

City of Santa Fe New Mexico Memorandum



Date: April 18, 2024

To: John Blair, City Manager

Via: Regina Wheeler
Regina Wheeler (Apr 18, 2024 17:48 MDT)

Regina Wheeler, Public Works

From: Romella Glorioso-Moss, Complete Streets Capital Projects Manager RGM

RE: Approval of Purchase Contract – Public Utility Easement

Action:

Request for Approval of a Purchase Contract in the Amount of \$3,550.00 for the Acquisition of a Public Utility Easement from Lino A. Garcia for the Construction of Agua Fria-South Meadows Intersection Improvements Project.

BACKGROUND AND SUMMARY:

The attached Purchase Contract expresses the terms and conditions of an Offer Letter to Lino A. Garcia (Property Owner) signed by the City Manager on March 14, 2024.

Mr. Garcia signed the Purchase Contract on March 25, 2024, which Senior Assistant City Attorney Marcos Martinez approved on April 14, 2024. The Contract is conveying the sale of 131.8 ft of land for \$3,550 for public utility easement to complete the construction of Agua Fria-South Meadows Intersection Improvement Project. The fully executed Purchase Contract will release the Southwestern Title Company to prepare a warranty deed for the transfer of ownership to the City upon payment of the purchase amount.

This acquisition will be the first of four needed to complete the project.

PROCUREMENT METHOD:

This Public Utility Easement to purchase is per Sections 42A-1-3 through 42A-1-4 of the New Mexico Procurement Code, NMSA 1978 and followed NMDOT's Right of Way Bureau Acquisition process.

CONTRACT NUMBER:

The Munis contract number is 3204680.

FUNDING:

Fund Name/Number: CIP – Streets/330
Munis Org Name/Number: Streets/3309980
Munis Object Name/Number: WIP Land/572940

Project ID: ST18330AT

ATTACHMENTS:

Purchase Contract
Offer Letter
Summary of Contracts \ Procurement Checklist

PURCHASE CONTRACT

Project: Agua Fria and South Meadows Intersection

Improvements Project

Parcel: PUBLIC UTILITY EASEMENT

THIS AGREEMENT made and entered into this 21st day of May

. 2024

between Lino A. Garcia, an unmarried man

whose address is 5098 A Agua Fria Road, Santa Fe, NM 87507

Party of the First Part, and the City of Santa Fe, a political subdivision of the State of New Mexico, hereinafter referred to as the City. For the purposes of this contract, Party shall be deemed to be either singular or plural as the context requires.

WITNESSETH: For good and valuable consideration, receipt of which is hereby acknowledged, the Party of the First Part hereby delivers to the City, one (1) Public Utility Easement for the public improvement known as: <u>Agua Fria and South Meadows Intersection Improvements Project</u> situated in Santa Fe County, State of New Mexico, and subject to the following terms and conditions:

CONDITIONS:

- 1. Taxes and Special Assessments, if any, delinquent from former years, and Taxes and Special Assessments for the current year, if due and/or payable, shall be paid by the Party of the First Part.
- 2. THIS CONTRACT embodies the whole Agreement between the parties hereto, and there are no promises, terms, conditions, or obligations referring to the subject matter hereof, other than as contained herein.
- 3. The Party of the First Part hereby agrees that the compensation herein provided to be paid includes full compensation for their interests, and the interests of their life tenants, remaindermen, reversioners, lienors and lessees, and any and all other legal and equitable interests which are or may be outstanding and said Party of the First Part agrees to discharge the same.
- 4. THIS CONTRACT shall be binding upon the parties hereto and upon the respective heirs, devisees, executors, administrators, legal representatives, successors and assigns of the parties, only when the same shall have been approved by the City Manager or his/her authorized representative.
- 5. The terms of this Agreement are understood and assented to by us and payment is to be made in accordance with the above. It is further understood and agreed that, except as noted or specified above, IMMEDIATE POSSESSION of said premises, and the right to enter thereon, is HEREBY GRANTED to the City, its duly authorized Agents and Contractors, upon receipt of payment by First Party.
- 6. The terms and conditions of this contract have been fully explained and are understood by the undersigned, and payment is to be made in accordance with the above conditions.
- 7. The consideration as set forth in the contract shall constitute full payment for the premises and all damages, of whatever nature, arising out of or by reason of the use of said premises for utility purposes.
- 8. Party of the First Part will hold the City harmless for any and all claims, demands or causes of action arising out of or as a result of the transactions as described herein.

