	Water - Other	0	60,000	600,000	0	0	0	660,000	660,000	No
27840	2023	013	Peterson Dam Rehabilitation	Water - Water Supply	600,000	400,000	400,000	500,000	5,000,000	5,000,000	11,900,000	11,300,000	Yes
35826	2023	014	Water Treatment SCADA System	Water - Water Supply	0	105,000	500,000	500,000	500,000	0	1,605,000	1,605,000	Yes
27898	2023	015	Hot Springs Blvd Reconstruction	Transportation - Highways/Roads/Bridges	0	750,000	750,000	0	0	0	1,500,000	1,500,000	Yes

Infrastructure Capital Improvement Plan FY 2023-2027

38624	2023	016	Fire Station/Training Facility	Facilities - Fire Facilities	0	500,000	500,000	500,000	0	0	1,500,000	1,500,000	Yes
37557	2023	017	Roadway Maintenance Asphalt Zipper Equip	Equipment - Other	0	120,000	0	0	0	0	120,000	120,000	No
13921	2023	018	Dee Bibb Industrial Park Infrastructure Improv	Transportation - Highways/Roads/Bridges	450,000	175,000	175,000	0	0	0	800,000	350,000	Yes
25808	2023	019	Old City Hall Reconstruction	Facilities - Administrative Facilities	0	1,360,000	0	0	0	0	1,360,000	1,360,000	No
25302	2023	020	Transfer Station Pavement and Drainage Project	Other - Solid Waste	0	200,000	500,000	500,000	0	0	1,200,000	1,200,000	Yes
17060	2023	021	West National Street construction	Transportation - Highways/Roads/Bridges	268,000	400,000	300,000	300,000	100,000	0	1,368,000	1,100,000	Yes
25350	2023	022	Annual Leak Repair and replacement	Water - Water Supply	283,700	200,000	300,000	100,000	300,000	300,000	1,483,700	1,200,000	Yes
10733	2023	023	Mainstreet Corridor Improvement Project	Transportation - Highways/Roads/Bridges	0	1,325,000	1,650,000	1,000,000	700,000	700,000	5,375,000	5,375,000	Yes
37167	2023	024	Westside Farmers Market Renovation	Facilities - Cultural Facilities	35,117	15,000	449,883	0	0	0	500,000	464,883	Yes
37300	2023	025	Wayfinding	Other - Other	24,000	50,000	200,000	0	0	0	274,000	250,000	Yes
27819	2023	026	Mobile Data Communication	Equipment - Public Safety Equipment	0	150,000	0	0	0	0	150,000	150,000	No
37308	2023	027	Carnegie Library IT Upgrades	Facilities - Cultural Facilities	10,000	10,000	0	0	0	0	20,000	10,000	No
30691	2023	028	Plaza Park Electrical Upgrade	Facilities - Administrative Facilities	18,000	92,000	0	0	0	0	110,000	92,000	No
25345	2023	029	Raw Water Conveyance System Improvements	Water - Water Supply	2,593,060	300,000	300,000	4,600,000	2,500,000	2,500,000	12,793,060	10,200,000	Yes
25356	2023	030	Rehabilitate/Inspect Water Storage Tanks	Water - Water Supply	1,829,800	600,000	500,000	600,000	500,000	500,000	4,529,800	2,700,000	Yes
25211	2023	031	Water Treatment Plant O&M Improvements	Water - Water Supply	150,000	450,000	800,000	0	0	0	1,400,000	1,250,000	Yes
25353	2023	032	Effluent Reuse System	Water - Water Supply	100,000	600,000	500,000	500,000	0	0	1,700,000	1,600,000	Yes

Infrastructure Capital Improvement Plan FY 2023-2027

35087	2023	033	Hot Springs Blvd. Water Line Replacement	Water - Water Supply	0	200,000	1,800,000	0	0	0	2,000,000	2,000,000	Yes
35089	2023	034	Mountain View Drive Road Improvements	Transportation - Highways/Roads/Bridges	100,000	345,000	300,000	300,000	205,000	250,000	1,500,000	1,400,000	Yes
27896	2023	035	Plaza Bridge Street Reconstruction	Transportation - Highways/Roads/Bridges	0	1,750,600	0	0	0	0	1,750,600	1,750,600	Yes
35858	2023	036	Romero Street Road Improvements	Transportation - Highways/Roads/Bridges	0	321,940	0	0	0	0	321,940	321,940	No
35883	2023	037	Salazar St. Road Improvements	Transportation - Highways/Roads/Bridges	0	312,974	0	0	0	0	312,974	312,974	No
37547	2023	038	Roadway Maintenance Grader	Equipment - Other	0	260,000	0	0	0	0	260,000	260,000	No
37933	2023	039	Utility Extension for High Plains Meat Processing	Other - Utilities (publicly owned)	0	1,392,711	0	0	0	0	1,392,711	1,392,711	No
38643	2023	040	Wastewater Treatment Plant Backup Generators	Water - Wastewater	0	76,000	500,000	0	0	0	576,000	576,000	Yes
38642	2023	041	Wastewater Treatment Plant Enclose Disc Filter	Water - Wastewater	0	40,000	200,000	0	0	0	240,000	240,000	Yes
25178	2023	042	Bullet Proof Vest Replacement	Equipment - Public Safety Equipment	0	25,000	25,000	25,000	25,000	25,000	125,000	125,000	No
9790	2023	043	Replacement of Solid Waste Heavy Equip	Other - Solid Waste	0	300,000	300,000	300,000	300,000	300,000	1,500,000	1,500,000	Yes
38653	2023	044	Gallinas Diversion Safety Equipment	Water - Other	0	24,000	150,000	0	0	0	174,000	174,000	Yes
38661	2023	045	Solid Waste Transfer Station Grading & Drainage	Other - Solid Waste	0	180,000	1,200,000	0	0	0	1,380,000	1,380,000	Yes
38660	2023	046	Solid Waste Tipping Floor	Other - Solid Waste	0	375,000	2,500,000	0	0	0	2,875,000	2,875,000	Yes
38659	2023	047	Solid Waste Mechanic Shop	Other - Solid Waste	0	60,000	400,000	0	0	0	460,000	460,000	Yes
				Water - Water Supply									Yes

Infrastructure Capital Improvement Plan FY 2023-2027

38658	2023	048	Well Field Rehabilitation		0	80,000	500,000	0	0	0	580,000	580,000	
38655	2023	049	Reservoir Vegetation Control	Equipment - Other	0	100,000	0	0	0	0	100,000	100,000	No
38512	2023	050	South Pacific Road Improvements	Transportation - Highways/Roads/Bridges	0	700,000	4,500,000	0	0	0	5,200,000	5,200,000	Yes
38522	2023	051	University Road Improvements	Transportation - Highways/Roads/Bridges	0	210,000	1,400,000	0	0	0	1,610,000	1,610,000	Yes
38524	2023	052	El Creston Circle Improvements	Transportation - Highways/Roads/Bridges	0	360,000	2,400,000	0	0	0	2,760,000	2,760,000	Yes
38545	2023	053	Dolores, Silva, McRae Street Improvements	Transportation - Highways/Roads/Bridges	0	76,000	500,000	0	0	0	576,000	576,000	Yes
38548	2023	054	KFUN Hill Waterline Replacement	Water - Water Supply	0	60,000	385,000	0	0	0	445,000	445,000	Yes
38551	2023	055	Douglas Alley 6th to 10th St Waterline Replacement	Water - Water Supply	0	50,000	330,000	0	0	0	380,000	380,000	Yes
38556	2023	056	6th St & National to Lincoln Waterline Replacement	Water - Water Supply	0	54,000	350,000	0	0	0	404,000	404,000	Yes
38559	2023	057	Friedman to Baca Waterline Replacement	Water - Water Supply	0	30,000	200,000	0	0	0	230,000	230,000	Yes
38560	2023	058	East and Rita Dr. Waterline Replacement	Water - Water Supply	0	82,000	550,000	0	0	0	632,000	632,000	Yes
38594	2023	059	7th St & Lori Lane to Diane Waterline Replacement	Water - Water Rights	0	62,000	418,000	0	0	0	480,000	480,000	Yes
38631	2023	060	Parkway Rd Waterline Replacement	Water - Water Supply	0	62,000	413,000	0	0	0	475,000	475,000	Yes
38632	2023	061	Baca Ave Waterline Replacement	Water - Water Supply	0	66,000	420,000	0	0	0	486,000	486,000	Yes
38634	2023	062	New Mexico Ave Waterline Replacement	Water - Water Supply	0	68,000	450,000	0	0	0	518,000	518,000	Yes
38639	2023	063	Wastewater Treatment Plant Clarifiers	Water - Wastewater	0	164,000	1,100,000	0	0	0	1,264,000	1,264,000	Yes
38640	2023	064	Wastewater Treatment Plant Headworks	Water - Wastewater	0	150,000	1,000,000	0	0	0	1,150,000	1,150,000	Yes

Infrastructure Capital Improvement Plan FY 2023-2027

38641	2023	065	Wastewater Treatment Plant SCADA System	Water - Wastewater	0	16,000	110,000	0	0	0	126,000	126,000	Yes
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Number of projects:	65												
	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:					
Grand Totals	11,106,341	22,999,560	45,354,384	16,171,333	13,826,400	11,052,000	120,510,008	109,403,688					

ICIP Project Listing

Priority	Project Title	Total Project Cost	Amount Funded	Description
1	Wastewater Collection System	3,500,000	400,000	To plan, design, construct, remove and replace old (VCP) vitrified clay pipe with PVC pipe, to include rehabilitation of sewer manholes throughout the City, and upgrade undersized and deteriorating main lines and sewer tap services. Repair Aeration Basin and Lift Stations. This will allow the City to reduce (I/I) inflow and infiltration into sewer mains which will alleviate (SOS) Sanitary Sewer Overflows and improve the treatment of waste water prior to discharge. The accomplishments of the project will be to conduct a planning assessment, design the project, and contractors will install or replace old Verified Clay Pipe.
2	Aging Water Line Infrastructure	2,457,234	21,664	To plan, design and construct the repair or replacement of aging water lines at locations determined to be experiencing water leaks including the streets of New Mexico Avenue, North Gonzales, Moreland, 7th Street, Pecos St and the alley between 4th and 5th streets, and near Salazar St, Lopez St, Montezuma St, and Romero St.
3	Police Department Vehicle Replacement	250,000	185,000	The City of Las Vegas New Mexico Police Department will acquire four fully equipped vehicles to replace those units that have reached the end of their service life.
4	Police Department Radio System Upgrade	50,000	0	To purchase system software and equipment to upgrade the current radio communication system to enhance coverage citywide.
5	Roadway Maintenance Dump Truck	200,000	40,000	To purchase and equip a multipurpose roadway maintenance vehicle to repair damaged roadway surfaces throughout the City of Las Vegas, New Mexico, the dump truck will assist in upgrading poor road conditions as reported in the 2019 Pavement Status Report, during warmer months and snow plowing during the winter.
6	Transfer Station Facility Repairs	2,600,000	0	To plan, design, and repair and equip major repairs to the transfer station facility to include doors, insulation, recycling center and equipment including additional tipping floor space.
7	Riverwalk Improvements	3,497,000	448,000	To plan, design, construct and equip improvements to the Riverwalk Trail from Mills Ave. to Prince Street to include lighting, paving, and landscaping, directional signs, lighting, benches and tables; develop pocket parks including parking, fences and barriers; drainage and erosion; pedestrian crossings on Prince, Bridge, and Mills; and river ecology and landscaping

ICIP Project Listing

8	Rodriguez Sports Complex Improvements	17,500,000	3,500,000	To plan, design, construct, and equip new softball fields, soccer fields, a skate park, security/entrance booth, parks department building and create a motocross area at Rodriquez Park. As well as renovate and improve existing infrastructure including perimeter fence, park drainage, roadways, parking lots, bathrooms, and softball/baseball fields.
9	Historic City Museum & Municipal Court Repairs	3,150,000	50,000	Plan and design the environmental and renovation remediation effort. abate the asbestos and mold that is affecting the buildings, and repair the deterioration occurring due to the age of the facilities.

Priority	Project Title	Total Project Cost	Amount Funded	Description
10	Historic Carnegie Library Repairs	2,000,000	0	To plan and design a process to remediate the Historic Carnegie Library to abate the asbestos and mold and to renovate the building and bring it up to meet health & Safety code compliance.
11	Legion Drive Road and Drainage Improvements	2,673,000	0	Plan, design and construct road and drainage improvements on Legion Drive from Grand Avenue to 7th St. To date project has not begun. In the process of securing funding before the spring of 2021 to begin the project. The city with an Engineer/Architect will plan and design an outline for road improvements on Legion Drive. After plans are produced the city Public Works Department will conduct the construction with supervision of an Engineer/Architect.
12	8 th Street Waterline Extension	660,000	0	To plan, design and construct a new waterline to provide an alternate route for treated water allowing for repairs on other distribution lines with a reduce impact to customers.
13	Peterson Dam Rehabilitation	11,900,000	600,000	To plan, design, construct and/or replace Peterson Dam to address seepage through the dam section, stop seepage through the dam abutments and foundation, mitigate or control reservoir seepage along the north reservoir rim, minimizing downstream foundation erosion during potential dam over topping during floods up to and including the spillway design and rehabilitate or replacement of the outlet. The dam will be phased by plan, design, and construction including

ICIP Project Listing

				request for Bids will be submitted for Construction and thus far the water environmental assessments have been completed.
14	Water Treatment SCADA System	1,605,000	0	To plan, design, and construct the installation of a Supervisory Control and Data Acquisition (SCADA) program for immediate monitoring and assessment of water treatment plant needs.
15	Hot Springs Blvd Reconstruction	1,500,000	0	To plan, design and construct and renovate 2,793 ft of road on Hot Springs Boulevard from Mills Avenue to Valencia Street in Las Vegas NM, San Miguel County including ADA compliance with sidewalks.
16	Fire Station/Training Facility	1,500,000	0	The City of Las Vegas requires the replacement of a substation in the southeastern quadrant of the city to house a fire vehicle and its associated equipment. Funding will be required to plan, acquire the property, design and construct the facility and equip it with typical fire house equipment. In addition, there is no training facility in the northeast of the State. Including training facilities, would allow all northeastern fire departments and EMTs to easily travel to Las Vegas for periodic training. This will save time and reduce costs.
17	Roadway Maintenance Asphalt Zipper Equip.	120,000	0	To purchase and equip roadway maintenance equipment to repair damaged roadway surfaces throughout the City of Las Vegas, New Mexico, asphalt zipper will assist in upgrading poor road conditions as reported in the 2019 Pavement Status Report.
18	Dee Bibb Industrial Park Infrastructure Improvement	800,000	450,000	To plan, design, and construct a complete infrastructure of a roadway including paving, utilities, and drainage of the Dee Bibb Industrial Park for the City of Las Vegas NM in San Miguel County.
19	Old City Hall Reconstruction	1,360,000	100,000	To plan, design, repair, and renovate the Historic "Old City Hall" Facility for use by the City of Las Vegas to include a restoration of the roof, trusses repair, stone repair and re-pointing, plumbing, electrical, windows, flooring, doors, demolition of additions with asbestos, drainage, tower roof and restoration, and installation of an elevator to meet ADA compliance.
20	Transfer Station Pavement and Drainage Project	1,200,000	0	To plan, design and construct pavement and drainage improvements to the Solid Waste Transfer Station that is in need of heavy load bearing asphalt pavement, curb, gutter, drainage to include drop inlets, and storm culverts. This will allow for better traffic control patterns, stripping and signage, for both residential and commercial traffic. The work would also include the installation of a sump pump below the existing truck scale.
21	West National Street	1,368,000	268,000	To plan, design, and construct roadway and drainage improvements on West National Street starting at the intersection of Lopez street and ending at the City limits. This includes significant

