



Alamogordo City Commission

NOTICE OF MEETING

Special Meeting Agenda

March 18, 2020 - 3:00 PM
City Hall, City Commission Chambers
1376 E. Ninth St.

- Richard Boss Mayor
- Nadia Sikes Mayor Pro-Tem, District 2
- Jason Baldwin District 1
- Susan Payne District 3
- Josh Rardin District 4
- Sharon McDonald District 5
- Dusty Wright District 6

- Brian Cesar City Manager
- Petria Bengoechea City Attorney
- Rachel Hughs City Clerk

MISSION STATEMENT as Adopted by the City Commission on March 24, 1995.

The City of Alamogordo is a Municipal Corporation that exists solely for the purpose of providing the best possible services to our customers, the citizens of Alamogordo. We are committed to providing these services with honesty, integrity, compassion, fairness, and a commitment to excellence.

We are committed to the long-term financial stability and responsible growth of the City and all decisions will be driven by our commitment to provide the best services possible in a financially sound and responsible manner given the economic realities facing the City.

In accordance with Section 10-15-1.D, NMSA 1978 (2010 Cumulative Supplement), this agenda has been posted on the bulletin board located in the east/west lobby of the City Hall and in the glass case located outside a the north entrance of the City Hall, distributed to the appropriate news media, and posted on the City website: <http://ci.alamogordo.nm.us> within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Alamogordo website: <http://ci.alamogordo.nm.us>

The Mayor and City Commission request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Commission Chambers to respond to or to conduct a phone conversation. The Alamogordo Commission Chambers is wheelchair accessible. Other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 575-439-4100.

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENT

Residents must sign up with the City Clerk to address the City Commission. Comments are limited to 3 Minutes, and there will be a maximum of 21 Minutes allowed for Public Comment.

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

CONSENT AGENDA (Roll Call Vote Required for an Ordinance or Resolution)

All matters listed under the Consent Agenda are considered to be routine by the City Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Consider, and act upon, Resolution 2020-19 to apply for the New Mexico Department of Tourism's Clean and Beautiful Grant for FY 21 for funding for the Keep Alamogordo Beautiful program. (*Joshua Sides, Keep Alamogordo Beautiful Program Coordinator*) **(Roll Call Vote Required)**
2. Consider, and act upon, Resolution No. 2020-20 Approving first amendment to the agreement between the City of Alamogordo, New Mexico (City) and Valli Information Systems, Inc. dba Postal Pros Southwest (Contractor) dated December 16, 2019. (*Mark Threadgill, Customer Service Manager*) **(Roll Call Vote Required)**
3. Consider, and act upon, Resolution 2020-22 Ratifying the actions of the City Manager regarding the suspension of late fees, delinquency fees, and termination for non-payment for city utility bills and authorizing the City Manager to re-impose the fees and termination at his discretion. (*Mark Threadgill, Customer Service Manager*) **(Roll Call Vote Required)**

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS

4. Consider, and act upon, approval of Change Order no. 6, Public Works Bid no. 2017-009, to Smithco Construction, Inc. related to the Bonito Lake Restoration project in an amount not to exceed \$9,437,903.38, including NMGRT. (*Bob Johnson, Engineering Manager*)
5. Consider, and act upon, approval of Change Order no. 7, RFQ no. 2014-005, to Bohannon Huston, Inc. related to the engineering and design of the Bonito Lake Restoration project in an amount not to exceed \$144,055.63, including NMGRT. (*Bob Johnson, Engineering Manager*)
6. Consider and act, upon, Ordinance 1615 for first publication amending 02-01-040 of Alamogordo Code of Ordinance. (*Stephanie Hernandez, Assistant City Manager and Evelyn Huff, Finance Director*). **(Roll Call Vote Required)**
7. Consider, and act upon, Resolution 2020-21 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of March 18, 2020. (*Evelyn Huff, Budget Analyst*) **(Roll Call Vote Required)**
8. Consider, and act upon, Ordinance 1601 for first publication adopting a municipal gross receipts tax and repealing ordinance 1594. (*Stephanie Hernandez, Assistant City Manager and Evelyn Huff, Finance Director*). **(Roll Call Vote Required)**

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/18/2020

Report Date: 3/9/2020

Report No: 1.

Submitted By: Josh Sides

Subject: Consider, and act upon, Resolution 2020-19 to apply for the New Mexico Department of Tourism's Clean and Beautiful Grant for FY 21 for funding for the Keep Alamogordo Beautiful program. *(Joshua Sides, Keep Alamogordo Beautiful Program Coordinator)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted: \$0.00

Fund: 037

Additional Fiscal Impact:

Recommendation: Approve Resolution No. 2020-19.

Background: By approving this resolution, the City Commission will voice support for the annual beautification grant proposal. Each year, the New Mexico Department of Tourism assists local and tribal governments by awarding grant funding to reduce litter by involving the public during local community and statewide events, programs and projects.

The objective of the grant proposal as written is not only to reduce litter, but offer youth groups and individual youth to receive financial incentives and experience for employment. In addition, business owners and patrons benefit from having a litter free environment in which to do business. Finally, visitors and tourists to Alamogordo receive an enhanced impression of the City of Alamogordo due to cleaner public spaces and roadways.

RESOLUTION NO. 2020-19

**A RESOLUTION SUPPORTING THE NEW MEXICO DEPARTMENT OF TOURISM
LITTER CONTROL AND BEAUTIFICATION GRANT**

WHEREAS, the City Commission of the City of Alamogordo of Otero County, State of New Mexico recognizes the need for litter control through elimination, prevention, reduction, beautification, education and recycling;

WHEREAS, the New Mexico Department of Tourism, received legislative authority through the Litter Control and Beautification Act of 1985 to create the *New Mexico Clean and Beautiful* Grant Program, to prevent litter in our state from becoming a public nuisance and damage the economy by making it less attractive to tourists and newcomers,

WHEREAS, the New Mexico Department of Tourism, through the *New Mexico Clean and Beautiful* Grant Program, is soliciting proposals for community involvement for FY2020 grant, which objective is to prevent, control and eliminate litter, reduce waste and recycle materials, beautify and eliminate graffiti and weeds from public spaces; educate citizens on solid waste handling and raise overall awareness; involve more New Mexicans by enlisting them as volunteers in program and community sponsored activities and build and/or continue partnerships especially with the Tourism Industry,

WHEREAS, the governing body of the City of Alamogordo seeks to receive grant funding from the New Mexico Department of Tourism for education, litter eradication projects and beautification/ improvement programs.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Alamogordo that the litter control and beautification/ community grant application is hereby supported and endorsed,

BE IT FURTHER RESOLVED that Veronica Ortega, Community Services Director, or her designee is the GRANTEE REPRESENTATIVE and shall be authorized to submit any documents pertaining to the project and act as the point of contact; and,

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2020.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Bengoechea, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/18/2020

Report Date:

Report No: 2.

Submitted By: Mark Threadgill

Subject: Consider, and act upon, Resolution No. 2020-20 Approving first amendment to the agreement between the City of Alamogordo, New Mexico (City) and Valli Information Systems, Inc. dba Postal Pros Southwest (Contractor) dated December 16, 2019. *(Mark Threadgill, Customer Service Manager)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Staff recommends approval of the resolution.

Background:

Postal Pros Southwest, Inc., is requesting an amendment to the agreement between the City of Alamogordo and Postal Pros Southwest, Inc, dated December 16, 2019, to adjust the pricing for Item #14 on the Cost Proposal.

Item #14 of the Cost Proposal references Sec B, Scope of Work, of RFP 2019-004, Utility Statement Printing, Mailing, E-Billing & E-Payment Services for the City of Alamogordo. The specific paragraphs are "g" and "h";

Paragraph "g" states "Offeror shall provide e-mail/text notification, at no charge to the customer, to "Returning" City of Alamogordo utility customers that a new utility statement is available on-line. Notification shall be sent not more than 24 hours after billing files are received by the offeror."

Paragraph "h" states "Offeror shall provide, City of Alamogordo utility customers the option of receiving their utility statements via mail, electronically, or both."

These specifications were intended to be distinct services as were provided under the previous agreement.

Postal Pros Southwest, Inc., in their response to RFP 2019-004, indicated on the Cost Proposal sheet "No Charge" on Item #14 (specification outlined in Paragraph "g") which is what the City was charged under the previous agreement.

Postal Pros Southwest, Inc. did not include a charge in the Cost Proposal sheet for the service specified in

Paragraph "h" (for e-billing). Under the previous agreement City paid \$0.25 per e-bill.

The pricing discrepancy was identified by the City upon receipt of the first invoice under the agreement dated December 16, 2019.

A review of the Cost Proposal sheet prepared by the City, and included in RFP 2019-004, shows that Item #14 specifically stated "E-mail/Text notification of availability of new utility statement to registered customers..." (Scope of Work, paragraph "g") and that a separate line in the Cost Proposal was not included for e-billing (Scope of Work, paragraph "h").

The City has previously paid the \$0.25 per e-bill and had included such a charge in its cost projections for any new agreement.

Staff recommends approval of the requested amendment.

RESOLUTION NO. 2020-20

RESOLUTION APPROVING FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF ALAMOGORDO, NEW MEXICO (CITY) AND VALLI INFORMATION SYSTEMS, INC. dba POSTAL PROS SOUTHWEST (CONTRACTOR) DATED DECEMBER 16, 2019.

WHEREAS, the City has approved an agreement with the contractor pursuant to the award of RFP 2019-004, Utility Statement Printing, Mailing, E-Billing & E-Payment Services for the City of Alamogordo, and

WHEREAS, the Contractor has requested this first amendment to the agreement whereby the Cost Proposal will reflect the inclusion of a \$0.25 charge per customer e-billed for city utilities (RFP 2019-004, Section “B”, Scope of Work, paragraph “h”), and

WHEREAS, City staff has reviewed the request and recommends approval of the requested First Amendment,

NOW, THEREFORE, BE IT RESOLVED by the Alamogordo City Commission that the First Amendment to the Agreement Between the City of Alamogordo, New Mexico (City) and Valli Information Systems, Inc. dba Postal Pros Southwest (Contractor) dated December 16, 2019 is approved

PASSED, APPROVED AND ADOPTED this _____ day of March 2020.

ALAMOGORDO CITY COMMISION

By _____
Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Bengoechea, City Attorney

FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF ALAMOGORDO, NEW MEXICO (CITY) AND VALLI INFORMATION SYSTEMS, INC. dba POSTAL PROS SOUTHWEST (CONTRACTOR) DATED DECEMBER 16, 2019.

This First Amendment to the agreement between the City of Alamogordo, New Mexico (City) and Valli Information Systems dba Postal Pros (Contractor) dated December 16, 2019 is entered into by and between the City and the Contractor on this _____ day of _____, 2020.

RECITALS

WHEREAS, Contractor has requested an amendment to the agreement between the City and the Contractor dated December 16, 2019; and

WHEREAS, The City has agreed to amend the Utility Statement Processing and Mailing Services Agreement dated December 16, 2019,

NOW THEREFORE, the Utility Statement Processing and Mailing Services Agreement dated December 16, 2019 is amended to include;

- 1) A charge by the Contractor of \$0.25 (twenty-five cents) for each City of Alamogordo utility customer that has opted to receive his/her utility bill electronically (Utility Statement Processing and Mailing Services Agreement dated December 16, 2019, Scope of Work, Page 11, paragraph "h").

IN WITNESS WHEREOF, Contractor and City have caused this agreement to be executed on their behalves by their duly authorized representatives as of the Effective Date set forth above.

CONTRACTOR

Date: _____

Brad Sauters

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico municipal corporation

Date: _____

Brian Cesar, City Manager

SIGNATURES CONTINUED ON NEXT PAGE

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/18/2020

Report Date: 3/17/2020

Report No: 3.

Submitted By: Mark Threadgill

Subject: Consider, and act upon, Resolution 2020-22 Ratifying the actions of the City Manager regarding the suspension of late fees, delinquency fees, and termination for non-payment for city utility bills and authorizing the City Manager to re-impose the fees and termination at his discretion. (*Mark Threadgill, Customer Service Manager*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Staff recommends approval.

Background: Resolution ratifying the actions of the City Manager addressing utility billing and the COVID-19 pandemic.

RESOLUTION NO. 20-22

RESOLUTION RATIFYING THE ACTIONS OF THE CITY MANAGER REGARDING THE SUSPENSION OF LATE FEES, DELINQUENCY FEES, AND TERMINATION FOR NON-PAYMENT FOR CITY UTILITY BILLS AND AUTHORIZING THE CITY MANAGER TO REIMPOSE THE FEES AND TERMINATION AT HIS DISCRETION.

WHEREAS, The COVID-19 Pandemic has caused an unexpected disruption in the daily lives of the Citizens of Alamogordo, and;

WHEREAS, the COVID-19 Pandemic has, or will, create a financial hardship due to actions required to address the pandemic, and;

WHEREAS, the City Manager has directed, effective March 17, 2020, that the City of Alamogordo will not impose late fees, delinquency fees, or terminate City utilities for non-payment for the duration of the pandemic,

NOW, THEREFORE, BE IT RESOLVED by the Alamogordo City Commission that the actions taken by the City Manager are hereby ratified, and the City Commission authorizes the City Manager to reimpose late fees, delinquency fees and termination, at his discretion.

PASSED, APPROVED AND ADOPTED this _____ day of March 2020.

ALAMOGORDO CITY COMMISSION

By _____
Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Bengoechea, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/18/2020

Report Date: 3/16/2020

Report No: 4.

Submitted By: Bob Johnson

Subject: Consider, and act upon, approval of Change Order no. 6, Public Works Bid no. 2017-009, to Smithco Construction, Inc. related to the Bonito Lake Restoration project in an amount not to exceed \$9,437,903.38, including NMGRT. (*Bob Johnson, Engineering Manager*)

Fiscal Impact: \$9,437,903.38
Amount Budgeted: \$18,181,996.00
Fund: 081-0008-461.60-79 PW1501

Additional Fiscal Impact: Unencumbered budget balance remaining - \$11,647,889.00

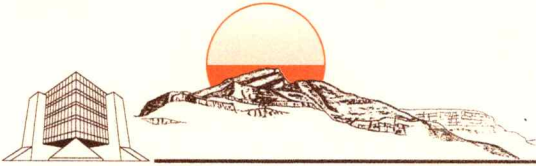
Recommendation: Approve the Change Order.

Background: Commission approved Change Order no. 5 on January 14, 2020 as an interim measure of a partial award of the bid alternate debris removal (78,000 cubic yards) while the City appealed FEMA's initial denial of the contractor's requested change order proposal of \$3,047,233.20, including NMGRT. The change order proposal is based on actual costs to perform the work, over and above that which was contemplated when the project was bid in September 2017.

On March 9, 2020, FEMA approved the contractor's change order proposal. A formal FEMA sub-grant amendment is being processed and the City should receive the amendment by mid-April, 2020.*

This Change Order incorporates (1) a unit price increase of \$3.63 per cubic yard applicable to the base bid debris removal quantity, (2) a unit price increase of \$4.33 per cubic yard applicable to the bid alternate debris removal quantity and award of the balance of that quantity of 256,000 cubic yards, (3) an increase in the force account work allowance, and (4) extended traffic control mandated by NMDOT for an additional 11 months.

* The City's 12.5% cost-share of the FEMA sub-grant amendment is \$380,904.15.



City of Alamogordo



Engineering Dept. • 1376 East Ninth St. • Alamogordo, NM 88310 • (575) 439-4235, X3 • FAX (575) 439-4343

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 6

BONITO LAKE RESTORATION

PUBLIC WORKS PROJECT NO. 2017-009

DATE: MARCH 16, 2020

CONTRACTOR: SMITHCO CONSTRUCTION, INC.
P.O. BOX 45
CABALLO, NM 87931

OWNER: CITY OF ALAMOGORDO
1376 E. NINTH ST.
ALAMOGORDO, NM 88310

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS:

Bid Item 4, Excavation and Debris Removal – Increase unit price from \$25.00 per CY to \$28.63 per CY; net increase of \$896,610.00.

Bid Item 6, Force Account Work Allowance – Increase by an additional \$527,720.00.

Partial award and increase Bid Alternate A-1, Additional Excavation and Debris Removal, Quantity of 256,000 CY at \$25.00 per CY, to \$29.33 per CY; net increase of \$7,508,480.00.

Increase Additional Traffic Control from 22 months to 33 months at \$1,188.18 per month; net increase of \$13,069.98.

REVISED CONTRACT AMOUNT

1. Original Contract Amount	\$ 8,197,500.00*
2. Total Contract Amount Including Previously Approved Change Orders.....	\$ 10,910,109.95*
3. Amount of this Change Order (increase)	\$ 8,945,879.98*


4. Total Revised Contract Amount to Date..... \$19,855,989.93*

* excludes New Mexico Gross Receipts Tax.

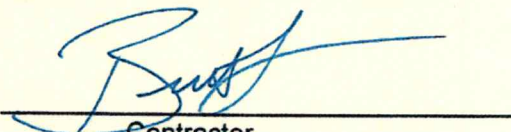
The contract performance period is hereby increased by three hundred forty-seven (347) calendar days.

The work covered by this order shall be performed under the same terms and conditions as that included in the original contract.

CHANGE ORDER RECOMMENDATION FOR APPROVAL:

BY:  3-16-2020
Engineer Date

CHANGE ORDER ACCEPTED AND APPROVED:

BY:  3/16/20
Contractor Date

CHANGE ORDER APPROVED BY CITY MANAGER/CITY COMMISSION:

BY: _____
City Manager Date

BY: _____
City Attorney Date

**Change Order Request (COR) 7
Summary Sheet**

SUMMARY BY BID ITEM

BID ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	EXTENSION
4	Excavation and Debris Removal	CY	247000	\$ 3.63	\$ 896,610.00
A-1	Additional Excavation and Debris Removal ¹	CY	334000	\$ 4.33	\$ 1,446,220.00
6	Force Account Work Allowance ²	ALW	1	\$ 527,720.00	\$ 527,720.00
CO3.8	Extend Months of Additional Traffic Control ³	Month	15	\$ 1,188.18	\$ 17,822.70
				Total Amount of Request	\$ 2,888,372.70

¹This amount is in addition to the proposed \$25/CY provided in Change Order 5

²This amount is in addition to the \$350,000 Allowance established in Change Order 4

³These months are in addition to the 18 months established in Change Order 3

BONITO LAKE RESTORATION

CHANGE ORDER REQUEST

7 (Revision 2)

FOR

EXCAVATION AND DEBRIS REMOVAL



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

Bonito Lake Restoration
Change Order Request 7
Excavation and Debris Removal

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Change Order Request 7

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TAB 1: SUMMARY



Smithco Construction, Inc.

6 King Canyon Loop

Caballo, NM 87931

P.) 575-894-6161 F.) 575-894-6012 E.) smithco@smithco.cc

July 18, 2019

Rob Richardson, P.E.
Bohannon Huston
7500 Jefferson St. NE
Albuquerque, NM 87109

RE: Bonito Lake Restoration – Change Order Request (COR) 7 Revision 2

Dear Mr. Richardson:


Please find attached **Change Order Request 7 Revision 2** for the referenced project. This request is for additional costs and delays associated with **Excavation and Debris Removal**.

This request is the direct result of: (1) additional days of work caused by multiple unordinary storm events; (2) additional dewatering caused by unforeseen conditions; and (3) an increase of labor and loss of production caused by items 1 and 2. This request also includes an increased unit price for Bid Alternate A-1, an extension of the Force Account Work Allowance and additional months of Traffic Control Management. A detailed summary is attached for review.

Smithco requests that the City issue a Change Order in the amount of **\$2,888,372.70** and extend the contract time by **467 calendar days** to allow for the completion of both base bid and bid alternate A-1.

Please feel free to contact me at 575-740-3492 with any questions regarding this request.

