

AGENDA

GALLUP CITY COUNCIL SPECIAL MEETING MONDAY, MAY 18, 2020; 12:00 P.M.



Louis Bonaguidi, Mayor

Linda Garcia, Councilor, Dist. 1 Michael Schaaf, Councilor, Dist. 2
Yogash Kumar, Councilor, Dist. 3 Fran Palochak, Councilor, Dist. 4

Maryann Ustick, City Manager
Curtis Hayes, City Attorney

PUBLIC NOTICE: In accordance with the public health order issued by the New Mexico Department of Health, the meeting will be physically closed to the public; however, it will be accessible to the public via the following technology service:

Facebook Live stream through the City of Gallup's Facebook Page:

<https://www.facebook.com/CityOfGallup/>

A. Pledge Of Allegiance

The members of the body and the public are invited to recite the Pledge of Allegiance.

B. Roll Call

C. Discussion/Action Topics

1. Coal Avenue Commons Construction Project Award

SUMMARY: Construction bids were initially opened on 13 February 2020. However, the apparent low bid of \$7,316,142.74 substantially exceeded our project budget. Accordingly, Staff revisited the project scope of work and readvertised the project for bids.

Bids were open again on 5 May 2020. The apparent low bid was **\$4,475,539.11** including the downtown walkway bid alternative. Without the bid alternative, the apparent low bid is **\$3,393,618.55**. (See attachment (1).) The apparent low bidder is Murphy Builders of Gallup, NM.

FISCAL IMPACT: The total Phase 1 project including the downtown walkway will have a shortfall of **\$2,202,527.25**. (See attachment (2).) There is a project shortfall of **\$1,066,510.65**; if, the bid additive is not awarded. (See attachment (3).)

RECOMMENDATION: The City Council has the following alternatives:

1) Do **not** award the construction project. Con - Unobligated budget balances will most likely be clawbacked by State legislature, and project funding will be back at square one. Pro - Downtown is already suffering from the COVID-19 loss of business, and business would have time to recoup losses before a major construction project causes a further loss of business.

2) Award the project in its entirety to Murphy Builders for **\$4,475,539.11** including NMGRT.

-- Approve a project budget increase in revenue from General Fund Cash Reserves and expenditures of an additional **\$2,203,000** (rounded) for the project as identified above.

3) Award the project "excluding" the additive bid item in its entirety to Murphy Builders for **\$3,393,618.55** including NMGRT.

-- Approve a project budget increase in revenue from General Fund Cash Reserves and expenditures of an additional **\$1,067,000** (rounded) for the project as identified above.

NOTE: The FY 20-2021 proposed CIP budget does include an additional \$500K for this project.

Fiscal Impact: See Comments Above.

Recommendation: See Comments Above.

Speaker's Name Stanley Henderson - Public Works Director

Documents:

[20-05-18_1A BID TAB RE COAL AVE COMMONS.PDF](#)

[20-05-18_1B EST PRJ BUDGET RE COAL AVE COMMONS \[BID ADDITIVE\].PDF](#)

[20-05-18_1C EST PRJ BUDGET RE COAL AVE COMMONS \[NO BID ADDITIVE\].PDF](#)

D. Motion To Adjourn

Pursuant to the "Open Meetings Act", NMSA 1978, Section 10-15-1 through 10-15-4 of the State of New Mexico, this Agenda was posted at a place freely accessible to the public 72 hours in advance of the scheduled meeting.

CITY OF GALLUP
PURCHASING DEPARTMENT -- TABULATION SHEET(S)
 BID NO. 2012 BID ON: Coal Avenue Event Street Project

Open Date: May 5, 2020 at 2:00 P.M. (Local)

Item No.	Items and Descriptions	Quantity	HO Construction Albuquerque NM	Murphy Builders Gallup NM		
1	Phase 1 - Second Street to Third Street Items 1-58		\$3,305,583.00	\$3,133,173.50		
	Plus New Mexico Gross Receipt Tax (@ 8.3125%)		\$274,776.59	\$260,445.05		
	Total Phase 1- Base Bid (including tax)		\$3,580,359.59	\$3,393,618.55		
2	Phase 1 - Walkway - Additive Alternative #1 Items 59-82		\$1,129,019.00	\$998,888.00		
	Plus New Mexico Gross Receipt Tax (@ 8.3125%)		\$93,849.70	\$83,032.57		
	Total Phase 1 - Walkway Additive (including tax)		\$1,222,868.70	\$1,081,920.57		
	Base Bid Plus Additive Alternative #1 Subtotal Bid Items Items 1-82		\$4,434,602.00	\$4,132,061.50		
	Plus New Mexico Gross Receipt Tax (@ 8.3125%)		\$368,626.29	\$343,477.61		
	Total Base Bid Plus Additive Alternate #1 Construction Cost		\$4,803,228.29	\$4,475,539.11		
	Adjust for New Mexico Resident Preference		Res-5% \$4,563,066.88	Res-5% \$4,251,762.16		
	Acknowledgement of Amendments		Yes	Yes		
	NM State Resident/Veteran's Preference		Yes - NM	Yes - NM		
	Bidder's Qualification Statement		Yes	Yes		

