

City of Santa Fe, New Mexico

memo

DATE: February 15, 2016

TO: Public Works, CIP and Land Use Committee and Finance Committee

VIA:



Isaac J. Pino, P.E., Public Works Department Director

David Pfeifer, Facilities Division Director *On Behalf of D.P. Pfeifer*

FROM: Mary MacDonald, Project Administrator, Facilities Development Section *MM*

ISSUE: **Airport Terminal Expansion CIP Project # 611B**
Amendment # 8 to PSA (Exhibit 1) Molzen-Corbin & Associates, Inc. \$23,668.07

A. Background:

The Professional Services Agreement (PSA) with Molzen – Corbin & Associates, Inc. was approved by City Council in June, 2012 as a four year contract, to be renewed each year at the option of the Owner. The previously approved Amendments #1 through #7 are described on the first page of Amendment #8 (Exhibit 1). Amendment # 7 authorized Molzen-Corbin to provide minimum basic services during construction.

B. Scope of Work:

Amendment #8 would authorize the consultant to provide additional detailed designs, evaluation of change order proposals and other construction support for recently required (1) changes in the secured passenger area by TSA, (2) changes to the concession counters in the public area required by the Airport manager, and (3) construction of multiple office spaces for United Airlines, with a new access from the ticket counter area. It also authorizes the work of coordinating with City Historic Preservation about exterior changes to the building during construction.

C. Schedule:

Construction started 1/11/2016; project schedule is Exhibit 2.

D. Budget:

Funds for Amendment #8 in the amount of \$22,081.00 plus tax at the rate 0.071875 in the amount of \$1,587.07, for a total of \$23,668.07 is available in Business Unit 52810. The attached BAR, Exhibit 3, will transfer \$23,669.00 from Business Unit/Line Item (BU/LI) 52810.572970 (Exp-Airport-Terminal Upgrd/WIP Construction) to BU/LI 52810.572960 (WIP Design). The Summary of Contracts is Exhibit 3.

E. Action:

We request you approve this Amendment #8 for Molzen-Corbin & Associates, Inc. in the amount of \$23,668.07 and approve the attached BAR.

Exhibits: (1) Amendment #8
(2) Project Schedule
(3) BAR
(4) Summary of Contracts

xc: Becky Casper, Airport Division
Kent Freier, PE, Molzen-Corbin & Associates
Project/book file

DRAFT

**CITY OF SANTA FE
AMENDMENT #8 TO
PROFESSIONAL SERVICES AGREEMENT**

Amendment No. 8 (the Amendment) to the CITY OF SANTA FE PROFESSIONAL SERVICES AGREEMENT, dated June 16, 2012 (the "Agreement"), between the City of Santa Fe (the "Owner") and Molzen-Corbin & Associates, Inc., (the "Engineer"). The date of this amendment shall be the date when it is executed by the City and the Engineer.

RECITALS:

- A. The City of Santa Fe entered a Professional Services Agreement ("PSA") with Molzen-Corbin & Associates in June, 2012, for the purpose of acting as the airport consulting engineer. The original agreement term was a four year contract to be renewed each year at the option of the Owner. In the original agreement, 17 Task Orders in-progress were carried forward from the expiring PSA with Molzen-Corbin and 11 new Task Orders were added. The Not-To-Exceed (NTE) compensation for the original contract was \$3,289,097.44.
- B. Amendment #1 extended the contract for a second year from July 31, 2013 to July 31, 2014. Amendment #1 also increased the compensation by \$182,873.70 to \$3,471,971.14.
- C. Amendment #2, executed effective September 11, 2013, did not extend the term, but added Task Orders 114 and 115 and increased compensation by \$240,411.57 to a total current contract cost NTE \$3,712,382.71.
- D. Amendment #3 to the PSA extended the contract for the third year with an effective term of August 1, 2014 to July 31, 2015.
- E. Amendment #4 to the PSA added Task Orders 107R and 119 and increased compensation by \$468,257.68 to a total current contract cost NTE \$4,180,640.39.
- F. Amendment #5 to the PSA added Task Order 119R, for completion of the construction drawings and specifications for the airport terminal improvements to be constructed in 2016, and increased compensation by \$137,989.34, including tax, to a total current contract cost NTE \$4,318,629.73.
- G. Amendment #6 to the PSA extended the contract to the fourth year with an effective term of August 1, 2015 to July 30, 2016.
- H. Amendment #7 to the PSA added Task Order 121, for basic construction phase services for the airport terminal improvements to be constructed between Jan. 11th and June 9,

