City of Bayard

CITY COUNCIL REGULAR MEETING

March 08, 2021 at 1:30 PM

Bayard City Hall

AGENDA

WORK SESSION

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

PUBLIC INPUT

CONSENT AGENDA

1. Approval of the Minutes of Closed Session and Regular Meeting of February 22, 2021.

2. Approval of Fire Report for February 2021

NEW BUSINESS

3. Approval of amendment for engineering services for the HWY 180/356 Lighting Project. Amendment includes services for design to project closeout with Stantec Inc.

CLOSED SESSION

ACTION ITEMS RESULTING FROM CLOSED SESSION

MAYOR AND COUNCILORS REPORTS

NEXT MEETING DATE:

Budget Work Session - March 29, 2021

Regular Meeting - March 22, 2021

ADJOURNMENT

City of Bayard

CITY COUNCIL REGULAR MEETING

February 22, 2021 at 2:00 PM

Bayard City Hall

MINUTES

CALL TO ORDER: Mayor Chon S. Fierro

PRESENT
Mayor Chon Fierro
Mayor Pro-tem Raul Villanueva
Councilor Charles Kelly
Councilor Eloy Medina
Councilor Adrian Ortiz

Others present were Kristina Ortiz and Lee Alirez.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT
Mayor Chon Fierro
Mayor Pro-tem Raul Villanueva
Councilor Charles Kelly
Councilor Eloy Medina
Councilor Adrian Ortiz

Others present were Kristina Ortiz and Lee Alirez.

APPROVAL OF THE AGENDA

Motion made by Councilor Medina, Seconded by Councilor Kelly.
Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

ACTION ITEMS RESULTING FROM CLOSED SESSION

Disciplinary action for Cody Dove and Brandi Pyron

Recommendation to keep Cody Dove on administrative leave with pay until the completion of the internal investigation, failure of Mr. Dove to comply with policies and procedures regarding the investigation will be cause for immediate termination.

Motion made by Councilor Medina, Seconded by Mayor Pro-tem Villanueva.
Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina,

Councilor Ortiz

CONSENT AGENDA

Motion made by Councilor Kelly, Seconded by Mayor Pro-tem Villanueva.
Voting Yea: Councilor Medina, Councilor Ortiz

The following items were included within the consent agenda:

1. Approval of the Minutes of Regular Meeting on February 11, 2021.

2. Approval of the Minutes for the CDBG Close Our Public Hearing on February 17, 2021.

3. Approval of the Accounts Payable Report for February 22, 2021

4. Approval of the Police Reports for December 2020 and January 2021

5. Approval of attendance to Level 4 Wastewater Testing for Robert Terrazas as testing becomes available.

PUBLIC INPUT

No public input as required by the legal notice.

NEW BUSINESS

6. Discussion and approval of the 2021 LGRF Project Application

   Clerk Treasurer Ortiz requested the Council to approve a project for the 2021 Local Government Road Fund application. She stated that the city could continue with pothole repairs or with design work for N. Foy St.

   The City has not expended the previous award granted for N. Foy Street Improvements. Stantec will be submitting the cost estimate at the next meeting.

   Pothole repairs are estimated to be $120,000 in which the grant could provide up to $40,000. The amount of work would depend on the option of contracting the repairs or having the maintenance crew complete the repairs.

   Consensus of the Council is to move forward with pothole repairs.

   Motion made by Mayor Pro-tem Villanueva, Seconded by Councilor Medina.
   Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

MAYOR AND COUNCILORS REPORTS

No reports by the Council.

Clerk Treasurer Ortiz stated that NM Taxation & Revenue has contacted the city to provide notice of gross receipts pull back due to a vendor amending gross receipts tax reports for the past three years. The amount of the pullback is approximately $386,000 with the State of NM paying an additional $110,000.

NEXT MEETING DATE:

Budget Work Session - March 29, 2021, April 19, 2021 and May 17, 2021

Regular Meeting - March 8, 2021

ADJOURNMENT

Motion made by Mayor Pro-tem Villanueva, Seconded by Councilor Medina.
Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

MEETING ADJOURNED AT 3:03 P.M.

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer

City of Bayard

CLOSED EXECUTIVE SESSION - CITY COUNCIL MEETING

February 22, 2021 at 2:00 PM

Bayard City Hall

MINUTES

CALL TO ORDER: Mayor Chon S. Fierro

PRESENT
Mayor Chon Fierro
Mayor Pro-tem Raul Villanueva
Councilor Charles Kelly
Councilor Eloy Medina
Councilor Adrian Ortiz

Others present were Kristina Ortiz and Lee Alirez.