ICIP Project Listing

	construction			drainage improvements and pavement reconstruction and the project is currently in the bid process.
22	Annual Leak Repair and replacement	1,483,700	283,700	To plan design, construct or replace old existing city water lines by starting with a Leak Detection program and followed by repairs or replacement. Engineer has identified areas that are in disrepair and is currently working on design.
23	Mainstreet Corridor Improvement Project	5,375,000	0	To plan, design and construct Mainstreet corridor improvements in the Railroad District for the Great Blocks Streetscape project and way finding improvements to include sidewalk restoration, landscaping, street lamps, street furniture and signage, an underground engineering study for wiring and installation of street lamps, and drainage systems including wayfinding through the Downtown Districts. Install a gateway arch on Grand Avenue and East Lincoln including acquisition and construction of parking lot(s), and facilities for events.
24	Westside Farmers Market Construction	500,000	35,117	To plan, design, construct, furnish, and equip the renovation of the Westside Farmers Market building to include a new roof, drainage, flashing, windows, ceiling, doors, electrical, plumbing, restrooms, kitchen, flooring, walls, framing, ADA restrooms, ADA entrance ramps, and lighting.
25	Wayfinding	274,000	24,000	To plan, design, and construct a Phase II and Phase II Wayfinding project in the City of Las Vegas to include the design and installation of wayfinding signage that provides directional signage for citizens and tourists which encompasses all of the ways in which people orient themselves toward a physical space and navigate from place to place within the City of Las Vegas three historic Districts which are Plaza/Bridge Street, Douglas Avenue, and Railroad District.
26	Mobile Data Communication	150,000	0	To plan design, purchase, and equip mobile equipment that will include approximately 40 mobile data devices. The devices are intel based architecture running Microsoft operating system. The hardware is designed to be carried on board any motor vehicle. the device is usually in the form of a "ruggedized" laptop. Mobile Data devices allow users outside the control room or emergency operations center to have access to critical information at all times. This also allows the police officer to be dispatched silently through mobile CAD software that is running locally on the mobile device.
27	Carnegie Library IT Upgrades	20,000	10,000	To plan, design, construct, and equip Carnegie Public Library with Information Technology upgrades to include hard wire, electrical upgrades, cameras, servers, computers, software, malware,
28	Plaza Park Electrical Upgrade	110,000	18,000	To plan, design, construct, and equip electrical upgrades for the City of Las Vegas at the Plaza Park to include new boxes and electrical outlets for use by the public, contractors, and vendors in the park for public and private events.
29	Raw Water Conveyance	12,793,060	2,593,060	To plan, design, engineer, survey, and construct acquire easements and rights of way, construct, and equip, improve and upgrade approximately 16,000 LF of 24 inch diameter pipeline for the

ICIP Project Listing

	System Improvements			water conveyance system from the existing Gallinas Diversion structure to Peterson and Bradner Reservoirs, to include pre sedimentation basin, raw water pump station and reservoir interconnect pipeline upgrades, to include all valves, gates, gauges, meters and all appurtenances for the improvements in Las Vegas in San Miguel County. The Planning and Design for 1/2 of the Conveyance route is complete, while the other half has not started. A Request for Bids will be submitted for Construction.
30	Rehabilitate/Inspect Water Storage Tanks	4,529,800	1,829,800	To plan, design, and construct the removal of each tank from service to complete inspection, repairs Re-coat tank interiors, exteriors as needed Replace rafter bolts Replace cathodic protection
31	Water Treatment Plant O&M Improvements	1,400,000	150,000	To plan, design and construct improvements to the Water Treatment Plant for pumps, motors, mixers and filter bed for the City of Las Vegas at the Water Treatment Plant for improved water quality and safe drinking.
32	Effluent Reuse System	1,700,000	100,000	To plan, design and construct the expansion of effluent reuse lines from Columbia Ave to North Grand Ave. and City Hall to Legion Drive. This will allow the city to irrigate via gravity, athletic playing fields, city parks, and landscaping. The City of Las Vegas will be able to irrigate areas along Legion Drive and North Grand using effluent reuse water.
33	Hot Springs Blvd. Water Line Replacement	2,000,000	0	To plan, design, construct, and replace existing water lines on Hot Springs Blvd. within the City of Las Vegas from the intersection of Mills Ave. to Camp Luna. Replace existing aging water lines that leak and are in the middle of an NMDOT road. Moving the lines to the other side of the road will reduce leaks by installing newer lines and making repairs less costly by avoiding cutting into the NMDOT roads.
34	Mountain View Drive Road Improvements	1,500,000	942,000	To plan, design, and construct road improvements on Mountain View Drive including rehabilitation, drainage improvements, ADA compliance, sidewalks, and improvements to curb and gutter for approximately one mile.
35	Plaza Bridge Street Reconstruction	1,750,600	0	To plan, design and construct pavement and drainage from 12th St up Bridge St. and around the Plaza and the side streets of Camino de Las Escuelas, S.Pacific Street, Sooth Gonzales up to Moreno St. as well as Hot springs Blvd. and North Gonzales up to Valencia St.
36	Romero Street Road Improvements	321,940	0	To plan, design and construct and re-construct pavement, rehabilitation, and drainage improvements on Romero Street in Las Vegas, NM.

ICIP Project Listing

37	Salazar St. Road Improvements	312,974	0	To plan, design, and construct road and drainage improvements on Salazar St. in include new pavement and drainage improvements.
38	Roadway Maintenance Grader	260,000	0	To purchase and equip roadway maintenance equipment to repair damaged roadway surfaces throughout the City of Las Vegas, New Mexico, road grader assist in upgrading poor road conditions as reported in the 2019 Pavement Status Report.
39	Utility Extension for High Plains Meat Processing	1,392,711	0	To plan, design, and construct, City utility extension of water, gas, and sewer to the High Plains Meat Processing Plant, to support their expansion plans. Estimates for Sewer: \$709,711; Gas: \$120,000; Water: \$563,000.
40	Wastewater Treatment Plant Backup Generators	576,000	0	to plan, design, and install a backup generator system
41	Wastewater Treatment Plant Enclosed Disc Filter	240,000	0	to plan, design, and construct a pre-engineered building to cover disc filters and uv disinfection system to prevent freezing and keep facility out of the elements
42	Bullet Proof Vest Replacement	125,000	0	To furnish and equip bullet proof vests for officer safety as a critical component of public safety in order to protect the community and police officers need to be properly outfitted to protect from harm from combative subjects with weapons through the purchase of safety vests.
43	Replacement of Solid Waste Heavy Equipment	1,500,000	0	To plan, design, construct, furnish and equip new solid waste heavy equipment to include new heavy equipment needs and replacement for the Solid Waste Department. Equipment is outdated and needs to be replaced so that the City of Las Vegas can better serve the needs of the citizens in the implementation of solid waste collection and disposal. Specifically acquiring Packer Truck vehicles, loaders, skid steer, backhoe, tractor trailer, garbage trucks, and chippers.
44	Gallinas Diversion Safety Equipment	174,000	0	to acquire, plan, design, and construct a fall protection system that will include PPE such as harness, lanyards, and other safety devices, two turbo jet heaters, trolley system that includes power source supply

ICIP Project Listing

45	Solid Waste Transfer Station Grading & Drainage	1,380,000	0	to plan, design, and construct a drainage system by grading to prevent flooding and control sediment buildup
46	Solid Waste Tipping Floor Rehabilitation	2,875,000	0	to plan, design, and construct an addition to the tipping floor, a rehab to the pit with the installation of a weight scale
47	Solid Waste Mechanic Shop	460,000	0	to plan, design, and construct a 60 ft x 120 ft pre-engineered building for use as a vehicle maintenance and repair shop
48	Taylor Well Field #4 Rehabilitation	580,000	0	to plan, design, and construct pump replacement, new VFDs (Variable Frequency Drive), chlorination, the redevelopment of chlorine analyzers, the installation of electronic transducers, and an installation of security fence
49	Reservoir Vegetation Control	100,000	0	to acquire equipment for reservoir vegetation control
50	South Pacific Road Improvements	5,200,000	0	To plan, design, and construct a Mill & Inlay of asphalt, update underground utilities, drainage rehabilitation, ADA compliant ramps, side walks, curb & gutter, and any additional road work.

Priority	Project Title	Total Project Cost	Amount Funded	Description
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ICIP Project Listing

51	University Road Improvements	1,610,000	0	To plan, design, and construct a full reconstruction of roadway, ADA compliant ramps, updated drainage, and several sections of sidewalks and curb & gutter in need of replacement.
52	El Creston Circle	2,760,000	0	To plan, design, and construct a full reconstruction of roadway, ADA compliant ramps, sidewalks, concrete curb and gutter and other road work as needed
53	Dolores, Silva, McRae Street Improvements	576,000	0	To plan, design, and construct a full reconstruction of roadway, ADA compliant ramps, sidewalks, and concrete curb and gutter
54	KFUN Hill Waterline Replacement	445,000	0	To plan, design, and construct the relocation of the new waterline approximately 2000ft of new 6" C-900 waterline, jack and bore, fire hydrants and updated services as needed
55	Douglas to Lincoln Waterline	380,000	0	To plan, design, and construct 4"inch waterline replacement with new 4"inch C-900, update water services, and fire protection as needed
56	6th St. National to Lincoln Waterline Replacement	404,000	0	To plan, design, and construct the replacement of a 6"inch water main C-900, Asphalt removal and installation, updated water services as need and fire protection
57	Friedman to Baca Waterline Replacement	230,000	0	To plan, design, and construct the replacement of a 4"inch C-900 waterline, and update services and fire protection as needed
58	East to Rita Dr. Waterline Replacement	632,000	0	To plan, design, and construct the replacement with new 8"inch C-900 , 6"inch C-900, new fire hydrants and service connections.
59	7th St Lori Lane to Diane Waterline Replacement	480,000	0	To plan, design, and construct a replacement of a 3"inch C-900 watermain, concrete and asphalt removal, NMDOT permits, and updated water services and fire protection as needed
60	Parkway Rd	475,000	0	To plan, design, and construct, a replacement of a new 6" C-900 waterline, updated

ICIP Project Listing

	Waterline Replacement			water meters settings and fire protection
61	Baca Ave. Waterline Replacement	486,000	0	To plan, design, and construct the replacement for a new 6"inch C-900 waterline, updated water services as needed, new Fire Hydrants
62	New Mexico Ave. Waterline Replacement	518,000	0	To plan, design, and construct a replacement of a new 6"inch C-900 waterline, update all services as needed, NMDOT permits, and new fire hydrants
63	Wastewater Treatment Plant Clarifiers	1,264,000	0	to plan, design, construct, and equip new clarifiers that are stainless steel, self cleaning, improved detention time, and increased removal of solids
64	Wastewater Treatment Plant Headworks	1,150,000	0	to plan, design, construct, and equip new headworks that will improve on the removal such as grease, plastic, rags, and other sources that enter the wastewater system.
65	Wastewater Treatment Plant Scada	126,000	0	to plan, design, construct, and equip a SCADA system that will automate the processes, collect data, and monitor the data coming through remote devices



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

Meeting Date: September 8, 2021

Date Submitted: 08/13/2021

Department: City Attorney

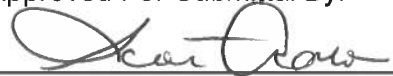
Item/Topic: Request to approve Encroachment Agreement between the City of Las Vegas and the Estate of Rosalia V. Crespín, real property known as 11th Street right-of-way and the alley behind 1022 Tilden Street. The property has been surveyed by LSC Surveys LLC.

Fiscal Impact: None

Attachments: Encroachment Agreement and Survey

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:



Department Director


City Manager

Reviewed By:

Finance Director


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 _____

ENCROACHMENT AGREEMENT

This Encroachment Agreement ("Agreement") is made this ____ day of September, 2021 ("Effective Date"), by and between the City of Las Vegas, a New Mexico home-rule municipality ("City") and the Estate of Rosalia V. Crespin ("Estate"). Throughout this Contract, either of the aforementioned parties may be referred to as "Party" or both of the aforementioned parties may be referred to as "Parties."

Recitals

Whereas, the City is the owner of real property commonly known as 11th Street right-of-way ("ROW") and the alley behind 1022 Tilden Street ("Alley"), with the ROW and Alley collectively referred to as "City Property".

Whereas, the Estate is the owner of the real property commonly known as 1022 Tilden Street, Las Vegas, San Miguel County, New Mexico 87701 (more particularly described on attached Exhibit A) ("1022 Tilden Street") which abuts the City Property on the westerly and northerly sides of 1022 Tilden Street;

Whereas, a survey of 1022 Tilden Street, prepared by LSC Surveys LLC, attached hereto as Exhibit B ("Survey"), shows that the westerly improvements of 1022 Tilden Street encroach on the ROW and the northerly improvements of 1022 Tilden Street encroach on the Alley (collectively "Encroachments"); and

Whereas, the Parties acknowledge the aforementioned encroachments and desire to enter into this Agreement to resolve any encroachment issues that may exist.

Now, therefore, in consideration of the foregoing recitals and any exhibits to this Agreement, which are incorporated herein by reference, and the covenants and agreements set forth in this Contract, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, City and Estate agree as follows:

1. City hereby grants to the Estate permission for the Encroachments to remain in their current locations for as long as such Encroachments shall stand in good repair. If the Encroachments are in need of maintenance or repair, the City expressly grants to the Estate a limited license to enter the City Property to maintain or repair 1022 Tilden Street.

2. If, at any time, for any reason, the portions of 1022 Tilden Street which encroach on City Property are removed, destroyed or cease to exist in good condition, then this Agreement will automatically terminate regarding those portions of 1022 Tilden Street which are removed, destroyed or cease to exist in good condition. In the event the Estate, or any subsequent holder of interest in the Encroachments or this Agreement, fail to remove said Encroachments from the City Property if requested to do so by the City based on the automatic termination of any portion of this Agreement, the City may enter upon 1022 Tilden Street and effect such removal without the City incurring any liability whatsoever. City and Estate agree that neither the Estate or any heir, successor or assign of the Estate, or any other subsequent party in interest to this

Agreement, shall expand or add to the Encroachments or in any other way add any other encroachment or improvement to City Property.

3. This Agreement shall inure to the heirs, successors and/or assigns of the Parties.

4. This Agreement shall be governed by the laws of the State of New Mexico, and any modification of this Agreement shall be in writing and signed by both Parties.

6. The Estate hereby indemnifies, defends and agrees to hold City harmless from any and all liability, loss, cost, damage, injury and expenses (including without limitation attorney's fees, court costs and litigation expenses) arising out of or in any way connected with the maintenance or repair of the Encroachments. Without limiting the foregoing indemnification provisions, the Estate further agrees that if any third party asserts a claim or files an action against the City in connection with any event or circumstance relating to the relocation of any portion of the Encroachments, the City may defend itself against such claim or action; and in such event, the Estate shall reimburse the City for any sums paid to any third party in damages, judgments or settlement of such claim or action and for any reasonably cost and expense (including without limitation attorney's fees, court costs, and litigation expenses) incurred by the City in defending itself against such claim or action.

In witness whereof, the Parties have executed this Agreement as of the Effective Date.

CITY OF LAS VEGAS

ESTATE OF ROSALIA V. CRESPIN:

Approved By:

Louie Trujillo, Mayor

Signature

Printed name: _____

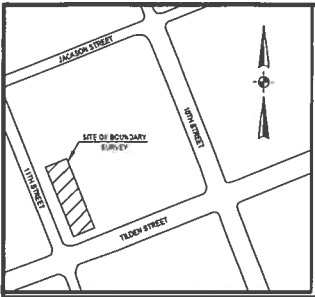
Attest:

Title: _____

Casandra Fresquez, City Clerk

Approved as to legal sufficiency only

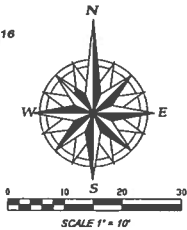
Scott Aaron, City Attorney



BOUNDARY SURVEY PLAT
PREPARED FOR
**CAMILLE RODRIGUEZ & SYLVAIN R. BRIDGET
& DALE E. JENSSSEN**

Lying and being situate at 1022 Tilden Avenue, Lot 26 & Lot 29, Block 2, of the Ortega Addition, Section 26, T. 16 N., R. 16 E., N.M.P.M., within the City of Las Vegas, County of San Miguel, State of New Mexico.

