



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Special Meeting Minutes
February 8, 2006**

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1. Call to Order and Roll Call

Vice Chair Hernandez called the Special Board Meeting to order at 8:09 a.m. Wednesday, February 8, 2006. Roll was noted as follows:

Directors present:	Vice Chair Danny Hernandez Director Daniel Lyon Director Ronald D. Brown Director Janet Saiers
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Directors absent:	Chairman Tim Eichenberg
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Others present:	John Kelly, Executive Engineer Sam Bregman, Attorney Staff
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A quorum was present.

2. Approval of Agenda

Director Saiers made a motion to approve the agenda. Director Brown seconded the motion, which passed (4-0).

3. Amole Arroyo Phase III – Award of Construction Contract

Kurt Wagener, AMAFCA Field Engineer, introduced Tim Archibeque of HDR Engineering.

Mr. Wagener stated that bids for the Amole Arroyo Phase III Project were opened at AMAFCA on Thursday, February 2, 2006, at 2:00 p.m. Five contractors submitted bids on the project. Star Paving was the apparent low bidder at the time of the bid opening, but when the total of each bid lot was checked, it became evident that one subtotal had not been included in the total announced at the bid opening. Salls Brothers Construction, Inc., was therefore the low bidder with a bid of \$2,395,081.99.

Mr. Wagener added that A.S. Horner had not totaled their bid lots on the bid documents, but gave a ~~verbal~~ an oral total at the bid opening. There was a mathematical error in the total given ~~verbally~~ orally, but it did not affect the outcome of the bid opening. Staff had verified with AMAFCA counsel that, because the bids are based on a unit price bid and the extensions and totaling are tabulated and checked by the construction manager, the A.S. Horner bid was considered responsive in spite of the lack of a written total on the bid documents.



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Mr. Wagener stated that he had talked to the estimator at Star Paving, informing her of the mathematical error in the company's bid. The estimator checked the total, and staff at Star Paving verified to Mr. Wagener that the correct total bid should be \$2,730,109.20.

Mr. Wagener stated that HDR Engineering and AMAFCA staff recommended that the construction contract be awarded to Salls Brothers Construction, Inc.

Director Brown made a motion that the Board accept Salls Brothers Construction, Inc., as the lowest responsible bidder and authorize the Chairman to execute a contract with Salls Brothers Construction, Inc., in the amount of \$2,395,081.99, plus New Mexico Gross Receipts Tax, for construction of the Amole Arroyo Phase III Project. Director Saiers seconded the motion.

In response to a question from Director Lyon, Mr. Kelly stated that on construction contracts, AMAFCA had to award the contract to the lowest responsible bidder with adequate bonding capacity, insurance, and license. On proposals for professional services, the value of other current contracts with AMAFCA is also considered when choosing which proposal to accept.

Further discussion followed regarding documenting in writing that the correct total of Star Paving's bid was \$2,730,109.20. Mr. Kelly stated that every bid lot was completed, and subtotals run. The mistake was that in totaling their bid, one bid lot was missed. Mr. Kelly explained that unit prices prevail in the bidding process, so this is considered a valid bid. Mr. Wagener stated that the bid award notification letter sent to the other contractors submitting bids will note the correct total of Star Paving's bid.

In further response to Director Lyon's earlier question, Director Brown stated that lately, construction jobs have been going to the contractors who have invested in the equipment needed to do the job. These contractors do not have to rent or lease additional equipment, so they can do the job cheaper than those who have not invested in the necessary equipment.

The motion passed (4-0).

Replying to a question from Director Saiers, Mr. Wagener stated that this project includes an interceptor sewer line from Blake to the crossing at 98th Street, and the Amole Channel from the Gibson crossing to the Snow Vista Channel. It also includes a concrete box culvert crossing, and the roadway at 98th. Mr. Kelly pointed out the location of the various elements of the project on a map.

Director Brown noted that the difference between the engineer's estimate and the lowest bid was less than \$15,000, and congratulated Tim Archibeque for his accurate estimate. He added



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that when prices are fluctuating as they are currently, calculating an accurate estimate is very difficult.

4. New Business

Mr. Kelly stated that Curb, Inc. had asked for a groundbreaking ceremony for the Amole Arroyo Phase III Project. This had originally been proposed to occur immediately after the Board meeting on February 23, 2006, but the Mayor is unavailable to attend on that date. It will be rescheduled.

5. Unfinished Business

None.

6. Items from the Floor/Public Comment

Vice Chair Hernandez pointed out that two articles were included in the information to the Board. The articles state that punitive tariffs on cement imported from Mexico have contributed to the cement shortage in New Mexico. The U.S. and Mexico recently came to an agreement on the tariffs, which should ease the shortage by allowing increased cement imports from Mexico. Director Brown commented that the articles were very informative.

7. Adjourn

With no further business to discuss, Vice Chair Hernandez adjourned the meeting at 8:21 a.m.

/s/
Daniel F. Lyon, Secretary-Treasurer 2/23/06

Recorded by Pam Woodruff, Secretary to the Executive Engineer