The City agrees to purchase the above described real estate, or interest therein, and to pay upon delivery of one (1) good and sufficient Public Utility Easement therefore, as follows:

Parcel	Sq. Ft.	\$ / Unit	% Fee	Land	Improvements	Net Damages	Total
Public Utility Easement	131.8	\$4.00/sq. ft.	100%	\$527.20	N/A	N/A	\$527.20
					•	Rounded	\$550.00
						Signing Bonus	\$3,000.00

	7	Total Compe	ensation \$3,550.00
CITY OF SA	ANTA FE		
By:	John Blair John Blair (May 21, 2024 11:32 MDT)	Date:	May 21, 2024
	John Blair, City Manager		
ATTEST:	18488V	Date:	May 21, 2024
	Geralyn F. Cardenas, Interim City Clerk		
CITY ATTO	RNEY'S OFFICE:		
	Marcos Martinez Marcos Martinez (Apr 14, 2024 13:00 MDT)	Date:	Apr 14, 2024
	Marcos Martinez, Senior Assistant City Attorney		
APPROVED	FOR FINANCES:		
	Mily K. Oster	Date: N	lay 21, 2024
	Emily Oster, Finance Director		
Org/Obj 3309980/572	940		
Party of the F	First Part: Lino A. Garcia, an unmarried man		
	Lino A. Garcia	Date:	3-25-2024
	Title: Property Owner		



City of Santa Fe Summary of Contract, Agreement, Amendment & Lease

1.a	Munis Contract: 3204680	Procuremen	t # (RFP/ITB# If any):	
	Contractor: Lino A. Garcia			
	Procurement Method: Small Purchase		Source GSA Cooperative Exempt	
Des	cription/Title: Purchase Contracting Improvements Pro	ct for Public Utility Ease oject.	ement for Agua Fria-South Meadows Intersection	
ontrac	t: 🛛 Agreement: 🔘	Lease/Rent: O	Amendment: O	
erm St	art Date: 04/01/2024	Term End Date:	Total Contract Amount: \$3,550.00	
	Approved by Council (#	over the City Manager's approval th	reshold, you must go through GB)	N.
Cont	rract / Lease:			
b Ame	endment #:		to the Original Contract/Lease#	
crease	e/(Decrease) Amount \$:			
tend E	Expiration Date to:			
	Approved by Council GI	the original went through GB, all an	nendments must go through Date:	
	1 to	B regardless of the amendment reas	Son)	-
Ame	endment is for:			
3.				
	Procurement History: Public	Utility Easement Acc	quisition- no procurement	
			1	
	Purchasing Officer Rev	riew:	quisition- no procurement	
4	Purchasing Officer Rev	riew: s:	Date:	
4.	Purchasing Officer Rev Comment & Exceptions Funding Source: CIP Street	riew: s:	Date: Org / Object: 3309980/572940	
4.	Purchasing Officer Rev	view: s:s s WIP Land	Date:	
4.	Purchasing Officer Rev Comment & Exceptions Funding Source: CIP Street Andy Hopkins	view: s:s s WIP Land	Date: Org / Object: 3309980/572940 Apr 19, 2024	
	Purchasing Officer Rev Comment & Exceptions Funding Source: CIP Street Andy Hopkins Budget Officer Approva	view: s:s WIP Land al:	Date: Org / Object: 3309980/572940 Apr 19, 2024	
5.	Purchasing Officer Rev Comment & Exceptions Funding Source: CIP Street Andy Hopkins Budget Officer Approva Comment & Exceptions Grant History (if applicable): N/A Grants Administrator App	view: s:s WIP Land al: s:A	Date: Org / Object: 3309980/572940 Apr 19, 2024 Date:	
5. Stafi	Purchasing Officer Rev Comment & Exceptions Funding Source: CIP Street Andy Hopkins Budget Officer Approva Comment & Exceptions Grant History (if applicable): N/ Grants Administrator App	view: s:s WIP Land al: s:A	Date: Org / Object: 3309980/572940 Apr 19, 2024 Date: Date:	
5. Staff	Purchasing Officer Rev Comment & Exceptions Funding Source: CIP Street Andy Hopkins Budget Officer Approva Comment & Exceptions Grant History (if applicable): N/O Grants Administrator App F Contact who Completed This Fore recorded by City Clerk:	view: s:s WIP Land al: s:A proval:	Date: Org / Object: 3309980/572940 Apr 19, 2024 Date:	
5. Staff To be Clerk	Purchasing Officer Rev Comment & Exceptions Funding Source: CIP Street Andy Hopkins Budget Officer Approva Comment & Exceptions Grant History (if applicable): N/O Grants Administrator App F Contact who Completed This Fore recorded by City Clerk:	view: s:s WIP Land al: s:A proval:	Date: Org / Object: 3309980/572940 Apr 19, 2024 Date: Date Phone #: 505-955-6631	
5. Staffi To be Clerk Date	Purchasing Officer Rev Comment & Exceptions Funding Source: CIP Street Andy Hopkins Budget Officer Approva Comment & Exceptions Grant History (if applicable): N/A Grants Administrator App F Contact who Completed This Fore recorded by City Clerk:	view: s:s WIP Land al: s: A proval: Amanda Archule Email: ajarchulet	Date: Org / Object: 3309980/572940 Apr 19, 2024 Date: Date Phone #: 505-955-6631 Date: Date: Date	