Sincerely,



Rylan Edgmon

TAB 2: OVERVIEW AND JUSTIFICATION



1. Overview

On September 2, 2017, Smithco Construction, Inc. (Smithco) was awarded the construction contract for the Bonito Lake Restoration Project. This included construction of a coffer dam and flow diversion pipeline to divert the flow of the Bonito Creek, and excavation and removal of 247,000 cubic yards of debris from the lakebed.

In November 2017, Smithco commenced work on the coffer dam and flow diversion pipeline. In February 2018, after the flow diversion pipeline was completed and days before the coffer dam was scheduled to be complete, Bonito Lake received 5-inches of rain in a five-day period. This storm event filled the lake to full capacity delaying all further work.

Upon mitigating the immediate impacts of the February 2018 storm event, construction of the coffer dam resumed. The dam was completed at the end of March 2018. The lake remained full of water until pumping efforts began in April 2018 and was completed in June 2018. In June 2018, Smithco began excavation of accessible debris.

After excavation had begun but prior to commencing debris removal, another storm event occurred in July 2018. This storm event caused the Bonito Creek to surcharge to the point it caused the coffer dam to overtop. Once the immediate effects of the July 2018 storm event had been mitigated, excavation efforts gradually resumed. Debris removal commenced on August 20, 2018.

In October 2018, another storm event occurred after Smithco had completed 25,000 cubic yards, or 10% of the 247,000 cubic yard total of excavation and debris removal. This storm event caused the coffer dam to be overtopped and water was deposited into the lakebed, halting excavation and debris removal activities. Before construction activities fully resumed, the impacts of this storm event were exacerbated by subsequent weather events including 16-inches of snow fall in December 2018.

Normal excavation and debris removal operations resumed in February 2019.



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

Bonito Lake Restoration
Change Order Request 7 Overview & Justification
Revision 2

2. Definitions

Coffer Dam: *Driven Steel Sheet Piles for Bonito Creek Flow Diversion. (Specification 05125).*



Coffer Dam Performing under normal conditions

Flow Diversion Pipeline: *48-inch HDPE Pipe outfall for Bonito Creek Diversion to Existing Spillway. (Specification 02724).*



Flow Diversion Pipeline



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

Bonito Lake Restoration
Change Order Request 7 Overview & Justification
Revision 2

Unordinary Storm Events: *Storm events that cause the coffer dam to be overtopped will be classified as unordinary. (Specification 01150 1.08 B).*



Coffer Dam Overtopped During Unordinary Storm Event

Normal Excavation and Debris Removal Operations: *When operations are not effected by unordinary storm events.*



Example of Normal Operations



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

Bonito Lake Restoration
Change Order Request 7 Overview & Justification
Revision 2

Excavation and Debris Removal Operations impeded by unordinary storm events: *When operations have been impeded by unordinary storm events.*



Example of Impeded Operations



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

Bonito Lake Restoration
Change Order Request 7 Overview & Justification
Revision 2

Saturated Debris: *Saturated Debris after a storm event Vs. the condition of Debris when not affected by a storm event.*



Saturated Debris after storm event



Normal Condition of Debris not affected by storm event



3. Bid Item 4: Excavation and Debris Removal - Justification of Additional Costs

a. Unordinary Storm Events

As described above, the project experienced multiple unordinary storm events. These events severely decreased the production rates of excavation and debris removal operations. Excavation and debris removal operations include: Dewatering, Trucking, Excavation, Disposal Site Operations and Management.

Dewatering: The cost of original dewatering operations increased as a direct result of additional days of pumping. As production decreases, the length of time the systems are required to be in place increases.

Trucking: Daily load counts decreased as suitable debris was not readily available to be hauled. Additionally, workforce shortages were experienced following the storm events as drivers were not readily available once work could be resumed.

Excavation: Productions rates decreased as saturated debris required longer drying time and additional processing before debris passed the EPA paint filter test in order to be hauled.

Disposal Site: Saturated debris required Smithco's work plan to be modified to account for additional drying and processing at the disposal site to meet the specified moisture content.

Management: Costs for management include a percentage of the project managers time and all the superintendent and foreman's time during these additional days of work caused by the storm events.

In sum the inefficiencies above resulted in a 38% loss of production. The extent of this loss, in terms of additional days to complete this work, is calculated on the following page using the measured mile approach. This approach compares the production rate when affected by storm events to the production rates during normal excavation and debris removal operations.



Measured Mile Calculation

Production Rate During *Impeded* operation, 10/22/18 through 2/21/19:

65.50	Days Worked
<u>22.00</u>	Weather Days (no debris hauling)
43.50	Production Days
<u>32,515.05</u>	Total Debris Removed (CY)
747.47	Production Rate (CY per Day)

Production Rate During *Normal* operation, 2/22/19 through 5/16/19:

48.00	Days Worked
<u>5.00</u>	Weather Days (no debris hauling)
43.00	Production Days
<u>51,675.75</u>	Total Debris Removed (CY)
1,201.76	Production Rate (CY per Day)

Lost Production Calculation:

32,515.05	Total Debris Removed (CY) During Impeded Operation
<u>1,201.76</u>	Production Rate (CY per Day) During Normal Operation
27.06	Days to Complete Based on Normal Operation
43.50	Actual Days to Complete
<u>16.44</u>	Additional Days to Complete Work

The 16.44 additional days of work is multiplied by the total daily costs of excavation and debris removal which is illustrated in TAB 4.



b. Unforeseen Dewatering

Smithco incurred costs for unplanned dewatering resulting from two separate unforeseen conditions. These unforeseen conditions include saturated debris caused by unordinary storm events and water from Bonito Creek flowing under the coffer dam. Additional dewatering operations have been required to be implemented as a result of these conditions. These additional operations were unforeseen at the time of bid and were not included in Smithco's original dewatering plan which was presented prior to award of the project.

In order to remove saturation from the debris, eight dewatering wells were installed in the center of the lakebed near the spillway. This system included construction of an access road across the saturated debris, installation of eight dewatering wells, installation of pumps and discharge piping, and fuel and maintenance of generators for temporary power.

To mitigate Bonito Creek surface water flowing under the coffer dam, a sump pit and submersible pump were installed near the coffer dam at the first access tee in the flow diversion pipeline. This system included installation of a sump pit, installation of a submersible pump and discharge piping and installation, fuel and maintenance of a generator for temporary power. This system was later replaced by constructing a secondary catch pond downstream of the coffer dam. This included excavation of a dirt retention pond and earthen berm. Water retained by this structure is pumped into the flow diversion pipeline by a diesel trash pump and discharge piping.



4. Bid Alternate A-1: Additional Excavation and Debris Removal

Change Order 5 was offered by the City on January 17, 2019 for Bid Alternate A-1: Additional Excavation and Debris Removal of 334,000 cubic yards at the original bid price of \$25 per cubic yard. As 145,000 cubic yards of work has been completed, Smithco has real data showing the actual cost of this work. Accordingly, Smithco is requesting a new unit price be established for this additional work.

TAB 5 illustrates the actual cost for this work. It is shown in cubic yard pricing and broke down into the following tasks:

- Dewatering
- Trucking
- Excavation
- Disposal Site
- Haul Road Maintenance
- Supplemental Costs
- Administration
- Tipping Fees

The daily costs of these tasks are calculated based on current, actual costs, to perform this work. The daily costs are multiplied by the number of days required to complete the additional 334,000 cubic yards. The number of days is calculated below:

334,000	Additional Cubic Yards
1,350	Estimated Production Rate (CY/Day) (Includes 15% Shrink)
247.41	Working Days Required to Complete Bid Alternate A-1

Multiplying 247.41 working days by the daily cost of this work provides the total cost to perform this additional work.

TAB 3: COST SUMMARY

**Change Order Request (COR) 7
Summary Sheet**

SUMMARY BY BID ITEM

BID ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	EXTENSION
4	Excavation and Debris Removal	CY	247000	\$ 3.63	\$ 896,610.00
A-1	Additional Excavation and Debris Removal ¹	CY	334000	\$ 4.33	\$ 1,446,220.00
6	Force Account Work Allowance ²	ALW	1	\$ 527,720.00	\$ 527,720.00
CO3.8	Extend Months of Additional Traffic Control ³	Month	15	\$ 1,188.18	\$ 17,822.70
				Total Amount of Request	\$ 2,888,372.70

¹This amount is in addition to the proposed \$25/CY provided in Change Order 5

²This amount is in addition to the \$350,000 Allowance established in Change Order 4

³These months are in addition to the 18 months established in Change Order 3

TAB 4

BID ITEM 4: EXCAVATION AND DEBRIS REMOVAL

**Change Order Request (COR) 7
Summary Sheet
Bid Item 4**

BID ITEM 4: EXCAVATION AND DEBRIS REMOVAL - ADDITIONAL COST SUMMARY

ITEM	EXCAVATION AND DEBRIS REMOVAL SUB-TASK DESCRIPTION	I. ADDITIONAL COSTS INCURRED FROM UNORDINARY STORM EVENTS	II. ADDITIONAL COSTS INCURRED TO DATE FROM UNFORSEEN DEWATERING	III. ADDITIONAL COST TO COMPLETE FROM UNFORSEEN DEWATERING	TOTAL ADDITIONAL COSTS
1	Dewatering	\$ 0.12	\$ 1.42	\$ 0.63	\$ 2.17
2	Trucking	\$ 0.59	-	-	\$ 0.59
3	Excavation	\$ 0.50	-	-	\$ 0.50
4	Disposal Site	\$ 0.23	-	-	\$ 0.23
5	Management	\$ 0.14	-	-	\$ 0.14
	Total	\$ 1.58	Total Additional Cost Per Cubic Yard		\$ 3.63
			Total Cubic Yards		247000
			Total Additional Cost		\$ 896,610.00

**BID ITEM 4: EXCAVATION AND DEBRIS REMOVAL
ADDITIONAL COST BREAKDOWN**

I. ADDITIONAL COSTS INCURRED FROM UNORDINARY STORM EVENTS:

<u>Item</u>	<u>Description</u>	<u>Daily Cost</u>	<u>Additional Days</u>	<u>Total Cost</u>	<u>CY Cost</u>
1	Dewatering (Attachment 1)	\$ 1,774.05	16.44	\$ 29,172.27	\$ 0.12
2	Trucking (Attachment 2)	\$ 8,893.05	16.44	\$ 146,235.91	\$ 0.59
3	Excavation (Attachment 3)	\$ 7,572.46	16.44	\$ 124,520.37	\$ 0.50
4	Disposal Site (Attachment 4)	\$ 3,490.57	16.44	\$ 57,398.44	\$ 0.23
5	Management (Attachment 5)	\$ 2,080.86	16.44	\$ 34,217.31	\$ 0.14
				Total	\$ 1.58

II. ADDITIONAL COSTS INCURRED TO DATE FROM UNFORESEEN DEWATERING:

<u>Item</u>	<u>Description</u>	<u>Total Cost</u>	<u>CY Cost</u>
1	Dewatering Wells (Attachment 6)	\$ 212,475.82	\$ 0.86
2	Sump Pit and Submersible Pump (Attachment 7)	\$ 62,400.17	\$ 0.25
3	Secondary Catch Pond (Attachment 8)	\$ 76,479.32	\$ 0.31
		Total	\$ 1.42

III. ADDITIONAL COST TO COMPLETE FROM UNFORESEEN DEWATERING:

<u>Item</u>	<u>Description</u>	<u>Daily Cost</u>	<u>Est Days to Complete As of 3/1/19</u>	<u>Total Cost</u>	<u>CY Cost</u>
1	Dewatering Wells (Attachment 9)	\$ 468.17	80	\$ 37,453.27	\$ 0.15
1	Secondary Catch Pond (Attachment 10)	\$ 743.93	160	\$ 119,028.60	\$ 0.48
				Total	\$ 0.63

Attachment 1- Dewatering

Description: Daily operational cost of the planned dewatering systems that were incurred from October 2018 through February 2019.

Cost Breakdown:

	Rate	HOURS	TOTAL
Laborer I (2 each)	\$ 23.05	10	\$ 230.50
Subtotal			\$ 230.50
Labor Burden @ 45.83%			\$ 105.64
Labor Total		10	\$ 336.14
Travel/Perdiem	\$ 2.50	10	\$ 25.00
Supt/Fore Truck	\$23.26		\$ -
Crew Truck	\$23.26	5	\$ 116.30
S8T Hydraulic Pump	\$12.14	10	\$ 121.40
S6V Hydraulic Pump	\$12.14	10	\$ 121.40
Godwin 8" Trash Pump	\$12.14		\$ -
Compressor	\$69.81	2	\$ 139.62
Equipment Total			\$ 498.72
Materials Total:	Unit Cost	Quantity	\$ 660.00
Fuel	\$ 3.00	220	\$ 660.00
Sub Contract:	Unit Cost	Quantity	\$ -
Subtotal Labor, Equipment & Materials			\$ 1,519.86
Profit & Overhead @ 15%			\$ 227.98
Sub Contract:			\$ -
Subtotal			\$ 1,747.84
Bond			\$ 26.22
TOTAL			\$ 1,774.05

Attachment 2-Trucking

Description: Daily average operational cost of Smithco's highway trucking operations incurred from October 2018 through February 2019.

Cost Breakdown:

	Rate	HOURS	TOTAL
Operator Group IV	\$ 25.45		\$ -
Operator Group V	\$ 25.51		\$ -
Truckdriver	\$ 23.02	60	\$ 1,381.20
Laborer I	\$ 23.05		\$ -
Subtotal			\$ 1,381.20
Labor Burden @ 45.83%			\$ 633.00
Labor Total		60	\$ 2,014.20
Travel/Perdiem		60	\$ -
Dumptruck	\$81.59	60	\$ 4,895.40
Dumptruck (standby)	\$17.73	40	\$ 709.20
Equipment Total			\$ 5,604.60
Materials Total:	Quantity	Unit Cost	\$ -
			\$ -
			\$ -
Sub Contract:			\$ -
			\$ -
			\$ -
Subtotal Labor, Equipment & Materials			\$ 7,618.80
Profit & Overhead @ 15%			\$ 1,142.82
Sub Contract:			\$ -
Subtotal			\$ 8,761.62
Bond			\$ 131.42
TOTAL			\$ 8,893.05

Attachment 3- Excavation

Description: Daily operational cost of excavation operations incurred from October 2018 through February 2019.

Cost Breakdown:

	Rate	HOURS	TOTAL
Operator Group II	\$ 24.59		\$ -
Operator Group III	\$ 25.24		\$ -
Operator Group IV	\$ 25.45		\$ -
Operator Group V	\$ 25.51	30	\$ 765.30
Laborer I	\$ 23.05		\$ -
Subtotal			\$ 765.30
Labor Burden @ 45.83%			\$ 350.74
Labor Total		30	\$ 1,116.04
Travel/Perdiem	\$ 2.50	30	\$ 75.00
966 Loader	\$107.19	10	\$ 1,071.90
Cat 349 Excavator	\$210.12	10	\$ 2,101.20
Volvo Haul Truck	\$155.86	10	\$ 1,558.60
Cat 345 Excavator (standby)	\$56.47	10	\$ 564.70
Equipment Total			\$ 5,296.40
Materials Total:	Quantity	Unit Cost	\$ -
			\$ -
Sub Contract:			\$ -
			\$ -
Subtotal Labor, Equipment & Materials			\$ 6,487.44
Profit & Overhead @ 15%			\$ 973.12
Sub Contract:			\$ -
Subtotal			\$ 7,460.55
Bond			\$ 111.91
TOTAL			\$ 7,572.46

Attachment 4- Disposal Site

Description: Daily operational cost of the disposal site operations incurred from October 2018 through February 2019.

Cost Breakdown:

	Rate	HOURS	TOTAL
Operator Group I	\$ 23.50		\$ -
Operator Group II	\$ 24.59		\$ -
Operator Group III	\$ 25.24		\$ -
Operator Group IV	\$ 25.45		\$ -
Operator Group V	\$ 25.51	20	\$ 510.20
Laborer I	\$ 23.05		\$ -
Subtotal			\$ 510.20
Labor Burden @ 45.83%			\$ 233.82
Labor Total		20	\$ 744.02
Travel/Perdiem	\$ 2.50	20	\$ 50.00
966 Loader	\$107.19	10	\$ 1,071.90
Cat D6 Dozer	\$83.24	10	\$ 832.40
950 Loader (Standby)	\$29.21	10	\$ 292.10
Equipment Total			\$ 2,196.40
Materials Total:	Quantity	Unit Cost	\$ -
			\$ -
Sub Contract:			\$ -
			\$ -
Subtotal Labor, Equipment & Materials			\$ 2,990.42
Profit & Overhead @ 15%			\$ 448.56
Sub Contract:			\$ -
Subtotal			\$ 3,438.99
Bond			\$ 51.58
TOTAL			\$ 3,490.57

Attachment 5- Management

Description: Daily cost of on-site management incurred from October 2018 through February 2019

Cost Breakdown:

	Rate	HOURS	TOTAL
Project Manager	\$ 37.50	1	\$ 37.50
Superintendent	\$ 50.00	10	\$ 500.00
Foreman	\$ 35.00	10	\$ 350.00
Subtotal			\$ 887.50
Labor Burden @ 45.83%			\$ 406.74
Labor Total		21	\$ 1,294.24
Travel/Perdiem	\$ 2.50	21	\$ -
PM P/U	\$23.26	1	\$ 23.26
Supt P/U	\$23.26	10	\$ 232.60
Fore P/U	\$23.26	10	\$ 232.60
Equipment Total			\$ 488.46
Materials Total:	Quantity	Unit Cost	\$ -
			\$ -
			\$ -
Sub Contract:			\$ -
			\$ -
			\$ -
Subtotal Labor, Equipment & Materials			\$ 1,782.70
Profit & Overhead @ 15%			\$ 267.41
Sub Contract:			\$ -
Subtotal			\$ 2,050.11
Bond			\$ 30.75
TOTAL			\$ 2,080.86

Attachment 6- Dewatering Wells

Description: Cost of construction of the dewatering well line and associated costs with operating and maintaining the well system incurred from September 2018 through February 2019.

Cost Breakdown:

	Rate	HOURS	TOTAL
Project Manager	\$ 37.50	40	\$ 1,500.00
Foreman	\$ 35.00	188	\$ 6,580.00
Operator Group I	\$ 23.50		\$ -
Operator Group II	\$ 24.59	360	\$ 8,852.40
Laborer I	\$ 23.05	520	\$ 11,986.00
Subtotal			\$ 28,918.40
Labor Burden @ 45.83%			\$ 13,253.30
Labor Total		1108	\$ 42,171.70
Travel/Perdiem	\$ 2.50	1108	\$ 2,770.00
420 Cat Hoe	\$42.79	40	\$ 1,711.60
Cat 349 Excavator	\$210.12	80	\$ 16,809.60
Cat D6K Dozer	\$83.24	80	\$ 6,659.20
PM/Fore Truck	\$23.26	228	\$ 5,303.28
Crew Truck	\$23.26	120	\$ 2,791.20
Volvo Articulating Haul Truck	\$155.86	80	\$ 12,468.80
Dewatering Pumps and Generators	\$12.14	1040	\$ 12,625.60
Equipment Total			\$ 58,369.28
Materials Total:	Unit Cost	Quantity	\$ 28,920.00
Transport for Poly Pipe for 8" Manifold	\$ 1,000.00	2	\$ 2,000.00
Well Casing	\$ 1,000.00	8	\$ 8,000.00
Gravel	\$ 1,000.00	8	\$ 8,000.00
Fuel for Generators - Wells	\$ 3.00	3640	\$ 10,920.00
Sub Contract:	Unit Cost	Quantity	\$ 57,270.15
Mauldin Drilling	\$ 51,855.00	1	\$ 51,855.00
Zuni Electric	\$ 2,688.00	1	\$ 2,688.00
Profit & Overhead @ 5%			\$ 2,727.15
Subtotal Labor, Equipment & Materials			\$ 132,230.98
Profit & Overhead @ 15%			\$ 19,834.65
Sub Contract:			\$ 57,270.15
Subtotal			\$ 209,335.78
Bond			\$ 3,140.04
TOTAL			\$ 212,475.82

Attachment 7- Sump Pit and Submersible Pump

Description: Cost of construction of the sump pit and submersible pump and associated costs with operating and maintaining the pump system incurred from June 2018 through November 2018.

