

AGENDA

GALLUP CITY COUNCIL TUESDAY, MAY 24, 2016 SPECIAL MEETING – 5:00 P.M. REGULAR MEETING – 6:00 P.M. CITY COUNCIL CHAMBERS

Jackie McKinney, Mayor

Linda Garcia
Councilor, District #1

Allan Landavazo
Councilor, District #2

Yogash Kumar
Councilor, District #3

Fran Palochak
Councilor, District #4

Maryann Ustick, City Manager
George Kozeliski, City Attorney

SPECIAL MEETING – 5:00 P.M.

- A. Roll Call**
- B. Motion to Adjourn Into Closed Session for the Purpose of Discussing Pending Litigation with Retained Attorneys Regarding the City of Gallup's G-22 Application with the State Engineer's Office, Pursuant to §10-15-1-H(7) NMSA 1978 Comp. (as revised)**

REGULAR MEETING – 6:00 P.M.

- A. Pledge of Allegiance**
- B. Roll Call**
- C. Certification for the Record of the Matters Discussed During the Closed Session**
- D. Approval of Minutes**

Special Meeting of May 4, 2016
Special and Regular Meetings of May 10, 2016

- E. Presentation of Awards**

Water and Energy Awareness Day T-Shirt Contest Winners

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F. Discussion/Action Topics

1. Request for the Closure of Streets and Downtown Parking Lot for the 68th Annual Gallup Lions Club Rodeo Parade and Barbeque to be Held on Saturday, June 11, 2016 – John Sakasitz, Gallup Lions Club
2. Proposed Capital Projects for General Obligation Bond Election – Stan Henderson, Public Works Director
3. Disposition of Surplus Vehicles by Means of the City's Online Auction – Patty Holland, Chief Financial Officer
4. Resolution No. R2016-23; Calling a Special Election to be Held on August 9, 2016 for the Purpose of Voting on the Issuance of General Obligation Bonds in an Aggregate Principal Amount of \$5,365,000 – Patty Holland, Chief Financial Officer
5. Resolution No. R2016-26; Proposing an Advisory Referendum Question Limiting the Sale of Package Liquor Before the Hour of 11:00 A.M. – George Kozeliski, City Attorney
6. Resolution No. R2016-27; Proposing an Advisory Referendum Question on Single-Stream Curbside Recycling – George Kozeliski, City Attorney
7. Fiscal Year 2017 Lodgers Tax Event Funding – Catherine Sebold, Tourism and Marketing Manager
8. Ordinance No. C2016-6; An Ordinance Concerning Furnishing Water Service Outside the City Limits – Clyde (C.B.) Strain, Planning Director
9. Ordinance No. C2016-7; An Ordinance Concerning Sewer Connections Outside the City Limits – Clyde (C.B.) Strain, Planning Director
10. Adoption of Joint Powers Agreement with McKinley County on Liquor Excise Tax – George Kozeliski, City Attorney
11. Resolution No. R2016-24; Joint Resolution Directing the Allocation and Distribution of the Fiscal Year 2017 Projected Liquor Excise Tax Revenue – George Kozeliski, City Attorney
12. Contract Award and Budget Adjustment for Plumbing Repairs at the Gallup Detox Center – Jon DeYoung, Assistant to the City Manager

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Discussion/Action Topics, continued

13. Contract Award and Budget Adjustment for Shower Tiling Repairs at the Gallup Detox Center – Jon DeYoung, Assistant to the City Manager
14. Contract Award for Boardman and Ridgecrest Water Line Projects – Richard Matzke, Electric Director
15. Budget Adjustment for Professional and Legal Services for G-22 Water Acquisition – Richard Matzke, Electric Director
16. Budget Adjustment Within Water Fund 506 for Fiscal Year 2016 – Richard Matzke, Electric Director
17. Ordinance No. C2016-8; An Ordinance Concerning an Interim Increase to the Rates for Wastewater Service – Richard Matzke, Electric Director

G. Presentation and Information Items

1. Discussion and Consideration of a Proclamation Declaring Extreme or Severe Drought Conditions within the City of Gallup and Banning Certain Fireworks Beginning June 14, 2016 for 30 Days – Jesus “Chuy” Morales, Fire Marshal
2. Discussion/Public Comment on the 2016 Edward Byrne Memorial Justice Assistance Grant Application – Jon DeYoung, Assistant to the City Manager

H. Comments by Public on Non-Agenda Items

I. Comments by Mayor and City Councilors

J. Comments by City Manager and City Attorney

K. Motion to Adjourn

Auxiliary aides for the disabled are available upon request. Please contact Alfred Abeita, City Clerk, at 863-1254 at least one (1) week prior to the meeting or as soon as possible in advance of the meeting to make any necessary arrangements.

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.

Minutes

Special Meeting of May 4, 2016
Special and Regular Meetings of May 10, 2016

Minutes of the Special Meeting of the Gallup City Council, City of Gallup, New Mexico, held at the El Morro Events Center, 210 South Second Street, at 2:00 p.m. on Tuesday, May 4, 2016.

At such meeting, the following were present, constituting a quorum:

Mayor:	Jackie McKinney
Councilors:	Linda Garcia Allan Landavazo Yogash Kumar Fran Palochak
Also present:	Maryann Ustick, City Manager

The Mayor and Councilors conducted a Work Session to review and discuss the following topics:

1. Marketing and Branding Strategy Update – Jim Glover, Idea Group and Catherine Sebold, Tourism and Marketing Manager

By conference telephone, Mr. Glover provided a power point presentation on the results of the online survey that was conducted for Gallup’s marketing and branding research. The survey participants (Gallup residents) identified Gallup’s brand assets (the positive things about Gallup) and the brand liabilities (the negative things about Gallup) in order to determine the brand equity for Gallup. The research showed that the brand liabilities outweighed the brand assets which resulted in low brand equity for Gallup. Although Gallup’s brand equity is low, the timing is perfect for developing a new identity by enhancing the brand in the future through community involvement. Mr. Glover presented six potential brand positions on how Gallup may want to be perceived in the future. Discussion followed concerning the selection of a brand position for Gallup, the potential exodus of residents planning to leave Gallup in the next five years as indicated in the survey, the ability for the community to deliver on its brand position to visitors, and the problems that exist in the community which results in an unfavorable environment for residents and visitors.

2. Fiscal Year (FY) 2017 Proposed Budget Review

Ms. Ustick provided a power point presentation on the proposed changes to the budget since the last work session. She also presented options for funding four proposed full-time positions as well as a 2% cost of living adjustment for all employees. A copy of the power point presentation is attached hereto and made a part of these official Minutes.

The Mayor and Councilors conducted a review and discussion of the proposed budget recommendations for FY 2017. Ms. Ustick, Patty Holland, Chief Financial Officer, and Marla Chavez, Executive Assistant, answered questions posed by the Mayor and Councilors.

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In additional business, Councilor Kumar presented an overview of a report from STR, Inc. which contains data pertaining to the hotels in Gallup, such as average daily rates, census of properties and rooms, percentage of rooms occupied, total room revenue, supply and demand for rooms, etc.

There was no official action taken by the Mayor and Councilors during the Work Session.

The Work Session adjourned at 4:40 p.m.

Jackie McKinney, Mayor

ATTEST:

Alfred Abeita II, City Clerk

Minutes of the Special Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at Gallup City Hall, 110 West Aztec Avenue, at 4:30 p.m. on Tuesday, May 10, 2016.

At such meeting, the following were present, constituting a quorum:

Mayor:	Jackie McKinney
Councilors:	Linda Garcia Allan Landavazo Yogash Kumar Fran Palochak
Also present:	Maryann Ustick, City Manager George Kozeliski, City Attorney

The Mayor and Councilors conducted a Work Session to review and discuss the following topic:

1. Proposed General Obligation Bond Issue – Maryann Ustick, City Manager

According to the City's financial advisors, Ms. Ustick said the City may be able to issue \$5.275 million in general obligation bonds, with a 15-year maturity. The issuance of the bonds is subject to voter approval under state law.

Stan Henderson, Public Works Director, presented an overview of the following projects from the City's draft 2016-2017 Capital Improvement Plan (CIP) as considerations to be funded by the proceeds of the proposed bond sale: Chiaramonte Mine Storm Drainage Improvements, \$460,000; Ciniza Drive Reconstruction, \$1,625,500; East Nizhoni Boulevard Reconstruction, \$2,000,000; Hassler Valley Road Storm Drainage Improvements, \$2,000,000; Mill and Overlay City Streets, \$1,000,000; Sports Complex Artificial Turf Field, \$1,422,150; and West Jefferson Avenue Reconstruction, \$632,500.

Discussion followed concerning the aforementioned projects as well as other projects listed in the CIP. Discussion also consisted of the proposed mill and overlay work in each district and the overall projects that should be funded with the proceeds of the general obligation bond issue, should the measure pass as a result of the election.

Mayor McKinney instructed Ms. Ustick to meet with each Councilor prior to the next regular meeting regarding their recommendations for the funding of projects. Ms. Ustick said she and City staff will work with the Councilors to come up with a list of projects that will meet their approval. She also stressed that if the issuance of the general obligation bonds do not take place, the tax rate will go down and any other future general obligation bond issue will require the tax rate to be increased.

There was no official action taken by the Mayor and Councilors during the Work Session.

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There being no further business, the Work Session adjourned until the Regular Meeting at 6:00 p.m.

Jackie McKinney, Mayor

ATTEST:

Alfred Abeita II, City Clerk

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at Gallup City Hall, 110 West Aztec Avenue, at 6:00 p.m. on Tuesday, May 10, 2016.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

Mayor:	Jackie McKinney
Councilors:	Linda Garcia Allan Landavazo Yogash Kumar Fran Palochak
Also present:	Maryann Ustick, City Manager George Kozeliski, City Attorney

Mayor McKinney recognized the following members of the audience: McKinley County Commissioner Tony Tanner, Interim McKinley County Manager Anthony Dimas, and McKinley County Sheriff Ron Silversmith.

Presented to the Mayor and Councilors were the Minutes of the Special Meeting of April 19, 2016 and the Regular Meeting of April 26, 2016.

Councilor Palochak made the motion to approve the aforementioned Minutes. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo and Mayor McKinney all voted yes.

The Mayor and Councilors presented a Commendation to Michael J. Marquez, a senior at Miyamura High School, for having his book, *"The Power of Alsbam,"* published.

Presented to the Mayor and Councilors were the following Discussion/Action Topics:

1. Fiscal Year 2017 Budget for Metro Dispatch Authority – Georgene Dimas, Metro Dispatch Director and Sara Keeler, County Finance Director

Ms. Dimas said the proposed budget has already been approved by the Metro Dispatch Authority Board on May 5, 2016 and the McKinley County Board of Commissioners on May 9, 2016. Ms. Dimas provided an overview of the proposed budget and answered questions posed by the Mayor and Councilors regarding the increased staffing costs, the increased recurring costs for the maintenance of the Code Red software and the fluctuations in staffing levels. Ms. Keeler provided information on staffing costs and the cash transfers-in from the Communications Fund.

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Following discussion, Councilor Palochak made the motion to approve the Fiscal Year 2017 Budget for the Metro Dispatch Authority. Seconded by Councilor Landavazo. Roll call: Councilors Palochak, Landavazo, Kumar, Garcia, and Mayor McKinney all voted yes.

2. Fiscal Year 2017 Budget for the Adult Detention Center – Steve Silversmith, Warden, Adult Detention Center and Sara Keeler, County Finance Director

Ms. Keeler and Mr. Silversmith provided an overview of the proposed budget including the allocation for prisoner care contracts, the allocation from Liquor Excise Tax for the MRT Program, and the increased budgeted figures for the City and County for prisoner care due to potential budgetary shortfalls. Under the current projection for Fiscal Year 2016, the County is budgeting \$1.2 million for this year's shortfall and the City's portion will be approximately \$480,000 to \$500,000. To offset the budget shortfall, Mr. Silversmith is working on obtaining contracts with outside agencies to house their prisoners.

Discussion followed concerning possible solutions to address the budgetary shortfall at the Adult Detention Center, including the increase to the prisoner care costs by \$20 for each prisoner, the need to develop in-custody programs at the jail to entice outside agencies to house their prisoners, the maintenance of proper staff levels for the number of prisoners that are currently being housed and need to be transported to court, the closure of units that are not being used at the jail, and the trend of having prisoners released into pre-trial services where the prisoners are electronically monitored instead of being incarcerated.

Mayor McKinney asked Mr. Dimas if he will look into the lawsuit that was filed against the State as a result of local governments having to cover the cost of housing State prisoners for long periods of time. The Mayor said the State was ordered to reimburse local governments for the cost of housing State prisoners.

For Fiscal Year 2016, Ms. Keeler said the County will invoice itself for its share of the budget shortfall to prevent the carryover of the shortfall into the new fiscal year. She asked if the City would also consider paying its share of the budget shortfall this fiscal year. Mayor McKinney said the request was unacceptable and asked Ms. Ustick to follow up on the matter with Mr. Dimas.

Following discussion, Councilor Kumar made the motion to approve the Fiscal Year 2017 Budget for the Adult Detention Center. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Landavazo, Garcia, and Mayor McKinney all voted yes. Councilor Palochak abstained. Motion carried.

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3. Approval and Acceptance of the Local Liquor Excise Tax Accountability Report for 1st Quarter Calendar Year 2016 – Debra Martinez, McKinley County DWI Director

Mr. Dimas presented the first quarter report for calendar year 2016 for the Mayor and Councilors' approval. The report was previously approved by the McKinley County Board of Commissioners at their last meeting. Although liquor excise tax funds are allocated by fiscal year, state law requires the report to be submitted by calendar year.

Mayor McKinney asked Mr. Dimas to express the sympathy of the Council to Ms. Martinez and her family due to their loss as a result of a recent fire at their home.

Discussion followed concerning the number of admissions to the Gallup Detox Center, which includes the individuals admitted by the Gallup Police Department, by other law enforcement agencies, through family referrals and through self-admissions. Franklin Boyd, Acting Chief of Police, provided current statistics, as of April 30, 2016, on the number of admissions by the Gallup Police Department to the Gallup Detox Center.

Following discussion, Councilor Landavazo made the motion to approve and accept the Local Liquor Excise Tax Accountability Report for First Quarter Calendar Year 2016. Seconded by Councilor Garcia. Roll call: Councilors Landavazo, Garcia, Kumar, Palochak, and Mayor McKinney all voted yes.

4. Agreement with Rehoboth McKinley Christian Health Care Services (RMCHCS) for Behavioral Health Investment Zone (BHIZ) Services – Maryann Ustick, City Manager

Ms. Ustick reminded the Mayor and Councilors of their approval of the award of \$500,000 in State BHIZ funds on April 4, 2016. The funds must be expended by June 30, 2016. In order to meet the deadline for BHIZ funding for this fiscal year, a revised budget has been submitted to the State and currently awaiting final approval. Preliminary approval of the budget was granted by the State on May 4, 2016. As part of the revised budget, the State approved BHIZ funds in the amount of \$62,720 to be allocated to RMCHCS for program coordination and services. Ms. Ustick recommended approval of the Agreement with RMCHCS.

Councilor Palochak made the motion to approve the Agreement with Rehoboth McKinley Christian Health Care Services for Behavioral Health Investment Zone Services. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo, and Mayor McKinney all voted yes.

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5. Resolution No. R2016-22; Fiscal Year 2017 Preliminary Budget Approval – Maryann Ustick, City Manager and Patty Holland, Chief Financial Officer

Ms. Ustick and Ms. Holland presented a power point presentation on the Preliminary Budget for Fiscal Year 2017. A copy of the power point presentation is attached hereto and made a part of these official Minutes. Ms. Ustick said the Final Fiscal Year 2017 Budget will be presented to the Mayor and Councilors for their approval at the June 14, 2016 Regular Meeting.

Councilor Garcia made the motion to approve Resolution No. R2016-22. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak, and Mayor McKinney all voted yes.

6. Resolution No. R2016-21; Approving Submission of a Bureau of Reclamation Grant Application for the Gallup/NGWSP “Water Commons” Drought Contingency Plan – Richard Matzke, Electric Director

Mr. Matzke reminded the Mayor and Councilors of their approval of a similar grant application a couple of months ago. The proposed Resolution would authorize the submission of a new application under a different funding program with the Bureau of Reclamation. Under the new application, the City's match would remain the same; however, the grant amount from the Bureau of Reclamation would increase from \$25,000 to \$35,000. The grant will be used for the creation of a drought contingency plan.

Councilor Landavazo made the motion to approve Resolution No. R2016-21. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar, and Mayor McKinney all voted yes.

7. Solar RFP No. 2015/2016/05/P, Selection of Proposer and Authorization to Negotiate a Power Purchase Agreement – Richard Matzke, Electric Director

Mr. Matzke said the Mayor and Councilors directed City staff to proceed with a Request for Proposals (RFP) for a solar generation facility on City-owned property. The City issued a RFP on November 15, 2015 with a due date of December 30, 2015, which was subsequently extended to January 13, 2016. The City received a total of six responsive proposals and were evaluated and ranked by the RFP review team. The top two responsive firms were invited to present oral presentations and interviews to the RFP review team. Based on the team's recommendation, the proposal submitted by Mangan Renewables, LLC/M-Electric, LLC was ranked the top proposal. Mr. Matzke provided

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an overview of the methodology in ranking the proposals, which included presentation slides on the advantages of selecting the top proposal, a table illustrating a five-year cost comparison of the power purchase cost from Continental Divide Electric Cooperative (CDEC) versus the cost of power from the new solar plant, a graph displaying a power rate comparison between the CDEC and the proposed solar plant, and a map of the proposed site for the solar plant. Mr. Matzke recommended proceeding with the negotiation of a power purchase agreement for a photovoltaic generation facility to be constructed on City-owned property, beginning with the top proposer, Mangan-Renewables, LLC/M-Electric, LLC. Mr. Matzke answered questions pertaining to the firms of Mangan-Renewables, LLC/M-Electric, LLC, the employment of local people once the plant is constructed, and the provisions under the current contract with CDEC.

At the request of Councilor Landavazo, Mr. Henderson provided information concerning the proposed site for the solar plant, which is located in a flood plain and not suitable for future commercial development. Mr. Henderson does not recommend bringing in large amounts of fill to develop the area for commercial use since it will displace water downstream when flooding occurs. Mr. Henderson said the proposed site is suitable for a new solar plant since the solar panels would need to be mounted on stilts. Mr. Henderson and Mr. Matzke said the location is in close proximity to an electric substation, which is also a requirement for the solar plant to tie into.

Mayor McKinney asked if terms of an agreement cannot be reached with the highest ranked offeror of the RFP, if staff would negotiate with the second ranked offeror. Mr. Matzke responded yes.

Councilor Palochak made the motion to approve Solar RFP No. 2015/2016/05/0, Selection of Proposer and Authorization to Negotiate a Power Purchase Agreement as presented. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo, and Mayor McKinney all voted yes.

The following Presentation and Information Items were presented to the Mayor and Councilors:

1. Presentation on Gallup Connect – Jon DeYoung, Assistant to the City Manager and Brian Archuleta, Information Technology Director

Mr. DeYoung and Mr. Archuleta provided a demonstration of Gallup Connect, powered by SeeClickFix, a mobile app and website tool made available to the public to report non-emergency issues to the City. Users may obtain the app on Google play or from the App Store. The system will be managed by Alicia Palacios, Administrative Specialist and Marla Chavez, Executive Assistant.

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2. Presentation on Proposed Federal Railroad Administration Rule – Donald Gallegos, Sr., SMART Transportation Division

Mr. Gallegos asked the Mayor and Councilors for the City's support of the Federal Railroad Administration proposed ruling, requiring trains to be operated by no less than a two-person crew. Mayor McKinney asked Mr. Kozeliski to look into the matter and to respond to Mr. Gallegos regarding his request.

Comments by Public on Non-Agenda Items

Dr. Myrriah Gomez, English Professor at the University of New Mexico-Gallup, provided an introduction for her students presenting proposals to the Mayor and Councilors to address local issues:

- Latoya Willie and Tyler Mike presented their proposal entitled, "Boarder Town Epidemic: The Solution to End Alcoholism in Gallup, New Mexico." The proposal recommends building an adequate rehabilitation center as a solution to eliminate alcoholism in Gallup.
- Brandi Davis and Ashley Allen presented their proposal entitled, "Homeless Shelter: Gallup, New Mexico." The proposal recommends a homeless shelter with a cultural rehabilitation center to address homelessness and exposure deaths due to alcoholism and substance abuse.
- Marcus Watson, Carmela Talley, and Dominique Sky presented their proposal recommending a 12-month voluntary treatment program that is broken down into three, four month stages: recovery, counseling and community service.

Mayor McKinney invited the students to meet with him at a later date to discuss the issues they presented.

Alray Nelson, Native American Vote Organizer for Hillary Clinton, introduced himself to the Mayor and Councilors. He provided an overview of his work and objectives for the Clinton campaign and asked for an invitation to meet with Mayor McKinney during the week.

Comments by Mayor and City Councilors

Councilor Palochak said early voting for the Primary Election has started and encouraged everyone to vote. The Primary Election is June 7, 2016. She will hold a Neighborhood Meeting at Stagecoach Elementary School on Thursday, May 12, 2016 at 6:00 p.m. Councilor Palochak will hold a second Neighborhood Meeting at Tobe Turpen Elementary School on Thursday, May 19, 2016 at 6:00 p.m.

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Councilor Landavazo thanked Dr. Gomez for bringing her students to the meeting. He also commended the students for their presentations. Councilor Landavazo also recognized the son of Chuck and Mary Mataya, a senior and broadcast/journalism major at New Mexico State University, for announcing the Albuquerque Isotopes games last weekend. Councilor Landavazo encouraged everyone to buy Gallup, believe Gallup and build Gallup.

Councilor Kumar thanked Dr. Gomez and the students for making their presentations. He also commended Comcast for their work in cleaning the alleys downtown as part of their community project on April 30, 2016.

Councilor Garcia also thanked Dr. Gomez and the students for their work. She hopes that the students continue their work and to join the community in finding solutions to Gallup's problems. Councilor Garcia thanked Ms. Dimas for her presentation at the last Neighborhood Meeting. Councilor Garcia commended City staff for their work in preparing the Fiscal Year 2017 City Budget. She welcomed Steve Silversmith and Mr. Dimas as they take on their new positions.

Mayor McKinney said Michael Sage, Deputy Director of the Greater Gallup Economic Development Corporation (GGEDC), was present earlier but had to leave the meeting to tend to family matters. Mayor McKinney provided comments on behalf of Mr. Sage concerning National Economic Development Week, which takes place this week. Mayor McKinney provided a summary of the Run for the Wall event, which will take place on May 19, 2016. He also provided an overview of the Memorial Day Event which will consist of a parade beginning at 10:00 a.m. and conclude with speeches by dignitaries at the Courthouse Square. The Nightly Indian Dance Program will begin on Memorial Day with a gourd dance to kick-off the season at 2:00 p.m. This year's Nightly Indian Dance Program will be enhanced to encourage more spectators and visitors to the downtown area.

Comments by City Manager

Ms. Ustick thanked Mr. Archuleta and the department directors for their work in launching the Gallup Connect Project. All of the part-time employees have been hired this week to staff the Recycling Centers beginning next Monday. Ms. Ustick also thanked Mr. DeYoung for his assistance with the vector control contract.

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There being no further business, Councilor Kumar made the motion to adjourn the meeting. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak, and Mayor McKinney all voted yes.

Jackie McKinney, Mayor

ATTEST:

Alfred Abeita II, City Clerk

Discussion/Action Topic 1

**Request for the Closure of Streets and Downtown Parking Lot
for the 68th Annual Gallup Lions Club Rodeo Parade and
Barbeque to be Held on Saturday, June 11, 2016**

John Sakasitz, Gallup Lions Club

- original -



**CITY OF GALLUP
EVENT · PARADE · PARKS ·
COURT HOUSE SQUARE
PERMIT CHECK LIST**

Office of the City Clerk
P.O. Box 1270
Gallup, New Mexico 87305
(505) 863-1254

Profit _____ Non-Profit Permit Number _____
Applicant(s) Gallup Lion Club BBQ Rodeo John Sakasitz
Mailing & E-Mail Address P.O. Box 144, Gallup, NM - jwn-jeff@yahoo.com
Home/Office/Cell Phone # 505-879-5869
Type of Event Parade-BBQ-Rodeo Date[s] 6/11-6/16-17/18 Time[s] 12-1-7:30
Location(s) Downtown Parkine lot E-Transition Red Rock Park
Parade Route 9th St to 1st St - N to BBQ

NOTE* Obtain signatures in order shown, attach a written scope of event and provide a Certificate of Insurance for requested event. All street closures are City Council approved, 30 days in advance.

1. CITY POLICE DEPARTMENT: Chief Robert Cron or Designee 863-9365

Assigned Officer(s) TBD N/A
Police Department Fees _____ N/A
Special Equipment/Conditions _____ N/A
Security Plan Review _____ N/A
Approved: Disapproved _____

Field Services Signature: LT M Spurr Date 05/02/16

2. CITY FIRE DEPARTMENT: Chief Eric Babcock or Designee 722-4195

Assigned Firefighter/EMT(s) PARADE PARTICIPATION N/A
Special Equipment/Conditions _____ N/A
Fire Department Fees FIRE MARSHAL INSP. VENDORS BBQ N/A
Site Review RODEO COVERAGE N/A
Approved: Disapproved _____

Fire Department Signature: [Signature] Date 02 MAY 2016

3. CITY COORDINATION: Ben Welch, Community Services Coordinator 863-1275

Single contact coordinates City of Gallup logistics and/or department requirements; Public Works, Gallup Joint Utilities, Parks, & Recreation. **NOTICE:** City of Gallup will not provide security, PA/Sound equipment, tables, chairs, tent(s), canopies, concessionaires, bleachers, coolers, stages, port-a-potties, heavy equipment, wash basins, generators, extension cords, office equipment, printing, BBQ grills, crock-

68th Annual Lions Club Rodeo

pots, food warmers, water/soft drinks, food, volunteers, give-a-way prizes, gift certificates, money/cash etc., etc., and importantly, not limited to the above-mentioned list. **All Street Closures to be approved prior to event. Requests will be heard at regularly scheduled City Council meeting 30 days in advance.**

Will require

Below for Event Coordinator use only {based from written scope of event}		
Barricades	Public Works <u>SWEEP PASTEE & City Parking lot.</u>	N/A
To Block	GJU <u>SOLID WASTE CONTAINERS. 8 yard. X 1</u>	N/A
Parking lot	Parks/Recreation <u>small trash cans. X 6</u>	N/A
STREETS/PARKS?	Logistics <u>CITY PARKING LOT E. OF CHAMBER/W. OF TRAIN STATION.</u>	N/A
	Additional City staff <u>GALLUP FIRE / POLICE / STREETS, PARKS.</u>	N/A
	Special Interest <u>GALLUP LIONS CLUB ANNUAL RODEO/PARADE.</u>	N/A
	Special Equipment/Conditions <u>SEE ATTACHED SCOPE.</u>	N/A
	Street Closures <u>REQUEST HEARD TUESDAY MAY 24 JOHN S.</u>	N/A

Attached > **Provide Certificate of Insurance for all events. Any amusement ride, including but not limited to, bouncers, jumpers, wooly riding, trains, climbing walls, mechanical bulls, etc., require an additional Certificate of Insurance prior to the event. All food vendors must have approved Certificates from EID to serve food at events.**

Spoke to John
@ 12:10pm 5-11-16
on city Council
99endg 524-16 BW.

