

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, MAY 12, 2014 @ 5:30 P.M.  
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

**Call to Order:** The meeting was called to order by Mayor Gandy at 5:30 p.m.

**Present and answering roll call:** Commissioner Bengé, Commissioner Trujillo, Mayor Gandy, Commissioner Butcher and Commissioner Campos.

**Also Present:** City Manager James Williams, Assistant City Manager Jared Cobb, City Clerk Carol Ann Hogue, City Attorney Patrick McMahon and Chief of Police Danny Bryant

**Not Present:** Administrative Assistant Imelda Gutierrez

**Invocation:** Commissioner Trujillo gave the invocation

**Pledge of Allegiance:** Commissioner Trujillo led the pledge

**Approval of Agenda:** Mayor Gandy called for a motion to approve the agenda. Commissioner Bengé so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, Commissioner Trujillo – Yes, and Commissioner Bengé – Yes.

**Approval of the Regular Minutes of April 28, 2014:** Mayor Gandy called for a motion to approve the regular minutes of April 28, 2014. Commissioner Campos so moved. Commissioner Bernard seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, Mayor Gandy – Yes, and Commissioner Bengé – Yes.

**NON-ACTION ITEMS:**

**Baja Broadband Presentation:** Stuart Roberts addressed the Commissioners to give a brief presentation of what Baja Broadband plans are for the City of Lovington as the Comcast Cable franchise is being assigned to them.

- Baja Broadband was acquired by TDS Telecom in August 2013.
- Operates in New Mexico, Texas, Colorado, Utah, and Arizona
- Baja Broadband is a triple play broadband operator offering digital cable TV, high speed internet and digital phone services. The triple play services are up to 200 channels of digital TV including HD and PPV, high speed internet at up to 100 mbs. The fastest services in the markets where they operate and digital phone services with full array of features including voicemail, call forwarding and caller id, etc. Baja Broadband invests in the local communities – they take pride on being members of the local communities. Many of the employees do voluntary work in their home towns and receive time off with pay to support their efforts. They sponsor many junior sports teams and leagues and Lea County DWI campaign has “free” advertising on some of the channels they distribute.

- The residents of Lovington will be receiving the same standards of services enjoyed by residents of much bigger cities like New York, Dallas, Los Angeles and closer to home Lubbock and Albuquerque.

**Discussion of Voter Identification Protection Ordinance – Earl Davis:** Earl Davis addressed the Commissioners requesting that the City consider the adoption of a Voter Identification Protection Ordinance. Mr. Davis submitted an example of the ordinance that will require a voter to present a form of identification issued by the government prior to being allowed to vote. Mayor Gandy stated that they will discuss the issue with legal counsel.

### **ACTION ITEMS:**

#### **Consider Amendment of Resolution 2013-08: Sale and Quitclaim of Property:**

Mayor Gandy called for a motion to approve resolution 2013 – 08: Sale and Quitclaim of Property. City Manager Williams addressed the Commissioners stating that the resolution approved the sale and quitclaim of a tract of land to Haarmeyer Electric, Inc. The Title Company has requested that the resolution be amended to reflect the legal description of the property listed in the title commitment and to grant the City Manager the ability to sign on behalf of the City instead of the Mayor. The water station is being closed down and was never on city property. Commissioner Trujillo so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Butcher – Yes, Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes.

**Consider Approval of Resolution 2014 – 14: Acquisition of Lea Theater:** Mayor Gandy called for a motion to approve resolution 2014 – 14: Acquisition of Lea Theater. City Manager Williams addressed the Commissioners stating that the document is requested by the title company so the purchase of the Lea Theater can be completed. This resolution authorizes the City to purchase the Lea Theater utilizing \$250,000 LEDA funds and to authorize the City Manager to sign on behalf of the City regarding this transaction. The structural has been completed. The asbestos and lead should be completed by this week or next week. Commissioner Butcher so moved. Commissioner Campos seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Mayor Gandy – Yes, Commissioner Butcher – Yes, and Commissioner Campos – Yes.

**Consider Approval of Ordinance 524 – Annexation of Property near 17<sup>th</sup> & Jefferson & Zoning Classification:** Mayor Gandy called for a motion to approve Ordinance 524 – Annexation of property near 17<sup>th</sup> & Jefferson & Zoning Classification. City Manager Williams addressed the Commissioners stating that this item was tabled in order to ensure that the Wind Erosion Control Ordinance was in effect. The ordinance has been re-advertised and notification has been sent to property owners within the annexation area and within 100 feet of the property. Gene Samberson mentioned that he supports the annexation. Commissioner Bengé so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes.

**Consider Approval of Encroachment Easement at 123 W. Avenue A:** Mayor Gandy called for a motion to approve the encroachment easement at 123 W. Ave A. City Manager Williams addressed the Commissioners stating that Michael & Shawn Dee Rayburn of Michael's Prescription on 2<sup>nd</sup> & Ave A have requested an encroachment easement to accommodate their existing drive through. Utilities are in the identified easement, however, the drive through awning does not interfere with access as it is presently built. Commissioner Trujillo so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, Commissioner Trujillo – Yes, and Commissioner Bengé – Yes.

**Consider Approval of 2014 – 2015 Interim Municipal Budget:** Mayor Gandy called for a motion to approve the 2014 – 2015 Interim Municipal Budget. City Manager Williams addressed the Commissioners stating that the City managed to make changes to incorporate 10% increase in health insurance benefits and adjust one item - the uniform allowances in utilities for parks and recreation to incorporate uniforms for the City employees. The public will have access to the summary and line item details via the City website. If Commission approves the budget today, it will be sent to DFA for approval. If the City obtains approval from DFA, the Commission will be required to adopt a resolution to complete the adoption of the budget. Commissioner Trujillo so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Butcher – Yes, Commissioner Campos – Yes, Mayor Gandy – Yes, Commissioner Trujillo – Yes, and Commissioner Bengé – Yes.

**Consider Approval of Accounts Payable:** Mayor Gandy called for a motion to approve the accounts payable. Commissioner Campos so moved. Commissioner Butcher seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Mayor Gandy – Yes, and Commissioner Bengé – Yes.