2016, and increased compensation by \$49,483.11, including tax, to a total current contract cost not to exceed \$4,368,112.84.

I. Amendment #8 adds the Task Order summarized in Paragraph 1 of this Amendment.

H. Pursuant to Article 18 of the Agreement, for good and valuable consideration, receipt and sufficiency of which are acknowledged by the parties, the City and the Engineer agree as follows:

1. ENGINEER'S COMPENSATION

Article 3 states that the Engineer's compensation is the sum total of individual Task Orders as approved by the Engineer and the Owner. The following changes to the Engineer's Compensation are hereby made effective upon signature of this Amendment and the Task Order by both parties:

Task Order Number 124, Airport Terminal Renovations Design, Exhibit A1, is added as follows:

Subtotal	\$ 22,081.00
NMGRT at 7.1875%	\$ 1,587.07
Total	\$ 23,668.07

2. AGREEMENT IN FULL FORCE

Except as specifically provided in this Amendment, the Agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment #8 to the City of Santa Fe Professional Services Agreement effective this ___ day of ____, 2016.

DRAFT

CITY OF SANTA FE:

ENGINEER:
MOLZEN-CORBIN &
ASSOCIATES, INC.

JAVIER M. GONZALES, MAYOR

ADELMO ARCHULETA,
PRESIDENT & CEO

ATTEST:

NM Taxation & Revenue
CRS # 01305771005
City of Santa Fe Business
Registration # 16-42293

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

APPROVED:

OSCAR S. RODRIGUEZ
FINANCE DIRECTOR

52810.572960
Business Unit / Line Item

**TASK ORDER FOR
PROFESSIONAL SERVICES AGREEMENT BETWEEN
MOLZEN-CORBIN & ASSOCIATES (ENGINEER)
AND CITY OF SANTA FE (OWNER), DATED July 30, 2012.**

TASK ORDER NO. 124

TASK TITLE: Terminal Building Renovations Design

The Owner directs the Engineer/Architect to provide services as described below:
Design changes per TSA direction, design changes for United Airlines added space, coordination of
Design with Landmark status, additional construction meetings.

The Engineer/Architect estimates the period of performance to be as follows:
Services to be rendered within 120 days after receipt of written notice to proceed from Airport

The Engineer/Architect will be paid a lump sum fee as stated as based upon the following estimates the level of effort as follows:

Manhours: (specify estimated manhours per position and billing rate)

Manhour & Fee Estimate:

Principal Architect	22.0 Hrs. \$ 175.00 /hr =	3,850.00
Registered Architect	76.0 Hrs. \$ 110.00 /hr =	8,360.00
Arch. Designer	22.0 Hrs. \$ 95.00 /hr =	2,090.00
Sr. Civil Engineer	6.0 Hrs. \$ 165.00 /hr =	990.00
Electrical Sr. Eng.	32.0 Hrs. \$ 165.00 /hr =	5,280.00
Admin/Support	2.0 Hrs. \$ 75.00 /hr =	150.00

Subconsultants and Other Reimbursable Expenses:

In House Copies 4,000 @ 0.11	440.00
In House Color Copies 20 @ 1.00	20.00
In House Color Copies 11X17 20 @ 2.00	40.00
In House Large Format Prints 100 @ 3.00	300.00
Mileage 600 @ 0.560	336.00
Meals	100.00
Postage	25.00
Supplies	100.00

