

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL SPECIAL MEETING HELD ON
THURSDAY, NOVEMBER 30, 2017 AT 3:00 P.M. IN THE CITY COUNCIL CHAMBERS**

MAYOR: Tonita Gurulé-Girón

COUNCILORS: David L. Romero
Vincent Howell
David A. Ulibarri, Jr.
Barbara A. Casey

ALSO PRESENT: Richard Trujillo, City Manager
Casandra Fresquez, City Clerk
Corinna Laszlo-Henry, City Attorney
Juan Montano, Sergeant of Arms

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Howell asked for a moment of silence to remember family, friends and neighbors of the community who had been affected by serious illnesses such as strokes and heart attacks and to keep them in our prayers.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as is. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

PUBLIC INPUT

City Manager Trujillo advised that there was no one signed up for public input.

BUSINESS ITEMS

1. Approval/Disapproval to award request for bids #2018-15 for the Bradner reservoir rehabilitation project to the lowest bidder.

Utilities Director Maria Gilvarry advised that the Office of the State Engineer is in the process of finalizing the plans and the permit for the Bradner reservoir rehabilitation. The legislative funding is scheduled to expire June 30, 2018. The current schedule has the project to be completed by June 30, 2018 with a notice of award occurring December 1, 2017. The rehabilitation of Bradner will address Office of the State Engineer Dam Safety Bureau concerns and will allow the City to make use of the 300 acre feet of water storage in the reservoir.

Utilities Director Gilvarry added that the Bradner Rehabilitation project would consist of addressing dam safety concerns with the “spill way” and the installing of a tower that allows the City to select the level of water they would be taking based on the water quality in Bradner Dam and could be used as a reservoir as intended. Utilities Director Gilvarry informed that the current design of Bradner is poor for water quality and treatment and added that the intake and outlet were both on the bottom of the dam.

Utilities Director Gilvarry advised that the engineers had completed the P.E.R., the geo-technical, hydrological studies and the City was working very closely with State Engineers Office and AECOM in moving forward with the project. She informed that a pre-qualification bid for contractors was put out and stated that three contractors responded, who were all qualified and had worked with AECOM.

Utilities Director Gilvarry informed that the next step was to put the bid out to receive cost estimates from the contractors in order to award based on the lowest bid. She stated that the engineer did provide an estimate to all three contractors before bidding which was a \$4-\$6 million dollar estimate for construction with agreement from the State Engineer and advised that three bids were received from Moltz Construction Inc., RMCI Inc. and Kiewit New Mexico Co.

Utilities Director Gilvarry advised that two bidders came in at \$11 million and \$12 million and the third which was Moltz Construction came in at \$6.7 million after GRT and stated that she asked the engineer as to why the big difference between the \$6 million and \$12 million bids. She explained that one of the contractors informed them that based on the increased price of the spill way and excavation, the two contractors were unsure of what material would be excavated so they presumed the worst case scenario which would include a lot of jack hammering and removal of rock. Utilities Director Gilvarry advised that the third bidder was more comfortable with the coring that had been done and with the information that had been provided and therefore gave a lower bid.

Councilor Casey asked how much money we currently had for the Bradner project.

Utilities Director Gilvarry informed that there was \$7,009,000.00 for Bradner construction only.

Councilor Casey asked if the City would go with Moltz Construction Inc. at \$6.7 million, what would the remainder of the money be used for.

Utilities Director Gilvarry advised that she expected change orders or issues to address regarding increase costs or adjustments and explained that if there were no change orders she would find additional work to be done, and that it had to be for the Bradner Dam specifically and approved by the engineer.

Councilor Casey asked if the \$6.7 million estimated by Moltz Construction included sub-contractors.

Utilities Director Gilvarry advised that it did include sub-contractors although it did not include a 10% contingency which was usually included in a project this size

and stated that at the time of preparing the requisition they would budget the entire \$7 million and would include the contingency.

Councilor Howell asked a question regarding the difference between the \$396,000.00 for mobilization and the \$163,000.00 estimation from Moltz Construction on the bid tabulations.

Utilities Director Gilvarry advised that the difference may have been due to several reasons such as being from Colorado which was not too far from Las Vegas, that they may have a plan to already use equipment and people from here so they would be able to keep their costs down. She informed that none of these costs would be changed by contractors, just by asking and added that they would need a valid reason and would have to go through the Finance Department for approval of a change order.

Brief discussion took place regarding the process of engineers' figure estimates.

Councilor Howell asked if local sub-contractors, local suppliers and local crews would be used for the project.