Total Area = 0.188 Acres or
8225 square feet



LEGEND

Bearings are based on the two hour static session, and reduced by OPUS. Applying grid to ground New Mexico State Plane Central Zone NAD 83 Coordinates. Geodetic local position using GPS RTK. Topcon Hiper + distances are ground - bearings are grid. (S 61°30'11" W)

- Monument found number USGLOS or as noted.
- Monuments set, no. 4 rebar with 10988 cap or mag nail with 10988 shiner set in concrete.
- ⊙ National Geodetic Survey Monument found and used as noted.
- 15' Wide Alley and Utility Easement
- Concrete
- PP Power Pole
- Overhead Powerline
- cp Covered porch
- em Electric Meter
- gm Gas Meter
- wm Water Meter
- oo Clean Out
- - - - Chainlink Fence
- - - - Fence

SURVEYORS NOTES

Every document of record reviewed and considered as part of this survey is noted hereon. Only those documents noted hereon were supplied to the surveyor or as researched by Land Surveying Company, LLC.

Surveyor has made no investigation or independent search for encumbrances, restrictive covenants, ownership title evidence or other facts that an accurate and current abstract may disclose.

DOCUMENTS REFERENCED

PLAT: The Boundary Survey of Lots 26 & 27 of Block 2 of the Ortega Addition to Las Vegas, New City of Las Vegas, San Miguel County, New Mexico. Within the Las Vegas Land Grant, Projected Section 26, Township 16 North, Range 16 East, N.M.P.M. Filed and recorded in Book 69, Page 88 in the Office of the San Miguel County Clerk on February 18, 2012.

STATE OF NEW MEXICO }
COUNTY OF SAN MIGUEL } SS

I HEREBY CERTIFY THAT THIS INSTRUMENT HAS BEEN FILED

FOR RECORD ON THIS _____ DAY OF _____

A.D. 2021 AT _____ O'CLOCK _____ M. RECORDED

IN BOOK _____ PAGE _____ AS

DOCUMENT No. _____ IN THE OFFICE

OF THE COUNTY CLERK OF SAN MIGUEL COUNTY,

STATE OF NEW MEXICO

WITNESS MY HAND AND SEAL OF COUNTY OFFICE
SAN MIGUEL COUNTY CLERK
GERALDINE E. GUTIERREZ

DEPUTY CLERK

SURVEYORS CERTIFICATE

I, Salvador I. Vigil, a Registered New Mexico Professional Surveyor do hereby certify that this Boundary Survey plat was prepared from an actual field survey performed by me or under my direct supervision on July 1, 2021. This survey and its boundaries on the plat depicted hereon were established using found monuments, and documents of record. This survey is not a Land Division or Subdivision as per the New Mexico Subdivision Act. This survey meets the minimum standards for surveys set forth by the New Mexico Board of Licensure for Professional Surveyors and Engineers.

PRELIMINARY FOR REVIEW ONLY!

Salvador I. Vigil, N.M.P.S. 10988 DATE _____



LSC SURVEYS, LLC

PREPARED BY	S. I. Vigil, N.M.P.S.	SANTA FE COUNTY CLERK INDEX INFORMATION
DATE	July 1, 2021	CAMILLE RODRIGUEZ, SYLVAIN R. BRIDGET & DALE E. JENSSSEN
PROJECT No.	L-4415/PLAT	1022 TILDEN AVENUE, LOT 26 & 29, BLOCK 2
CHECKED	Donald Valdez	SECTION 2, T. 20N., R. 16E., N.M.P.M.
U.P. 1-100-000-000-000		CITY OF LAS VEGAS, COUNTY OF SAN MIGUEL
PARCEL ID: 1005170		STATE OF NEW MEXICO



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

Meeting Date: September 8, 2021

Date Submitted: 08/27/2021

Department: Utilities

Item/Topic: Award request for re-bids #2021-27 for Hanna Park Effluent Re-Bid to New Image Construction Inc. for \$683,068.00. Due to DWSRF-5362 Grant requirements a change order will be submitted to decrease project by \$174,750.00 for ineligibility for sewer construction.

Advertised: 06/25/2021; Las Vegas Optic, Albuquerque Journal, and City Website

Proposal Opening: 07/21/2021

Number of Bidders: 2 – New Image Construction Inc. \$683,068.00
Hays Plumbing & Heating Inc. \$684,530.70

Fiscal Impact: Paid for through \$375,000.00 in grant funding and \$125,000.00 in loan funding.

Attachments: Project bids, bid opening sheet, engineers recommendation, bid tab, bids received.

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:



Department Director

 8/30/21

City Manager

Reviewed By:

Finance Director

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
RFP/ /OPENING

DATE: 21-Jul-2021

OPENING NO.: 2021-27

TIME: 2:30 PM

DEPARTMENT: WATER

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

ITEM(S): HANNAH PARK EFFLUENT 13-2 ID

RECEIVED FROM:	AMOUNT	SUB CONTRACTOR LIST	BID BOND	AFFIDAVIT NOTARIZED	CAMPAIGN DISC. FORM
1 Hays Plumbing & Heating	684530.10	✓	✓	✓	✓
2 New Image Construction	683068.00	✓	✓	✓	✓
3					
4					
5					
6					

COMPANY REPRESENTATIVE	COMPANY NAME
1 Hays Regina Herrera	Hays Plumbing & Heating
2 Eric Tapia	CLU PM
3 Johnny Manzanar	New Image Const.
4 Samuel Gutierrez	New Image Const.
5 Jonah Ruybal	Mozen Corbin
6 [Signature]	CLU Purchasing
7 [Signature]	CLU P/M
8 [Signature]	CLU PM
9 [Signature]	CLU Inventory
10	

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

[Signature]
DATE: 7-21-21

OPENED BY: FINANCE DEPARTMENT

[Signature]
DATE: 7-21-2021

COPIES TAKEN BY DEPT:

[Signature]
DATE: 7-21-2021

MOLZENCORBIN

July 22, 2021

Mr. Marvin Cordova
Project Manager
City of Las Vegas
1700 North Grand Avenue
Las Vegas, New Mexico 87701

**RE: City of Las Vegas – Hanna Park Effluent
Consideration of Award**

LVG140-25

Dear Mr. Cordova:

The City of Las Vegas received two (2) Bids on July 21, 2021 for the above-mentioned project. A summary of the Bids received, and the Engineer's Estimate is provided on the enclosed Bid Tabulation and Bid Evaluation Summary.

At the Bid Opening the Apparent Low Bidder was New Image Construction Inc. with a low total bid of \$683,068.00 exclusive of NMGR.

- New Image Construction Inc. is a registered Contractor in the State of New Mexico, active GF09 and GB98, License No. 366062. We have verified this information with Contractor Listing Services, Inc. (www.public.psiexams.com).
- The Surety for the Bid Bond is Philadelphia Indemnity Insurance Company NAIC# 18058. As required, the Surety is listed on Federal Circular 570 and licensed to do business in the State of New Mexico to an underwriter's limit of \$262,671,000.00. We have verified this with the U.S. Department of Treasury's listing of approved Sureties approved to conduct business in the State of New Mexico (www.fms.treas.gov/c570).
- New Image submitted all the required forms.

The second ranked Bidder was Hays Plumbing & Heating, Inc. with a Total Bid of \$684,530.70 exclusive of NMGR.

- Hays Plumbing & Heating Inc. is a registered Contractor in the State of New Mexico, active EL01, ES03, ES04, ES05, ES06, GA01, GB98, GF02, GF03, GF04, GF05, GF09, GF98, MM98 and GB98, License No.8243. We have verified this information with Contractor Listing Services, Inc. (www.public.psiexams.com).
- The Surety for the Bid Bond is Insurors Indemnity Company NAIC# 43273. As required, the Surety is listed on Federal Circular 570 and licensed to do business in the State of New Mexico to an underwriter's limit of \$2,899,000.00. We have verified this with the U.S. Department of Treasury's listing of approved Sureties approved to conduct business in the State of New Mexico (www.fms.treas.gov/c570).
- Hays Plumbing & Heating Inc. submitted all the required forms.

Mr. Martin Cordova
July 22, 2021
Page 2

We have coordinated with the New Mexico Environment Department-Construction Programs Bureau (NMED-CPB) who considers New Image to be responsive. We concur with NMED-CPB's assessment and recommend award to New Image Construction Inc. should funds allow.

We understand that the Owner reserves the right to award or reject any Bid, as well as waive any technical irregularities in the Bids. Should the City decide to award the project, please let us know and we will provide the City with the appropriate Notice of Award form.

Please call me at (505) 242-5700, if you have any questions or need additional information.

Sincerely,

MOLZEN CORBIN

Jonah Ruybalid, P.E.

JR:scc
Enclosures

Bid Tabulation
Hanna Park Effluent DWSRF-5362
City of Las Vegas

Bid Opening: July 21, 2021 at 2:00 p.m.

Item No.	Description	Unit	Qty	Engineer's Estimate		New Image Construction Inc.		Hays Plumbing & Heating, Inc.	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	6" PVC Effluent Pipe.	LF	4,400	\$7.00	\$30,800.00	\$11.57	\$50,908.00	\$12.43	\$54,692.00
2	Trenching and Backfilling, All Associated Work.	LF	3,900	\$23.00	\$89,700.00	\$24.50	\$95,550.00	\$28.80	\$112,320.00
3	Trenching and Backfilling with Rock Excavation, All Associated Work.	LF	500	\$45.00	\$22,500.00	\$45.00	\$22,500.00	\$50.00	\$25,000.00
4	6" Gate Valve with Valve Box.	EA	5	\$1,800.00	\$9,000.00	\$2,100.00	\$10,500.00	\$1,360.00	\$6,800.00
5	10" PVC Effluent Pipe.	LF	2,060	\$17.00	\$35,020.00	\$27.00	\$55,620.00	\$28.27	\$58,236.20
6	Trenching and Backfilling, All Associated Work.	LF	1,860	\$25.00	\$46,500.00	\$24.00	\$44,640.00	\$40.40	\$75,144.00
7	Trenching and Backfilling with Rock Excavation, All Associated Work.	LF	200	\$46.00	\$9,200.00	\$30.00	\$6,000.00	\$50.00	\$10,000.00
8	10" Gate Valve with Valve Box	EA	3	\$2,500.00	\$7,500.00	\$3,100.00	\$9,300.00	\$2,857.50	\$8,572.50
9	2" Air Vac Station Including Vault and All Associated Work.	EA	1	\$10,000.00	\$10,000.00	\$10,500.00	\$10,500.00	\$9,500.00	\$9,500.00
10	2" Schedule 80 Pipe Including Trenching, Backfilling and Cap.	LF	40	\$20.00	\$800.00	\$30.00	\$1,200.00	\$30.00	\$1,200.00
11	Directional Drill, 2" HDPE DR-9 Pipe.	LF	60	\$140.00	\$8,400.00	\$65.00	\$3,900.00	\$150.00	\$9,000.00
12	6" x 2" Tee and 2" Plug Valve with Valve Box.	EA	3	\$800.00	\$2,400.00	\$750.00	\$2,250.00	\$2,500.00	\$7,500.00
13	Fire Hydrant Painted Purple, Including Tee, Valve, and All Associated Work.	EA	1	\$6,500.00	\$6,500.00	\$5,000.00	\$5,000.00	\$7,700.00	\$7,700.00
14	Connect to Existing 10" Effluent Line as shown on Sheet W-101	LS	1	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$3,800.00	\$3,800.00
15	Connect to Existing 6" Effluent Line Including Fittings and Restraints.	EA	2	\$800.00	\$1,600.00	\$1,400.00	\$2,800.00	\$2,500.00	\$5,000.00
16	Clean and CCTV Existing 10" Sewer Line.	LF	1,450	\$10.00	\$14,500.00	\$4.00	\$5,800.00	\$10.77	\$15,616.50
17	Point Repair Existing Sewer Line to Allow CCTV Camera to Pass if Required.	EA	2	\$1,500.00	\$3,000.00	\$5,200.00	\$10,400.00	\$1,200.00	\$2,400.00
18	Pipe Burst Existing 10" Sewer Line, Including New 10" HDPE Sewer Line.	LF	1,450	\$80.00	\$116,000.00	\$89.00	\$129,050.00	\$75.41	\$109,344.50
19	Reconnect Existing Sewer Service with New Service Saddle and Piping.	EA	5	\$1,200.00	\$6,000.00	\$4,500.00	\$22,500.00	\$1,200.00	\$6,000.00
20	Rehab Existing Manhole .	EA	4	\$1,500.00	\$6,000.00	\$1,000.00	\$4,000.00	\$3,900.00	\$15,600.00
21	Remove and Replace Concrete Manhole Collar.	EA	3	\$900.00	\$2,700.00	\$1,000.00	\$3,000.00	\$2,500.00	\$7,500.00
22	Remove and Replace Concrete Curb and Gutter.	LF	60	\$50.00	\$3,000.00	\$80.00	\$4,800.00	\$53.00	\$3,180.00
23	Remove and Replace Concrete Sidewalk.	SY	15	\$75.00	\$1,125.00	\$90.00	\$1,350.00	\$145.00	\$2,175.00
24	4" Asphalt Removal and Replacement Including Base Course and Sub-Grade Prep.	SY	650	\$80.00	\$52,000.00	\$90.00	\$58,500.00	\$65.00	\$42,250.00
25	Traffic Control.	LS	1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$2,500.00	\$2,500.00
26	Construction Staking.	LS	1	\$12,000.00	\$12,000.00	\$14,000.00	\$14,000.00	\$1,000.00	\$1,000.00
27	Stormwater Pollution Prevention Plan.	LS	1	\$3,000.00	\$3,000.00	\$5,000.00	\$5,000.00	\$2,500.00	\$2,500.00
28	Mobilization, Insurance and Bonds.	LS	1	\$25,000.00	\$25,000.00	\$30,000.00	\$30,000.00	\$25,000.00	\$25,000.00
29	Demobilization and Closeout.	LS	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
30	Utility Relocation Allowance.	ALLOW	1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
31	Laboratory Testing Allowance.	ALLOW	1	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
32	Pre-Authorized Construction Changes.	ALLOW	1	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
Subtotal Bid Amount= Base Bid + Additive Alternate (exclusive of NMGR)				\$597,745.00		\$683,068.00		\$684,530.70	
Gross Receipts Tax @ 8.3958%				\$50,185.47		\$57,349.02		\$57,471.83	
TOTAL BID AMOUNT (including New Mexico Gross Receipts Tax)				\$647,930.47		\$740,417.02		\$742,002.53	

I hereby certify that the above figures are the same as those submitted in the Bid Proposals except for corrected items marked with an ((**))

Jonah Ruybalid, P.E.

Date



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

August 16, 2021

Marvin Cordova
Project Manager
City of Las Vegas
1700 N. Grand Avenue
Las Vegas, NM 87701

RE: Recommendation of Award Las Vegas Hanna Park Effluent Project (DW-5362)

Dear Mr. Cordova:

The New Mexico Environment Department (NMED) Construction Programs Bureau (CPB) has reviewed the Bid Tabulation, Bid Evaluation Summary, and Consideration of Award letter dated July 22, 2021 for the referenced project which were prepared by Molzen Corbin. The CPB has also reviewed the apparent low bidder's, New Image Construction Inc., bid submittal and required bid documents.

The NMED CPB concurs with the recommendation to award the construction contract to New Image Construction Inc. for the Base Bid amount of \$683,068.00, plus NMGR. This letter also serves as a RECOMMENDATION OF APPROVAL to the NMFA.

Please ensure I am notified when the Notice of Award has been issued and the Pre-Construction Meeting has been scheduled. Please contact me if you have any questions at (505) 819-7875 or ted.chlastawa@state.nm.us.