**PUBLIC COMMENT:** Mrs. Bara addressed the Commissioners stating her concerns about her carport. City Manager Williams asked Mrs. Bara to come in to the office to visit with him.

**CLOSED SESSION:**

At 6:00 p.m., Commissioner Butcher moved to adjourn Regular Session and convene in Closed Session: Pursuant to Section 10-15-1 NMSA 1978, Subsection H-2 regarding limited personnel matters, Subsection H-7 to discuss threatened or pending litigation and Subsection H-8 regarding the purchase, acquisition, or disposition of real property or water rights. Commissioner Campos seconded. Motion was approved.

At 6:50 p.m., Commissioner Campos so moved to adjourn Closed Session and reconvene in Regular Session stating that matters discussed were limited only to those specified in the motion and no action was taken. Commissioner Trujillo seconded. Motion was approved.

**OTHER COMMENT:**

- Commissioner Bengé suggested adding to the agenda: public announcements/general announcements after approving the minutes.
- Assistant Jared Cobb mentioned that a member of the Steering Committee resigned. John Graham was recommended to the Steering Committee. The Comprehensive Plan Community Visioning Meeting is Monday, June 2, 2014 at Gann Cafeteria from 6:00 p.m. to 8:00 p.m.
- City Manager Williams mentioned the joint P&Z/Commissioners Meeting will be Wednesday, May 14, 2014 at Troy Harris Center at 5:00 p.m. Bid opening for Central Plaza Project will be Thursday, May 15, 2014 at 2:00 p.m. Bid opening for North 9<sup>th</sup> Street Reconstruction Project will be Monday, May 19, 2014 at 3:30 p.m. Assistant City Manager Cobb and Mr. Williams will be out of the office May 18 – 23, 2014.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 6:55 p.m.

**APPROVED:** \_\_\_\_\_  
**SCOTTY GANDY, MAYOR**

**ATTEST:** \_\_\_\_\_  
**CAROL ANN HOGUE, CITY CLERK**

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 27, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Senior Citizen Board Appointments  
**DEPARTMENT:** Senior Citizen  
**SUBMITTED BY:** Senior Citizen Board  
**DATE SUBMITTED:**

**STAFF SUMMARY:**

The Senior Citizens Board previously appointed Thomas Griffin to the Advisory Board, however, Mr. Griffin's term had not yet expired and the City Commission "reappointed" him based on the board's recommendation. They have requested that Donna Dean be reinstated as a board member instead.

They have also recommended Virginia Spears be appointed to fill the position of Leota Brow, who recently passed away. The appointee would serve out the remainder of Ms. Brow's term (January 2015)

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Letter from Advisory Board

**RECOMMENDATION:**

Information only.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

*Lovington Senior Center  
Bill McKibben Building,  
18 West Avenue F  
Lovington, NM 88260  
(575)396-4161*

May 15, 2014

Lovington City Commission  
214 South Love Street  
Lovington, NM 88260

Dear Mayor Gandy & Fellow Commissioners:

I would like to take this opportunity to recommend Virginia Spears to fill the position that is vacant due to the passing of Leota Brow. Virginia's term to expire January 2015. I would also request reinstatement of Donna Dean. Term to expire January 2016.

Senior Citizen's Advisory Board Meeting was canceled due to lack of quorum.

Shirley Choate  
Fred Browning  
Thomas Griffin  
Wilma Kimbell

Were all polled by phone, and in agreement, that Virginia Spears would again be a valued member of our board. Donna Dean is a pleasure to work with and is the one board member to represent our county's funding interest. With your approval, I look forward to the serving with both of these knowledgeable citizens.

Sincerely,

Norma Vejil, Director  
Lovington Senior Citizen Center, Bill McKibben Building

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 27, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

SUBJECT: 2014-15: Termination of Lease  
DEPARTMENT: Executive  
SUBMITTED BY: James R. Williams, City Manager  
DATE SUBMITTED: May 22, 2014

**STAFF SUMMARY:**

Staff have prepared Resolution 2014-15 in order for the City to terminate the lease agreement with OMI. This property is 5.00 acres located to the South of the Key Energy Yard.

OMI has been sent certified letters regarding the lease and the proposed termination action. No response has been received.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Resolution 2014-15

**RECOMMENDATION:**

Motion to adopt Resolution 2014-15.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

**RESOLUTION NO. 2014 – 15**

**A RESOLUTION DECLARING TERMINATION OF LEASE**

**WHEREAS**, the City of Lovington entered into a lease agreement with OMI on May 14 2013 for a period of ten years; and

**WHEREAS**, the City is exercising its right to terminate this lease as it is in the best interests of the City of Lovington; and

**WHEREAS**, the City has provided OMI notification of the intent to terminate the lease as specified in the lease agreement; and

**WHEREAS**, a resolution declaring the termination of this lease is required in order to proceed with further development or use of the property.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Lovington terminates the lease with OMI for the land located in the following described area:

A tract of land located in the SE ¼ section of Section 25, Township 16S, Rand 36E N.M.P.M., City of Lovington, Lea County, New Mexico and being more particularly described by metes and bounds as follows:

Commencing at a found 5/8" rebar, being used as the SE corner of Section 25; thence 89°48'00"W 1203.92 feet along the South line of Section 25 and Section 36; thence N40°05'38"W 1837.71 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348" for a Point of Beginning; thence continuing N49°45'50"E 407.17 feet along the west line of the Lovington Highway to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348"; thence N40°14'10"W 534.91 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348"; thence S49°45'50"W 403.18 feet to a set rebar with red plastic cap marked "HICKS NMPS 12348"; thence S40°14'10"E 534.91 feet along the west right of way line of Lovington Highway to the Point of Beginning.

