

CITY COMMISSION JUNE 14, 2023 REGULAR MEETING MINUTES

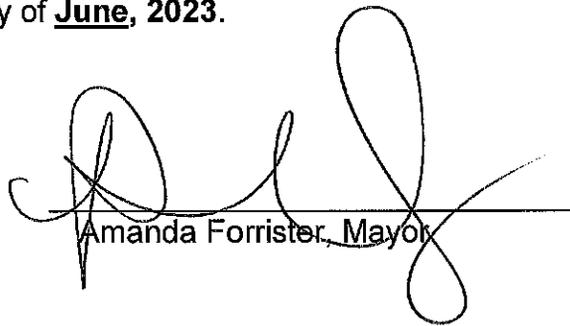
Tammy Gardner, Executive Assistant explained that they are applying for funding help pay for Brochures. The applicant requested \$1,010.50 and the Lodgers Tax Advisory Board recommended to fund this in the amount of \$1,010.50.

**Commissioner Hechler moved to allocate funds to the Sierra County Arts Council in the amount of \$1,010.50. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**J. ADJOURNMENT:**

**Mayor Forrister adjourned the meeting at 12:31 a.m.**

**Passed and Approved this 23rd day of June, 2023.**



Amanda Forrister, Mayor



Angela A. Torres, CMC, City Clerk

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, JUNE 14, 2023

**A. CALL TO ORDER:**

The meeting was called to order by Mayor Amanda Forrister at 9:00 a.m., who presided and Angela A. Torres, City Clerk-Treasurer, acted as Secretary of the meeting.

**B. INTRODUCTION:**

**1. ROLL CALL:**

Upon calling the roll, the following Commissioners were reported present.

Hon. Amanda Forrister, Mayor  
Hon. Rolf Hechler, Mayor Pro-Tem  
Hon. Destiny Mitchell, Commissioner was absent  
Hon. Merry Jo Fahl, Commissioner  
Hon. Shelly Harrelson, Commissioner

Also Present: Angie Gonzales, City Manager  
Traci Alvarez, Assistant City Manager  
Jay Rubin, Assistant City Manager  
Angela A. Torres, City Clerk-Treasurer  
Kristie Wilson, Finance Director  
Luis Tavizon, Chief of Police

There being a quorum present, the Commission proceeded with the business at hand.

**2. SILENT MEDITATION:**

Mayor Forrister called for fifteen seconds of silent meditation and asked that everyone keep the family of Benny Fuentes in their thoughts and prayers.

**3. PLEDGE OF ALLEGIANCE:**

Mayor Forrister called for Mayor Pro-Tem Hechler to lead the Pledge of Allegiance.

**4. APPROVAL OF AGENDA:**

**Mayor Pro-Tem Hechler moved to approve the agenda as submitted. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**C. PRESENTATIONS:**

**1. Presentation of City of Truth or Consequences Employee Service Anniversary Awards:**

City Manager Gonzales presented an Employee Service Anniversary Award for Jessica Halsey for 2 years of service with the City of Truth or Consequences.

City Manager Gonzales and Chief of Police Tavizon presented an Employee Service Anniversary Award to Ted Ontiveros for 18 years of service with the City of Truth or Consequences.

City Manager Gonzales and Chief of Police Tavizon presented an Employee Service Anniversary Award to Tyler Knull for 1 year of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for Christopher Rees for 8 years of service with the City of Truth or Consequences.

City Manager Gonzales and Librarian Pat O'Hanlon presented an Employee Service Anniversary Award to Elizabeth Kelemen for 1 year of service with the City of Truth or Consequences.

**D. PUBLIC COMMENT (3 Minute Rule Applies):**

Cathy Mears Martin addressed the Commission with comments related to:

- She is here on behalf of MainStreet T or C. She updated the Commission on their "at a glance" program which goes over some of projects that MainStreet has been working on. One of the projects is the New Mexico Resiliency Alliance where they received a grant for 5 years. They are calling it "here's your sign" and that will be kicking off with the intention of helping five local businesses. They are supporting local artists as well. They will be collaborating with the Sierra Arts Council and the Chamber of Commerce. They are just waiting to hear back from the Leeds Grenville Economic e-commerce project where they put in an application for \$10,000 in order to support e-commerce education for local businesses. They should find out in the next couple of weeks, but so far it looks promising. They also had their June Art Hop which was a good turnout so they are looking forward to the one in July which they will soon start the advertising process for that one. Lastly, they have already started planning the parade of lights and the Down Town Christmas Event as well as other projects that they work on.

Kathleen Sloan addressed the Commission with comments related to:

- She has questions concerning the Electric Rate Study. What is the evidence for the projection that solar customers will reduce the revenue as opposed to

possible evidence that transmission laws is or may cause the reduction in revenue. Her second question is page 112 of the city packet, she doesn't understand the revenue figure, and if it is subtracting the cost of energy before giving revenue. On page 113 of the packet, the expenses theory year to year. She's wondering why and if they are capital projects, please explain the capital projects, and why they are being done in those years. Her fourth question is that there is a reference to other revenue that increases at 27.6% in 2024 on page 116 of the packet, what is the other revenue? Also, why is the energy cost adjustment separated? Mr. Swingle in the past was asked this same question, about the base rate, the energy cost adjustment, and then the per kilowatt charge. He said that everything's thrown into the same revenue pot, she doesn't understand. It makes the rate study much more complicated. She'd like to know the rationality behind separating them.

- Regarding the ICIP, you have \$5million for water meters. Why do they cost so much? You asked for \$20 million for water emergency funding, but she doesn't see that here on the ICIP. You also asked for \$1.5 million emergency sewer funding. Where is that on the ICIP? Where are the asset management plans to support this?

#### **E. REPORTS:**

##### **City Manager Gonzales reported the following:**

- The Mayor and I were honored to be able to give a welcome at the recycling facility operator certification course that is being held across the alley next door. There were 20-25 people over there, but the whole room was full. They are here for re-certification. They are all over the state so it is really exciting to see them. Traci and Arnie attended a webinar with me, and it was horrifyingly boring, but it was good for our community. It's a webinar for communities along the U.S./Mexico border on the environmental and climate justice program designed for infrastructure. It's a \$2 billion environmental and climate justice program, notice of funding opportunity and local governments. They don't have the definitions together. They're just putting the program together, and they are hoping that maybe they can get everything done by mid-summer, around August. They might start taking applications in October or November, so we have already put together our little spill for that.
- There was a notice of proceed on August 31, 2022 for the water street project that is going on downtown. This is for the MSD Water System Improvements that are going on downtown, and I know they have been in front of the board lots of times, but I'm going to go over it one more time. Notice of the board was on 8/31/2022. The notice to proceed was on 10/24/22, and the end of the contract will be on 10/19/2023. We have meetings about it every two weeks on Thursdays at 9:00 a.m. They finished up the tie ins on South Pershing, Mims, McAdoo, Main, Post Street, and Daniels Street, and everything is in compliance. There is a little bit of an issue with electric, but that really has to do more with the Cook Street Treatment Plant. By the next meeting, they should have already finished the tie-ins, and what that is, is it ties into the new

equipment, and new construction to the older stuff. Garst Street, Jones on the north and south, Foch, Pershing North, and Main Street at the dog park. Arnie (Water/Waste Water Dept Head), and the construction company were going to look at that because we may have just put a pause on that due to the water issues that we were having at that time. The work performed on the downtown area is on schedule. All water connection is to be completed toward the end of this month. There is a slight delay because the city had a well down. Once the connections are done, pavement, curb, and gutter will be inspected by the New Mexico Department of Transportation around July 1<sup>st</sup>. The roadway pavement will start around July 1<sup>st</sup>. The roadway pavement should be completed approximately two or three weeks after the start date, so it should be done towards late July. Cook Street is delayed because there are so many electric components to it, that it's being drawn on the supply and demand issue that is going on across the country. The Cook Street work is being delayed until April of next year. Our engineers, and staff, are all working with the contractor to see how that can be expedited by the end of this year. We will keep you on notice on whether or not that gets done, but I am trying to learn very quick. The staff is staying on top of this, as well as the engineer. I feel like we are moving very well. That is a lot of work to get done in one year so I want to thank the staff for helping me out with this.

**City Attorney Rubin had no reports.**

**City Commission Reports:**

**Commissioner Fahl reported the following:**

- I attended the Sierra County Recreation and Tourism Board meeting, and the Rio Grande Economic Development Association on behalf of the city. The Jornada RCND also, but I just wanted to say that the past fire that we all know that's going on its almost 50,000 acres according to the last update that I got. You can find out what's going on with that fire, and other fires in New Mexico at the New Mexico fire info website. I wanted to just remind folks that we are going to continue to experience smoke throughout fire season. The Gila has quite a few fires going on, and to deal with smoke, a lot of people that have health issues. If you have central air, you can just put HEPPA filters in your system and that will reduce the impacts. If you have a swamp cooler, and if the smoke is really heavy, you should just turn off your swamp cooler. Last week the smoke was really bad, but we will continue to experience smoke. The past fire is a wildfire that was lighting ignited. They're managing that fire and not suppressing it, and that is good for the forest. We will still have issues with smoke. I have always said, we need to embrace the smell of smoke because prescribed fires are a lot better than those catastrophic fires, so we need to support that. I think that the city as a whole has talked about this before. We as Commissioners, and the city need to have a closer working relationship with the Forest Service because whatever happens there impacts us, good or bad, and we have a lot of economy that's based on activities on the forest. We have recreation, hunting, guiding and so

maybe Angie when you have a chance you can meet with the new ranger. I intend to meet with him as soon as I can too.

