

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF MAY 2, 2008
BOARD OF DIRECTORS SPECIAL MEETING**

CALL TO ORDER.

The special meeting of the SSCAFCA Board of Directors was called to order by John Chaney, Chairman, at 9:07 a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were John Chaney, Mark Conkling, Steve House, Donald Rudy and Dub Yarbrough. Bernard Metzgar, SSCAFCA's attorney was noted as absent. David Stoliker, Executive Director, was present.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by John Chaney.

APPROVAL OF AGENDA.

A motion was made by Steve House to approve the Agenda as presented. It was seconded by Donald Rudy and passed unanimously.

ANNOUNCEMENTS.

Announcements were made by John Chaney that all electronic devices needed to be turned off during the meeting.

EXECUTIVE DIRECTOR'S REPORT.

1. Action/Acceptance to Award Construction Contract for the Sunset Pond and Aldaba Storm Drain.
2. Action/Acceptance of Task Order to WHPacific (ASCG) for Construction Related Activities.

Mr. Clint Dodge, of WHPacific (ASCG), stated that bids were opened on Tuesday for the Sunset Pond project, which is the pond itself that is currently being excavated by Bo Johnson; the Aldaba Storm Drain, which connects to the pond, and six smaller lots were included in the bid package. The low bid was from Salls Brothers of \$1.987 million. The second low was \$2,036,706 and the engineer's estimate was \$2.15 million. The low bid is about 2% below the second low and about 7% below the engineer's estimate. The bid had two or three arithmetic errors. None of the errors were significant and none changed the order of the bids. The contract requirements were that SSCAFCA award all of the lots to a single bidder.

Mr. Dodge stated that the first lot is the storm drain that goes from Sunset Pond up to Wallen Subdivision at 10th Street. The low bid for that is \$703,000. One thing to keep in mind that is in some of these cases, Salls is the low bidder on the lot, but in other cases he is not the low bidder, however, the award goes to the total low bidder. The majority of the savings is in pipe. The second lot is the pond itself and the work here is not so much the removal of the earth, but it is the grading, trails, paths, etc. There is an Excel error on this bid and the total is missing. The total is \$740,787.

The engineer's estimate was \$696,877. In this case, Salls is also the low bidder on this lot. The next lot is Lot C-1, the Dulcelina Curtis sign. In this case, Salls is at \$63,958, the low bid for that lot was \$55,000 and the high was \$112,000; and the engineer's estimate was \$40,000. The next is Alamos Road improvements and includes putting some inlets to connect to the existing storm drain at Alamos Road in Corrales. Salls is in there with the rest of the bidders and a little below the engineer's estimate.

Mr. Stoliker stated that in the last bond issuance, SSCAFCA had \$20,000 set up for Alamos Road. This is a little more than that, but it can be supplemented, if the Board wishes. Mr. Dodge stated that the next lot is the Rio Oso East Pond which is in Rio Rancho on the border with Corrales, just below Rio Oso Road. This is excavation work in a very tight constrained space. Mr. Stoliker stated that this is the one that was never built in the right spot. The City never had Gray Hawk put the pond in the right spot, so this is a fix. Mr. Dodge stated that the next one is the Sprint Pond at Enchanted Hills, Pond #2. During the storm events, about half of the low flow channel was destroyed by the flow coming out of the channel. This work is to replace that damage and to put in a different kind of jump basin to slow that water down before it gets into the pond. The spread of bids is quite large on this lot. The low bidder was \$147,684. Salls Brothers is at \$239,000, and the high bidder is at \$329,000.

Mr. Dodge stated that the way the contract is set up, SSCAFCA has to award all the lots, but SSCAFCA can authorize the start of construction for each lot independently. The intent of doing that was that SSCAFCA may not be ready to start them at the same time. He suggested on this one not starting it immediately and figure out exactly what's happening.

A motion was made by Steve House to approve the recommendation of the award to Salls Brothers as presented. It was seconded by Donald Rudy.