Cost Breakdown:

	Rate	HOURS	TOTAL
Foreman	\$ 35.00	20	\$ 700.00
Operator Group II	\$ 24.59	20	\$ 491.80
Laborer I	\$ 23.05	400	\$ 9,220.00
Subtotal			\$ 10,411.80
Labor Burden @ 45.83%			\$ 4,771.73
Labor Total		440	\$ 15,183.53
Travel/Perdiem	\$ 2.50	440	\$ 1,100.00
Cat 349 Excavator	\$210.12	20	\$ 4,202.40
Supt/Fore Truck	\$23.26	20	\$ 465.20
Crew Truck	\$23.26	200	\$ 4,652.00
966 Wheel Loader	\$107.19		\$ -
Submersible Pump and Generator	\$12.14	800	\$ 9,712.00
Equipment Total			\$ 19,031.60
Materials Total:	Unit Cost	Quantity	\$ 18,144.00
Fuel for Generator	\$ 3.00	6048	\$ 18,144.00
Sub Contract:			\$ -
			\$ -
Profit & Overhead @ 5%			\$ -
Subtotal Labor, Equipment & Materials			\$ 53,459.13
Profit & Overhead @ 15%			\$ 8,018.87
Sub Contract:			\$ -
Subtotal			\$ 61,478.00
Bond			\$ 922.17
TOTAL			\$ 62,400.17

Attachment 8- Secondary Catch Pond

Description: Cost of construction of the secondary catch pond and all associated costs with operating and maintaining the pump system incurred from July 2018 through February 2019.

Cost Breakdown:

	Rate	HOURS	TOTAL
Foreman	\$ 35.00	50	\$ 1,750.00
Operator Group II	\$ 24.59	120	\$ 2,950.80
Operator Group III	\$ 25.24		\$ -
Operator Group IV	\$ 25.45		\$ -
Operator Group V	\$ 25.51		\$ -
Laborer I	\$ 23.05	200	\$ 4,610.00
Subtotal			\$ 9,310.80
Labor Burden @ 45.83%			\$ 4,267.14
Labor Total		370	\$ 13,577.94
Travel/Perdiem	\$ 2.50	370	\$ 925.00
Cat 349 Excavator	\$210.12	40	\$ 8,404.80
Cat D6K Dozer	\$83.24	40	\$ 3,329.60
Supt/Fore Truck	\$23.26	100	\$ 2,326.00
Crew Truck	\$23.26	200	\$ 4,652.00
Volvo Articulating Haul Truck	\$155.86	40	\$ 6,234.40
S8T Hydraulic Pump	\$12.14	1080	\$ 13,111.20
Equipment Total			\$ 38,058.00
Materials Total:	Unit Cost	Quantity	\$ 12,960.00
Fuel for Pump	\$ 3.00	4320	\$ 12,960.00
Sub Contract:			\$ -
			\$ -
Subtotal Labor, Equipment & Materials			\$ 65,520.94
Profit & Overhead @ 15%			\$ 9,828.14
Sub Contract:			\$ -
Subtotal			\$ 75,349.08
Bond			\$ 1,130.24
TOTAL			\$ 76,479.32

Attachment 9- Dewatering Wells

Description: Daily cost to operate and maintain the dewatering wells for the duration of the project.

Cost Breakdown:

	Rate	HOURS	TOTAL
Operator Group III	\$ 25.24		\$ -
Operator Group IV	\$ 25.45		\$ -
Operator Group V	\$ 25.51		\$ -
Laborer I	\$ 23.05	2.5	\$ 57.63
Subtotal			\$ 57.63
Labor Burden @ 45.83%			\$ 26.41
Labor Total		2.5	\$ 84.03
Travel/Perdiem	\$ 2.50	2.5	\$ 6.25
Crew Truck	\$23.26	2.5	\$ 58.15
Dewatering Wells (incl. Generators)	\$12.14	10	\$ 121.40
Equipment Total			\$ 179.55
Materials Total:	Unit Cost	Quantity	\$ 131.25
Fuel for Generators - Wells	\$ 3.00	43.75	\$ 131.25
Sub Contract:	Unit Cost	Quantity	\$ -
Subtotal Labor, Equipment & Materials			\$ 401.08
Profit & Overhead @ 15%			\$ 60.16
Sub Contract:			\$ -
Subtotal			\$ 461.25
Bond			\$ 6.92
TOTAL			\$ 468.17

Attachment 10- Secondary Catch Pond

Description: Daily cost to operate and maintain the pump for the duration of the project.

Cost Breakdown:

	Rate	HOURS	TOTAL
Operator Group III	\$ 25.24		\$ -
Operator Group IV	\$ 25.45		\$ -
Operator Group V	\$ 25.51		\$ -
Laborer I	\$ 23.05	2.5	\$ 57.63
Subtotal			\$ 57.63
Labor Burden @ 45.83%			\$ 26.41
Labor Total		2.5	\$ 84.03
Travel/Perdiem	\$ 2.50	2.5	\$ 6.25
Crew Truck	\$23.26	2.5	\$ 58.15
S8T Hydraulic Pump	\$12.14	10	\$ 121.40
Equipment Total			\$ 179.55
Materials Total:	Unit Cost	Quantity	\$ 367.50
Fuel for Pump	\$ 3.00	122.5	\$ 367.50
			\$ -
			\$ -
Sub Contract:			\$ -
			\$ -
Profit & Overhead @ 5%			\$ -
Subtotal Labor, Equipment & Materials			\$ 637.33
Profit & Overhead @ 15%			\$ 95.60
Sub Contract:			\$ -
Subtotal			\$ 732.93
Bond			\$ 10.99
TOTAL			\$ 743.93



Mobile Generators

Information

Fuel Usage for Pumps

G25 Technical specifications



Metric » Imperial »

	G25 (T4i)	G25 (T4F)	G25 (T4F) 600V	G25 (T4i) 600V-Canada Only
Dimensions				
L x W x H Operating (Skid) in	76.6 x 35 x 44.5	76.6 x 35 x 44.5	76.6 x 35 x 44.5	76.6 x 35 x 44.5
L x W x H Shipping (Skid) in	81 x 37.5 x 56.6	81 x 37.5 x 56.6	81 x 37.5 x 56.6	81 x 37.5 x 56.6
L x W x H Shipping/Operating (Trailer) in	133 x 60 x 69	133 x 60 x 69	160 x 67.5 x 80	133 x 60 x 69
Weights				
Weight Dry (Skid) lb	1,911	1,952	1,994	1,911
Weight Operating (Skid) lb	2,332	2,373	2,415	2,332
Weight Shipping (Skid) lb	2,031	2,072	2,114	2,031
Weight Operating (Trailer) lb	2,802	2,843	2,885	2,802
Weight Shipping (Trailer) lb	2,381	2,422	2,464	2,381
Operating data				
Trailer coupling Type	2in Ball	2in Ball	PinTle	2in Ball
Standby output kW	20.4	21.4	19.5	19.5
Prime output kW	19.5	19.5	18.7	18.7
Voltage 3 Phase V	240/480	240/480	240 / 480 / 600	240/480/600
Current 3 Phase (Prime) A	58/29	58/29	54 / 28 / 23	58/29/23
Current 1 Phase (Prime) A	120/240	120/240	120 / 240	120/240
Voltage 3 Phase V	208, 220, 240, 416, 440, 480	208 / 220 / 240 / 416 / 440 / 480	208, 220, 240, 416, 440, 480, 600	208, 220, 240, 416, 440, 480, 600
Voltage 1 Phase V	120, 127, 139, 240, 254, 277	120, 127, 139, 240, 254, 277	120, 127, 139, 240, 254, 277, 346	120, 127, 139, 240, 254, 277, 346
Circuit breaker (Main) A	70	70	70	70
Frequency Hz	60	60	60	60
Power factor 1 Phase cos Φ 1~	1	1	1	1
Power factor 3 Phase cos Φ 3~	0.8	0.8	0.8	0.8
Sound level (LwA) at Prime (23 ft / 7 m) dB(A)	65	65	65	65
Receptacles -20 Amp GFI Duplex	2	2	2	2

	G25 (T4i)	G25 (T4F)	G25 (T4F) 600V	G25 (T4i) 600V-Canada Only
Receptacles -50 Amp Twist Lock	2	2	2	2
Engine / Motor				
Engine / Motor	Liquid-Cooled, 4 Cylinders	Liquid-Cooled, 4 Cylinders	Liquid-Cooled, 4 Cylinders	Liquid-Cooled, 4 Cylinders
Engine / Motor manufacturer	Isuzu	Isuzu	Isuzu	Isuzu
Emissions Certified	Tier 4i	Tier 4	Tier 4	Tier 4i
Displacement in ³	133	133	133	133
Operating performance SAE J1995, ISO 8528-1 hp	35.4	31.5	31.5	35.4
at rpm rpm	1.800	1.800	1.800	1.800
Coolant Capacity US qt	11.9	13.3	13.3	11.9
Engine oil Capacity US qt	8.5	11	11	8.5
Fuel type	Diesel	#1/#2 ULSD	Diesel	Diesel
Fuel consumption (Prime Load) US gal/h	1.8	1.8	1.8	1.8
Tank capacity -Fuel US gal	58.4	58.4	58.4	58.4
Quantity (Battery)	1	1	1	1
Battery V	12	12	12	12
Generator model	Mecc Alte, Brushless w/AVR	Mecc Alte, Brushless	Mecc Alte, Brushless w/AVR	Mecc Alte, Brushless w/AVR
Voltage control No Load to Full Load +/- %	1	1	1	1
Voltage control Steady State +/- %	0.2	0.2	0.2	0.2
Generator insulation (class)	H	H	H	H
Frequency (Generator Speed) Hz	60	60	60	60
Runtime at 100% Prime Load h	32.2	28.2	28.2	32.2
Runtime at 75% Prime Load h	24.15			



These products might also interest you:



DPU6555He
DPU6555Hec



PTS4V »



SW16 »



PDT2 »



HF770XHD 60 »

Dealer Locator

CALIFORNIA PROPOSITION 65 WARNING

TAB 5

**BID ITEM A-1: ADDITIONAL EXCAVATION AND
DEBRIS REMOVAL**

**Change Order Request (COR) 7
Summary Sheet
Bid Alternate A-1**

BID ALTERNATE A-1: ADDITIONAL EXCAVATION AND DEBRIS REMOVAL - COST SUMMARY

ITEM	EXCAVATION AND DEBRIS REMOVAL SUB-TASK DESCRIPTION	COST PER CY
1	Dewatering	\$ 0.71
2	Trucking	\$ 9.16
3	Excavation	\$ 9.01
4	Disposal Site	\$ 3.72
5	Haul Road Maintenance	\$ 1.50
6	Supplemental Costs	\$ 0.21
7	Management	\$ 2.14
8	Tipping Fees	\$ 2.88
Total Cost Per Cubic Yard		\$ 29.33
Original Unit Bid Price		\$ 25.00
Increase to Original Unit Bid Price		\$ 4.33

**BID ALTERNATE A-1: ADDITIONAL EXCAVATION AND DEBRIS REMOVAL
ADDITIONAL COST BREAKDOWN**

COST OF PRODUCTION

<u>Item</u>	<u>Description</u>	<u>Daily Cost</u>	<u>Additional Work Days to Complete*</u>	<u>Total Cost</u>	<u>CY Cost</u>
1	Dewatering (Attachment 11)	\$ 963.26	247.41	\$ 238,317.47	\$ 0.71
2	Trucking (Attachment 12)	\$ 12,360.48	247.41	\$ 3,058,075.32	\$ 9.16
3	Excavation (Attachment 13)	\$ 12,162.47	247.41	\$ 3,009,084.38	\$ 9.01
4	Disposal Site (Attachment 14)	\$ 5,017.35	247.41	\$ 1,241,329.70	\$ 3.72
5	Haul Road Maintenance (Attachment 15)	\$ 2,025.74	247.41	\$ 501,183.73	\$ 1.50
6	Supplemental Costs (Attachment 16)	\$ 280.18	247.41	\$ 69,318.76	\$ 0.21
7	Management (Attachment 17)	\$ 2,893.78	247.41	\$ 715,943.31	\$ 2.14
8	Tipping Fees	-	-	\$ 961,920.00	\$ 2.88
					\$ 29.33

*Estimated additional days to complete calculation:

334000 CY

1350 CY/DAY

247.41 Number of Work Days To Complete

Attachment 11- Dewatering

Description: Daily cost to operate and maintain dewatering operations

Cost Breakdown:

	Rate	HOURS	TOTAL
Laborer I	\$ 23.05	10.00	\$ 230.50
Subtotal			\$ 230.50
Labor Burden @ 45.83%			\$ 105.64
Labor Total		10.00	\$ 336.14
Travel/Perdiem	\$ 2.50	10.00	\$ 25.00
Supt/Fore Truck	\$23.26		\$ -
Crew Truck	\$23.26	5	\$ 116.30
S8T Hydraulic Pump	\$12.14	10	\$ 121.40
S6V Hydraulic Pump	\$12.14	10	\$ 121.40
			\$ -
Equipment Total			\$ 359.10
Materials Total:	Unit Cost	Quantity	\$ 105.00
Fuel	\$ 3.00	35	\$ 105.00
Sub Contract:	Unit Cost	Quantity	\$ -
Subtotal Labor, Equipment & Materials			\$ 825.24
Profit & Overhead @ 15%			\$ 123.79
Sub Contract:			\$ -
Subtotal			\$ 949.02
Bond			\$ 14.24
TOTAL			\$ 963.26

Attachment 12- Trucking

Description: Daily cost of Smithco's highway trucking operations

Cost Breakdown:

	Rate	HOURS	TOTAL
Truckdriver	\$ 23.02	90	\$ 2,071.80
Subtotal			\$ 2,071.80
Labor Burden @ 45.83%			\$ 949.51
Labor Total		90	\$ 3,021.31
Travel/Perdiem	\$ 2.50	90	\$ 225.00
Dumptruck	\$81.59	90	\$ 7,343.10
Dumptruck (Standby)	\$17.73		\$ -
Equipment Total			\$ 7,343.10
Materials Total:	Quantity	Unit Cost	\$ -
			\$ -
			\$ -
Sub Contract:			\$ -
			\$ -
			\$ -
Subtotal Labor, Equipment & Materials			\$ 10,589.41
Profit & Overhead @ 15%			\$ 1,588.41
Sub Contract:			\$ -
Subtotal			\$ 12,177.82
Bond			\$ 182.67
TOTAL			\$ 12,360.48

Attachment 13- Excavation

Description: Daily cost of Smithco's excavation operations

Cost Breakdown:

	Rate	HOURS	TOTAL
Operator Group III	\$ 25.24		\$ -
Operator Group IV	\$ 25.45		\$ -
Operator Group V	\$ 25.51	50	\$ 1,275.50
Laborer I	\$ 23.05		\$ -
Subtotal			\$ 1,275.50
Labor Burden @ 45.83%			\$ 584.56
Labor Total		50	\$ 1,860.06
Travel/Perdiem	\$ 2.50	50	\$ 125.00
966 Loader	\$107.19	10	\$ 1,071.90
Cat 349 Excavator	\$210.12	10	\$ 2,101.20
Cat 345 Excavator	\$214.44	10	\$ 2,144.40
Volvo Haul Truck (2EA)	\$155.86	20	\$ 3,117.20
Equipment Total			\$ 8,434.70
Materials Total:	Quantity	Unit Cost	\$ -
			\$ -
Sub Contract:			\$ -
			\$ -
Subtotal Labor, Equipment & Materials			\$ 10,419.76
Profit & Overhead @ 15%			\$ 1,562.96
Sub Contract:			\$ -
Subtotal			\$ 11,982.73
Bond			\$ 179.74
TOTAL			\$ 12,162.47

Attachment 14- Disposal Site

Description: Daily cost of Smithco's disposal site operations

Cost Breakdown:

	Rate	HOURS	TOTAL
Operator Group IV	\$ 25.45		\$ -
Operator Group V	\$ 25.51	30	\$ 765.30
Laborer I	\$ 23.05		\$ -
Subtotal			\$ 765.30
Labor Burden @ 45.83%			\$ 350.74
Labor Total		30	\$ 1,116.04
Travel/Perdiem	\$ 2.50	30	\$ 75.00
966 Loader	\$107.19	10	\$ 1,071.90
Cat D6N LGP Dozer	\$116.07	10	\$ 1,160.70
950 Loader	\$91.72	5	\$ 458.60
950 Loader (Standby)	\$29.21		\$ -
Cat D6K XL	\$83.24	5	\$ 416.20
Cat D6K XL (Standyby)	\$18.63		\$ -
Equipment Total			\$ 3,107.40
Materials Total:	Quantity	Unit Cost	\$ -
			\$ -
			\$ -
Sub Contract:			\$ -
			\$ -
			\$ -
Subtotal Labor, Equipment & Materials			\$ 4,298.44
Profit & Overhead @ 15%			\$ 644.77
Sub Contract:			\$ -
Subtotal			\$ 4,943.20
Bond			\$ 74.15
TOTAL			\$ 5,017.35

Attachment 15- Haul Road Maintenance

Description: Daily cost to maintain haul road (includes watering and grading FSR 107 every other Friday, dust control on FSR 107 every working day, dust control at disposal site, and sweeping NMDOT entrances)

Cost Breakdown:

	Rate	HOURS	TOTAL
Operator Group V (Overtime for Friday)	\$ 38.27	1.25	\$ 47.83
Operator Group V (Overtime for Friday)	\$ 38.27	1.25	\$ 47.83
Truckdriver (Overtime for Friday)	\$ 34.55	1.25	\$ 43.18
Truckdriver	\$ 23.03	10	\$ 230.30
Truckdriver	\$ 23.03	5	\$ 115.15
Subtotal			\$ 484.29
Labor Burden @ 45.83%			\$ 221.95
Labor Total		18.75	\$ 706.25
Travel/Perdiem	\$ 2.50	18.75	\$ 46.88
Cat 130G Motorgrader	\$56.96	1.25	\$ 71.20
Cat 130G Motorgrader (Standby)	\$12.22	8.75	\$ 106.93
4000 gal Water truck	\$54.67	1.25	\$ 68.34
4000 gal Water truck	\$54.67	10	\$ 546.70
2500 gal Water truck	\$30.86	5	\$ 154.30
2500 gal Water truck (Standby)	\$6.98	5	\$ 34.90
420E Backhoe	\$42.79		\$ -
420E Backhoe (Standby)	\$10.33		\$ -
Self propelled broom	\$20.48		\$ -
Self propelled broom (Standby)	\$3.52		\$ -
Equipment Total			\$ 982.36
Materials Total:	Quantity	Unit Cost	\$ -
			\$ -
Sub Contract:			\$ -
Subtotal Labor, Equipment & Materials			\$ 1,735.48
Profit & Overhead @ 15%			\$ 260.32
Sub Contract:			\$ -
Subtotal			\$ 1,995.81
Bond			\$ 29.94
TOTAL			\$ 2,025.74

Attachment 16- Supplemental Costs

Description: Daily supplemental costs (Monthly cost divided by 16 days of work per month - See attached TAB 10: Supplemental Costs Backup)

Cost Breakdown:

DESCRIPTION	DAILY COST
Yard/Shop Rental	\$ 46.88
Office Trailer	\$ 36.70
Utilities (Electric)	\$ 66.38
Electric Truck Bank (System Cost)	\$ 15.60
Dumpster	\$ 4.14
Water	\$ 65.63
Toilet Rental	\$ 32.55
Jobsite Phones	\$ 8.16
Subtotal	\$ 276.04
Bond	\$ 4.14
TOTAL	\$ 280.18

Attachment 17- Management

Description: Daily cost of on-site project management and office help

Cost Breakdown:

	Rate	HOURS	TOTAL
Project Manager	\$ 56.50	1	\$ 56.50
Superintendent	\$ 64.40	10	\$ 644.00
Foreman	\$ 42.50	10	\$ 425.00
Office Help	\$ 23.05	5	\$ 115.25
Laborer I	\$ 23.05		\$ -
Subtotal			\$ 1,240.75
Labor Burden @ 45.83%			\$ 568.64
Labor Total		26	\$ 1,809.39
Travel/Perdiem	\$ 2.50	26	\$ 65.00
PM Truck	\$23.26	1	\$ 23.26
Supt P/U	\$23.26	10	\$ 232.60
Fore P/U	\$23.26	10	\$ 232.60
Crew P/U (Standby)	\$4.51		\$ -
Crew P/U	\$23.26	5	\$ 116.30
Equipment Total			\$ 604.76
Materials Total:	Quantity	Unit Cost	\$ -
			\$ -
			\$ -
Sub Contract:			\$ -
			\$ -
			\$ -
Subtotal Labor, Equipment & Materials			\$ 2,479.15
Profit & Overhead @ 15%			\$ 371.87
Sub Contract:			\$ -
Subtotal			\$ 2,851.02
Bond			\$ 42.77
TOTAL			\$ 2,893.78

TAB 6

**BID ITEM 6: FORCE ACCOUNT WORK
ALLOWANCE**

**BID ITEM 6: FORCE ACCOUNT WORK ALLOWANCE
ADDITIONAL COST BREAKDOWN**

I. ANTICIPATED ADDITIONAL FORCE ACCOUNT ALLOWANCE:

This represents the amount of money that should be allocated to the force account work allowance to account for possible unordinary storm events during the construction of Bid Alternate A-1.