**Commissioner Harrelson reported the following:**

- On Monday I went to the School Board Meeting. I'm always about the education of T or C, and I'm going to report only the positive things. We have some good things that happened. The School Board passed to put a bond on the next election. They did not talk about the language but it will be something to improve building structures, and this is something that we do all the time. When you have a bond that comes through, it doesn't raise taxes. It just continues the money. The language that goes into the bond when it goes on for election is to support, I think roofing and the AC in the Middle School. I think it's really important for us as constituents to understand that our buildings need maintenance, and that's how school districts get maintenance, is through the bonds.
- We have 14 teachers that are going through what is called National Boards, and that is the highest certification in the United States for licensing for teachers. We have a co-board of 14 teachers on staff that are headed through that, so that is really exciting. That means they are going to be highly certified in the United States and go to any school in the United States, and be highly certified after they finish their National Boards.
- We were awarded a grant through PED the Public Education Department to be a model school, so T or C will be a model school for New Mexico. There was only 8 chosen in New Mexico. That means that school districts and teachers will be coming to our school to observe our teachers doing their good work, and take that back to do that in their own sites. I think that is really exciting for our teachers and our staff. They have been working really hard, and all of the things they talked about were really positive.

**Mayor Pro-Tem Hechler reported the following:**

- I want to thank our community for being patient because I think we're all experiencing some construction critique and that's exacerbated by our water situation and I can feel it in the community I can see it on Facebook and it's just something that we need some patience with and I really thank the community for being as patient as they can and getting through it, this will pass and we are going to be a better community for it when we get there. So, thank you to the employees at the city for their patience and working so hard to get us through it and putting up with the things we have to put up with, these things are not self-generated to a large extent, they are a hand we've been dealt and we have to get through and I want to continue to ask the community to support the city and be patient with us.

**Mayor Forrister reported the following:**

- We attended the New Mexico Road Runner chapter of Solid Waste Association of North America welcoming party and I think they are called SWANA for short. It's a three day class. This class had about 20 people in there. There were more people in attendance, but 20 students, and after scheduling class a few years

back in T or C, they were very impressed with the welcome that they got here. They also enjoyed the cleanliness of our facility, so now they hold this training here annually in T or C. They go and tour our facility and they always have really good things to say, but it was really neat. I asked a question on how many out of those 20 students or anybody that was in attendance had ever been to T or C, and most of them, probably like 75% of them had never been here, so it's really neat that we can bring these trainings here time and time again. Where we're getting new people coming into the community and then they are returning afterwards. The recycling committee were there handing out pamphlets and stuff to the students on things that they could do in our community. They often bring their spouses and their children here as well, so they are spending time getting to know our community while their significant others are in training for three days, so it was a really good event.

- I also just want to hit on what we talked about earlier. The city suffered a big loss losing Benny, and it just seems like when it rains it pours. There are so many families out there suffering right now, so just make sure to keep his family, the Ortiz family, the Godinez family and all of the people who have experienced a loss this weekend in your thoughts and prayers.
- We have a big event happening at the Fair Grounds. It's the livestock school southern regional livestock. It kicks off today, and it will go through Sunday. If you get a chance, you should go look at it because this event used to be held in Albuquerque, and it is now moved here. Lodgers Tax has also given some money to that event, and they helped them with some pens that they could keep it here. Las Cruces has been trying to steal this away from us. They want grow it, and so growing it right here, that place will be jam packed this weekend. 4-H kids are 2.3 times more likely to be physically active, and nearly 2 times more likely plan to go to college, and are 3.4 times more likely to contribute to their communities compared to youth who do not participate in 4-H and FFA. These are some really good high quality kids that will be here all weekend long in our communities so welcome them with open arms. There were 150 participants last year, and this year it was expected to grow, and it did because when you try to go and register, the goats closed in a matter of 3 hours and were supposed to open the whole month, but it was full in 3 hours.

Commissioner Harrelson: For those of you that have children K-5<sup>th</sup> grade. Every Tuesday we have a volleyball camp going for all kids. It's a two hour event where you get to learn volleyball skills and work with all of the big girls. It's \$10 to come and join the group. We're really trying to promote exercise, activity, and learning the skills of volleyball.

Mayor Forrister: It's been a really fun event. It's been great to see those younger girls get to come in and work with the older volleyball girls, and just really get a sense of community, and being able to teach each other different things. Camp of champs also closed last weekend. They had a really awesome turn out, so those are some good events. We have two more weeks of the volleyball camp on Tuesdays.

**F. CONSENT CALENDAR:**

1. **City Commission Regular Minutes, May 24, 2023**
2. **Acknowledge Regular Lodgers Tax Advisory Board Minutes, March 27, 2023**
3. **Take-home vehicle form**
4. **Accounts Payable, May 2023**

Commissioner Fahl moved to approve the Consent Calendar as submitted. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

**G. PUBLIC HEARINGS:**

1. **Public Hearing/Discussion/Action: Final Adoption of Ordinance No. 752 Amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-96 of the Code Pertaining to Waste Water Connection Fees:**

Arnie Castaneda, Water/Wastewater Director: A couple of meetings ago we had the first screening about the connection fees for water and waste water. I mentioned that the old fees were not covering any other cost that we were incurring for the installation or buying the parts for any water or sewer connections, so that was the reason why we recommended the increase.

City Attorney Rubin: What you have before you is the proposed ordinance. It's the same that we already have in the book, so you have A,B,C and B and C are the same. The only thing we're changing is just the service tap fees, and are you aware of what the previous rates were, and what they are now. According to my notes here, the 4 inch was \$675 dollars and now going to be \$1,200 the 6 inch was \$725 and now it's going to be \$1,600.

Mayor Forrister opened the public hearing.

**Proponents:**

There were no proponents.

**Opponents:**

There were no opponents.

Mayor Forrister closed the public hearing.

Mayor Pro-Tem Hechler: Just for clarification so, a new bill would have to pay at the minimum \$1200 for sewer, and another \$1200 for water? So, a total of \$2400, and that's just for a new bill not if you are transferring or anything else?

Arnie Castaneda, Water/Wastewater Director: That is the brand new connection.

Mayor Pro-Tem Hechler: So that is quite a bit of money to somebody that's looking to add to our community, or bill in our community. I can understand this recouping our cost. The other question I guess I have is the developer we have on Wyona Street. He's building a multitude of units there. Has he already paid, or is he going to have to pay?

Arnie Castaneda, Water/Wastewater Director: I believe he already paid this won't affect him, it's already done.

Mayor Forrister: This is just on new stuff. If you move to another property, if it's already an established property, that's not a fee. This is just if you're a new build.

Commissioner Fahl: There's programs that help people with low incomes, so maybe they won't be out of pocket as much.

Mayor Pro-Tem: If you have a unit that has multiple units, it's still either a 4inch or a 6inch connection for the one time the big unit, or does each apartment going to be separate?

Arnie Castaneda, Water/Wastewater Director: This would be for the main connection, so if they have say a 6inch line that comes into the apartment complex, they would be charged for the 6inch line then they'll separate it.

**Mayor Pro-Tem Hechler moved to approve adoption of Ordinance No. 752 amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-96 of the Code Pertaining to Waste Water Connection Fees. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**2. Public Hearing/Discussion/Action: Final Adoption of Ordinance No. 753 Amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-95 of the Code Pertaining to Water Connection Fees.**

Arnie Castaneda, Water/Wastewater Director: This is similar to the wastewater. We did the charges again for covering our cost and the price of the material.

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City Attorney Rubin: It's the same legal principal the rest of the ordinance stays the same and if you want, I am happy to articulate what they were before. 3/4 of an inch is going from \$675 to \$1,200, 1 inch is going from \$867 to \$1,300, 1 1/2 inch is \$1,500. That's a new figure. 2 inches is going from \$2,000 is now \$2,057. The 4 inch is \$3,000, and the 6 inch will be \$4,000. The last three are all new ones.

Mayor Forrister opened the public hearing.

**Proponents:**

There were no proponents.

**Opponents:**

There were no opponents.

Mayor Forrister closed the public hearing.

Mayor Pro-Tem Hechler: You arrived at these figures on our own cost or have you compared these figures with other communities?