CLOSED SESSION

Pursuant to 10-15-1 (H-2) NMSA 1978 for Personnel.

Disciplinary action for Cody Dove and Brandi Pyron

Motion made by Mayor Pro-tem Villanueva, Seconded by Councilor Ortiz.
Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

Return to Open Session certifying only personnel was discussed.

Motion made by Councilor Kelly, Seconded by Mayor Pro-tem Villanueva.
Voting Yea: Mayor Pro-tem Villnueva, Councilor Kelly, Councilor Medina, Councilor Ortiz.

ADJOURNMENT

Motion made by Councilor Medina, Seconded by Mayor Pro-tem Villanueva.
Voting Yea: Mayor Fierro, Mayor Pro-tem Villanueva, Councilor Kelly, Councilor Medina, Councilor Ortiz

Chon Fierro
Mayor

ATTEST:

Kristina Ortiz, MMC
Clerk Treasurer

Bayard Fire Department

Monthly Report

February 2021

Monthly Fire Calls: There were 9 fire calls for service in February.

2/6/2021: Dispatched to 718 McKee St. for a parade Escort.

2/10/2021: Dispatched to Dayhill and Royal for a grass fire.

2/12/2021: Dispatched to 310 N. Yucca for a parade Escort.

2/13/2021: Dispatched to 601 Winifred St. for a parade Escort.

2/14/2021: Dispatched to 734 Joan St. for a parade Escort.

2/20/2021: Dispatched to 402 Maple St. for a structure fire. Mutual Aide.

2/22/2021: Dispatched to Horseshoe Dr. in North Hurley for a grass fire.

2/27/2021: Dispatched to 302 Pearl St. for a parade escort.

2/27/2021: Dispatched to 405 Diamond St. for a parade escort.

Monthly EMS calls:

There were 21 reported EMS calls for the month of January.

Bayard	13 Calls
Hurley	7 Calls
North Hurley	1 Calls
Hanover	0 Calls
Vanadium	0 Calls

February Training

Fire:

2/2/2021: Company Training

2/6/2021: BLS Training

2/9/2021: Smoke Building Training. Mutual Aide Training with Santa Clara.

2/16/2021: Rescue training with victims.

EMS:

2/4/2021: Bleeding Training.

2/18/2021: Mechanism of injury- Kenetics Training.

Equipment:

Apparatus	Mileage	Engine Hours
Engine 1	7964.8	1098
Engine 2	12996	1065.6
Command 3	33853.6	3218
Mini	11938.5	1405.3

Safety: No incidents reported this month.

Submitted by,

Juan Estrada

Bayard Fire Department

Secretary

AMENDMENT TO OWNER-ENGINEER WORK ORDER

City of Bayard
US180 and NM356 Lighting Improvements
Stantec Project #181710883

AMENDMENT #1

1. Background Data

a. Effective Date of Owner-Engineer Work Order: October 26, 2020

b. Owner: City of Bayard, NM

c. Engineer: Stantec Consulting Services

d. Project: US180 and NM356 Lighting Improvements

2. Nature of Amendment *[Check those that are applicable and delete those that are inapplicable.]*

☒ Additional Services to be performed by Engineer

X Modifications to Services of Engineer

☒ Modifications to Payment to Engineer

☐ Modifications to other terms and conditions of the Agreement

3. Description of Modifications

The scope of work for the original Work Order was for the completion of the following professional services for the project area as outlined in the Work Order:

Project Development/Scoping

Current funding sources that may be utilized to pay for professional services and the recommended construction scope of work include the following:

State General Fund Cooperative Agreement, NMDOT CN HW2M700029

Amendment #1 is required at this time to complete the As-Built Survey – Project Closeout phases for the project and adjust the budgeted/contracted amount for Project Development/Scoping to the actual amount spent.

Line items associated with Amendment #1 consists of the following:

1) **As-Built Survey** – survey existing conditions: light poles, pull boxes, and meters to be used in the Project Design phase for actual locations.

2) **NMDOT Project Certifications** – complete and submit documentation requesting authorization of the following certifications: (1) Environmental, including Initial Site Assessment, (2) Utility, (3) Right of Way, (4) Railroad, (5) ITS – Intelligent Transportation Systems.

   The fee associated with **NMDOT Project Certifications** assumes that the Environmental Certification will be issued as a Programmatic Categorical Exclusion (PCE) and will only require the Scope-of-Work Evaluation for T/L Government Projects Funded through NMDOT be submitted to NMDOT Environmental Design Division for the associated construction scope and project funding. If NMDOT determines that the project does not qualify for a PCE, and that a Categorical Exclusion (CE) Checklist be completed, an Amendment to this Work Order will be required.