This is calculated using the current costs incurred from unordinary storm events. This is shown in cost per cubic yard. The cost per cubic yard can be multiplied by the additional cubic yards to determine the additional allowance amount.

CURRENT COSTS INCURRED FROM UNORDINARY STORM EVENTS

ITEM	SUB-TASK DESCRIPTION	Cost per Cubic Yard
1	Dewatering	\$ 0.12
2	Trucking	\$ 0.59
3	Excavation	\$ 0.50
4	Disposal Site	\$ 0.23
5	Management	\$ 0.14
Total Cost per Cubic Yard		\$ 1.58
Additional Cubic Yards		334,000
Additional Allowance required		\$ 527,720.00

TAB 7

**BID ITEM CO3.8: TRAFFIC CONTROL
MANAGEMENT**

**BID ITEM CO3.8: TRAFFIC CONTROL MANAGEMENT
ADDITIONAL QUANTITY BREAKDOWN**

I. ANTICIPATED ADDITIONAL MONTHS REQUIRED FOR TRAFFIC CONTROL MANAGEMENT:

This represents the additional months that traffic control management will be required to complete Bid Alternate A-1: Additional Excavation and Debris Removal

This is calculated using the estimated days required to completed this work.

ESTIMATED ADDITIONAL DAYS TO COMPLETE CALCULATION

Additional Cubic Yards	334,000
Estimated Production Rate per Day	1,350
Working Days to Complete	247.41
Conversion to Calendar Days*	445
Anticipated Weather Days (5%)	22
Additional Calendar Days Required	467
Additional Months of Traffic Control Required	15

*Based on 4-day work week and holidays observed as shown below:

Month	Working Days	Calendar Days	Notes
February '20	11	19	Current Substantial Completion 2/10/2020
March	18	31	
April	18	30	
May	15	31	Memorial Day Observed
June	18	30	
July	18	31	
August	17	31	
September	17	30	Labor Day Observed
October	17	31	
November	16	30	Thanksgiving Observed
December	15	31	Christmas Observed (1week)
January '21	16	31	
February	16	28	
March	19	31	
April	17	30	Bid Alternate A-1 Complete April 30, 2021
Total	15	248	445

TAB 8: CONTRACT TIME CALCULATION

ADDITIONAL CONTRACT TIME BREAKDOWN

I. ANTICIPATED ADDITIONAL CONTRACT TIME:

This represents the additional calendar days that will be required to complete Bid Alternate A-1: Additional Excavation and Debris Removal

ESTIMATED ADDITIONAL DAYS TO COMPLETE CALCULATION

Additional Cubic Yards	334,000
Estimated Production Rate per Day	1,350
Working Days to Complete	247.41
Conversion to Calendar Days*	445
Anticipated Weather Days (5%)	22
Additional Calendar Days Required	467

*Based on 4-day work week and holidays observed as shown below:

Month	Working Days	Calendar Days	Notes
20-Feb	11	19	Current Substantial Completion 2/10/2020
Mar-20	18	31	
Apr-20	18	30	
May-20	15	31	Memorial Day Observed
Jun-20	18	30	
Jul-20	18	31	
Aug-20	17	31	
Sep-20	17	30	Labor Day Observed
Oct-20	17	31	
Nov-20	16	30	Thanksgiving Observed
Dec-20	15	31	Christmas Observed (1week)
Jan-21	16	31	
Feb-21	16	28	
Mar-21	19	31	
Apr-21	17	30	Bid Alternate A-1 Complete April 30, 2021
Total	248	445	

TAB 9: RENTAL RATE BLUE BOOK
EQUIPMENT RATES

www.equipmentwatch.com

All prices shown in US\$

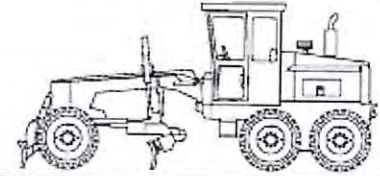
Rental Rate Blue Book®

June 12, 2019

Caterpillar 130G (disc. 1995)

Articulated Frame Graders

Size Class:
130 - 144 HP
Weight:
26625 HP



Configuration for 130G (disc. 1995)

Moldboard Size	12.0 ft	Net Horsepower	135.0 hp
Operator Protection	EROPS	Power Mode	Diesel

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$4,300.00	\$1,205.00	\$300.00	\$45.00	\$33.45	\$57.88
Adjustments						
Region (100%)	-	-	-	-		
Model Year (1990: 96.22%)	(\$162.54)	(\$45.55)	(\$11.34)	(\$1.70)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$4,137.46	\$1,159.45	\$288.66	\$43.30	\$33.45	\$56.96

Non-Active Use Rates

	Hourly
Standby Rate	\$12.22
Idling Rate	\$40.29

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	32%	\$1,376.00/mo
Overhaul (ownership)	48%	\$2,064.00/mo
CFC (ownership)	10%	\$430.00/mo
Indirect (ownership)	10%	\$430.00/mo
Fuel (operating) @ 3.27	50%	\$16.78/hr

Revised Date: 1st half 2019

These are the most accurate rates for the selected Revision Date(s). However, due to more frequent online updates, these rates may not match Rental Rate Blue Book Print. Visit the Cost Recovery Product Guide on our Help page for more information.

The equipment represented in this report has been exclusively prepared for RYLAN EDGMON (rylan@smithco.cc)

Rental Rate Blue Book®

June 12, 2019

Caterpillar 966H (disc. 2015)
 4-Wd Articulated Wheel Loaders

 Size Class:
 250 - 274 HP
 Weight:
 52254 HP

Configuration for 966H (disc. 2015)

Bucket Capacity - Heaped	5.5 cu yd	Net Horsepower	262.0 hp
Operator Protection	EROPS	Power Mode	Diesel

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$8,595.00	\$2,405.00	\$600.00	\$90.00	\$58.35	\$107.19
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2015: 100%)	-	-	-	-		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$8,595.00	\$2,405.00	\$600.00	\$90.00	\$58.35	\$107.19

Non-Active Use Rates

	Hourly
Standby Rate	\$30.28
Idling Rate	\$76.26

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	40%	\$3,438.00/mo
Overhaul (ownership)	38%	\$3,266.10/mo
CFC (ownership)	12%	\$1,031.40/mo
Indirect (ownership)	10%	\$859.50/mo
Fuel (operating) @ 3.27	47%	\$27.42/hr

Revised Date: 1st half 2019

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All prices shown in US\$

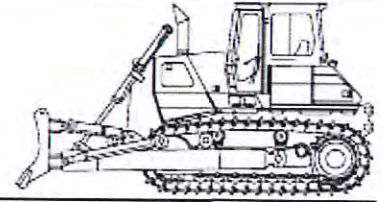
Rental Rate Blue Book®

June 12, 2019

Caterpillar D6K XL (disc. 2015)

Standard Crawler Dozers

Size Class:
105 - 129 HP
Weight:
28409 HP



Configuration for D6K XL (disc. 2015)

Dozer Type	VPAT	Net Horsepower	125.0 hp
Operator Protection	ROPS/FOPS	Power Mode	Diesel

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$7,630.00	\$2,135.00	\$535.00	\$80.00	\$41.85	\$85.20
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2008: 95.48%)	(\$344.73)	(\$96.46)	(\$24.17)	(\$3.61)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$7,285.27	\$2,038.54	\$510.83	\$76.39	\$41.85	\$83.24

Non-Active Use Rates

	Hourly
Standby Rate	\$18.63
Idling Rate	\$58.56

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	28%	\$2,136.40/mo
Overhaul (ownership)	55%	\$4,196.50/mo
CFC (ownership)	9%	\$686.70/mo
Indirect (ownership)	8%	\$610.40/mo
Fuel (operating) @ 3.27	41%	\$17.17/hr

Revised Date: 1st half 2019

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Rental Rate Blue Book®

June 12, 2019

Lay-Mor 8-B (disc. 1992)
 Self Propelled Pavement Brooms

 Size Class:
All
 Weight:
3112 UNKNOWN

Configuration for 8-B (disc. 1992)

 Horsepower **31.5** Power Mode **Diesel**
Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$1,475.00	\$415.00	\$105.00	\$16.00	\$12.10	\$20.48
Adjustments						
Region (100%)	-	-	-	-		
Model Year (1992: 100%)	-	-	-	-		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$1,475.00	\$415.00	\$105.00	\$16.00	\$12.10	\$20.48

Non-Active Use Rates

	Hourly
Standby Rate	\$3.52
Idling Rate	\$12.19

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	31%	\$457.25/mo
Overhaul (ownership)	58%	\$855.50/mo
CFC (ownership)	5%	\$73.75/mo
Indirect (ownership)	6%	\$88.50/mo
Fuel (operating) @ 3.27	31%	\$3.81/hr

Revised Date: 1st half 2019

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All prices shown in US\$

Adjustments for RYLANEDGMON7 in All Saved Models

June 12, 2019

Caterpillar 420E (disc. 2012)

Tractor-Loader-Backhoes

Size Class:
14' to Under 15'
Weight:
15474 feet



Configuration for 420E (disc. 2012)

Drive	4WD	Loader Bucket Capacity–Heaped	1.25 cu yd
Net Horsepower	93.3 hp	Operator Protection	EROPS
Power Mode	Diesel		

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$3,430.00	\$960.00	\$240.00	\$36.00	\$23.30	\$42.79
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2012: 100%)	-	-	-	-		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$3,430.00	\$960.00	\$240.00	\$36.00	\$23.30	\$42.79

Non-Active Use Rates

	Hourly
Standby Rate	\$10.33
Idling Rate	\$31.36

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	33%	\$1,131.90/mo
Overhaul (ownership)	47%	\$1,612.10/mo
CFC (ownership)	11%	\$377.30/mo
Indirect (ownership)	9%	\$308.70/mo
Fuel (operating) @ 3.27	51%	\$11.87/hr

Revised Date: 1st half 2019

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The equipment represented in this report has been exclusively prepared for RYLAN EDGMON (rylan@smithco.cc)

Adjustments for RYLANEDGMON6 in All Saved Models

June 12, 2019

Miscellaneous 6X4 18YD 70KGWV

On-Highway Rear Dumps

 Size Class:
60,001 GVW & Over
 Weight:
19702 lbs

Configuration for 6X4 18YD 70KGWV

Axle Configuration	6X4	Horsepower	400.0
Maximum Gross Vehicle Weight	70000.0 lbs	Power Mode	Diesel
Struck Capacity	12.0 - 18.0 cu yd		

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$4,720.00	\$1,320.00	\$330.00	\$50.00	\$55.90	\$82.72
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2012: 95.8%)	(\$198.24)	(\$55.44)	(\$13.86)	(\$2.10)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$4,521.76	\$1,264.56	\$316.14	\$47.90	\$55.90	\$81.59

Non-Active Use Rates

	Hourly
Standby Rate	
Idling Rate	\$17.73
	\$62.31

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	50%	\$2,360.00/mo
Overhaul (ownership)	31%	\$1,463.20/mo
CFC (ownership)	8%	\$377.60/mo
Indirect (ownership)	11%	\$519.20/mo
Fuel (operating) @ 3.27	66%	\$36.62/hr

Revised Date: 1st half 2019

These are the most accurate rates for the selected Revision Date(s). However, due to more frequent online updates, these rates may not match Rental Rate Blue Book Print. Visit the Cost Recovery Product Guide on our Help page for more information.

The equipment represented in this report has been exclusively prepared for RYLAN EDGMON (rylan@smithco.cc)

Adjustments for RYLANEDGMON8 in All Saved Models

June 12, 2019

Miscellaneous DSL 6X4 4000

On-Highway Water Tankers

 Size Class:
200 HP & Over
 Weight:
14000 HP

Configuration for DSL 6X4 4000

Horsepower	250.0	Power Mode	Diesel
Tank Capacity	4000.0 gal		

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs	FHWA Rate**
	Monthly	Weekly	Daily	Hourly	Hourly	Hourly
Published Rates	\$3,980.00	\$1,115.00	\$280.00	\$42.00	\$35.70	\$58.31
Adjustments						
Region (100%)	-	-	-	-		
Model Year (1997: 83.9%)	(\$640.78)	(\$179.51)	(\$45.08)	(\$6.76)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$3,339.22	\$935.48	\$234.92	\$35.24	\$35.70	\$54.67

Non-Active Use Rates

	Hourly
Standby Rate	\$13.09
Idling Rate	\$39.41

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	49%	\$1,950.20/mo
Overhaul (ownership)	31%	\$1,233.80/mo
CFC (ownership)	9%	\$358.20/mo
Indirect (ownership)	11%	\$437.80/mo
Fuel (operating) @ 3.27	57%	\$20.44/hr

Revised Date: 1st half 2019

These are the most accurate rates for the selected Revision Date(s). However, due to more frequent online updates, these rates may not match Rental Rate Blue Book Print. Visit the Cost Recovery Product Guide on our Help page for more information.

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www.equipmentwatch.com

All prices shown in US\$

Adjustments for RYLANEDGMON9 in All Saved Models

June 12, 2019

Miscellaneous DSL 4X2 2500

On-Highway Water Tankers

Size Class:
To 199 HP
Weight:
10500 HP



Configuration for DSL 4X2 2500

Horsepower	150.0	Power Mode	Diesel
Tank Capacity	2500.0 gal		

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$2,000.00	\$560.00	\$140.00	\$21.00	\$20.75	\$32.11
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2006: 89%)	(\$220.00)	(\$61.60)	(\$15.40)	(\$2.31)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$1,780.00	\$498.40	\$124.60	\$18.69	\$20.75	\$30.86

Non-Active Use Rates

	Hourly
Standby Rate	\$6.98
Idling Rate	\$22.37

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	49%	\$980.00/mo
Overhaul (ownership)	31%	\$620.00/mo
CFC (ownership)	9%	\$180.00/mo
Indirect (ownership)	11%	\$220.00/mo
Fuel (operating) @ 3.27	59%	\$12.26/hr

Revised Date: 1st half 2019

These are the most accurate rates for the selected Revision Date(s). However, due to more frequent online updates, these rates may not match Rental Rate Blue Book Print. Visit the Cost Recovery Product Guide on our Help page for more information.

The equipment represented in this report has been exclusively prepared for RYLAN EDGMON (rylan@smithco.cc)

Adjustments for RYLANEDGMON16 in All Saved Models

June 12, 2019

Miscellaneous 230V/6/40HP

Submersible Trash Pumps

 Size Class:
 6.0 & 8.0 Inch
 Weight:
 600 inches

Configuration for 230V/6/40HP

Power Mode	Electric	Pump Size	6.0 in
Required Power	50.0	Solids Size	3.0 in
Voltage	230.0		

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$1,450.00	\$405.00	\$100.00	\$15.00	\$4.00	\$12.24
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2018: 98.8%)	(\$17.40)	(\$4.86)	(\$1.20)	(\$0.18)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)						
Total:	\$1,432.60	\$400.14	\$98.80	\$14.82	\$4.00	\$12.14

Non-Active Use Rates

	Hourly
Standby Rate	
Idling Rate	\$4.64
	\$8.14

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	45%	\$652.50/mo
Overhaul (ownership)	43%	\$623.50/mo
CFC (ownership)	5%	\$72.50/mo
Indirect (ownership)	7%	\$101.50/mo

Fuel cost data is not available for these rates.

Revised Date: 1st half 2019

These are the most accurate rates for the selected Revision Date(s). However, due to more frequent online updates, these rates may not match Rental Rate Blue Book Print. Visit the Cost Recovery Product Guide on our Help page for more information.