CITY OF GALLUP
PURCHASING DEPARTMENT -- TABULATION SHEET(S)
 BID NO. 2012 BID ON: Coal Avenue Event Street Project

Open Date: May 5, 2020 at 2:00 P.M. (Local)

Item No.	Items and Descriptions	Quantity	HO Construction Albuquerque NM	Murphy Builders Gallup NM		
	Subcontractor's Listing		Yes	Yes		
	Bid Bond		Yes	Yes		

COAL AVENUE COMMONS CONSTRUCTION PRJ
 Estimated Project Budget
 Construction Contract Award w/ Additive Bid Item

Line Item Description	Weight	Estimated Amounts	SubTotals	Comments
PROJECT REVENUE			\$ 3,294,777.00	
City General Funds		\$ 50,000.00		For NEPA Documentation. PW/CE Professional Svcs.
Fiscal Agency Costs				N/A - Required Expense By NMDFA.
City Enterprise Funds				
City Bond Funds				
Legislative Funding				
2019 Legislature		\$ 677,000.00		FY 19-2020 Grant
Other Public Funding				
National Endowment For Arts		\$ 150,000.00		\$290,000.00
City Of Gallup, NM		\$ 65,000.00		For NEA Match. Ref Cty Cncl Mtg 08/22/17.
Business Improvement District		\$ 25,000.00		For NEA Match. Ref Cty Cncl Mtg 08/22/17.
McKinley County		\$ 50,000.00		For NEA Match. Ref Cty Cncl Mtg 08/22/17.
Business Improvement District		\$ 25,000.00		For Business Construction Mitigation.
Municipal Arterial Program	75.00%	\$ 950,833.00		FY 19-2020 Grant
... City Match	25.00%	\$ 316,944.00		
MainStreet Program		\$ 800,000.00		FY 19-2020 Grant
... City Match	20.00%	\$ 160,000.00		
Private Sector Funding				
McCune Foundation		\$ 25,000.00		
PROJECT EXPENDITURES				
Project Planning	2.3264%		\$ 104,120.02	
Grant Administration		\$ 4,000.00		WCO Ltr 10/04/17.
Feasibility Study				Programming & Conceptual Design Report
= ... Ground Truthing		\$ 3,500.00		WCO Ltr 10/04/17.
= ... PH 1 Environmental Assessment		\$ 6,000.00		WCO Ltr 10/04/17.
= ... NHPA Section 106 Pre-Report		\$ 14,921.58		WCO Ltr 10/04/17.
Special Reports				
= ... Boundary Survey		\$ 6,500.00		WCO Ltr 10/04/17.
= ... Geotechnical Investigation		\$ 5,500.00		WCO Ltr 10/04/17.
Public Participation [WCO]				
= ... Creative Placemaking		\$ 5,315.00		WCO Ltr 10/04/17.
= ... Additional Public Involvement		\$ 14,096.00		WCO Ltr 04/20/18.
NM Gross Receipt Tax	7.5000%	\$ 4,487.44		Albuquerque GRT
Cooperative Educational Services SIOH	0.0000%	\$ -		
Public Participation [gallupARTS]		\$ 35,000.00		LS Includes NMGRT. Ref Cty Cncl Mtg 08/22/17.
= ... Additional Public Involvement		\$ 4,800.00		LS Includes NMGRT.
Property Acquisition		\$ -		
Project Development	5.0648%		\$ 226,677.74	
Independent Cost Estimate				N/A - FAA Funding Requirement.
Grant Administration		\$ 6,500.00		WCO Ltr 10/04/17.
A/E Design Proposal		\$ 121,224.00		WCO Ltr 10/04/17.
A/E Design Changes				
Public Participation/Input [WCO]		\$ 40,076.00		WCO Ltr 10/04/17.