**DONE THIS 27<sup>th</sup> DAY of MAY, 2014.**

City of Lovington  
New Mexico

ATTEST:

\_\_\_\_\_  
Scotty Gandy, Mayor

\_\_\_\_\_  
Carol Ann Hogue, City Clerk

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 27, 2014



TYPE:  RESOLUTION     ORDINANCE     PROCLAMATION     INFORMATION     OTHER ACTION

**SUBJECT:** Rescind Resolution 2014-02  
**DEPARTMENT:** Code Enforcement  
**SUBMITTED BY:** Laura Brock, Code Enforcement  
**DATE SUBMITTED:** May 22, 2014

**STAFF SUMMARY:**

The owners of the property located at 310 N. 2nd have made improvements to bring the property up to City code. The condemnation process for this property was started and Resolution 2014-02 was adopted. It is the recommendation of Code Enforcement that Resolution 2014-02 be rescinded in order to halt the condemnation process and remove it from property records.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Resolution 2014-02

**RECOMMENDATION:**

Motion to rescind Resolution 2014-02

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**

**RESOLUTION NO. 2014-02**

A RESOLUTION DETERMINING THAT CERTAIN PREMISES ARE COVERED WITH RUINS, WRECKAGE OR DEBRIS AND DETERMINING THAT CERTAIN STRUCTURES ARE RUINED, DAMAGED AND/OR DILAPIDATED AND ARE A MENACE TO PUBLIC COMFORT, HEALTH, AND SAFETY AND REQUIRES REMOVAL FROM THE MUNICIPALITY

WHEREAS, the Lovington City Commission met in regular session on the 13<sup>th</sup> day of January, 2014 and received the recommendation of the City Manager to remove from the municipality the buildings, structures, ruins, rubbish, wreckage, and debris on the property located at:

**310 N. 2<sup>nd</sup> St., Lovington, New Mexico**

WHEREAS, the City finds the buildings ruined, damaged, and dilapidated and finds said premises a menace to the public comfort, health, and safety, and said premises require removal from the municipality, and

WHEREAS, pursuant to Chapter 15.16 of the Lovington Municipal Code and Section 3-18-5 NMSA, as amended, the City has inspected the premises described as (PROPERTY ADDRESS) and finds that the structures and premises thereon are ruined, damaged and dilapidated, are a menace to the public comfort, health and safety and required removal from the municipality.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Chapter 15.16 Lovington Municipal Code, and Section 3-18-5 NMSA 1978, as amended, that the premises described as:

**310 N. 2<sup>nd</sup> St., Lovington, New Mexico**

**Lot 3 of Block 4, Original Lovington Subdivision**

is found to be ruined, damaged, and dilapidated and is a menace to the public comfort, health and safety and requires removal from the municipality.

BE IT FURTHER RESOLVED that a copy of this Resolution be served on the owner, occupant, or agent in charge of the premises; or, if such service cannot be had, that a copy of this Resolution be posted on the premises; and that a copy of the same be published as required by law.

BE IT FURTHER RESOLVED that unless the owner, occupant, or agent in charge of the premises commences removal of such structures and debris from the property within ten (10) days, with a definite schedule for the completion of the removal, or has filed written objection with the City Clerk within ten (10) days of such service, posing, or

publication of the resolution, the City shall remove or have removed said structure at the cost and expense of the property owner, or for the value of salvageable materials.

BE IT FURTHER RESOLVED that in a case where the City removes, or has a third party remove, a building, structure or debris so condemned, a lien shall be levied by the City against the real property involved in an amount equal to the reasonable cost of the removal, which may then be foreclosed in lieu of satisfaction thereof.

PASSED, ADOPTED AND APPROVED this 13<sup>th</sup> day of January, 2014.

ATTEST:

\_\_\_\_\_  
Dixie Drummond, Mayor

\_\_\_\_\_  
Carol Ann Hogue, City Clerk

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 27, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** 4-Way Stop at 2nd Street and Avenue J  
**DEPARTMENT:** Planning and Zoning  
**SUBMITTED BY:** Planning and Zoning Commission  
**DATE SUBMITTED:** May 22, 2014

**STAFF SUMMARY:**

Mr. Montana Farnum has requested that the City convert the intersection of 2nd Street and Avenue J into a 4-way stop. He has made this request so that pedestrian safety will increase and to curtail speeding.

The Lovington Planning and Zoning Commission made the recommendation to convert this intersection to a 4-way stop at the May 14, 2014 Regular Meeting.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Diagram of area, Farnum request, Police Department opinion