Arnie Castaneda, Water/Wastewater Director: I looked at our real life cost that we incur including man power and prices of material, plus I checked with Los Lunas, I think Alamogordo, and there was a third community that I checked to see what the average was down the state, so I came to this conclusion with all of that involved.

Mayor Pro-Tem Hechler: What was the result of you checking with the other communities. Are we in the ball park, are we high, or are we low?

Arnie Castaneda, Water/Wastewater Director: We were very low. Everybody else was high, and this is what the average came out to be. So, we are now in the ballpark with the state, or just the communities I checked.

Commissioner Fahl: The ones that were new, the communities that you checked with did they have 4,6, and 8 inch lines?

Arnie Castaneda, Water/Wastewater Director: No, most of the communities topped off at about 4inches, but we have the possibility of getting 8 inch lines.

Commissioner Fahl: So then how did you come up with those costs if nobody else was doing that?

Arnie Castaneda, Water/Wastewater Director: Again, just the cost that we incur and the man power.

**Commissioner Fahl moved to approve adoption of Ordinance No. 752 amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-96 of the Code Pertaining to Waste Water Connection Fees. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**3. Public Hearing/Discussion/Action: Final Adoption of Ordinance No. 755 authorizing the lease of real property to Tower Point Acquisitions, LLC (Water tank site on 2nd Street) pursuant to section 3-54-1 NMSA 1978.**

City Attorney Rubin: As you know, I've been a broken record on all these cell tower ordinances. We have to go through the bases of section 3-54-1. We are talking about a lease, or an easement, or a sale of real property. We had to go through the process of getting an appraisal which we articulated within the ordinance, and then I set forth throughout the reasons on why we felt this is beneficial to the city. Getting back to paragraph C it articulates that we already have a 2019 lease with Gravity Pad. They are paying us monthly rent. The last sentence reads, currently there is one sub carrier with a second sub carrier (Verizon) expected to commence a sub carrier lease with Gravity Pad within twelve months from the commencement date, so that's important. I'll get to that in just a moment. Then in paragraph D, we've negotiated a separate easement agreement with Tower Point, and that's the subject of this ordinance. We're granting them an easement for telecom purposes to a portion of real property, including the lease of the premises to the tenant. E then talks about the appraisal under 3-54-1 for requirements. Paragraph F is actually the important part. This actually gets to the monetary issue. They contemplate the purchase price to the city as a onetime upfront payment of \$80,000 to be paid to the city at the inception of the easement. Now here is where it gets interesting. Additionally, there shall be a second payment of \$80,000 if Verizon commences a sublease with Gravity Pad, and a tenant receives an increase in rent from Gravity Pad within 12 months of the commencement date. The easement shall be for a 99 year term commencement date. And talking with Mrs. Alvarez, I understand that is now in the works. We feel this is in the best interest of the city, and getting these upfront payments is good, and this is the best use of the property. As we've said before, we don't really know what the use of the property would be many years from now, so we're locking-in our advantage at this point. Maintaining the property has been a labor intensive task, so these are several advantages. That's basically the terms of the ordinance. I would also add, paragraph D talks about a couple of agreements that are going to be attached. I don't know if the city has gotten to those yet, but we would approve the ordinance subject to us getting those agreements taken care of.

City Manager Gonzales: The agreements are sitting on my desk.

Mayor Forrister: It's the easement agreement is that what it is?

City Attorney Rubin: Yes, there is a letter of intent to purchase.

City Manager Gonzales: Why that is sitting on my desk, and not here is because you guys, the board, approves the ordinance as per the governing body, and then as per my position, I will sign the documents.

Mayor Forrister opened the public hearing.

**Proponents:**

There were no proponents.

**Opponents:**

There were no opponents.

Mayor Forrister closed the public hearing.

**Mayor Pro-Tem Hechler moved to approve adoption of Ordinance No. 752 amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-96 of the Code Pertaining to Waste Water Connection Fees. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**D. ORDINANCES/RESOLUTIONS/ZONING**

**1. Discussion/Action: Resolution 43 22/23 Adoption of Required Community Development Block Grant (CDBG) Certifications and Commitments.**

Assistant City Manager Alvarez: We have done this approval before. This is a fund requirement for municipalities that accept Community Development Block Grant (CDBG) funds. They must adopt certain required federal regulations, certifications and required commitments. This includes the participation plan which pertains to the open meetings act and publication of notices. As well as the fair housing plan which prohibits the discrimination for sale, lease rental and financing of housing and land. The anti-displacement and relocation assistance in the event that a person is displaced as a result of our CDBG project. Section 3 encourages the use of small businesses and hiring of low income residents of the community and the procurement plan ensuring that we are all in compliance with the New Mexico Procurement Code. Each plan is explained in the packet.

**Commissioner Fahl moved to approve Resolution 43 22/23 Adoption of Required Community Development Block Grant (CDBG) Certifications and Commitments.**

**Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**2. Discussion/Action: Resolution No. 49 22/23 Budget Adjustment Request.**

Kristie Wilson, Finance Director reviewed the budget adjustments provided in the packet.

**Mayor Pro-Tem Hechler moved to approve Resolution No. 49 22/23 Budget Adjustment Request. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**E. NEW BUSINESS:**

**1. Discussion/Update: Water Update.**

Arnie Castaneda, Water/Wastewater Director: I wanted to give an update of what has been happening with our water system so that everybody is aware of the situation. When I was hired in late January, one of the first things I did was go out and look at all of the equipment between water and wastewater. There were some issues with wastewater that we immediately addressed and the one thing that stuck out on the water system was well #6. It is a good producer of water for our community, but it was in a pretty bad state. It was leaking oil, and we were having to refill it pretty often, and it looked like it might give out at any moment so my discussions with City Manager Swingle were to go ahead and work on Well #6 to refurbish it and put it back online. We went out to see if someone could do that work, but everyone is busy right now. However, we did find Mullen drilling who were willing to work on our well. It took a couple of weeks for them to come in and work on it. We spent some time waiting for that and they finally came in and opened up the well, pulled it, and we ordered a pump for it. The existing well had a pump that sits outside on top of the well. The well that we were going to replace it with was a submersible pump which the newer type of pumps that are now being used so we ordered one and it took another 3 or 4 weeks to get here while the well was down. Temperatures outside were still very cool so it wasn't a problem. After the contractor put it in, something happened and it fell off and it dropped into the aquifer so they had to fish it out. They finally got the pump online, but it ended up burning out, so this was going on 3 weeks that it had been down. We ended up ordering a second pump, and fortunately they drilled it, and hand delivered it over to us because by this time the weather was getting a little hot so we were using more water, and we were losing storage capacity in our tanks. While all of this was going on, the Cook Station (*which is our main booster pump that pumps the water from Morgan up to the tanks on the other side of the interstate*) lost connection between Cook Street and Morgan tank so Cook Street was not pumping any water into Morgan for a while. This happened in the middle of the night and we don't have any audible alarms or anything

like that so in the morning when the employees went to check it out, nothing was being pushed up to Morgan. So now we are losing a little bit more water in our tanks. We finally got the 3<sup>rd</sup> pump in for well #6, and we installed it and it started pumping water. That was sometime last week, so in the matter of 2 or 3 weeks we had a perfect storm of bad things happening to our water system. We finally got somebody from Albuquerque to come and check the Cook Street and the SCADA system connection between the Morgan and Cook. We installed some new equipment in there and we finally got that going so that is now working correctly. As of yesterday, well # 6 is back online. We had to wait a couple of days because by state law we have to get it tested and make sure that it is correct and there is nothing in there that is going to affect our health. We passed the test and it is back online as of yesterday. Our tank is also now up on the upper zone. The lowest it got was about 3 ft. and that tank is 30 ft. high. The Morgan Street tank is also about 30 ft. high and we were keeping around 10 ft. in that one. The wells that we had that were working were maintaining, but we were not gaining any water so we were getting a lot of low pressure calls from around the community. As of this morning, everything is working correctly so it will take a couple of days before we reach our capacity in our storage tanks.

## **2. Discussion/Update: Electric Rate Study.**

Craig Brown 1898 & Co. reviewed the Electric Rate Study. (Complete presentation attached hereto and made a part hereof).

## **3. Discussion/Action: Customer Service Agreement for the Teesnap Golf Course Point of Sale System.**

Rick Artman, Golf Course Supervisor: The Teesnap program that we are looking at is a point of sale system that is computerized, which is something the golf course has never had. We are still writing down people's names, and then calculating, and in order to get reporting, I take those figures on paper and turn them into excel spreadsheets in order to pass that information on so we can make some informed decisions. This will consolidate that entire process into one proven system. It is designed specifically for golf courses. It has a tee time sheet built in so not only can we sign people up as they walk in the door, but you can actually go online and book your own tee time. I tested one and as soon as you book your tee time, it automatically send the customer an email confirming your tee time, and when you put in your name for the first time it send you a welcome so it is really interacting with the customer and you will have a lot less no shows with that type of a system in place. As of right now, people will call in to get a tee time, and we have a wonderful system called the sticky note system, so if you are from out of town and you want to come play on a Saturday, you call to reserve your time slot, and we put a sticky note down, but we have two different clerks that work weekdays and weekends and that weekend clerk may not see that sticky note when it becomes a floaty note and so that tee time did not get reserved. This system will allow that tee time to be reserved in that particular person's name. There is also an option for them to pre-

pay at the time of the reservation. One of the neat thing about this system is that it is an iPad based system so they are providing two iPads for us. We have one that is on a permanent stand and the other one is a portable one. The system is designed for not only golf, but for a restaurant so it is already combined together so when we bring this system on board, we will have the ability to do all of our golf tracking as well as refreshment, alcohol and food sales when we get to the point of a grill.