The equipment represented in this report has been exclusively prepared for RYLAN EDGMON (rylan@smithco.cc)

Adjustments for RYLANEDGMON15 in All Saved Models

June 12, 2019

Miscellaneous 4X4 1 325 CREW DSL

On-Highway Light Duty Trucks

 Size Class:
300 HP & Over
 Weight:
8800 HP

Configuration for 4X4 1 325 CREW DSL

Axle Configuration	4X4	Cab Type	Crew
Horsepower	325.0	Power Mode	Diesel
Ton Rating	1.0		

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs	FHWA Rate**
	Monthly	Weekly	Daily	Hourly	Hourly	Hourly
Published Rates	\$1,155.00	\$325.00	\$81.00	\$12.00	\$16.90	\$23.46
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2013: 96.9%)	(\$35.81)	(\$10.07)	(\$2.51)	(\$0.37)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$1,119.19	\$314.92	\$78.49	\$11.63	\$16.90	\$23.26

Non-Active Use Rates

	Hourly
Standby Rate	\$4.51
Idling Rate	\$19.11

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	54%	\$623.70/mo
Overhaul (ownership)	29%	\$334.95/mo
CFC (ownership)	7%	\$80.85/mo
Indirect (ownership)	10%	\$115.50/mo
Fuel (operating) @ 3.27	75%	\$12.75/hr

Revised Date: 1st half 2019

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www.equipmentwatch.com

All prices shown in US\$

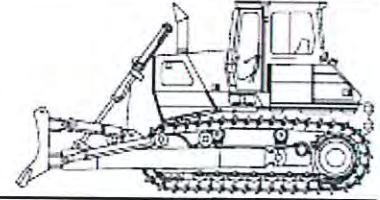
Adjustments for RYLANEDGMON5 in All Saved Models

June 12, 2019

Caterpillar D6R (disc. 2007)

Standard Crawler Dozers

Size Class:
160 - 189 HP
Weight:
40000 HP



Configuration for D6R (disc. 2007)

Dozer Type	Straight	Net Horsepower	163.0 hp
Operator Protection	EROPS	Power Mode	Diesel

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$7,285.00	\$2,040.00	\$510.00	\$77.00	\$48.95	\$90.34
Adjustments						
Region (100%)	-	-	-	-		
Model Year (1999: 95.78%)	(\$307.71)	(\$86.17)	(\$21.54)	(\$3.25)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$6,977.29	\$1,953.83	\$488.46	\$73.75	\$48.95	\$88.59

Non-Active Use Rates

	Hourly
Standby Rate	\$17.84
Idling Rate	\$60.43

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	28%	\$2,039.80/mo
Overhaul (ownership)	55%	\$4,006.75/mo
CFC (ownership)	9%	\$655.65/mo
Indirect (ownership)	8%	\$582.80/mo
Fuel (operating) @ 3.27	42%	\$20.79/hr

Revised Date: 1st half 2019

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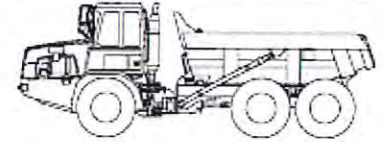
The equipment represented in this report has been exclusively prepared for RYLAN EDGMON (rylan@smithco.cc)

Adjustments for RYLANEDGMON10 in All Saved Models

June 12, 2019

Volvo A40F (disc. 2014)

Articulated Rear Dumps


 Size Class:
35 MTons & Over
 Weight:
67800 MT
Configuration for A40F (disc. 2014)

Axle Configuration	6 X 6	Body Capacity (Struck-Heaped)	24.1 - 31.4 cu yd
Net Horsepower	465.0 hp	Power Mode	Diesel
Rated Payload	39.009 mt		

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$14,815.00	\$4,150.00	\$1,040.00	\$155.00	\$72.55	\$156.73
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2013: 98.98%)	(\$151.79)	(\$42.52)	(\$10.66)	(\$1.59)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$14,663.21	\$4,107.48	\$1,029.34	\$153.41	\$72.55	\$155.86

Non-Active Use Rates

Hourly

Standby Rate	\$42.49
Idling Rate	\$113.72

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	36%	\$5,333.40/mo
Overhaul (ownership)	49%	\$7,259.35/mo
CFC (ownership)	9%	\$1,333.35/mo
Indirect (ownership)	6%	\$888.90/mo
Fuel (operating) @ 3.27	42%	\$30.41/hr

Revised Date: 1st half 2019

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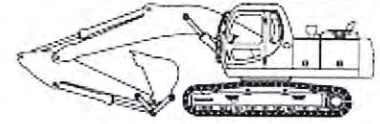
www.equipmentwatch.com

All prices shown in US\$

Adjustments for RYLANEDGMON11 in All Saved Models

June 12, 2019

Caterpillar 345C L (disc. 2011)
Crawler Mounted Hydraulic Excavators



Size Class:
40.1 - 50.0 MTons
Weight:
100810 MT

Configuration for 345C L (disc. 2011)

Bucket Capacity - Heaped	2.46 cu yd	Net Horsepower	345.0 hp
Operating Weight	45.7 mt	Power Mode	Diesel

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$19,290.00	\$5,400.00	\$1,350.00	\$205.00	\$105.85	\$215.45
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2008: 99.08%)	(\$178.43)	(\$49.95)	(\$12.49)	(\$1.90)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$19,111.57	\$5,350.05	\$1,337.51	\$203.10	\$105.85	\$214.44

Non-Active Use Rates

	Hourly
Standby Rate	\$56.47
Idling Rate	\$155.97

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	36%	\$6,944.40/mo
Overhaul (ownership)	48%	\$9,259.20/mo
CFC (ownership)	9%	\$1,736.10/mo
Indirect (ownership)	7%	\$1,350.30/mo
Fuel (operating) @ 3.27	45%	\$47.38/hr

Revised Date: 1st half 2019

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www.equipmentwatch.com

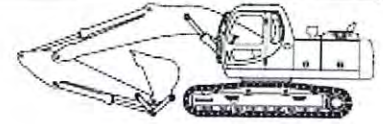
All prices shown in US\$

Adjustments for RYLANEDGMON12 in All Saved Models

June 12, 2019

Caterpillar 349E L (disc. 2014)

Crawler Mounted Hydraulic Excavators



Size Class:
50.1 - 66.0 MTons
Weight:
109100 MT

Configuration for 349E L (disc. 2014)

Bucket Capacity - Heaped	4.1 cu yd	Net Horsepower	404.0 hp
Operating Weight	49.4 mt	Power Mode	Diesel

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$16,310.00	\$4,565.00	\$1,140.00	\$170.00	\$117.45	\$210.12
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2014: 100%)	-	-	-	-		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$16,310.00	\$4,565.00	\$1,140.00	\$170.00	\$117.45	\$210.12

Non-Active Use Rates

	Hourly
Standby Rate	\$48.19
Idling Rate	\$150.80

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	36%	\$5,871.60/mo
Overhaul (ownership)	48%	\$7,828.80/mo
CFC (ownership)	9%	\$1,467.90/mo
Indirect (ownership)	7%	\$1,141.70/mo
Fuel (operating) @ 3.27	49%	\$58.13/hr

Revised Date: 1st half 2019

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www.equipmentwatch.com

All prices shown in US\$

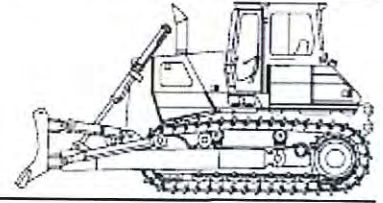
Adjustments for RYLANEDGMON4 in All Saved Models

June 12, 2019

Caterpillar D6N DS LGP (disc. 2013)

Lgp Crawler Dozers

Size Class:
130 - 159 HP
Weight:
39112 HP



Configuration for D6N DS LGP (disc. 2013)

Dozer Type	VPAT	Net Horsepower	150.0 hp
Operator Protection	EROPS	Power Mode	Diesel

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$10,960.00	\$3,070.00	\$770.00	\$115.00	\$53.80	\$116.07
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2013: 100%)	-	-	-	-		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$10,960.00	\$3,070.00	\$770.00	\$115.00	\$53.80	\$116.07

Non-Active Use Rates

	Hourly
Standby Rate	\$27.40
Idling Rate	\$81.40

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	28%	\$3,068.80/mo
Overhaul (ownership)	56%	\$6,137.60/mo
CFC (ownership)	9%	\$986.40/mo
Indirect (ownership)	7%	\$767.20/mo
Fuel (operating) @ 3.27	36%	\$19.13/hr

Revised Date: 1st half 2019

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www.equipmentwatch.com

All prices shown in US\$

Adjustments for RYLANEDGMON13 in All Saved Models

June 12, 2019

Caterpillar 950K

4-Wd Articulated Wheel Loaders

Size Class:
200 - 224 HP
Weight:
42068 HP



Configuration for 950K

Bucket Capacity - Heaped	3.2 cu yd/hr	Net Horsepower	211.0 hp
Operator Protection	ROPS/FOPS	Power Mode	Diesel

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$8,720.00	\$2,440.00	\$610.00	\$92.00	\$44.60	\$94.15
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2012: 95.1%)	(\$427.28)	(\$119.56)	(\$29.89)	(\$4.51)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)					-	
Total:	\$8,292.72	\$2,320.44	\$580.11	\$87.49	\$44.60	\$91.72

Non-Active Use Rates

	Hourly
Standby Rate	\$29.21
Idling Rate	\$69.34

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	40%	\$3,488.00/mo
Overhaul (ownership)	38%	\$3,313.60/mo
CFC (ownership)	12%	\$1,046.40/mo
Indirect (ownership)	10%	\$872.00/mo
Fuel (operating) @ 3.27	50%	\$22.22/hr

Revised Date: 1st half 2019

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TAB 10: SUPPLEMENTAL COST BACKUP

Progressive Environmental Systems Inc.

Phone: 575-430-3021
EIN 85-0402776
CRS 02-235440-00-9

1067
an, NM 88316
enrstokes@gmail.com

06/01/2019
SmithCo Construction Co Inc
PO Box 45
Cabello, N.M.87931
Attention AP
Invoice 209
Bonito Lake Restoration
Job # 388

Shop/Yard
Rent

Shon Rental (june 19)

\$ 750.00 /month

16 / working days/month

\$46.⁸⁸ per workday

Rental Rate Blue Book®

February 28, 2019

Miscellaneous 10X32
 Standard Field Office Trailers

 Size Class:
 All
 Weight:
 4,500 lbs.

Model Image

Office Trailer

Configuration for 10X32

 Trailer Size **10' X 32'**
Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$390.00	\$110.00	\$28.00	\$4.00	\$1.45	\$3.67
Adjustments						
Region (100%)	-	-	-	-		
Model Year (2015: 95.2%)	(\$18.72)	(\$5.28)	(\$1.34)	(\$0.19)		
Adjusted Hourly Ownership Cost (100%)	-	-	-	-		
Hourly Operating Cost (100%)						
Total:	\$371.28	\$104.72	\$26.66	\$3.81	\$1.45	\$3.56

36.70 /HR work Day
 10 /HR work Day
 per work Day

Non-Active Use Rates

	Hourly
Standby Rate	\$1.52
Idling Rate	\$2.11

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	47%	\$183.30/mo
Overhaul (ownership)	28%	\$109.20/mo
CFC (ownership)	10%	\$39.00/mo
Indirect (ownership)	15%	\$58.50/mo

Fuel cost data is not available for these rates.

Revised Date: 1st Half 2019

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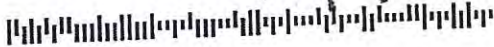
Otero County
Electric Co-op, Inc.
 PO BOX 227
 CLOUDCROFT, NM 88317-0227

www.ocec-inc.com

Electric

Office Hours: 8:00 am to 4:00 pm, Monday- Friday
 Phone: 575-682-2521 575-336-4550 575-648-2352
 Cloudcroft Alto Carrizozo
 Outages Call: 800-548-4660 Payments 844-846-2695

4211 1 AV 0.383 5 4211
 LSEP LLC C-17
 LYNN STOKES
 PO BOX 1067
 CAPITAN NM 88316-1067



Account # 2519600
 Emergency Add: COPPER MOUNTAIN
 Map Location: 8-CR0103
 Service Desc.: COPPER MOUNTAIN
 Rate: GENERAL SERVICE
 Previous Bill Amount \$1,265.00
 Payment Received \$1,265.00CR
 Adjustments \$0.00
 Balance Forward \$0.00

Current Charges 04/10/2019 \$1,062.00

Amount Due \$1,062.00

Past Due After 05/03/2019
 Current charges only

METER 78547647
 PRESENT READING 04/01/19 42988
 PREVIOUS READING 03/01/19 36090
 USAGE MULTIPLIER 1.0 6898.0

GENERAL SERVICE

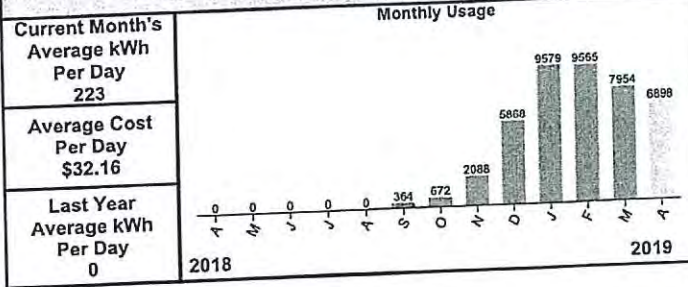
CURRENT CHARGES

SYSTEM CHARGE		\$26.00
KWH CHARGE	6,898 kWh @0.12216	\$842.69
DEMAND CHARGE	13.83 kW @9.25000	\$127.93
FUEL ADJ RATE	6,898 kWh @-0.00019	\$1.33CR
DEBT COST	6,898 kWh @0.00025	\$1.76
TAX		\$54.84
ENERGY EFFICIENCY PROGRAM		\$9.97
ROUND UP AMOUNT		\$0.14
CURRENT CHARGES		\$1,062.00
TOTAL DUE		\$1,062.00

*month
 16 / work days
 per month
 \$ 66.38
 per
 work
 Day*

April is the month we celebrate our lineworkers - if you see a
 lineman out and about this month, tell them you appreciate the
 work they do. #thankalineman

kWh Usage History



RETURN BOTTOM PORTION WITH YOUR PAYMENT. PLEASE DO NOT FOLD, STAPLE OR PAPERCLIP.

Pay Your Bill Online at www.ocec-inc.com

LSEP LLC
 LYNN STOKES
 PO BOX 1067
 CAPITAN NM 88316-0000
 No Number On File

Account Number	Current charges only Past Due After	Amount Due	Amount Paid
2519600	05/03/2019	\$1,062.00	



We accept Visa & MasterCard



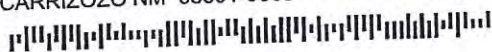
Payments 844-846-2695

For more information, visit our website or office.

Office Hours: 8:00 am to 4:00 pm, Monday- Friday
 Phone: 575-682-2521 575-336-4550 575-648-2352
 Cloudcroft Alto Carrizozo

Please make check payable to:

OTERO COUNTY ELECTRIC COOPERATIVE 1
 PO BOX 669
 CARRIZOZO NM 88301-0669



330120002519600000106200000109386041020194

GSWA
 PO BOX 2405
 RUIDOSO DOWNS, NM 88346
 Phone:(575) 378-4697 Fax:(575) 378-4896

Dumpster INVOICE

SMITH CO CONSTRUCTION
 6 KING CANYON LOOP
 CABALLO, NM 87931

ACCOUNT NO.
 131578

DATE
 11/29/2018

Phone: (575) 740-5990

DATE	INVOICE NO.	DESCRIPTION	ORIGINAL AMOUNT		AMT. APPLIED TO RUNNING BALANCE	BALANCE
			CHARGES	CREDITS		
11/30/2018		BALANCE FORWARD	0.00	0.00	0.00	0.00
12/1/2018	000003189300338	11/01-11/30	63.15	0.00	63.15	63.15
12/1/2018	000003189700339	TAX	3.16	0.00	3.16	66.31

DUMPSTER

16 Days /month

\$ 4.¹⁴ per
 work
 Day

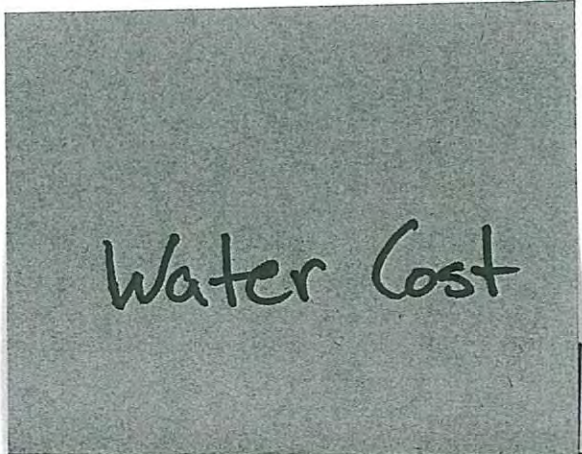
Current	31 Days	61 Days	91 Days	121 Days	AMOUNT DUE
66.31	0.00	0.00	0.00	0.00	66.31

Progressive Environmental Systems Inc.

Phone: 575-430-3021
EIN 85-0402776
CRS 02-235440-00-9

1067
an, NM 88316
enrstokes@gmail.com

06/01/2019
SmithCo Construction Co Inc
PO Box 45
Cabello, N.M.87931
Attention AP
Invoice 209
Bonito Lake Restoration
Job # 388



Water Cost



Water, 70,000 gallons @ .015 per gal

\$ 1,050.00

month
16/ work Days

\$ 65.63 per work day

Ruidoso Septic - Cannon Ind., LLC
 Ruidoso Septic Service-C.I.,LLC
 PO Box 1910
 Alto, NM 88312
 Ph. 1-575-258-5030

Invoice

Date	Invoice #
2/1/2019	CI-15525

Toilet Rental

Bill To
Smithco Construction Att: Bernadette 6 King Canyon Loop Caballo, NM 87931

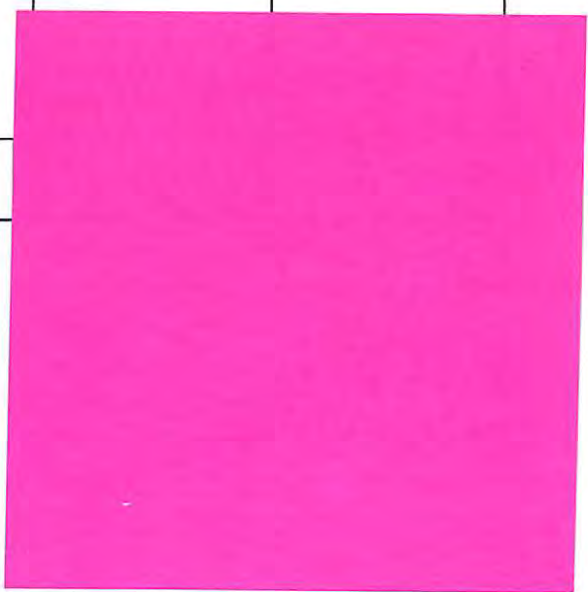
RECEIVED

FEB 11 2019

Month	Terms	Project
Jan.	Due On Receipt	

Description	Qty	Rate	Amount
02/01/2019 Chem-toilet - rental rates per day - Bonito Lake X 2 units	62	4.20	260.40T
Chem-toilet - rental rates per day - Ruidoso Sand & Gravel X 2 units	62	4.20	260.40T

\$ 520.80 / month
 16 / Days
\$ 32.55 / work Day



Thank you for your Business

Interest @ 18% per annum (1.5%) per month will be assessed to balances unpaid after 30 days. Unpaid balances over 90 days turned over to the credit bureau reporting system

Job History Detail Report
 388-17 - Bonito Lake Restoration
 01/01/19 To 01/31/19

Jobsite Phones

Cost Code	Description	Source	Date	Class	Category	Dollars	Hours/Units	Comment	Quantity	%	Type
1	GENERAL COSTS	A/P	01/25/19	565		11.41		263 VERIZON WIRELESS			
	<i>Jobsite Phones</i>	A/P	01/25/19	565		119.16		263 VERIZON WIRELESS			
	Cost Code 1 Total:			565		130.57					
	Job 388-17 Total:			565		130.57					

Totals: 130.57
 Totals: 130.57

130.57 / month
16 Days

8.16 per work Day





AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/18/2020

Report Date: 3/16/2020

Report No: 5.

Submitted By: Bob Johnson

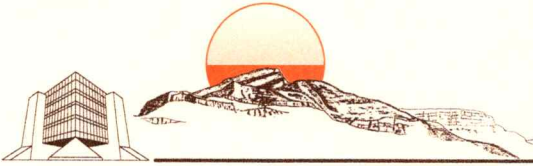
Subject: Consider, and act upon, approval of Change Order no. 7, RFQ no. 2014-005, to Bohannan Huston, Inc. related to the engineering and design of the Bonito Lake Restoration project in an amount not to exceed \$144,055.63, including NMGRT. *(Bob Johnson, Engineering Manager)*

Fiscal Impact: \$144,055.63
Amount Budgeted: \$18,181,996.00
Fund: 081-0008-461.60-79 PW1501

Additional Fiscal Impact: Unencumbered budget balance remaining - \$11,647,889.00.

Recommendation: Approve the Change Order.

Background: Increase the engineering and design services (funding agency coordination, construction administration, and construction observation) commensurate with an 11-month performance period extension to allow for additional debris removal by the contractor.



City of Alamogordo



Engineering Dept. • 1376 East Ninth St. • Alamogordo, NM 88310 • (575) 439-4337 • FAX (575) 439-4343

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 7

BONITO LAKE RESTORATION

RFQ NO. 2014-05

DATE: MARCH 11, 2020

ENGINEER: BOHANNAN HUSTON, INC.
7500 JEFFERSON NE, COURTYARD 1
ALBUQUERQUE, NM 87107

OWNER: CITY OF ALAMOGORDO
1376 E. NINTH ST.
ALAMOGORDO, NM 88310

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS:

Increase engineering and design services (funding agency coordination, construction administration, and construction observation) commensurate with an 11-month performance period extension to allow for additional debris removal by the contractor.


REVISED CONTRACT AMOUNT

1. Original Contract Amount	\$1,298,811.94*
2. Total Contract Amount Including Previously Approved Change Orders.....	\$1,652,343.08*
3. Amount of this Change Order (Increase)	\$ 144,055.63*
4. Total Revised Contract Amount to Date.....	\$1,652,343.08*

* includes New Mexico Gross Receipts Tax.

The work covered by this order shall be performed under the same terms and conditions as that included in the original contract.