Approved: X Disapproved _____

Gen. Services Dept. Signature: Ben Welder Date 05-11-2016

RECEIVED MAY 11 2016

4. CITY CLERK'S OFFICE: Alfred Abeita, City Clerk or Designee 863-1254

Liquor/Alcohol requires "Special Dispenser License" application. Application coordinates with City Manager's office for any requirements and CM signature {no exceptions}. **Signed application must be returned to City Clerks Office.**

Department Fees Received

Police Department	_____
Fire Department	_____
Other City Departments	_____
Alcohol Permit	_____

Loud Speaker Permit: Issued _____ N/A _____
 Application Complete _____ Incomplete _____
 Date/Time Issued For _____ Void After _____

City Clerk Signature: _____ Date _____

NOTICE: NO FIRE ARMS ALLOWED. Inappropriate behavior and/or abuse of "any" City staff or any violations of the City of Gallup Municipal Codes: Unnecessary Noises {Section 5-1-24A thru 5-1-24C} and/or Disorderly Conduct {Section 5-1-10A thru 5-1-10H} shall result in termination/cancellation {before and/or during} events. The "Applicant" understands the City of Gallup reserves the right to cancel or terminate events if required for the Public Health, Safety, and Welfare of City residents. Damages to City property during events is the "Applicant's" responsibility to repair and/or replace at no cost to the City. Copies of applications returned to appropriate departments.

GALLUP LIONS CLUB 68TH RODEO - PARADE AND BARBEQUE

SCOPE OF EVENTS

JUNE 11, 2016

DOWNTOWN PARKING LOT -EAST OF CHAMBER - WEST OF TRAIN STATION

6:00am Parking lot Closed *NEED STREET OR Parks Dept
BARRICADES*

8:00am Battle of the Bands *Lions will take
Set-Up ^{comp.} of. Need - bleachers (3)
TRASH CANS - Big + small (6)*

10:00am to 5:00pm Battle of Bands Start Completion

Barbeque Set-up

12:00pm to 4:00pm Barbeque Start to serve

Parade

AZTEC AVENUE / ONE WAY (EAST)

11:00am Set-Up Gurley Body Shop Parking lot

1:00pm Start of Parade *ON AZTEC HEAD EAST to 1ST north to
Route - East from 9th Street to First Street Parking lot.
North to Barbeque City Parking lot.*

Leo's will have DUNK TANK.

JUNE 16, 2016 to June 18, 2016

Rodeo RED ROCK PARK

7:30PM Nightly Start of Rodeo



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/24/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER DSP Insurance 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	CONTACT NAME: John Adams
	PHONE (A/C, No, Ext): 1-800-316-6705 FAX (A/C, No): 1-888-467-2378 E-MAIL ADDRESS: lionsclubs@dspins.com
INSURED GALLUP LIONS -40N GALLUP New Mexico	INSURER(S) AFFORDING COVERAGE NAIC #
	INSURER A: ACE American Insurance Company 22667
	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			HDOG27396392	09/01/2015	09/01/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			ISAH08858354	09/01/2015	09/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Provisions of the policy apply to the named insured's participation in the following activity during the policy period shown above: GALLUP LIONS CLUB 68TH ANNUAL RODEO
PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES.

CERTIFICATE HOLDER CITY OF GALLUP P.O. BOX 1270 GALLUP New Mexico 87305	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Discussion/Action Topic 2

Proposed Capital Projects for General Obligation Bond Election

Stan Henderson, Public Works Director



SUBJECT: PROPOSED CAPITAL PROJECTS FOR CITY BOND ELECTION
DEPT. OF ORIGIN: PW/City Engineering
DATE SUBMITTED: 20-May-2016
SUBMITTED BY: Stanley Henderson

Summary: Following up the City Council's discussion of 10 May 2016, see enclosure (1) for a refined listing of proposed City bond projects.

Fiscal Impact:

Reviewed By: _____
Finance Department

Direct bond proceeds plus indirect bond costs.

Enclosures: (1) Proposed 2016-2017 Bond Projects dtd 16 May 2016

Legal Review:

Approved As To Form: _____
City Attorney

Recommendation: Approve projects for tentative bond funding as listed on enclosure (1).

Approved for Submittal By:

Stanley Henderson

Department Director
[Signature]

City Manager

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COUNCIL ACTION TAKEN**

Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved: _____ Denied _____
Other: _____ File: _____

PROPOSED 2016-2017 BOND PROJECTS
City Of Gallup, NM

District Location	Project Title	PROJECT REVENUE		ESTIMATED PROJECT COSTS			Notes
		Bond Funds	Other Funds	Total	Design	Construction	
2	Ciniza Drive Reconstruction	\$ 1,600,000		\$ 1,600,000	\$ 240,000	\$ 1,360,000	
2	Hasler Valley Road Storm Drainage Improvements	\$ 1,451,500	\$ 550,000	\$ 2,001,500	\$ 300,000	\$ 1,701,500	Plus \$805,412 McKinley County.
4	West Jefferson Avenue Reconstruction	\$ 632,500		\$ 632,500	\$ 55,000	\$ 577,500	
1	Mill n Overlay City Streets (North Side)	\$ 492,000		\$ 492,000	\$ -	\$ 492,000	\$1,591,000.00
2	Mill n Overlay City Streets (East Side)	\$ -		\$ -	\$ -	\$ -	
3	Mill n Overlay City Streets (South Side)	\$ 800,000		\$ 800,000	\$ -	\$ 800,000	
4	Mill n Overlay City Streets (West Side)	\$ 299,000		\$ 299,000	\$ -	\$ 299,000	
Bond Amount		\$ 5,275,000	\$ 550,000	\$ 5,825,000	\$ 595,000	\$ 5,230,000	
		\$ 5,275,000		\$ 5,275,000			
		\$ -		\$ -			

PROPOSED 2016-2017 BOND PROJECTS

Mill n Overlay Street Projects

District	Project Line Item	Square Feet	Estimated Costs
1	Aztec Avenue from McKinley Drive to Ford Drive	43.0 x 1,426.0 = 61,318.0	\$ 77,822.53
1	Aztec Avenue from McKinley Drive to Strong Drive	43.0 x 2,010.0 = 86,430.0	\$ 115,190.34
1	Cliff Drive from Aztec Avenue to Hill Avenue	27.0 x 360.0 = 9,720.0	\$ 12,347.63
1	Coal Avenue from McKinley Drive to Strong Drive	36.0 x 2,050.0 = 73,800.0	\$ 93,744.47
1	Hill Avenue from Cliff Drive to First Street	27.0 x 1,292.0 = 34,884.0	\$ 28,838.20
1	Hill Avenue from First Street to Second Street	42.0 x 335.0 = 14,070.0	\$ 17,871.56
1	Jefferson Avenue from Third Street to Strong Drive	28.0 x 1,608.0 = 45,024.0	\$ 57,189.00
1	Lincoln Avenue from First Street to Strong Street	20.0 x 686.0 = 13,720.0	\$ 16,734.28
1	Lincoln Avenue from Second Street to First Street	26.0 x 355.0 = 9,230.0	\$ 11,372.81
1	Lincoln Avenue from Third Street to Second Street	28.0 x 464.0 = 12,992.0	\$ 16,246.88
1	Strong Avenue from Lincoln Avenue to Vega Avenue	29.0 x 1,107.0 = 32,103.0	\$ 24,532.78
1	Vega Avenue from Strong Drive to Cliff Street	29.0 x 555.0 = 16,095.0	\$ 20,389.83
			\$ 492,280.31
			\$492,000 Say
3	Aida Court to Verdi Drive	29.0 x 230.0 = 6,670.0	\$ 10,885.41
3	Aztec Avenue from Boardman Drive to Valentina Drive	41.0 x 1,300.0 = 53,300.0	\$ 65,401.80
3	Aztec Avenue from Mollica Drive to Verdi Street	41.0 x 1,024.0 = 41,984.0	\$ 51,510.72
3	Aztec Avenue from Valentina Drive to Mollica Drive	44.0 x 310.0 = 13,640.0	\$ 17,302.92
3	Cliff Street and Sage Avenue Cul de Sac	38.0 x 74.0 = 2,812.0	\$ 3,452.46
3	Cliff Street from Canoncito Avenue to Sage Avenue	28.0 x 1,373.0 = 38,444.0	\$ 47,172.80
3	Edith Avenue from Helena Drive to Monterey Drive	28.0 x 1,190.0 = 33,320.0	\$ 42,323.11
3	Ford Drive from Aztec Avenue to Buena Vista Avenue	36.0 x 2,009.0 = 72,324.0	\$ 91,388.67
3	Ignacio Street Street from Dee Ann to Wyatt Street	33.0 x 355.0 = 11,715.0	\$ 14,865.89
3	Kiva from Canoncito Drive to Boulder Road	28.0 x 1,185.0 = 33,180.0	\$ 42,079.41
3	Lance Street from Wyatt Street To Dee Ann Avenue	28.0 x 570.0 = 15,960.0	\$ 20,227.36
3	Mesquite Drive from Nizhoni Blvd to Cactus Road	28.0 x 1,065.0 = 29,820.0	\$ 37,855.22
3	Placida Drive from La Cima to Cactus Road	28.0 x 780.0 = 21,840.0	\$ 27,700.92
3	Red Rock Drive from Edith Avenue to Nizhonie Boulevard	28.0 x 1,530.0 = 42,840.0	\$ 52,566.76
3	Red Rock Drive from Edith Avenue to Ridgecrest Avenue	28.0 x 2,147.0 = 60,116.0	\$ 73,760.81
3	Sophie Avenue from Helena Drive to Linda Drive	28.0 x 652.0 = 18,256.0	\$ 22,176.98

PROPOSED 2016-2017 BOND PROJECTS

Mill n Overlay Street Projects

3	Sunde Street from Lance Street to East to the dead-end	26.0 x 855.0 =	22,230.0	\$	28,188.33
3	Valley View Road from Aztec Avenue to Linda Vista Road	28.0 x 1,000.0 =	28,000.0	\$	35,580.66
3	Wyatt Street from Ignacio Street To Lance Street	24.0 x 435.0 =	10,440.0	\$	13,241.20
3	Wyatt Street from Maryanna Street To Ignacio Street	28.0 x 1,074.0 =	30,072.0	\$	36,896.65
3	Yei Avenue from Plateau Drive to Cul de sac	29.0 x 730.0 =	21,170.0	\$	25,978.75
3	Zecca Drive from McKee Drive to Boyd Avenue	28.0 x 1,123.0 =	31,444.0	\$	39,886.08
				\$	800,442.91
					\$800,000 Say
4	Aztec Avenue from Marguerite Street to Stage Coach Road	36.0 x 662.0 =	23,832.0	\$	30,219.19
4	Camino De Monte Sol from New Mexico 118 to Camino Del Los Caballos	30.0 x 900.0 #	27,000.0	\$	33,306.09
4	Cedar Hills from Second Street to Elm Circle	29.0 x 670.0 =	19,430.0	\$	12,185.16
4	Chee Dodge Boulevard from Mentmore Road to Jeff King Street	34.0 x 2,139.0 =	72,726.0	\$	92,282.25
4	Coal Avenue from the West Y to Eight Street	36.0 x 1,634.0 =	58,824.0	\$	73,110.94
4	Eight Street from New Mexico 118 to Coal Avenue	28.0 x 126.0 =	3,528.0	\$	4,224.19
4	Romero Circle from Clark Street to Cul-de-sac	29.0 x 470.0 =	13,630.0	\$	18,927.61
4	Seventh Street from New Mexico 118 to Coal Avenue	28.0 x 203.0 =	5,684.0	\$	6,904.92
4	Twin Buttes Road from New Mexico 118 South	45.0 x 528.0 =	23,760.0	\$	27,619.69
				\$	298,780.03
					\$299,000 Say
				\$	1,591,503.26
					\$1,591,000 Say

Discussion/Action Topic 3

**Disposition of Surplus Vehicles by Means
of the City's Online Auction**

Patty Holland, Chief Financial Officer



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Auction Items
DEPT. OF ORIGIN: Finance
DATE SUBMITTED: 17 May 2016
SUBMITTED BY: Amanda Carey, Fixed Asset Management Specialist

Summary:

The city currently has two items that have a resale value over \$2500.00 dollars that need to be auctioned. A 1997 Freightliner FL50 from the Fire Department. It is a pumper, ambulance combination vehicle that has become more costly to repair than to replace. The second is a 2006 Tractor- backhoe that was tipped over while being used and has been deemed unsafe and unusable for a Municipality.

Fiscal Impact:

Reviewed By: Patty Holland
Finance Department

Proceeds from sale are deposited into the General fund.

**Attachments:
Photos**

Legal Review:

Approved As To Form: _____
City Attorney

Recommendation:

Requesting City Council to approve disposition of surplus vehicles by means of the City's on line auction.

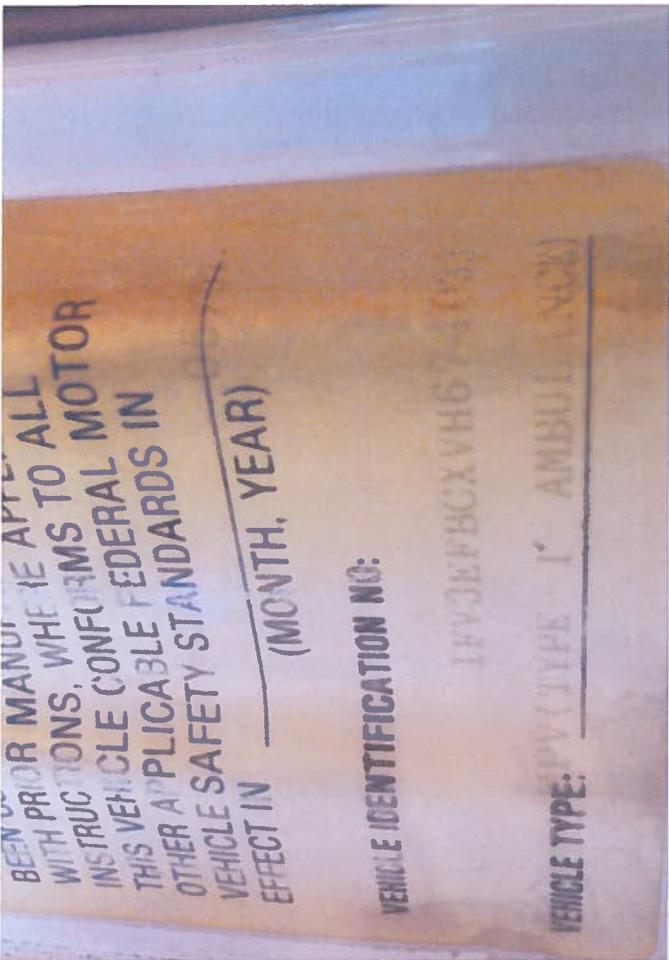
Approved for Submittal By:

Patty Holland
Department Director

Margaret [Signature]
City Manager

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Resolution No. _____ Continued To:
Ordinance No. _____ Referred To:
Approved: _____ Denied:
Other: _____ File:





Discussion/Action Topic 4

Resolution No. R2016-23;

**Calling a Special Election to be Held on August 9, 2016 for the
Purpose of Voting on the Issuance of General Obligation Bonds
in an Aggregate Principal Amount of \$5,365,000**

Patty Holland, Chief Financial Officer



COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 12, 2016

SUBJECT: Bond Resolution R2016-23
DEPT. OF ORIGIN: Finance
DATE SUBMITTED: May 20, 2016
SUBMITTED BY: Patty Holland

Summary: The attached resolution will authorize the City of Gallup to proceed with a special election to request approval on General Obligation Bonds in the amount of \$5,365,000. This will require a special election to be held August 9, 2016.

Fiscal Impact:

Reviewed By: Patty Holland
Finance Department

The bonds will be paid with property tax funds imposed thru the County. There will be no further effect on budget.

Attachments: Bond Resolution No. R2016-23.

Legal Review:

Approved As To Form: [Signature]
City Attorney

Recommendation: Staff recommends approval of Resolution R2016-23 in order to proceed with the special election.

Approved for Submittal By:

Patty Holland
Department Director
[Signature]
City Manager

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COUNCIL ACTION TAKEN

Resolution No.	_____	Continued To:	_____
Ordinance No.	_____	Referred To:	_____
Approved:	_____	Denied:	_____
Other:	_____	File:	_____

CITY OF GALLUP

RESOLUTION NO. R2016-23

CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF GALLUP ON AUGUST 9, 2016, FOR THE PURPOSE OF VOTING ON THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF \$5,365,000, DESCRIBING THE PURPOSES TO WHICH THE BOND PROCEEDS WOULD BE PUT; PROVIDING THE FORM OF THE BOND QUESTION; PROVIDING FOR NOTICE OF THE ELECTION; PRESCRIBING OTHER DETAILS IN CONNECTION WITH SUCH ELECTION AND BONDS; AND RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH.

WHEREAS, the City Council (the "Governing Body") of the City of Gallup (the "City") in McKinley County and State of New Mexico, hereby determines that it is necessary and in the best interests of the City and its inhabitants to incur indebtedness in the principal amounts and for the purposes provided herein; and

WHEREAS, in accordance with the provisions of Section 6-15-1 NMSA 1978, the Governing Body acting by and through the City Manager has forwarded in writing to the Local Government Division of the Department of Finance and Administration a notice of the bond election as described herein; and

WHEREAS, the Governing Body has the power to call a special election to be held on August 9, 2016 for the purpose of submitting questions of incurring indebtedness to the qualified electorate of the City pursuant to applicable laws of the State of New Mexico, and pursuant to Article IX, Section 12 of the New Mexico Constitution; and

WHEREAS, the Governing Body hereby determines and declares that the project (the "Project") for which the question of issuing the City's general obligation bonds (the "Bond Election Question") as set forth herein, is for a public purpose and no bond election has been held on the Bond Election Question during the year immediately preceding the date established for the election.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALLUP:

Section 1. All action, not inconsistent with the provisions of this Resolution, heretofore taken by the Governing Body and the officers of the City directed toward the Project described in the Bond Election Question, including, without limiting the generality of the foregoing, the calling and holding of a special election to authorize the

issuance of general obligation bonds (the "Bonds") to finance the Project, is ratified, approved and confirmed.

Section 2. A special election (the "Election") shall be held in the City of Gallup on August 9, 2016.

Section 3. At the Election the following question shall be submitted to the City's qualified electors:

Shall the City of Gallup issue up to \$5,365,000 of general obligation bonds, to be repaid from property taxes, for the purpose of constructing, repairing or otherwise improving municipal streets and public roads, including, but not limited to, drainage improvements related thereto?

- For general obligation bonds
- Against general obligation bonds

Section 4. The polls for the Election will be opened at 7:00 a.m. Mountain Standard Time on Tuesday, August 9, 2016, and will be closed at 7:00 p.m. Mountain Standard Time on the same day. Precincts shall be consolidated and electors (except absentee voters and nonresident municipal electors) shall vote at the following locations:

1. Southside Fire Station #1, 1800 South Second Street.
2. Northside Fire Station #2, 911 West Lincoln Avenue.
3. Eastside Fire Station #3, 3700 Church Rock Street.
4. Westside Fire Station #4, 707 Rico Street.
5. Harold Runnels Athletic Complex, 820 East Wilson Avenue.
6. McKinley County Courthouse Rotunda, 201 West Hill Avenue.

Section 5. Absentee Ballots will be available for this Election and can be obtained by contacting the Office of the City Clerk. Absentee voting in person will be conducted in the Office of the City Clerk at the municipal offices, 110 W. Aztec Avenue, Gallup, beginning on Tuesday, July 5, 2016, and ending at 5:00 p.m. on Friday, August 5, 2016. Voting is conducted during regular business hours, which is Monday through Friday, 8:00 a.m.–5:00 p.m. Early voting is permitted for the Election, pursuant to Section 3-8-37.1, NMSA 1978. Early voting on marksense ballots counted by Dominion ICP electronic vote tabulators will be conducted in the office of the City Clerk during the regular hours and days of business, beginning on Wednesday, July 20, 2016 and closing at 5:00 p.m. on Friday, August 5, 2016.

Section 6. The casting of votes by qualified electors at the polling places, including the Absentee/Early Voting polling place, shall be cast on a marksense ballot used on Dominion ICP electronic vote tabulators. Qualified nonresident municipal

electors will use paper ballots for casting votes at the Office of the City Clerk at the municipal offices, 110 W. Aztec Avenue, Gallup.

Section 7. The City's qualified resident electors and the City's qualified nonresident municipal electors are eligible to vote on the Bond Election Question. No judge or clerk of election shall allow a person to vote unless he or she is duly registered as a voter with the McKinley County Clerk and unless he or she meets the qualifications of a resident elector or a nonresident municipal elector.

Section 8. All persons desiring to vote at the Election (including nonresident municipal electors) must be registered to vote. Any person who is otherwise qualified to vote and who is not currently registered may register at the McKinley County Clerk's Office on or before 5:00 p.m. on July 12, 2016.

Section 9. A "nonresident municipal elector" means any person who on the date of election is a qualified, registered elector of McKinley County but who is a resident of that portion of McKinley County which is outside of the Gallup City limits, and who has paid a property tax on property located within the City of Gallup during the year preceding the election. Not more than sixty nor less than fifteen days before the Election, any nonresident municipal elector desiring to vote on the Bond Election Question shall file with the City Clerk a completed certificate of eligibility in substantially the form provided in Section 3-30-3 NMSA 1978, which shall constitute the nonresident municipal elector's additional registration requirement for voting at the Election on the Bond Election Question. Each nonresident municipal elector must file such certificate of eligibility in addition to registering to vote with the McKinley County Clerk.

Section 10. For the purpose of this Resolution and solely for the purpose of voting on the Bond Election Question, all territory within McKinley County is a municipal precinct (hereinafter referred to as the "Municipal District"). All territory in the Municipal District and not within the City's boundaries shall constitute one voting division to be known as the nonresident municipal elector voting precinct (hereinafter referred to as the "Nonresident Voting District"). The Nonresident Voting District shall include the territory within the boundary of any other municipality within McKinley County.

Section 11. The vote shall be canvassed as provided in Section 3-30-7 and Section 3-8-53, NMSA 1978, and the Bond Election Act, Sections 6-15-23 through 6-15-28, NMSA 1978, and the City Clerk shall certify the results of the Election and file the certificate of canvass in the official minute book of the City.

Section 12. This Resolution shall be published in the English and Spanish languages at least once a week for four consecutive weeks by four insertions, the first insertion being published between fifty and sixty days before the day of the Election in a newspaper or newspapers which maintain an office in and are of general circulation in the

City and which otherwise qualify as legal newspapers in the City. The City Clerk is hereby instructed and authorized to carry out this provision.

Section 13. The officers of the City are hereby authorized and directed, for and on behalf of the City, to take all action necessary or appropriate to effectuate the provisions of this Resolution, including, without limiting the generality of the foregoing, the preparation of affidavits, instructions and election supplies, and the publication of notices.

Section 14. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 15. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, resolution or ordinance, or parts thereof, heretofore repealed.

ADOPTED THIS 24th DAY OF MAY, 2016.

Mayor

[SEAL]

ATTEST:

Clerk

Discussion/Action Topic 5

Resolution No. R2016-26;

Proposing an Advisory Referendum Question Limiting the
Sale of Package Liquor Before the Hour of 11:00 A.M.

George Kozeliski, City Attorney



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Proposed Advisory Referendum Question on Limiting the Sale of Package Liquor before 11:00 a.m. in the City of Gallup

DEPT. OF ORIGIN: City Attorney's Office

DATE SUBMITTED: SUBMITTED BY: George W. Kozeliski, City Attorney

Summary: This proposed advisory question would determine the public's interest in the City pursuing efforts to limit sales of package liquor before the hour of 11:00 a.m. It would be on the Bond Election ballot for August 9, 2016.

Financial Impact: No election cost for the question on the ballot.

Approved: _____

Patty Holland
Finance Department

Attachments: Resolution

Legal Review: Prepared resolution with City Clerk for Council's consideration.

Approved As To Form: _____

George W. Kozeliski
City Attorney

Recommendation: None.

Approved for Submittal By:

George W. Kozeliski
Department Director
[Signature]
City Manager

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COUNCIL ACTION TAKEN

Resolution No. _____	Continued To: _____
Ordinance No. _____	Referred To: _____
Approved: _____	Denied: _____
Other: _____	File: _____

RESOLUTION NO. R2016- ____

A RESOLUTION PROPOSING AN ADVISORY REFERENDUM QUESTION LIMITING THE SALE OF PACKAGE LIQUOR BEFORE THE HOUR OF 11:00 A.M.

WHEREAS, the City Council has called for a special election to be held in the City of Gallup on August 9, 2016, for the purpose of voting on the issuance of general obligations bonds; and,

WHEREAS, the City of Gallup has in the past asked liquor establishments to not sell liquor until 11:00 a.m. on a voluntary basis to give the Gallup Police Department additional rest time for its officers and community service aides; and

WHEREAS, less than ten (10%) percent of the liquor license holders were in agreement to voluntarily not open until 11:00 a.m.; and

WHEREAS, the Gallup Police Department spends extreme numbers of manpower hours assisting intoxicated individuals, and City Streets Department and Parks Departments spend excessive manpower hours cleaning up from alcohol sales; and,

WHEREAS, the Gallup City Council has determined that it is in the best interest of the municipality to get voter input on the question of undertaking efforts to limit the sale of package liquor before the hour of 11:00 a.m.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALLUP, NEW MEXICO, that the following advisory referendum question be submitted to the voters during the August 9, 2016

Are you in favor of the City of Gallup undertaking efforts, pursuant to the provisions of the New Mexico Liquor Control Act, to limit the sales of alcoholic beverages in unbroken packages (package sales) before the hour of 11:00 a.m. within the Local Option District of the City of Gallup.

_____ FOR _____ AGAINST

PASSED, ADOPTED AND APPROVED this 24th day of May, 2016.

CITY OF GALLUP, NEW MEXICO

By: _____
Mayor

ATTEST:

Alfred Abeita, II, City Clerk

Discussion/Action Topic 6

Resolution No. R2016-27;
Proposing an Advisory Referendum Question on
Single-Stream Curbside Recycling

George Kozeliski, City Attorney



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Proposed Advisory Referendum Question on Single-Stream Curbside Recycling
DEPT. OF ORIGIN: City Attorney's Office
DATE SUBMITTED: SUBMITTED BY: George W. Kozeliski, City Attorney

Summary: This proposed advisory question would determine the public's interest in establishing single stream recycling in Gallup. It would be on the Bond Election ballot for August 9, 2016.