Mayor Forrister: Will you talk a little bit about the price on this because when I look at this it shows that we are not going to have to pay anything for it.

Rick Artman, Golf Course Supervisor: That is a program they call their tee pay. It is pretty cool and that is one of the main reasons why we looked at this company vs other companies. When a person goes online and makes a tee time, and they are given a 10% discount if you pre-pay. Teesnap will keep up to 8 of those per day. That is their max, and that is the only payment that we make to this company. If we were to use their pay you option, it would be an \$8,500 per year cost, but we can do the tee pay and in essence at the worst it would cost us 8 people per day. Most of our local golfers don't sign up online so I think most of our online sales are going to come from new golfers. This system will also allow for me to take the tee times out when the leagues and our core membership of the course are playing so that nobody can book that particular time online. I explained to Teesnap that they are not going to get 8 people per day, and they are okay with that. They make their money on larger courses. Belen also uses this system. Another aspect that would be good if we get it approved, is the restaurant side. When our liquor license gets completely in place, we will be able to charge the customer for the golf game when they walk in, and then if we had a golf cart with beer, the "beer girl" would have a portable iPad and could charge into the same account automatically. That would be very convenient for the guys out on the golf course as they are playing golf. We can also put disc golf into the same system.

OJ Hechler, Community Services Director: The way that Teesnap is going to make money off of this is that they are going to help market our Golf Course. Anybody who pays with Teesnap is more than likely going to be a new customer. This contract is also at will so if we don't like what we are seeing, and if we don't feel like we are getting a benefit out of this we can terminate this contract.

**Commissioner Fahl moved to approve the Customer Service Agreement for the Teesnap Golf Course Point of Sale System. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

- 4. Discussion/Action: Appointment of Jesus Baray to serve a 3 year term as a City Representative on the Sierra Vista Hospital Governing Board.**

City Manager Gonzales: Jesus Baray submitted an application to serve as a City Representative on the Sierra Vista Hospital Governing Board. We have a 3 year term available, and staff recommends approval of his appointment to the board.

**Mayor Pro-Tem Hechler moved to appoint Jesus Baray to serve a 3 year term as a City Representative on the Sierra Vista Hospital Governing Board. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**5. Discussion/Action: Approval of proposed Mutual Aid Agreement between the Sierra County Sheriff's Office and the Truth or Consequences Police Department.**

Chief of Police Tavizon: This is a proposal for a Mutual Aid Agreement with the Sierra County Sheriff's Office, the officers of the Truth or Consequences Police Department. The police officers at the Truth or Consequences Police Department are statutorily restricted within their authority to the city limits of Truth or Consequences with very few exceptions outside of that. Under emergency circumstances, this would give the authority to those officers to conduct their jobs as police officers within the State of New Mexico. There have been numerous occasions of when there has been an incident of where our officers respond to a call to assist into taking a person into custody, but anytime that we are operating outside of the scope of our authority or jurisdiction there are concerns for liability that the city and the officer holds personally. When acting upon the request for mutual aid both the Truth or Consequences Police Department and the Sierra County Sheriff officers shall have the same jurisdiction, powers, rights, privileges, and immunities as officers from the requesting agency. When requested by the Sierra County Sheriff's Office, the Truth or Consequences Police Department officers will be cross-commissioned as Sierra County Sheriff Office Special Deputies to enforce state criminal statutes when violations occur in Sierra County, outside the Truth or Consequences Police Department jurisdiction.

Josh Baker, Sierra County Sheriff: One of my goals when I took office was to build working relationships. I have a similar Mutual Aid Agreement with Dona Ana County Sheriff's Office which came into play during our officer involved shooting. They actually sent two deputies up right away to help us. It was pretty chaotic. The State Police Department was involved so their personnel were tied up. It was quite the mess. I also have one with the Socorro County Sheriff's Office and it only makes sense for this because the city has a 13 or 14 man department and we have a 13 man department. We are dealing with the same criminal element. Chief Tavizon and I are working on several projects together. This will hopefully be the cement of a good foundation to build off of with the Operations Stonegarden grant, HIDA operations and other things hopefully in the future. My main concern in the coverage for the officers. There are times when we have one deputy out, and in the past one T or C Police Department

deputy out so we have to help each other. There was a recent case in Eddy County where an officer took some action outside of their jurisdiction and they wound up getting criminally charged so this would have prevented that whole situation and covered both sides.

**Commissioner Fahl moved to approve the proposed Mutual Aid Agreement between the Sierra County Sheriff's Office and the Truth or Consequences Police Department. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**6. Discussion/Action: Award Recommendation for RFP #22-23-003 for IT Services.**

City Manager Gonzales: This has gone for the request for proposals as per the New Mexico procurement code. It was advertised, and then it was opened. The proposals were due on May 16th at 2:00 p.m. We received one proposal from CD Technologies and the evaluation was done by the Procurement Officer, Myself, Assistant City Manager Alvarez, and City Clerk Torres. My recommendation is to award the RFP.

City Attorney Rubin: If you approve to adopt the recommendation to approve the RFP that would also include the contract.

**Mayor Pro-Tem Hechler moved to award Recommendation for RFP #22-23-003 for IT Services and to also include the contract. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**7. Discussion/Action: Award recommendations for RFP #22-23-004 for Airport Operations and Management.**

Assistant City Manager Alvarez: We were finally able to get the RFP put together, and advertised for Airport Operations and Management services. At the pre-proposal meeting we had two interested parties. However, in the end only one submitted a proposal. This contract would actually turn a majority of the airport over to airport management. We would retain ownership which would allow us to continue with our grant funding and improvements, but it would streamline the operation of personnel. Right now we only have one employee. They would switch over to work underneath this company, so it would virtually do away with airport budget. I do have in FY 19/20, total operating expenses for the airport at \$241,154, FY 20/21 was \$208,818, 21/22 was \$409,623, and our final budget for the 22/23 fiscal year was \$304,511, but we don't have the actuals yet, obviously. Our insurance was proposed for \$265,575. She then reviewed Exhibit A of the contract which was included in the packet.

**Commissioner Fahl moved to award recommendations for RFP #22-23-004 for Airport Operations and Management and to also include the contract. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**8. Discussion/Action: Approve Municipal Golf Course Residential Building Lease Agreement.**

Assistant City Manager Alvarez: The city wishes to enter into a lease agreement with Water/Wastewater Director Arnie Castaneda for the purpose of residing in the residential building located at the T or C Municipal Golf Course.

**Mayor Pro-Tem Hechler moved to approve the Municipal Golf Course Residential Building Lease Agreement. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**9. Discussion/Update: Infrastructure Capital Improvement Plan.**

Assistant City Manager Alvarez: This is to get started for the ICIP process so I wanted to get the information out there to you and include it in your packet. I also included last years approved Infrastructure Capital Improvement Plan. We will need to take a look at that. It still will need to be updated with any projects we were already funded for and it will need to be updated to accommodate some new costs and addition or deletion of projects for this next 2025 through 2029 project selection process.

**10. Discussion/Action: Sale of 1999 Cavco Mobile Home.**

Assistant City Manager Alvarez: The 1999 Cavco Mobile Home located at the T or C Municipal Airport needs to be removed for future upgrades and expansions of airport fuel station and apron. The mobile home has been advertised in local newspaper, social media and in flyers in various city departments. Offers to purchase were accepted until May 31, 2023 and options to amend offers with best and final offers were accepted until June 6, 2023. Staff would like to accept the highest offer of \$3,500.00 and proceed with sale and removal of the mobile home.

**Commissioner Fahl moved to approve the sale of 1999 Cavco Mobile Home. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**11. Discussion/Action: Recommendation of Award, Truth or Consequences Morgan Booster & Austin St. Project.**

Assistant City Manager Alvarez: This bid was overseen by our engineering services so it was advertised far and wide, as well as on their site. The recommendation from Wilson and Company is to award the bid to Smith Co. construction. They were the only bidders for this project. The issue that we are having right now is going out to bid on some of our projects is that there is so much work going on that the contractors are picking and choosing which ones they want to do, and normally it is by dollar amount, but sometimes it's by scheduling as well. (*Recommendation letter attached hereto and made a part hereof*).