COAL AVENUE COMMONS CONSTRUCTION PRJ
 Estimated Project Budget
 Construction Contract Award w/ Additive Bid Item

=	... Creative Placemaking		\$ 42,330.00		WCO Ltr 10/04/17.
	Project Certifications				
=	... Categorical Exclusion				See Contract/Grant Administration Below.
=	... Historic Preservation				See Contract/Grant Administration Below.
=	... Railroad				See Contract/Grant Administration Below.
=	... Right-Of-Way				See Contract/Grant Administration Below.
=	... Intelligence Transportation Systems				See Contract/Grant Administration Below.
=	... Utilities				See Contract/Grant Administration Below.
	Special Reports				
=	... Boundary Survey				See Project Planning Abv.
=	... Geotechnical Investigation				See Project Planning Abv.
	Public Participation/Input				
	Material Submittal Review				
	NM Gross Receipt Tax	7.8750%	\$ 16,547.74		Albuquerque GRT
	Cooperative Educational Services SIOH	0.0000%	\$ -		
Project Delivery		9.3216%		\$ 417,190.42	
	Independent Cost Estimate				N/A - FAA Funding Requirement.
	Contract/Grant Administration				
1	... 4th/3rd Street To 2nd Street		\$ 320,570.67		WCO eM 11/12/19.
1	... Walkway				See Contract/Grant Administration Above.
2	... 2nd Street To 1st Street				
	Bid Assistance				See Contract/Grant Administration Above.
	QA Inspections				See Contract/Grant Administration Above.
	QA Material Testing				See Contract/Grant Administration Above.
	IA Material Testing				See Contract/Grant Administration Above.
	Additional Professional Services				
1	... Soil Environmental Testing		\$ 18,601.00		WCO Ltr 03/13/20.
2	... Additional Bid/Redesign Services		\$ 46,001.25		WCO Ltr 04/16/20.
	NM Gross Receipt Tax	8.3125%	\$ 32,017.50		Gallup GRT
	Cooperative Educational Services SIOH	0.0000%	\$ -		
Construction		100.0000%		\$ 4,475,539.11	\$4,132,061.50
	Base Bid				
	... 2nd To 3rd Street		\$ 3,133,173.50		Bid Opening 05-12-20.
	Bid Additives				
	... Walkway		\$ 998,888.00		Bid Opening 05-12-20.
	NM Gross Receipt Tax	8.3125%	\$ 343,477.61		Gallup GRT
	Cooperative Educational Services SIOH	0.0000%	\$ -		
Construction Changes		0.0000%		\$ -	
1					
2					
	NM Gross Receipt Tax	8.3125%	\$ -		Gallup GRT
	Cooperative Educational Services SIOH	0.0000%	\$ -		
Incidental Costs		5.0000%	\$ 223,776.96	\$ 223,776.96	
	Total Estimated Costs			\$ 5,447,304.25	
	Collateral Equipment	0.0000%	\$ -	\$ -	
	Construction Mitigation	1.1172%	\$ 50,000.00	\$ 50,000.00	For Business Inconvenience.
	NWCOG Fiscal Agency SIOH	0.0000%	\$ -	\$ -	
	Grand Total Estimated Costs			\$ 5,497,304.25	

COAL AVENUE COMMONS CONSTRUCTION PRJ
 Estimated Project Budget
 Construction Contract Award w/ Additive Bid Item

PROJECT BALANCE				\$ (2,202,527.25)		
123	Soft Number (Estimate)					
123	Hard Number (PO or Contract)					
COST RECAP						
Indirect Costs		6.3328%	\$ -	\$ 330,797.76		
Project Planning		1.9933%	\$ 104,120.02		Architect/Engineer	
Project Development		4.3396%	\$ 226,677.74		Architect/Engineer	
Direct Costs		93.6672%		\$ 4,892,729.53		
Project Delivery		7.9868%	\$ 417,190.42		Architect/Engineer	
Construction Award		85.6804%	\$ 4,475,539.11		Construction Contractor	
Construction Changes			\$ -		Construction Contractor	
Total Project Costs		100.0000%		\$ 5,223,527.29		
Collateral Equipment			\$ -			
Construction Mitigation			\$ 50,000.00			
Incidental Costs			\$ 223,776.96			
			\$ 5,497,304.25	CHECKSUM		
Architect/Engineer		14.3196%	\$ 747,988.18			
Construction Contractor		85.6804%	\$ 4,475,539.11			
		100.0000%	\$ 5,223,527.29	CHECKSUM	Does Not Include Collateral Equipment	
Project Planning				\$ 104,120.02		
Project Development				\$ 226,677.74		
Phase I				\$ 5,166,506.49		
Project Delivery			\$ 385,172.92			
Construction	NMGRT	8.3125%	\$ 32,017.50			
Construction	NMGRT	8.3125%	\$ 4,132,061.50			
Incidental Costs		5.0000%	\$ 223,776.96			
Construction Mitigation			\$ 50,000.00			
Phase II				\$ -		
Project Delivery			\$ -			
Construction	NMGRT	0.0000%	\$ -			
Construction	NMGRT	0.0000%	\$ -			
Incidental Costs		0.0000%	\$ -			
Construction Mitigation			\$ -			
				\$ 5,497,304.25		