SUBTOTAL	22,081.00
NMGRT @ 7.1875 %	1,587.07
ESTIMATED TASK ORDER TOTAL	\$ 23,668.07

Proposed by ENGINEER/ARCHITECT	Recommended By	Approved by CITY
Date <u>7/29/16</u>	Date _____	Date _____

Aviation Department	Project	P.O. No.	Ac
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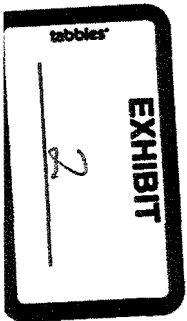
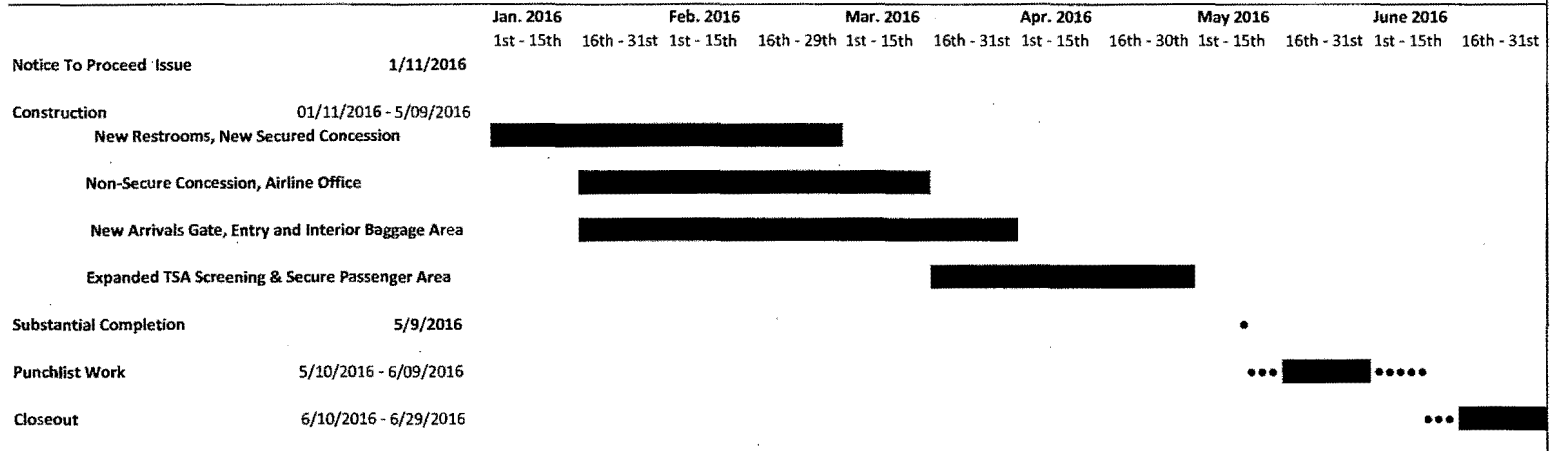
For Client Use Only

EXHIBIT

A1

Airport Terminal Improvements CIP Project # 611B
 Date: Feb. 12, 2016

Current Phase: Construction
PROJECT SCHEDULE



City of Santa Fe, New Mexico

BUDGET ADJUSTMENT REQUEST (BAR)

DEPARTMENT / DIVISION / SECTION / UNIT NAME				DATE		
Public Works / Facilities / Facilities Development				Feb. 12, 2016		
ITEM DESCRIPTION	BU / LINE ITEM	<--(Finance Dept Use Only)-->		INCREASE	DECREASE	
		SUBLEDGER / SUBSIDIARY	DR / (CR)			
Exp-Airport-Terminal Upgrd/WIP Construction	52810.572970				23,669	
Exp-Airport-Terminal Upgrd/WIP Design	52810.572960			23,669		
JUSTIFICATION: (use additional page if needed) --Attach supporting documentation/memo				TOTAL	\$ 23,669	\$ 23,669

Additional funds are required in WIP Design for an increased scope of work for design support during construction.