**Mayor Pro-Tem Hechler moved to approve recommendation of Award, Truth or Consequences Morgan Booster & Austin St. Project. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**12. Discussion/Action: Discussion/Action: Recommendation of Award, Truth or Consequences Drinking Water Systems Improvement Project.**

Assistant City Manager Alvarez: This is pretty much the same thing, but a different project. Wilson & Company is overseeing this project. We received three bids for this one. (*Recommendation letter attached hereto and made a part hereof*). We would like to receive approval to award Smith Co. for the drinking water project.

**Commissioner Fahl moved to approve recommendation of Award, Truth or Consequences Drinking Water Systems Improvement Project. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**13. Discussion/Action: Review, Approve and/or Allocate Funds for Sierra County Rock & Gem Society.**

Tammy Gardner, Executive Assistant explained that they are applying for funding for the purpose of the Rock & Gem Show. The applicant requested \$1,000 and the Lodgers Tax Advisory Board recommended to fund this in the amount of \$1,000.

**Commissioner Fahl moved to allocate funds to the Sierra County Rock & Gem Society in the amount of \$1,000. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**14. Discussion/Action: Review, Approve and/or Allocate Funds for Sierra County Arts Council.**

June 7, 2023

Traci Alvarez  
Assistant City Manager  
City of Truth or Consequences  
505 Sims Street  
Truth or Consequences, NM 87901

Re: Recommendation of Award, Truth or Consequences Morgan Booster & Austin St. Project

Bids were received at the City of Truth or Consequences Finance Department located at 505 Sims Street, Truth or Consequences, NM, on Tuesday, May 23, 2023, until 10:30 am MST local time. At 11:00 am MST, May 23, 2023, the bids will be moved to the Commission Chambers at 405 W 3<sup>rd</sup> Street, Truth or Consequences, NM to be publicly opened and read. The following bids were received and are presented in the order in which they were opened:

No.	Company	Base Bid (excl. NMGRT)	Additive Alternate #1 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 (excl. NMGRT)	Additive Alternate #2 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 & #2 (excl. NMGRT)	Additive Alternate #3 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 & #2 & #3 (excl. NMGRT)
1	SMITHCO CONSTRUCTION INC.	\$189,500.00	\$184,000.00	\$373,500.00	\$129,000.00	\$502,500.00	\$326,144.00	\$828,644.00

A complete tabulation of bid is attached. The evaluation of the bid is based on the Base Bid+ Additive 1+ Additive 2 + Additive 2 and was within 10% of the engineer's estimate. One bid was received from Smithco Construction Inc, the low bidder was Smithco Construction Inc.

Wilson and Company have reviewed the bid for the following information:

- The Bid Proposal was signed by an individual duly authorized to bind the company.
- Smithco Construction Inc acknowledged receipt of all addenda.
- Smithco Construction Inc is a licensed contractor in the State of New Mexico in good standing.
- The appropriate license classifications are contingent upon the License Determination Request submitted to CID.

Included with the signed Bid Proposal form, Smithco Construction, Inc. submitted the following:

- Required Bid Security
- List Of Proposed Subcontractors
- List of Proposed Suppliers (None)
- Evidence of authority to do business in the state of the Project
- Contractor's license number
- Required Bidder Qualification Statement with supporting data.
- Certification of Equal Employment Opportunity Compliance
- Affidavit of Non-Collusion

- Resident/ Veteran Preference Certification Form
- Bid Bond
- Power of Attorney

Based on the information provided and the available funding, the lowest responsible bidder is Smithco Construction, Inc. We, therefore, recommend the construction contract for the Truth or Consequences Morgan Booster & Austin St. Project, Base Bid + Additive 1 + Additive 2, be awarded to Smithco Construction, Inc for a total contract award amount of \$502,500.00, excluding NMGRT, with a the NMGRT of \$42,713.00, for a total contract amount of \$545,213.00, w/ NMGRT. We recommend verifying the obligated funding amounts with the Water Trust Board (WTB) prior to awarding any portion of the project.

Sincerely,



**Mark A. Nasi, PE**

Sr. Water/Wastewater Project Manager  
Wilson & Company, Inc., Engineers & Architects

**Enclosures:**

Project Bid Tabulation  
Required Bid Documents Checklist  
Sign-in Sheet

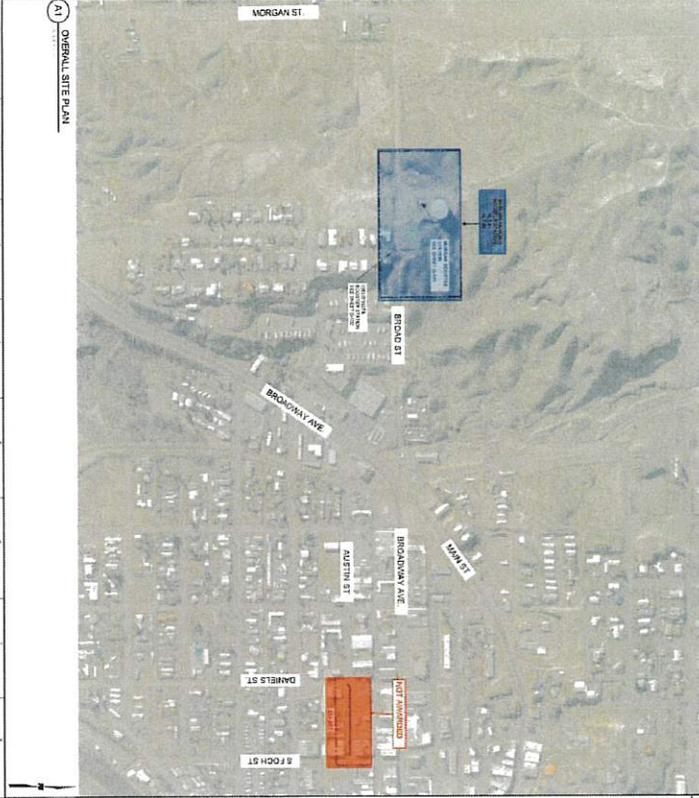


T or C Morgan Booster & Auslin St.  
Project Cost Estimate  
Truth or Consequences, New Mexico

SmithCo

ITEM NO.	ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	CALCULATED COST	BID FORM COST
<b>Base Bid-Allowances and Miscellaneous</b>								
1	Mobilization	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
2	Traffic Control	LS	1	\$ 13,282.56	\$ 13,282.56	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
3	Construction Staking, CIP.	LS	1	\$ 5,669.28	\$ 5,669.28	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
4	Pot Hopping	Allow	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
5	Material Testing Allowance	Allow	1	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
<b>Base Bid-Morgan Booster Station</b>								
6	Remove and Salvage of Existing Pump and Motor from Manifold (incl. removal of booster outlet pipe, booster inlet pipe, electrical components controls, all labor, materials and appurtenances not separately listed on Bid Form), CIP	EA	1	\$ 2,500.00	\$ 2,500.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
7	Furnish and Install Booster Pump and Motor into Existing Manifold (incl. variable frequency drives, booster inlet pipe, booster outlet pipe, all labor, materials, controls, pump mounting platform, and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	EA	1	\$ 87,982.00	\$ 87,982.00	\$ 105,000.00	\$ 105,000.00	\$ 105,000.00
8	Connect to Existing Control Power Panel for New Pumps & Motor (incl. all labor, materials, connections to existing electrical supply, including a provided enclosed motor circuit protector NEMA 1 enclosure set magnetic trip to 800% (6x) typ and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	LS	1	\$ 18,003.00	\$ 18,003.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
9	Remove and Replace 8-in Check Valve on Existing Pump Skid Manifold (incl. all labor, materials and appurtenances not separately listed on Bid Form), CIP	LS	1	\$ 3,450.00	\$ 3,450.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
10	Remove and Replace 8-in Butterfly Valve on Existing Pump Skid Manifold (incl. all labor, materials and appurtenances not separately listed on Bid Form), CIP	EA	2	\$ 1,650.00	\$ 3,300.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00
11	Remove 8" x 4" steel tee and replace with 8" welded steel solid pipe. Remove and disposal of control valve, valves, and piping of the booster pump control system.	LS	1	\$ 8,000.00	\$ 8,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
					Total Base Bid EXCL NMGR	\$ 173,666.84	\$ 189,500.00	\$ 189,500.00
					NMGR for TorC at 8.5%	\$ 14,761.68	\$ 16,107.50	\$ 16,107.50
					Total Construction Cost Base Bid	\$ 188,428.52	\$ 205,607.50	\$ 205,607.50
<b>Additive Alternate 1-Allowances and Miscellaneous</b>								
1	Mobilization	LS	1	\$ 39,457.40	\$ 39,457.40	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
<b>Additive Alternative 1 Cielo Vista Booster Station</b>								
24	Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form), CIP	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
25	Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
26	Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all materials, labor and appurtenances not separately listed), CIP	LS	1	\$ 17,500.00	\$ 17,500.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
27	Furnish and Install Premanufactured Booster Skid Unit (incl. pressure tank, booster inlet pipe, booster outlet pipe, all labor, materials, controls, connections to existing system plumbing, electrical, connection to SCADA and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	LS	1	\$ 70,740.00	\$ 70,740.00	\$ 115,000.00	\$ 115,000.00	\$ 115,000.00
28	Complete all Electrical Connections (incl. all labor, materials, controls, connections to existing electrical mainline and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	LS	1	\$ 8,134.00	\$ 8,134.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
29	Provide Bypass pumping for the removal and installation of the booster station (incl. connection to the new cross, connection to the existing line, piping, all labor, materials, fittings and appurtenances not listed separately for a fully functioning system as described in the technical specifications).	LS	1	\$ 32,500.00	\$ 32,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
30	Furnish and Install 6-inch MJ Gate Valve on existing line (incl. all material, labor valve box, alignment device and appurtenances not separately listed on the Bid Form), CIP	EA	3	\$ 2,500.00	\$ 7,500.00	\$ 3,000.00	\$ 9,000.00	\$ 9,000.00
31	Locate and connect to existing 6-in PVC line (incl. excavation, all labor, materials, fittings and appurtenances not listed separately), CIP	EA	2	\$ 3,500.00	\$ 7,000.00	\$ 5,500.00	\$ 11,000.00	\$ 11,000.00
					Total Base Bid EXCL NMGR	\$ 173,666.84	\$ 189,500.00	\$ 189,500.00
					Total Additive Alternate 1 EXCL NMGR	\$ 197,831.40	\$ 184,000.00	\$ 184,000.00
					NMGR for TorC at 8.5%	\$ 31,577.35	\$ 31,747.50	\$ 31,747.50
					Total Construction Cost NMGR + Base Bid + Additive Alternate 1	\$ 403,075.59	\$ 405,247.50	#####