Sincerely,

Ted Chlastawa

Digitally signed by Ted
Chlastawa
Date: 2021.08.16 09:43:16
-06'00'

Ted Chlastawa
Project Manager
Construction Programs Bureau

cc: Jonah Ruybalid, PE, Molzen Corbin
Travis Martinez, Project Coordinator, City of Las Vegas
Eric Tapia, Project Manager, City of Las Vegas
Todd Johansen, Senior Program Administrator, DWSRF, NMFA
Andrea Telmo, PE, Project Manager, Construction Programs Bureau

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE

ADVERTISEMENT FOR BIDS

City of Las Vegas
1700 N. Grand Avenue
Las Vegas, New Mexico 87701

RECEIVED
JUL 21 2021
CITY OF LAS VEGAS
PURCHASING DEPT.
MS
2:35 PM

PROJECT NAME: Hanna Park Effluent

Separate sealed BIDS for the construction of approximately 1,450 feet of 10-inch pipe bursting,
6,060 feet of 6-inch to 10-inch PVC effluent pipe, gate valves, asphalt removal and replacement
will be received by the City of Las Vegas at the office of the City Clerk until 2:30 pm local time
on Wednesday July 21, 2021, and then publicly opened and read aloud at the City Council
Chambers.

This project is wholly or partially funded with United States Environmental Protection Agency funds, and therefore must comply with all federal cross cutter requirements. Neither the United States nor its department's agencies or employees is or will be party to this Invitation for Bids or any resulting Contract. This procurement will be subject to all applicable federal regulations including the Davis Bacon Act requirements.

All qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin. Bidders on this Work will be required to comply with the President's Executive Order No. 11246, as amended.

To ensure that Disadvantaged Business Enterprises (DBEs) have the opportunity to compete for procurements funded by EPA financial assistance, all Bidders shall make the six good faith efforts as outlined by EPA at: https://www.epa.gov/sites/production/files/2013-09/documents/six_good_faith_efforts.pdf. The Bidder must make a good faith effort to solicit and hire Disadvantaged Business subcontractors and suppliers to meet the goals outlined in EPA XP-215. A good faith effort requires that the Contractor: 1) Complete the affirmative steps outlined in XP-215, 2) Submit XP-215 with the Bid Proposal, 3) Submit with the Bid Proposal proof that affirmative steps have been taken and this should include copies of advertisements and letters of solicitation. A Bid Proposal that omits XP-215 or does not support that a good faith effort was made will be considered non-responsive and the Bid Proposal rejected.

The CONTRACT DOCUMENTS may be examined at the following locations:

ARI Graphix, 4716 McLeod Road NE, Albuquerque, New Mexico 87109.

Construction Reporter, 4901 McLeod Rd. NE, Suite 200A, Albuquerque, New Mexico 87109

Dodge Data & Analytics, www.construction.com

OBTAINING CONTRACT DOCUMENTS: Drawings, Specifications, and other Contract Documents may be obtained at ARI Graphix (www.ariplans.com), 4716 McLeod Road NE, Albuquerque, New Mexico 87109. Contact ARI Graphix for costs of printing CONTRACT DOCUMENTS (non-refundable) at (505) 884-0862.

TO BE PUBLISHED: Friday June 25, 2021 in the **Albuquerque Journal**.

TO BE PUBLISHED: Friday June 25, 2021 in the **Las Vegas Optic**.

TO BE PUBLISHED: Friday June 25, 2021 at <http://www.lasvegasnm.gov/>.

BID FORM

PROJECT IDENTIFICATION: Hanna Park Effluent

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to: City of Las Vegas
1700 N. Grand Avenue
Las Vegas, New Mexico 87701

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER'S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner. Bidder will sign and submit the Agreement and the Bonds and other documents required by the Bidding Requirements within ten days after the date of Owner's Notice of Award.

ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

<u>Addendum No.</u>	<u>Addendum Date</u>
<u>1</u>	<u>7-12-21</u>
<u>2</u>	<u>SM 7-16-21 7-16-21</u>

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site (except Underground Facilities) that have been identified in SC-4.02, and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in SC-4.06.
- E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.
- F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and

- 5.03 Gross receipts tax rates will be adjusted by the Contractor during the construction period to reflect the actual applicable rates issued by the New Mexico Taxation and Revenue Department.

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.01 The following documents are submitted with and made a condition of this Bid:
- A. Required Bid Security
 - B. List of Proposed Subcontractors for compliance with New Mexico Subcontractor's Fair Practices Act
 - C. Federal Forms Required by the EPA Supplemental Conditions for Federally Assisted Projects:
 - Certifications Regarding Contract Under Equal Employment Opportunity Clause and Non-segregated Facilities (XP-211).
 - MBE / WBE / SBRA Utilization Information Sheet (XP-215), along with proof of Solicitation (i.e., newspaper advertisement, letters of solicitation).
 - Davis-Bacon Certification (XP-315).
 - Certification Regarding Debarment, Suspension, and Other Responsibility Matters (EPA Form 5700-49).
 - NM SRF DBE Form DBE-3.
 - NM SRF DBE Form DBE-4.
 - SRF Telecom Prohibition Certification.
 - American Iron and Steel Certification (AIS DWSRF 314).

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder shall complete the Work in accordance with the Contract Documents for the following price(s):

Item No.	Description	Unit	Est. Qty.	Bid Unit Price	Bid Price
1	6" PVC Effluent Pipe.	LF	4,400	\$ 11.57	\$ 50,908
2	Trenching and Backfilling. All Associated Work.	LF	3,900	\$ 24.50	\$ 95,550
3	Trenching and Backfilling with Rock Excavation, All Associated Work.	LF	500	\$ 45.00	\$ 22,500
4	6" Gate Valve with Valve Box.	EA	5	\$ 2,100	\$ 10,500
5	10" PVC Effluent Pipe.	LF	2,060	\$ 27.00	\$ 55,620
6	Trenching and Backfilling, All Associated Work.	LF	1,860	\$ 24.00	\$ 44,640
7	Trenching and Backfilling with Rock Excavation, All Associated Work.	LF	200	\$ 30.00	\$ 6,000
8	10" Gate Valve with Valve Box	EA	3	\$ 3,100	\$ 9,300
9	2" Air Vac Station Including Vault and All Associated Work.	EA	1	\$ 10,500	\$ 10,500
10	2" Schedule 80 Pipe Including Trenching, Backfilling and Cap.	LF	40	\$ 30.00	\$ 1,200
11	Directional Drill, 2" HDPE DR-9 Pipe.	LF	60	\$ 65.00	\$ 3,900
12	6" x 2" Tee and 2" Plug Valve with Valve Box.	EA	3	\$ 750.00	\$ 2,250
13	Fire Hydrant Painted Purple, Including Tee, Valve, and All Associated Work.	EA	1	\$ 5,000	\$ 5,000

Item No.	Description	Unit	Est. Qty.	Bid Unit Price	Bid Price
14	Connect to Existing 10" Effluent Line as shown on Sheet W-101.	LS	1	\$4,000	\$4,000
15	Connect to Existing 6" Effluent Line Including Fittings and Restraints.	EA	2	\$1,400	\$2,800
16	Clean and CCTV Existing 10" Sewer Line.	LF	1,450	\$4.00	\$5,800
17	Point Repair Existing Sewer Line to Allow CCTV Camera to Pass if Required.	EA	2	\$5,200	\$10,400
18	Pipe Burst Existing 10" Sewer Line, Including New 10" HDPE Sewer Line.	LF	1,450	\$89.00	\$129,050
19	Reconnect Existing Sewer Service with New Service Saddle and Piping.	EA	5	\$4,500	\$22,500
20	Rehab Existing Manhole.	EA	4	\$1,000	\$4,000
21	Remove and Replace Concrete Manhole Collar.	EA	3	\$1,000	\$3,000
22	Remove and Replace Concrete Curb and Gutter.	LF	60	\$80.00	\$4,800
23	Remove and Replace Concrete Sidewalk.	SY	15	\$90.00	\$1,350
24	4" Asphalt Removal and Replacement Including Base Course and Sub-Grade Prep.	SY	650	\$90.00	\$58,500
25	Traffic Control.	LS	1	\$15,000	\$15,000
26	Construction Staking.	LS	1	\$14,000	\$14,000
27	Stormwater Pollution Prevention Plan.	LS	1	\$5,000	\$5,000
28	Mobilization, Insurance and Bonds.	LS	1	\$30,000	\$30,000
29	Demobilization and Closeout.	LS	1	\$5,000	\$5,000
30	Utility Relocation Allowance.	ALLOW	1	\$15,000.00	\$15,000.00
31	Laboratory Testing Allowance.	ALLOW	1	\$10,000.00	\$10,000.00
32	Pre-Authorized Construction Changes.	ALLOW	1	\$25,000.00	\$25,000.00

TOTAL BID AMOUNT (Exclusive of New Mexico Gross Receipts Tax) \$683,068

Unit Prices have been computed in accordance with Paragraph 11.03 of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

- 5.02 This Contract will be awarded on the basis of the lowest responsive total Bid received from a responsible Bidder. If the lowest acceptable Bid exceeds available funds, the Owner retains the right to reject all Bids or negotiate a change of scope with the lowest responsive Bidder. Owner may only negotiate up to 10% higher than the budgeted project funds. Such negotiation shall not be allowed if the lowest Bid is more than 10% over the budgeted project funds. If a change of scope is negotiated and effected, it will be in the form of a formal Change Order to the Contract. If these conditions are not satisfied, the Owner is required to reject all Bids and re-bid the project to comply with State procurement requirements.

ARTICLE 9 – BID SUBMITTAL

9.01 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____
(Individual's signature)

Doing business as: _____

A Partnership

Partnership Name: _____

By: _____
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): _____

A Corporation

Corporation Name: New Image Const. INC (SEAL)

State of Incorporation: New Mexico

Type (General Business, Professional, Service, Limited Liability): _____

By: John May
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Johnny Manzanares

Title: Owner
(CORPORATE SEAL)

Attest: Margaret

A Joint Venture

Name of Joint Venture: _____

First Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of first joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of second joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(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 above.)

Bidder's Business Address HCR 72 Box 5
Ribera, NM 87560

Phone No. 505-699-0166 Fax No. 575-421-1222

E-mail newimagemanzan@aol.com

SUBMITTED on July 21, 2021.

New Mexico Contractor's License Number 366062

License Classifications GB98 - GF09

New Mexico Department of Workforce Solutions Registration Number 03025920140321

Federal Identification Number (FEIN #) 80-0568873

Dun & Bradstreet Data Universal Numbering System (D-U-N-S Number) 00-772-4958

REQUEST FOR BIDS

The City of Las Vegas, New Mexico will open Sealed Bids at 2:30 p.m., July 21, at the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico, or other designated area at the City Offices; ON THE FOLLOWING:

HANNA PARK EFFLUENT RE-BID

The BIDDING FORMS AND TECHNICAL SPECIFICATIONS may be examined at the following location: Molzen Corbin 2701 Miles Road, SE Albuquerque, NM 87106 phone 505-620-9812

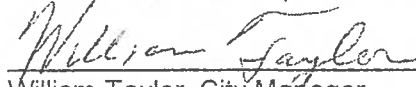
Copies of the BIDDING FORMS AND TECHNICAL SPECIFICATIONS may be examined at the following location: City Clerk's Office at 1700 North Grand Avenue, Las Vegas, NM 87701 or www.lasvegasnm.gov

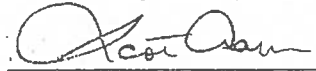
Mailed bids should be addressed to the City Clerk, 1700 N. Grand Ave., Las Vegas, New Mexico 87701; with the envelope marked: HANNA PARK EFFLUENT RE-BID

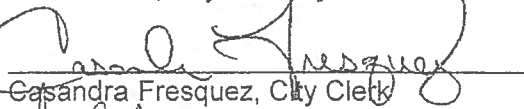
Opening No. 2021-27; on the lower left-hand corner of the submitted envelope. It shall be the responsibility of the Offeror to see that their bid is delivered to the **City Clerk** by the date and time set for the bid request. If the mail or delivery of bid request is delayed beyond the opening date 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.

The City of Las Vegas reserves the right to reject any/or all bids submitted.

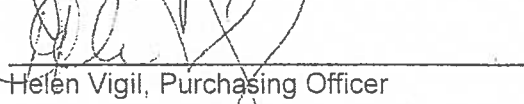
CITY OF LAS VEGAS,


William Taylor, City Manager

 6/14/2021
Scott Aaron, City Attorney


Cassandra Fresquez, City Clerk

 6-15-21
Jesus Baquera, Finance Director


Helen Vigil, Purchasing Officer

Opening No. 2021-27

Date Issued: 6/17/2021

Published:	<u>LAS VEGAS OPTIC</u>	<u>June 25</u>	<u>2021</u>
	<u>ALBUQUERQUE JOURNAL</u>	<u>June 25</u>	<u>2021</u>
	<u>www.lasvegasnm.gov</u>	<u>June 25</u>	<u>2021</u>

BIDDER INFORMATION

OFFEROR: New Image Const. INC

AUTHORIZED AGENT: Johnny Manzanares

ADDRESS: HCR 72 Box 5 Ribera, NM 87560

TELEPHONE NUMBER (505) 699-0166 (575) 421-2822

FAX NUMBER (575) 421-1222

DELIVERY: _____

STATE PURCHASING RESIDENT CERTIFICATION NO.: 1529937712

NEW MEXICO CONTRACTORS LICENSE NO.: 366062

BID ITEM (S): HANNA PARK EFFLUENT RE-BID

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 San Miguel } ss

I, Johnny Manzanares, 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.

Johnny Manzanares
Signature

Subscribed and sworn to before me, this 21 day of July, 2021.

(SEAL)

Laura Lopez
Notary Public Signature

My Commission Expires: 12/27/2023



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, 2021; 2:30 p.m.; at which time all bids received will be opened. An opening will occur at the City's Council Chambers or other designated area at the City Offices. Awarding of Bid is projected for _____, 2021. 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: 80-0568873
SOCIAL SECURITY NUMBER: 525-21-6364

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): 03186160001

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.

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.

CITY OF LAS VEGAS
BIDFORM

BID ITEM (S): HANNA PARK EFFLUENT RE-BID

A.	_____	\$	_____
B.	_____	\$	_____
C.	_____	\$	_____
D.	_____	\$	_____
E.	_____	\$	_____
F.	_____	\$	_____
G.	_____	\$	_____
H.	_____	\$	_____
I.	_____	\$	_____
J.	_____	\$	_____
K.	_____	\$	_____
L.	_____	\$	_____

NOTE:

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

7-21-21
Date

owner / President
Title (Position)

REQUEST FOR BIDS

City of Las Vegas

1700 N. Grand Avenue

Las Vegas, New Mexico 87701

PROJECT NAME: Hanna Park Effluent Re-Bid

Separate sealed BIDS for the construction of approximately 1,450 feet of 10-inch pipe bursting, 6.060 feet of 6-inch to 10-inch PVC effluent pipe, gate valves, asphalt removal and replacement will be received by the City of Las Vegas at the office of the City Clerk until _____ local time on _____, and then publicly opened and read aloud at the City Council Chambers.

This project is wholly or partially funded with United States Environmental Protection Agency funds, and therefore must comply with all federal cross cutter requirements. Neither the United States nor its department's agencies or employees is or will be party to this Invitation for Bids or any resulting Contract. This procurement will be subject to all applicable federal regulations including the Davis Bacon Act requirements.

All qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin. Bidders on this Work will be required to comply with the President's Executive Order No. 11246, as amended.

To ensure that Disadvantaged Business Enterprises (DBEs) have the opportunity to compete for procurements funded by EPA financial assistance, all Bidders shall make the six good faith efforts as outlined by EPA at: https://www.epa.gov/sites/production/files/2013-09/documents/six_good_faith_efforts.pdf. The Bidder must make a good faith effort to solicit and hire Disadvantaged Business subcontractors and suppliers to meet the goals outlined in EPA XP-215. A good faith effort requires that the Contractor: 1) Complete the affirmative steps outlined in XP-215, 2) Submit XP-215 with the Bid Proposal, 3) Submit with the Bid Proposal proof that affirmative steps have been taken and this should include copies of advertisements and letters of solicitation. A Bid Proposal that omits XP-215 or does not support that a good faith effort was made will be considered non-responsive and the Bid Proposal rejected.

The CONTRACT DOCUMENTS may be examined at the following locations:

ARI Graphix, 4716 McLeod Road NE, Albuquerque, New Mexico 87109.