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City of Bayard
US180 and NM356 Lighting Improvements
Stantec Project #181710883

AMENDMENT #1
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3) **Project Design Plans** – based on the approved design concept, Stantec will prepare Construction Documents as necessary to construct the improvements on NM365 and US180 for an LED conversion with upgraded poles. The design will incorporate those elements necessary to provide mounting surfaces and electrical power for possible decorations as well as powering new LED luminaires.

   It is understood in this scope that all decorative poles on NM356 will be replaced with new poles and luminaires. It is also understood that approximately 50% of the 30-ft poles on US180 will be replaced fully with new poles and luminaires while the remainder will only replace luminaires.

   Stantec will evaluate the existing electrical system and provided updated panel schedules, load calculations, and voltage drop calculations validate the design; photometric calculations are specifically excluded from this project.

   The design will be completed over publicly available aerial imagery supplemented by targeted survey (per additional task) to locate exact pole locations. The plans will include the specific make and model of pole to be utilized as well as any system modifications necessary to power the new design.

4) **Bidding** – assist the City of Bayard with the advertisement for bids, conducting the Pre-Bid meeting, issuance of addenda, conduct Bid Opening, review of bids received, preparation of bid recommendation package, and issuance of Notice of Award to construction contractor.

5) **Construction Management** - preparation for, and attendance at, the pre-construction conference, preparation of executed construction contract documents, preparation of construction source book for verification of quantities, review of construction submittals, review and address requests for information from contractor, review and approval of contractor pay applications and project modifications/change orders by project engineer, and site visits by project designer or project engineer.

6) **Construction Observation** - part time field inspections, reviewing and processing of contractor pay applications, and processing of project modifications/change orders by resident project representative.

7) **Project Closeout** - attendance at final inspection, preparation of project and construction closeout documentation for submittal to funding agency.

Stantec proposes that the services associated with the **As-Built Survey** services be billed as indicated, with the breakdown summarized below:

Personnel	Hours	Rate	Amount
Senior Project Manager	1	$173.00	$ 173.00
Project Engineer	1	$158.00	$ 158.00
Engineering Technician	15	$127.00	$ 1,905.00
Project Mileage	26	$ 0.560	$ 14.56
		As-Built Survey	**$ 2,250.56** **(L.S.)**

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Stantec Project #181710883

AMENDMENT #1
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Stantec proposes that the services associated with the **NMDOT Certifications** services be billed as indicated, with the breakdown summarized below:

Personnel	Hours	Rate	Amount	
Senior Project Manager	16	$173.00	$ 2,768.00	
Engineering Technician	3	$127.00	$ 381.00	
Project Management Assistant	1	$115.00	$ 115.00	
		NMDOT Certifications	**$ 3,264.00**	**(L.S.)**

Stantec proposes that the services associated with the **Project Design Plans** services be billed as indicated, with the breakdown summarized below:

Personnel	Hours	Rate	Amount	
Senior Project Manager	12	$173.00	$ 2,076.00	
Senior Engineer	32	$173.00	$ 5,536.00	
Project Engineer	16	$158.00	$ 2,528.00	
Senior Civil Designer	30	$158.00	$ 4,740.00	
Civil Designer	64	$127.00	$ 8,128.00	
Project Management Assistant	10	$115.00	$ 1,150.00	
Reproduction/Postage			$ 100.00	
		Project Design Plans	**$24,258.00**	**(L.S.)**

Stantec proposes that the services associated with the **Bidding** services be billed as indicated, with the breakdown summarized below:

Personnel	Hours	Rate	Amount	
Senior Project Manager	5	$173.00	$ 865.00	
Senior Engineer	3	$173.00	$ 519.00	
Project Engineer	10	$158.00	$ 1,580.00	
Civil Designer	4	$127.00	$ 508.00	
Construction Observer	2	$137.00	$ 274.00	
Project Management Assistant	19	$115.00	$ 2,185.00	
Project Mileage	40	$ 0.560	$ 22.40	
Reproduction/Postage			$ 150.00	
		Bidding	**$ 6,103.40**	**(L.S.)**

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Stantec Project #181710883

AMENDMENT #1
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Stantec proposes that the services associated with the **Construction Management** services be billed as indicated, with the breakdown summarized below:

Personnel	Hours	Rate	Amount
Senior Project Manager	3	$173.00	$ 519.00
Senior Engineer	6	$173.00	$ 1,038.00
Project Engineer	34	$158.00	$ 5,372.00
Construction Observer	15	$137.00	$ 2,055.00
Project Management Assistant	12	$115.00	$ 1,380.00
Reproduction			$ 140.00
		Construction Management	**$ 10,504.00** **(L.S.)**

Stantec proposes that the services associated with the **Construction Observation** services be billed as indicated, with the breakdown summarized below: Assumptions utilized in calculating budget amounts are 90 calendar days of construction activity, 14 hours per week of observation on average.