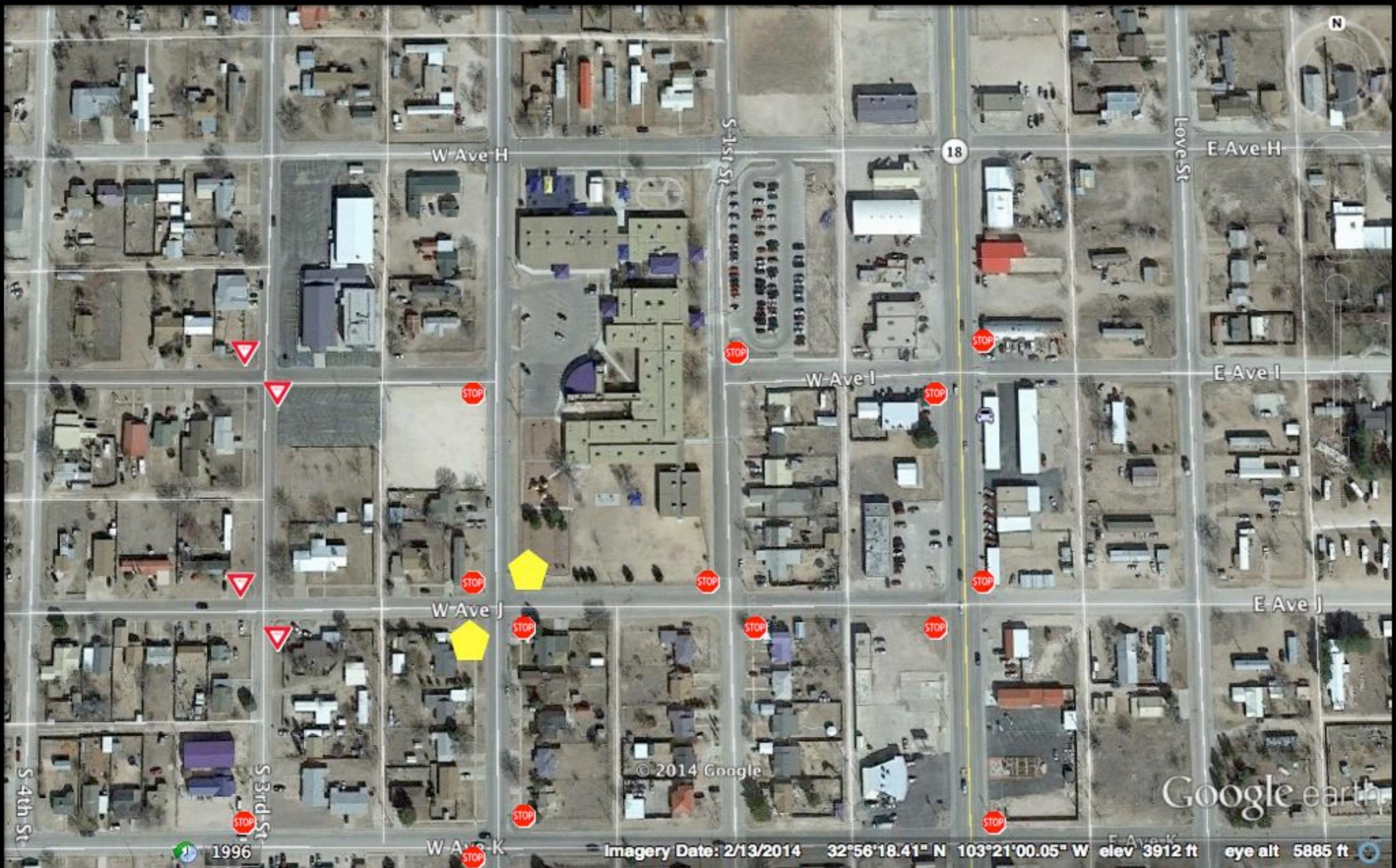
**RECOMMENDATION:**

Motion to approve installation of a 4-way stop at 2nd and Avenue J.

If approved, installation will be performed within 30 days to allow for adequate public notification of the traffic change.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager



1996

Imagery Date: 2/13/2014 32°56'18.41" N 103°21'00.05" W elev 3912 ft eye alt 5885 ft

 Existing Stop  Existing Yield  Proposed Sign

MONTANA W.L. FARNUM

1101 S. 2<sup>ND</sup> Street  
Lovington, New Mexico 88260

(575) 263-4118  
montanafarnum@gmail.com

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April 24, 2014

James Williams  
City Manager  
City of Lovington  
214 S. Love  
Lovington, NM 88260

Mr. Williams,

I am writing to ask you to support a few changes that I feel will make Lovington a safer and more beautiful community. These modifications to Lovington will prove necessary for the overall health of the community environment. In my six years as a resident in Lovington, I have witnessed the safety, related to the traffic situation at the intersection of 2<sup>nd</sup> and J Street, deteriorate exponentially.

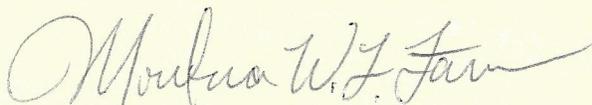
The mentioned intersection would be better served if there were a four-way stop implemented and speed bumps placed in the adjacent school zones. A significant education establishment, Llano Elementary, occupies this hectic intersection with school zones and crossings inhabiting both streets. Numerous car accidents have been documented at this intersection, as well as the undocumented near misses. The racing of cars on Avenue J is a daily occurrence. This is a very dangerous combination when paired with a kindergarten and pre-kindergarten on the corner. It is hard to believe that a school for such little children is not flanked by stop signs.

As well, the extreme level of semi-truck traffic observed on 2<sup>nd</sup> Street, which is a direct feed from Arkansas Junction, is one more factor further congesting and polluting this intersection. Therefore, it seems that Lovington truly needs a designated truck route, in order to alleviate the nuisance of semi-truck traffic inside the city limits.

The purpose of these needed regulations is not to deter and hinder activity around Lovington, but to help make it a safer and more beautiful community for its citizens. I think that these are important changes needed for Lovington. It will benefit the community at large by assisting in maintaining a safe environment in a constantly and rapidly moving world.

Thank you for your support and consideration in this matter.

Sincerely,



Montana W.L. Farnum



# Lovington Police Department



*Danny Bryant*  
Chief of Police

213 South Love Street  
Lovington, NM 88260

Phone: (575) 396-2811  
Fax: (575) 396-3597

Mr. Williams,

As you requested I have looked into your request in reference to the intersection of Second Street and Avenue J.

As of December 2013 we have had 1 documented traffic accident at the intersection dated December 10, 2013 report # 13-0029. It is impossible to track any moving violations as to a particular intersection, as we are only able to track violations by ticket number, date and time, person it was issued too, offense, officer, and vehicle information.

After monitoring the area at various times throughout the day, I learned traffic was light during normal business hours with the exception of early morning and after school, due to the fact the intersection is on the southeast corner of Llano Elementary School. The north and south bound traffic during those peak hours get extremely congested due to a school zone going through the intersection on Second Street and Avenue J.

In my opinion a 4 way stop would be extremely efficient in providing safety to the people who live in the area as well as pedestrians. It would also assist tremendously in regulating traffic flow created during the peak hours of school as they drop off and load children from school.

We as the Police Department would support converting the intersection into a 4 way stop as it would assist in numerous safety aspects.

If you have any other questions please feel free to contact me.

David Rodriguez  
Administrative Lieutenant  
Lovington Police Department  
213 South Love Street  
Lovington New Mexico 88260  
(o) 575-396-2811  
(fax) 575-396-3597  
[drodriguez@lovington.org](mailto:drodriguez@lovington.org)

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 27, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

SUBJECT: Central Plaza Award of Bid  
DEPARTMENT: Executive  
SUBMITTED BY: James R. Williams, City Manager  
DATE SUBMITTED: May 22, 2014

**STAFF SUMMARY:**

The re-bid of the Central Plaza Phase I was received on May 15, 2014. Only one bid was received.