Financial Impact: No election cost for the question on the ballot. The cost of program initiation is \$1.272 million.

Approved: *Patty Holland*
Finance Department

Attachments: Resolution

Legal Review: Prepared resolution with City Clerk for Council's consideration.

Approved As To Form: *[Signature]*
City Attorney

Recommendation: None.

Approved for Submittal By:

[Signature]
Department Director
[Signature]
City Manager

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COUNCIL ACTION TAKEN

Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved: _____ Denied: _____
Other: _____ File: _____

RESOLUTION NO. R2016- __

**A RESOLUTION PROPOSING AN ADVISORY REFERENDUM QUESTION ON
SINGLE-STREAM CURBSIDE RECYCLING**

WHEREAS, the City Council has called for a special election to be held in the City of Gallup on August 9, 2016, for the purpose of voting on the issuance of general obligations bonds; and,

WHEREAS, there has been interest in, and presentations to the City Council to institute single-stream curbside recycling; and

WHEREAS, the Gallup City Council has determined that it is in the best interest of the municipality to get voter input on the question of undertaking curbside recycling.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GALLUP, NEW MEXICO, that the following advisory referendum question be submitted to the voters at the August 9, 2016 special election:

Are you in favor of the City of Gallup instituting single-stream curbside recycling with a start-up cost of an estimated One million two hundred and seventy two thousand dollars (\$1,272,000) that would require an increase in monthly utility bills of a minimum of \$3.00, or more?

_____ FOR _____ AGAINST

PASSED, ADOPTED AND APPROVED this 24th day of May, 2016.

CITY OF GALLUP, NEW MEXICO

By: _____
Mayor Jackie McKinney

ATTEST:

Alfred Abeita, II, City Clerk

Discussion/Action Topic 7

Fiscal Year 2017 Lodgers Tax Event Funding

Catherine Sebold, Tourism and Marketing Manager



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: FY 2017 Lodgers Tax Event Funding
DEPT. OF ORIGIN: Tourism
DATE SUBMITTED: May 13, 2016
SUBMITTED BY: Catherine Sebold

Summary: Each year, the Lodgers Tax Committee recommends funding for the promotion of events to bring tourists to the City of Gallup. The funds are provided from the Lodgers Tax Funding collected and can be used for promotional purposes only.

The attached form lists the requests and recommendations for funding. Each entity funded will sign a contract for the use of the Lodgers Tax Funds as recommended by New Mexico Department of Finance and Administration (DFA)

Fiscal Impact:

Reviewed By: _____

Patty Holland
Finance Department

There are sufficient funds in place for the recommended funding. These are to be paid from the Lodgers Tax Fund.

Attachments: Recommended Funding

Legal Review:

Approved As To Form: _____

[Signature]
City Attorney

Recommendation: Staff recommends approval of the recommended funding.

Approved for Submittal By: _____

[Signature]
Department Director

[Signature]
City Manager

CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN

Resolution No. _____	Continued To: _____
Ordinance No. _____	Referred To: _____
Approved: _____	Denied: _____
Other: _____	File: _____

Organization Name	Event Name	Contact	FY 2016 Award	FY 2017 Request	FY 2017 Committee Recommendation	Council Approved
1 New Mexico High School Rodeo Association	NMHSRA Gallup Rodeo	Jason Rice Ph: 575-760-8169	\$ 6,000.00	\$ 6,000.00	\$6,000	
2 Gallup Christian School	Wild Thing Bull Riding	Jim Christian Ph: 863-5530	\$ 5,000.00	\$ 5,000.00	\$5,000	
3 Cycle City Promotions	Red Rock Arenacross	Tod Hammock Ph: 918-629-9930	\$ 5,000.00	\$ 5,000.00	\$5,000	
4 Red Rock Motorsports Club, Inc.	Zuni Mountain ATV/UTV Jamboree	Greg Kirk Ph: 870-8518	\$ -	\$ 6,000.00	\$6,000	
5 Red Rock Motorsports Club, Inc.	Red Rock Motorsports Summer MX Series	Greg Kirk Ph: 870-8518	\$ -	\$ 8,000.00	\$8,000	
6 Red Rock Motorsports Club, Inc.	Red Rock 100 Desert Race	Greg Kirk Ph: 870-8518	\$ -	\$ 4,000.00	\$4,000	
7 Good Samaritan Society - Grants	Holy Frijole Annual Alzheimer's Softball Bash	Richard Morgan Ph: 505-285-5581	\$ 4,000.00	\$ 4,000.00	\$4,000	
8 Trice's Inc.	Red Rock Trailer Roping	Walt Eddy Ph: 879-6181	\$ 2,000.00	\$ 2,500.00	\$2,500	
9 Trice's Inc.	Red Rock Classic	Walt Eddy Ph: 879-6181	\$ -	\$ 5,000.00	\$5,000	
10 Gallup Family Fitness Series	Squash Blossom Classic	Jennifer Van Drunen Ph: 862-1865	\$ 10,000.00	\$ 10,000.00	\$10,000	
11 Zia Rides	24 Hours in the Enchanted Forest	Seth Bush Ph: 505-554-0059	\$ 5,000.00	\$ 5,000.00	\$5,000	
12 Zia Rides	Dawn til Dusk	Seth Bush Ph: 505-554-0059	\$ 10,000.00	\$ 5,000.00	\$5,000	
13 GallupARTS	GallupFest Downtown Arts & Crafts Fair	Carol Sarath Ph: 505-488-2136	\$ 4,000.00	\$ 2,800.00	\$2,800	
14 Gallup Inter-Tribal Indian Ceremonial	Gallup Inter-Tribal Indian Ceremonial	Dudley Byerley Ph: 863-3896	\$ 50,000.00	\$ 50,000.00	\$50,000	
15 4th Annual Native Film Series	Native Film Series	Lisa E Rodriguez Ph: 870-1124	\$ 5,500.00	\$ 15,000.00	\$15,000	
16 Gallup Lions Club	68th Annual Gallup Lions Club Rodeo	David Lewis Ph: 870-0568	\$ 20,000.00	\$ 25,000.00	\$25,000	
17 Adventure Gallup & Beyond	Outdoor Adventure Marketing	Bob Rosebrough Ph: 722-9121	\$ 25,000.00	\$ 25,000.00	\$25,000	
18 TDFL Tony Dorsett Touch Down Football League	Annual Four Corners Youth Football Championships	Sammy Chioda Ph: 593-3737	\$ 18,000.00	\$ 10,000.00	\$10,000	
19 Gallup Business Improvement District	Freedom Ride Flight Cruise	Francis Bee Ph: 722-4430	\$ 16,032.00	\$ 20,611.00	\$20,611	
20 Land of Enchantment Opera, Inc.	2015 Summer Season	Patrick Mason Ph: 722-4463	\$ 15,000.00	\$ 15,000.00	\$15,000	
21 Sacred Heart Cathedral	Sacred Heart Spanish Market	Rev. Matthew Keller Ph: 722-6644	\$ 5,000.00	\$ 11,500.00	\$11,500	
22 Rocks the Rock Productions	Wild Thing Bull Riding	Larry Peterson Ph: 863-5402	\$ 15,000.00	\$ 15,000.00	\$15,000	
23 Red Rock Balloon Rally	Red Rock Balloon Rally	Tom Robinson Ph: 863-0262	\$ 25,000.00	\$ 25,000.00	\$25,000	
24 iHeart Media - Gallup	4th of July Stars and Stripe Celebration	Mary Ann Armijo Ph: 863-9391	\$ -	\$ 6,000.00	\$6,000	
25 Gallup Amateur Baseball/Softball Association	Pee Wee Recce Regional	Lawrence Andrade Ph: 722-5008	\$ 10,000.00	\$ 5,000.00	\$5,000	

\$ 291,411.00

Discussion/Action Topic 8

Ordinance No. C2016-6;
An Ordinance Concerning Furnishing Water Service
Outside the City Limits

Clyde (C.B.) Strain, Planning Director



COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Ordinance No. C2016- 6 concerning water service outside city limits.
DEPT. OF ORIGIN: Planning Department
DATE SUBMITTED: May 16, 2016
SUBMITTED BY: Clyde (C.B.) Strain, Planning Director

Summary:

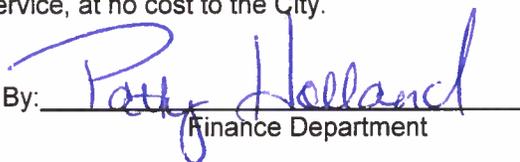
Ordinance No. C2016-6 would amend Section 8-1-7 "Furnishing Outside City", Subsection B "Water Services" of the City of Gallup Municipal Code which currently allows water service outside city limits only for certain specific uses under specific conditions. The proposed amendment would grant the City Council the authority to allow water service outside city limits for all uses, including the specific listed uses, solely at the discretion of, and with conditions and limitations set by the City Council.

It shall be the responsibility of the Water/Wastewater Department to bring all requests for water service outside city limits to City Council by resolution or by contract after reviewing these requests with the City Manager in order to develop recommendations including conditions and limitations. City Council upon review could then modify those conditions and/or limitations, add additional conditions and/or limitations or change the recommended conditions and/or limitations. City Council also has the right to reject the request and choose not to provide the requested water service. Only City Council would have the authority to grant or deny these requests.

Fiscal Impact:

Presumably none. It would be the responsibility of the person or persons requesting water service outside city limits to provide all materials and pay for all installations related to obtaining said service, at no cost to the City.

Reviewed By: _____


Patty Holland
Finance Department

Attachments:

Ordinance No. C2016-6, Section 8-1-7, Subsection B in its current form.

Legal Review:

Approved as to form: _____


City Attorney

Recommendation:

Staff recommends approval of Ordinance No. C2016-6 thereby giving the Gallup City Council the sole authority to approve or deny providing of water service outside city limits.

Approved For Submittal By:



Department Director


City Manager

CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN

Resolution No.:	_____	Continued To:	_____
Ordinance No.:	_____	Referred To:	_____
Approved:	_____	Denied:	_____
Other:	_____	File No.:	_____

ORDINANCE NO. C2016-6

AN ORDINANCE CONCERNING FURNISHING WATER SERVICE OUTSIDE CITY LIMITS; AMENDING SUB-SECTION B. "WATER SERVICES" OF SECTION 8-1-7 "FURNISHING OUTSIDE CITY" OF CHAPTER 1 "WATER AND ELECTRICAL SERVICES" OF TITLE 8 "UTILITIES" OF THE MUNICIPAL CODE OF THE CITY OF GALLUP, NEW MEXICO BY ADDING CERTAIN TEXT AND DELETING CERTAIN TEXT AS FOLLOWS:

AMENDING SUB-SECTION B. "WATER SERVICES" OF SECTION 8-1-7 "FURNISHING OUTSIDE CITY" OF CHAPTER 1 "WATER AND ELECTRICAL SERVICES" OF TITLE 8 "UTILITIES" OF THE MUNICIPAL CODE OF THE CITY OF GALLUP, NEW MEXICO BY ADDING CERTAIN TEXT AND DELETING CERTAIN TEXT WITHIN SECTION 8-1-7 "FURNISHING OUTSIDE CITY" SUB-SECTION B. "WATER SERVICES".

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALLUP, NEW MEXICO, that:

Section 1. Sub-Section B. "Water Services" of Section 8-1-7 "Furnishing Outside City" of Chapter 1 "Water and Electrical Services" of Title 8 "Utilities" of the Municipal Code of the City of Gallup, New Mexico is amended by **addition** and **deletion** of text as follows:

"8-1-7: FURNISHING OUTSIDE CITY:

B. WATER SERVICES:

1. No water services from the city system shall be furnished or supplied any user for use outside of the corporate limits of the city, except as hereinafter provided, it is a violation of this chapter for anyone to connect or cause to be connected any pipe, line or connection serving any lot, parcel or piece of land located outside of the corporate limits of the city with water services from the city system for any use except such use as hereinafter provided.

2. Nothing in this chapter shall prohibit or prevent the city council from authorizing by written resolution or contract the furnishing of water to any user outside the corporate limits.

a. For public and/or educational purposes including services to **Gallup McKinley County public** schools, hospitals, health clinics, churches, outlying communities having sewer systems operated by local government entities formed under the laws of the New Mexico, and any other public facilities serving the general public; ~~bureau of Indian education schools, tribal schools and public colleges~~

~~b. For public purposes including federal, state, county, tribal, and local government, public hospitals, public health clinics, churches and other such facilities serving the general public for noncommercial purposes;~~

b. To acquire well sites, easements or other property for the city water system;

c. The furnishing of water to the Navajo Nation or Navajo tribal utility authority for use by the nation or the authority to serve communities or systems that are a part of the Navajo Gallup water supply project as identified in the Navajo Gallup water supply planning documents or associated agreement by and between the Navajo Nation and/or NTUA and the city of Gallup, and to any other recognized Navajo Nation enterprise; and

d. For the purpose of compromising a bona fide legal dispute or to facilitate the acquisition of water rights for the city.

~~3. Any existing water service prohibited by this subsection which was lawful before its passage may continue provided:~~

~~a. Increased usage shall be limited to twenty percent (20%) by volume; and~~

~~b. There shall be no reinstatement of service after lawful discontinuance."~~

3. Nothing in this chapter shall prohibit or prevent the city council from authorizing by written resolution or contract the furnishing of water service to any user outside the corporate limits that may be individuals or private legal entities upon conditions and limitations set by city council in its sole discretion.

Section 2. This ordinance shall become effective after its passage and publication by title and summary as provided by law.

PASSED, ADOPTED AND APPROVED THIS 24th DAY OF MAY, 2016. CITY OF GALLUP, MCKINLEY COUNTY, NEW MEXICO.

BY: _____

Jackie McKinney, Mayor

ATTEST:

Alfred Abeita, City Clerk

8-1-7: FURNISHING OUTSIDE CITY:

- A. **Electrical Services:** Electrical energy and facilities may be furnished by the city to consumers outside of the corporate limits of the city where otherwise authorized by law. Where a line extension is required, service shall only be provided upon the consumer entering into an agreement with the city to pay the cost to the city of such line extension over a period of time not exceeding ten (10) years. (Ord. C66-50, 10-21-1969)

- B. **Water Services:**
 - 1. No water services from the city system shall be furnished or supplied any user for use outside of the corporate limits of the city, except as hereinafter provided. It is a violation of this chapter for anyone to connect or cause to be connected any pipe, line or connection serving any lot, parcel or piece of land located outside of the corporate limits of the city with water services from the city system for any use except such use as hereinafter provided.
 - 2. Nothing contained in this chapter shall prohibit or prevent the city council from authorizing by written resolution or contract the furnishing of water to any user outside the corporate limits:
 - a. For educational purposes including services to Gallup McKinley County public schools, bureau of Indian education schools, tribal schools and public colleges;
 - b. For public purposes including federal, state, county, tribal, and local government, public hospitals, public health clinics, churches and other such facilities serving the general public for noncommercial purposes;
 - c. To acquire well sites, easements or other property for the city water system;
 - d. The furnishing of water to the Navajo Nation or Navajo tribal utility authority for use by the nation or the authority to serve communities or systems that are a part of the Navajo Gallup water supply project as identified in the Navajo Gallup water supply planning documents or associated agreement by and between the Navajo Nation and/or NTUA and the city of Gallup, and to any other recognized Navajo Nation enterprise; and
 - e. For the purpose of compromising a bona fide legal dispute or to facilitate the acquisition of water rights for the city.
 - 3. Any existing water service prohibited by this subsection which was lawful before its passage may continue provided:
 - a. Increased usage shall be limited to twenty percent (20%) by volume; and
 - b. There shall be no reinstatement of service after lawful discontinuance. (Ord. 2008-7, 12-9-2008)

Discussion/Action Topic 9

**Ordinance No. C2016-7;
An Ordinance Concerning Sewer Connections
Outside the City Limits**

Clyde (C.B.) Strain, Planning Director



CITY OF GALLUP

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Ordinance No. C2016- 7 concerning sewer connections outside city limits.
DEPT. OF ORIGIN: Planning Department
DATE SUBMITTED: May 16, 2016
SUBMITTED BY: Clyde (C.B.) Strain, Planning Director

Summary:

Ordinance No. C2016-7 would amend Section 8-3-4 "Connections Outside City", Subsection C "Exceptions" of the City of Gallup Municipal Code which currently allows sewer connections outside city limits only for certain specific uses under specific conditions. The proposed amendment would grant the City Council the authority to allow sewer connections outside city limits for all uses, including the listed specific uses, solely at the discretion of, and with conditions and limitations set by the City Council.

It shall be the responsibility of the Water/Wastewater Department to bring all requests for sewer connections outside city limits to City Council by resolution or by contract after reviewing these requests with the City Manager in order to develop recommendations including conditions and limitations. City Council upon review could then modify those conditions and/or limitations, add additional conditions and/or limitations or change the recommended conditions and/or limitations. City Council also has the right to reject the request and choose not to provide the requested sewer connection. Only City Council would have the authority to grant or deny these requests.

Fiscal Impact:

Presumably none. It would be the responsibility of the person or persons requesting sewer connection outside city limits to provide all materials and pay for all installations related to obtaining said connection, at no cost to the City.

Reviewed By: Tony Holman
Finance Department

Attachments:

Ordinance No. C2016-7, Section 8-3-4, Subsection C in its current form.

Legal Review:

Approved as to form: [Signature]
City Attorney

Recommendation:

Staff recommends approval of Ordinance No. C2016-7 thereby giving the Gallup City Council the sole authority to approve or deny sewer connections outside city limits.

Approved For Submittal By:

[Signature]
Department Director

[Signature]
City Manager

CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN

Resolution No.:	_____	Continued To:	_____
Ordinance No.:	_____	Referred To:	_____
Approved:	_____	Denied:	_____
Other:	_____	File No.:	_____

ORDINANCE NO. C2016-7

AN ORDINANCE CONCERNING SEWER CONNECTIONS OUTSIDE CITY LIMITS; AMENDING SUB-SECTION C. "EXCEPTIONS" OF SECTION 8-3-4 "CONNECTIONS OUTSIDE CITY" OF CHAPTER 3 "SEWER REGULATIONS" OF TITLE 8 "UTILITIES" OF THE MUNICIPAL CODE OF THE CITY OF GALLUP, NEW MEXICO BY ADDING CERTAIN TEXT AND DELETING CERTAIN TEXT AS FOLLOWS:

AMENDING SUB-SECTION C. "EXCEPTIONS" OF SECTION 8-3-4 "CONNECTIONS OUTSIDE CITY" OF CHAPTER 3 "SEWER REGULATIONS" OF TITLE 8 "UTILITIES" OF THE MUNICIPAL CODE OF THE CITY OF GALLUP, NEW MEXICO BY ADDING CERTAIN TEXT AND DELETING CERTAIN TEXT WITHIN SECTION 8-3-4 "CONNECTIONS OUTSIDE CITY" SUB-SECTION C. "EXCEPTIONS".

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALLUP, NEW MEXICO, that:

Section 1. Sub-Section C. "Exceptions" of Section 8-3-4 "Connections Outside City" of Chapter 3 "Sewer Regulations" of Title 8 "Utilities" of the Municipal Code of the City of Gallup, New Mexico is amended by **addition** and **deletion** of text as follows:

"8-3-4: CONNECTIONS OUTSIDE CITY:

C. Exceptions:

1. Nothing in this chapter shall prohibit or prevent the city council from authorizing by written resolution or contract the furnishing of sewer service to any user outside the corporate limits.

a. For **public and/or** educational purposes including services to **Gallup McKinley County public** schools, **hospitals, health clinics, churches, outlying communities having sewer systems operated by local government entities formed under the laws of the New Mexico, and any other public facilities serving the general public.** ~~bureau of Indian education schools, tribal schools and public colleges~~

~~b. For public purposes including federal, state, county, tribal, and local government, public hospitals, public health clinics, churches and other such facilities serving the general public for noncommercial purposes;~~

~~a. To acquire disposal sites, easements or other property for the city sewer system;~~

~~b. The furnishing of sewer service to outlying communities having sewer systems operated by a local government entity formed under the laws of New~~

~~Mexico so long as service to city residents is not impaired and users pay the city additional compensation to account for nonpayment of city gross receipts taxes;~~

~~2. Any existing sewer service prohibited by this subsection which was lawful before its passage may continue provided:~~

~~a. Increased flows into the city system shall be limited to twenty percent (20%) by volume; and~~

~~b. There shall be no reinstatement of service after lawful discontinuance."~~

2. Nothing in this chapter shall prohibit or prevent the city council from authorizing by written resolution or contract the furnishing of sewer service to any user outside the corporate limits that may be individuals or private legal entities upon conditions and limitations set by city council in its sole discretion.

Section 2. This ordinance shall become effective after its passage and publication by title and summary as provided by law.

PASSED, ADOPTED AND APPROVED THIS 24th DAY OF MAY, 2016. CITY OF GALLUP, MCKINLEY COUNTY, NEW MEXICO

BY: _____
Jackie McKinney, Mayor

ATTEST:

Alfred Abeita, City Clerk

8-3-4: CONNECTIONS OUTSIDE CITY:

- A. Water: (Rep. by Ord. 2008-7, 12-9-2008)
- B. Sewer Connection: The connection to the sanitary sewer system of the city with any sewer, pipe, line or connection serving any lot, piece or parcel of land located outside the corporate limits or serving any building, structure or improvement located thereon is expressly prohibited. (Ord. C61-25, 4-21-1964)
- C. Exceptions:
 - 1. Nothing contained in this chapter shall prohibit or prevent the city council from authorizing by written resolution or contract the furnishing of sewer service to any user outside the corporate limits:
 - a. For educational purposes including services to Gallup McKinley County public schools, bureau of Indian education schools, tribal schools and public colleges;
 - b. For public purposes including federal, state, county, tribal, and local government, public hospitals, public health clinics, churches and other such facilities serving the general public for noncommercial purposes;
 - c. To acquire disposal sites, easements or other property for the city sewer system;
 - d. The furnishing of sewer service to outlying communities having sewer systems operated by a local government entity formed under the laws of New Mexico so long as service to city residents is not impaired and users pay the city additional compensation to account for nonpayment of city gross receipts taxes;
 - 2. Any existing sewer service prohibited by this subsection which was lawful before its passage may continue provided:
 - a. Increased flows into the city system shall be limited to twenty percent (20%) by volume; and
 - b. There shall be no reinstatement of service after lawful discontinuance. (Ord. 2008-7, 12-9-2008)
- D. Violation By City Officers And Employees: The mayor and city clerk, the manager of the water department, the water superintendent, the superintendent of sewer and all officers and employees of the city are hereby forbidden to authorize or permit the connection of the water and sewer systems of the city to any lands located outside the corporate limits or to any buildings, structures or improvements located thereon. (Ord. C61-25, 4-21-1964)
- E. Penalty: Any person connecting to the sanitary sewer system of the city contrary to and in violation of the terms of this section, or any officer or employee of the city authorizing, permitting or in any way assisting the connection to the water and/or sewer system of the city in violation hereof shall be guilty of a misdemeanor and subject to penalty as provided in section 1-4-1 of this code. (Ord. C61-25, 4-21-1964; amd. 2006 Code)

Discussion/Action Topic 10

**Adoption of Joint Powers Agreement with
McKinley County on Liquor Excise Tax**

George Kozeliski, City Attorney



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Joint Powers Agreement for Liquor Excise Tax
DEPT. OF ORIGIN: City Attorney's Office
DATE SUBMITTED: SUBMITTED BY: George W. Kozeliski, City Attorney

Summary: The Joint Powers Agreement (JPA) between the City and County expires on June 30, 2016. The agreement must be in place by July 1 to continue to collect the Liquor Excise Tax. The city attorney and county attorney have worked out the language for a new four (4) year agreement based upon previous agreements.

The county commission has already approved the JPA.

Financial Impact: Income to the city as generated by the Liquor Excise Tax.

Approved: _____

Patty Holland
Finance Department

Attachments: Joint Powers Agreement on Liquor Excise Tax

Legal Review: Helped to draft the agreement with county attorney and approves the language.

Approved As To Form: _____

G. W. Kozeliski
City Attorney

Recommendation: Approve the Joint Powers Agreement.

Approved for Submittal By: _____

G. W. Kozeliski
Department Director

[Signature]
City Manager

CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN

Resolution No. _____	Continued To: _____
Ordinance No. _____	Referred To: _____
Approved: _____	Denied: _____
Other: _____	File: _____

**LIQUOR EXCISE TAX
JOINT POWERS AGREEMENT**

THIS AGREEMENT, effective upon approval by the New Mexico Department of Finance Administration indicated below, is by and between the City of Gallup, an incorporated municipality of the State of New Mexico, herein called "City", whose address is P.O. Box 1270, Gallup, New Mexico 87305; and, McKinley County, New Mexico, a political subdivision of the State of New Mexico, hereinafter called "County", whose address is P.O. Box 70, Gallup, New Mexico 87305. The purpose of this Agreement is to provide intergovernmental cooperation between "City" and "County" in operation of the Local Liquor Excise Tax Committee, and the application and approval of programs using Liquor Excise Tax moneys.

WHEREAS, the Local Liquor Excise Tax Act (N.M.S.A. §§ 7-24-8 through 7-24-16), and the current McKinley County Ordinance imposing the Local Liquor Excise Tax, requires a Joint Powers Agreement between McKinley County and the City of Gallup for the use and administration of Tax proceeds; and,

WHEREAS, City and County have in the past created a Committee and have agreed to use Liquor Excise moneys to fund various programs and projects; and,

WHEREAS, In the spirit of continued cooperation and pursuant to the Local Liquor Excise Tax Act and County Ordinance, City and County desire to institute this Joint Powers Agreement; and,

WHEREAS, City and County are concerned with the health, safety, and welfare of the citizens of McKinley County, New Mexico, and in the provision of quality treatment, prevention education and other programs for alcohol and drug abuse; and,

WHEREAS, City and County are local government bodies as defined by the Joint Powers Act, N.M.S.A. 1978 § 11-1-1 *et. seq.*, and empowered to enter into the within Agreement.

IT IS HEREBY AGREED AS FOLLOWS:

1. That this new 2016 JPA is intended to replace and continue the previous JPA of May 13, 2014 (signed by DFA on August 7, 2014)
2. County and City shall continue the established Local Liquor Excise Tax Committee consisting of five persons. Two named by the County, and two persons named by the City, and one person named by the four with approval of the City and County
3. County shall provide staff support for this committee via the County Manager (or his/her designee); and, shall serve as fiscal representative to the Committee.

4. The Committee shall have power to draft Bylaws to carry out the purposes and powers delegated to the committee by this JPA. All Bylaws and amendments thereto shall be first approved by the Committee and then ratified by the County and the City prior to their effectiveness. The Bylaws shall set forth the processes of allocating the Local Liquor Excise Tax moneys pursuant to the Act, the Ordinance, and this JPA; and, set forth the appeals process for entities wishing to appeal a decision of the committee.