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 08/15/2023

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 have ADDITIONAL INSURED provisions or 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).

this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).													
PRODUCER						CONTACT Denise Finn							
Riebling Insurance Agency, LLC						PHONE (A/C, No, Ext): (516) 280-6760 (A/C, No, Ext): (516) 280-6760							
100 Fire Island Avenue						E-MAIL dfinn@riallc.net							
						INSURER(S) AFFORDING COVERAGE NAIC #							
Bab	ylon			NY 11702	INSURER A: Underwriter at Lloyd's of London						15792		
INSU	RED				INSURER B:								
	Southwestern Title & Escrow Inc	: .											
236 Montorumo Ave					INSURER C: INSURER D:								
					INSURER D: INSURER E:								
Santa Fe Ni				NM 87501	INSURER F:								
COVERAGES CERTIFICATE NUMBER: CL2381523861 REVISION NUMBER:													
TH	THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD												
	DICATED. NOTWITHSTANDING ANY REQUIF ERTIFICATE MAY BE ISSUED OR MAY PERTA												
	CLUSIONS AND CONDITIONS OF SUCH PO							ODULOT TO ALL TI	TE TEINIO	,			
INSR LTR	TYPE OF INSURANCE	INSD		POLICY NUMBER	POLICY EFF POLICY EXP								
	COMMERCIAL GENERAL LIABILITY	II.LOD	*****	7				EACH OCCURRENC	CE .	\$			
	CLAIMS-MADE OCCUR							DAMAGE TO RENTE PREMISES (Ea occu	ΞD	\$			
								MED EXP (Any one p		\$			
								PERSONAL & ADV		\$			
	GEN'L AGGREGATE LIMIT APPLIES PER:							GENERAL AGGREG		\$			
	POLICY PRO- JECT LOC							PRODUCTS - COMP		\$			
	OTHER:									\$			
	AUTOMOBILE LIABILITY							COMBINED SINGLE (Ea accident)	LIMIT	\$			
	ANY AUTO							BODILY INJURY (Pe	r person)	\$			
	OWNED SCHEDULED AUTOS							BODILY INJURY (Per accident) \$		\$			
	HIRED NON-OWNED AUTOS ONLY							PROPERTY DAMAG (Per accident)	E	\$			
						: -				\$			
	UMBRELLA LIAB OCCUR							EACH OCCURRENC	E	\$			
EXCESS LIAB CLAIMS-MADE								AGGREGATE		\$			
	DED RETENTION \$									\$			
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY							PER STATUTE	OTH- ER				
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?		N/A						E.L. EACH ACCIDEN	NT	\$			
(Mandatory in NH)							,	E.L. DISEASE - EA E	MPLOYEE	\$			
	If yes, describe under DESCRIPTION OF OPERATIONS below							E.L. DISEASE - POL	ICY LIMIT	\$			
	Errors & Omissions							Each Claim			000,000		
Α				MKLV7PEO9287		08/30/2023	08/30/2024	Aggregate			000,000		
		r - 5						Deductible		\$25,	,000		
ı	CRIPTION OF OPERATIONS / LOCATIONS / VEHICLE	•			-		pace is required)						
Fide	lity Bond SUAFESB10411-2307 Eff. 8/30/20	23 to	8/30/	2024 Aggregate \$250,000 De	eductible	\$15,000							
The	following Locations are also covered under	the ab	ove r	mentioned policies:									
	- 1120 Industrial Park Road, Suite 301, Espanola, NM 87532 - 6310 Jefferson Street, Suite A, Albuquerque, NM 87109-3480												
	7 E Palace, Unit 18, Santa Fe, NM 87501	IIVI O7 I	109-3	400									
CERTIFICATE HOLDER CANCELLATION													
Evidence of Insurance					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											

24-0332 Lino A. Garcia

Final Audit Report 2024-05-21

Created: 2024-05-14

By: Xavier Vigil (xivigil@ci.santa-fe.nm.us)

Status: Signed

Transaction ID: CBJCHBCAABAAA0huNWMP6G5Fvfej0q4n2btE1yy0XStk

"24-0332 Lino A. Garcia" History

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 Signature Date: 2024-05-21 5:26:21 PM GMT Time Source: server- IP address: 63.232.20.2
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 Signature Date: 2024-05-21 5:32:02 PM GMT Time Source: server- IP address: 216.207.130.218
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 Signature Date: 2024-05-21 5:38:25 PM GMT Time Source: server- IP address: 63.232.20.2



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