Additive Alternate 2- Allowances and Miscellaneous									
1	Mobilization	LS	1	\$ 39,457.40	\$ 39,457.40	\$ 500.00	\$ 500.00	\$ 500.00	
Additive Alternate 2 Morgan Booster Station									
32	Remove and Salvage of Existing Pump and Motor from Manifold (incl. removal of booster outlet pipe, booster inlet pipe, electrical components controls, all labor, materials and appurtenances not separately listed on Bid Form), CIP	EA	1	\$ 2,500.00	\$ 2,500.00	\$ 0,500.00	\$ 0,500.00	\$ 0,500.00	
33	Furnish and Install Booster Pump and Motor into Existing Manifold (incl. variable frequency drive, booster inlet pipe, booster outlet pipe, all labor, materials, controls, pump mounting platform, and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	EA	1	\$ 87,982.00	\$ 87,982.00	\$ 90,000.00	\$ 90,000.00	\$ 90,000.00	
34	Connect to Existing Control Power Panel for New Pumps & Motor (incl. all labor, materials, connections to existing electrical supply, including a provided enclosed motor circuit protector NEMA 1 enclosure and magnetic trip to 600% (80 type and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	LS	1	\$ 18,320.00	\$ 18,320.00	\$ 18,000.00	\$ 18,000.00	\$ 18,000.00	
36	Remove and Replace 8-In Check Valve on Existing Pump Skid Manifold (incl. all labor, materials and appurtenances not separately listed on Bid Form), CIP	LS	1	\$ 3,450.00	\$ 3,450.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	
38	Remove and Replace 8-In Butterfly Valve on Existing Pump Skid Manifold (incl. all labor, materials and appurtenances not separately listed on Bid Form), CIP	EA	2	\$ 1,650.00	\$ 3,300.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	
37	Remove 8" x 4" steel tee and replace with 8" welded steel solid pipe. Removal and disposal of control valve, valves, and piping of the booster pump control system.	LS	1	\$ 8,000.00	\$ 8,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	
				Total Base Bid EXCL NMGRT	\$ 178,688.24		\$ 188,500.00	\$ 188,500.00	
				Total Additive Alternate 1 EXCL NMGRT	\$ 197,831.40		\$ 184,000.00	\$ 184,000.00	
				Total Additive Alternate 2 EXCL NMGRT	\$ 183,009.40		\$ 129,000.00	\$ 129,000.00	
				NMGRT for TotC at 5.5%	\$ 45,439.15		\$ 42,712.50	\$ 42,712.50	
				Total Construction Cost NMGRT + Base Bid + Additive Alternate 1 + Additive Alternate 2	\$ 370,947.79		\$ 345,212.50	\$ 345,212.50	
Additive Alternate 3- Allowances and Miscellaneous									
1	Mobilization	LS	1	\$ 14,457.40	\$ 14,457.40	\$ 18,000.00	\$ 18,000.00	\$ 18,000.00	
Additive Alternate 3 Austin St Waterline									
12	Furnish and Install 8-Inch C900 Waterline by Open Trenching, (including all material, labor, potholing, excavation, bedding, removal of waste excavation, import backfill, joint restraints, tracer wire, backfilling, compaction, disinfection, site restoration and all related appurtenances not separately listed on the bid form), CIP	LF	420	\$ 80.00	\$ 37,600.00	\$ 240.00	\$ 100,800.00	\$ 100,800.00	
13	Locate and Connect to Existing Waterline, (incl. all materials, labor, fittings used for connection, removal and disposal of pipe, potholing, excavation, backfill, site restoration and all necessary items not separately listed on the bid form), CIP	EA	2	\$ 1,750.00	\$ 3,600.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	
14	Furnish and Install 8-Inch Gate Valve in Cast Iron Valve Box, (including all labor, materials and related appurtenances not separately listed on Bid Form), CIP	EA	2	\$ 2,800.00	\$ 5,600.00	\$ 6,000.00	\$ 10,000.00	\$ 10,000.00	
15	Remove and Replace Meter Assemblies	EA	7	\$ 2,700.00	\$ 18,942.00	\$ 2,500.00	\$ 17,500.00	\$ 17,500.00	
16	Furnish and Install 3/4-In Copper Water Service Lines by Open Trenching, (including potholing, trenching, bedding, connections to new water main, connection to existing water service line include all fittings regardless of materials and types of appurtenances, all material, labor, tapping saddle, corporation stop, fittings, associated appurtenances, backfilling and site restoration), including new meter box lid and meter, CIP	EA	7	\$ 1,500.00	\$ 10,500.00	\$ 2,200.00	\$ 16,400.00	\$ 16,400.00	
17	Dewatering of Trench, CIP	LF	450	\$ 70.00	\$ 31,600.00	\$ 50.00	\$ 22,500.00	\$ 22,500.00	
18	Asphalt Roadway, Remove, Dispose and Replace with SP III, 3" Thick for Residential Streets, Include Subgrade Prep, CIP	6Y	600	\$ 75.00	\$ 45,000.00	\$ 100.00	\$ 60,000.00	\$ 60,000.00	
19	Excavate and Dispose of Unavailable Material, CIP	OY	1200	\$ 25.00	\$ 30,000.00	\$ 15.00	\$ 18,000.00	\$ 18,000.00	
20	Import of Engineered Fill	OY	1200	\$ 15.00	\$ 18,000.00	\$ 30.00	\$ 36,000.00	\$ 36,000.00	
21	Geogrid Base Roadway Reinforcement	6Y	600	\$ 6.66	\$ 8,600.00	\$ 7.00	\$ 4,200.00	\$ 4,200.00	
22	Remove and replace Curb and Gutter @ Services, CIP	LF	26	\$ 40.00	\$ 1,120.00	\$ 35.00	\$ 980.00	\$ 980.00	
23	Remove and replace Sidewalk @ Services, CIP	6Y	20	\$ 125.00	\$ 2,450.00	\$ 90.00	\$ 1,780.00	\$ 1,800.00	
				Total Base Bid EXCL NMGRT	\$ 178,688.24		\$ 188,500.00	\$ 188,500.00	
				Total Additive Alternate 1 EXCL NMGRT	\$ 197,831.40		\$ 184,000.00	\$ 184,000.00	
				Total Additive Alternate 2 EXCL NMGRT	\$ 183,009.40		\$ 129,000.00	\$ 129,000.00	
				Total Additive Alternate 3 EXCL NMGRT	\$ 222,468.40		\$ 228,144.00	\$ 228,144.00	
				NMGRT for TotC at 5.5%	\$ 64,348.65		\$ 70,434.74	\$ 70,434.74	
				Total Construction Cost NMGRT + Base Bid + Additive Alternate 1 + Additive Alternate 2 + Additive Alternate 3	\$ 521,326.03		\$ 490,078.74	\$ 490,078.74	