5. Pursuant to this JPA, the Parties (McKinley County and the City of Gallup through their respective boards) hereby appoint a JPA Revenue Receipt and Allocation Task Force consisting of: the Mayor or his/her designee, the City Manager, the City Attorney, the Chairperson of the County Commission or his/her designee, the County Manager, and the County Attorney. This JPA Task Force shall jointly meet on an annual basis in conjunction with their budget preparation.

6. The JPA Task Force shall recommend allocation of the projected revenue to the various programs of the parties; the contractual responsibilities for Detox services; and, recommend the amount of projected revenue that can be used in a RFP process for outside programs. The recommendation of the Task Force shall be presented to both the City and County governing Boards for approval

7. City and County hereby agree to work together to monitor the ACT and work together to maintain the continuity of the Ordinance and future Ordinances. The parties also agree that if there is an opportunity to change the three (3) year referendum requirement to four (4) years so the election cycle will coincide with a general election, without disrupting the continuity of the Ordinance and future Ordinances; then, the parties will work together to affect such change.

8. This Joint Powers Agreement is a replacement of all prior agreements relating to the Liquor Excise Tax.

9. In accordance with Section 7-24-15 NMSA 1978 comp., the New Mexico Taxation and Revenue Department may deduct up to five percent (5%) as administrative costs, and the parties agree the County will make no deduction for its administrative costs.

10. Property of the JPA: If at the termination of this Agreement, there are any surplus funds on hand, and there is no extension of this Agreement, the funds shall be divided equally between the County and City and the JPA will terminate.

11. Should the legislature adopt legislation setting up a different system of funding liquor excise tax during the term of this agreement either party may terminate this agreement to opt into a different funding formula for liquor excise tax.

12. The Bateman Act (Section 6-6-11 NMSA 1978 comp., as revised), Applies hereto, and any provision of this Agreement at variance with the Act is superseded by it.

13. This Agreement shall not create any right, remedy, or privilege, in any person or entity not a party hereto, which does not exist by virtue of prior existing, constitutional, statutory, regulatory, or contractual right.

14. This Agreement contains the entire understanding of the parties hereto, regarding the subject matter hereof and all prior discussions or negotiations are merged herein. No prior agreement or understanding of the parties which is not incorporated herein is enforceable, unless specifically set forth in this Agreement. It is anticipated that the "Committee" mentioned above in paragraphs 2 and 4 above shall draft and adopt Bylaws which will only become effective upon approval of the County Commission and the City Council.

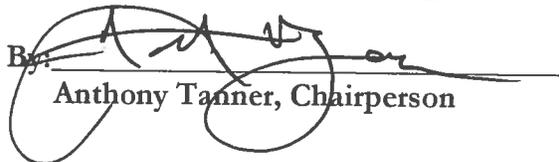
15. The expenditures and formula set out under this Agreement shall commence with the fiscal year starting July 1, 2016 and shall continue until replaced by a future JPA between the Parties. However, this Agreement shall terminate on June 30, 2020 and may not be extended, changed, modified or altered, except by subsequent written agreement approved by both the County Commission and the City Council and approved by the New Mexico Department of Finance And Administration.

16. Should any amount or allocation set out in paragraphs 5 and 6 above not be an approved expenditure as determined pursuant to Section 7-24-16 NMSA 1978 comp., this JPA shall terminate immediately and County and City will negotiate a new JPA.

17. This Agreement becomes effective on approval by the New Mexico Department of Finance and Administration.

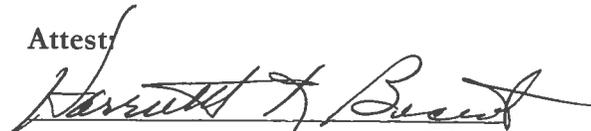
**McKINLEY COUNTY
BOARD OF COMMISSIONERS**

Date: May 17, 2016

By: 

Anthony Tanner, Chairperson

Attest:


Harriett K. Becenti, County Clerk

CITY OF GALLUP

Date: _____

By: _____
Jackie McKinney, Mayor

Attest:

Alfred Abeita, City Clerk

Approved:

NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION

Date: _____ By: _____

Discussion/Action Topic 11

Resolution No. R2016-24;

**Joint Resolution Directing the Allocation and Distribution of
the Fiscal Year 2017 Projected Liquor Excise Tax Revenue**

George Kozeliski, City Attorney



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Joint Resolution on the use of Liquor Excise Tax
DEPT. OF ORIGIN: City Attorney's Office
DATE SUBMITTED: SUBMITTED BY: George W. Kozeliski, City Attorney

Summary: This agreement was worked out with the county on how the two governmental entities would use this coming fiscal year's projected Liquor Excise Tax.

The county commission has already approved the joint resolution.

Financial Impact: Income to the city as generated by the Liquor Excise Tax.

Approved: _____

Fatty Holland
Finance Department

Attachments: Joint Resolution

Legal Review: Recommends adoption.

Approved As To Form: _____

G. W. Kozeliski
City Attorney

Recommendation: Adopt the Joint Resolution.

Approved for Submittal By: _____

G. W. Kozeliski
Department Director
[Signature]
City Manager

CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN

Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved: _____ Denied: _____
Other: _____ File: _____

STATE OF NEW MEXICO
Joint Resolution

COUNTY OF MCKINLEY
Resolution No. MAY-16-034

CITY OF GALLUP
Resolution No. R 2016-24

Directing the Allocation and Distribution
Of the Fiscal Year 2017 Projected Liquor Excise Tax Revenue

WHEREAS: McKinley County and the City of Gallup have entered into a Joint Powers Agreement of 2014 with approval by the New Mexico Department of Finance and Administration granted on May 16, 2014, (the "2014 JPA"); and,

WHEREAS: Paragraph 5 of the 2014 JPA requires an annual meeting of the JPA Revenue Receipt and Allocation Task Force (consisting of: for the City – The Mayor, The City Manager and the City Attorney; and, for the County – One Commissioner, the County Manager and the County Attorney) to determine the availability of funds and allocate and distribute the funds to be used by the parties on projects and programs; and,

WHEREAS: The LET revenues for FY-17 have been projected at \$1,200,000.00,

WHEREAS: An increase to the percentage of the LET (from 5% to 6%) was approved by the voters in November of 2014, requiring the adoption and implementation of a new Ordinance; which Ordinance became effective on March 1, 2015. The State Department of Taxation and Revenue, collects the tax and forwards the collected revenue to the local government two to three months after receipt; and,

WHEREAS: The JPA Revenue Receipt and Allocation Task Force did meet on May 6, 2016, to recommend the Allocation and Distribution Plan for FY 17, without knowing the amount of carry forward revenue from prior years; and,

THEREFORE BE IT RESOLVED by the McKinley County Board of Commissioners; and, The City of Gallup Council, that the available carry forward receipts and the projected FY 17 revenue from the Local Liquor Excise Tax be assigned, allocated, and dispersed as follows:

▶ Five Hundred Thousand Dollars (\$500,000) of FY 2017 projected revenue is allocated to the City of Gallup for payment of operations at the Gallup Detox Center (the gateway and integral part of the detox/treatment continuum of care).

▶ Three Hundred Thousand Dollars (\$300,000.00) of FY 2017 LET projected revenue is allocated to the City of Gallup for the Protective Service Program (the first contact for protecting health and safety; and, an integral part of the detox/treatment continuum of care).

▶ Three Hundred Thousand Dollars (\$300,000.00) of FY 2017 LET projected revenue is allocated to McKinley County to be sub-allocated: \$200,000.00 for the JSACC program(s) (providing juvenile case management services and detox/treatment as a part of a continuum of care); and, \$100,000.00 for the County DWI program(s) (providing adult case management and treatment as part of a continuum of care).

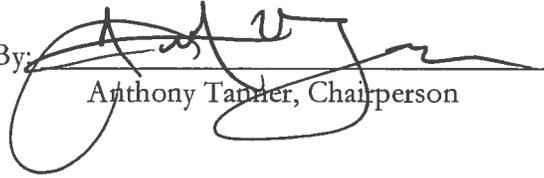
▶ One Hundred Thousand Dollars (\$100,000) of FY 2017 LET projected revenue is allocated to the Gallup-McKinley County Jail Authority Board (Adult Detention Center) for the provision and operation of a "In House" Alcohol and Drug Treatment Program (part of the adult detox/treatment continuum of care) .

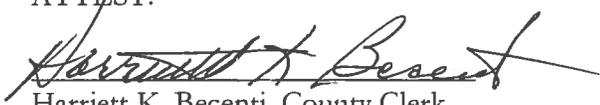
BE IT FURTHER RESOLVED by the McKinley County Board of Commissioners; and, The City of Gallup Council, that if any unallocated or carry forward LET revenues from prior years are available, the JPA Revenue Receipt and Allocation Task Force can meet on an as needed basis to discuss the allocation and use of such non-reoccurring funds.

THIS JOINT RESOLUTION regarding the allocation and distribution of the projected fiscal year 2017 Liquor Excise Tax revenue is passed, and approved in open meeting(s) of the parties on the date indicated by each date signed below.

McKINLEY COUNTY BOARD OF COMMISSIONERS:

DATE: May 17, 2016

By: 
Anthony Tanner, Chairperson

ATTEST:

Harriett K. Becenti, County Clerk

CITY OF GALLUP:

DATE: _____

By: _____
Jackie McKinney, Mayor

ATTEST:

Alfred Abeita, City Clerk

Discussion/Action Topic 12

**Contract Award and Budget Adjustment for Plumbing Repairs
at the Gallup Detox Center**

Jon DeYoung, Assistant to the City Manager



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Approval of LET Expenditure for Detox Center Plumbing Repairs
DEPT. OF ORIGIN: Assistant to the City Manager
DATE SUBMITTED: 05/20/2016
SUBMITTED BY: J.M. DeYoung

Summary:

Installation and repairs to the Detox Center for six (6) separate shower areas, installation of ADA compliant fixtures, installation of domestic water heaters, installation of water fountain, and installation of all materials and miscellaneous items required to complete the plumbing work in full and functioning order. This is a health and welfare issue presented to the State of New Mexico.

Fiscal Impact:

Reviewed By: _____

Patty Holland
Finance Department

\$55,222.88 Liquor Excise Tax funds and budget adjustment approval

Attachments: Bid announcement with Amendments, Bid Proposal Form (Formal Bid No. 1611), and Purchasing Department Tabulation Sheet.

Legal Review:

Approved As To Form: _____

[Signature]
City Attorney

Recommendation:

Recommended approval of contract with Williams Plumbing and necessary budget adjustment.

Approved for Submittal By:

[Signature]
Department Director

[Signature]
City Manager

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

Resolution No. _____	Continued To: _____
Ordinance No. _____	Referred To: _____
Approved: _____	Denied: _____
Other: _____	File: _____



CITY OF GALLUP

City of Gallup, New Mexico
Purchasing Division
P.O. Box 1270
Gallup, New Mexico 87305-1270
Office: (505) 863-1232
Fax: (505) 722-5133
gallupnm.gov/purchasing

INVITATION TO BID FORMAL BID NO NO. 1611

PLUMBING REPAIRS-GALLUP DETOX CENTER

ISSUE DATE: April 9, 2016
BID OPENING DATE: April 22, 2015
BID OPENING TIME: 2:00 p.m. Local Time

Vendor Name:

Vendor Address:

Notes:

F.O.B. Point : Destination

Payment Terms: Net 30, unless otherwise stated

Quantities may be increased or decreased
within reasonable amounts

ADVERTISEMENT FOR BIDS

CITY OF GALLUP, NEW MEXICO
FORMAL BID NO. 1611

Public notice is hereby given that the City of Gallup, New Mexico, is accepting sealed bids for the following:

PLUMBING REPAIRS-GALLUP DETOX CENTER

As more particularly set out in the bid documents, copies of which may be obtained from the City of Gallup Purchasing Department, 110 W. Aztec Ave., Gallup, New Mexico 87301. **Copies of the Bid may also be accessed at www.gallupnm.gov/bids**

Sealed bids for such will be received at the Office of the Purchasing Department until **2:00 P.M. (LOCAL TIME) on Friday, April 22, 2015** when they will be opened and read aloud in the City Hall Purchasing Conference Room. Envelopes are to be sealed and plainly marked Formal Bid Number 1611. **NO FAXED OR ELECTRONICALLY TRANSMITTED BIDS** nor bids submitted after the specified date and time will be considered, and will be returned unopened.

A pre-bid meeting will be held on April 15, 2016 at 10:00 A.M. at the Gallup Detox Center located at 2205 E. Boyd Avenue, Gallup NM.

For information on this bid, contact Frances Rodriguez, Purchasing Director, at 505-863-1334; Email: frdriguez@gallupnm.gov.

Dated the 7th day of April 2016

By: /S/ Jackie McKinney, Mayor

CLASSIFIED LEGAL COLUMN:

Gallup Independent Publishing Date: Saturday, April 9, 2016

**ACKNOWLEDGMENT OF RECEIPT OF BID
Formal Bid No. 1611**

PLUMBING REPAIRS-GALLUP DETOX CENTER

In acknowledgment of receipt of this BID the undersigned agrees that they have received a complete copy of this Bid consisting of **Thirty-Six (36) pages**.

The acknowledgment of receipt should be signed and returned to the Purchasing Office as soon as possible but no later than 5:00 P.M. local time on **April 15, 2016**. **Only potential bidders who elect to return this form completed with the indicated intention of submitting a bid will receive copies of all bidder written questions and the City's written responses to those questions as well as Bid Amendments, if any are issued.**

FIRM DOES DOES NOT (Circle one) intend to respond to this Formal Bid.

FIRM: _____

REPRESENTED BY: _____

TITLE: _____ PHONE NO.: _____

FAX NO.: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE : _____

SIGNATURE: _____

DATE: _____

EMAIL: _____

The above name and address will be used for all correspondence related to the Formal Bid.

Return this form by fax or email to: City of Gallup Purchasing Department
Frances Rodriguez
P.O. Box 1270
Gallup, New Mexico 87305
(505) 863-1334
(505) 722-5133 Fax
Email: vrodriguez@gallupnm.gov

Please return this form no later than April 15, 2016

GENERAL CONDITIONS
FORMAL BID NO. 1611

SEALED BIDS: ALL BIDS MUST BE SUBMITTED IN A SEALED ENVELOPE AND SHALL NOT BE OPENED AND CONSIDERED IF THEY ARE NOT RECEIVED BY THE PURCHASING DEPARTMENT PRIOR TO THE TIME SPECIFIED FOR THE BID OPENING. ALL SEALED BIDS MUST BE SUBMITTED ON THE BID DOCUMENT ORIGINALS OF FORMS, OR REASONABLE FACSIMILE, FURNISHED BY THE CITY OF GALLUP. ALL PROPOSALS MUST BE SIGNED BY A RESPONSIBLE AND AUTHORIZED PERSON FOR THE BIDDING FIRM. EACH BIDDER MUST ALSO FILL-IN AREAS FOR DELIVERY DATE, PAYMENT TERMS, AND F.O.B. POINT IF REQUESTED; FAILURE TO DO SO MAY RESULT IN DISQUALIFICATION OF THEIR RESPECTIVE BID. NOTE THAT FAX OR ELECTRONICALLY TRANSMITTED BIDS ARE NOT ACCEPTED ON THE CITY OF GALLUP **FORMAL BIDS**. BIDS SUBMITTED AFTER THE BID OPENING DATE AND TIME WILL NOT BE CONSIDERED AND WILL BE RETURNED UNOPENED. BIDS WILL BE OPENED IN THE PURCHASING DEPARTMENT CONFERENCE ROOM.

BIDS WILL BE ACCEPTED UNTIL 2:00 P.M. LOCAL TIME ON **April 22, 2016** AT THE CITY OF GALLUP PURCHASING OFFICE; 110 WEST AZTEC (87301); P.O. BOX 1270; GALLUP, NEW MEXICO 87305.

MAILING: BIDDER TO UTILIZE THE CITY'S SELF-ADDRESSED LABEL ON THEIR RETURN MAILING ENVELOPE OR PACKAGE IF ONE IS FURNISHED. IF SENT BY MAIL OR OVERNIGHT METHOD (FED-EXPRESS, UPS NEXT DAY AIR ETC.), OR HAND DELIVERED PLEASE **Note Bid Number on EXTERIOR OF ENVELOPE**. FAILURE TO DO SO WILL NOT CONSTITUTE A LIABILITY ON THE CITY IF THE BID IS MISPLACED OR LOST.

ANY BID RECEIVED AFTER THE SPECIFIED TIME AND DATE WILL BE DECLARED A "LATE BID" AND WILL NOT BE CONSIDERED. PLEASE PROVIDE AMPLE TIME IF USING CARRIERS SUCH AS FEDEX OR UPS, ETC. DELAYS CAUSED BY COMMERCIAL AIRLINES OR EXPRESS CARRIERS SUCH AS FEDEX AND UPS ARE NOT EXCUSABLE AND BIDS WILL THEREFORE BE CONSIDERED LATE AND WILL **NOT** BE ACCEPTED. WEATHER FORECASTS SHOULD BE MONITORED AND TAKEN INTO CONSIDERATION IN THE PLANNING OF MAILING OF BIDS AND/OR PROPOSALS.

PUBLIC WORKS: THIS SOLICITATION IS FOR A PUBLIC WORKS PROJECT AND SUBJECT TO THE PUBLIC WORKS STATUTES OF THE STATE OF NEW MEXICO (13-4-1 to 13-4-43 NMSA 1978); CONSTRUCTION INDUSTRIES LICENSING ACT (60-13-1 et seq. NMSA 1978); CID RULES AND REGULATIONS; APPLICABLE FEDERAL, STATE AND LOCAL STATUTES AND LAWS; AND THE CITY OF GALLUP ORDINANCES.

SPECIFICATIONS: SPECIFICATIONS, AS INCLUDED IN THIS BID AND THE PLANS IF ANY, ARE INTENDED TO INDICATE THE REQUIREMENTS OF THE CITY OF GALLUP (**hereinafter called OWNER**) AND GIVE AN ACCURATE DESCRIPTION OF MINIMUM STANDARDS ACCEPTABLE. ALL ITEMS EQUAL OR EQUIVALENT TO THESE REQUIREMENTS AND STANDARDS WILL BE CONSIDERED, EXCEPT WHERE OTHERWISE NOTED. ALL MATERIALS USED AND INCORPORATED INTO THIS PROJECT SHALL BE NEW UNLESS OTHERWISE AGREED UPON.

BRAND NAMES: UNLESS OTHERWISE INDICATED IN THE PLANS AND SPECIFICATIONS, WHERE A PRODUCT OR BRAND NAME IS INDICATED IN THE PLANS AND/OR SPECIFICATIONS, IT SHALL MEAN MINIMUM ACCEPTABLE LEVEL OR MINIMUM QUALITY REQUIRED. IF THE BIDDER IS OFFERING, AND THE PLANS AND SPECIFICATIONS ALLOW, AN ITEM OTHER THAN THE ONE SPECIFIED THEN THE MANUFACTURER'S NAME AND MODEL NUMBER OF THAT ITEM SHALL BE FURNISHED TO THE CITY AND SUFFICIENT SPECIFICATION AND DESCRIPTIVE DATA PROVIDED TO PERMIT A THOROUGH EVALUATION. FAILURE TO PROVIDE APPROPRIATE INFORMATION WHEN REQUESTED MAY RESULT IN DISQUALIFICATION OF THE OFFER.

SUBMITTALS: EACH BIDDER WILL FURNISH, WHEN REQUESTED, PRINTED LITERATURE AND MANUFACTURERS SPECIFICATION SHEETS THAT FULLY DESCRIBE THE MATERIAL THEY PROPOSE TO FURNISH THE CITY. THE ACCEPTANCE OR REJECTION OF EQUALS OR EQUIVALENTS SHALL BE DETERMINED SOLELY BY THE CITY OF GALLUP OR THEIR REPRESENTATIVE.

COMPETENCY OF BIDDER: BIDS WILL BE CONSIDERED ONLY FROM FIRMS WHO CAN PROVIDE

EVIDENCE THAT THEY HAVE ESTABLISHED A SATISFACTORY RECORD OF PERFORMANCE AND INTEGRITY TO INSURE THEY CAN EXECUTE THE REQUIREMENTS AS STATED HEREIN. THE CITY MAY MAKE SUCH INVESTIGATION IT DEEMS NECESSARY TO DETERMINE THE ABILITY OF THE BIDDER TO PERFORM THE WORK. ANY DETERMINATION AS TO COMPETENCY SHALL BE MADE BY APPROPRIATE CITY STAFF.

ANY PROPOSAL WHICH IS INCOMPLETE, IRREGULAR, OR ACCOMPANIED BY AN INSUFFICIENT OR BOND MAY BE REJECTED. THE CITY OF GALLUP ALSO RESERVES THE RIGHT TO REJECT THE PROPOSAL OF A BIDDER WHO HAS PREVIOUSLY FAILED TO PERFORM PROPERLY, INCLUDING INFERIOR MATERIALS, WORKMANSHIP, OR ATTEMPTS TO USE SUBSTANDARD EQUIPMENT, EXCESSIVE INSPECTION CAUSED TO THE PROJECT TO INSURE GOOD WORKMANSHIP, OR POOR CONSTRUCTION METHODS, OR FAILURE TO COMPLETE ON TIME A CONTRACT OF SIMILAR NATURE, OR THE PROPOSAL OF A BIDDER WHO IS NOT IN A POSITION TO PERFORM THE WORK GOVERNED BY THE CONTRACT.

WARRANTY: ALL LABOR AND WORK DONE BY THE CONTRACTOR SHALL BE WARRANTED FOR A PERIOD OF **ONE YEAR FROM DATE OF FINAL ACCEPTANCE**

BUSINESS LICENSE: BIDDER'S ARE ADVISED THAT THEY MUST HAVE OR OBTAIN A CURRENT CITY OF GALLUP BUSINESS LICENSE FOR THE TYPE OF MATERIAL OR SERVICES REQUIRED UNDER THIS CONTRACT BEFORE WORK COMMENCES OR A PURCHASE ORDER ISSUED.

F.O.B. POINT: ALL MATERIAL AND WORK SHALL BE QUOTED F.O.B. GALLUP, FREIGHT PREPAID.

PAYMENT OR ACCEPTANCE NOT CONCLUSIVE: VENDOR WILL SUPPLY THE CITY WITH INVOICE FOR PAYMENT. NO PAYMENT MADE UNDER THIS CONTRACT SHALL BE CONCLUSIVE EVIDENCE OF THE PERFORMANCE OF THIS CONTRACT, EITHER WHOLLY OR IN PART, AND THAT NO PAYMENT MADE FOR THE DELIVERY OF THE ITEMS IN WHOLE OR IN PART SHALL BE CONSTRUED AS AN ACCEPTANCE OF DEFECTIVE WORK OR IMPROPER MATERIALS, NOR RELIEVE THE BIDDER FROM CORRECTIONS OF THE DEFECTS. THE FINAL ACCEPTANCE SHALL NOT BE BINDING UPON THE CITY, NOR CONCLUSIVE, SHOULD IT SUBSEQUENTLY DEVELOP THE BIDDER HAS FURNISHED INFERIOR ITEMS OR HAD DEPARTED FROM THE SPECIFICATIONS AND/OR THE TERMS OF THE CONTRACT. SHOULD SUCH CONDITIONS BECOME EVIDENT, THE CITY SHALL HAVE THE RIGHT, NOTWITHSTANDING FINAL ACCEPTANCE AND PAYMENT, TO CAUSE THE ITEM(S) TO BE PROPERLY FURNISHED IN ACCORDANCE WITH THE SPECIFICATIONS (AND DRAWINGS, IF ANY) AT THE COST AND EXPENSE OF THE BIDDER.

PRICE TERMS: BIDDER AGREES THAT THE PRICES BID SHALL REMAIN IN EFFECT FOR **45** DAYS FROM THE DATE OF THE BID OPENING AND SUBJECT TO ACCEPTANCE BY THE CITY OF GALLUP WITHIN THAT PERIOD. TIME FOR ACCEPTANCE MAY BE EXTENDED WITH THE MUTUAL CONCURRENCE OF THE CONTRACTOR.

VISIT SITE OF WORK: ALL BIDDERS ARE ENCOURAGED TO VISIT THE SITE OF THE WORK AND TO FAMILIARIZE THEMSELVES WITH ANY DIFFICULTIES INVOLVED; FAILURE TO DO SO IS ENTIRELY AT THE RISK OF THE CONTRACTOR AND WILL NOT BE RECOGNIZED AS A BASIS OR CLAIM FOR EXTRA COMPENSATION. **THERE IS A PRE-BID MEETING SCHEDULED ON APRIL 22, 2016 AT 10:00 A.M. AT THE GALLUP DETOX CENTER LOCATED AT 2205 BOYD AVENUE, GALLUP NM.**

COMMENCEMENT AND COMPLETION: THE CONTRACTOR SHALL FULLY COMPLETE THE PROJECT WITHIN **THIRTY** DAYS AFTER NOTICE TO PROCEED.

INSPECTION: THE ENGINEER, ARCHITECT OR ANY DULY AUTHORIZED INSPECTORS SHALL AT ALL TIMES HAVE THE RIGHT TO INSPECT AND APPROVE THE WORK AND MATERIALS.

CODE COMPLIANCE: COMPLETE INSTALLATION MUST MEET FEDERAL, STATE, AND LOCAL LAWS, CODES AND REGULATIONS. ALL WORK SHALL BE DONE IN COMPLIANCE WITH THE UNIFORM PLUMBING CODE.

PERMITS AND LICENSES: CONTRACTOR SHALL BE LICENSED IN NEW MEXICO FOR THE WORK REQUIRED. BIDDERS ARE NOTIFIED THAT A CITY OF GALLUP BUSINESS LICENSE IS REQUIRED AS PREVIOUSLY NOTED. ALL OTHER PERMITS OR LICENSES REQUIRED SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

GOVERNING LAW: THIS AGREEMENT SHALL BE CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW MEXICO AS THEY PERTAIN TO AGREEMENTS EXECUTED AND FULLY TO BE PERFORMED WITH NEW MEXICO, OR FEDERAL LAW WHERE APPLICABLE, BUT IN EITHER CASE EXCLUDING THAT BODY OF LAW RELATING TO CHOICE OF LAW.

INSURANCE: BIDDER SHALL PROVIDE A CERTIFICATE OF INSURANCE IN COMPLIANCE WITH THE TERMS OF THIS BID AND THE STATE OF NEW MEXICO CONSTRUCTION INDUSTRIES DIVISION RULES AND REGULATIONS, INCLUDING WORKMEN'S COMPENSATION IF REQUIRED BY LAW. CERTIFICATE SHALL BE FURNISHED UPON REQUEST OF THE CITY OF GALLUP.

SUBCONTRACTORS: THE LISTING THRESHOLD FOR SUBCONTRACTORS FOR THIS PROJECT IS \$5,000 AND SHALL BE SUBMITTED IN COMPLIANCE WITH 13-4-32 THRU 13-4-43 NMSA 1978. THERE SHALL BE ONLY ONE SUBCONTRACTOR LISTED FOR EACH CLASSIFICATION. IF SUBCONTRACTORS CHANGE ACCORDING TO BID OPTIONS/ADDITIVE ALTERNATES ACCEPTED THEN LIST THE SUBCONTRACTORS AND THE BID LOTS WHERE THEY ARE TO BE USED.