Abraham's Construction

BASE BID: \$351,339.00

ALT 1: \$ 46,000.00

ALT 2: \$ 16,000.00

TOTAL: \$413,339.00

This bid is \$84,578.50 lower than the previous bid.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

Grant Funding: \$262,500

LEDA Match: \$ 87,500

Additional Funds Needed: \$63,339 plus NMGRT

**ATTACHMENTS:**

Bid Recommendation from SMA

Bid Tabulation May 16, 2014

Bid Tabulation October 30, 2013

**RECOMMENDATION:**

Motion to award bid for base, alternate 1 and alternate 2 to Abraham's Construction.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager



May 16, 2014

Mr. James Williams, City Manager  
City of Lovington  
P.O. Box 1268  
Lovington, New Mexico 88260-1268

**Re: Central Plaza Streetscape Project  
NMDOT CN: 2100540**

Dear Mr. Williams,

The Bid-Opening took place on Thursday, May 15, 2014 at 2:00 p.m. for the Re-Bid of the above referenced project. Those in attendance were:

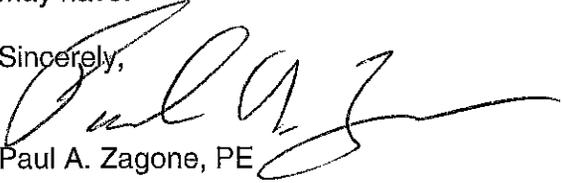
Jared Cobb, City of Lovington  
James R. Williams, City of Lovington  
David M. Storey, Souder, Miller & Associates

There was only one bid received and opened. We have reviewed Abraham's Construction, Inc. submitted bid and all required documents were in order. Abraham's Construction, Inc. bid is as follows:

TOTAL BASE BID	\$ 351,339.00
Additive Alternate 1	\$ 46,000.00
Additive Alternate 2	<u>\$ 16,000.00</u>
<b>TOTAL</b>	<b>\$ 413,339.00</b>

Enclosed please find bid tabulation for the subject project. The contractor's Base Bid was \$ 98,432.50 (38.92%) over the Engineer's Estimate. The Total Bid including Alternates was \$ 10,464.50 (2.59%) over the Engineers Estimate. All costs do not included NMGR. Please feel free to call with any questions you may have.

Sincerely,

  
Paul A. Zagone, PE  
Senior Engineer, Souder, Miller & Associates

Xc: Jessica Hunter, NMDOT (via email)  
Lee Gamelsky, Lee Gamelsky Architects, P.C. (via email)  
Jim Smith, SMA Sr. Engineer (via email)

**BID TABULATIONS**

PROJECT: Central Plaza Streetscape NMDOT CN: 2100540

BID DATE & TIME: May 15, 2014 at 2:00 p.m.



					ENGINEER'S ESTIMATE		Abraham's Construction, Inc.	
ITEM	No.	ITEM DESCRIPTION	UNIT	EST QTY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	207000	Subgrade Preparation (6" depth subgrade preparation)	SY	825	\$ 4.00	\$ 3,300.00	\$ 5.00	\$ 4,125.00
2	304160	Base Course 6"	SY	825	\$ 15.00	\$ 12,375.00	\$ 13.00	\$ 10,725.00
3	416000	Minor Paving (HMA SP IV - 3")	SY	800	\$ 30.00	\$ 24,000.00	\$ 26.00	\$ 20,800.00
4	515000	Reinforced Concrete for Minor Structures	CY	19	\$ 700.00	\$ 13,020.00	\$ 900.00	\$ 16,740.00
5	601000	Removal of Structures and Obstructions	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 25,000.00	\$ 25,000.00
6	608006	Concrete Sidewalk - 4"	SY	400	\$ 75.00	\$ 30,000.00	\$ 84.00	\$ 33,600.00
7	608106	Concrete Drivepad (6" Thick)	SY	57	\$ 50.00	\$ 2,850.00	\$ 75.00	\$ 4,275.00
8	609424	Concrete Vertical Curb & Gutter B 6" X 24"	LF	700	\$ 15.00	\$ 10,500.00	\$ 24.00	\$ 16,800.00
9	609636	Concrete Valley Gutter 6" X 36"	LF	335	\$ 30.00	\$ 10,050.00	\$ 75.00	\$ 25,125.00
10	621000	Mobilization	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 30,000.00	\$ 30,000.00
11	663602	Polyvinyl Chloride Pipe 2"	LF	300	\$ 5.00	\$ 1,500.00	\$ 7.80	\$ 2,340.00
12	663772	Connection to Existing Waterline	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 3,000.00	\$ 3,000.00
13	667510	Tree Grate Outer Frame (Installed)	EA	9	\$ 400.00	\$ 3,600.00	\$ 1,500.00	\$ 13,500.00
14	701000	Panel Signs	SF	26	\$ 25.00	\$ 650.00	\$ 23.00	\$ 598.00
15	701100	Steel Post and Base Post for Aluminum Panel Signs	LF	70	\$ 10.00	\$ 700.00	\$ 18.00	\$ 1,260.00
16	702800	Traffic Control Plan	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 18,000.00	\$ 18,000.00
17	704000	Retroreflectorized Painted Markings	LF	3,264	\$ 0.25	\$ 816.00	\$ 2.50	\$ 8,160.00
18	704212	Retroreflectorized Plastic PVMT Stripe 12"	LF	196	\$ 10.00	\$ 1,960.00	\$ 18.50	\$ 3,626.00
19	704530	Retroreflectorized Plastic Handicap Symbol	EA	6	\$ 350.00	\$ 2,100.00	\$ 700.00	\$ 4,200.00
20	706001	Waterproof Power Outlet (2 plug)	EA	14	\$ 30.00	\$ 420.00	\$ 160.00	\$ 2,240.00
21	706230	Meter Pedestal (Combination)	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 15,000.00	\$ 15,000.00
22	709020	Rigid Electrical Conduit 2"	LF	700	\$ 3.94	\$ 2,758.00	\$ 11.00	\$ 7,700.00
23	710000	Electrical Pullbox (Standard)	EA	7	\$ 400.00	\$ 2,800.00	\$ 500.00	\$ 3,500.00
24	711104	Single Conductor 4	LF	1,150	\$ 1.30	\$ 1,495.00	\$ 2.00	\$ 2,300.00
25	711106	Single Conductor 6	LF	1,150	\$ 1.75	\$ 2,012.50	\$ 1.50	\$ 1,725.00
26	716610	12' A850SR LED Old Town Series with Outlet	EA	14	\$ 3,000.00	\$ 42,000.00	\$ 4,000.00	\$ 56,000.00
27	801000	Construction Staking by the Contractor	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 14,000.00	\$ 14,000.00
28	901010	Contractor Testing	LS	1	\$ 7,000.00	\$ 7,000.00	\$ 7,000.00	\$ 7,000.00
						\$ -		
		<b>Base Bid Total</b>				\$ 252,906.50		\$ 351,339.00
		<b>ADDITIVE ALTERNATE 1</b>						
1	664000	Landscaping Complete	LS	1	\$ 82,360.00	\$ 82,360.00	\$ 46,000.00	\$ 46,000.00
		<b>Total Bid Alternative 1</b>				\$ 82,360.00		\$ 46,000.00
		<b>ADDITIVE ALTERNATE 2</b>						
1	664001	Street Furniture	LS	1	\$ 67,608.00	\$ 67,608.00	\$ 16,000.00	\$ 16,000.00
		<b>Total Bid Alternate 2</b>				\$ 67,608.00		\$ 16,000.00
		<b>BID RECAP</b>						
		<b>Base Bid Total</b>				\$ 252,906.50		\$ 351,339.00
		<b>Total Bid Including Alternates 1 &amp; 2</b>				\$ 402,874.50		\$ 413,339.00