Personnel	Hours	Rate	Amount
Construction Observer	180	$137.00	$ 24,660.00
Project Mileage	1337	$0.560	$ 748.80
		Construction Observation	**$ 25,408.80** **(L.S.)**

Stantec proposes that the services associated with the **Project Closeout** services be billed as indicated, with the breakdown summarized below:

Personnel	Hours	Rate	Amount
Senior Project Engineer	1	$173.00	$ 173.00
Senior Engineer	1	$173.00	$ 173.00
Project Engineer	7	$158.00	$ 1,106.00
Construction Observer	8	$137.00	$ 1,096.00
Project Management Assistant	7	$115.00	$ 805.00
Project Mileage	26	$ 0.560	$ 14.56
		Project Closeout	**$ 3,367.56** **(L.S.)**

If the City of Bayard requests additional professional services, other than what is listed above, an Amendment will be required prior to commencing work. A lump sum or hourly fee proposal will be submitted to the City of Bayard for consideration and approval. Or if a projected upper target is anticipated to be exceeded, a proposal will be submitted to the City of Bayard for consideration and approval of increasing the upper target amount.

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City of Bayard
US180 and NM356 Lighting Improvements
Stantec Project #181710883

AMENDMENT #1
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Below is a total amended engineering fee breakdown:

Original Work Order – October 26, 2020	
Project Development/Scoping	$ 11,323.20
Amendment #1 - March 8, 2021	
Project Development/Scoping	$ (4,505.45)
As-Built Survey	$ 2,250.56 (Lump Sum)
NMDOT Project Certifications	$ 3,264.00 (Lump Sum)
Project Design Plans	$ 24,258.00 (Lump Sum)
Bidding	$ 6,103.40 (Lump Sum)
Construction Management	$ 10,504.00 (Lump Sum)
Construction Observation	$ 25,408.80 (Lump Sum)
Project Closeout	$ 3,367.56 (Lump Sum)
Total Amended Fee	**$ 81,974.07 + NMGRT**

Owner and Engineer hereby agree to modify the above-referenced Work Order as set forth in this Amendment. All provisions of the Agreement/Work Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is March 8, 2021

OWNER:		ENGINEER:	
City of Bayard, NM		Stantec Consulting Services	
By:		By:	George A Esqueda
Title:	Chon S. Fierro, Mayor	Title:	George A. Esqueda, Project Manager
Date Signed:	March 8, 2021	Date Signed:	March 8, 2021

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City of Bayard NM356 & US180 Lighting Improvements

Stantec Project #: 181710883

8-Mar-21

Project Funding Summary

		NMDOT	Bayard	Total
Control No.	HW2 M700029	$ 600,000.00		$ 600,000.00
Scope of Work:	Project Development, Design and Construction for replacement and improvements of street lighting, include auxiliary power supply along HWY180 and/or HWY356; and/or project development, design, and construction of sidewalks, ADA, drainage improvements, right-of-way acquisition along HWY356.			
Termination	June 30, 2021			
Time Extension:	requested Time Extension to December 31, 2021 - Pending approval			
			TOTAL BUDGET	**$ 600,000.00**

Summary of Fees

Original Fee	**26-Oct-20**			
	Project Development/Scoping	$	11,323.20	(T&E)
	Original Fee Subtotal	$	11,323.20	
	NMGRT @ 8%	$	905.86	
	Original Fee Total	**$**	**12,229.06**	
Amendment #1	**8-Mar-21**			
	Project Development/Scoping	$	(4,505.45)	
	As-built Survey	$	2,250.56	
	NMDOT Project Certifications	$	3,264.00	
	Project Design	$	24,258.00	
	Bidding	$	6,103.40	
	Construction Management	$	10,504.00	
	Construction Observation	$	25,408.80	
	Project Closeout	$	3,367.56	
	Original Fee Subtotal	$	70,650.87	
	NMGRT @ 8%	$	5,652.07	
	Amendment #1 Fee Total	**$**	**76,302.94**	

MACC	**$ 511,468.00**