Further details are on the Public Works/Finance Committees memo dated 2/12/2016.

Mary MacDonald <i>MM</i> Prepared By	2/12/2016 Date	CITY COUNCIL APPROVAL City Council Approval Required <input type="checkbox"/> City Council Approval Date <input type="text"/> Agenda Item #: <input type="text"/>	Budget Officer	Date
David Pfeifer <i>On Behalf of DP</i> Division Director	2/12/2016 Date		Finance Director	Date
<i>Arac J. Pineda</i> Department Director	2-15-16 Date		City Manager	Date



City of Santa Fe Summary of Contracts, Agreements, & Amendments

Section to be completed by department for each contract or contract amendment

- | | | | |
|---------------------------------|--------------------------|-----------------------------|-------------------------------------|
| 1 FOR: ORIGINAL CONTRACT | <input type="checkbox"/> | CONTRACT AGREEMENT | <input type="checkbox"/> |
| MAINTENANCE AGREEMENT | <input type="checkbox"/> | LICENSE AGREEMENT | <input type="checkbox"/> |
| LEGAL SERVICES AGREEMENT | <input type="checkbox"/> | MEMORANDUM OF UNDERSTANDING | <input type="checkbox"/> |
| MEMORANDUM OF AGREEMENT | <input type="checkbox"/> | JOINT POWERS AGREEMENTS | <input type="checkbox"/> |
| GRANT AGREEMENTS | <input type="checkbox"/> | CONTRACT AMENDMENT | <input checked="" type="checkbox"/> |

2 Name of Contractor Molzen-Corbin & Associates, Inc.

3 Complete information requested Plus GRT
 Inclusive of GRT

Original Contract Amount: \$3,289,097.44

Termination Date: July 31, 2013

Approved by Council Date: July 11, 2012

or by City Manager Date: _____

Contract is for: Engineering services required by FAA for Airport

Amendment # 8 to the Original Contract# 12-0619

Increase/(Decrease) Amount \$ 23,668.07

Extend Termination Date to: no extension

Approved by Council Date: (pending)

or by City Manager Date: _____

Amendment is for: Additional designs and construction phase services for Airport Terminal Improvements, CIP Project # 611B

4 **History of Contract & Amendments:** (option: attach spreadsheet if multiple amendments) Plus GRT
 Inclusive of GRT

(Amendments # 5 & 6 are listed on page 3)

Amount \$ 468,257.68 Amendment # 4 Termination Date: no extension

Reason: Task Orders 107R Airport Master Plan & 119 prelim. Design airport terminal

Amount \$ 0.00 amendment # 3 Termination Date: 07/31/2015

Reason: extend time of contract

Amount \$ 240,411.57 amendment # 2 Termination Date: no extension

Reason: Task Orders 114 and 115, work related to Runways

Amount \$ 182,873.70 amendment # 1 Termination Date: 07/30/2013

Reason: Task 112, runway work and Task 113, passenger facil. Charges application

Total of Original Contract plus all amendments: \$ 4,391,780.91

EXHIBIT

4

9

(Handwritten signature)



