

Council Meeting Staff Report

October 20, 2020

Agenda No.: A.

Indexes (Council Goals): * 2020 Council Goal - N/A

Presenters: Anne Laurent; Eric Martinez

Legislative File: AGR0698-20

Title

Approval of Agreement No. AGR21-07a to Havona Environmental Inc; AGR21-07b to Southwest Hazard Control Inc.; and AGR21-7c to Terracon Consultants Inc. for On-Call Materials Testing and Abatement Services in the Aggregate Amount Not to Exceed \$200,000 excluding Applicable Gross Receipts Tax.

Recommended Motion

I move that Council award Agreement No. AGR21-07a to Havona Environmental Inc; AGR21-07b to Southwest Hazard Control Inc.; and AGR21-7c to Terracon Consultants Inc. for On-Call Materials Testing and Abatement Services in the Aggregate Amount Not to Exceed \$200,000 excluding Applicable Gross Receipts Tax.

Manager's Recommendation

The County Manager recommends that Council approve the motion as presented.

Body

On June 25, 2020, the County advertised a formal multi-source competitive solicitation for On-Call Materials Testing and Abatement Services through Request for Proposal No. 21-07. Three responses were received, and staff is recommending award to the three responders. There are three separate contracts considered for award and are attached for reference (Attachments A thru C).

The On-Call Services contracts provide as needed, task order-based services with a term of four years. The total combined compensatory sum of all three contracts is capped at \$200,000 in aggregate (excluding applicable gross receipts tax)-this is a not-to-exceed amount aggregate total. No one firm is guaranteed any particular task, nor is the full amount of compensation guaranteed.

Periodically, the County encounters materials suspected of containing asbestos, lead-based paint and other items requiring special testing and abatement services. Materials Testing and Abatement On-Call services are vital in supporting county facility Capital Improvements Projects, the Major Facilities Maintenance Program and other facility maintenance operations. The County does not have the in-house capability to provide these services. Having qualified on-call firms facilitates timely completion of the work to ensure project schedules are met.

The availability of three contracts provides staff the option to complete work based on quoted unit price, demonstrated availability, responsiveness, performance, and quality of previous work particularly when urgent needs arise. There is no obligation to offer a minimum amount of work or compensation to any Contractor. Staff will be responsible for tracking the expenditures of all contracts to ensure that contract limits are not exceeded.

Alternatives

Council could choose to award to only one contractor, two contractors, or all three contractors. Award to only one contractor would limit staff's options to one contractor regardless of availability, responsiveness, performance, and quality of previous work. Failing to award any of the contracts would require staff to follow Procurement Code processes to procure such services on an individual

project by project basis and delays would ensue.

Fiscal and Staff Impact/Planned Item

The aggregate compensation of all agreements shall not exceed the sum of two hundred thousand dollars (\$200,000.00), excluding New Mexico gross receipts taxes (NMGR). The County shall pay compensation for performance of the services in accordance with each issued task order through applicable and properly appropriated funding sources.

Compensation shall be paid in accordance with the rate schedule set out in Exhibit "A," of each agreement. The Public Works Department will manage all agreements.

Attachments

A - AGR 21-07a Havona Environmental Inc.

B - AGR 21-07b Southwest Hazard Control, Inc.

C - AGR 21-07c Terracon Consultants Inc.

D - RFP 21-07 Materials Testing and Abatement