CHANGE ORDER ACCEPTED AND APPROVED:

BY: 
Engineer

3-11-2020
Date

CHANGE ORDER APPROVED BY CITY COMMISSION / CITY MANAGER:

BY: _____
City Manager

Date

BY: _____
City Attorney

Date

Bohannon Huston

ENGINEERING SERVICES AGREEMENT AMENDMENT

Project: Alamogordo Bonito Lake Restoration Design Project No.: 20160031
 Permitting and Construction

Engineer: Bohannon-Huston, Inc. Contract Date: 5/7/2015
 425 S. Telshor Blvd., Suite C-103 Amendment No.: 7
 Las Cruces, NM 88011-8237 Date: March 9, 2020

Reason and Justification for Amendment: (use additional sheets, if necessary)

Adjust ongoing work efforts based on Construction contract extension to complete bid alternate quantity.

Requested or initiated by: User Agency Owner Engineer Other

The Engineer is authorized to provide the following described services (scope of services and compensation).

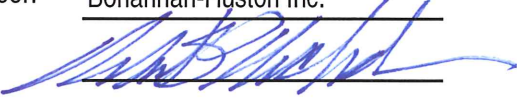
Increase DHSEM and Fema Coordination, Construction Administration and Inspection budgets for bid alternate construction schedule of 16 months (thru July 2021).

FEE SCHEDULE

Description	Current Contract Amount	Amend #7	Revised Contract Amount
1B1 - Project Management	\$161,586		\$161,586
1B2 - Surveying and Mapping	\$56,300		\$56,300
1B3 - Environmental Clearances	\$86,267		\$86,267
1B4 - Funding Agency Coordination	\$92,200	\$16,000	\$108,200
1B5 - Geotechnical Invest and Eval	\$62,100		\$62,100
2B1 - Cofferdam/Flow Diversion Design	\$109,886		\$109,886
2B2 - Erosion Control Measures Design	\$17,000		\$17,000
2B3 - Dewatering & Debris Removal	\$156,700		\$156,700
2B4 - Dewatering/Debris Removal Permit	\$70,000		\$70,000
2B5 - Haul Route Traffic Control	\$6,700		\$6,700
2B6 - Disposal Site Grading/Access/SWPPP	\$27,800		\$27,800
3B1 - Intake Tower Damage Ass. and Design	\$79,890		\$79,890
3B21 - Catwalk to Intake Tower Evaluation	\$24,500		\$24,500
3B22 - Catwalk to Intake Tower Design	\$83,700		\$83,700
3B3 - Upstream Dam Face Repair	\$26,600		\$26,600
3B4 - Drain System Improvements Design	\$30,964		\$30,964

Description	Current Contract Amount	Amend #7	Revised Contract Amount
4B1 - Engineering Design Report	\$21,200		\$21,200
4B2 - Contract Documents	\$5,800		\$5,800
4B3 - OSE Permitting	\$46,417		\$46,417
5B1 - Bid Phase Administration	\$23,800		\$23,800
6B1 - Construction Administration	\$139,757	\$69,000	\$208,757
6B2 - Construction Observation	\$186,400	\$48,000	\$234,400
6B3 - Final Project Documentation	\$14,163		\$14,163
TOTAL	\$1,529,730	\$133,000	\$1,662,730

AGREED AND RECOMMENDED:

Engineer: Bohannon-Huston Inc.
 By: 
 Title: Sr. Vice President

APPROVED:

Owner: City of Alamogordo
 By: _____
 Date: _____

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/18/2020

Report Date: 3/17/2020

Report No: 6.

Submitted By: Stephanie Hernandez

Subject: Consider and act, upon, Ordinance 1615 for first publication amending 02-01-040 of Alamogordo Code of Ordinance. (*Stephanie Hernandez, Assistant City Manager and Evelyn Huff, Finance Director*).
(Roll Call Vote Required)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve for first publication

Background: Ordinance was originally passed in 1988 and should be considered for repeal.

**ORDINANCE 1615 AMENDING 02-01-040 OF THE ALAMOGORDO
CODE OF ORDINANCES**

WHEREAS, the City of Alamogordo, New Mexico and its commissioners recognize that the ordinances regarding taxation have not been updated in many years;

WHEREAS, the City Commission wishes to strengthen and update its ordinances to be compliant with the way taxes are passed today; and

WHEREAS, the City Commission recognizes that the State has conferred certain taxation powers to the Commission without the need for a vote;

BE IT ORDAINED by the City Commission of the City of Alamogordo, New Mexico that Chapter 2 of the *Code of Ordinances* be amended as follows:

2-01-040. - Tax increases.

- (a) ~~No additional or increased taxes without vote of public. The city commission of the City of Alamogordo shall not increase or impose additional taxes, whether ad valorem, property or gross receipts and compensating taxes without first putting the question to a vote of the qualified electors of Alamogordo.~~
- (ba) *No new election.* If a majority of the qualified electors of Alamogordo voting in any election called pursuant to subsection (a) thereof vote against the imposition of the tax, the tax shall not be imposed and the question shall not be brought again before the citizens for one year from the date of the certification of the results of the election.
- (eb) *Effective date.* This section shall be effective on the first day of June, 1988.

(Ord. No. 736, 9-23-88)

Cross reference— Taxation, Ch. 23.

DONE this _____ day of _____, 2020.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Richard A. Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Bengoechea, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/18/2020

Report Date: 3/17/2020

Report No: 7.

Submitted By: Evelyn Huff

Subject: Consider, and act upon, Resolution 2020-21 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of March 18, 2020. *(Evelyn Huff, Budget Analyst)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Beginning Cash Balances \$0

Revenues 2,671,500 (Increase)

Expenditures 3,504,500 (Increase)

Transfers In 833,000 (Increase)

Transfers Out 833,000 (Increase)

Net Impact (833,000) Decrease

Recommendation: Approve the Resolution

Background: The City Commission adopted the FY 2019-2020 budget on May 14, 2019. The Department of Finance & Administration granted approval of the City of Alamogordo's Fiscal Year FY 2019-2020 Final Budget on August 2, 2019. Resolution 2020-08 amends the Budget to reflect a more true and accurate projection of the actual revenues and expenditures. A summary and explanation of revisions are attached for your review.

**ALL FUNDS SUMMARY
BUDGET 2019-2020**

1/12TH REQ RSRV
1,226,032
1/12TH REQ RSRV
1,226,032
Fund Reserve Policy
487,127
Bal. Remaining
194,077

FY20 BUDGET - RESOLUTION 2020-21 (#9) MARCH 18, 2020

FUND NO.	FY 2019-2020 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
11	GENERAL OPERATING FUND	6,853,189	17,753,410	293,708	7,054,660	(6,760,952)	14,712,380	3,133,267	2,939,190	194,077
12	INTERNAL SERVICE FUND	82,565	414,533	2,774,784	40,826	2,733,958	3,229,092	1,964		\$1,964
15	CORRECTIONS-JAIL	10,663	81,827	104,000	259	103,741	193,850	2,381		\$2,381
16	LODGER'S TAX-PROMOTIONAL FUND	181,723	255,431	6,695	1,749	4,946	279,219	162,881		\$162,881
17	POLICE COURT BOND	10,438	0	0	0	0	0	10,438		\$10,438
19	COURT AUTOMATION FUND	5,867	81,566	0	24,311	(24,311)	63,118	4		\$4
20	LODGER'S TAX-CITY	98,458	457,792	0	57,702	(57,702)	498,495	53		\$53
21	D.A.R.E. DONATIONS FUND	23,639	6,224	0	0	0	13,258	16,605		\$16,605
24	GRANT CAPITAL IMPROVEMENT	0	1,275,501	0	0	0	1,162,148	113,353		\$113,353
27	MUNICIPAL COURT OPERATIONS	8,775	10,000	426,141	14,058	412,083	430,848	10		\$10
28	POLICE CONTINGENCY	62,595	3,836	0	0	0	10,000	56,431		\$56,431
31	CEMETERY-PERPETUAL CARE	770,756	25,843	0	0	0	0	796,599		\$796,599
32	COMMUNITY SERVICES	124,369	538,864	4,009,000	623,914	3,385,086	4,047,302	1,017		\$1,017
33	FIRE PROTECTION	400,617	747,739	0	0	0	937,605	210,751	23,204	\$187,547
35	HIDTA GRANT FUND	(0)	28,239	0	0	0	28,239	(0)		(\$0)
36	LAW ENFORCEMENT FUND	(0)	63,000	0	0	0	63,000	(0)		(\$0)
37	STATE HIGHWAY FUND	127,401	36,289	0	0	0	26,823	136,867		\$136,867
38	TRAFFIC SAFETY FUND	69,142	23,684	0	0	0	44,146	48,680		\$48,680
39	STATE JUDICIAL	3,416	75,500	0	0	0	75,500	3,416		\$3,416
42	1984 GROSS RECEIPTS TAX	245,032	1,693,023	0	1,546,149	(1,546,149)	28,262	363,644	262,110	\$101,534
44	TRANSPORTATION FUND	0	2,189,862	1,370,159	153,157	1,217,002	3,261,233	145,631		\$145,631
48	NEW MEXICO C.D.B.G.	0	0	0	0	0	0	0		\$0
49	1986 GROSS RECEIPTS TAX	4,373,647	1,753,562	0	2,777,234	(2,777,234)	1,065,529	2,284,446	269,728	\$2,014,718
50	PROPERTY ACQUISITION	84,410	0	0	0	0	0	84,410		\$84,410
53	GENERAL OBLIGATION	872,135	1,049,847	0	0	0	1,021,018	900,964	510,509	\$390,455
54	REVERSE OSMOSIS PROJECT RSV	21,967	0	174,046	0	174,046	174,046	21,967		\$21,967
56	99 GRT FLOOD CONTROL BOND PROJ	1,650,690	30,981	3,971,608	176	3,971,432	3,916,221	1,736,882		\$1,736,882
59	REVENUE BOND P & I FUND	149,984	7,250	2,678,368	0	2,678,368	2,678,368	157,234		\$157,234
61	MUNICIPAL INFRASTRUCTURE .0625%	818,034	423,329	0	820,164	(820,164)	7,066	414,133		\$414,133
63	COMMUNITY DEVELOPMENT	33,500	0	444,242	42,663	401,579	434,935	144		\$144
69	1994 GROSS RECEIPTS	2,219,834	1,689,544	0	2,633,874	(2,633,874)	28,262	1,247,242	553,279	\$693,963
71	ALAMO SENIOR CENTER	21,630	788,939	588,400	2,379	586,021	1,390,635	5,955		\$5,955
74	ALAMO SENIOR CENTER GIFT	141,812	21,642	0	0	0	81,473	81,981		\$81,981
75	RETIRED & SENIOR VOL. PROGRAM	100	232,414	56,500	17,068	39,432	271,564	382		\$382
81	WATER/SEWER OPERATING	10,264,053	20,523,920	2,744,578	2,071,120	673,458	29,755,613	1,705,818	946,315	\$759,503
82	98 JT WATER/SEWER BOND P&I	1,253,517	3,226,821	1,933,872	0	1,933,872	5,132,296	1,281,914		\$1,281,914
86	SOLID WASTE COLLECTION SYS.	458,723	2,288,155	0	136,255	(136,255)	2,178,902	431,721	158,023	\$273,698
88	BONITO CAMPGROUND	385,257	5,518	0	0	0	0	390,775		\$390,775
89	ESGRT .0625%	2,537,187	443,151	0	1,048,475	(1,048,475)	307,600	1,624,263		\$1,624,263
90	GOLF COURSE	11,600	1,593,648	218,450	82,406	136,044	1,740,732	560		\$560

**ALL FUNDS SUMMARY
BUDGET 2019-2020**

1/12TH REQ RSRV
1,226,032
1/12TH REQ RSRV
1,226,032
Fund Reserve Policy
487,127
Bal. Remaining
194,077

FY20 BUDGET - RESOLUTION 2020-21 (#9) MARCH 18, 2020

FUND NO.	FY 2019-2020 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
91	AIRPORT	12,569	385,817	284,500	47,933	236,567	433,215	201,738		\$201,738
94	OTERO GREENTREE REG LANDFILL	4,698,915	1,401,009	0	2,972	(2,972)	3,732,197	2,364,755		\$2,364,755
96	SELF-INSURED FUND	494,406	66,439	0	8,000	(8,000)	50,239	502,606		\$502,606
98	PAYROLL CLEARING	210,809	0	0	0	0	0	210,809		\$210,809
104	UTILITY DEPOSITS	660,682	0	0	0	0	0	660,682		\$660,682
105	ECONOMIC DEVELOPMENT	3,184,151	947,836	0	0	0	891,559	3,240,428		\$3,240,428
107	SELF INSURED/LIABILITY	682,061	11,694	330,000	0	330,000	452,169	571,586		\$571,586
109	2004 GRT CAPITAL OUTLAY	11,931,219	3,518,163	0	3,201,438	(3,201,438)	9,907,077	2,340,867	534,720	\$1,806,147
114	SIDEWALKS REVOLVING LOANS	138,887	2,095	0	0	0	32,360	108,622		\$108,622
115	CORP ESCROW ACCOUNT RESERVE	0	0	0	0	0	0	0		\$0
119	2012 GRT REF/IMP REVBD	1,202,310	24,232	0	0	0	903,817	322,725		\$322,725
121	2015 GO BONDS-FUN CENTER	87,476	1,441	0	0	0	0	88,917		\$88,917
122	2015 GO BONDS-STREETS	169,501	3,003	0	0	0	0	172,504		\$172,504
901	HOUSING LOW RENT OPERATING	897,099	822,791	0	109	(109)	1,055,348	664,433	78,002	\$586,431
903	HOUSING HOMEOWNERSHIP OPER	746,039	1,705	0	0	0	28,145	719,599		\$719,599
904	HOUSING CAPITAL FUND PROJECTS	0	851,194	0	0	0	851,194	0		\$0
TOTALS FY2020		59,492,852	67,878,303	22,409,051	22,409,051	0	97,626,098	29,745,057	6,275,080	23,469,976

ALL FUNDS SUMMARY

BUDGET 2019-2020

1/12TH REQ RSRV
1,226,032
1/12TH REQ RSRV
1,226,032
Fund Reserve Policy
487,127
Bal. Remaining

194,077

FY20 BUDGET - RESOLUTION 2020-21 (#9) MARCH 18, 2020

FUND NO.	FY 2019-2020 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
11	GENERAL OPERATING FUND	6,853,189	17,753,410	293,708	7,054,660	(6,760,952)	14,712,380	3,133,267	2,939,190	194,077
	Total Revised Fund 11	6,853,189	17,753,410	293,708	7,054,660	(6,760,952)	14,712,380	3,133,267	2,939,190	194,077
12	INTERNAL SERVICE FUND	82,565	414,533	2,774,784	40,826	2,733,958	3,229,092	1,964		\$1,964
	Total Revised Fund 12	82,565	414,533	2,774,784	40,826	2,733,958	3,229,092	1,964		1,964
15	CORRECTIONS-JAIL	10,663	81,827	104,000	259	103,741	193,850	2,381		\$2,381
	Total Revised Fund 15	10,663	81,827	104,000	259	103,741	193,850	2,381		2,381
16	LODGER'S TAX-PROMOTIONAL FUND	181,723	255,431	6,695	1,749	4,946	279,219	162,881		\$162,881
	Total Revised Fund 16	181,723	255,431	6,695	1,749	4,946	279,219	162,881		162,881
17	POLICE COURT BOND	10,438	0	0	0	0	0	10,438		\$10,438
	Total Revised Fund 17	10,438	0	0	0	0	0	10,438		10,438
19	COURT AUTOMATION FUND	5,867	81,566	0	24,311	(24,311)	63,118	4		\$4
	Total Revised Fund 19	5,867	81,566	0	24,311	(24,311)	63,118	4		4
20	LODGER'S TAX-CITY	98,458	453,292	0	57,702	(57,702)	493,995	53		\$53
	Revision #1		4,500			0	4,500	0		\$0
	Total Revised Fund 20	98,458	457,792	0	57,702	(57,702)	498,495	53		53
21	D.A.R.E. DONATIONS FUND	23,639	6,224	0	0	0	13,258	16,605		\$16,605
	Total Revised Fund 21	23,639	6,224	0	0	0	13,258	16,605		16,605
24	GRANT CAPITAL IMPROVEMENT	0	1,275,501	0	0	0	1,162,148	113,353		\$113,353
	Total Revised Fund 24	0	1,275,501	0	0	0	1,162,148	113,353		113,353
27	MUNICIPAL COURT OPERATIONS	8,775	10,000	426,141	14,058	412,083	430,848	10		\$10
	Total Revised Fund 27	8,775	10,000	426,141	14,058	412,083	430,848	10		10
28	POLICE CONTINGENCY	62,595	3,836	0	0	0	10,000	56,431		\$56,431
	Total Revised Fund 28	62,595	3,836	0	0	0	10,000	56,431		56,431
31	CEMETERY-PERPETUAL CARE	770,756	25,843	0	0	0	0	796,599		\$796,599
	Total Revised Fund 31	770,756	25,843	0	0	0	0	796,599		796,599
32	COMMUNITY SERVICES	124,369	538,864	4,009,000	623,914	3,385,086	4,047,302	1,017		\$1,017
	Total Revised Fund 32	124,369	538,864	4,009,000	623,914	3,385,086	4,047,302	1,017		1,017
33	FIRE PROTECTION	400,617	747,739	0	0	0	937,605	210,751	23,204	\$187,547
	Total Revised Fund 33	400,617	747,739	0	0	0	937,605	210,751	23,204	187,547
35	HIDTA GRANT FUND	0	28,239	0	0	0	28,239	0		\$0