THE OWNER RESERVES THE RIGHT TO DISQUALIFY SUBCONTRACTORS AND SUPPLIERS IN ACCORDANCE WITH THE CONDITIONS OF THE BID AND CONTRACT. THE CONTRACTOR AGREES THAT HE IS FULLY RESPONSIBLE TO THE OWNER FOR THE ACTS AND OMISSIONS OF HIS SUBCONTRACTORS AND OR PERSONS EITHER DIRECTLY OR INDIRECTLY EMPLOYED BY THEM, AS HE IS FOR THE ACTS AND OMISSIONS OF PERSONS DIRECTLY EMPLOYED BY HIM. NOTHING CONTAINED IN THE CONTRACT DOCUMENTS SHALL CREATE ANY CONTRACTUAL RELATION BETWEEN ANY SUBCONTRACTOR AND THE OWNER.

THE BIDDER MAY BE REQUIRED TO ESTABLISH THE RELIABILITY AND RESPONSIBILITY OF THE PROPOSED SUBCONTRACTORS OR OF ANY MANUFACTURER TO FURNISH AND PERFORM THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND COMPLETION SCHEDULE, AND MAY ALSO BE REQUIRED TO REQUIRE PERFORMANCE AND PAYMENT BONDS OF SOME OR ALL SUBCONTRACTORS IN CONFORMANCE WITH SEC. 13-4-37 NMSA 1978.

WAGES: WAGES WILL BE PAID IN ACCORDANCE WITH THE STATE OF NEW MEXICO PUBLIC WORKS STATUTES REGARDING WAGE RATES. A WAGE RATE SCHEDULE IS ENCLOSED WITH THIS BID. CONTRACTOR AND ALL TIERS OF SUBCONTRACTORS WILL SUBMIT CERTIFIED WEEKLY PAYROLLS TO THE CITY OF GALLUP (BI-WEEKLY), AND THE PUBLIC WORKS DIRECTOR IF REQUESTED.

DEPARTMENT OF LABOR REGISTRATION: BIDDERS ARE ADVISED THAT ALL CONTRACTORS (INCLUDING SUBCONTRACTORS) BIDDING MORE THAN \$60,000 ON A PUBLIC WORKS CONTRACT MUST BE REGISTERED WITH THE LABOR & INDUSTRIAL DIVISION OF THE STATE OF NEW MEXICO PRIOR TO SUBMITTING A BID IN COMPLIANCE WITH 13-4-13.1 NMSA 1978. A LABOR ENFORCEMENT FUND FORM IS AVAILABLE AT [HTTP://WWW.DWS.STATE.NM.US/NEW/LABOR_RELATIONS/PUBLICWORKS.HTML](http://www.dws.state.nm.us/new/labor_relations/publicworks.html)

NON-DISCRIMINATION: THE CITY OF GALLUP DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE OR DISABILITY IN THE EMPLOYMENT OR THE PROVISION OF SERVICES. CONTRACTORS SHALL BE IN COMPLIANCE WITH ALL FEDERAL, STATE AND LOCAL LAWS AND ORDINANCES REGARDING EMPLOYMENT PRACTICES AND A.D.A. REQUIREMENTS.

BID SECURITY: SHALL BE SUBMITTED WITH THE BID AND MADE PAYABLE TO THE OWNER IN THE AMOUNT OF FIVE PERCENT (5%) OF THE BID SUM. SECURITY SHALL BE BY CASH, CERTIFIED OR CASHIERS CHECK, OR A BID BOND PREPARED ON A FORM ACCEPTABLE TO THE OWNER, ISSUED BY A SURETY LICENSED TO DO BUSINESS IN THE STATE WHERE THE PROJECT IS LOCATED. THE OWNER WILL RETAIN THESE SECURITIES UNTIL A CONTRACT HAS BEEN ENTERED INTO.

SHOULD THE LOW BIDDER REFUSE TO ENTER INTO A CONTRACT, THE OWNER WILL RETAIN HIS SECURITY AS LIQUIDATED DAMAGES, NOT AS A PENALTY. IF THE LOWEST BIDDER FAILS TO ENTER INTO A CONTRACT, THEN THE NEXT LOWEST BIDDER WILL BE CONSIDERED AS THE LOWEST BIDDER.

TAXES: THE PROPOSAL TOTAL SHALL EXCLUDE ALL APPLICABLE TAXES. THE CITY WILL PAY ANY TAXES DUE ON THE CONTRACT BASED UPON BILLING SUBMITTED BY THE CONTRACTOR, AT THE APPLICABLE TAX RATE. TAXES SHALL BE SHOWN AS A SEPARATE AMOUNT ON ANY BILLING OR REQUEST FOR PAYMENT.

PERFORMANCE AND PAYMENT BOND: THE SUCCESSFUL BIDDER SHALL EXECUTE A PERFORMANCE BOND AND PAYMENT BOND, EACH IN THE SUM OF 100% OF THE TOTAL BID PRICE WITH A CORPORATE SURETY AUTHORIZED TO DO BUSINESS IN THE STATE OF NEW MEXICO AND SAID SURETY TO BE APPROVED IN FEDERAL CIRCULAR 570 AS PUBLISHED BY THE U.S. TREASURY DEPARTMENT WITHIN **SEVEN (7)** DAYS OF RECEIPT OF NOTICE OF AWARD.

FORMS COMPLETION: ALL FORMS SUBMITTED MUST BE TYPEWRITTEN OR WRITTEN IN INK. ANY ALTERATIONS TO THE BID AMOUNTS BY ERASURES OR BY INTERLINEATIONS SHALL BE INITIALED BY THE SIGNER OF THE BID FORM.

UNIT PRICES: TYPOGRAPHICAL ERRORS, ERRORS IN EXTENDING UNIT PRICES, ARITHMETIC ERRORS OR ERRORS CLEARLY EVIDENT ON THE FACE OF THE BID DOCUMENT MAY BE CORRECTED IN ACCORDANCE WITH THE PROCUREMENT ORDINANCE AND PROCUREMENT REGULATIONS. DISCREPANCIES INVOLVING THE INCORRECT EXTENSION OF UNIT PRICES SHALL BE RESOLVED IN FAVOR OF UNIT PRICES AS UNIT PRICES CANNOT BE CORRECTED.

INFORMATION: IF CLARIFICATION IS NEEDED ON ANY PART OF THE GENERAL CONDITIONS, CONTACT FRANCES RODRIGUEZ; PURCHASING DIRECTOR; P.O. BOX 1270; GALLUP, NM 87305; 505-863-1334 OR 505-722-5133 (FAX); frrodriguez@gallupnm.gov (EMAIL). QUESTIONS SUBMITTED AFTER APRIL 15, 2016 MAY NOT BE ADDRESSED.

PREFERENCES: THE STATE OF NEW MEXICO STATUTES SHALL APPLY. NEW MEXICO GRANTS A PREFERENCE TO THOSE CONTRACTORS WHO HAVE BEEN CERTIFIED BY THE STATE OF NEW MEXICO DEPARTMENT OF TAXATION AND REVENUE AS A RESIDENT CONTRACTOR OR A RESIDENT VETERANS CONTRACTOR AT THE TIME BIDS ARE OPENED, PURSUANT TO 13-1-22 & 13-4-2 (NMSA 1978). THE NEW MEXICO RESIDENT CONTRACTOR'S PREFERENCE OR RESIDENT VETERANS CONTRACTOR SHALL BE THE ONLY PREFERENCE THAT APPLIES. **CONTRACTORS MUST SUBMIT A COPY OF THEIR NEW MEXICO RESIDENT CONTRACTOR'S CERTIFICATE OR NEW MEXICO RESIDENT VETERAN CONTRACTORS CERTIFICATE WITH THEIR BID IN ORDER TO BE CONSIDERED FOR THE PREFERENCE AS PER 13-1-22 (A) NMSA 1978 .**

THE APPLICABLE STATE OF NEW MEXICO RESIDENT CONTRACTOR'S OR RESIDENT VETERAN CONTRACTOR'S PREFERENCE WILL BE FACTORED INTO BID PRICES WHERE APPLICABLE. HOWEVER, THE PREFERENCES ARE NOT CUMULATIVE AND BIDDERS WILL ONLY BE ENTITLED TO RECEIVE ONE PREFERENCE.

FOR INFORMATION ON NEW MEXICO RESIDENT CONTRACTOR CERTIFICATION PLEASE CALL 505-827-0951 OR TO DOWNLOAD APPLICATIONS, GO TO: WWW.TAX.NEWMEXICO.GOV , SELECT "BUSINESSES" AND CLICK ON "IN-STATE PREFERENCE CERTIFICATON" UNDER "POPULAR INFORMATION.

ADDENDA/AMENDMENTS: IF ANY QUESTIONS OR RESPONSES REQUIRE REVISION TO THE SOLICITATION AS ORIGINALLY PUBLISHED, SUCH REVISIONS WILL BE BY FORMAL AMENDMENT ONLY TO KNOWN PLANHOLDERS OF RECORD.

IF THE SOLICITATION INCLUDES A CONTACT PERSON FOR TECHNICAL INFORMATION, BIDDERS ARE

CAUTIONED THAT ANY ORAL OR WRITTEN REPRESENTATIONS MADE BY THIS OR ANY PERSON THAT APPEAR TO CHANGE MATERIALLY ANY PORTION OF THE SOLICITATION SHALL NOT BE RELIED UPON UNLESS SUBSEQUENTLY RATIFIED BY A WRITTEN AMENDMENT TO THIS SOLICITATION ISSUED BY THE PURCHASING OFFICE OR DESIGNEE. FOR A DETERMINATION AS TO WHETHER ANY REPRESENTATION MADE REQUIRES THAT AN AMENDMENT BE ISSUED, CONTACT THE BUYER LISTED UNDER THE PARAGRAPH ENTITLED "INFORMATION".

MODIFICATIONS: THE CITY RESERVES THE RIGHT TO WAIVE MINOR INFORMALITIES, IRREGULARITIES OR TECHNICALITIES IN THE BID. THE CITY WILL BE THE SOLE ENTITY TO DETERMINE THE ACCEPTANCE OR NON-ACCEPTANCE OF ANY MODIFICATIONS OR DEVIATIONS.

AWARD: THE AWARD, IF MADE, SHALL BE MADE TO THE LOWEST RESPONSIBLE BIDDER SUBMITTING A RESPONSIVE BID THAT IS MOST ADVANTAGEOUS TO THE PUBLIC.

THE CITY RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS, TO WAIVE MINOR TECHNICALITIES OR IRREGULARITIES AND TO ACCEPT THE PROPOSAL IT DEEMS TO BE IN THE BEST INTERESTS OF THE CITY. BIDS MAY BE REJECTED FOR, AMONG OTHER REASONS:

- BIDS CONTAINING ANY IRREGULARITIES.
- UNBALANCED VALUE OF ANY ITEMS.
- REASON FOR BELIEVING COLLUSION EXISTS AMONG THE BIDDERS.
- THE BIDDER BEING INTERESTED IN ANY LITIGATION AGAINST THE CITY.
- THE BIDDER BEING IN ARREARS ON ANY EXISTING CONTRACT OR HAVING DEFAULTED ON A PREVIOUS CONTRACT; OR WITHIN THE PAST THREE YEARS BEEN FORMALLY DEBARRED IN THE STATE OF NEW MEXICO OR ANY OTHER JURISDICTION; OR WHOSE LICENSE HAS BEEN SUSPENDED OR REVOKED BY THE APPROPRIATE LICENSING AUTHORITY
- LACK OF RESPONSIBILITY AS MAY BE REVEALED BY A FINANCIAL STATEMENT, EXPERIENCE AND EQUIPMENT, QUESTIONNAIRES, ETC.
- UNCOMPLETED WORK WHICH IN THE JUDGMENT OF THE CITY WILL PREVENT OR HINDER THE PROMPT COMPLETION OF ADDITIONAL WORK IF AWARDED.

PROTESTS: ANY BIDDER OR OFFEROR WHO IS AGGRIEVED IN CONNECTION WITH A SOLICITATION OR AWARD OF A CONTRACT MAY PROTEST TO THE CENTRAL PURCHASING OFFICE. THE PROTEST MUST BE SUBMITTED IN WRITING WITHIN SEVEN (7) CALENDAR DAYS AFTER KNOWLEDGE OF THE FACTS OR OCCURRENCES GIVING RISE THERETO.

PROJECT ERRORS: BIDDERS WILL PROMPTLY NOTIFY THE CITY OF GALLUP OF ANY AMBIGUITY, INCONSISTENCY OR ERROR THEY MAY DISCOVER UPON EXAMINATION OF THE PROJECT DOCUMENTS OR THE SITE AND LOCAL CONDITIONS.

PROCUREMENT CODE VIOLATIONS: THE PROCUREMENT CODE IMPOSES CIVIL AND CRIMINAL PENALTIES FOR ITS VIOLATION. IN ADDITION, THE NEW MEXICO CRIMINAL STATUTES IMPOSE FELONY PENALTIES FOR ILLEGAL BRIBES, GRATUITIES, AND KICK-BACKS.

THE CITY OF GALLUP RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS IN WHOLE OR IN PART, TO CANCEL THE BID, TO WAIVE TECHNICALITIES AND TO ACCEPT THE PROPOSAL IT DEEMS TO BE IN THE BEST INTEREST OF THE CITY.

NOTICE TO BIDDERS

AS OF OCTOBER 5, 2011 APPLICATIONS FOR RESIDENT NEW MEXICO IN-STATE CONTRACTORS WILL NO LONGER BE PROCESSED THROUGH THE STATE PURCHASING DIVISION. ALL RESIDENT BUSINESS AND CONTRACTORS WILL HAVE TO OBTAIN A NEW PREFERENCE NUMBER WITH THE NEW MEXICO DEPARTMENT OF TAXATION AND REVENUE AS OF JANUARY 1, 2012.

AS OF JULY 1, 2012 A NEW MEXICO RESIDENT VETERAN CONTRACTOR'S PREFERENCE NUMBER MAY BE OBTAINED FROM THE NEW MEXICO DEPARTMENT TAXATION AND REVENUE DEPARTMENT.

IT WILL BE THE SOLE RESPONSIBILITY OF BIDDERS REQUESTING CONSIDERATION FOR THE NEW MEXICO RESIDENT CONTRACTORS PREFERENCE OR THE NEW MEXICO RESIDENT VETERAN CONTRACTOR'S PREFERENCE TO OBTAIN APPROVAL AND A CERTIFICATION FROM THE NEW MEXICO DEPARTMENT OF TAXATION & REVENUE PRIOR TO THE BID OPENING DATE. YOU MUST SUBMIT A COPY OF THE RESIDENT CONTRACTOR'S CERTIFICATE OR RESIDENT VETERAN CONTRACTOR'S CERTIFICATE WITH YOUR BID IN ORDER TO BE CONSIDERED FOR THE IN-STATE PREFERENCE AS PER SECTION 13-1-22, AND 13-4-2 NMSA 1978.

FOR ADDITIONAL INFORMATION PLEASE CALL 505-827-0951, OR TO DOWNLOAD APPLICATIONS LOG ON AT: WWW.TAX.NEWMEXICO.GOV , SELECT "BUSINESSES" AND CLICK ON "IN-STATE PREFERENCE CERTIFICATION" LOCATED UNDER "POPULAR INFORMATION" CAPTION.

LABOR ENFORCEMENT FUND

(STRICTLY ENFORCED)

13-4-13.1 Public works contracts; registration of contractors and subcontractors.

- A. Except as otherwise provided in this subsection, in order to submit a bid valued at more than sixty thousand dollars (\$60,000) in order to respond to a request for proposals or to be considered for award of any portion of a public works project greater than sixty thousand dollars (\$60,000) for a public works project that is subject to the Public Works Minimum Wage Act [13-4-10 NMSA 1978], the contractor, serving as a prime contractor or not, shall be registered with the labor and industrial division of the labor department. Bidding documents issued or released by a state agency or political subdivision of the state shall include a clear notification that each contractor, prime contractor or subcontractor is required to be registered pursuant to this subsection. The provisions of this section do not apply to vocational classes in public schools or public postsecondary educational institutions.
- B. The state or any political subdivision of the state shall not accept a bid on a public works project subject to the Public Works Minimum Wage Act from a prime contractor that does not provide proof or required registration for itself.
- C. Contractors and subcontractors may register with the division on a form provided by the division and in accordance with labor department rules. The division shall charge an annual registration fee of two hundred dollars (\$200). The division shall issue to the applicant a certificate of registration within fifteen days after receiving from the applicant the completed registration form and the registration fee.
- D. Registration fees collected by the division shall be deposited in the labor enforcement fund.

13-4-14.1 Labor enforcement fund; creation; use.

The "labor enforcement fund" is created in the state treasury. The fund shall consist of contractor and subcontractor registration fees collected by the labor and industrial division of the labor department and all investment and interest income from the fund. The fund shall be administered by the division and money in the fund is appropriated to the division for administration and enforcement of the Public Works Minimum Wage Act [13-4-10 NMSA 1978]. Money in the fund shall not revert to the general fund at the end of a fiscal year.

13-4-14.2 Registration cancellation, revocation, suspension; injunctive relief.

The director of the labor and industrial division of the labor department may:

- A. cancel, revoke or suspend with conditions, including probation, the registration of any party required to be registered pursuant to the Public Works Minimum Wage Act [13-4-10 NMSA 1978] for failure to comply with the registration provisions or for good cause, subject to appeal pursuant to Section 13-4-15 NMSA 1978; and
seeks injunctive relief in district court for failure to comply with the registration provisions of the Public Works Minimum Wage Act.

INSURANCE

INSURANCE: THE CONTRACTOR OR HIS SUBCONTRACTORS SHALL NOT COMMENCE WORK UNDER THIS CONTRACT UNTIL HE OR HIS SUBCONTRACTORS HAVE OBTAINED INSURANCE REQUIRED UNDER THIS PARAGRAPH, AND IF ANY PORTION OF THE WORK IS SUBLET THE SUBCONTRACTOR SHALL CARRY SIMILAR COVERAGE FOR ALL ITS EMPLOYEES ENGAGED IN THE PROJECT. FOR PURPOSES OF THIS PARAGRAPH THE FOLLOWING INSURANCE REQUIREMENTS SHALL APPLY:

THE CONTRACTOR AND HIS SUBCONTRACTORS SHALL OBTAIN AND MAINTAIN IN EFFECT DURING THE LIFE OF THE CONTRACT COMPREHENSIVE GENERAL LIABILITY INSURANCE INCLUDING PREMISE/OPERATIONS; PRODUCTS/COMPLETED OPERATIONS; BROAD FORM CONTRACTUAL INDEPENDENT CONTRACTORS; BROAD FORM PROPERTY DAMAGE AND PERSONAL INJURY LIABILITIES:

COMPREHENSIVE GENERAL LIABILITY

BODILY INJURY:	\$1,000,000 EACH OCCURENCE \$1,000,000 ANNUAL AGGREGATE
PERSONAL INJURY	\$1,000,000 ANNUAL AGREGATE
PROPERTY DAMAGE	\$1,000,000 EACH OCCURENCE \$1,000,000 ANNUAL AGGREGATE

AUTOMOTIVE LIABILITY (OWNED, NONOWNED HIRED)

BODILY INJURY	\$1,000,000 EACH PERSON \$1,000,000 EACH ACCIDENT
PROPERTY DAMAGE	\$1,000,000 EACH OCCURENCE
PRODUCTS AND COMPLETED OPERATONS	SAME LIMITS AS ABOVE
INDEPENDENT CONTRACTORS	SAME LIMITS AS ABOVE

WORKMAN'S COMPENSATION STATUTORY
EMPLOYERS LIABILITY \$1,000,000

WAIVER OF SUBROGATION: THIS MUST BE STATED ON THE CERTIFICATE AS IT ELIMINATES THE RIGHT OF THE CONTRACTOR'S INSURANCE CARRIER FROM RECOVERING ANY DAMAGES FROM THE CITY THAT WERE PAID BY THE CARRIER UNDER THE CONTRACTOR'S GENERAL LIABILITY, COMMERCIAL UMBRELLA LIABILITY (EXCESS LIABILITY), AUTO, OR WORKER'S COMPENSATION COVERAGES AND EMPLOYERS LIABILITY INSURANCE MAINTAINED BY CONTRACT REQUIREMENTS.

ALL CERTIFICATES OF INSURANCE SHALL NAME THE CITY OF GALLUP AS OWNER AND ADDITIONAL INSURED, AND STATE THAT 30 DAYS WRITTEN NOTICE WILL BE GIVEN TO THE OWNER BEFORE THE POLICY IS CANCELLED OR CHANGED.

CONDITIONS OF THE CONTRACT
Formal Bid No. 1611

CONTRACTOR'S PRE-START REPRESENTATIONS - CONTRACTOR REPRESENTS THAT HE HAS FAMILIARIZED HIMSELF WITH AND ASSUMES FULL RESPONSIBILITY FOR HAVING FAMILIARIZED HIMSELF WITH THE NATURE AND EXTENT OF THE CONTRACT DOCUMENTS, WORK, LOCALITY, AND WITH ALL LOCAL CONDITIONS INCLUDING WEATHER CONDITIONS, AND FEDERAL, STATE, AND LOCAL LAWS, ORDINANCES, RULES AND REGULATIONS THAT MAY IN ANY MANNER AFFECT PERFORMANCE OF THE WORK AND REPRESENTS THAT HE HAS CORRELATED HIS STUDY AND OBSERVATIONS WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS.

CONTRACTOR ALSO REPRESENTS THAT HE HAS STUDIED ALL SURVEYS AND INVESTIGATION REPORTS OF SUBSURFACE LATENT PHYSICAL CONDITIONS REFERRED TO IN THE SPECIFICATIONS AND MADE SUCH ADDITIONAL SURVEYS AND INVESTIGATIONS AS HE DEEMS NECESSARY FOR THE PERFORMANCE OF THE WORK AT THE CONTRACT PRICE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS AND THAT HE HAS CORRELATED THE RESULTS OF ALL SUCH DATA WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS.

INDEMNIFICATION OF OWNER: THE CONTRACTOR EXPRESSLY BINDS HIMSELF TO DEFEND, INDEMNIFY, AND SAVE HARMLESS THE OWNER, HIS AGENTS AND EMPLOYEES, FROM ALL SUITS AND ACTIONS OF EVERY NATURE AND DESCRIPTION BROUGHT AGAINST THEM ON ACCOUNT OF THE CONSTRUCTION OF THIS WORK OR BY REASON OF ANY ACT, OMISSIONS, MALFEASANCE OF THE CONTRACTOR, HIS EMPLOYEES OR AGENTS, OR ANY SUBCONTRACTOR OR HIS AGENTS OR EMPLOYEES. THIS APPLIES EQUALLY TO INJURIES TO THE CONTRACTOR'S EMPLOYEES. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF LIFE, PROPERTY AND PREMISIS FROM HARM, DAMAGE AND INJURY.

SECURITY: THE CITY DOES NOT ASSUME ANY RESPONSIBILITY, AT ANY TIME, FOR THE PROTECTION OF OR LOSS OF MATERIALS FROM THE TIME THAT CONTRACT OPERATIONS HAVE COMMENCED UNTIL THE FINAL ACCEPTANCE OF THE WORK BY THE OWNER.

CLEANING: THE CONTRACTOR SHALL KEEP THE PREMISES CLEAN OF ALL RUBBISH AND DEBRIS GENERATED BY THE WORK INVOLVED. ALL SURPLUS MATERIAL, RUBBISH, DEBRIS SHALL BE DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. THE CITY WILL NOT BE RESPONSIBLE FOR THEFT OR DAMAGE TO THE CONTRACTORS PROPERTY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO AT ALL TIMES MAINTAIN A SAFE WORKING ENVIRONMENT. **ALL SAFETY HAZARDS TO WORKERS OR THE PUBLIC SHALL BE CORRECTED IMMEDIATELY AND THE PREMISES LEFT IN A SAFE CONDITION AT THE END OF EACH WORK DAY.**

PRIOR TO PREPARATION OF FINAL PAY ESTIMATE, THE CONTRACTOR SHALL REMOVE FROM THE SITE OF THE WORK ALL RUBBISH, DEBRIS, UNUSED MATERIAL, TEMPORARY BUILDINGS, EXCESS EARTH OR PAVEMENT RUBBLE AND SHALL LEAVE THE PREMISES IN GOOD ORDER AND CONDITION, SUBJECT TO APPROVAL OF THE OWNER.

PROTECTION OF MATERIAL AND WORK: THE CONTRACTOR SHALL AT ALL TIMES CAREFULLY AND PROPERLY PROTECT ALL MATERIALS, EQUIPMENT AND FACILITIES BOTH BEFORE, DURING AND AFTER USE ON THE JOB, AND ALL WORK PERFORMED BY HIM AND PROVIDE ANY SPECIAL PROTECTION AS NECESSARY FROM WEATHER, THEFT, AND/OR VANDALISM WITHOUT ADDITIONAL COSTS TO THE CITY.

PROTECTION AND/OR RESTORATION OF PUBLIC OR PRIVATE PROPERTY: THE CONTRACTOR SHALL TAKE EVERY REASONABLE PRECAUTION TO INSURE THAT ALL PUBLIC AND PRIVATE PROPERTY IS PROTECTED FROM DAMAGE DURING THE EXECUTION OF THE WORK. THE CONTRACTOR SHALL RESTORE AT HIS OWN EXPENSE, ANY DAMAGES, EXCEPT AS OTHERWISE PROVIDED FOR IN THIS CONTRACT, FOR WHICH HE IS DIRECTLY OR INDIRECTLY RESPONSIBLE, TO A CONDITION EQUAL TO THAT EXISTING BEFORE THE DAMAGE.

IF HE FAILS OR REFUSES TO DO SO UPON NOTICE, THE CITY MAY CAUSE SUCH RESTORATION AND DEDUCT THE EXPENSE THEREFORE FROM THE MONIES DUE, OR WHICH MAY BECOME DUE, TO THE CONTRACTOR.

IF APPLICABLE, EQUIPMENT AND MATERIALS SHIPPED TO MANUFACTURER OR TESTING FACILITY ARE TO BE EXCLUDED FROM THIS PROVISION, IF ITEM(S) IS DECLARED BY SUCH AUTHORITY TO NOT BE ABLE TO BE REPAIRED TO MANUFACTURER'S SPECIFICATIONS, NOR CERTIFIABLE.

CONTRACTOR SHALL PROVIDE DOCUMENTATION FROM MANUFACTURER OR TESTING FACILITY AND PROVIDE TO THE CITY.

WATER, GAS AND ELECTRICITY: ALL WATER, GAS, ELECTRICITY OR OTHER UTILITIES REQUIRED TO COMPLETE THE PROJECT SHALL BE PROVIDED BY THE CONTRACTOR AT HIS EXPENSE, UNLESS SPECIFICALLY MODIFIED IN OTHER PORTIONS OF THE CONTRACT DOCUMENTS.