COAL AVENUE COMMONS CONSTRUCTION PRJ
 Estimated Project Budget
 Construction Contract Award w/out Additive Bid Item

Line Item Description	Weight	Estimated Amounts	SubTotals	Comments
PROJECT REVENUE			\$ 3,294,777.00	
City General Funds		\$ 50,000.00		For NEPA Documentation. PW/CE Professional Srvc.
Fiscal Agency Costs				N/A - Required Expense By NMDFA.
City Enterprise Funds				
City Bond Funds				
Legislative Funding				
2019 Legislature		\$ 677,000.00		FY 19-2020 Grant
Other Public Funding				
National Endowment For Arts		\$ 150,000.00		\$290,000.00
City Of Gallup, NM		\$ 65,000.00		For NEA Match. Ref Cty Cncl Mtg 08/22/17.
Business Improvement District		\$ 25,000.00		For NEA Match. Ref Cty Cncl Mtg 08/22/17.
McKinley County		\$ 50,000.00		For NEA Match. Ref Cty Cncl Mtg 08/22/17.
Business Improvement District		\$ 25,000.00		For Business Construction Mitigation.
Municipal Arterial Program	75.00%	\$ 950,833.00		FY 19-2020 Grant
... City Match	25.00%	\$ 316,944.00		
MainStreet Program		\$ 800,000.00		FY 19-2020 Grant
... City Match	20.00%	\$ 160,000.00		
Private Sector Funding				
McCune Foundation		\$ 25,000.00		
PROJECT EXPENDITURES				
Project Planning	3.0681%		\$ 104,120.02	
Grant Administration		\$ 4,000.00		WCO Ltr 10/04/17.
Feasibility Study				Programming & Conceptual Design Report
= ... Ground Truthing		\$ 3,500.00		WCO Ltr 10/04/17.
= ... PH 1 Environmental Assessment		\$ 6,000.00		WCO Ltr 10/04/17.
= ... NHPA Section 106 Pre-Report		\$ 14,921.58		WCO Ltr 10/04/17.
Special Reports				
= ... Boundary Survey		\$ 6,500.00		WCO Ltr 10/04/17.
= ... Geotechnical Investigation		\$ 5,500.00		WCO Ltr 10/04/17.
Public Participation [WCO]				
= ... Creative Placemaking		\$ 5,315.00		WCO Ltr 10/04/17.
= ... Additional Public Involvement		\$ 14,096.00		WCO Ltr 04/20/18.
NM Gross Receipt Tax	7.5000%	\$ 4,487.44		Albuquerque GRT
Cooperative Educational Services SIOH	0.0000%	\$ -		
Public Participation [gallupARTS]		\$ 35,000.00		LS Includes NMGRT. Ref Cty Cncl Mtg 08/22/17.
= ... Additional Public Involvement		\$ 4,800.00		LS Includes NMGRT.
Property Acquisition		\$ -		
Project Development	6.6795%		\$ 226,677.74	
Independent Cost Estimate				N/A - FAA Funding Requirement.
Grant Administration		\$ 6,500.00		WCO Ltr 10/04/17.
A/E Design Proposal		\$ 121,224.00		WCO Ltr 10/04/17.
A/E Design Changes				
Public Participation/Input [WCO]		\$ 40,076.00		WCO Ltr 10/04/17.