*[Signature]*  
(Name of Project Manager)

5/16/14  
Date

# BID TABULATIONS

PROJECT: Central Plaza Streetscape NMDOT CN: 2100540

BID DATE & TIME: October 29, 2013 at 2:00 p.m.



					ENGINEER'S ESTIMATE		Abraham's Construction, Inc.	
ITEM	No.	ITEM DESCRIPTION	UNIT	EST QTY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	207000	Subgrade Preparation (6" depth subgrade preparation)	SY	825	\$ 4.00	\$ 3,300.00	\$ 5.00	\$ 4,125.00
2	304160	Base Course 6"	SY	825	\$ 15.00	\$ 12,375.00	\$ 21.00	\$ 17,325.00
3	416000	Minor Paving (HMA SP IV - 3")	SY	800	\$ 30.00	\$ 24,000.00	\$ 41.00	\$ 32,800.00
4	515000	Reinforced Concrete for Minor Structures	CY	19	\$ 700.00	\$ 13,020.00	\$ 800.00	\$ 14,880.00
5	601000	Removal of Structures and Obstructions	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 17,000.00	\$ 17,000.00
6	608006	Concrete Sidewalk - 4"	SY	400	\$ 75.00	\$ 30,000.00	\$ 46.00	\$ 18,400.00
7	608106	Concrete Drivepad (6" Thick)	SY	57	\$ 50.00	\$ 2,850.00	\$ 89.00	\$ 5,073.00
8	609424	Concrete Vertical Curb & Gutter B 6" X 24"	LF	700	\$ 15.00	\$ 10,500.00	\$ 33.00	\$ 23,100.00
9	609636	Concrete Valley Gutter 6" X 36"	LF	335	\$ 30.00	\$ 10,050.00	\$ 44.00	\$ 14,740.00
10	621000	Mobilization	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 65,000.00	\$ 65,000.00
11	663602	Polyvinyl Chloride Pipe 2"	LF	300	\$ 5.00	\$ 1,500.00	\$ 19.00	\$ 5,700.00
12	663772	Connection to Existing Waterline	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
13	667510	Tree Grate Outer Frame (Installed)	EA	9	\$ 400.00	\$ 3,600.00	\$ 2,800.00	\$ 25,200.00
14	701000	Panel Signs	SF	28	\$ 25.00	\$ 650.00	\$ 40.00	\$ 1,040.00
15	701100	Steel Post and Base Post for Aluminum Panel Signs	LF	70	\$ 10.00	\$ 700.00	\$ 41.00	\$ 2,870.00
16	702800	Traffic Control Plan	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 17,000.00	\$ 17,000.00
17	704000	Retroreflectorized Painted Markings	LF	3,264	\$ 0.25	\$ 816.00	\$ 3.00	\$ 9,792.00
18	704212	Retroreflectorized Plastic PVMT Stripe 12"	LF	196	\$ 10.00	\$ 1,960.00	\$ 15.00	\$ 2,940.00
19	704530	Retroreflectorized Plastic Handicap Symbol	EA	6	\$ 350.00	\$ 2,100.00	\$ 600.00	\$ 3,600.00
20	706001	Waterproof Power Outlet (2 plug)	EA	14	\$ 30.00	\$ 420.00	\$ 180.00	\$ 2,520.00
21	706230	Meter Pedestal (Combination)	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 6,000.00	\$ 6,000.00
22	709020	Rigid Electrical Conduit 2"	LF	700	\$ 3.94	\$ 2,758.00	\$ 12.00	\$ 8,400.00
23	710000	Electrical Pullbox (Standard)	EA	7	\$ 400.00	\$ 2,800.00	\$ 700.00	\$ 4,900.00
24	711104	Single Conductor 4	LF	1,150	\$ 1.30	\$ 1,495.00	\$ 2.50	\$ 2,875.00
25	711106	Single Conductor 6	LF	1,150	\$ 1.75	\$ 2,012.50	\$ 2.05	\$ 2,357.50
26	716610	12' AB50SR LED Old Town Series with Outlet	EA	14	\$ 3,000.00	\$ 42,000.00	\$ 4,000.00	\$ 56,000.00
27	801000	Construction Staking by the Contractor	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
28	901010	Contractor Testing	LS	1	\$ 7,000.00	\$ 7,000.00	\$ 7,000.00	\$ 7,000.00
<b>Base Bid Total</b>						\$ 252,906.50		\$ 387,637.50
<b>ADDITIVE ALTERNATE 1</b>								
1	664000	Landscaping Complete	LS	1	\$ 82,360.00	\$ 82,360.00	\$ 82,640.00	\$ 82,640.00
<b>Total Bid Alternative 1</b>						\$ 82,360.00		\$ 82,640.00
<b>ADDITIVE ALTERNATE 2</b>								
1	664001	Street Furniture	LS	1	\$ 67,608.00	\$ 67,608.00	\$ 27,640.00	\$ 27,640.00
<b>Total Bid Aiternate 2</b>						\$ 67,608.00		\$ 27,640.00
<b>BID RECAP</b>								
<b>Base Bid Total</b>						\$ 252,906.50		\$ 387,637.50
<b>Total Bid Including Alternates 1 &amp; 2</b>						\$ 402,874.50		\$ 497,917.50