SALVAGEABLE MATERIAL: ALL MATERIAL DEEMED SALVAGEABLE FROM EXISTING OWNER FACILITIES WHICH ARE TO BE ABANDONED SHALL REMAIN THE PROPERTY OF THE CONTRACTOR.

THE CONTRACTOR WILL DETERMINE THE LOCATION FOR DISPOSITION OF SALVAGEABLE MATERIAL. MATERIAL DEEMED NOT SALVAGEABLE SHALL BE THE CONTRACTOR'S PROPERTY AND SHALL BE DISPOSED OF IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL RULES, REGULATIONS AND LAWS.

CHANGED WORK: THE OWNER MAY FROM TIME TO TIME ORDER ADDITIONS, DELETIONS OR REVISIONS IN THE WORK; THESE WILL BE AUTHORIZED BY WRITTEN CHANGE ORDER PREPARED BY THE CONTRACTOR AND SIGNED BY THE OWNER. ALL SUCH WORK WILL BE EXECUTED UNDER THE APPLICABLE CONDITIONS OF THE CONTRACT DOCUMENTS.

ADDITIONAL WORK PERFORMED WITHOUT AUTHORIZATION OF A WRITTEN AND EXECUTED CHANGE ORDER WILL NOT ENTITLE CONTRACTOR TO AN INCREASE OF CONTRACT PRICE OR AN EXTENSION OF CONTRACT TIME.

IF NOTICE OF A CHANGE AFFECTING THE GENERAL SCOPE OF WORK OR CHANGE IN CONTRACT PRICE IS REQUIRED BY THE PROVISIONS OF ANY BOND TO BE GIVEN TO THE SURETY, IT WILL BE **CONTRACTOR'S** RESPONSIBILITY TO SO NOTIFY THE SURETY, AND THE AMOUNT OF EACH APPLICABLE BOND SHALL BE ADJUSTED ACCORDINGLY.

CHANGE IN CONTRACT PRICE: ANY CLAIM FOR AN INCREASE IN CONTRACT PRICE SHALL BE BASED ON WRITTEN NOTICE DELIVERED TO **OWNER OR OWNER'S REPRESENTATIVE** WITHIN FIFTEEN (15) DAYS OF THE OCCURRENCE OF THE EVENT GIVING RISE TO THE CLAIM BUT **BEFORE** THE CONTRACTOR HAS INCURRED ADDITIONAL EXPENSE. NOTICE OF THE AMOUNT OF THE CLAIM WITH WRITTEN SUPPORTING DATA AND EXPLANATION OF THE BASIS OF THE CLAIM SHALL BE DELIVERED WITHIN SEVEN (7) DAYS OF THE OCCURRENCE UNLESS OWNER ALLOWS EXTRA TIME TO ASCERTAIN ACCURATE COST DATA. ANY CHANGE IN CONTRACT PRICE SHALL BE BY CHANGE ORDER. OWNER MAY GRANT CONTRACTOR AN EXTENSION OF TIME FOR RESOLVING A CLAIM FOR ADJUSTMENT BUT IN NO CASE SHALL CONTRACTOR BE ENTITLED TO DAMAGES FOR DELAY.

THE VALUE OF ANY WORK COVERED BY A CHANGE ORDER OR FOR ANY CLAIM OF INCREASE OR DECREASE IN CONTRACT PRICE SHALL BE DETERMINED IN ONE OF THE FOLLOWING WAYS:

1. BY UNIT PRICES CONTAINED IN THE CONTRACT DOCUMENTS; OR
2. MUTUAL ACCEPTANCE OF LUMP SUM OR UNIT PRICES
3. THE ACTUAL COST OF: (1) LABOR, INCLUDING FOREMEN (2) MATERIALS ENTERING PERMANENTLY INTO THE WORK (3) THE OWNERSHIP OR RENTAL COST OF CONSTRUCTION PLANT AND EQUIPMENT DURING THE TIME OF USE ON THE EXTRA WORK
4. POWER AND CONSUMABLE SUPPLIES FOR THE OPERATION OF POWER EQUIPMENT

TO THE COST UNDER (3) THERE SHALL BE ADDED A FIXED FEE TO BE AGREED UPON BUT NOT TO EXCEED TEN PERCENT (10%) UNLESS STATED OTHERWISE IN THE BID PROPOSAL, OF THE ACTUAL COST OF THE WORK. THE FEE SHALL BE COMPENSATION TO COVER THE COST OF SUPERVISION, OVERHEAD, BOND, PROFIT AND ANY OTHER GENERAL EXPENSES. TO THE CHARGE FOR EXTRA WORK UNDER (3) THE CONTRACTOR MAY ADD APPLICABLE LOCAL AND STATE GROSS RECEIPTS TAXES.

CHANGE IN CONTRACT TIME: THE CONTRACTOR EXPRESSLY COVENANTS AND AGREES THAT IN UNDERTAKING TO COMPLETE THE WORK AND HAVING MADE ALLOWANCES FOR ALL OF THE ORDINARY DELAYS AND HINDRANCES INCIDENT TO SUCH WORK WHETHER GROWING OUT OF DELAYS IN SECURING MATERIALS, WORKMEN OR OTHERWISE.

SHOULD THE CONTRACTOR, HOWEVER, BE DELAYED IN THE PROSECUTION AND COMPLETION OF THE WORK BY REASON OF DELAYED SHIPMENT ORDERS, OR BY ANY CHANGES, ADDITIONS OR OMISSIONS THEREIN ORDERED IN WRITING BY THE OWNER OR BY THE ABANDONMENT OF THE WORK BY MEN ENGAGED HEREON THROUGH NO FAULT OF THE CONTRACTOR, OR BY EMBARGOES, ETC. WHICH WOULD EFFECT THE FABRICATION OR DELIVERY OF MATERIALS AND/OR EQUIPMENT TO THE WORK, OR BY DELAYS CAUSED BY COURT PROCEEDINGS, OR WEATHER.

THE CONTRACTOR SHALL HAVE NO CLAIMS FOR DAMAGES FOR ANY CAUSE OR DELAY, BUT HE SHALL IN SUCH CASES, BE ENTITLED TO SUCH EXTENSION OF THE TIME SPECIFIED FOR THE COMPLETION OF THE WORK AS THE OWNER SHALL AWARD IN WRITING ON ACCOUNT OF SUCH DELAYS, PROVIDED HOWEVER, THAT CLAIM FOR SUCH EXTENSION OF TIME IS MADE BY THE CONTRACTOR TO THE OWNER IN WRITING WITHIN ONE WEEK FROM THE TIME WHEN ANY SUCH ALLEGED CAUSE FOR DELAY SHALL OCCUR.

SUSPENSION OF WORK: THE OWNER MAY AT ANY TIME SUSPEND THE WORK OR ANY PART THEREOF FOR A PERIOD NOT TO EXCEED NINETY (90) DAYS BY NOTICE TO THE CONTRACTOR IN WRITING. THE WORK SHALL BE RESUMED BY THE CONTRACTOR WITHIN TEN (10) DAYS AFTER THE DATE FIXED IN THE WRITTEN NOTICE FROM THE OWNER TO THE CONTRACTOR TO DO SO.

BUT IF THE WORK, OR ANY PART THEREOF, SHALL BE STOPPED BY THE NOTICE IN WRITING AFORESAID, AND IF THE OWNER DOES NOT GIVE NOTICE IN WRITING TO THE CONTRACTOR TO RESUME WORK AT A DATE WITHIN NINETY (90) DAYS OF THE DATE FIXED IN THE WRITTEN NOTICE TO SUSPEND, THEN THE CONTRACTOR MAY ABANDON THAT PORTION OF THE WORK SO SUSPENDED, AND HE WILL BE ENTITLED TO THE ESTIMATE AND PAYMENTS FOR ALL WORK DONE ON THE PORTIONS SO ABANDONED.

OWNER'S RIGHT TO DO WORK: IF THE CONTRACTOR SHOULD NEGLECT TO PERFORM THE WORK PROPERLY OR FAIL TO PERFORM ANY PROVISION OF THIS CONTRACT, THE OWNER MAY, WITHOUT PREJUDICE TO ANY OTHER REMEDY, MAKE GOOD SUCH DEFICIENCIES AND DEDUCT THE COST THEREOF FROM THE PAYMENT THEN OR THEREAFTER DUE THE CONTRACTOR.

FINAL EXAMINATION AND ACCEPTANCES: AFTER CONTRACTOR HAS COMPLETED ALL WORK TO THE SATISFACTION OF OWNER AND DELIVERED ALL MAINTENANCE AND OPERATING INSTRUCTION, SCHEDULES, GUARANTEES, BONDS, CERTIFICATES OF INSPECTION, AS-BUILT PLANS AND OTHER DOCUMENTS HE MAY MAKE APPLICATION FOR FINAL PAYMENT FOLLOWING THE PROCEDURE FOR PROGRESS PAYMENTS. THE FINAL APPLICATION FOR PAYMENT SHALL BE ACCOMPANIED BY SUCH DATA AND SCHEDULES AS OWNER MAY REASONABLY REQUIRE, TOGETHER WITH COMPLETE AND LEGALLY EFFECTIVE RELEASES OR WAIVERS (SATISFACTORY TO OWNER) OF ALL LIENS ARISING OUT OF THE CONTRACT DOCUMENTS AND THE LABOR AND SERVICES PERFORMED AND THE MATERIAL AND EQUIPMENT FURNISHED. ALTERNATELY, AND AS APPROVED BY OWNER, CONTRACTOR MAY FURNISH RECEIPTS OR RELEASES IN FULL; AN AFFIDAVIT OF CONTRACTOR THAT THE RELEASES AND RECEIPTS INCLUDE ALL LABOR, SERVICES, MATERIAL, AND EQUIPMENT FOR WHICH A LIEN COULD BE FILED, AND THAT ALL PAYROLLS, MATERIAL, AND EQUIPMENT BILLS, AND OTHER INDEBTEDNESS CONNECTED WITH THE WORK FOR WHICH OWNER OR HIS PROPERTY MIGHT IN ANY WAY BE RESPONSIBLE, HAVE BEEN PAID OR OTHERWISE SATISFIED. IF ANY SUBCONTRACTOR, MATERIALMAN, FABRICATOR, OR

SUPPLIER FAILS TO FURNISH A RELEASE OR RECEIPT IN FULL, CONTRACTOR MAY FURNISH A BOND OR OTHER COLLATERAL SATISFACTORY TO OWNER TO INDEMNIFY HIM AGAINST ANY LIEN. ACCEPTANCE OF FINAL PAYMENT BY THE CONTRACTOR SHALL CONSTITUTE A WAIVE OF ALL CLAIMS BY CONTRACTOR AGAINST OWNER OTHER THAN THOSE PREVIOUSLY MADE IN WRITING AND STILL UNSETTLED.

PAYMENTS: ON OR ABOUT THE FIRST DAY OF EACH MONTH, THE CONTRACTOR WILL MAKE AN APPROXIMATE ESTIMATE OF THE VALUE OF WORK DONE AND UNUSED MATERIALS DELIVERED AND STORED ON THE SITE OF THE WORK DURING THE PREVIOUS CALENDAR MONTH.

AFTER EACH SUCH ESTIMATE HAS BEEN APPROVED BY THE OWNER, THE OWNER SHALL PAY TO THE CONTRACTOR ONE HUNDRED (100%) PERCENT OF THE AMOUNT OF THE WORK COMPLETED LESS PREVIOUS PARTIAL PAYMENTS. PAYMENTS TO THE CONTRACTOR WILL BE MADE WITHIN 21 DAYS OF RECEIPT OF UNDISPUTED AMOUNT OF ANY PAY REQUEST BASED ON WORK COMPLETED.

PAYMENT WITHHELD FROM CONTRACTOR: THE OWNER MAY WITHHOLD OR NULLIFY THE WHOLE OR A PART OF ANY CERTIFICATE, ON ACCOUNT OF SUBSEQUENTLY DISCOVERED EVIDENCE, TO SUCH EXTENT ANY MAY BE NECESSARY TO PROTECT HIMSELF FROM LOSS ON ACCOUNT OF:

A. DEFECTIVE WORK NOT REMEDIED.

B. CLAIMS FILED OR REASONABLE EVIDENCE INDICATING PROBABLE FILING OF CLAIMS.

C. FAILURE OF THE CONTRACTOR TO MAKE PAYMENTS PROPERLY TO SUBCONTRACTORS OR FOR MATERIAL OR LABOR.

D. A REASONABLE DOUBTS THAT THE CONTRACT CAN BE COMPLETED FOR THE UNPAID PORTION OF THE CONTRACT AMOUNT.

E. DAMAGE TO ANOTHER CONTRACTOR.

F. ANY OTHER VIOLATION OF, OR FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CONTRACT. WHEN THE ABOVE GROUNDS ARE REMOVED, PAYMENT SHALL BE MADE FOR AMOUNTS WITHHELD BECAUSE OF THEM.

CHARGES FOR ADDITIONAL INSPECTIONS: SHOULD COMPETION OF THE WORK EXTEND BEYOND THE TIME ALLOWED BY THE CONTRACT DOCUMENTS OR SUPPLEMENTS THERETO, IT IS EXPRESSLY UNDERSTOOD THAT IN ADDITON TO ANY OTHER PENALTY OR DAMAGE SUFFERED BY THE OWNER, THE INPECTION COSTS CAUSED BY VIRTUE OF THE DELAY WILL BE CHARGED TO THE CONTRACTOR AND BE DEDUCTED FROM MONIES DUE TO THE CONTRACTOR AS INCLUDED IN LIQUIDATED DAMAGES SPECIFIED IN THE CONTRACT AND BID DOCUMENTS.

OWNER'S RIGHT TO TERMINATE CONTRACT: IN THE EVENT THAT ANY OF THE PROVISIONS OF THIS CONTRACT ARE VIOLATED BY THE CONTRACTOR, OR BY ANY OF HIS SUBCONTRACTORS, THE OWNER MAY SERVE WRITTEN NOTICE UPON THE CONTRACTOR AND THE SURETY OF HIS INTENTION TO TERMINATE THE CONTRACT. SUCH NOTICES ARE TO CONTAIN THE REASONS FOR INTENTION TO TERMINATE THE CONTRACT AND UNLESS WITHIN THE TIME SPECIFIED IN THE SERVING OF SUCH NOTICE UPON THE CONTRACTOR, SUCH VIOLATION OR DELAY SHALL CEASE AND SATISFACTORY ARRANGEMENT OF CORRECTION BE MADE, THE CONTRACT SHALL, UPON THE EXPIRATION OF SAID TIME PERIOD, CEASE AND TERMINATE. THE OWNER MAY TAKE OVER THE WORK AND PROSECUTE THE SAME TO COMPLETION BY CONTRACT OR BY FORCE ACCOUNT FOR THE ACCOUNT AND AT THE EXPENSE OF THE CONTRACTOR.

THE CONTRACTOR AND HIS SURETY SHALL BE LIABLE TO THE OWNER FOR ANY EXCESS COST OCCASIONED THE OWNER THEREBY, AND IN SUCH EVENT THE OWNER MAY TAKE POSSESSION OF AND UTILIZE IN COMPLETING THE WORK SUCH MATERIALS, APPLIANCES AND PLANT AS MAY BE ON

THE SITE OF THE WORK AND NECESSARY THEREFORE.

TERMINATION FOR CONVENIENCE: OWNER MAY, FOR CONVENIENCE AND WITHOUT CAUSE AND WITHOUT PREJUDICE TO ANY OTHER RIGHT OR REMEDY, ELECT TO TERMINATE THE CONTRACT FOR CONVENIENCE IN THE TIME SPECIFIED IN THE WRITTEN NOTICE.

UPON RECEIPT OF WRITTEN NOTICE, CONTRACTOR SHALL INCUR NO FURTHER OBLIGATIONS IN CONNECTION WITH THE TERMINATED WORK AND, ON THE DATE SET IN THE NOTICE OF TERMINATION; CONTRACTOR SHALL STOP WORK TO THE EXTENT SPECIFIED. CONTRACTOR ALSO SHALL TERMINATE OUTSTANDING ORDERS AND SUBCONTRACTS AS THEY RELATE TO THE TERMINATED WORK.

ALL FINISHED OR UNFINISHED DOCUMENTS, DATA, STUDIES, RESEARCH, SURVEYS, DRAWINGS, MAPS, MODELS, PHOTOGRAPHS, AND REPORTS OR OTHER MATERIALS PREPARED BY CONTRACTOR UNDER THIS CONTRACT SHALL, AT THE OPTION OF THE CITY, BE DELIVERED BY CONTRACTOR TO THE CITY AND SHALL BECOME THE CITY'S PROPERTY.

IN SUCH CASE, CONTRACTOR SHALL BE PAID FOR ALL WORK EXECUTED AND ANY REASONABLE EXPENSE SUSTAINED. EXERCISE BY THE CITY OF THIS TERMINATION FOR CONVENIENCE PROVISION SHALL NOT BE DEEMED A BREACH OF CONTRACT BY THE CITY.

SPECIFICATIONS AND DOCUMENTS: THE BID DOCUMENTS, SPECIFICATIONS, CONTRACT DOCUMENTS AND ALL AMENDMENTS OR ADDENDA TO THE BID DOCUMENTS, SPECIFICATIONS AND CONTRACT DOCUMENTS, IF ANY, ARE ESSENTIAL PARTS OF THE CONTRACT, AND A REQUIREMENT OCCURRING IN ONE IS JUST AS BINDING AS THOUGH OCCURRING IN ALL. THE CONTRACTOR SHALL NOT TAKE ADVANTAGE OF ANY APPARENT ERROR OR OMISSION IN THESE DOCUMENTS. IF THE CONTRACTOR DISCOVERS AN APPARENT ERROR OR DISCREPANCY, HE SHALL IMMEDIATELY CONTACT THE OWNER FOR ITS INTERPRETATION AND DECISION, AND SUCH DECISION SHALL BE FINAL.

SUBCONTRACTORS: CONTRACTOR SHALL NOT EMPLOY ANY SUBCONTRACTOR OR OTHER PERSON OR ORGANIZATION (INCLUDING THOSE WHO ARE TO FURNISH THE PRINCIPAL ITEMS OF MATERIALS OR EQUIPMENT), WHETHER INITIALLY OR AS A SUBSTITUTE, AGAINST WHOM OWNER MAY HAVE REASONABLE OBJECTION. A SUBCONTRACTOR OR OTHER PERSON OR ORGANIZATION IDENTIFIED IN WRITING TO OWNER BY CONTRACTOR PRIOR TO THE NOTICE OF AWARD AND NOT OBJECTED TO IN WRITING BY OWNER PRIOR TO THE NOTICE OF AWARD WILL BE DEEMED ACCEPTABLE TO OWNER. ACCEPTANCE OF ANY SUBCONTRACTOR, OTHER PERSON, OR ORGANIZATION BY OWNER SHALL NOT CONSTITUTE A WAIVER OF ANY RIGHT OF OWNER TO REJECT DEFECTIVE WORK OR WORK NOT IN CONFORMANCE WITH THE CONTRACT DOCUMENTS. IF OWNER, AFTER DUE INVESTIGATION, HAS REASONABLE OBJECTION TO ANY SUBCONTRACTOR, OTHER PERSON, OR ORGANIZATION PROPOSED BY CONTRACTOR AFTER THE NOTICE OF AWARD, CONTRACTOR SHALL SUBMIT AN ACCEPTABLE SUBSTITUTE AND THE CONTRACT PRICE SHALL BE INCREASED OR DECREASED BY THE DIFFERENCE IN COST OCCASIONED BY SUCH SUBSTITUTION AND AN APPROPRIATE CHANGE ORDER SHALL BE ISSUED.

CONTRACTOR SHALL NOT BE REQUIRED TO EMPLOY ANY SUBCONTRACTOR, OTHER PERSON, OR ORGANIZATION AGAINST WHOM HE HAS REASONABLE OBJECTION. CONTRACTOR SHALL NOT WITHOUT THE CONSENT OF OWNER MAKE ANY SUBSTITUTION FOR ANY SUBCONTRACTOR, OTHER PERSON, OR ORGANIZATION WHO HAS BEEN ACCEPTED BY OWNER.

ADDITIONAL BONDS AND INSURANCE: PRIOR TO DELIVERY OF THE EXECUTED AGREEMENT BY OWNER TO CONTRACTOR, OWNER MAY REQUIRE CONTRACTOR TO FURNISH SUCH OTHER BONDS AND SUCH ADDITIONAL INSURANCE, IN SUCH FORM AND WITH SUCH SURETIES OR INSURERS, AS OWNER MAY REQUIRE. IF SUCH OTHER BONDS OR SUCH OTHER INSURANCE ARE SPECIFIED BY WRITTEN INSTRUCTIONS GIVEN PRIOR TO OPENING OF BIDS, THE PREMIUMS SHALL BE PAID BY CONTRACTOR; IF SUBSEQUENT THERETO, THEY SHALL BE PAID BY OWNER.

APPROPRIATIONS: THE TERMS OF THIS AGREEMENT ARE CONTINGENT UPON SUFFICIENT MONIES BEING MADE AVAILABLE BY THE CITY OF GALLUP FOR THE PERFORMANCE OF THIS AGREEMENT. IF SUFFICIENT APPROPRIATIONS AND AUTHORIZATIONS ARE NOT MADE BY THE CITY OF GALLUP, BID

SHALL NOT BE AWARDED AND/OR THIS AGREEMENT SHALL TERMINATE UPON WRITTEN NOTICE BEING GIVEN BY THE CITY TO THE CONTRACTOR. THE CITY'S DECISION AS TO WHETHER SUFFICIENT APPROPRIATIONS ARE AVAILABLE SHALL BE ACCEPTED BY THE CONTRACTOR AND SHALL BE FINAL.

BIDDERS QUALIFICATION STATEMENT
(ATTACH ADDITIONAL PAGES AS NECESSARY)

PROJECT TITLE: **PLUMBING REPAIRS-GALLUP DETOX CENTER**

SUBMITTED BY: _____
(Print or Type Name of Bidder)

ADDRESS: **2205 E. Boyd Avenue, Gallup NM 87301**

The undersigned certifies the truth and correctness of all statements and of all answers to questions made hereinafter:

1. How many years has your organization been in business under its present name?

2. If a corporation, answer the following:
 - a. Date of Incorporation: _____
 - b. State of Incorporation: _____

3. If individual or partnership, answer the following:
 - a. Date of Organization: _____

4. If other than corporation or partnership, describe organization and name principals:

5. Has any construction contract to which you have been a party been terminated by the owner; have you ever terminated work on a project prior to its completion for any reason; has any surety which issued a performance bond on your behalf ever completed the work in its own name or financed such completion on your behalf; has any surety expended any monies in connection with the contract for which they furnished a bond on your behalf? If the answer to any portion of this question is "yes", please furnish details of all such occurrences including name of owner, architect or engineer, and surety, and name and date of project:

6. Has any officer or partner of your organization ever been an officer or partner of another organization that had any construction contract terminated by the owner; terminated work on a project prior to its completion for any reason; had any surety which issued a performance bond complete the work in its own name or financed such completion; or had any surety expend any monies in connection with a contract for which they furnished a bond? If the answer to any portion of this question is "yes", please furnish details of all such occurrences, including name of owner, architect or engineer, and surety, and name and date of project.

7. List projects, contract amount, percent complete and scheduled completion of the construction projects your organization has in process on this date:
 - a. List the projects competed by your firm within the past 3 years, with the final cost of the project, and project contact information:

b. List your construction experience in projects similar to this project:

8. List name and construction experience of the principals in your organization, including officers:

9. List the states and categories of construction in which you organization is legally qualified to do business:

10. List name, address, and telephone number of an individual who represents each of the following and who may be contacted for a financial reference:

a. A surety: _____

b. A bank: _____
CREDIT AVAILABLE: \$ _____

c. A major material supplier: _____

Dated this _____ day of _____ 20____

Bidder: _____
(Print or Type Name of Bidder)

By: _____

Title: _____

Seal of Corporation

SCOPE OF WORK FORMAL BID NO. 1611

All work to be performed in strict accordance to the contract documents and shall include, but not be specifically limited to the following:

Scope of Work outlined below will also be incorporated into this agreement. These items may or may not be clearly defined or identified in the contract documents. (Note: Provide means furnish and install).

The City of Gallup is currently soliciting services for the repair of current showers and the installation of additional showers at the Gallup Detox Center. The Gallup Detox Center is located at 2205 East Boyd Drive in Gallup, NM and is owned by the City of Gallup. The center operates as a substance abuse treatment and short-term detoxification center. The center treats and holds up to 320 people at maximum capacity. Vendors are invited to attend an on-site walk-through prior to submitting bid on 15 APRIL 2016 at 10 a.m. The City of Gallup will use one (1) vendor to provide all services and equipment as listed herein.

Scope of Work:

1. Install sixteen (16) institutional grade shower fixtures in four (4) separate bay showers.
2. Install all valves, pumps, and access panels for all six (6) separate showers.
3. Remove tile, backer board, and existing fixtures in Protective Custody Unit 11.
4. Install two (2) ADA shower fixtures in two (2) privacy bathrooms.
5. Move two (2) existing sinks to bring privacy bathrooms to ADA code compliance.
6. Install automatic flush fixtures to two (2) existing toilets in privacy bathrooms.
7. Remove and install two (2) P-traps in two (2) privacy bathroom showers.
8. Remove two (2) existing, non-functioning water fountains and replace with a new fountain.
9. Remove one (1) existing, non-functioning water heater in the kitchen for the dishwasher and replace with a new water heater.
10. Furnish and install all work in strict accordance with all applicable specifications, local codes and practices, and all items required in the bid documents.
11. Provide labor, materials, tools, task lighting, equipment, layout, transportation and miscellaneous items required to complete the **PLUMBING** work in full and functioning order.
12. Clean-up. If debris is noted, Contractor has 24 hours for clean-up plus the costs associated with removing the debris.
13. Provide all permits, fees and taxes associated with this scope.
14. Provide water heater, shower fixtures, water fountain, pipes, fittings, valves and all miscellaneous items necessary to make a complete and operational plumbing system. System shall be in compliance with **all** applicable codes from **all** governing jurisdictions. Fixtures in privacy units shall be ADA compliant.
15. All materials are to be new.
16. Provide all pipe hangers, supports, etc. necessary for installation of plumbing system.
17. No structural framing member may be cut, notched, moved or otherwise damaged in any manner. Facilities Manager must be notified immediately if any structural framing is damaged in any manner.

Additional Information:

1. Three (3) of the four (4) bay showers have exposed 1" hot and cold water lines for plumbing the showers. The fourth will require removal of tiles and walls to expose existing pipes.
2. The women's bay shower will require approximately 19' of piping to be installed for hot and cold water.
3. The High Risk West bay shower will require approximately 16' of piping to be installed for hot and cold water.
4. The High Risk East bay shower will require approximately 16' of piping to be installed for hot and cold water.
5. The Protective Custody Unit 11 bay shower will require approximately 12' of piping to be installed for hot and cold water.