COAL AVENUE COMMONS CONSTRUCTION PRJ
 Estimated Project Budget
 Construction Contract Award w/out Additive Bid Item

=	... Creative Placemaking		\$ 42,330.00		WCO Ltr 10/04/17.
	Project Certifications				
=	... Categorical Exclusion				See Contract/Grant Administration Below.
=	... Historic Preservation				See Contract/Grant Administration Below.
=	... Railroad				See Contract/Grant Administration Below.
=	... Right-Of-Way				See Contract/Grant Administration Below.
=	... Intelligence Transportation Systems				See Contract/Grant Administration Below.
=	... Utilities				See Contract/Grant Administration Below.
	Special Reports				
=	... Boundary Survey				See Project Planning Abv.
=	... Geotechnical Investigation				See Project Planning Abv.
	Public Participation/Input				
	Material Submittal Review				
	NM Gross Receipt Tax	7.8750%	\$ 16,547.74		Albuquerque GRT
	Cooperative Educational Services SIOH	0.0000%	\$ -		
Project Delivery		12.2934%		\$ 417,190.42	
	Independent Cost Estimate				N/A - FAA Funding Requirement.
	Contract/Grant Administration				
1	... 4th/3rd Street To 2nd Street		\$ 320,570.67		WCO eM 11/12/19.
1	... Walkway				See Contract/Grant Administration Above.
2	... 2nd Street To 1st Street				
	Bid Assistance				See Contract/Grant Administration Above.
	QA Inspections				See Contract/Grant Administration Above.
	QA Material Testing				See Contract/Grant Administration Above.
	IA Material Testing				See Contract/Grant Administration Above.
	Additional Professional Services				
1	... Soil Environmental Testing		\$ 18,601.00		WCO Ltr 03/13/20.
2	... Additional Bid/Redesign Services		\$ 46,001.25		WCO Ltr 04/16/20.
	NM Gross Receipt Tax	8.3125%	\$ 32,017.50		Gallup GRT
	Cooperative Educational Services SIOH	0.0000%	\$ -		
Construction		100.0000%		\$ 3,393,618.55	\$3,133,173.50
	Base Bid				
	... 2nd To 3rd Street		\$ 3,133,173.50		Bid Opening 05-12-20.
	Bid Additives				
	... Walkway				
	NM Gross Receipt Tax	8.3125%	\$ 260,445.05		Gallup GRT
	Cooperative Educational Services SIOH	0.0000%	\$ -		
Construction Changes		0.0000%		\$ -	
1					
2					
	NM Gross Receipt Tax	8.3125%	\$ -		Gallup GRT
	Cooperative Educational Services SIOH	0.0000%	\$ -		
Incidental Costs		5.0000%	\$ 169,680.93	\$ 169,680.93	
	Total Estimated Costs			\$ 4,311,287.65	
	Collateral Equipment	0.0000%	\$ -	\$ -	
	Construction Mitigation	1.4734%	\$ 50,000.00	\$ 50,000.00	For Business Inconvenience.
	NWCOG Fiscal Agency SIOH	0.0000%	\$ -	\$ -	
	Grand Total Estimated Costs			\$ 4,361,287.65	

COAL AVENUE COMMONS CONSTRUCTION PRJ
 Estimated Project Budget
 Construction Contract Award w/out Additive Bid Item

PROJECT BALANCE				\$ (1,066,510.65)		
123	Soft Number (Estimate)					
123	Hard Number (PO or Contract)					
COST RECAP						
Indirect Costs		7.9872%	\$ -	\$ 330,797.76		
Project Planning		2.5140%	\$ 104,120.02		Architect/Engineer	
Project Development		5.4732%	\$ 226,677.74		Architect/Engineer	
Direct Costs		92.0128%		\$ 3,810,808.97		
Project Delivery		10.0732%	\$ 417,190.42		Architect/Engineer	
Construction Award		81.9397%	\$ 3,393,618.55		Construction Contractor	
Construction Changes			\$ -		Construction Contractor	
Total Project Costs		100.0000%		\$ 4,141,606.73		
Collateral Equipment			\$ -			
Construction Mitigation			\$ 50,000.00			
Incidental Costs			\$ 169,680.93			
			\$ 4,361,287.65	CHECKSUM		
Architect/Engineer		18.0603%	\$ 747,988.18			
Construction Contractor		81.9397%	\$ 3,393,618.55			
		100.0000%	\$ 4,141,606.73	CHECKSUM	Does Not Include Collateral Equipment	
Project Planning				\$ 104,120.02		
Project Development				\$ 226,677.74		
Phase I				\$ 4,030,489.89		
Project Delivery			\$ 385,172.92			
Construction	NMGRT	8.3125%	\$ 32,017.50			
Construction	NMGRT	8.3125%	\$ 3,133,173.50			
Incidental Costs		5.0000%	\$ 169,680.93			
Construction Mitigation			\$ 50,000.00			
Phase II				\$ -		
Project Delivery			\$ -			
Construction	NMGRT	0.0000%	\$ -			
Construction	NMGRT	0.0000%	\$ -			
Incidental Costs		0.0000%	\$ -			
Construction Mitigation			\$ -			
				\$ 4,361,287.65		