A1 OVERALL SITE PLAN

<p>THIS IS A PRELIMINARY PLAN. IT IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THE ENGINEER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.</p>	<p><b>GENERAL NOTES</b></p> <p>1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF TRUTH OR CONSEQUENCES SPECIFICATIONS AND STANDARDS.</p> <p>2. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO OBVIOUS OBSTRUCTIONS TO THE PROPOSED CONSTRUCTION.</p> <p>3. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE ADJACENT PROPERTIES AND HAS FOUND NO OBVIOUS OBSTRUCTIONS TO THE PROPOSED CONSTRUCTION.</p> <p>4. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE ADJACENT PROPERTIES AND HAS FOUND NO OBVIOUS OBSTRUCTIONS TO THE PROPOSED CONSTRUCTION.</p>	<p>PROJECT NAME CITY OF TRUTH OR CONSEQUENCES MORGAN BOOSTER &amp; AUSTIN ST</p>	<p>DATE 10/15/2023</p> <p>SCALE AS SHOWN</p>	<p><b>WILSON &amp; COMPANY</b></p> <p>REGISTERED PROFESSIONAL ENGINEER STATE OF TEXAS NO. 12345 1234567890</p>
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CITY OF TRUTH OR CONSEQUENCES  
MORGAN BOOSTER & AUSTIN ST  
May 23, 2023 @ 11:00 AM  
BID OPENING  
ATTENDANCE SHEET  
(PLEASE PRINT CLEARLY, FOR THE RECORD)

**WILSON  
& COMPANY**

NAME	REPRESENTING	EMAIL ADDRESS	PHONE
1. Mark Nasr	Wilson & Company	mark.nasr@wilsonco.com	605.377.5406
2. David Muncy	Smithco Construction	gmuncy@smithco-cc.com	575.894.6111
3. Angie Gonzalez	TorC	agonzale@torcnm.org	
4. Traci Alvarez	TorC	talvarez@torcnm.org	575.894.6675
5. Mindy Holguin	TorC	procurement@torcnm.org	575.920.4600
6. ARNIE CASTANEDA	TorC Water	acastaneda@torcnm.org	952.0003
7.			
8.			
9.			
10.			

June 7, 2023

Traci Alvarez  
Assistant City Manager  
City of Truth or Consequences  
505 Sims Street  
Truth or Consequences, NM 87901

Re: Recommendation of Award, Truth or Consequences Drinking Water Systems Improvement Project

Bids were received at the City of Truth or Consequences Finance Department located at 505 Sims Street, Truth or Consequences, NM, on Tuesday, May 23, 2023, until 10:30 am MST local time. At 11:30 am MST, May 23, 2023, the bids will be moved to the Commission Chambers at 405 W 3<sup>rd</sup> Street, Truth or Consequences, NM to be publicly opened and read. The following bids were received and are presented in the order in which they were opened:

No.	Company	Base Bid (excl. NMGRT)	Additive Alternate #1 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 (excl. NMGRT)	Additive Alternate #2 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 & #2 (excl. NMGRT)
1	SMITHCO CONSTRUCTION INC.	\$1,025,315.00	\$581,680.00	\$1,606,995.00	\$275,635.00	\$1,882,630.00
2	SPARTAN CONSTRUCTION OF NM, LLC	\$980,772.00	\$656,785.00	\$1,637,557.00	\$325,273.00	\$1,962,830.00
3	FILE CONSTRUCTION LLC.	\$1,000,396.00	\$672,961.10	\$1,673,357.10	\$310,224.30	\$1,983,581.40

A complete tabulation of bids is attached. The evaluation of the bid is based on the Base Bid. Three bids were received from Smithco Construction Inc, Spartan Construction of NM, LLC., and File Construction LLC. The low bidder was Smithco Construction Inc based on the Base Bid + additive Alternate 1 and the Base Bid + Additive Alternate 2.

Wilson and company performed an evaluation to meet the available funding, a reduced scope of base bid + Additive 1 including only the following road and sheets 2nd Avenue CU-210, CU-211 of Additive Alternate 1.

Wilson and Company Inc. submitted on June 6, 2023, the confirmation of bid with revised Additive Alternate 1 to Smithco Construction Inc for their review and approval. After modifications Smithco Construction Inc. was the responsible low bidder with a base bid + reduced Additive Alternate 1 of \$1,238,595.00 (excl. NMGRT)

The bid amounts were modified as follows:

No.	Company	Base Bid (excl. NMGRT)	Reduced Additive Alternate #1 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 (excl. NMGRT)
1	SMITHCO CONSTRUCTION INC.	\$1,025,315.00	\$213,280.00	\$1,238,595.00

Wilson and Company have reviewed the bid for the following information:

- The Bid Proposal was signed by an individual duly authorized to bind the company.
- Smithco Construction Inc acknowledged receipt of all addenda.
- Smithco Construction Inc is a licensed contractor in the State of New Mexico in good standing.
- The appropriate license classifications are contingent upon the License Determination Request submitted to CID.

Included with the signed Bid Proposal form, Smithco Construction, Inc. submitted the following:

- Required Bid Security
- List Of Proposed Subcontractors (None)
- List of Proposed Suppliers
- Evidence of authority to do business in the state of the Project
- Contractor's license number
- Required Bidder Qualification Statement with supporting data.
- Certification of Equal Employment Opportunity Compliance
- Affidavit of Non-Collusion
- Resident/ Veteran Preference Certification Form
- Bid Bond
- XP-211 Certifications Regarding Contract under Equal Opportunity Clause
- Power of Attorney
- XP-215 MBW/WBE/SBRA Utilization Form along with proof of solicitation
- XP-315 Davis Bacon Certification
- 5700-49 Certification Regarding Disbarment, Suspension & Other Responsibility Matters
- AIS DWSRF 314 Form that certifies all American Iron and Steel is used

Based on the information provided, the lowest responsive, responsible bidder is Smithco Construction, Inc. We, therefore, recommend the construction contract for the Truth or Consequences Drinking Water Systems Improvement Project, Base Bid + Reduced Additive Alternate 1, be awarded to Smithco Construction, Inc for a total contract award amount of \$1,238,595.00, excluding NMGRT with a the NMGRT of \$105,280.58, for a total contract amount of \$1,343,875.58, w/ NMGRT. We recommend verifying the obligated funding amounts with the Drinking Water Systems Improvement Project (DWSRF) and Colonias prior to awarding any portion of the project.

Sincerely,



**Mark A. Nasi, PE**

Sr. Water/Wastewater Project Manager

Wilson & Company, Inc., Engineers & Architects

**Enclosures:**

Confirmation of bid letter

Project Bid Tabulation

Required Bid Documents Checklist

Sign-in Sheet

CITY OF TRUTH OR CONSEQUENCES:  
 DWSRF WATER SYSTEM IMPROVEMENTS  
 May 23, 2023 @ 11:30 AM  
 BID OPENING MEETING  
 ATTENDANCE SHEET  
 (PLEASE PRINT CLEARLY, FOR THE RECORD)

**WILSON  
& COMPANY**

NAME	REPRESENTING	EMAIL ADDRESS	PHONE
1. Mark Naso	Wilson & Company	mark.naso@wilsonco.com	505.379.5406
2. Traci Alvarez	TorC	talvarez@torcnm.org	575-894-6673
3. Mindee Holguin	TorC	procurement@torcnm.org	575.952.0490
4. Angie Gonzalez	TorC	angie@torcnm.org	
5. David Muncy	SmithCo	guard@smithco.cc	575-894-6161
6. Phillip Lopez	FILE CONSTN.	PHILLIPL@FCONST.COM	505-331-0751
7. ROBERT CARLIN	SPARTAN CONST	ROBERT@SPARTAN-CONST.COM	(915) 766-6171
8.			
9.			
10.			







*Amanda Forrlster  
Mayor*

*Rolf Hechler  
Mayor Pro-Tem*

*Merry Jo Fahl  
Commissioner*



505 Sims St.  
Truth or Consequences, New Mexico 87901  
P: 575-894-6673 • F: 575-894-7767  
www.torcmm.org

*Destiny Mitchell  
Commissioner*

*Shelly Harrelson  
Commissioner*

*Angela Gonzales  
City Manager*

June 6, 2023

Rylan Edgmon  
Estimator, Smithco Construction, Inc.  
6 King Canyon Loop,  
Caballo NM, 87931

Re: Confirmation of Contractor Bid, Truth or Consequences Drinking Water Systems Improvement Project

Mr. Edgmon

This letter is to confirm the contractors bid for the award of the base bid + apportion of Additive 1 which includes sheets 2<sup>nd</sup> Avenue CU-210, CU-211 for the Drinking Water Systems Improvement Project, which will need your concurrence to proceed on awarding the contract.

**Summary:**

Bids were publicly opened on Tuesday, May 23, 2023, until 10:30 am MST local time. Smithco Construction Inc. was the responsible low bidder with a base bid + Additive 1 of \$1,606,955.00 (excl. NMGRT), which exceeded the available funding. The city elected to reduce the scope of alternate 1 to include only sheets CU-210, CU-211.

**Final Confirmation:**

The city is providing a revised scope bid tab with the Base Bid + Additive 1 sheets CU-210, CU-211 for Smithco Construction Inc's concurrence. For a total contract amount of \$1,238,595.00 (excl. NMGRT) and with a total contract amount including NMGRT of \$1,343,875.58 is within the available funding.