*Paul A. Jones*  
 \_\_\_\_\_  
 (Name of Project Manager)

10/30/13  
 \_\_\_\_\_  
 Date

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: May 27, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Award of Bid for North 9th Reconstruction  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** May 22, 2014

**STAFF SUMMARY:**

Bid opening for the 9th Street Reconstructions (Polk to Dogwood) was conducted on May 19, 2014. Two bids, with alternates, were received as are detailed as follows:

Constructor's Inc.: \$273,010.00

Ramirez & Sons, Inc.: \$294,999.80

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

Budgeted General Funds and LGRF Grant

**ATTACHMENTS:**

Bid Recommendation  
Bid Tabulation

**RECOMMENDATION:**

Motion to award bid to Constructor's, Inc with all alternates.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager



ENGINEERING | SURVEYING | TESTING  
DEFINING QUALITY SINCE 1965



THE TOP 100 COMPANIES IN NEW MEXICO

20 May, 2014

City of Lovington  
214 South Love Street  
Lovington, New Mexico 88260

ATTN: Mr. James R. Williams  
City Manager

RE: North 9<sup>th</sup> Street Reconstruction  
Bid No. 14-0429

Dear Mr. Williams:

Contractor's Bids for construction of work associated with the above-referred Project were received and publicly opened at 3:30 p.m. on May 19, 2014. Two bids were received. The table below provides the totals for each bid along with the Engineer's Estimate.

Description	Engineer's Estimate	Constructor's Inc.	Ramirez and Sons, Inc.
Base Bid	\$ 241,270.00	\$ 257,310.00	\$ 274,814.70
Additive Alternate 1	\$ 2,035.00	\$ 3,400.00	\$ 5,725.40
Additive Alternate 2	\$ 670.00	\$ 1,000.00	\$ 1,096.40
Additive Alternate 3	\$ 680.00	\$ 1,000.00	\$ 1,096.40
Additive Alternate 4	\$ 680.00	\$ 1,000.00	\$ 1,096.40
Additive Alternate 5	\$ 6,200.00	\$ 9,300.00	\$ 11,170.50
Total Bid Price	\$ 251,535.00	\$ 273,010.00	\$ 294,999.80

Submitted bids were confirmed to contain:

- Bid Bond
- NM Contractor's License Number
- NM Resident Business Certification Number (Constructor's, Inc. Only)
- Addendum # 1 Acknowledgement Form

The Bid received from Ramirez and Sons, Inc. contained three discrepancies,

1. The following items were left incomplete on Section 03-4:
  - a. Total Bid Price, written out in words
  - b. Acknowledgment of Addenda and Date
  - c. The NM Resident Business Certification No. provided is not applicable



Based upon the received bids, the low bid for Bid No. 14-0429 is Constructor's, Inc.

Pettigrew & Associates will be present at the next scheduled Lovington City Commission meeting on Tuesday May 27th for any questions.

Should you have any questions prior to that date, please contact me at 575-393-9827.

Sincerely,

**Pettigrew & Associates, P.A.**



Debra P. Hicks, PE/LSI  
President/CEO

Attach: Certified Bid Tabs

cc: File



<b>City of Lovington, Lea County, New Mexico</b> <b>North 9th Street Reconstruction</b> <b>Bid # 14-0429 Bid Opening 5/19/2014, 3:30pm</b>				<b>Engineer's Estimate</b>		<b>Constructors, Inc.</b>		<b>Ramirez and Sons Inc.</b>	
Item Bid No.	Description	Unit	Est Qty	Price	Total	Price	Total	Price	Total
203000	UNCLASSIFIED EXCAVATION	CY	550	\$ 8.00	\$ 4,400.00	\$ 8.00	\$ 4,400.00	\$ 17.85	\$ 9,817.50
207000	SUBGRADE PREPARATION	SQ.YD.	1670	\$ 3.50	\$ 5,845.00	\$ 2.00	\$ 3,340.00	\$ 3.54	\$ 5,911.80
303180	BASE COURSE 8"	SQ.YD.	5000	\$ 9.00	\$ 45,000.00	\$ 8.25	\$ 41,250.00	\$ 11.54	\$ 57,700.00
306002	CEMENT TREATED (3% TO 5%) SUBGRADE 12"	SQ.YD.	5010	\$ 8.50	\$ 42,585.00	\$ 12.00	\$ 60,120.00	\$ 5.02	\$ 25,150.20
408100	PRIME COAT	SQ.YD.	5000	\$ 0.55	\$ 2,750.00	\$ 0.50	\$ 2,500.00	\$ 1.10	\$ 5,500.00
414001	COLD MILL EXISTING HMA WITH BASE COURSE - 7" AND HAUL	SQ.YD.	5000	\$ 3.75	\$ 18,750.00	\$ 4.00	\$ 20,000.00	\$ 3.54	\$ 17,700.00
423250	HMA SP III COMPLETE	SQ.YD.	5000	\$ 19.50	\$ 97,500.00	\$ 18.25	\$ 91,250.00	\$ 18.32	\$ 91,600.00
601003	REMOVAL OF VALLEY GUTTER	LIN.FT.	40	\$ 4.00	\$ 160.00	\$ 15.00	\$ 600.00	\$ 11.25	\$ 450.00
609686	CONCRETE VALLEY GUTTER 8" X 36"	LIN.FT.	40	\$ 22.00	\$ 880.00	\$ 40.00	\$ 1,600.00	\$ 37.13	\$ 1,485.20
618000	TRAFFIC CONTROL PLAN & MANAGEMENT	L.S.	1	\$ 8,000.00	\$ 8,000.00	\$ 20,000.00	\$ 20,000.00	\$ 45,000.00	\$ 45,000.00