Construction Reporter, 4901 McLeod Rd. NE, Suite 200A, Albuquerque, New Mexico 87109

Dodge Data & Analytics, www.construction.com

OBTAINING CONTRACT DOCUMENTS: Drawings, Specifications, and other Contract Documents may be obtained at ARI Graphix (www.ariplans.com), 4716 McLeod Road NE, Albuquerque, New Mexico 87109. Contact ARI Graphix for costs of printing CONTRACT DOCUMENTS (non-refundable) at (505) 884-0862.

TO BE PUBLISHED: _____ in the **Albuquerque Journal**.

TO BE PUBLISHED: _____ in the **Las Vegas Optic**.

TO BE PUBLISHED: _____ at <http://www.lasvegasnm.gov/>.

LIST OF PROJECT SUBCONTRACTORS FOR
AMOUNTS EXCEEDING THE LISTING THRESHOLD

Subcontract Category Pipe-Bursting

Estimated Value of Work \$191,912.00

Subcontractor's Name AUI Inc.

Business Address 7420 Reading Avenue SE
Albuquerque, NM 87105

Phone Number 505-242-4848

E-mail Address julier@auinc.net

Federal Identification No. (FEIN #) 85-0341049

New Mexico Contractor's License No. 20617

License Categories GA98, GB98, GF98, GS29, MM01, MM04, MS03, MS06, ES07

New Mexico Dept. of Workforce Solutions Registration No. 0189272011615
(list only if value of work is in excess of \$60,000)

DUNS No. 17-325-5878

SAM No. Active (Exp. 11/09/2021)

Subcontract Category Const. Staking, Surveying & Lab Testing

Estimated Value of Work 22,000

Subcontractor's Name BSN

Business Address Suite B-10
Santa Fe, NM 87508

Phone Number 473-7973

E-mail Address Jeffrey@BSNSantaFe.com

Federal Identification No. (FEIN #) 85-2746642

New Mexico Contractor's License No. 15807, 8877, 233485

License Categories P.E., PLS, ACNMTTP

New Mexico Dept. of Workforce Solutions Registration No. 1-739920141222
(list only if value of work is in excess of \$60,000)

DUNS No. _____

SAM No. _____

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address): New Image Construction, Inc
HCR 72 Box 5
Ribera, NM 87560

SURETY (Name and Address of Principal Place of Business): Philadelphia Indemnity Insurance Company
One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004

OWNER:
City of Las Vegas
1700 N. Grand Avenue
Las Vegas, New Mexico 87701

BID
Bid Due Date: July 21st, 2021
Description: Hanna Park Effluent, Las Vegas, New Mexico

BOND

Bond Number:

Date (Not earlier than Bid due date): July 21st, 2021

Penal sum Five Percent (5%) of Bid Amount

(Words)

\$

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

New Image Construction, Inc (Seal)
Bidder's Name and Corporate Seal

By:

Signature

Johnny Manzanares
Print Name

Owner
Title

Attest:

Signature

Title

SURETY

Philadelphia Indemnity Insurance Company
Surety's Name and Corporate Seal

By:

Signature (Attach Power of Attorney)

Kevin A. Menicucci
Print Name

Attorney-In-Fact
Title

Attest:

Signature

CEO
Title

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.

PHILADELPHIA INDEMNITY INSURANCE COMPANY
One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004
Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS that PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Brian M. Menicucci, Mark A. Menicucci, Kevin A. Menicucci, and Tracy L. Duran of Menicucci Insurance Agency LLC,

its true and lawful Attorney(s) in fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$25,000,000

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY at a meeting duly called the 1st day of July, 2011.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company to: (1) Appoint Attorney(s) in fact and authorize the Attorney(s) in fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto, and (2) to remove, at any time, any such Attorney-in-fact and revoke the authority given. And, be it

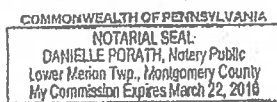
FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with the respect to any bond or undertaking to which it is attached

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 7TH DAY OF FEBRUARY 2013

(Seal)

Robert D. O'Leary Jr., President & CEO
Philadelphia Indemnity Insurance Company

On this 7th day of February 2013, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed



Notary Public:

(Notary Seal)

residing at:

Bala Cynwyd, PA

My commission expires:

March 22, 2016

I, Craig P. Keller, Executive Vice President, Chief Financial Officer and Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 21st day of July, 20 21

Craig P. Keller, Executive Vice President, Chief Financial Officer & Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

STATE OF NEW MEXICO

TAXATION AND REVENUE DEPARTMENT

RESIDENT CONTRACTOR CERTIFICATE

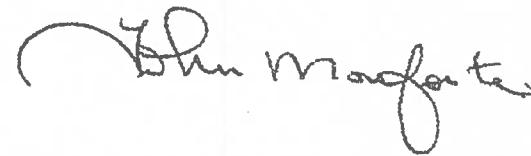
Issued to: NEW IMAGE CONSTRUCTION, INC

DBA: NEW IMAGE CONSTRUCTION, INC
HC 72 BOX 5
RIBERA, NM 87560-9601

Expires: **17-Sep-2021**

Certificate Number:

L1529937712



John Monforte, *Acting Cabinet Secretary*

THIS CERTIFICATE IS NOT TRANSFERABLE

Certificate of Contractor Registration



This is to certify that

New Image Construction Inc.

6 COUNTY ROAD B58

RIBERA, NM, 87560-9601

has registered with the Department of Workforce Solutions

Registration Date: 2/25/2016

Registration Number: 03025920140321

**This certificate does not show the current status of the company.
To see the current status for this company please go to the Public Works
and Apprenticeship Application (PWAA) at
<https://www.dws.state.nm.us/pwaa>**



STATE OF NEW MEXICO
Taxation and Revenue Department



Susana Martinez
Governor

Demesia Padilla, CPA
Secretary

NEW IMAGE CONSTRUCTION, INC
HC 72 BOX 5
RIBERA, NM 87560-9601

September 11, 2015
CRS: 03-186160-00-1
Letter ID: L0651145164

STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT
REGISTRATION CERTIFICATE

Date ID Issued	IDENTIFICATION NUMBER	Business Start Date
01-Apr-2010	03-186160-00-1	11-Mar-2010
Business Location		Business End Date
6 COUNTY RD B58		
City and State		Zip Code
RIBERA, NM		87510
Taxpayer Name		Taxpayer Type
NEW IMAGE CONSTRUCTION, INC		Corporation
Firm Name		Filing Frequency
NEW IMAGE CONSTRUCTION, INC		Monthly
Mailing Address		
HC 72 BOX 5		
City and State		Zip Code
RIBERA, NM		87560-9601

This Registration Certificate is issued pursuant to Section 7-1-12 NMSA 1978 for Gross Receipts, County Gross Receipts, Municipal Gross Receipts, Compensating and Withholding Taxes. This copy must be displayed conspicuously in the place of business. Any purchaser of the registrant's business is subject to certain requirements under Section 7-1-51 NMSA 1978.

Division Director Tax Administration

By *Ron L. Scott*

Any inquiries concerning your Identification Number should be addressed to the Audit & Compliance Division, P.O. Box 530, Santa Fe, New Mexico 87504-0650

THIS CERTIFICATE IS NOT TRANSFERABLE

STATE OF NEW MEXICO TAXATION AND REVENUE DEPARTMENT
REGISTRATION CERTIFICATE

Date ID Issued	IDENTIFICATION NUMBER	Business Start Date
01-Apr-2010	03-186160-00-1	11-Mar-2010
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Taxpayer Name		Taxpayer Type
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Firm Name		Filing Frequency
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Mailing Address		
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THIS CERTIFICATE IS NOT TRANSFERABLE

STATE OF NEW MEXICO

CONSTRUCTION INDUSTRIES DIVISION

NEW IMAGE CONSTRUCTION INC.

LICENSE NUMBER

366062

EXPIRES

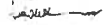
06/30/2022

Qualifying Party(S)

**MANZANARES JOHNNY
MANZANARES JOHNNY R**

CLASSIFICATION(S)

GB98, GF09


DIRECTOR

This seal is the property of the CID and shall be returned upon demand

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY
REGION 6
SUPPLEMENTAL CONDITIONS
FOR FEDERALLY ASSISTED DRINKING
WATER INFRASTRUCTURE
UNDER THE
DRINKING WATER
STATE REVOLVING LOAN FUND**

(1-19)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6**

**Supplemental Conditions for Federally Assisted Drinking Water Infrastructure
under the Drinking Water State Revolving Loan Fund**

Revised February 2021

REPRODUCTION OF THIS GUIDANCE
SHOULD BE ON COLORED PAPER,
PREFERABLY PINK

REQUIRED FEDERAL FORMS

Forms that must be submitted within bidder's proposal:

1. XP-211 Certifications Regarding Contract under Equal Opportunity Clause & Non-Segregated Facilities
2. XP-215 MBW/WBE/SBRA Utilization Form along with proof of solicitation (i.e. newspaper advertisement, letters of solicitation)
3. XP-315 Davis Bacon Certification
4. 5700-49 Certification Regarding Debarment, Suspension & Other Responsibility Matters
5. NM SRF DBE Form DBE-3
6. NM SRF DBE Form DBE-4
7. SRF Telecom Prohibition Certification
8. American Iron and Steel Certification AIS DWSRF 314

Forms to be provided with every construction pay application:

9. XP-214 Labor Standards Certification
10. AIS Pay Application Certification

REFERENCES

- Copeland Anti-Kickback, 29 CFR Part 3
<http://www.dol.gov/compliance/laws/comp-copeland.htm>
- Suspension and Debarment, Subpart C of 2 CFR 180 and 1532
http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr180_main_02.tpl
http://edocket.access.gpo.gov/cfr_2009/janqtr/pdf/2cfr1532.332.pdf
- Disadvantaged Business Enterprise, 40 CFR Part 33
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div5&view=text&node=40:1.0.1.2.30&idno=40>
- Equal Employment Opportunity, 41 CFR Part 60
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div5&view=text&node=41:1.2.3.1.1&idno=41>
- Labor Standards, 29 CFR Parts 4 & 6
http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title29/29cfr4_main_02.tpl
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=99c9a20e960f56be66f17ae91b52c888&rgn=div5&view=text&node=29:1.1.1.1.7&idno=29>
- Nondiscrimination, 40 CFR Part 7
<http://www.epa.gov/ocr/docs/40p0007.pdf>
- OMB Circular A-133
http://www.whitehouse.gov/omb/assets/a133-compliance/app_7.pdf
- Reissuance of NPDES General Permits for Storm Water Discharges from Construction Sites in Region 6- Federal Register
<http://www.epa.gov/region6/6en/w/sw/swcon98.pdf>

Model Contract Clauses—Attached

NPDES Bypass Policy—Attached

Federal Cross-Cutters—Attached

XP-211

BIDDER'S CERTIFICATION*

In Compliance with Equal Employment Opportunity and Nonsegregated Facilities

Project Name City of Las Vegas Project Number DWSRF-5362
Contract For Hanna Park Effluent

The following certifications must be completed by the bidder for each contract.

A. EQUAL EMPLOYMENT OPPORTUNITY:

- (✓) I have developed and have on file at my each establishment affirmative action programs pursuant to 41 CFR Part 60-2.
- (✓) I have participated in previous contract(s) or subcontract(s) subject to the equal opportunity clause under **Executive Orders 11246 and 11375**. I have filed all reports due under the requirements contained in 41 CFR 60-1.7.
- (✓) I have not participated in previous contract(s) subject to the equal opportunity clause under **Executive Orders 11246 and 11375**.
- (✓) I will obtain a similar certification from any proposed subcontractor(s), when appropriate.

B. NONSEGREGATED FACILITIES

- (✓) I certify that I do not and will not maintain any facilities provided for my employees in a segregated manner, or permit my employees to perform their services at any location under my control where segregated facilities are maintained; and that I will obtain a similar certification prior to the award of any federally assisted subcontract exceeding \$10,000 which is not exempt from the equal opportunity clause as required by 41 CFR 60-1.8.

I understand that a false statement on this certification may be grounds for rejection of this bid proposal or termination of the contract award.

Typed Name & Title of Bidder's Authorized Representative

Signature of Bidder's Authorized Representative

Date 7-21-21

Johnny Manzanares

Johnny Manzanares HDR 72 Box 5 Ribera, NM
Name & Address of Bidder 87560

**CERTIFICATION BY CONTRACTOR
STATEMENT OF COMPLIANCE
WITH LABOR STANDARDS**

In accordance with Title 29, Subtitle A, Part 5, Section 5.6(a)(1), each monthly pay application must be accompanied by the following certification executed by each prime contractor employing mechanics and laborers at the site on work in which the New Mexico Finance Authority Drinking Water State Revolving Loan makes funds available to participate:

Pay Application No. _____ for period _____ to _____

Name of Project

Location

Contract No.

Date Contract Awarded

Project No. _____

I hereby certify that all of the contract requirements as specified under the applicable labor standards as set forth in the Davis-Bacon Act, the Copeland "Anti-Kickback" Act and the Contract Work Hours and Safety Standards Act, have been complied with by _____

_____ as principal contractor and by each _____

(Name of Contractor)

subcontractor employing mechanics or laborers at the site of the work, or there is a substantial dispute with the respect to the required provisions. I also certify that I have submitted all weekly payroll to _____ (Name of grantee).

Johnny Manzanarez / owner
Typed Name & Title of Contractor's Authorized Representative

[Signature]
Signature of Contractor's Authorized Representative

7-21-21
Date

Owner/Grantee Certification

I hereby certify that the above is true to the best of my knowledge and that I have reviewed all certified payroll supplied by the prime contractor and certify that it meets all labor standards as set forth in the Davis Bacon Act.

[Signature]
Signature of Grantee Authorized Representative

7-21-21
Date

I understand that the falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

MBE/WBE/SBRA UTILIZATION INFORMATION SHEET

NOTE: The bidder shall complete the following Minority/Women's/Small Business in Rural Area (MBE/WBE/SBRA) utilization information whenever they solicit sub contract construction work and/or services and purchase of equipment and supplies for the project.

1. Do you maintain and update qualified MBE, WBE, and SBRA on your solicitation lists for supplies, equipment, construction and/or service? Yes ☒ No ☐

If yes, when did you update your MBE/WBE/SBRA solicitation lists? yearly

2. Do you maintain a list of minority, women and rural small business-focused publications that may be utilized to solicit MBEs or WBEs or SBRA's? Yes ☒ No ☐

If yes, name the publications: Emails

3. Do you use the services of outreach programs sponsored by the Minority Business Development Agency and/or the Small Business Administration to recruit bona fide MBE/WBE/SBRA firms for placement on your solicitation lists? Yes ☒ No ☐
4. Do you seek out Minority Business Development Centers to assist you in identifying MBEs/WBEs/SBRAs for potential work opportunities on your proposed bid for this project? Yes ☒ No ☐
5. Do you analyze the bid package or contract documents to identify portions of work that can be divided and performed by qualified MBEs, WBEs, and SBRA's including the bonding range? Yes ☒ No ☐

If yes, please attach a brief description of portions of work you have identified for subcontracting.

6. Do you develop realistic delivery schedules which may provide for greater MBE/WBE/SBRA participation? Yes ☒ No ☐
7. Do you send a letter of solicitation to MBE/WBE/SBRA for this project? Yes ☒ No ☐

If yes, please attach a sample copy of each different solicitation letter and the name and address of each MBE/WBE/SBRA.

8. Do you advertise in general circulation, trade journals, State agency publications of identified MBEs/WBEs/SBRAs, minority or women or rural small business focused media, etc., concerning the subcontracting opportunities on your proposed bid for this project? Yes ☒ No ☐

If yes, please list the name of publication and dates of advertisement and attach a copy of each advertisement from each publication.