Mr. Stoliker stated that SSCAFCA set up \$2.6 million for this project. There is a task order in here for \$178,000 for WHPacific that goes along with this project which is the testing, design, all the engineering, and resident project representative. Mr. Stoliker stated that the construction total is \$2,120,000; for a total of \$2.3 million including the task order and it is budgeted at \$2.6 million, which SSCAFCA has. Mr. Dodge stated that SSCAFCA has a performance bond and a material and labor bond that provide for liquidated damages. Each lot has an individual construction time limit.

The motion passed unanimously.

3. Action/Acceptance of Final Adjusting Change Order for Dam No. 1 Grading.

Mr. Dodge stated that David Montoya was the contractor for the Dam 1 project on the escarpment at Corrales. The work there was basically repair and improvements on the damage from the 2006 storms and some damage prior to that. There was quite a bit of erosion and encroachment into the dam face itself. There were two overruns of the contract amount – the first one is in the original bid quantities. They overran the earthwork and the change there is \$4,902. The second overrun to the contract amount are items that were added during construction that either made the specific project more workable or weren't in the original bid that came up after the

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fact. The total is \$320,480; the original contract amount, with the change order that was already approved is \$264,000. This amount is without tax. This change order is for \$36,203.

Mr. Stoliker stated that most of the changes were in the Village and had to do with the pipeline that goes from the Dam to the Montoyas Arroyo. Mr. Dodge stated that one of the things in the Village was to improve the inlets into the pipeline that goes from Dam 1 into the Montoyas Arroyo, and the other was to put some drainage work at the end of Hollywood Road. During the storms, water was bypassing the pipeline and running down the roads and causing erosion. Mr. Stoliker stated that these are changes that SSCAFCA asked to be done.

A motion was made by Steve House to approve the final adjusting change order as presented. It was seconded by Donald Rudy and passed unanimously.

4. Action/Acceptance of Resolution 2008-6, National Public Works Week Proclamation.

Mr. Stoliker stated that Public Works Week is coming up shortly and SSCAFCA has been asked to present a Resolution before the Board regarding the May 18, 2008 through May 24, 2008 week. This is a resolution to support public works in SSCAFCA's jurisdiction and they are asking every other public entity to approve it as well. Mr. House stated that Sandoval County approved this last night. There is no cost to SSCAFCA involved.

A motion was made by Donald Rudy to approve Resolution 2008-6 as presented. It was seconded by Steve House. Roll call vote: John Chaney, yes; Mark Conkling, yes; Steve House, yes; Donald Rudy, yes; and Dub Yarbrough, yes. The motion carried 5-0.

OTHER BUSINESS.

Mr. Stoliker stated that SSCAFCA's Earth Festival is this Saturday at Haynes Park. The City puts it on and SSCAFCA has a booth there.

Mr. Stoliker stated that staff would like to have an Executive Committee meeting on Monday at 9:30 a.m. He has already asked for a Budget Committee meeting to start going through the bond information.

Mr. Stoliker stated that he has asked Steve House to talk with the Chairman about meeting with the Mayor of Rio Rancho. Mr. Chaney stated that he spoke with the Mayor yesterday and he agreed that SSCAFCA needed to wait on its meeting until SSCAFCA had some concrete facts as to the capacity of the various entities to raise money. Mr. Rudy stated that SSCAFCA is already on record that SSCAFCA will take care of arroyo and the regional portion of the flood control required in the SAD areas, independent of what the City does. However, SSCAFCA cannot take care of those until the City's portion is designed because it has to be merged engineering. Mr. Conkling stated that it is also important that SSCAFCA wait to make a decision on tax rates until SSCAFCA has all the information from the community at large.

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Mr. Rudy suggested that whenever there is going to be a meeting with other elected governmental entities, that the staff let the Board members know so that one Board member can go if they so desire.

PUBLIC FORUM.

Comments were taken by the public with regard to supporting SSCAFCA with regard to its flood control issues.

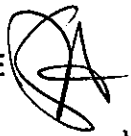
ADJOURNMENT.

A motion was made by Donald Rudy and seconded by Steve House to adjourn the meeting. It was carried unanimously. Meeting adjourned at 9:47 a.m.

JOHN CHANEY
CHAIRMAN



STEVE HOUSE
Secretary



DATE APPROVED: 6/20/08