	Total Revised Fund 35	(0)	28,239	0	0	0	28,239	(0)	(0)	
36	LAW ENFORCEMENT FUND	(0)	63,000	0	0	0	63,000	(0)	(\$0)	
	Total Revised Fund 36	(0)	63,000	0	0	0	63,000	(0)	(0)	
37	STATE HIGHWAY FUND	127,401	36,289	0	0	0	26,823	136,867	\$136,867	
	Total Revised Fund 37	127,401	36,289	0	0	0	26,823	136,867	136,867	
38	TRAFFIC SAFETY FUND	69,142	23,684	0	0	0	44,146	48,680	\$48,680	
	Total Revised Fund 38	69,142	23,684	0	0	0	44,146	48,680	48,680	
39	STATE JUDICIAL	3,416	75,500	0	0	0	75,500	3,416	\$3,416	
	Total Revised Fund 39	3,416	75,500	0	0	0	75,500	3,416	3,416	
42	1984 GROSS RECEIPTS TAX	245,032	1,693,023	0	1,546,149	(1,546,149)	28,262	363,644	262,110	\$101,534
	Total Revised Fund 42	245,032	1,693,023	0	1,546,149	(1,546,149)	28,262	363,644	262,110	101,534
44	TRANSPORTATION FUND	0	2,189,862	1,370,159	153,157	1,217,002	3,261,233	145,631	\$145,631	
	Total Revised Fund 44	0	2,189,862	1,370,159	153,157	1,217,002	3,261,233	145,631	145,631	
48	NEW MEXICO C.D.B.G.	0	0	0	0	0	0	0	\$0	
	Total Revised Fund 48	0	0	0	0	0	0	0	0	
49	1986 GROSS RECEIPTS TAX	4,373,647	1,753,562	0	2,777,234	(2,777,234)	1,065,529	2,284,446	269,728	\$2,014,718
	Total Revised Fund 49	4,373,647	1,753,562	0	2,777,234	(2,777,234)	1,065,529	2,284,446	269,728	2,014,718
50	PROPERTY ACQUISITION	84,410	0	0	0	0	0	84,410	\$84,410	
	Total Revised Fund 50	84,410	0	0	0	0	0	84,410	84,410	
53	GENERAL OBLIGATION	872,135	1,049,847	0	0	0	1,021,018	900,964	510,509	\$390,455
	Total Revised Fund 53	872,135	1,049,847	0	0	0	1,021,018	900,964	510,509	390,455
54	REVERSE OSMOSIS PROJECT RSV	21,967	0	174,046	0	174,046	174,046	21,967	\$21,967	
	Total Revised Fund 54	21,967	0	174,046	0	174,046	174,046	21,967	21,967	
56	99 GRT FLOOD CONTROL BOND PROJ	1,650,690	30,981	3,971,608	176	3,971,432	3,916,221	1,736,882	\$1,736,882	
	Total Revised Fund 56	1,650,690	30,981	3,971,608	176	3,971,432	3,916,221	1,736,882	1,736,882	
59	REVENUE BOND P & I FUND	149,984	7,250	2,678,368	0	2,678,368	2,678,368	157,234	\$157,234	
	Total Revised Fund 59	149,984	7,250	2,678,368	0	2,678,368	2,678,368	157,234	157,234	
61	MUNICIPAL INFRASTRUCTURE .0625%	818,034	423,329	0	820,164	(820,164)	7,066	414,133	\$414,133	
	Total Revised Fund 61	818,034	423,329	0	820,164	(820,164)	7,066	414,133	414,133	
63	COMMUNITY DEVELOPMENT	33,500	0	444,242	42,663	401,579	434,935	144	\$144	
	Total Revised Fund 63	33,500	0	444,242	42,663	401,579	434,935	144	144	
69	1994 GROSS RECEIPTS	2,219,834	1,689,544	0	2,633,874	(2,633,874)	28,262	1,247,242	553,279	\$693,963
	Total Revised Fund 69	2,219,834	1,689,544	0	2,633,874	(2,633,874)	28,262	1,247,242	553,279	693,963
71	ALAMO SENIOR CENTER	21,630	788,939	588,400	2,379	586,021	1,390,635	5,955	\$5,955	
	Total Revised Fund 71	21,630	788,939	588,400	2,379	586,021	1,390,635	5,955	5,955	
74	ALAMO SENIOR CENTER GIFT	141,812	21,642	0	0	0	81,473	81,981	\$81,981	
	Total Revised Fund 74	141,812	21,642	0	0	0	81,473	81,981	81,981	
75	RETIRED & SENIOR VOL. PROGRAM	100	232,414	56,500	17,068	39,432	271,564	382	\$382	
	Total Revised Fund 75	100	232,414	56,500	17,068	39,432	271,564	382	382	
81	WATER/SEWER OPERATING	10,264,053	17,856,920	1,911,578	2,071,120	(159,542)	26,255,613	1,705,818	946,315	\$759,503
	Revision #2		2,667,000	833,000		833,000	3,500,000	0	\$0	

	Total Revised Fund 81	10,264,053	20,523,920	2,744,578	2,071,120	673,458	29,755,613	1,705,818	946,315	759,503
82	98 JT WATER/SEWER BOND P&I	1,253,517	3,226,821	1,933,872	0	1,933,872	5,132,296	1,281,914	0	\$1,281,914
	Total Revised Fund 82	1,253,517	3,226,821	1,933,872	0	1,933,872	5,132,296	1,281,914	0	1,281,914
86	SOLID WASTE COLLECTION SYS.	458,723	2,288,155	0	136,255	(136,255)	2,178,902	431,721	158,023	\$273,698
	Total Revised Fund 86	458,723	2,288,155	0	136,255	(136,255)	2,178,902	431,721	158,023	273,698
88	BONITO CAMPGROUND	385,257	5,518	0	0	0	0	390,775	0	\$390,775
	Total Revised Fund 88	385,257	5,518	0	0	0	0	390,775	0	390,775
89	ESGRT .0625%	2,537,187	443,151	0	215,475	(215,475)	307,600	2,457,263	0	\$2,457,263
	Revision #2				833,000	(833,000)		(833,000)		(\$833,000)
	Total Revised Fund 89	2,537,187	443,151	0	1,048,475	(1,048,475)	307,600	1,624,263	0	1,624,263
90	GOLF COURSE	11,600	1,593,648	218,450	82,406	136,044	1,740,732	560	0	\$560
	Total Revised Fund 90	11,600	1,593,648	218,450	82,406	136,044	1,740,732	560	0	560
91	AIRPORT	12,569	385,817	284,500	47,933	236,567	433,215	201,738	0	\$201,738
	Total Revised Fund 91	12,569	385,817	284,500	47,933	236,567	433,215	201,738	0	201,738
94	OTERO GREENTREE REG LANDFILL	4,698,915	1,401,009	0	2,972	(2,972)	3,732,197	2,364,755	0	\$2,364,755
	Total Revised Fund 94	4,698,915	1,401,009	0	2,972	(2,972)	3,732,197	2,364,755	0	2,364,755
96	SELF-INSURED FUND	494,406	66,439	0	8,000	(8,000)	50,239	502,606	0	\$502,606
	Total Revised Fund 96	494,406	66,439	0	8,000	(8,000)	50,239	502,606	0	502,606
98	PAYROLL CLEARING	210,809	0	0	0	0	0	210,809	0	\$210,809
	Total Revised Fund 98	210,809	0	0	0	0	0	210,809	0	210,809
104	UTILITY DEPOSITS	660,682	0	0	0	0	0	660,682	0	\$660,682
	Total Revised Fund 104	660,682	0	0	0	0	0	660,682	0	660,682
105	ECONOMIC DEVELOPMENT	3,184,151	947,836	0	0	0	891,559	3,240,428	0	\$3,240,428
	Total Revised Fund 105	3,184,151	947,836	0	0	0	891,559	3,240,428	0	3,240,428
107	SELF INSURED/LIABILITY	682,061	11,694	330,000	0	330,000	452,169	571,586	0	\$571,586
	Total Revised Fund 107	682,061	11,694	330,000	0	330,000	452,169	571,586	0	571,586
109	2004 GRT CAPITAL OUTLAY	11,931,219	3,518,163	0	3,201,438	(3,201,438)	9,907,077	2,340,867	534,720	\$1,806,147
	Total Revised Fund 109	11,931,219	3,518,163	0	3,201,438	(3,201,438)	9,907,077	2,340,867	534,720	1,806,147
114	SIDEWALKS REVOLVING LOANS	138,887	2,095	0	0	0	32,360	108,622	0	\$108,622
	Total Revised Fund 114	138,887	2,095	0	0	0	32,360	108,622	0	108,622
115	CORP ESCROW ACCOUNT RESERVE	0	0	0	0	0	0	0	0	\$0
	Total Revised Fund 114	0	0	0	0	0	0	0	0	0
119	2012 GRT REF/IMP REVBD	1,202,310	24,232	0	0	0	903,817	322,725	0	\$322,725
	Total Revised Fund 119	1,202,310	24,232	0	0	0	903,817	322,725	0	322,725
121	2015 GO BONDS-FUN CENTER	87,476	1,441	0	0	0	0	88,917	0	\$88,917
	Total Revised Fund 121	87,476	1,441	0	0	0	0	88,917	0	88,917
122	2015 GO BONDS-STREETS	169,501	3,003	0	0	0	0	172,504	0	\$172,504
	Total Revised Fund 122	169,501	3,003	0	0	0	0	172,504	0	172,504
901	HOUSING LOW RENT OPERATING	897,099	822,791	0	109	(109)	1,055,348	664,433	78,002	\$586,431
	Total Revised Fund 901	897,099	822,791	0	109	(109)	1,055,348	664,433	78,002	586,431
903	HOUSING HOMEOWNERSHIP OPER	746,039	1,705	0	0	0	28,145	719,599	0	\$719,599
	Total Revised Fund 903	746,039	1,705	0	0	0	28,145	719,599	0	719,599
904	HOUSING CAPITAL FUND PROJECTS	0	851,194	0	0	0	851,194	0	0	\$0
	Total Revised Fund 904	0	851,194	0	0	0	851,194	0	0	0
TOTALS FY2020		59,492,852	67,878,303	22,409,051	22,409,051	0	97,626,098	29,745,057	6,275,080	23,469,976

Resolution # 2020-21 March 18, 2020

RECURRING/ NON- RECURRING	FUND NO.	LINE ITEM NO.	LINE ITEM DESCRIPTION	ORIGINAL BUDGET AMOUNT	INCREASE (DECREASE)	REVISED BUDGET AMOUNT
REVISION #1						
This budget revision is to add the revenue from sponsorship MOU's Secured for Sounds of Freedom and 4th Fridays. Expenses are being increased to account for additional revenue. Sounds of Freedom has been cancelled, however these funds have been received and need to be added to budget so they can be returned						
	20	LODGER'S TAX-CITY				
		<i>Revenues</i>				
		020-0000-316.15-28	Special Events	16,000	3,000	19,000
		020-0000-316.15-28	Special Events	16,000	500	16,500
		020-0000-316.15-28	Special Events	16,000	1,000	17,000
			Total Revenues	48,000	4,500	52,500
		<i>Expenditures</i>				
		020-0006-454.57-93	Special Events	60,681	3,000	63,681
CSDM20		020-0006-454.57-93	Special Events	31,736	1,500	33,236
			Total Expenditures	92,417	4,500	96,917

REVISION #2

This budget revision is to add the revenue and expenses for the forthcoming FEMA grant amendment. The additional funds needed will be coming from Fund 89.

	81	WATER/SEWER				
		<i>Revenues</i>				
	PW1501	081-0000-317.16-13	Grants/State Grants	1,062,397	381,000	1,443,397
	PW1501	081-0000-317.16-73	Grants/Federal Grants	6,374,386	2,286,000	8,660,386
			Total Revenues	7,436,783	2,667,000	10,103,783
		<i>Transfer In</i>				
		081-0000-391.19-89	Transfer From 89	0	833,000	833,000
			Total Transfers In	0	833,000	833,000
		<i>Expenditures</i>				
	PW1501	081-0008-461.60-79	Bonito Lake Restoration	14,681,996	3,500,000	18,181,996
			Total Expenditures	14,681,996	3,500,000	18,181,996
89	ESGRT 0.0625%	<i>Transfer Out</i>				
		081-0000-491.18-81	Transfer To 81	0	833,000	833,000
			Total Transfers Out	0	833,000	833,000

RESOLUTION NO. 2020-08

A RESOLUTION REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION, STATE OF NEW MEXICO, APPROVE REVISED BUDGET FIGURES FOR CERTAIN LINE ITEMS IN THE CITY'S BUDGET FOR FISCAL YEAR 2019-20.

WHEREAS, the City of Alamogordo, New Mexico wishes approval to change some of the budget line item figures of various funds; and

WHEREAS, the Department of Finance and Administration, State of New Mexico, gave its written certification to the City of Alamogordo, New Mexico's annual budget on August 2, 2019, for fiscal year 2019-2020; and

WHEREAS, the City of Alamogordo, New Mexico, has tabulated on the following pages the additional resources and expenditures for fiscal year 2019-2020.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, that the City's annual budget for fiscal year 2020 be and hereby is revised as of February 25, 2020 to reflect a more true and accurate projection of the actual revenues and expenditures for fiscal year 2019-2020 as shown on the following pages.

NOW, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, that the Department of Finance and Administration, State of New Mexico, be requested to give its written approval to the revised budget figures computed on February 25, 2020 as a more true and accurate projection of the actual revenues and expenditures for fiscal year 2019-2020.

PASSED, APPROVED AND ADOPTED by the Governing Body of the City of Alamogordo, New Mexico, at a Regular Meeting held this 25th day of February 2020.

CITY OF ALAMOGORDO, NEW MEXICO,
A NEW MEXICO MUNICIPAL CORPORATION

By: _____
Richard A. Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Bengoechea, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/18/2020

Report Date: 3/17/2020

Report No: 8.

Submitted By: Stephanie Hernandez

Subject: Consider, and act upon, Ordinance 1601 for first publication adopting a municipal gross receipts tax and repealing ordinance 1594. (*Stephanie Hernandez, Assistant City Manager and Evelyn Huff, Finance Director*). **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve for first publication

Background:

House Bill 479 was passed taking away restricted GRT such as hold harmless. They implemented a general unrestricted to allow municipals more flexibility.

**ORDINANCE NUMBER 1601
ADOPTING A MUNICIPAL GROSS RECEIPTS TAX
AND REPEALING ORDINANCE 1594**

BE IT ORDAINED BY THE GOVERNING BODY OF
THE CITY OF ALAMOGORDO:

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to .1250% of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "unrestricted municipal gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. This tax is dedicated for general fund and operational expenses.

Section 5. Effective Date. The effective date of the municipal gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date this ordinance is adopted, unless an election is held on the question of approving the ordinance, in which case the effective date shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. Repeal Effect. The effect of this ordinance is to repeal Ordinance 1594 titled "An Ordinance Implementing Hold Harmless Tax" in its entirety.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO THIS ___ DAY OF _____
2020.

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico municipal corporation

By: _____
Richard A. Boss, Mayor

ATTEST:

APPROVED AS TO FORM:

Rachel Hughs, City Clerk

Petria Bengoechea, City Attorney

FYI-M121

New Mexico
Taxation and Revenue Department

FOR YOUR INFORMATION

Tax Information and Policy Office ♦ P.O. Box 630 ♦ Santa Fe, New Mexico ♦ 87504-0630

MUNICIPAL GROSS RECEIPTS TAX LOCAL OPTIONS

Published by the

TAXATION AND REVENUE DEPARTMENT

Revised June 2013

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MUNICIPAL GROSS RECEIPTS TAX LOCAL OPTIONS

This publication describes the various municipal gross receipts tax local options administered by the Department, and the administrative requirements for implementing a municipal gross receipts tax and for repealing or amending existing municipal gross receipts tax ordinances.

The municipal gross receipts taxes are collected at the same time and in the same manner as the state gross receipts tax. The municipality must notify the Department¹ at least three months prior to the effective date (either January 1 or July 1) of the enactment of any municipal gross receipts tax ordinance resulting in the imposition of or changes to tax rates. The local option tax rate changes are combined with the state gross receipts tax rate and incorporated into the *Gross Receipts Tax Rate Schedule* that is revised and provided to taxpayers every six months.

The municipal local option taxes share a number of common features. All of the taxes have the same base as the state gross receipts tax. All the taxes must conform to the provisions of the Gross Receipts and Compensating Tax Act.

The Department is authorized and required to charge an administrative fee collected receipts (7-1-6.41)². Effective April 7, 2009, the administrative fee increased from 3.0% to 3.25%. This additional one-fourth of one percent will be retained by the Department to fund the Fair Share Initiative. This initiative will create new positions that will improve compliance with state taxes including municipal local option taxes. This increase is currently authorized through FY14. No administrative fee is imposed on the first .5% of municipal gross receipts tax. The receipts from the municipal gross receipts tax are distributed to municipalities by the

¹ All references to "Department" mean the Taxation and Revenue Department.

² Statutory citations in this publication are to the New Mexico Statutes Annotated (NMSA 1978).

Department on or before the last day of the month following the month of collection.

MUNICIPAL LOCAL OPTION GROSS RECEIPTS TAXES ACT

(7-19D-1 through 7-19D-15)

To aid in administration, seven separate municipal local option gross receipts taxes (municipal gross receipts tax, municipal environmental services gross receipts tax, municipal infrastructure gross receipts tax, municipal capital outlay gross receipts tax, municipal quality of life gross receipts tax, municipal regional spaceport gross receipts tax and municipal higher education gross receipts tax) are consolidated in one act. Although the allowable tax rates and election requirements vary for the local option taxes, the procedures for imposing, amending or repealing the taxes are standardized. Municipalities must use the model ordinance provided by the Department. All actions necessary to adopt the ordinance, including completion of a required petition period, must be completed three months prior to the effective date and a certified copy of the ordinance must be provided to the Department within five days from the date the ordinance is adopted. The effective date of the ordinance must be July 1 or January 1, whichever date occurs first after the expiration of at least three months from the date the ordinance is mailed or delivered to the Department. When the municipality holds an election and the majority of the registered voters who vote in the election fails to approve an ordinance, the municipality cannot propose the imposition of any increment of the tax for one year after the date of the failed election.

MUNICIPAL GROSS RECEIPTS TAX

(7-19D-9)

Municipalities can impose a maximum municipal gross receipts tax of one and one-half percent (1.50%). The tax can be implemented by adoption of one or more ordinances in tax rate increments of one-fourth of one percent (.25%). Municipalities with

populations of at least 45,000 (based on the most recent decennial census) may adopt ordinances imposing one-eighth of one percent (.125%) increments. Although no election is required, municipalities may provide for voter approval of the ordinance imposing the tax. Voters also may petition for an election. If an election is held and the electorate fails to approve the ordinance imposing the tax, the municipality must wait one year from the election date before again attempting to adopt any increment of municipal gross receipts tax. Proceeds from the tax may be dedicated to a specific area of government of the municipality.

See page 6 for the municipal gross receipts tax model ordinance.

MUNICIPAL INFRASTRUCTURE GROSS RECEIPTS TAX (7-19D-11)

Municipalities can impose a maximum municipal infrastructure gross receipts tax of one-fourth of one percent (.25%). The tax can be implemented by adoption of one or more ordinances in tax rate increments of one-sixteenth of one percent (.0625%). Proceeds from the tax may be dedicated to various types of infrastructure improvements, to repay obligation bonds, to municipal general purposes, to various public transit system purposes, or to economic development plans and projects. All ordinances, regardless of the tax rate increment, whose tax proceeds are dedicated to economic development require an election. No election is required for the adoption of an ordinance for the first one-eighth of one percent (.125%) of municipal infrastructure gross receipts tax whose tax proceeds are for all other allowable purposes. No petition for an election is allowed unless required by a municipal charter. The adoption of an ordinance for the second one-eighth of one percent (.125%), regardless of how the proceeds will be used, requires an election.

See page 6 for the municipal infrastructure gross receipts tax model ordinance.

MUNICIPAL ENVIRONMENTAL SERVICES GROSS RECEIPTS TAX (7-19D-10)

Municipalities can impose a municipal environmental services gross receipts tax of one-sixteenth of one percent (.0625%). No election is required and voters cannot petition for an election unless required by a municipal charter.

Certain municipalities located in a Class B County with a net taxable value greater than \$750,000,000 for the 2008 property tax year may impose an additional one-half of one percent (.50%) of municipal environmental gross receipts tax in increments of one-fourth of one percent (.25%). To be eligible for this additional imposition, a municipality must have a population of less than 25,000 but between either 7,500 and 7,800, or 1,500 and 2,000, according to the most recent federal decennial census³.

Proceeds from the tax must be dedicated to acquisition, construction, operation and maintenance of solid waste facilities, water facilities, wastewater facilities, sewer systems and related facilities.

See page 7 for the municipal environmental services gross receipts tax model ordinances.

MUNICIPAL CAPITAL OUTLAY GROSS RECEIPTS TAX (7-19D-12)

Municipalities can impose a maximum municipal capital outlay gross receipts tax of one-fourth of one percent (.25%). Municipalities that initially impose or reimpose, any increment of the supplemental municipal gross receipts tax after January 1, 2001, will not be eligible for this tax. The tax can be implemented by adoption of one or more ordinances in tax rate increments of one-sixteenth of one percent (.0625%). Proceeds from the tax may be dedicated to any municipal infrastructure purpose or for the payment of gross receipts tax revenue bonds for infrastructure purposes. All ordinances, regardless of the tax rate increment, require an election.

See page 8 for the municipal capital outlay gross

³Currently Ruidoso and Ruidoso Downs (Lincoln County) are the only eligible municipalities for this additional imposition of the municipal environmental gross receipts tax.

receipts tax model ordinance.