9. Do you conduct pre-bid, pre-solicitation, and post award conferences, meetings and follow-ups with interested MBE, WBE, and SBRA? Yes ☒ No ☐

If yes, please list person who attended conference as representative of MBE/WBE/SBRA

Name & Title of Person: TBD (To Be Discussed)

Name of MBE/WBE/SBRA: _____

Address: _____ Phone: _____

Date and Place of Conference: _____

Name & Title of Person: _____

Name of MBE/WBE/SBRA: _____

Address: _____ Phone: _____

Date and Place of Conference: _____

Name & Title of Person: _____

Name of MBE/WBE/SBRA: _____

Address: _____ Phone: _____

Date and Place of Conference: _____

10. Total dollar amount of the contract:

\$ 683,068.00

11. Total dollar amount and percentage of MBE/WBE/SBRA participation:

MBE:	Construction	%	Equipment	%	Supplies	%	Services	%
	(\$)		(\$)		(\$)		(\$)	
WBE:	Construction	%	Equipment	%	Supplies	%	Services	%
	(\$)		(\$)		(\$)		(\$)	
SBRA:	Construction	%	Equipment	%	Supplies	%	Services	%
	(\$)		(\$)		(\$)		(\$)	

12. Name, address, phone number, contact person, type of construction subcontract, and dollar amount of subcontract.

MBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

WBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

SBRA Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

MBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

WBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

SBRA Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

MBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

WBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

SBRA Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

MBE Subcontractor:

Address:

Phone:

Contact Person:

WBE Subcontractor:

Address:

Phone:

Contact Person:

SBRA Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Type of Work:

Type of Work:

Amount: \$

Amount: \$

Amount: \$

MBE Subcontractor:

WBE Subcontractor:

SBRA Subcontractor:

Address:

Address:

Address:

Phone:

Phone:

Phone:

Contact Person:

Contact Person:

Contact Person:

Type of Work:

Type of Work:

Type of Work:

Amount: \$

Amount: \$

Amount: \$

I understand that a false statement on the above information may be grounds for rejection of this bid proposal or termination of the contract award.

Johnny Manzanares

Typed Name & Title of Authorized Representative

John Manzanares

Signature of Bidder's Authorized Representative

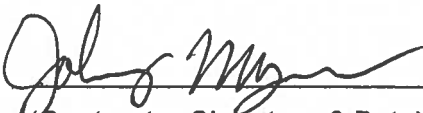
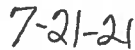
7-21-21

Date

Davis-Bacon Act Certification

The Contractor acknowledges to and for the benefit of the Owner _____ ("Purchaser") and the State of New Mexico (the "State") that it understands the goods and services under this Agreement are being funded with monies made available by the New Mexico Finance Authority Drinking Water State Revolving Loan Fund and such law contains provisions commonly known as the Davis-Bacon Act that requires all contractors and subcontractors performing work on federal construction contracts or federally assisted contracts in excess of \$2,000 to pay their laborers and mechanics not less than the federal prevailing wage rates and fringe benefits for corresponding classes of laborers and mechanics employed on similar projects in the area as determined by the Secretary of Labor.

The Contractor hereby represents and warrants to and for the benefit of the Purchaser and the State that (a) the Contractor has reviewed and understands the Davis-Bacon Act, (b) as such has compensated all contractors and sub-contractors performing work on this project not less than the prevailing wage rate and fringe benefits for corresponding classes as determined by the Secretary of Labor, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, as may be requested by the Purchaser or the State. Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover as damages against the Contractor any loss, expense or cost (including without limitation attorney's fees) incurred by the Purchaser or State resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the State or any damages owed to the State by the Purchaser). While the Contractor has no direct contractual privity with the State, as a lender to the Purchaser for the funding of its project, the Purchaser and the Contractor agree that the State is a third-party beneficiary and neither this paragraph (nor any other provision of this Agreement necessary to give this paragraph force or effect) shall be amended or waived without the prior written consent of the State.


(Contractor Signature & Date)
(Owner Signature & Date)

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name NO Bids received		Project Name
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact
Address		
Telephone No.		Email Address
Prime Contractor Name		Issuing/Funding Entity:

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor

DBE Certified By: ☐ DOT ☐ SBA ☐ Other: _____	Meets/ exceeds EPA certification standards? ☐ YES ☐ NO ☐ Unknown
---	---

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified as described in 40 CFR 33.204-33.205 or certified by EPA. New Mexico State Revolving Loan Funds accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

United States Environmental Protection Agency
Washington, DC 20460

**Certification Regarding
Debarment, Suspension, and Other Responsibility Matters**

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated or caused to default.

I understand that a false statement on this certification may be ground for rejection of this proposal or termination of the award. In addition, under 18 U.S.C. Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Johnny Manzanares Owner
Typed Name & Title of Authorized Representative


Signature of Bidder's Authorized Representative

7-21-21
Date

☐ I am unable to certify to the above statements. My explanation is attached.

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form**

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE¹ subcontractors² and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name Johnny Manzaneros / New Image Const Inc		Project Name City of Las Vegas Hanna Park Effluent	
Bid/ Proposal No. DWSRF 5362	Assistance Agreement ID No. (if known)	Point of Contact Johnny Manzaneros	
Address HCR 72 Box 5 Ribera, NM 87560			
Telephone No. 505-699-0166		Email Address newimagemanzan@aol.com	
Issuing/Funding Entity:			

I have identified potential DBE certified subcontractors	___ YES	___ NO	
If yes, please complete the table below. If no, please explain:			
Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
	NO bids Received		

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified as described in 40 CFR 33.204-33.205 or certified by EPA. New Mexico State Revolving Loan Funds accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

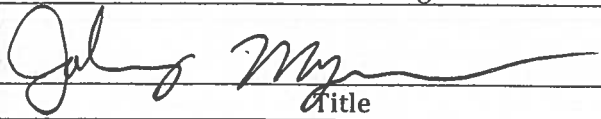
I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
	Johnny Manzanates
Title	Date
	7-21-21

Subcontractor Signature	Print Name
Title	Date

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form**

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Prime Contractor Signature	Print Name
	Johnny Manzanares
Title	Date
Owner	7-21-21



OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form**

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Prime Contractor Signature	Print Name
	Johnny Manzanares
Title	Date
Owner	7-21-21

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Telecommunication and Video Surveillance Services Prohibition Certification

New Image Const. LLC
The Contractor acknowledges to and for the benefit of the (City, County, or other legal entity) of _____ ("Purchaser") and the State of New Mexico ("State") that it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund or Drinking Water State Revolving Fund that have federal statutory requirements commonly known as "Prohibition on Certain Telecommunication and Video Surveillance Services (2 CRF 200.216);" that prohibits the use of Federal funds to procure (enter into, extend, or renew contracts) or obtain equipment, systems, or services that use "covered telecommunications equipment or services" identified in the regulation as a substantial or essential component of any system, or as critical technology as part of any system. Prohibitions extend to the use of Federal funds by **recipients and subrecipients** to enter into a contract with an entity that "uses any equipment, system, or service that uses covered telecommunications equipment or services" as a substantial or essential component of any system, or as critical technology as part of any system. Certain equipment, systems, or services, including equipment, systems, or services produced or provided by entities subject to the prohibition are recorded in the System for Award Management (Sam.gov) exclusion list.

As described in section 889 of Public Law 115-232, covered telecommunications equipment or services includes:

- Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
- For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
- Telecommunications or video surveillance services provided by such entities or using such equipment.
- Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.
- automatic meter reading (AMR) technology and advanced metering infrastructure (AMI).
- Instrumentation control systems (e.g. process control systems, distributed control systems and programmable logic controls).
- Security cameras and other electronic security measures to ensure that those items are procured from a non-excluded entity. Items included in the prohibition are not eligible
- SRF costs, and the SRF programs cannot reimburse borrowers for these costs.

Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover from the Contractor any loss, expense, or cost incurred by the Purchaser or State resulting from any such failure, including loss of funding, whether in whole or in part, from the State or any resultant costs owed to the State by the Purchaser. The Contractor and the Purchaser agree that neither this paragraph nor any other provision of this Agreement necessary to give this paragraph force or effect shall be amended or waived without the prior written consent of the State.

Johnny Manzanares

Typed Name & Title of Contractor's Authorized Representative

Johnny Manzanares

Signature of Contractor's Authorized Representative

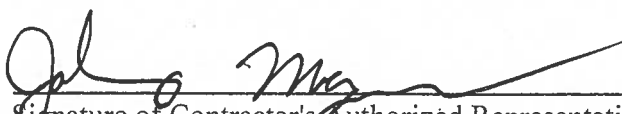
7-21-21

Date

American Iron And Steel Certification

The Contractor acknowledges to and for the benefit of the (City, County, or other legal entity) of ^{New Image Const} Purchaser") and the State of New Mexico ("State") that it understands the goods and services under this Agreement are being funded with monies made available by the Drinking Water State Revolving Fund that have federal statutory requirements commonly known as "American Iron and Steel;" that requires products made primarily of iron or steel be used in the project to be produced in the United States ("American Iron and Steel Requirement") including iron and steel products provided by the Contractor pursuant to this Agreement. The Contractor hereby represents and warrants to and for the benefit of the Purchaser and the State that (a) the Contractor has reviewed and understands the American Iron and Steel Requirement including the AIS final guidance date 3/20/14 from EPA, (b) all of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is approved, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the American Iron and Steel Requirement, as may be requested by the Purchaser or the State. Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover from the Contractor any loss, expense, or cost incurred by the Purchaser or State resulting from any such failure, including loss of funding, whether in whole or in part, from the State or any resultant costs owed to the State by the Purchaser. The Contractor and the Purchaser agree that neither this paragraph nor any other provision of this Agreement necessary to give this paragraph force or effect shall be amended or waived without the prior written consent of the State.

Johnny Manzanares / owner
Typed Name & Title of Contractor's Authorized Representative


Signature of Contractor's Authorized Representative

7-21-21
Date

American Iron And Steel Certification - Pay Application #

The Contractor acknowledges that it understands the goods and services being paid for under this Pay Application are being funded with monies made available by the Clean Water State Revolving Fund or Drinking Water State Revolving Fund that have federal statutory requirements commonly known as "American Iron and Steel;" that requires all of the iron and steel products used in the project to be produced in the United States ("American Iron and Steel Requirement") including iron and steel products provided by the Contractor. The Contractor hereby represents and warrants to and for the benefit of the Purchaser and the State that: (a) the Contractor has reviewed and understands the American Iron and Steel Requirement, (b) all of the iron and steel products used in the project have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is approved, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the American Iron and Steel Requirement, as may be requested by the Purchaser or the State. Notwithstanding any other provision of th, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover from the Contractor any loss, expense, or cost incurred by the Purchaser or State resulting from any such failure, including loss of funding, whether in whole or in part, from the State or any resultant costs owed to the State by the Purchaser. The Contractor and the Purchaser agree that neither this paragraph nor any other provision of this Agreement necessary to give this paragraph force or effect shall be amended or waived without the prior written consent of the State.

JM
De Johnny Manzanates
Typed Name & Title of Contractor's Authorized Representative

John Manzanates
Signature of Contractor's Authorized Representative

7-21-21
Date

AIS Pay Application Certification

Subject Bid solicitation
From Johnny Manzanares
<newimagemanzan@aol.com>
To: office@boganbrothers.com
<office@boganbrothers.com>
Date Today at 8:07 AM

Good Morning,

I'm soliciting bids for the City of Las Vegas Hanna
Park Effluent project it bids today at 2:30 Please let
me know if you are interested.

Thanks
Johnny

Sent from the all new AOL app for iOS

Subject Bid solicitation
From Johnny Manzanares
<newimagemanzan@aol.com>
To: michelle@gmemulsion.com
<michelle@gmemulsion.com>
Date Today at 1:12 PM

Good afternoon,

I'm soliciting bids for the City of Las Vegas Hanna
Park Effluent project. It bids tomorrow July 21,
2021. Please let me know if you are interested.

Thanks
Johnny

Sent from the all new AOL app for iOS

Subject Bid solicitation
From Johnny Manzanares
<newimagemanzan@aol.com>
To: <northernpaving@live.com>
Date Today at 10:59 AM

Good Morning,

I'm soliciting bids for the City of Las Vegas Hanna
Park Effluent project. Please let me know if you are
interested.

Thanks
Johnny Manzanares

Sent from the all new AOL app for iOS

Subject Solicitation for bid for the Hanna
Park Effluent Project

From Johnny Manzanares
<newimagemanzan@aol.com>

To: patpadilla@aol.com
<patpadilla@aol.com>

Date Today at 10:15 AM

Good Morning Pat,

I'm soliciting bids for the Hanna Park Effluent
project. Please let me know if you are interested.

Thanks
Johnny

Sent from the all new AOL app for iOS



GL Environmental, Inc.

July 20, 2021

Margaret Manzanares

RE: Cost Estimate To Prepare Notice of Intent and Prepare Stormwater Pollution Prevention Hanna Park Effluent, June 2021

Dear Ms. Manzanares:

We respectfully submit the following proposal to prepare and file a Notice of Intent under the National Pollutant Discharge Elimination System (NPDES), General Permit for Stormwater Discharges from Construction Activities 2017 and to prepare a stormwater pollution prevention plan in accordance with the requirements of the 2017 General Permit.

Scope of Work

- 1.) Prepare and file the appropriate Notice of Intent under the General Permit provisions.
- 2.) **Conduct a biological survey** which includes a pre-field record review of federal and state special status species and their habitat requirements, a 100% pedestrian survey of the project area.
- 3.) Prepare a stormwater pollution prevention plan in accordance with the provisions of the 2017 General Permit for Stormwater Discharges from Construction Activities.

Estimated Cost:

The estimated cost for the scope of work presented in this proposal: **\$3,900**

Terms

- Prime Contractor (Manzanares) will provide access to a complete set of plans for the project and access to key Manzanares personnel.
- Out of scope services may arise and will be provided upon request at additional cost; however, the above bid for the defined services will not be exceeded without authorization.
- Cost estimate does not include gross receipts tax
- Cost includes associated travel and expenses.

From: [New Mexico DOT](#)
To: gldenise@flash.net
Subject: NMDOT: Certification Status
Date: Tuesday, May 18, 2021 10:01:11 AM



May 18, 2021

Denise Gallegos
GL ENVIRONMENTAL, INC.
PO Box 1746
Las Vegas, NM 87701

Dear Denise Gallegos:

New Mexico Department of Transportation (NMDOT) Office of Equal Opportunity Programs has reviewed your Continued DBE Eligibility Affidavit and supporting documentation and is pleased to inform you that your firm continues to meet the certification eligibility standards set forth in the New Mexico Unified Certification Program (NMUCP) and the NMDOT's DBE Program in accordance with 49 CFR Part 26 as amended. Your certification is in effect for a one (1) year period. Your next No Change Affidavit is due on **April 4, 2022**. Notification will be sent to you sixty (60) days prior to this date. Your firm is certified under the NAICS Codes listed below, effective April 4, 2020.

(Type of Work)

NAICS 541620: ENVIRONMENTAL CONSULTING SERVICES

If there is any change in circumstances, during the course of your one (1) year certification period that affects your ability to meet size, disadvantage status, ownership, or control requirements or any material change in the information provided in your initial application, you must provide written notification to NMDOT within thirty (30) days of the occurrence of change. Failure to provide this information is grounds for denial of certification based on failure to cooperate pursuant to 49 CFR 26.109(c).

Further, the NMDOT DBE Directory is used by prime contractors/consultants as well as other agencies to solicit participation of DBE firms. The DBE Directory can be accessed at <http://www.dot.state.nm.us>.

For further information or assistance please contact NMDOT, Office of Equal Opportunity Programs Bureau at (505) 827-1774 or toll free at 1-800-544-0936.

Sincerely,

Angelica Tafoya
DBE Certification Officer
Construction and Civil Rights Bureau

THIS IS EVIDENCE OF YOUR CERTIFICATION. PLEASE SAVE THIS FOR
YOUR RECORDS:



CERTIFICATE OF REGISTRATION

This is to certify that: GL ENVIRONMENTAL, INC. is registered as a
Disadvantaged Business Enterprise with the NEW MEXICO DEPARTMENT
OF TRANSPORTATION (NMDOT) DISADVANTAGED BUSINESS
ENTERPRISE (DBE) PROGRAM & NEW MEXICO UNIFIED CERTIFICATION
PROGRAM (NMUCP)

And is therefore so recognized as certified beginning on: April 4, 2020 Through
the expiration date of: **April 4, 2022**

Under the following Work Codes: NAICS 541620: ENVIRONMENTAL
CONSULTING SERVICES

In accord with 49 CFR Part 26 as amended, a no change Annual Affidavit and
the firm's latest Federal business tax return, must be filed annually with the
NMDOT on or before the anniversary date for continued DBE certification.