**City of Santa Fe
Summary of Contracts, Agreements, & Amendments**

- 5 **Procurement Method of Original Contract:** (complete one of the lines)
 RFP RFQ Sole Source Other
- 6 **Procurement History:** RFP 12/21/P, April 27, 2012---fourth year of four year contract
 example: (First year of 4 year contract)
- 7 **Funding Source:** Exp-Airport-Terminal Upgrd/WIP Design **BU/Line Item:** 52810.57296
- 8 **Any out-of-the ordinary or unusual issues or concerns:**
BAR attached to memo will transfer from LI 572970 to LI 572960
 (Memo may be attached to explain detail.)
- 9 **Staff Contact who completed this form:** Mary MacDonald *MM* Phone # 955-5934
Division Contract Administrator: David Pfeifer
Division Director: David Pfeifer, Facilities Division Director *On Behalf of DP*
Department Director: Isaac J. Pino, PE, Public Works Department Director *Isaac J. Pino*
- 10 **Certificate of Insurance attached.** (if original Contract)
- 11 **Description of your efforts to reduce the cost of the contract including information on efforts to obtain other quotes for the contracted activity:** Original agreement based on RFP
- 12 **Prior year's contract amount?:** N/A
- 13 **Describe service impact from an ongoing commitment to the contractor:** N/A
- 14 **Why staff cannot perform the work?:** The work needs licensed professional engineers with a depth of experience in designing commercial Airports
- 15 **If extending contract, why?:** N/A
- 16 **Was a Santa Fe company awarded contract? If not, why?:** N/A
- 17 **Has the contract has been approved as to form by City Attorney's Office?:** yes
- 18 **Is this for City Manager or Council approval?:** City Manager

To be recorded by City Clerk:

Contract # _____

Date of contract Executed (i.e., signed by all parties): _____



City of Santa Fe Summary of Contracts, Agreements, & Amendments

Amount \$	<u>49,483.11</u>	amendment # <u>7</u>	Termination Date: <u>no extension</u>
	Reason:	<u>basic construction phase services for Airport Terminal Improvements, CIP # 611B</u>	
Amount \$	<u>0.00</u>	Amendment # <u>6</u>	Termination Date: <u>07/30/2016</u>
	Reason:	<u>to extend the termination date of the agreement</u>	
Amount \$	<u>137,989.37</u>	amendment # <u>5</u>	Termination Date: <u>no extension</u>
	Reason:	<u>design the short term improvements to the Airport Terminal</u>	



CERTIFICATE OF LIABILITY INSURANCE

MOLZE-1 OP ID: EH

DATE (MM/DD/YYYY)
12/29/2015

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 Professional Liability Insurers, Inc. 6101 Moon St. NE, Suite 1000 Albuquerque, NM 87111 Bob Dean	CONTACT NAME: Bob Dean PHONE (A/C No, Ext): 822-8114 FAX (A/C, No): 822-0341 E-MAIL ADDRESS: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; border-bottom: 1px solid black;">INSURER(S) AFFORDING COVERAGE</td> <td style="text-align: center; border-bottom: 1px solid black;">NAIC #</td> </tr> <tr> <td>INSURER A: Travelers P&C of America</td> <td></td> </tr> <tr> <td>INSURER B: New Mexico Assurance Co</td> <td></td> </tr> <tr> <td>INSURER C: XL Specialty Insurance</td> <td style="text-align: center;">37885</td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Travelers P&C of America		INSURER B: New Mexico Assurance Co		INSURER C: XL Specialty Insurance	37885	INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A: Travelers P&C of America															
INSURER B: New Mexico Assurance Co															
INSURER C: XL Specialty Insurance	37885														
INSURER D:															
INSURER E:															
INSURER F:															
INSURED Molzen-Gorbin & Associates Inc Bob Robeda 2701 Miles Road SE Albuquerque, NM 87106															

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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			6806811L457	12/31/2015	12/31/2016	EACH OCCURRENCE: \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			BA6811L598	12/31/2015	12/31/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10000			CUP7910Y754	12/31/2015	12/31/2016	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	64411.108	01/01/2016	01/01/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Professional Liab			DPR9800850	12/31/2015	12/31/2016	Ea Claim 2,000,000 Aggregate: 4,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Santa Fe Municipal Airport, Open End Engineering Services

CERTIFICATE HOLDER <div style="text-align: center;">MISCEL1</div> Santa Fe Municipal Airport P.O. Box 909 Santa Fe, NM 87504	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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