**SUBCONTRACTOR LISTING
Formal Bid No. 1611**

The Subcontractor Listing Threshold For This Project Is \$5,000, And Attached To The Bid In Compliance With 13-4-32 Thru 13-4-43 NMSA 1978, Together With The City Or County Location Of Their Place Of Business Listed. The Following Subcontractors Will Work On The Construction Of The Project If My Proposal Is Accepted. List only one entry for each category of work as defined by Contractor. Bidder Represents That He Is Licensed And Qualified To Perform 100% Of The Category Of Work For Which No Subcontractor Is Listed. D.W.S. Registration Number Required If Amount Of Work Exceeds \$60,000.

Company Name: _____
 Address: _____
 City/County: _____ State: _____
 Work to be Performed: _____
 Amount (\$): _____
 License No.: _____
 DWS Registration No. _____

Company Name: _____
 Address: _____
 City/County: _____ State: _____
 Work to be Performed: _____
 Amount (\$): _____
 License No.: _____
 DWS Registration No. _____

Company Name: _____
 Address: _____
 City/County: _____ State: _____
 Work to be Performed: _____
 Amount (\$): _____
 License No.: _____
 DWS Registration No. _____

Company Name: _____
 Address: _____
 City/County: _____ State: _____
 Work to be Performed: _____
 Amount (\$): _____
 License No.: _____
 DWS Registration No. _____

Company Name: _____
 Address: _____
 City/County: _____ State: _____
 Work to be Performed: _____
 Amount (\$): _____
 License No.: _____
 DWS Registration No. _____

Company Name: _____
 Address: _____
 City/County: _____ State: _____
 Work to be Performed: _____
 Amount (\$): _____
 License No.: _____
 DWS Registration No. _____

Company Name: _____
 Address: _____
 City/County: _____ State: _____
 Work to be Performed: _____
 Amount (\$): _____
 License No.: _____
 DWS Registration No. _____

Company Name: _____
 Address: _____
 City/County: _____ State: _____
 Work to be Performed: _____
 Amount (\$): _____
 License No.: _____
 DWS Registration No. _____

-No Contractor whose Proposal is accepted shall permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original Proposal without the consent of the using agency.

-No Contractor whose Proposal is accepted, other than in the performance of change orders causing changes or deviations from the original contract, shall sublet or subcontract any portion of the work in excess of the listing threshold as to which his original Proposal did not designate a Subcontractor unless:

(1) the Contractor fails to receive a Proposal from a category of work. Under such circumstances, the contractor may subcontract. The Contractor shall designate on the listing form that **no Proposal was received** or;

(2) the Contractor fails to receive more than one Proposal for a category of work. Under such circumstances, the Contractor may subcontract. The Contractor shall state on the listing form that **only one Subcontractor's Proposal was received**, together with the name of the Subcontractor. This designation shall not occur more than one time on the Subcontractor list.

ADDITIONAL COPIES MAY BE MADE IF NECESSARY

**CITY OF GALLUP
PROPOSAL FORM FOR CONTRACT
Formal Bid No. 1611**

PROJECT: PLUMBING REPAIRS-GALLUP DETOX CENTER, 2205 E. BOYD AVENUE, GALLUP NM

PROPOSAL OF _____ (HEREINAFTER CALLED THE BIDDER),
A CORPORATION, ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF NEW MEXICO, A
PARTNERSHIP OR AN INDIVIDUAL DOING BUSINESS AS

TO THE CITY OF GALLUP (HEREINAFTER CALLED THE OWNER).

THE BIDDER IN COMPLIANCE WITH YOUR INVITATION FOR BIDS FOR THE ABOVE-NAMED PROJECT, HAS EXAMINED BIDDING DOCUMENTS AND THE SITE OF THE PROPOSED WORK, AND BEING FAMILIAR WITH ALL OF THE EXISTING BUILDING AND CONDITIONS SURROUNDING THE CONSTRUCTION OF THE PROPOSED PROJECT, INCLUDING THE AVAILABILITY OF MATERIALS AND SUPPLIES AND TO CONSTRUCT THE PROJECT IN ACCORDANCE WITH THE CONTRACT DOCUMENTS WITHIN THE TIME SET FORTH AND AT THE PRICES STATED BELOW. THESE PRICES ARE TO COVER ALL EXPENSES INCURRED IN PERFORMING THE WORK REQUIRED UNDER THE CONTRACT DOCUMENTS, OF WHICH THIS PROPOSAL IS A PART, INCLUDING ANY APPLICABLE BUILDING PERMIT OR OTHER FEES.

BID SECURITY: SHALL BE SUBMITTED WITH THE BID AND MADE PAYABLE TO THE OWNER IN THE AMOUNT OF FIVE PERCENT (5%) OF THE BID SUM. SECURITY SHALL BE BY CASH, CERTIFIED OR CASHIER'S CHECK OR A BID BOND PREPARED ON A FORM ACCEPTABLE TO THE OWNER, ISSUED BY A SURETY LICENSED TO DO BUSINESS IN THE STATE WHERE THE PROJECT IS LOCATED. THE OWNER WILL RETAIN THESE SECURITIES FOR 45 DAYS OR UNTIL A CONTRACT HAS BEEN ENTERED INTO, WHICHEVER IS SHORTER. SHOULD THE LOW BIDDER REFUSE TO ENTER INTO A CONTRACT, THE OWNER WILL RETAIN HIS SECURITY AS LIQUIDATED DAMAGES, NOT AS A PENALTY. IF THE LOWEST BIDDER FAILS TO ENTER INTO A CONTRACT, THEN THE NEXT LOWEST BIDDER WILL BE CONSIDERED AS THE LOWEST BIDDER.

PERFORMANCE AND PAYMENT BOND: IN ADDITION THE SUCCESSFUL BIDDER SHALL EXECUTE A PERFORMANCE BOND AND A PAYMENT BOND EACH WITH A CORPORATE SURETY AUTHORIZED TO DO BUSINESS IN THE STATE OF NEW MEXICO AND SAID SURETY TO BE APPROVED IN FEDERAL CIRCULAR 570 AS PUBLISHED BY THE U.S. TREASURY DEPARTMENT, EACH IN THE SUM OF 100% OF THE TOTAL BID PRICE, WITHIN SEVEN (7) DAYS OF NOTICE OF AWARD.

LIQUIDATED DAMAGES: LIQUIDATED DAMAGES IN THE AMOUNT OF \$150 PER DAY SHALL BE ASSESSED FOR EVERY CALENDAR DAY PAST THE STATED COMPLETION DATE. COMPLETION DATE IS 30 DAYS AFTER NOTICE TO PROCEED IS ISSUED.

TAXES: THE PROPOSAL TOTAL SHALL EXCLUDE ALL APPLICABLE TAXES. THE CITY WILL PAY ANY TAXES DUE ON THE CONTRACT BASED UPON BILLING SUBMITTED BY THE CONTRACTOR, AT THE APPLICABLE TAX RATE. TAXES SHALL BE SHOWN AS A SEPARATE AMOUNT ON ANY BILLING OR REQUEST FOR PAYMENT.

BIDDER HEREBY AGREES TO COMMENCE WORK UNDER THIS CONTRACT ON THE DATE SPECIFIED IN THE NOTICE TO PROCEED. BIDDER SHALL PROVIDE A CERTIFICATE OF INSURANCE IN COMPLIANCE WITH THE STATE OF NEW MEXICO CONSTRUCTION INDUSTRIES DIVISION RULES AND REGULATION AND THE TERMS OF THIS BID. IF REQUIRED BY LAW, BIDDER SHALL PROVIDE EVIDENCE OF WORKMEN'S COMPENSATION INSURANCE.

**BID PROPOSAL FORM
FORMAL BID NO. 1611
(FOR LUMP SUM CONTRACT ONLY)**

THE BIDDER AGREES TO PERFORM ALL THE WORK AS DESCRIBED IN THE GENERAL CONDITIONS AND PLANS, IF ANY, TO PROVIDE PLUMBING REPAIRS-GALLUP DETOX CENTER FOR THE FOLLOWING LUMP SUM:

THIS IS A TOTAL ALL OR NONE AWARDED BID

1. BASE BID (EXCLUDING TAXES):

_____ \$ _____
(SHOW AMOUNTS IN FIGURES AND WORDS)

PLUS NEW MEXICO GROSS RECEIPTS TAX (@ 8.3125%)

_____ \$ _____
(SHOW AMOUNTS IN FIGURES AND WORDS)

TOTAL (INCLUDING TAXES):

_____ \$ _____
(SHOW AMOUNTS IN FIGURES AND WORDS)

IN THE CASE OF A DISCREPANCY, THE AMOUNTS SHOWN IN WORDS SHALL GOVERN.

SUBMITTED BY: Business Name _____

SIGNED By: _____
Authorized Signature

Name Printed or Typed

Title

Address

Phone & Fax Number

City, State, Zip

Email Address

D.W.S. Registration No.

N.M. Contractor's License No.

ADDENDA: BIDDER ACKNOWLEDGES RECEIPT OF THE FOLLOWING AMENDMENTS:

Initials

AMENDMENT No. 1: _____ Date _____

AMENDMENT No. 2 : _____ Date _____

AMENDMENT No. 3 : _____ Date _____

AMENDMENT No. 4 : _____ Date _____

AMENDMENT No. 5 : _____ Date _____

AMENDMENT No. 6 : _____ Date _____

FAILURE TO ACKNOWLEDGE RECEIPT AS PROVIDED ABOVE MAY BE SUFFICIENT GROUNDS FOR DISQUALIFICATION OF THE BIDDER AND REJECTION OF HIS PROPOSAL. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO BECOME FULLY ADVISED OF ALL ADDENDA PRIOR TO SUBMITTING A BID.

Bidder's Checklist of Required Documents:

- Bidder's Qualification Statement, Pages 18-19
- Subcontractor's Listing (1 Page, attach additional pages if needed), Page 21
- Proposal Form for Contract, Page 22
- Bid Proposal Form, Pages 23
- Bid Bond (5%) (2 Pages), Pages 25-26
- Bidders must include a Copy of New Mexico Resident Contractors Certificate or New Mexico Resident Veteran Contractors Certificate (if applicable, to qualify for application of State Preference to the bid) Page 27
- Acknowledge Receipts of Amendments (if any), Page 24 (this page).
- W9 (Completed and signed).

BID BOND

BIDDER (Name and Address):

SURETY (Name and Address of Principal Place of Business):

OWNER (Name and Address):

City of Gallup

110 West Aztec Ave., PO Box 1270

Gallup, NM

BID

BID DUE DATE:

PROJECT (Brief Description Including Location):

BOND

BOND NUMBER: _____

DATE (Not later than Bid due date): _____

PENAL SUM _____

(Words)

(Figures)

IN WITNESS WHEREOF, Surety and Bidder, intending to be legally bound hereby, subject to the terms printed on the reserve side hereof, do each cause this Bid Bond to be duly executed on its behalf by its authorized officer, agent, or representative.

BIDDER

SURETY

(Seal)

(Seal)

Bidder's Name and Corporate Seal

Surety's Name and Corporate Seal

By: _____

Signature and Title

By: _____

Signature and Title
(Attach Power of Attorney)

Attest: _____

Signature and Title

Attest: _____

Signature and Title

Note: (1) Above addresses are to be used for giving required notice.

(2) Any singular reference to Bidder, Surety, OWNER or other party shall be considered plural where applicable.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to pay to OWNER upon default of Bidder the penal sum set forth on the face of this Bond.

2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the bidding Documents (or any extension thereof agreed to in writing by OWNER) the executed Agreement

required by the Bidding Documents and any performance and payment Bonds required by the Bidding Documents.

3. This obligation shall be null and void if:
 - 3.1 OWNER accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by OWNER) the executed Agreement required by the Bidding Documents and any performance and payment Bonds required by the Bidding Documents, or
 - 3.2 All Bids are rejected by OWNER, or
 - 3.3 OWNER fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default by Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from OWNER, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by OWNER and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in paragraph 4 above is received by Bidder and Surety and in no case later than one year after Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent or representative who executed this Bond on behalf of Surety to execute, seal and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirements of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer or proposal as applicable.

Resident Veterans Preference Certification

(Return this form with your bid if you are certified as a NM Resident Veteran's Contractor)

_____(NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement:

Please check one box only

- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.
- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.
- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference discount on this bid or proposal. I understand that giving false or misleading information about this fact constitutes a crime.

"I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31, the following to be true and accurate:

"In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22, NMSA 1978, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

"I understand that knowingly giving false or misleading information on this report constitutes a crime."

I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime.

(Signature of Business Representative)*

Date

*Must be an authorized signatory for the Business

The representations made in checking the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award or unaward of the procurement involved if the statements are proven to be incorrect.

CONTRACT

THIS AGREEMENT, made this day of _____, 20__, by and between _____, hereinafter called the "OWNER" and _____, hereinafter called the "CONTRACTOR".

WITNESSETH: That for and in consideration of the payment and agreements hereinafter mentioned, to be made and performed by the OWNER, the CONTRACTOR hereby agrees with the OWNER to commence and complete the demolition described as follows:

_____ hereinafter called the project, for the sum of:

_____ Dollars (\$ _____) and all work in connection therewith, under the terms as stated in the Terms, Conditions and Plans of the bid and this Contract; and at his (it's or their) own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, labor, insurance and other accessories and services necessary to complete the said project in accordance with the conditions and prices stated in the Proposal, the Terms and Conditions of the bid and the Contract, the plans, specifications and contract documents here fore as prepared by _____ and the City of Gallup, all of which are made a part hereof and collectively constitute the Contract.

The Contractor hereby agrees to commence work under this Contract on or before a date to be specified in a written "*Notice to Proceed*" of the OWNER and to fully complete the project within _____ () consecutive calendar days thereafter. The CONTRACTOR further agrees to pay, as liquidated damages, the sum of _____ Dollars (\$ _____) for each consecutive calendar day thereafter as hereinafter provided in the Special and General Conditions.

IN WITNESS WHEREOF, the parties to these presents have executed this Contract in four (4) counterparts, each of which shall be deemed an original, in the year and day first above mentioned.

(SEAL)
ATTEST: _____

City of Gallup, New Mexico
OWNER

BY:

SIGNATURE

NAME TYPED OR PRINTED

TITLE

(CORPORATE SEAL)

CONTRACTOR

BY:

SIGNATURE

NAME TYPED OR PRINTED

TITLE

CITY OF GALLUP

PAYMENT BOND

KNOW ALL MEN BY THESE PRESENT: That we, the undersigned _____
_____ hereinafter called *Principal* and _____ a
corporation authorized under the laws of the State of New Mexico, hereinafter called the Surety, are held and firmly
bound unto the City of Gallup as Obligee, hereinafter called *OWNER* in the penal sum _____
_____ Dollars (\$ _____) in lawful money of the United States, for payment of which sum well and
truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally,
firmly by these present.

THE CONDITION OF THIS OBLIGATION is such that Whereas, the Principal entered into a written
contract with the Owner, dated the _____ day of _____,
20____, a copy of which is hereto attached and made a part thereof for the demolition of:

NOW THEREFORE, if the Principal shall promptly make payment to all persons, firms, subcontractors and
corporations furnishing materials for or performing labor in the prosecution of the work provided for in such
contract, and any authorized extension or modification thereof, Including all amounts due for materials, lubricants,
oil, gasoline, repairs on machinery, equipment and tools, consumed or used in connection with the construction of
such work whether by subcontractor or otherwise, then this obligation shall be void; otherwise to remain in full force
and effect.

The right to sue on this bond accrues only to the Owner and the parties to whom New Mexico Statutes
Annotated, 1978, 13-4-18 through 13-4-20, as amended, grant such right; and any such right shall be exercised
only in accordance with the provisions and limitations of said statutes. Venue upon any suit brought upon this bond
shall be in the District Court of McKinley County, New Mexico.

PROVIDE FURTHER, that the said Surety, for value received, hereby stipulates and agrees that no
change, extension of time, alteration or addition to the terms of the contract or to the work to be performed
thereunder or the specifications accompanying the same in any way affect its obligations or this bond, and it does
hereby waive notice of any such change, extension of time, alteration or addition to the terms of the contract or to
the work to the specifications.

PROVIDED, FURTHER, that no final settlement between the Owner and the contractor shall abridge the
right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executing in four (4) counterparts, each one of which shall be
deemed an original, and this the _____ day of _____, 20_____.

ATTEST:

(Principal) Secretary

SEAL

Witness as to Principal

Address

City State Zip

ATTEST:

(Surety) Secretary

SEAL

Witness as to Surety

Address

City State Zip

Principal

By: _____

Address: _____

City State Zip

Surety

By: _____

Attorney-in-Fact

Address

City State Zip

CITY OF GALLUP

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENT: That we, the undersigned _____
_____ hereinafter called *Principal* and _____ a
corporation authorized under the laws of the State of New Mexico, hereinafter called the Surety, are held and firmly
bound unto the City of Gallup as Obligee, hereinafter called *OWNER* in the penal sum _____
_____ Dollars (\$ _____) in lawful money of the United States, for payment of which sum well and
truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally,
firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that Whereas, the Principal entered into a written
contract with the Owner, dated the _____ day of _____,
20____, a copy of which is hereto attached and made a part thereof for the demolition of:
_____.

NOW THEREFORE, if the Principal shall will, truly and faithfully perform its duties, all the undertakings, covenants,
terms, conditions, and agreements of said contract during the original term thereof, and any extensions thereof
which may be granted by the Owner with or without notice to the Surety, and if he shall satisfy all claims and
demands incurred under such contract, and shall fully indemnify and save harmless the Owner from all costs and
damages which it may suffer by reason of failure to do so, and shall reimburse and repay the Owner all outlay and
expense which the Owner may incur in making good any default, and shall promptly make payment to all persons,
firms, subcontractors, and corporations furnishing materials for or performing labor in the prosecution of the work
provided for in such contract, and any authorized extension or modification thereof, including all amounts due for
materials, lubricants, oil, gasoline, repairs on machinery, equipment and tools, consumed or used in connection
with the construction of such work, and all insurance premiums on said work, and for all labor, performed in such
work whether by subcontractor or otherwise, and if the said principal shall for a period of one (1) year from and
immediately following the completion of said contract and acceptance thereof by the Owner guarantee all work
performed under the contract against faulty or defective materials and workmanship at his own expense and at no
cost to the Owner, then this obligation shall be void; otherwise to remain in full force and effect.

Whenever Contractor shall be, and declared by Owner to be in default under the agreement, the Owner
having performed the Owner's obligations thereunder, the Surety will promptly remedy the default.

PROVIDE FURTHER, that the said Surety, for value received, hereby stipulates and agrees that no
change, extension of time, alteration or addition to the terms of the contract or to the work to be performed
thereunder or the specifications accompanying the same in any way affect its obligations or this bond, and it
does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the
contract or to the work to the specifications.

PROVIDED, FURTHER, that no final settlement between the Owner and the contractor shall abridge the
right of way beneficiary hereunder, whose claim may be unsatisfied.

VENUE upon any suit brought upon this bond shall be in the District Court of McKinley County, New Mexico.

IN WITNESS WHEREOF, this instrument is executing in four (4) counterparts, each one of which shall be deemed an original, and this the _____ day of _____, 20_____.

ATTEST:

(Principal) Secretary

Principal

By:_____

Address:_____

City State Zip

SEAL

Witness as to Principal

Address

City State Zip

ATTEST:

(Surety) Secretary

Surety

By:_____
Attorney-in-Fact

Address

City State Zip

SEAL

Witness as to Surety

Address

City State Zip

NOTICE OF AWARD

Dated: _____

TO: _____
(BIDDER)

ADDRESS: _____

Contract: PLUMBING REPAIRS-GALLUP DETOX CENTER
(Insert name of Contract as it appears in the Bidding Documents)

Project: Same as Above

OWNER's Contract No. City of Gallup, Formal Bid No. 161

You are notified that your Bid dated _____ for the above Contract has been considered. You are the apparent Successful Bidder and have been awarded a Contract FOR:
Plumbing Repairs-Gallup Detox Center,
2205 E. Boyd Avenue Gallup NM
(Indicate total Work, alternates or sections or Work awarded)

The Contract Price of your Contract is _____

Four (4) copies of each of the proposed Contract Documents accompany this Notice of Award.

You must comply with the following conditions precedent within **Seven (7)** days of the date of this Notice of Award, that is by _____.

1. Deliver to the OWNER 4 fully executed counterparts of the Contract Documents. Each of the Contract Documents must bear your signature
2. Deliver with the executed Contract Documents the Contract security (Performance and Payment Bonds) as specified in the General Conditions
3. Before you may start any Work at the Site, the General Conditions provide that you must each deliver to the OWNER certificates of insurance which you are required to purchase and maintain in accordance with the Contract Documents.
4. Before starting work, have or obtain a valid City of Gallup Business License.
5. Furnish a current IRS form W-9 bearing an original signature.

Failure to comply with these conditions within the time specified will entitle OWNER to consider your Bid in default, to annul this Notice of Award and to declare your Bid security forfeited.

Within ten days after you comply with the above conditions, OWNER will return to you one fully executed counterpart of the Contract Documents.

City of Gallup

(OWNER)

By:

(AUTHORIZED SIGNATURE)

(TITLE)

NOTICE TO PROCEED

Dated: _____

TO: _____
(CONTRACTOR)

ADDRESS: _____

Contract: PLUMBING REPAIRS-GALLUP DETOX CENTER, 2205 E. BOYD AVENUE
GALLUP NM 87301
(Insert name of Contract as it appears in the Bidding Documents)

Project: Same as above

OWNER's Contract No. City of Gallup, Formal Bid No. 1611

You are notified that the Contract Times under the above contract will commence to run on _____. By that date, you are to start performing your obligations under the Contract Documents.

Also, before you may start any Work at the Site, you must
(add other requirements)

(OWNER)

By: _____
(AUTHORIZED SIGNATURE)

(TITLE)

CITY OF GALLUP
CENTRAL PURCHASING OFFICE
P.O. BOX 1270
GALLUP, NEW MEXICO 87305-1270
PHONE 505-863-1232; FAX 505-722-5133
EMAIL: frodriguez@gallupnm.gov

AMENDMENT NO. One (1)

BID NO. 1611

TITLE: Plumbing Repairs-Gallup Detox Center

THE FOLLOWING REVISIONS, ADDITIONS AND/OR CLARIFICATIONS SHALL FORM A PART OF THE PROPOSAL DOCUMENTS AND EACH OFFEROR SHALL INDICATE WITH THEIR PROPOSAL THE RECEIPT OF THIS NUMBERED AMENDMENT. REVISIONS, ADDITIONS, AND/OR CLARIFICATIONS ARE AS FOLLOWS:

- 1.) The pre-bid meeting is in fact scheduled for **April 15, 2016 at 10:00 at Gallup Detox Center**. Please disregard last sentence in General Conditions, page 5: Visit Site of Work section that makes an INCORRECT reference of pre-bid meeting date of April 22, 2016.

BID DATE AND TIME REMAIN UNCHANGED!!

DATE: April 14, 2016

BY/S/ Frances Rodriguez
Frances Rodriguez, Purchasing Director

Acknowledge
Receipt Amendment No. One (1)

BY/S/ _____
Authorized Signature of Offeror/Bidder

COMPANY NAME:

[TO ACKNOWLEDGE RECEIPT, RETURN ONE (1) COPY WITH PROPOSAL]

CITY OF GALLUP
CENTRAL PURCHASING OFFICE
P.O. BOX 1270
GALLUP, NEW MEXICO 87305-1270
PHONE 505-863-1232; FAX 505-722-5133
EMAIL: frodriguez@gallupnm.gov

AMENDMENT NO. Two (2)

BID NO. 1611

TITLE: Plumbing Repairs-Gallup Detox Center

THE FOLLOWING REVISIONS, ADDITIONS AND/OR CLARIFICATIONS SHALL FORM A PART OF THE PROPOSAL DOCUMENTS AND EACH OFFEROR SHALL INDICATE WITH THEIR PROPOSAL THE RECEIPT OF THIS NUMBERED AMENDMENT. REVISIONS, ADDITIONS, AND/OR CLARIFICATIONS ARE AS FOLLOWS:

- 1.) **Addition:** Installation of two (2) new ADA height toilets in two separate privacy restrooms.
- 2.) **Addition:** Repair of wall penetrations after moving existing sinks in two separate privacy restrooms.
- 3.) **Clarification:** The work to be performed per this bid and scope of work will need to be coordinated with *Business Environments* who will provide tile and installation of tile in affected areas of plumbing repairs. Tile project time will be taken into consideration to contractor's project completion time.

BID DATE AND TIME REMAIN UNCHANGED!!

DATE: April 15, 2016

BY/S/ Frances Rodriguez
Frances Rodriguez, Purchasing Director

Acknowledge
Receipt Amendment No. Two (2)

BY/S/ _____
Authorized Signature of Offeror/Bidder

COMPANY NAME:

[TO ACKNOWLEDGE RECEIPT, RETURN ONE (1) COPY WITH PROPOSAL]

CITY OF GALLUP
CENTRAL PURCHASING OFFICE
P.O. BOX 1270
GALLUP, NEW MEXICO 87305-1270
PHONE 505-863-1232; FAX 505-722-5133
EMAIL: frodriguez@gallupnm.gov

AMENDMENT NO. Three (3)

BID NO. 1611

TITLE: Plumbing Repairs-Gallup Detox Center

THE FOLLOWING REVISIONS, ADDITIONS AND/OR CLARIFICATIONS SHALL FORM A PART OF THE PROPOSAL DOCUMENTS AND EACH OFFEROR SHALL INDICATE WITH THEIR PROPOSAL THE RECEIPT OF THIS NUMBERED AMENDMENT. REVISIONS, ADDITIONS, AND/OR CLARIFICATIONS ARE AS FOLLOWS:

- 1.) **Addition:** Remove two (2) existing domestic water heaters and install commercial grade hot water heater(s) with capacity for eighteen (18) showers in facility.
- 2.) **Addition:** Remove and install pipes, fittings, valves, pumps, etc for the upgrade to new water heater(s)

BID DATE AND TIME REMAIN UNCHANGED!!

DATE: April 15, 2016

BY/S/ Frances Rodriguez
Frances Rodriguez, Purchasing Director

Acknowledge
Receipt Amendment No. Three (3)

BY/S/ _____
Authorized Signature of Offeror/Bidder

COMPANY NAME:

[TO ACKNOWLEDGE RECEIPT, RETURN ONE (1) COPY WITH PROPOSAL]

BID PROPOSAL FORM
FORMAL BID NO. 1611
(FOR LUMP SUM CONTRACT ONLY)

THE BIDDER AGREES TO PERFORM ALL THE WORK AS DESCRIBED IN THE GENERAL CONDITIONS AND PLANS, IF ANY, TO PROVIDE PLUMBING REPAIRS-GALLUP DETOX CENTER FOR THE FOLLOWING LUMP SUM:

THIS IS A TOTAL ALL OR NONE AWARDED BID

1. BASE BID (EXCLUDING TAXES):

fifty-thousand nine-hundred eighty-four \$ 50,984.77
(SHOW AMOUNTS IN FIGURES AND WORDS) and seventy-four cents

PLUS NEW MEXICO GROSS RECEIPTS TAX (@ 8.3125%)

four-thousand two-hundred thirty-eight \$ 4,238.11
(SHOW AMOUNTS IN FIGURES AND WORDS) and eleven cents

TOTAL (INCLUDING TAXES):

Fifty-five thousand two hundred twenty-two and 88/100 \$ 55,222.88
(SHOW AMOUNTS IN FIGURES AND WORDS)

IN THE CASE OF A DISCREPANCY, THE AMOUNTS SHOWN IN WORDS SHALL GOVERN.