Certificate No. 99-11-74

PLEASE SAVE THIS EMAIL FOR FUTURE REFERENCE. THIS IS
EVIDENCE OF YOUR DBE CERTIFICATION THROUGH NMDOT.

Construction and Civil Rights Bureau
Phone: 505.570.7978.
<http://www.dot.state.nm.us>

If you have any questions about your certification you may also email us at
Rebecca.lopez12@state.nm.us.

COPY

BID FORM

PROJECT IDENTIFICATION: Hanna Park Effluent

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to: City of Las Vegas
1700 N. Grand Avenue
Las Vegas, New Mexico 87701

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER'S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner. Bidder will sign and submit the Agreement and the Bonds and other documents required by the Bidding Requirements within ten days after the date of Owner's Notice of Award.

ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

<u>Addendum No.</u>	<u>Addendum Date</u>
<u>1</u>	<u>07/12/2021</u>
<u>2</u>	<u>07/16/2021</u>
<u> </u>	<u> </u>

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder shall complete the Work in accordance with the Contract Documents for the following price(s):

Item No.	Description	Unit	Est. Qty.	Bid Unit Price	Bid Price
1	6" PVC Effluent Pipe.	LF	4,400	\$ 12.43	\$ 54,692.00
2	Trenching and Backfilling, All Associated Work.	LF	3,900	\$ 28.80	\$ 112,320.00
3	Trenching and Backfilling with Rock Excavation, All Associated Work.	LF	500	\$ 50.00	\$ 25,000.00
4	6" Gate Valve with Valve Box.	EA	5	\$ 1,360.00	\$ 6,800.00
5	10" PVC Effluent Pipe.	LF	2,060	\$ 28.27	\$ 58,236.20
6	Trenching and Backfilling, All Associated Work.	LF	1,860	\$ 40.40	\$ 75,144.00
7	Trenching and Backfilling with Rock Excavation, All Associated Work.	LF	200	\$ 50.00	\$ 10,000.00
8	10" Gate Valve with Valve Box	EA	3	\$ 2,857.50	\$ 8,572.50
9	2" Air Vac Station Including Vault and All Associated Work.	EA	1	\$ 9,500.00	\$ 9,500.00
10	2" Schedule 80 Pipe Including Trenching, Backfilling and Cap.	LF	40	\$ 30.00	\$ 1,200.00
11	Directional Drill, 2" HDPE DR-9 Pipe.	LF	60	\$ 150.00	\$ 9,000.00
12	6" x 2" Tee and 2" Plug Valve with Valve Box.	EA	3	\$ 2,500.00	\$ 7,500.00
13	Fire Hydrant Painted Purple, Including Tee, Valve, and All Associated Work.	EA	1	\$ 7,700.00	\$ 7,700.00

Item No.	Description	Unit	Est. Qty.	Bid Unit Price	Bid Price
14	Connect to Existing 10" Effluent Line as shown on Sheet W-101.	LS	1	\$ 3,800.00	\$ 3,800.00
15	Connect to Existing 6" Effluent Line Including Fittings and Restraints.	EA	2	\$ 2,500.00	\$ 5,000.00
16	Clean and CCTV Existing 10" Sewer Line.	LF	1,450	\$ 10.77	\$ 15,616.50
17	Point Repair Existing Sewer Line to Allow CCTV Camera to Pass if Required.	EA	2	\$ 1,200.00	\$ 2,400.00
18	Pipe Burst Existing 10" Sewer Line, Including New 10" HDPE Sewer Line.	LF	1,450	\$ 75.41	\$ 109,344.50
19	Reconnect Existing Sewer Service with New Service Saddle and Piping.	EA	5	\$ 1,200.00	\$ 6,000.00
20	Rehab Existing Manhole.	EA	4	\$ 3,900.00	\$ 15,600.00
21	Remove and Replace Concrete Manhole Collar.	EA	3	\$ 2,500.00	\$ 7,500.00
22	Remove and Replace Concrete Curb and Gutter.	LF	60	\$ 53.00	\$ 3,180.00
23	Remove and Replace Concrete Sidewalk.	SY	15	\$ 145.00	\$ 2,175.00
24	4" Asphalt Removal and Replacement Including Base Course and Sub-Grade Prep.	SY	650	\$ 65.00	\$ 42,250.00
25	Traffic Control.	LS	1	\$ 2,500.00	\$ 2,500.00
26	Construction Staking.	LS	1	\$ 1,000.00	\$ 1,000.00
27	Stormwater Pollution Prevention Plan.	LS	1	\$ 2,500.00	\$ 2,500.00
28	Mobilization, Insurance and Bonds.	LS	1	\$ 25,000.00	\$ 25,000.00
29	Demobilization and Closeout.	LS	1	\$ 5,000.00	\$ 5,000.00
30	Utility Relocation Allowance.	ALLOW	1	\$15,000.00	\$15,000.00
31	Laboratory Testing Allowance.	ALLOW	1	\$10,000.00	\$10,000.00
32	Pre-Authorized Construction Changes.	ALLOW	1	\$25,000.00	\$25,000.00

TOTAL BID AMOUNT (Exclusive of New Mexico Gross Receipts Tax) \$ 684,530.70

Unit Prices have been computed in accordance with Paragraph 11.03 of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

- 5.02 This Contract will be awarded on the basis of the lowest responsive total Bid received from a responsible Bidder. If the lowest acceptable Bid exceeds available funds, the Owner retains the right to reject all Bids or negotiate a change of scope with the lowest responsive Bidder. Owner may only negotiate up to 10% higher than the budgeted project funds. Such negotiation shall not be allowed if the lowest Bid is more than 10% over the budgeted project funds. If a change of scope is negotiated and effected, it will be in the form of a formal Change Order to the Contract. If these conditions are not satisfied, the Owner is required to reject all Bids and re-bid the project to comply with State procurement requirements.

ARTICLE 9 – BID SUBMITTAL

9.01 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____
(Individual's signature)

Doing business as: _____

A Partnership

Partnership Name: _____

By: _____
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): _____

A Corporation

Corporation Name: Hays Plumbing & Heating, Inc. (SEAL)

State of Incorporation: New Mexico

Type (General Business, Professional, Service, Limited Liability): General Business

By: Gordon Hays
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Gordon Hays

Title: President
(CORPORATE SEAL)

Attest Randy Hays
Randy Hays, Treasurer

RESOLUTION

WHEREAS, all of the shareholders and officers of Hays Plumbing and Heating, Inc., a New Mexico for profit corporation (the "Corporation"), met to discuss their desire to bestow upon the shareholders and officers of the Corporation named herein, the authority to enter into agreements, legal or otherwise, on behalf of and binding upon the Corporation.

UPON motion duly made and seconded, it is

RESOLVED that the shareholders and directors of Hays Plumbing and Heating, Inc., and the Corporation hereby consent and agree that Gordon Hays as President, Jason Dale as Vice President, Randy Joe Hays as Treasurer, and Donna Hays as Secretary of the Corporation, hold the requisite authority to execute and enter into any and all agreements, contracts, and other documents, legal or otherwise, for the management and operation of the Corporation, on behalf of and binding upon the Corporation.

Dated: January 4, 2019

By: Gordon Hays
Gordon Hays, President
Hays Plumbing and Heating, Inc.

By: Jason Dale
Jason Dale, Vice President
Hays Plumbing and Heating, Inc.

By: Randy Joe Hays
Randy Joe Hays, Treasurer
Hays Plumbing and Heating, Inc.

By: Donna Hays
Donna Hays, Secretary
Hays Plumbing and Heating, Inc.

A Joint Venture

Name of Joint Venture: _____

First Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of first joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of second joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(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 above.)

Bidder's Business Address 600 Railroad Ave. Las Vegas, NM 87701

Phone No. 505-425-7535 Fax No. _____

E-mail hays_plumbing@hotmail.com _____

SUBMITTED on July 21, 2021.

New Mexico Contractor's License Number 8243

License Classifications EL01, ES03, ES04, ES05, ES06, GA01, GB98, GF02, GF03, GF04, GF05, GF09, GF98, MM98

New Mexico Department of Workforce Solutions Registration Number 002369720111209

Federal Identification Number (FEIN #) 85 0168958

Dun & Bradstreet Data Universal Numbering System (D-U-N-S Number) 064910391

STATE OF NEW MEXICO

CONSTRUCTION INDUSTRIES DIVISION

HAYS PLUMBING & HEATING INC

LICENSE NUMBER

8243

Qualifying Party(S)

HAYS RANDY

HAYS RANDY

DALE JASON OLE

HAYS HOWARD L.

EXPIRES

08/31/2021

CLASSIFICATION(S)

EL01, ES03, ES04, ES05
ES06, GA01, GB98, GF02
GF03, GF04, GF05, GF09
GF98, MM98



Martin Romero

DIRECTOR

This card is the property of the CID and shall be surrendered upon demand

BIDDER INFORMATION

OFFEROR: Hays Plumbing & Heating, Inc.

AUTHORIZED AGENT: Randy Hays

ADDRESS: 600 Railroad Ave. Las Vegas, NM 87701

TELEPHONE NUMBER (505) 425-7535

FAX NUMBER ()

DELIVERY: 600 Railroad Ave. Las Vegas, NM 87701

STATE PURCHASING RESIDENT CERTIFICATION NO.: L1061474736

NEW MEXICO CONTRACTORS LICENSE NO.: 8243

BID ITEM (S): HANNA PARK EFFLUENT RE-BID

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 }

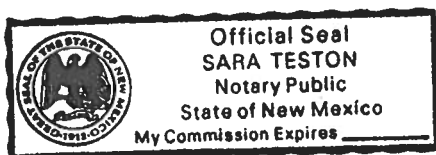
COUNTY OF San Miguel } ss

I, Gordon Hays, 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.

Gordon Hays
Signature

Subscribed and sworn to before me, this 19 day of July, 2021.

(SEAL)



Sara Teston
Notary Public Signature

My Commission Expires: 9-6-2021

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: 85 0168958

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): 01-705574-001

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 Gordon Hays

07/21/2021
Date

President
Title (Position)

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):
Hays Plumbing and Heating, Inc.
PO Box 1420
Las Vegas, NM 87701-1414

SURETY (Name and Address of Principal Place of Business):
Insurors Indemnity Company
PO Box 2683
Waco, TX 76702-2683

OWNER (Name and Address):
City of Las Vegas
1700 N. Grand Avenue
Las Vegas, New Mexico 87701

BID

Bid Due Date: July 21st, 2021

Description (Project Name and Include Location): Hanna Park Effluent
Effluent pipe, gate valves, asphalt removal and
replacement

BOND

Bond Number: BID

Date (Not later than Bid due date): July 21st 2021

Penal sum Five Percent Of The Amount Bid

(Words)

\$ 5%

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

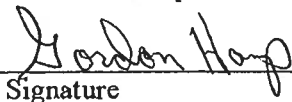
BIDDER

Hays Plumbing and Heating, Inc.

(Seal)

Bidder's Name and Corporate Seal

By:


Signature

Gordon Hays
Print Name

President
Title

Attest:


Signature

PM
Title

SURETY

Insurors Indemnity Company

(Seal)

Surety's Name and Corporate Seal

By:


Signature (Attach Power of Attorney)

Maria Y. Ankeny
Print Name

Attorney-In-Fact
Title

Attest:


Signature

Witness
Title

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.



Phone: 877 816 2800

PO Box 32577

Waco, Texas 76703-4200

IMPORTANT NOTICE - AVISO IMPORTANTE

To obtain information or make a complaint:

You may call Insurors Indemnity Company's toll-free telephone number for information or to make a complaint at:

1-877-816-2800

You may also write to Insurors Indemnity Company at:

P.O. Box 32577
Waco, TX 76703-4200
Or
225 South Fifth Street
Waco, TX 76701

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance at:

Consumer Protection (111-1A)
P.O. Box 149091
Austin, TX 78714-9091
Fax: 512-490-1007

Web: <http://www.tdi.texas.gov>

E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact the agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de Insurors Indemnity Company's para informacion o para someter una queja al

1-877-816-2800

Usted tambien puede escribir a Insurors Indemnity Company:

P.O. Box 32577
Waco, TX 76703-4200
O
225 South Fifth Street
Waco, TX 76701

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

Consumer Protection (111-1A)
P.O. Box 149091
Austin, TX 78714-9091
Fax: 512-490-1007

Web: <http://www.tdi.texas.gov>

E-mail: ConsumerProtection@tdi.texas.gov

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concemiente a su prima o a un reclamo, debe comunicarse con el agente o la compania primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA:

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.

POWER OF ATTORNEY of INSURORS INDEMNITY COMPANY Waco, Texas

KNOW ALL PERSONS BY THESE PRESENTS:

Number: CNB-39221-00

That INSURORS INDEMNITY COMPANY, Waco, Texas, organized and existing under the laws of the State of Texas, and authorized and licensed to do business in the State of Texas and the United States of America, does hereby make, constitute and appoint

Maria Y. Ankeny of the City of Albuquerque, State of NM

as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of document, to-wit:

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; Indemnity in all cases where indemnity may be lawfully given and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company.

INSURORS INDEMNITY COMPANY

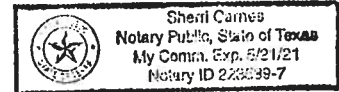
Attest: Tammy Tieperman
Tammy Tieperman, Secretary

By: Dave E. Talbert
Dave E. Talbert, President

State of Texas
County of McLennan

On the 11th day of November, 2014, before me a Notary Public in the State of Texas, personally appeared Dave E. Talbert and Tammy Tieperman, who being by me duly sworn, acknowledged that they executed the above Power of Attorney in their capacities as President, and Corporate Secretary, respectively, of Insurors Indemnity Company, and acknowledged said Power of Attorney to be the voluntary act and deed of the Company.

Sheri Carnes
Notary Public, State of Texas



Insurors Indemnity Company certifies that this Power of Attorney is granted under and by authority of the following resolutions of the Company adopted by the Board of Directors on November 11, 2014:

RESOLVED, that all bonds, undertakings, contracts or other obligations may be executed in the name of the Company by persons appointed as Attorney in Fact pursuant to a Power of Attorney issued in accordance with these Resolutions. Said Power of Attorney shall be executed in the name and on behalf of the Company either by the Chairman and CEO or the President, under their respective designation. The signature of such officer and the seal of the Company may be affixed by facsimile to any Power of Attorney, and, unless subsequently revoked and subject to any limitation set forth therein, any such Power of Attorney or certificate bearing such facsimile signature and seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signature and seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorneys in Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and any such instrument executed by such Attorneys in Fact shall be binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary or Assistant Secretary of the Company.

I, Tammy Tieperman, Secretary of Insurors Indemnity Company, do hereby certify that the foregoing is a true excerpt from the Resolutions of the said Company as adopted by its Board of Directors on November 11, 2014, and that this Resolution is in full force and effect. I certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Witness Whereof, I have set my hand and the seal of INSURORS INDEMNITY COMPANY on this 21st day of July, 2021.

Tammy Tieperman
Tammy Tieperman, Secretary

NOTE: IF YOU HAVE ANY QUESTION REGARDING THE VALIDITY OR WORDING OF THIS POWER OF ATTORNEY, PLEASE CALL 800 933 7444 OR WRITE TO US AT P. O. BOX 32577, WACO, TEXAS 76703 OR EMAIL US AT BONDDEPT@INSURORSINDEMNITY.COM.