Utilities Director Gilvarry advised that some of their suppliers did not have to be listed.

Finance Director Gallegos informed that if it was lower than the threshold that contractors have to report, they were not required to list them if they were using local vendors.

Utilities Director Gilvarry explained that we did request that they work hard to utilize our local laborers.

Utilities Project Manager Marvin Cordova advised that the contractors were required to hire a 10% local work force.

Councilor Ulibarri, Jr. had questions regarding the amount of \$28,000.00 for the removal of fencing.

Utilities Director Gilvarry advised that there was a large section of fencing going through within the already fenced Water Treatment property that would be used for staging and then would return the fence to the existing condition, once the project was complete.

Councilor Ulibarri, Jr. had concerns on the difference of costs when taking down and putting the fencing back up.

Utilities Director Gilvarry explained that Moltz' bid was in the amount of \$14,000.00 and the engineer's estimate was \$28,000.00 for fencing.

Councilor Howell asked where the concrete would be disposed during the time of demolition.

Utilities Director Gilvarry advised that after testing and determining the condition of the concrete it would be disposed on the property otherwise if it was hazardous material, would be disposed at the Solid Waste Department.

Councilor Romero advised that he had the same concerns that Councilor Ulibarri, Jr. had regarding the replacement of the fence during the project.

Utilities Director Gilvarry advised that the directions in the contract stated that they had to remove the fence and replace it to its existing condition although if the fence would be damaged, it would have to be replaced. She explained that the fence on the property basically was not fencing anything but space and if they were not to place the fencing back it would save the City money.

Councilor Howell had concerns on estimates from the engineers regarding piping as opposed to contractors' estimates.

Utilities Director Gilvarry recognized the difference in quotes and advised that it could have been whatever the engineer was using for their material costs and advised that contractors always try to get the best deal on materials. She added that there were standards and requirements they need to meet for the piping and materials for the entire project due to dam safety being involved.

Councilor Howell asked for clarification in the collaboration between Moltz Construction Company and AECOM.

Utilities Director Gilvarry advised that AECOM was an engineering and design firm and Moltz, RMCI and Hiewitz had all done projects designed by AECOM and advised that Moltz had already completed a project with AECOM that was similar to the Bradner project.

Brief discussion took place on several projects that the three companies had completed.

Councilor Ulibarri, Jr. asked if City employees could possibly take the fencing down in order to save the City money and to perhaps use the fencing. He asked for the amount of fencing that was to be removed.

Utilities Director Gilvarry informed that it could be looked into and if it would be feasible for the City although was hesitant to have City employees do a job that she could hold the contractor accountable for in the future and also that safety would be an issue. She informed Councilor Ulibarri, Jr. that she would get back with the information regarding the amount of fencing that would be removed.

Councilor Howell asked who the contact would be if a community member wanted to get a job with Moltz Construction Company on this project.

Utilities Director Gilvarry informed that when there is a project of this kind notification is usually posted with contact information to hire people with skills from CDLs to laborers.

Councilor Howell made a motion to approve to award request for bids #2018-15 for the Bradner reservoir rehabilitation project to the lowest bidder, Moltz Construction Co. Councilor Romero and Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey asked if the Council could be informed of having to go in to Executive Session before the actual meeting so that they may plan to stay for a longer period of time.

Mayor Gurulé-Girón stated that City Manager Trujillo would advise Council of the need to go in to Executive Session prior to the meeting.

EXECUTIVE SESSION

Councilor Casey made a motion to go in to Executive Session to discuss matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H) (7) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Howell seconded the motion. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey made a motion to reconvene in to Regular Session and advised that discussion took place regarding only matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant; she advised that no action was taken. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
David L. Romero	Yes	Barbara A. Casey	Yes

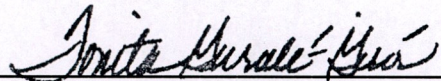
City Clerk Fresquez re-read the motion and advised that the motion carried.

ADJOURN

Councilor Casey made a motion to adjourn. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

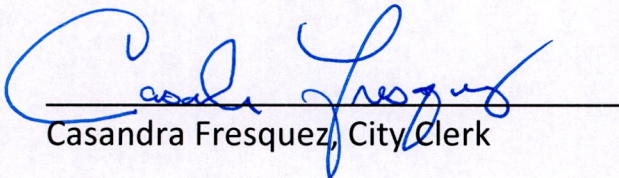
David L. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.



Mayor Tonita Gurulé-Girón

ATTEST:


Casandra Fresquez, City Clerk