<b>City of Lovington, Lea County, New Mexico</b> <b>North 9th Street Reconstruction</b> <b>Bid # 14-0429 Bid Opening 5/19/2014, 3:30pm</b>				<b>Engineer's Estimate</b>		<b>Constructors, Inc.</b>		<b>Ramirez and Sons Inc.</b>	
Item Bid No.	Description	Unit	Est Qty	Price	Total	Price	Total	Price	Total
621000	MOBILIZATION	L.S.	1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
662400	MANHOLE ADJUSTMENT	EACH	3	\$ 1,800.00	\$ 5,400.00	\$ 750.00	\$ 2,250.00	\$ 1,500.00	\$ 4,500.00
<b>TOTAL BASE BID:</b>					<b>\$ 241,270.00</b>		<b>\$ 257,310.00</b>		<b>\$ 274,814.70</b>
601110	REMOVAL OF SURFACING	SQ.YD	20	\$ 1.75	\$ 35.00	\$ 20.00	\$ 400.00	\$ 9.07	\$ 181.40
608002	6" CONCRETE FILLET WITH ADA RAMP COMPLETE IN PLACE	SQ. YD.	20	\$ 100.00	\$ 2,000.00	\$ 150.00	\$ 3,000.00	\$ 277.20	\$ 5,544.00
<b>TOTAL ADDITIVE ALTERNATE 1:</b>					<b>\$ 2,035.00</b>		<b>\$ 3,400.00</b>		<b>\$ 5,725.40</b>
601002	REMOVAL OF CURB AND GUTTER	LIN.FT.	20	\$ 4.00	\$ 80.00	\$ 5.00	\$ 100.00	\$ 9.38	\$ 187.60
601005	REMOVAL OF ALLEY DRIVEPAD	S.Y.	20	\$ 10.00	\$ 200.00	\$ 15.00	\$ 300.00	\$ 9.69	\$ 193.80
609324	CONCRETE MOUNTABLE CURB AND GUTTER 6" X 24"	LIN.FT.	20	\$ 19.50	\$ 390.00	\$ 30.00	\$ 600.00	\$ 35.75	\$ 715.00
<b>TOTAL ADDITIVE ALTERNATE 2:</b>					<b>\$ 670.00</b>		<b>\$ 1,000.00</b>		<b>\$ 1,096.40</b>

<b>City of Lovington, Lea County, New Mexico</b> <b>North 9th Street Reconstruction</b> <b>Bid # 14-0429 Bid Opening 5/19/2014, 3:30pm</b>				<b>Engineer's Estimate</b>		<b>Constructors, Inc.</b>		<b>Ramirez and Sons Inc.</b>	
Item Bid No.	Description	Unit	Est Qty	Price	Total	Price	Total	Price	Total
601002	REMOVAL OF CURB AND GUTTER	LIN.FT.	20	\$ 4.00	\$ 80.00	\$ 5.00	\$ 100.00	\$ 9.38	\$ 187.60
601005	REMOVAL OF ALLEY DRIVEPAD	S.Y.	20	\$ 10.00	\$ 200.00	\$ 15.00	\$ 300.00	\$ 9.69	\$ 193.80
609324	CONCRETE MOUNTABLE CURB AND GUTTER 6" X 24"	LIN.FT.	20	\$ 20.00	\$ 400.00	\$ 30.00	\$ 600.00	\$ 35.75	\$ 715.00
<b>TOTAL ADDITIVE ALTERNATE 3:</b>					<b>\$ 680.00</b>		<b>\$ 1,000.00</b>		<b>\$ 1,096.40</b>
601002	REMOVAL OF CURB AND GUTTER	LIN.FT.	20	\$ 4.00	\$ 80.00	\$ 5.00	\$ 100.00	\$ 9.38	\$ 187.60
601005	REMOVAL OF ALLEY DRIVEPAD	S.Y.	20	\$ 10.00	\$ 200.00	\$ 15.00	\$ 300.00	\$ 9.69	\$ 193.80
609324	CONCRETE MOUNTABLE CURB AND GUTTER 6" X 24"	LIN.FT.	20	\$ 20.00	\$ 400.00	\$ 30.00	\$ 600.00	\$ 35.75	\$ 715.00
<b>TOTAL ADDITIVE ALTERNATE 4:</b>					<b>\$ 680.00</b>		<b>\$ 1,000.00</b>		<b>\$ 1,096.40</b>
608002	6" CONCRETE FILLET WITH ADA RAMP COMPLETE IN PLACE	SQ. YD.	20	\$ 100.00	\$ 2,000.00	\$ 150.00	\$ 3,000.00	\$ 277.20	\$ 5,544.00
609324	CONCRETE MOUNTABLE CURB AND GUTTER 6" X 24"	LIN.FT.	50	\$ 20.00	\$ 1,000.00	\$ 30.00	\$ 1,500.00	\$ 28.05	\$ 1,402.50
609424	CONCRETE BARRIER CURB AND GUTTER 6" X 24"	LIN.FT.	160	\$ 20.00	\$ 3,200.00	\$ 30.00	\$ 4,800.00	\$ 26.40	\$ 4,224.00

City of Lovington, Lea County, New Mexico North 9th Street Reconstruction Bid # 14-0429 Bid Opening 5/19/2014, 3:30pm				Engineer's Estimate		Constructors, Inc.		Ramirez and Sons Inc.	
Item Bid No.	Description	Unit	Est Qty	Price	Total	Price	Total	Price	Total
<b>TOTAL ADDITIVE ALTERNATE 5:</b>					<b>\$ 6,200.00</b>		<b>\$ 9,300.00</b>		<b>\$ 11,170.50</b>
	Contractor License					1585		83020	
	Resident Business Certification No.					L1737715008		N/A	
	Resident Veteran Business Certification No.					NO		NO	
	5% Bid Bond					✓		✓	
	Addendum 1 Acknowledged					✓		✓	
<b>TOTAL BID PRICE</b>					<b>\$ 251,535.00</b>		<b>\$ 273,010.00</b>		<b>\$ 294,999.80</b>

**ENGINEER'S CERTIFICATE:**

I Hereby Certify that is TABULATION IS True and Correct.



*Debra P. Hicks*

5/20/2014

Debra P. Hicks, P.E./L.S.I NM No. 10871