LIST OF PROJECT SUBCONTRACTORS FOR
AMOUNTS EXCEEDING THE LISTING THRESHOLD

Subcontract Category	Pipe Bursting
Estimated Value of Work	\$130,000.00
Subcontractor's Name	RMCI, INC.
Business Address	6211 Chappell Rd NE
	Albuquerque, NM 87113
Phone Number	(505) 345-0008
E-mail Address	triley@rmciinc.com
Federal Identification No. (FEIN #)	85-0386784
New Mexico Contractor's License No.	31964
License Categories	EE98, GA01, GA98, GB98, GF04, GF09, GF98, MM98
New Mexico Dept. of Workforce Solutions Registration No.	0185042011510
(list only if value of work is in excess of \$60,000)	
DUNS No.	626865786
SAM No.	09CA3

Subcontract Category	Special Coatings
Estimated Value of Work	\$15,880.00
Subcontractor's Name	Bogan Brothers Painting Co., Inc
Business Address	3435 Vassar Dr. NE
	Albuquerque, NM 87107
Phone Number	505-898-8000
E-mail Address	office@boganbrothers.com
Federal Identification No. (FEIN #)	85 0312364
New Mexico Contractor's License No.	N/A
License Categories	N/A
New Mexico Dept. of Workforce Solutions Registration No.	0100272009073
(list only if value of work is in excess of \$60,000)	
DUNS No.	097659056
SAM No.	4VVM1

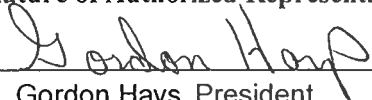
Subcontract Category _____
Estimated Value of Work _____
Subcontractor's Name _____
Business Address _____

Phone Number _____
E-mail Address _____
Federal Identification No. (FEIN #) _____
New Mexico Contractor's License No. _____
License Categories _____
New Mexico Dept. of Workforce Solutions Registration No. _____
(list only if value of work is in excess of \$60,000)
DUNS No. _____
SAM No. _____

Subcontract Category _____
Estimated Value of Work _____
Subcontractor's Name _____
Business Address _____

Phone Number _____
E-mail Address _____
Federal Identification No. (FEIN #) _____
New Mexico Contractor's License No. _____
License Categories _____
New Mexico Dept. of Workforce Solutions Registration No. _____
(list only if value of work is in excess of \$60,000)
DUNS No. _____
SAM No. _____

Signature of Authorized Representative for BIDDER:

 _____ Date: 07/21/2021
Gordon Hays, President

Duplicate, complete, and submit additional sheets as required.

SCFP-3

XP-211

BIDDER'S CERTIFICATION*

In Compliance with Equal Employment Opportunity and Nonsegregated Facilities

Project Name Hanna Park Effluent Re-Bid Project Number 2021-27
Contract For Hays Plumbing & Heating, Inc.

The following certifications must be completed by the bidder for each contract.

A. EQUAL EMPLOYMENT OPPORTUNITY:

- ☐ () I have developed and have on file at my each establishment affirmative action programs pursuant to 41 CFR Part 60-2.
- ☐ () I have participated in previous contract(s) or subcontract(s) subject to the equal opportunity clause under **Executive Orders 11246 and 11375**. I have filed all reports due under the requirements contained in 41 CFR 60-1.7.
- ☒ (X) I have not participated in previous contract(s) subject to the equal opportunity clause under **Executive Orders 11246 and 11375**.
- ☒ (X) I will obtain a similar certification from any proposed subcontractor(s), when appropriate.

B. NONSEGREGATED FACILITIES

- ☐ () I certify that I do not and will not maintain any facilities provided for my employees in a segregated manner, or permit my employees to perform their services at any location under my control where segregated facilities are maintained; and that I will obtain a similar certification prior to the award of any federally assisted subcontract exceeding \$10,000 which is not exempt from the equal opportunity clause as required by 41 CFR 60-1.8.

I understand that a false statement on this certification may be grounds for rejection of this bid proposal or termination of the contract award.

Typed Name & Title of Bidder's Authorized Representative Gordon Hays, President

Signature of Bidder's Authorized Representative Date
Gordon Hays 07/21/2021

600 Railroad Ave. Las Vegas, NM 87701
Name & Address of Bidder

NOTE: The bidder shall complete the following Minority/Women's/Small Business in Rural Area (MBE/WBE/SBRA) utilization information whenever they solicit sub contract construction work and/or services and purchase of equipment and supplies for the project.

1. Do you maintain and update qualified MBE, WBE, and SBRA on your solicitation lists for supplies, equipment, construction and/or service? Yes___ No ☒

If yes, when did you update your MBE/WBE/SBRA solicitation lists? _____

2. Do you maintain a list of minority, women and rural small business-focused publications that may be utilized to solicit MBEs or WBEs or SBRA's?
Yes ☒ No___

If yes, name the publications: NMDOT DBE Directory

3. Do you use the services of outreach programs sponsored by the Minority Business Development Agency and/or the Small Business Administration to recruit bona fide MBE/WBE/SBRA firms for placement on your solicitation lists? Yes___ No ☒

4. Do you seek out Minority Business Development Centers to assist you in identifying MBEs/WBEs/SBRAs for potential work opportunities on your proposed bid for this project? Yes ☒ No___

5. Do you analyze the bid package or contract documents to identify portions of work that can be divided and performed by qualified MBEs, WBEs, and SBRA's including the bonding range? Yes___ No ☒

If yes, please attach a brief description of portions of work you have identified for subcontracting.

6. Do you develop realistic delivery schedules which may provide for greater MBE/WBE/SBRA participation? Yes___ No ☒

7. Do you send a letter of solicitation to MBE/WBE/SBRA for this project?
Yes___ No ☒

If yes, please attach a sample copy of each different solicitation letter and the name and address of each MBE/WBE/SBRA.

8. Do you advertise in general circulation, trade journals, State agency publications of identified MBEs/WBEs/SBRAs, minority or women or rural small business focused media, etc., concerning the subcontracting opportunities on your proposed bid for this project? Yes ☒ No___

If yes, please list the name of publication and dates of advertisement and attach a copy of each advertisement from each publication. Albuquerque Journal See Attached

9. Do you conduct pre-bid, pre-solicitation, and post award conferences, meetings and follow-ups with interested MBE, WBE, and SBRA? Yes ___ No ☒

If yes, please list person who attended conference as representative of MBE/WBE/SBRA

Name & Title of Person: _____

Name of MBE/WBE/SBRA: _____

Address: _____ Phone: _____

Date and Place of Conference: _____

Name & Title of Person: _____

Name of MBE/WBE/SBRA: _____

Address: _____ Phone: _____

Date and Place of Conference: _____

Name & Title of Person: _____

Name of MBE/WBE/SBRA: _____

Address: _____ Phone: _____

Date and Place of Conference: _____

10. Total dollar amount of the contract:

\$ 654,681.90

11. Total dollar amount and percentage of MBE/WBE/SBRA participation: N/A

MBE:	Construction	____%	Equipment	____%	Supplies	____%	Services	____%
	(\$)		(\$)		(\$)		(\$)	
WBE:	Construction	____%	Equipment	____%	Supplies	____%	Services	____%
	(\$)		(\$)		(\$)		(\$)	
SBRA:	Construction	____%	Equipment	____%	Supplies	____%	Services	____%
	(\$)		(\$)		(\$)		(\$)	

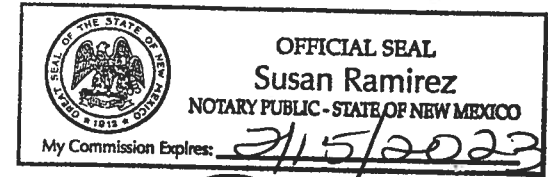
AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Bernalillo SS

Elise Rodriguez, the undersigned, on oath states that she is an authorized Representative of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which hereto attached, was published in said paper in the regular daily edition, for 1 time(s) on the following date(s):

07/05/2021



Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this
6 day of July of 2021

PRICE \$32.79

Statement to come at the end of month.

ACCOUNT NUMBER 1062036

REQUEST FOR QUOTES

Hays Plumbing & Heating, Inc. ("Hays") an EEO employer is requesting quotes from certified DBE/MBE/WBE/SBRA Subcontractors and Suppliers for the Hanna Park Effluent Project in Las Vegas, NM, that bids on Wednesday, July 21, 2021, at 2:30 pm.

Email quotes to hays_plumbin g@hotmail.com, by 5:00pm on Monday, July 19, 2021.

For info on the project, specs & contract requirements contact Randy Hays at (505) 425-7535

Journal: July 5, 2021

12. Name, address, phone number, contact person, type of construction subcontract, and dollar amount of subcontract. N/A

MBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

WBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

SBRA Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

MBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

WBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

SBRA Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

MBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

WBE Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

SBRA Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Amount: \$

MBE Subcontractor:

Address:

Phone:

Contact Person:

WBE Subcontractor:

Address:

Phone:

Contact Person:

SBRA Subcontractor:

Address:

Phone:

Contact Person:

Type of Work:

Type of Work:

Type of Work:

Amount: \$

Amount: \$

Amount: \$

MBE Subcontractor:

WBE Subcontractor:

SBRA Subcontractor:

Address:

Address:

Address:

Phone:

Phone:

Phone:

Contact Person:

Contact Person:

Contact Person:

Type of Work:

Type of Work:

Type of Work:

Amount: \$

Amount: \$

Amount: \$

I understand that a false statement on the above information may be grounds for rejection of this bid proposal or termination of the contract award.

Gordon Hays, President

Typed Name & Title of Authorized Representative



Signature of Bidder's Authorized Representative

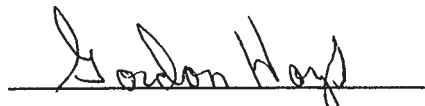
07/21/2021

Date

Davis-Bacon Act Certification

The Contractor acknowledges to and for the benefit of the Owner City of Las Vegas ("Purchaser") and the State of New Mexico (the "State") that it understands the goods and services under this Agreement are being funded with monies made available by the New Mexico Environment Department Clean Water State Revolving Loan Fund and such law contains provisions commonly known as the Davis-Bacon Act that requires all contractors and subcontractors performing work on federal construction contracts or federally assisted contracts in excess of \$2,000 to pay their laborers and mechanics not less than the federal prevailing wage rates and fringe benefits for corresponding classes of laborers and mechanics employed on similar projects in the area as determined by the Secretary of Labor.

The Contractor hereby represents and warrants to and for the benefit of the Purchaser and the State that (a) the Contractor has reviewed and understands the Davis-Bacon Act, (b) as such has compensated all contractors and sub-contractors performing work on this project not less than the prevailing wage rate and fringe benefits for corresponding classes as determined by the Secretary of Labor, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, as may be requested by the Purchaser or the State. Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover as damages against the Contractor any loss, expense or cost (including without limitation attorney's fees) incurred by the Purchaser or State resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the State or any damages owed to the State by the Purchaser). While the Contractor has no direct contractual privity with the State, as a lender to the Purchaser for the funding of its project, the Purchaser and the Contractor agree that the State is a third-party beneficiary and neither this paragraph (nor any other provision of this Agreement necessary to give this paragraph force or effect) shall be amended or waived without the prior written consent of the State.



(Contractor Signature & Date)

Gordon Hays, President
07/21/2021

(Owner Signature & Date)

EPA Project Control Number

United States Environmental Protection Agency
Washington, DC 20460

**Certification Regarding
Debarment, Suspension, and Other Responsibility Matters**

The prospective participant certifies to the best of its knowledge and belief that it and the principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated or cause or default.

I understand that a false statement on this certification may be ground for rejection of this proposal or termination of the award. In addition, under 18 U SC Sec. 10 01, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Gordon Hays, President

Typed Name & Title of Authorized Representative



Signature of Bidder's Authorized Representative

07/21/2021

Date

☐ I am unable to certify to the above statements. My explanation is attached.

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name N/A		Project Name	
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact	
Address			
Telephone No.		Email Address	
Prime Contractor Name		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor

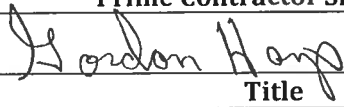
DBE Certified By: ☐ DOT ☐ SBA ☐ Other: _____	Meets/ exceeds EPA certification standards? ☐ YES ☐ NO ☐ Unknown
---	---

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
	Gordon Hays
Title	Date
President	07/21/2021

Subcontractor Signature	Print Name
N/A	
Title	Date

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form**

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE¹ subcontractors² and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name Hays Plumbing & Heating, Inc.		Project Name Hanna Park Effluent Re-Bid	
Bid/ Proposal No. 2021-27	Assistance Agreement ID No. (if known)	Point of Contact Randy Hays	
Address 600 Railroad Ave. Las Vegas, NM 87701			
Telephone No. 505-425-7535		Email Address hays_plumbing@hotmail.com	
Issuing/Funding Entity: Community 1st Bank			

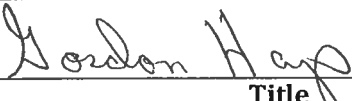
I have identified potential DBE certified subcontractors	___ YES	✓ NO	
If yes, please complete the table below. If no, please explain:			
Potential DBE certified subcontractors did not respond to our advertisement			
Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

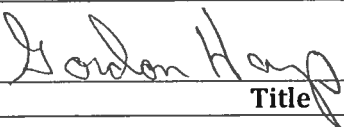
**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
	Gordon Hays
Title	Date
President	07/21/2021

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The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Telecommunication and Video Surveillance Services Prohibition Certification

The Contractor acknowledges to and for the benefit of the (City, County, or other legal entity) of City of Las Vegas ("Purchaser") and the State of New Mexico ("State") that it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund or Drinking Water State Revolving Fund that have federal statutory requirements commonly known as "Prohibition on Certain Telecommunication and Video Surveillance Services (2 CRF 200.216);" that prohibits the use of Federal funds to procure (enter into, extend, or renew contracts) or obtain equipment, systems, or services that use "covered telecommunications equipment or services" identified in the regulation as a substantial or essential component of any system, or as critical technology as part of any system. Prohibitions extend to the use of Federal funds by recipients and subrecipients to enter into a contract with an entity that "uses any equipment, system, or service that uses covered telecommunications equipment or services" as a substantial or essential component of any system, or as critical technology as part of any system. Certain equipment, systems, or services, including equipment, systems, or services produced or provided by entities subject to the prohibition are recorded in the System for Award Management (Sam.gov) exclusion list.

As described in section 889 of Public Law 115-232, covered telecommunications equipment or services includes:

- Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
- For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
- Telecommunications or video surveillance services provided by such entities or using such equipment.
- Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.
- automatic meter reading (AMR) technology and advanced metering infrastructure (AMI).
- Instrumentation control systems (e.g. process control systems, distributed control systems and programmable logic controls).
- Security cameras and other electronic security measures to ensure that those items are procured from a non-excluded entity. Items included in the prohibition are not eligible
- SRF costs, and the SRF programs cannot reimburse borrowers for these costs.

Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover from the Contractor any loss, expense, or cost incurred by the Purchaser or State resulting from any such failure, including loss of funding, whether in whole or in part, from the State or any resultant costs owed to the State by the Purchaser. The Contractor and the Purchaser agree that neither this paragraph nor any other provision of this Agreement necessary to give this paragraph force or effect shall be amended or waived without the prior written consent of the State.

Gordon Hays, President

Typed Name & Title of Contractor's Authorized Representative

Gordon Hays

Signature of Contractor's Authorized Representative

07/21/2021

Date

American Iron And Steel Certification

The Contractor acknowledges to and for the benefit of the (City, County, or other legal entity) of City of Las Vegas ("Purchaser") and the State of New Mexico ("State") that it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund or Drinking Water State Revolving Fund that have federal statutory requirements commonly known as "American Iron and Steel;" that requires all of the iron and steel products used in the project to be produced in the United States ("American Iron and Steel Requirement") including iron and steel products provided by the Contractor pursuant to this Agreement. The Contractor hereby represents and warrants to and for the benefit of the Purchaser and the State that (a) the Contractor has reviewed and understands the American Iron and Steel Requirement, (b) all of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is approved, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the American Iron and Steel Requirement, as may be requested by the Purchaser or the State. Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover from the Contractor any loss, expense, or cost incurred by the Purchaser or State resulting from any such failure, including loss of funding, whether in whole or in part, from the State or any resultant costs owed to the State by the Purchaser. The Contractor and the Purchaser agree that neither this paragraph nor any other provision of this Agreement necessary to give this paragraph force or effect shall be amended or waived without the prior written consent of the State.

Gordon Hays, President

Typed Name & Title of Contractor's Authorized Representative


Signature of Contractor's Authorized Representative

07/21/2021

Date