**Concurrence is required by Smithco Construction Inc. on this document with its attachment. The contract agreement will include this final confirmation.**

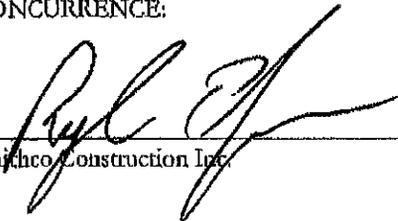
Sincerely,

  
Angela Gonzales  
City Manager

**Attachment:**

Bid Confirmation for Award

CONCURRENCE:

  
\_\_\_\_\_  
Smithco Construction Inc.



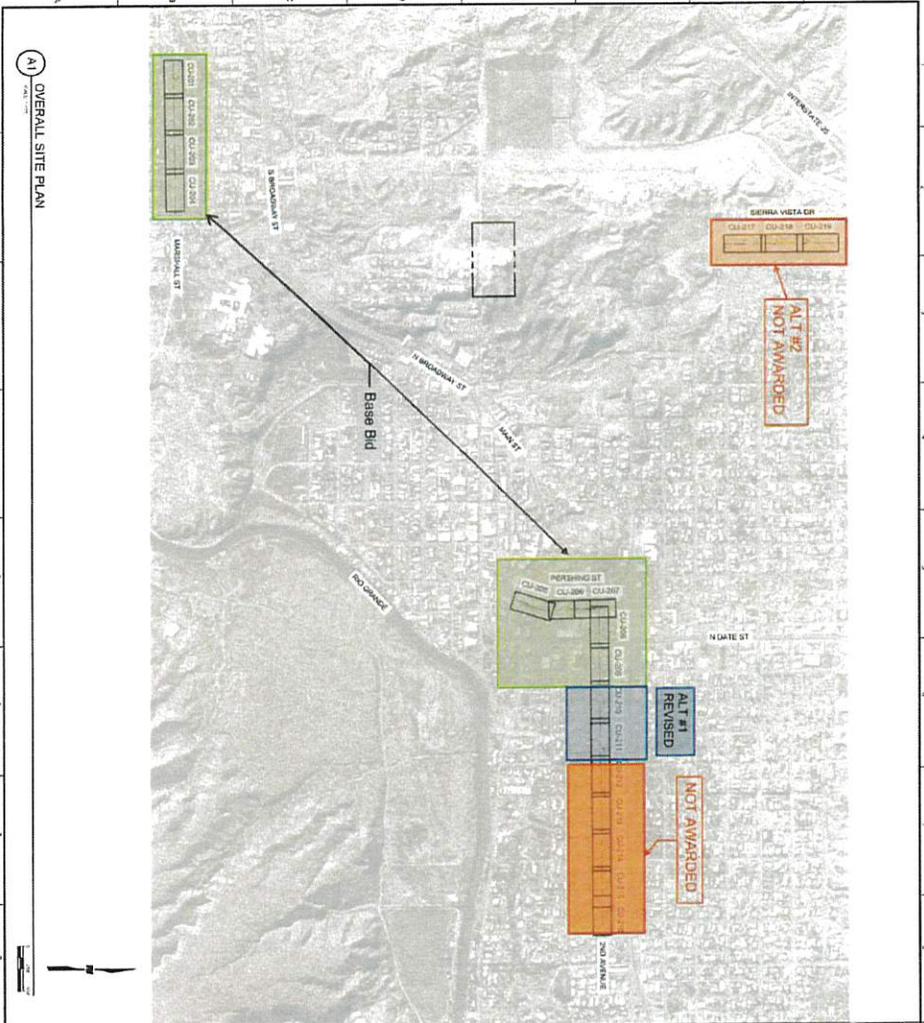
**ALBERTA ALTERNATIVE 1**

Item No.	ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	CALCULATED COST
31	Material Supply - 1000000	EA	1	\$100000	\$100000
32	Material Supply - 2000000	EA	1	\$200000	\$200000
33	Material Supply - 3000000	EA	1	\$300000	\$300000
34	Material Supply - 4000000	EA	1	\$400000	\$400000
35	Material Supply - 5000000	EA	1	\$500000	\$500000
36	Material Supply - 6000000	EA	1	\$600000	\$600000
37	Material Supply - 7000000	EA	1	\$700000	\$700000
38	Material Supply - 8000000	EA	1	\$800000	\$800000
39	Material Supply - 9000000	EA	1	\$900000	\$900000
40	Material Supply - 10000000	EA	1	\$1000000	\$1000000
41	Material Supply - 11000000	EA	1	\$1100000	\$1100000
42	Material Supply - 12000000	EA	1	\$1200000	\$1200000
43	Material Supply - 13000000	EA	1	\$1300000	\$1300000
44	Material Supply - 14000000	EA	1	\$1400000	\$1400000
45	Material Supply - 15000000	EA	1	\$1500000	\$1500000
46	Material Supply - 16000000	EA	1	\$1600000	\$1600000
47	Material Supply - 17000000	EA	1	\$1700000	\$1700000
48	Material Supply - 18000000	EA	1	\$1800000	\$1800000
49	Material Supply - 19000000	EA	1	\$1900000	\$1900000
50	Material Supply - 20000000	EA	1	\$2000000	\$2000000
51	Material Supply - 21000000	EA	1	\$2100000	\$2100000
52	Material Supply - 22000000	EA	1	\$2200000	\$2200000
53	Material Supply - 23000000	EA	1	\$2300000	\$2300000
54	Material Supply - 24000000	EA	1	\$2400000	\$2400000
55	Material Supply - 25000000	EA	1	\$2500000	\$2500000
56	Material Supply - 26000000	EA	1	\$2600000	\$2600000
57	Material Supply - 27000000	EA	1	\$2700000	\$2700000
58	Material Supply - 28000000	EA	1	\$2800000	\$2800000
59	Material Supply - 29000000	EA	1	\$2900000	\$2900000
60	Material Supply - 30000000	EA	1	\$3000000	\$3000000

**ALBERTA ALTERNATIVE 2**

Item No.	ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	CALCULATED COST
61	Material Supply - 31000000	EA	1	\$3100000	\$3100000
62	Material Supply - 32000000	EA	1	\$3200000	\$3200000
63	Material Supply - 33000000	EA	1	\$3300000	\$3300000
64	Material Supply - 34000000	EA	1	\$3400000	\$3400000
65	Material Supply - 35000000	EA	1	\$3500000	\$3500000
66	Material Supply - 36000000	EA	1	\$3600000	\$3600000
67	Material Supply - 37000000	EA	1	\$3700000	\$3700000
68	Material Supply - 38000000	EA	1	\$3800000	\$3800000
69	Material Supply - 39000000	EA	1	\$3900000	\$3900000
70	Material Supply - 40000000	EA	1	\$4000000	\$4000000
71	Material Supply - 41000000	EA	1	\$4100000	\$4100000
72	Material Supply - 42000000	EA	1	\$4200000	\$4200000
73	Material Supply - 43000000	EA	1	\$4300000	\$4300000
74	Material Supply - 44000000	EA	1	\$4400000	\$4400000
75	Material Supply - 45000000	EA	1	\$4500000	\$4500000
76	Material Supply - 46000000	EA	1	\$4600000	\$4600000
77	Material Supply - 47000000	EA	1	\$4700000	\$4700000
78	Material Supply - 48000000	EA	1	\$4800000	\$4800000
79	Material Supply - 49000000	EA	1	\$4900000	\$4900000
80	Material Supply - 50000000	EA	1	\$5000000	\$5000000

ALBERTA ALTERNATIVE 1  
ALBERTA ALTERNATIVE 2



A1 OVERALL SITE PLAN

GENERAL NOTES

1. ALL UTILITIES SHOWN ARE BASED ON THE MOST RECENT RECORD DRAWINGS AND FIELD SURVEY DATA. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC UTILITIES AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE FEATURES.
7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY MEASURES AND TRAFFIC CONTROL THROUGHOUT THE PROJECT.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE FEATURES.

DATE: 02/27/2023  
 TIME: 10:00 AM  
 USER: JSM  
 PROJECT: TRUTH OR CONSEQUENCES DWSRF WATER SYSTEM IMPROVEMENTS

PROJECT NO.	CU-101
OVERALL SITE PLAN	
DATE	02/27/2023
TIME	10:00 AM
USER	JSM
PROJECT	TRUTH OR CONSEQUENCES DWSRF WATER SYSTEM IMPROVEMENTS
PROJECT NAME	TRUTH OR CONSEQUENCES DWSRF WATER SYSTEM IMPROVEMENTS
SCALE	
DRAWN BY	
CHECKED BY	
DATE	
TIME	
USER	

**WILSON & COMPANY**  
 411 N. BROADWAY, SUITE 200  
 DENVER, CO 80202  
 TEL: 303.733.1111  
 FAX: 303.733.1112  
 WWW.WILSON-AND-COMPANY.COM