SUBMITTED BY: Business Name William's Plumbing

SIGNED BY: [Signature]
Authorized Signature

Chris Mortensen
Name Printed or Typed

Member
Title

PO Box 2229
Address

Fax 722-7189
Phone 722-4461
Phone & Fax Number

Gallup, NM 87305
City, State, Zip

williams-plumbing@hotmail.com
Email Address

Not required for jobs
under \$60K
D.W.S. Registration No.

NM MM98 #358461
N.M. Contractor's License No.

Discussion/Action Topic 13

**Contract Award and Budget Adjustment for Shower Tiling Repairs
at the Gallup Detox Center**

Jon DeYoung, Assistant to the City Manager



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: MAY 24, 2016

SUBJECT: Approval of LET Expenditure for Detox Center Shower Tiling Repairs
DEPT. OF ORIGIN: Assistant to the City Manager
DATE SUBMITTED: 05/20/2016
SUBMITTED BY: J.M. DeYoung

Summary:

Tiling installation and repairs to the Detox Center for six (6) separate shower areas and installation of all materials and miscellaneous items required to complete the tiling work in full and functioning order. This is a health and welfare issue presented to the State of New Mexico.

Fiscal Impact:

Reviewed By: _____

Patty Holland
Finance Department

\$78,745.43 Liquor Excise Tax funds and budget adjustment approval

Attachments: Floorcovering Proposal by Business Environments.

Legal Review:

Approved As To Form: _____

[Signature]
City Attorney

Recommendation:

Recommended approval of quote/contract with Business Environments and necessary budget adjustment.

Approved for Submittal By:

[Signature]
Department Director

[Signature]
City Manager

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

Resolution No. _____	Continued To: _____
Ordinance No. _____	Referred To: _____
Approved: _____	Denied: _____
Other: _____	File: _____



FACSIMILE TRANSMITTAL SHEET

TO: Frances Rodriguez	FROM: John Garcia
COMPANY: City of Gallup	DATE: 5/19/2016
FAX NUMBER: 505-722-5133	TOTAL NO. OF PAGES INCLUDING COVER: 1
PHONE NUMBER: 505-863-1334	SENDER'S REFERENCE NUMBER:
RE: Detox Shower floors & walls	YOUR REFERENCE NUMBER:

FLOORCOVERING PROPOSAL

State of New Mexico General Services Department Per Price Agreement Award #20-000-00-00051

ITEM	Description	Color	Unit	Quantity	Unit Cost	Extended Cost
	Through Body Porcelain	TBD	SQ/FT	2000	\$ 2.60	\$ 5,200.00
	Tile Removal		SQ/FT	1200	\$ 5.10	\$ 6,120.00
	Patching Materials Only		Pound	3500	\$ 1.70	\$ 5,950.00
	Tile Labor		SQ/FT	2000	\$ 10.25	\$ 20,500.00
	Crack Isolation		SQ/LF	1350	\$ 2.65	\$ 3,577.50
	Waterproof Membrane		SQ/FT	1650	\$ 3.00	\$ 4,950.00
	Install Bullnose		LN/FT	500	\$ 1.50	\$ 487.50
	Cementations Board		SQ/FT	1400	\$ 1.80	\$ 2,520.00
	Subfloor Prep/Polish Concrete	Per/Man	Man/HRS	500	\$ 45.00	\$ 22,500.00
	Bond				\$	\$ 1,900.00
	Tax on Labor 8.31%				\$ 60,655.00	\$ 5,040.43
	Total					\$ 78,745.43

Price includes all showers including 2 shower pans & polish concrete.

Thank you,

John Garcia

5351 WILSHIRE AVE NE, ALBUQUERQUE, NM 87113

PH: 505-888-4400 FAX: 505-889-9146

DIRECT LINE: 505-830-7885 CELL: 505-999-8040

e-mail: jgarcia@businessenvironments.com

Discussion/Action Topic 14

Contract Award for Boardman and Ridgecrest Water Line Projects

Richard Matzke, Electric Director



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Boardman and Ridgecrest Water Line Projects – Bid Award
DEPT. OF ORIGIN: Water/Wastewater/Solid Waste
DATE SUBMITTED: May 20, 2016
SUBMITTED BY: Richard Matzke

Summary: The Boardman Drive and Ridgecrest Avenue Waterline Extensions were advertised under Formal Bid No. 1610 on April 6, 2016. Bids were opened on April 28, 2016 and a total of 6 qualified bids were received. The low bidder was NM Underground Utilities, with \$259,829.75 for Boardman Drive and 53,050 for Ridgecrest Avenue, for a combined total of \$338,887.88, including NMGRU. Both bids are within budget for these projects.

Fiscal Impact:

Reviewed By: *Patty Holland*
Finance Department

Low bid is within budget for projects CI1630 and CI1631

Attachments: Advertisement for Bids and Tabulation sheet for Formal Bid No. 1610

Legal Review:

Approved As To Form: *[Signature]*
City Attorney

Recommendation: Staff recommends that both projects be awarded to the low bidder, NM Underground Utilities.

Approved for Submittal By:

[Signature]

Department Director

[Signature]

City Manager

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

Resolution No. _____	Continued To: _____
Ordinance No. _____	Referred To: _____
Approved: _____	Denied: _____
Other: _____	File: _____

ADVERTISEMENT FOR BIDS

**CITY OF GALLUP
BOARDMAN DRIVE & RIDGECREST AVENUE
WATERLINE EXTENSIONS**

**CITY OF GALLUP, NEW MEXICO
Formal Bid No. 1610**

Notice is hereby given that the City of Gallup, New Mexico will receive sealed bids for construction of CITY OF GALLUP BOARDMAN DRIVE & RIDGECREST AVENUE WATERLINE EXTENSIONS until the hour of 2:00 p.m., local time, April 28, 2016 at the office of the Procurement Manager at City Hall, 110 West Aztec Avenue, Gallup, New Mexico. Bids will be opened, read and tabulated at that time. No bids will be received or considered if received after the time stated above.

LOT 1 – BOARDMAN DRIVE

This portion of the project consists of installing approximately 2,125 linear feet of 10 inch C900-07 DR18 waterline as shown on the contract drawings. Waterline will be installed under existing wash, through landscaping including trees and across Boardman Drive. Work will include two (2) tie-in connections to existing 8-inch waterline material specified in contract drawings. Work will include installation of 20-inch schedule 40 steel casing and PVC carrier pipe (L=81') with restraints across Boardman Drive (Hwy NM 564). Work will include installation of three (3) fire hydrant assemblies and a number of gate valves and fittings. Work site is along and across Boardman Drive (Hwy NM 564). Traffic control will be required. Work will include trenching, backfilling, compaction and compaction testing. Sidewalk, curb/gutter and asphalt removal and replacement will be required. Advertisement and notification of water shut-off of all affected customers 48 hours prior to shut-off is included in this portion of work. This portion of the project is located in Gallup, New Mexico adjacent and across Boardman Drive (Hwy NM 564).

LOT 2 – RIDGECREST AVENUE

This portion of the project consists of installing approximately 350 linear feet of 6 inch C900-07 DR18 waterline. Waterline installation will be within an existing residential asphalt road. Work shall include two (2) tie-ins to existing A.C. and D.I. waterlines, as well as gate valves and fitting installation. Traffic control will be required. Work will

include trenching, backfilling, compaction and compaction testing. Asphalt removal and replacement will be required. This portion of the project is located in Gallup, New Mexico within Ridgecrest Avenue.

Plans, Specifications and Bidding Documents may be examined at the office of the Purchasing Director 110 West Aztec, Gallup, NM 87301, (505) 863-1334. Additional information regarding this bid may also be viewed at www.GallupNM.gov/bids.

Plans, Specifications and Bidding Documents may be obtained from DePauli Engineering and Surveying, LLC, 307 S. 4th Street, Gallup, New Mexico 87301, (505) 863-5440, upon deposit of \$250.00, all of which will be refunded upon return of the documents within ten (10) days after bid opening.

Dated this 6th day of April, 2016

By: /s/ Jackie McKinney, Mayor

*Classified Legal Column: Gallup Independent Date: Saturday, April 9, 2016
Albuquerque Journal Date: Saturday, April 9, 2016*

**CITY OF GALLUP
PURCHASING DEPARTMENT -- TABULATION SHEET(S)**

BID NO. 1610

BID ON: Boardman/Ridgecrest Waterline Extensions

Open Date: April 28, 2016 at 2:00 P.M. (Local)

Item No.	Items and Descriptions	Quantity	Smthco Construction, Inc.	File Construction, LLC	DuCross Construction	NM Underground Utilities	TLC Plumbing
1	Lot 1-Boardman Drive Waterline		296,650.00	296,717.70	389,966.80	259,829.75	323,600.00
2	Lot 2-Ridgecrest Drive Waterline		71,750.00	69,849.00	120,381.86	53,050.00	63,050.00
			-	-	-	-	-
	Construction Subtotal		368,400.00	366,566.70	510,348.66	312,879.75	386,650.00
	NMGRT @ 8.3125%		30,623.25	30,470.86	42,422.73	26,008.13	32,140.28
	Construction Total		399,023.25	397,037.56	552,771.39	338,887.88	418,790.28
	NM Resident Preference-Adjusted Base Bid		N/A	348,238.37	484,831.23	297,235.76	N/A
			-	-	-	-	-
			-	-	-	-	-
	NM State Resident Preference Certificate		No	Yes	Yes	Yes	No
	NM Veteran's Resident Preference Certificate		No	No	No	No	No
	Bid Bond		Yes	Yes	Yes	Yes	Yes
	Subcontractor Listing		Yes	Yes	Yes	Yes	Yes
	Acknowledgement of Amendments		Yes	Yes	Yes	Yes	Yes

CITY OF GALLUP
PURCHASING DEPARTMENT -- TABULATION SHEET(S)
BID NO. 1610 **BID ON: Boardman/Ridgecrest Waterline Extensions**
Open Date: April 28, 2016 at 2:00 P.M. (Local)

Item No.	Items and Descriptions	Quantity	Total Contracting Services				
1	Lot 1-Boardman Drive Waterline		259,750.00	-	-	-	-
2	Lot 2-Ridgecrest Drive Waterline		90,125.00	-	-	-	-
			-	-	-	-	-
	Construction Subtotal		349,875.00	-	-	-	-
	NMGRT @ 8.3125%		29,083.36	-	-	-	-
	Construction Total		378,958.36	-	-	-	-
	NM Resident Preference-Adjusted Base Bid		332,381.25	-	-	-	-
			-	-	-	-	-
			-	-	-	-	-
	NM State Resident Preference Certificate		Yes				
	NM Veteran's Resident Preference Certificate		No				
	Bid Bond		Yes				
	Subcontractor Listing		Yes				
	Acknowledgement of Amendments		Yes				

Discussion/Action Topic 15

**Budget Adjustment for Professional and Legal Services
for G-22 Water Acquisition**

Richard Matzke, Electric Director



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Budget Adjustment for G-22 Water Acquisition-Professional and Legal Services
DEPT. OF ORIGIN: Water/Wastewater/Electric
DATE SUBMITTED: May 19, 2016
SUBMITTED BY: Richard Matzke

Summary: The City's costs toward acquisition of G-22 Water Rights include \$2.5 million in legal and professional services costs and \$3.9 million for drilling two test wells. City Council authorized \$250,000 to continue this effort at the February 9, 2016 meeting. Currently we have invoices for legal and professional services totaling \$167,384.38 and a balance of \$71, 260.46 remaining from the funding authorized in February. We have asked that our legal and professional consultants provide estimated costs through December 2016. Based on the information provided, the costs to continue our acquisition efforts through December are expected to be: legal - \$1,125,000, professional consulting - \$50,000, and current invoices less remaining funding - \$96,124, for a total of \$1,271,124.

Fiscal Impact:

Reviewed By: _____

Patty Holland
Finance Department

Proposed funding will be through the Environmental Surcharge Special Revenue fund.

Attachments: None

Legal Review:

Approved As To Form: _____

[Signature]
City Attorney

Recommendation: Staff recommends that authorization be provided to fund G-22 Water Rights Acquisition from the Environmental Surcharge Special Revenue Fund.

Approved for Submittal By:

[Signature]
Department Director
[Signature]
City Manager

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COUNCIL ACTION TAKEN**

Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved: _____ Denied: _____
Other: _____ File: _____

Discussion/Action Topic 16

**Budget Adjustment Within Water Fund 506
for Fiscal Year 2016**

Richard Matzke, Electric Director



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Budget Adjustment within Water Fund 506 – Fiscal Year 2016
DEPT. OF ORIGIN: Water/Wastewater/Solid Waste
DATE SUBMITTED: May 20, 2016
SUBMITTED BY: Richard Matzke

Summary: We have three line items in the Water Fund which require additional funding. Line item 50-6063-444.47-06, which is the Department's share of funding for Risk Management, was under funded by \$71,838. During the year, \$120,000 was transferred from 506-6063-444.45-30 to the Asset Management Project C11610. Line 506-6063-444.45-40 is overspent because of a correction in charges for support of GGEDC. There is \$300,000 funded in line item 506-6063-444.48-70 which is a capital account for Vehicle Purchases. There were no vehicles scheduled for replacement in the Water Department for fiscal year, so we would recommend that a total of \$211,838 be transferred from this account to fund these three line items as shown on the attached budget transfer request.

Fiscal Impact:

Reviewed By: _____

Patty Holland
Finance Department

We are requesting that \$211,838 be transferred from a capital account to operating accounts.

Attachments: Budget transfer request T-16-draft.

Legal Review:

Approved As To Form: _____

[Signature]
City Attorney

Recommendation: Staff recommends that Budget Request T-16-draft be approved.

Approved for Submittal By:

[Signature]
Department Director
[Signature]
City Manager

CITY CLERK'S USE ONLY
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Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved: _____ Denied: _____
Other: _____ File: _____

Discussion/Action Topic 17

Ordinance No. C2016-8;
An Ordinance Concerning an Interim Increase
to the Rates for Wastewater Service

Richard Matzke, Electric Director



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: ORDINANCE C2016-8, AN ORDINANCE CONCERNING AN INTERIM INCREASE TO THE RATES FOR WASTEWATER SERVICE, REPEALING AND REPLACING TITLE 8 CHAPTER 6 SECTION 8 OF THE MUNICIPAL CODE OF THE CITY OF GALLUP IN ITS ENTIRETY

DEPT. OF ORIGIN: Water/Wastewater/Solid Waste

DATE SUBMITTED: May 20, 2016

SUBMITTED BY: Richard Matzke

Summary: The current ordinance concerning wastewater rates was approved by City Council in 2004. The Wastewater Fund was separated from the Water Fund beginning in fiscal year 2016. During the budget preparation process for fiscal year 2017, it became clear that additional funding is required to sustain the wastewater operation. The current proposed budget which does not reflect a rate change shows a reduction in fund balance of approximately \$95,000 despite a proposed transfer of \$1 million cash from the Water Fund. The proposed 15% rate increase is expected to generate roughly \$325,000 in new revenues in fiscal year 2017. The revenues from the proposed interim rate increase will protect some fund balance while the department prepares a long term financial plan similar to the plans prepared for the Water and Electric Departments. This plan will include repayment of the 2012 revenue bonds, the impact of the new contract for operation and maintenance of the City's Wastewater Treatment Plant, and funding for the Capital Improvement Plan. Staff anticipates presenting the financial plan and sustainable rate plan to Council prior to the budget process for fiscal year 2018.

Fiscal Impact:

Reviewed By: _____

Patty Holland
Finance Department

The proposed 15% rate increase will generate approximately \$325,000 additional wastewater revenues.

Attachments: ORDINANCE C2016-8, AN ORDINANCE CONCERNING AN INTERIM INCREASE TO THE RATES FOR WASTEWATER SERVICE, REPEALING AND REPLACING TITLE 8 CHAPTER 6 SECTION 8 OF THE MUNICIPAL CODE OF THE CITY OF GALLUP IN ITS ENTIRETY, Proposed Wastewater Rate Changes Summary, and Rate Change Impact Summary.

Legal Review:

Approved As To Form: _____

[Signature]
City Attorney

Recommendation: Staff recommends approval of the proposed Ordinance C2016-8 which would become effective for service provided on or after July 1, 2016. The proposed ordinance includes an annual CPI adjustment provision and increases tied to water rate increases. The ordinance also proposes raising the maximum water consumption to be used in calculating the residential volume charge from 2000 cubic feet to 2674 cubic feet (20,000 gallons)

Approved for Submittal By:



Department Director

City Manager

CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN

Resolution No.	_____	Continued To:	_____
Ordinance No.	_____	Referred To:	_____
Approved:	_____	Denied:	_____
Other:	_____	File:	_____

ORDINANCE NO. C2016-X

AN ORDINANCE CONCERNING AN INTERIM INCREASE TO THE RATES FOR WASTEWATER SERVICE, REPEALING AND REPLACING TITLE 8 CHAPTER 6 SECTION 8 OF THE MUNICIPAL CODE OF THE CITY OF GALLUP IN ITS ENTIRETY

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALLUP, NEW MEXICO, that:

The rates, fees and other charges charged for wastewater service to residential, non-residential and all other customers of the City of Gallup shall be increased by an average of 15 percent. Section 8-6-8 of the Gallup Municipal Code shall be replaced in its entirety with the following new Section 8-6-8:

8-6-8 : WASTEWATER CHARGES:

Wastewater charges are applicable to all improved premises within the city limits having sewer connections, and consist of a monthly service charge based on water meter size and a volume charge based on monthly water consumption (either gallons or cubic feet) as follows:

A. Wastewater Rates:

Residential wastewater service is available to residences located within the corporate limits of the City of Gallup having one water meter per residence of no more than two inches (2") in capacity.

Monthly rate service charge plus	\$4.03
Volume charge (based on current month's water service consumption up to 2,674 cubic feet per month) or	\$0.028412 per cu-ft
Volume charge (based on current month's water service up to 20,000 gallons per month usage) or	\$0.003798 per gal
Maximum volume charge (per month)	\$75.96

B. All Other Service:

Monthly Rate: Service charge based on water meter size:

5/8 inch meter	\$4.03
1 inch meter	\$7.34
1 1/2 inch meter	\$12.85
2 inch meter	\$17.11
3 inch meter	\$31.19
4 to 8 inch meters	\$51.36
Nonresidential/Commercial volume charge (based on current month's water service consumption)	\$0.031255 per cu-ft
Or Nonresidential/Commercial volume charge (based on current month's water service consumption)	\$0.004178 per gal.

- C. Outside City Limits: For service outside the city limits, the wastewater rates shall be twice that for service inside the city limits.
- D. Residential Sewer Connections that do not have City Water Service: The wastewater rate for residents that do not have city water service will be at the rate of two thousand (2,000) cubic feet per month, plus the applicable service charge.
- E. Commercial Sewer Connections that do not have City Water Service: The wastewater rate for commercial accounts that do not have city water service will be based on the previous year's average water consumption by the City's commercial customers.
- F. Reclaimed Wastewater Charges: Charges for the usage of reclaimed wastewater effluent are applicable to all users other than City of Gallup facilities and who do not have a separate agreement with the City for this use. The rate for all reclaimed water shall be \$0.01594 per cubic foot or \$0.00213 per gallon.
- G. Septage Treatment Charge: The charge for receiving and treatment of septage from licensed haulers shall be \$46.88 per one thousand (1,000) gallons or \$0.35066 per cubic foot.
- H. Residential Customers Not Receiving Water Service: The wastewater rate for residential customers that do not receive city water service, but which have an individually metered water source will be based on metered water use up to the maximum volume charge. The City reserves the right to verify the accuracy and

working condition of the water meter. If City cannot verify the integrity of this meter, then the maximum volume charge shall apply.

- I. Nonresidential/Commercial Customers Not Receiving Water Service: The wastewater rate for nonresidential/commercial customers that do not receive city water service, but which have an individually metered water source will be based on metered water use. The City reserves the right to verify the accuracy and working condition of the water meter. If City cannot verify the integrity of this meter, the account will be billed at the previous year's average water consumption by the City's commercial customers.

- J. Combined Uses Not Receiving Water Service: The wastewater rate for customers with combined residential and nonresidential/commercial uses and which do not receive city water service but which have a master metered water source shall be at the rate of two thousand (2,000) cubic feet per month per residence with all usage in excess of the residential allowance charged at the commercial rate.

- K. Multiple Users Not Receiving Water Service: The charge for multiple residential or nonresidential/commercial customers that do not receive city water service, but which have a master metered water source will be at the applicable residential or nonresidential rate.

- L. Effective Date of Rates: The rates, fees and other charges for wastewater service applicable to all customers of the City of Gallup not established by contract shall be effective for service rendered on and after July 1, 2016.

- M. Wastewater Consumer Price Index Increase: The service and volume charges for wastewater service as set forth in this section shall be increased or decreased annually to reflect the changes in the consumer price index. The "consumer price index" shall mean the average for "all items" shown as the "United States city average for all urban consumers as promulgated by the Bureau of Labor Statistics of the United States Department of Labor" (CPI-U). On or about April 1, 2005, and every year thereafter the city manager or designee will notify the governing body of the proposed wastewater rates adjusted by the CPI-U. The proposed wastewater rates will automatically go into effect on the following July 1 unless by June 1 the governing body votes otherwise.

- N. Wastewater charges are determined by the size of the customer's water meter and amount of water consumption. When the City's water rates are adjusted by ordinance, the corresponding wastewater rate will be adjusted by a similar percentage and implemented with the same effective date as the water rate change.

This ordinance shall become effective after its passage and publication by title and summary as provided for by law.

PASSED, APPROVED AND ADOPTED this 24th day of May 2016.

CITY OF GALLUP, NEW MEXICO

By: _____
Jackie McKinney, Mayor

ATTEST:

Alfred Abeita, City Clerk

Proposed Wastewater Rate Changes

	Current	Jul-16 Increase 15.00%
<u>Residential Service</u>		
Customer	\$ 3.50	\$ 4.03
0 - 2000 cu-ft	0.024706	0.028412
or 0 - 14,961 gal	0.003303	0.003798
Max Volume Charge	\$ 49.41	\$ 75.96
<u>Commercial</u>		
5/8" Meter Monthly	\$ 3.50	\$ 4.03
1" Meter Monthly	\$ 6.38	\$ 7.34
1 1/2" Meter Monthly	\$ 11.17	\$ 12.85
2" Meter Monthly	\$ 14.88	\$ 17.11
3" Meter Monthly	\$ 27.12	\$ 31.19
4 -8" Meter Monthly	\$ 44.66	\$ 51.36
All cu-ft	0.027178	0.031255
or All gal	0.003633	0.004178
<u>Reclaimed Wastewater</u>		
per cu-ft	0.013861	0.015940
per gal	0.001853	0.002131
<u>Septage</u>		
per cu-ft	0.304922	0.350660
per gal	0.040762	0.046876

Rate Change Impact

	Average of Consump in Cubic Ft	Average Bill Amount	Average Bill @ New Rate	Bill Difference
Gallup Commercial 5/8 INCH METER	693.54	\$22.35	\$25.70	\$3.35
Gallup Commercial 1 INCH METER	1,959.36	\$59.63	\$68.58	\$8.94
Gallup Commercial 1 1/2 INCH METER	5,048.94	\$148.39	\$170.65	\$22.26
Gallup Commercial 2 INCH METER	11,858.26	\$337.16	\$387.74	\$50.57
Gallup Commercial 3 INCH METER	17,866.43	\$512.69	\$589.60	\$76.90
Gallup Commercial 4 INCH METER	30,514.62	\$873.99	\$1,005.08	\$131.10
Gallup Commercial 6 INCH METER	67,645.11	\$1,883.12	\$2,165.59	\$282.47
Gallup Residential 5/8 INCH METER	552.26	\$16.98	\$19.53	\$2.55
Gallup Residential 1 INCH METER	726.23	\$20.15	\$23.17	\$3.02
Gallup Residential 1 1/2 INCH METER	741.51	\$21.66	\$24.91	\$3.25
Gallup Residential 2 INCH METER	1,025.48	\$24.53	\$28.20	\$3.68

Presentation and Information Item 1

Discussion and Consideration of a Proclamation Declaring Extreme or Severe Drought Conditions within the City of Gallup and Banning Certain Fireworks Beginning June 14, 2016 for 30 Days

Jesus "Chuy" Morales, Fire Marshal

(Backup documentation will be provided prior to the meeting)

Presentation and Information Item 2

**Discussion/Public Comment on the 2016 Edward Byrne Memorial
Justice Assistance Grant Application**

Jon DeYoung, Assistant to the City Manager



**CITY OF
GALLUP**

COUNCIL STAFF SUMMARY FORM

MEETING DATE: May 24, 2016

SUBJECT: Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2016
DEPT. OF ORIGIN: Assistant to the City Manager
DATE SUBMITTED: 05/19/2016
SUBMITTED BY: J.M. DeYoung

Summary:

The U.S. Department of Justice (DOJ) has grant funding available through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence. In order to receive funding the governing body and citizens must have notice that we are applying for the grant and an opportunity to comment.

Fiscal Impact:

Reviewed By: _____
Finance Department

Attachments:

Legal Review:

Approved As To Form: _____
City Attorney

Recommendation:

Approved for Submittal By:

Department Director

City Manager

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Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved: _____ Denied: _____
Other: _____ File: _____



Jackie McKinney, Mayor
Linda Garcia, District 1 Councilor
Allan Landavazo, District 2 Councilor
Yogash Kumar, District 3 Councilor
Fran Palochak, District 4 Councilor
Maryann Ustick, City Manager
George W. Kozeliski, City Attorney



Date: May 19, 2016
To: Mayor and Council
From: J.M. DeYoung
Assistant to the City Manager
Re: Justice Assistance Grant Application FY 16

This memorandum is to notify you that we are applying for the 2016 JAG Grant on behalf of Gallup Police Department and the McKinley County Sheriff's Department. The City of Gallup will act as the fiscal agent and the Finance Department will manage the grant. Before the application can be submitted it is required that we notify the governing body prior to submission.

The JAG Grant submission request will be on the next City Council meeting agenda on May 24, 2016 so that the mayor, council, staff and the community have the chance to comment on the 2016 JAG Grant Application.

If you need any further information please feel free to contact me at (505) 726-6102 or by email at jdeyoung@gallupnm.gov. Thank you.