MUNICIPAL QUALITY OF LIFE GROSS RECEIPTS TAX (7-19D-14)

Municipalities may impose this tax to fund the promotion and expansion of cultural programs at a maximum rate of one-fourth of one percent (.25%). The tax can only be imposed prior to January 1, 2016, in increments of one-sixteenth of one percent (.0625%). The tax cannot be imposed for a period longer than 10 years but may be extended for additional ten-year periods through the adoption of subsequent ordinances. Revenue from the municipal quality of life gross receipts tax is to be dedicated to cultural programs and activities provided by local governments and to nonprofit or publicly owned cultural organizations and institutions. It may not replace other funding sources for existing programs. No increment of the municipal quality of life gross receipts tax may be effective until it is approved in an election by the majority of the voters in the municipality. Municipalities that impose the municipal quality of life gross receipts tax must appoint a cultural advisory board to oversee the revenue distribution. The cultural advisory board will establish qualifications for organizations to receive funding, develop guidelines and recommendations for funding levels and establish reporting requirements.

See page 8 for the municipal quality of life gross receipts tax model ordinance.

SUPPLEMENTAL MUNICIPAL GROSS RECEIPTS TAX

Imposed by only two municipalities (until associated bonds are paid off), the proceeds are used to reconstruct water supply systems. No new enactments of this tax have been permitted since February 1986.

MUNICIPAL REGIONAL SPACEPORT GROSS RECEIPTS TAX (7-19D-15)

The governing body of a municipality which has become a member of a regional spaceport district must, by December 31, 2008, impose by ordinance

June 2013

an excise tax at a rate not to exceed one-half of one percent (.50%) of taxable gross receipts of a person engaging in business in the municipality for the privilege of engaging in business. Such a tax may be imposed in increments of not less than one-sixteenth of one percent (.0625%), but in total may not exceed the one-half of one percent (.50%) limit. The governing body must dedicate at least 75 percent of the proceeds of this tax to the regional spaceport district for the financing, planning, designing, engineering and construction of a spaceport pursuant to the regional spaceport district act. The governing body may dedicate no more than 25 percent of the revenue for spaceport-related projects as approved by resolution of the governing body of the municipality. The tax cannot become effective until approved by a majority of voters in an election.

See page 9 for the municipal regional spaceport gross receipts tax model ordinance.

MUNICIPAL HIGHER EDUCATION FACILITIES GROSS RECEIPTS TAX (7-19D-16)

Eligible municipalities may impose the municipal higher education facilities gross receipts tax up to one-fourth percent of one percent (.25%). An eligible municipality is one with a population of more than 50,000 in the last decennial census and which is located in a Class B County with a net taxable value for property tax purposes of more than \$2 billion⁴. The tax can be imposed in increments of one-sixteenth of one percent (.0625%). The tax cannot be imposed for a period longer than 20 years. Revenue from the municipal higher education gross receipts tax is to be dedicated for acquisition, construction, renovation or improvement of facilities of a four-year post-secondary public educational institution located in the municipality and acquisition of or improvements to land for those facilities or payment of municipal higher education facilities gross receipts tax revenue bonds issued pursuant to Chapter 3, Article 31 NMSA 1978. No increment of

⁴ Currently Rio Rancho (Sandoval County) is the only eligible municipality for the municipal higher education facilities gross receipts tax.

the municipal higher education gross receipts tax may be effective until it is approved in an election by the majority of the voters in the election.

See page 9 for the municipal higher education facilities gross receipts tax model ordinance.

FEDERAL WATER PROJECT GROSS RECEIPTS TAX (7-19D-17)

Eligible municipalities may impose the federal water project gross receipts tax at a rate not to exceed one-four percent (.25%) on any person engaging in business in the municipality. An eligible municipality is one located in a Class B County that has a population pursuant to the most recent federal decennial census of greater than twenty thousand but less than twenty-five thousand⁵. Revenue from this tax must be used for the repayment of loan obligations to the federal government for the construction, expansion, operation and maintenance of a water delivery system and for the expansion, operation and maintenance of that water delivery system after the loan obligation to the federal government is retired or repaid. The revenue from the federal water project gross receipts tax shall not be dedicated to repay revenue bonds or any other form of bonds. No increment of the federal water project gross receipts tax may be effective until it is approved in an election by the majority of the voters in the municipality. A municipality that imposes the federal water project gross receipts tax shall not also impose a municipal capital outlay gross receipts tax.

See page 10 for the federal water project gross receipts tax model ordinance.

MUNICIPAL HOLD HARMLESS GROSS RECEIPTS TAX

Municipalities can impose a maximum municipal hold harmless gross receipts tax of three-eighths of one percent (.375%). The tax can be implemented by adoption of one or more ordinances, in one-eighth

⁵ Currently Gallup (McKinley County) is the only eligible municipality for the federal water project gross receipts tax.

increments up to an aggregate rate of three-eighths percent. Municipalities may impose increments of one-eighth of one percent. Proceeds from the tax may be dedicated to a specific purpose or area of municipal government services, including but not limited to police protection, fire protection, public transportation or street repair and maintenance. No election is required and voters cannot petition for an election.

Any law that imposes or authorizes the imposition of a municipal hold harmless gross receipts tax or that affects the municipal hold harmless gross receipts tax, or any supplemental law shall not be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair adversely any outstanding revenue bonds that may be secured by a pledge of such municipal hold harmless gross receipts tax unless such outstanding revenue bonds have been discharged in full or provision has been fully made.

See page 11 for the municipal hold harmless gross receipts tax model ordinance.

AMENDING AN EXISTING ORDINANCE

The only section of a Municipal Local Option Gross Receipts Tax Ordinance that can be amended is Section 4, the dedication section, and it may only be amended if the revenues are not committed to payment of bonds. The procedure for enacting an ordinance to amend an ordinance and any election requirement are the same as those for enacting an original ordinance. If an election is held and the electorate fails to approve the amendment, the existing increment of tax shall continue in effect and shall be dedicated for the purposes specified in the original ordinance. The municipality must wait one year from the election date before attempting to amend the purpose for the revenue again. See model ordinance for amending a dedication of a municipal local option gross receipts tax on page 10.

REPEALING AN EXISTING ORDINANCE

The procedure for enacting an ordinance to repeal an ordinance and any election requirements are the

same as for enacting an original ordinance. See model ordinance for repealing a municipal local option gross receipts tax on page 10.

STEPS TO ENACT AN ORDINANCE

1. Obtain a copy of the model ordinance from the Taxation and Revenue Department. The Department model ordinance, after it has been filled in, must be adopted as provided. Any other format must be approved in advance by the Taxation and Revenue Department. (See sample ordinances on pages 6 through 10.)

2. Fill out the model ordinance. Section 1 of the ordinance should be completed to indicate the proposed tax rate (either .0625%, .125%, .25%, .50%, .75%, 1.0% or 1.25% depending on which type of tax is being proposed).

Section 4 should be completed to indicate the specific purpose to which the revenue will be dedicated.

In Section 5, fill in the effective date of either January 1 or July 1, whichever date occurs first after the expiration of at least three months from the date the ordinance is to be delivered or mailed to the department. The delivery or mailing date is no more than 5 days after: a) the date the governing body adopts the ordinance if a referendum petition is not received; b) the date of the election if a valid petition is received and the ordinance is approved by the electorate; or c) the date of the election if the governing body mandates an election on the ordinance and the ordinance is approved by the electorate.

Section 6 is mandatory and must be completed when enacting the:

- Municipal quality of life gross receipts tax;
- Municipal higher education facilities gross receipts tax.

Section 6 is optional and should be completed only if the county wants the ordinance to expire (sunset) on a specific date (either January 1 or July 1) for the

following impositions:

- Municipal gross receipts tax;
- Municipal infrastructure gross receipts tax;
- Municipal environmental services gross receipts tax;
- Municipal capital outlay gross receipts tax;
- Municipal regional spaceport gross receipts tax;
- Federal water project gross receipts tax; and
- Municipal hold harmless gross receipts tax.

3. Publish a notice of the proposed ordinance. The municipality gives notice of the proposed ordinance by publishing its title and subject matter at least two weeks prior to consideration of final action on the ordinance by the governing body.

4. Follow the appropriate election procedure. See Table 1 for the procedure when a municipality opts for an election or if an election is required (positive referendum). See Table 2 for the procedure when the municipality opts for a petition (negative referendum) and a valid petition is filed. See Table 3 for the procedure when the municipality opts for a petition (negative referendum) and no petition is filed or when no election is required. If an election is held and the electorate fails to approve the ordinance, the municipality must wait one year from the election date before attempting to impose, amend or repeal the increment of tax again. Specific questions concerning the election process should be directed to the Information Services Division of the NM Municipal League at (505) 982-5573 (in Santa Fe) or 1-800-432-2036 (outside Santa Fe).

5. Send the ordinance to the Department. Mail or deliver a certified copy of the approved ordinance to the Department: 1) within five days after the expiration of the petition period if no petition for referendum is filed, 2) within five days after the election is held and the election results are certified and the ordinance is approved, or 3) within five days from the date the governing body approves the ordinance where no election is required. (If a referendum is held and the ordinance is not approved by the electorate, please inform the Department.) Send the ordinance by certified mail, return receipt

requested, with a copy of the canvass of the election or a signed statement that no petition for referendum was received or that no election was required, to:

Taxation and Revenue Department
Tax Information and Policy Office
P. O. Box 630
Santa Fe, NM 87504-0630

Failure to notify the Department will result in the Department's taking no action to collect the tax. Failure to notify the Department within the required time may result in a delay of at least six months in the effective date of the tax.

6. *Publish the adopted ordinance.* The municipal clerk publishes the adopted ordinance in its entirety or by title and summary any time from one day after the electorate approves the ordinance or the petition waiting period expires until five days before the effective date of the ordinance.

7. *Return the survey table to the Department.* Every six months (March and September) the Department sends a survey table (see page 12 for sample survey table) to each municipality. The survey's main purpose is to confirm the municipality tax rates. It is important that you respond even if there have been no changes. Please return the completed survey immediately to the attention of the Tax Information and Policy Office at the address provided in Step 5, with corrections noted and copies of adopted tax ordinances, amended tax ordinances or repealed tax ordinances attached.

MODEL ORDINANCE - MGRT - 2013
Municipal Gross Receipts Tax
Adopting a Tax Increment

ORDINANCE NUMBER _____
ADOPTING A MUNICIPAL GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to [one-eighth of one percent (.125%) or one-fourth of one percent (.25%)] of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "municipal gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal gross receipts tax will be used for the purpose(s) listed below:

Section 5. Effective Date. The effective date of the municipal gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date this ordinance is adopted, unless an election is held on the question of approving the ordinance, in which case the effective date shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. Delayed Repeal. (Optional) Ordinance Number _____ (if it becomes law) is repealed effective (date).

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20__.

ATTEST: (Signatures of Municipal Clerk and Mayor)

MODEL ORDINANCE - MIGRT - 2013
Municipal Infrastructure Gross Receipts Tax
Adopting a Tax Increment

ORDINANCE NUMBER _____
ADOPTING A MUNICIPAL INFRASTRUCTURE
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to [one-sixteenth of one percent (.0625%), one-eighth of one percent (.125%), three-sixteenths of one percent (.1875%), or one-fourth of one percent (.25%)] of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "municipal infrastructure gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal infrastructure gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal infrastructure gross receipts tax will be used for the purpose(s) listed below:

Section 5. Effective Date. The effective date of the municipal infrastructure gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date this ordinance is adopted, unless an election is held on the question of approving the ordinance, in which case the effective date shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. Delayed Repeal. (Optional) Ordinance Number _____ (if it becomes law) is repealed effective (date).

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20__.

ATTEST: (Signatures of Municipal Clerk and Mayor)

MODEL ORDINANCE - MESGRT - 2013
Municipal Environmental Services Gross Receipts Tax
Adopting a Tax Increment - 1

ORDINANCE NUMBER _____
ADOPTING A MUNICIPAL ENVIRONMENTAL SERVICES
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to one-sixteenth of one percent (.0625%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "municipal environmental services gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal environmental services gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal environmental services gross receipts tax will be used for the acquisition, construction, operation and maintenance of solid waste facilities, water facilities, wastewater facilities, sewer systems and related facilities.

Section 5. Effective Date. The effective date of the municipal environmental services gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date this ordinance is adopted.

Section 6. Delayed Repeal. (Optional) Ordinance Number _____
(if it becomes law) is repealed effective (date).

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20____.

ATTEST: (Signatures of Municipal Clerk and Mayor)

MODEL ORDINANCE - MESGRT - 2013
Municipal Environmental Services Gross Receipts Tax
Adopting a Tax Increment - 2

ORDINANCE NUMBER _____
ADOPTING A MUNICIPAL ENVIRONMENTAL SERVICES
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to one-fourth of one percent (.25%) or one-half of one percent (.50%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "municipal environmental services gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal environmental services gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal environmental services gross receipts tax will be used for the acquisition, construction, operation and maintenance of solid waste facilities, water facilities, wastewater facilities, sewer systems and related facilities.

Section 5. Effective Date. The effective date of the municipal environmental services gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date this ordinance is adopted.

Section 6. Delayed Repeal. (Optional) Ordinance Number _____
(if it becomes law) is repealed effective (date).

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20____.

ATTEST: (Signatures of Municipal Clerk and Mayor)

**MODEL ORDINANCE - MCOGRT - 2013
Municipal Capital Outlay Gross Receipts Tax
Adopting a Tax Increment**

ORDINANCE NUMBER _____
ADOPTING A MUNICIPAL CAPITAL OUTLAY
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to [one-sixteenth of one percent (.0625%), one-eighth of one percent (.125%), three-sixteenths of one percent (.1875%), or one-fourth of one percent (.25%)] of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "municipal capital outlay gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal capital outlay gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal capital outlay gross receipts tax will be used for the purpose(s) listed below:

Section 5. Effective Date. The effective date of the municipal capital outlay gross receipts tax shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. Delayed Repeal. (Optional) Ordinance Number _____
(if it becomes law) is repealed effective (date).

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20__.

ATTEST: (Signatures of Municipal Clerk and Mayor)

**MODEL ORDINANCE - MQLGRT - 2013
Municipal Quality of Life Gross Receipts Tax
Adopting a Tax Increment**

ORDINANCE NUMBER _____
ADOPTING A MUNICIPAL QUALITY OF LIFE
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to [one-sixteenth of one percent (.0625%), one-eighth of one percent (.125%), three-sixteenths of one percent (.1875%), or one-fourth of one percent (.25%)] of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "municipal quality of life gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal quality of life gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal quality of life gross receipts tax must be dedicated to cultural programs and activities provided by a local government and to cultural programs, events and activities provided by contract or operating agreement with nonprofit or publicly owned cultural organizations and institutions.

Section 5. Effective Date. The effective date of the municipal quality of life gross receipts tax shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. Delayed Repeal. (Mandatory) Ordinance Number _____
(if it becomes law) is repealed effective (date).

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20__.

ATTEST: (Signatures of Municipal Clerk and Mayor)

MODEL ORDINANCE - MRSVRT - 2013
Municipal Regional Spaceport Gross Receipts Tax
Adopting a Tax Increment

ORDINANCE NUMBER _____
ADOPTING A MUNICIPAL REGIONAL SPACEPORT
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in the county, for the privilege of engaging in business in this county, an excise tax equal to one-sixteenth of one percent (.0625%), one-eighth of one percent (.125%), three-sixteenths of one percent (.1875%), one-fourth of one percent (.25%), five-sixteenths of one percent (.3125%), six-sixteenths of one percent (.375%), seven-sixteenths of one percent (.4375%) or one-half of one percent (.50%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "the municipal regional spaceport gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal regional spaceport gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality; or
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal regional spaceport gross receipts tax will be used for the purpose(s) listed below:

The governing body must dedicate at least 75% of the proceeds of this tax to the regional spaceport district for the financing, planning, designing, engineering and construction of a spaceport pursuant to the Regional Spaceport District Act. The governing body may dedicate no more than 25% of the revenue for spaceport-related projects as approved by resolution of the governing body of the municipality.

Section 5. Effective Date. The effective date of the municipal regional spaceport gross receipts tax shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. Delayed Repeal. (Optional) Ordinance Number _____ (if it becomes law) is repealed effective _____.

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20____.

ATTEST: (Signatures of Municipal Clerk and Mayor)

MODEL ORDINANCE – MHEFGRT - 2013
Municipal Higher Education Facilities Gross Receipts Tax
Adopting a Tax Increment

ORDINANCE NUMBER _____
ADOPTING A MUNICIPAL HIGHER EDUCATION FACILITIES
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to one-sixteenth of one percent (.0625%), one eighth of one percent (.125%), three-sixteenths of one percent (.1875%), or one-fourth of one percent (.25%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "municipal higher education facilities gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal higher education facilities gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal higher education facilities gross receipts tax will be used for: 1) the acquisition, construction, renovation or improvement of facilities of a four-year post-secondary public educational institution located in the municipality and 2) acquisition of or improvements to land for those facilities or for payment of municipal higher education facilities gross receipts tax revenue bonds issued pursuant to Chapter 3, Article 31 NMSA 1978.

Section 5. Effective Date. The effective date of the municipal higher education facilities gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. Delayed Repeal. (Mandatory) Ordinance Number _____ (if it becomes law) is repealed effective (date).

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20____.

ATTEST: (Signatures of Municipal Clerk and Mayor)

**MODEL ORDINANCE - FWPGRT - 2013
Federal Water Project Gross Receipts Tax
Adopting a Tax Increment**

ORDINANCE NUMBER _____
ADOPTING A FEDERAL WATER PROJECT
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to one-fourth of one percent (.25%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "federal water project gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No federal water project gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the federal water projects gross receipts tax will be used for the purpose(s) listed below:

Section 5. Effective Date. The effective date of the municipal higher education facilities gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. Delayed Repeal. (Optional) Ordinance Number _____
(if it becomes law) is repealed effective (date).

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20__.

ATTEST: (Signatures of Municipal Clerk and Mayor)

**MODEL ORDINANCE – MHHGRT – 2013
Municipal Hold Harmless Gross Receipts Tax
Adopting a Tax Increment**

ORDINANCE NUMBER _____
ADOPTING A MUNICIPAL HOLD HARMLESS
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF
(Name of Municipality):

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to one-eighth of one percent (.125%) or one-fourth of one percent (.25%) or three eighths of one percent (.375%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "municipal hold harmless gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal hold harmless gross receipts tax shall be imposed on the gross receipts arising from:

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality,
- B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal hold harmless gross receipts tax will be used for the purpose(s) listed below:

Section 5. Effective Date. The effective date of the municipal hold harmless gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date this ordinance is adopted.

Section 6. Delayed Repeal. (Optional) Ordinance Number _____
(if it becomes law) is repealed effective (date).

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20__.

ATTEST: (Signatures of Municipal Clerk and Mayor)

MODEL ORDINANCE - AMEND - 2013
Municipal Local Option Gross Receipts Tax
Amending a Dedication

ORDINANCE NUMBER _____
AMENDING THE DEDICATION OF A MUNICIPAL
LOCAL OPTION GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF (Name of the Municipality) that Section 4 of Ordinance Number , effective (date) , and imposing (percent of tax) is amended to read:

Section 4. Dedication. Revenue from the (type of tax) gross receipts tax will be used for the purpose(s) listed below:

The effective date of this amendment shall be (January 1 or July 1) , whichever date occurs first after the expiration of at least three months from the date this ordinance is delivered or mailed to the Taxation and Revenue Department.

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20__.

ATTEST: (Signatures of Municipal Clerk and Mayor)

MODEL ORDINANCE - REPEAL - 2013
Municipal Local Option Gross Receipts Tax
Repealing a Tax

ORDINANCE NUMBER _____
REPEALING A MUNICIPAL LOCAL OPTION
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF (Name of the Municipality) that Ordinance Number , effective (date) , and imposing (percent of tax) of (type of tax) shall be repealed effective (January 1 or July 1) , whichever date occurs first after the expiration of at least three months from the date this ordinance is delivered or mailed to the Taxation and Revenue Department.

ADOPTED BY THE GOVERNING BODY OF _____
THIS _____ DAY OF _____ 20__.

ATTEST: (Signatures of Municipal Clerk and Mayor)

POINTS TO REMEMBER

1. To be effective on July 1, all action necessary to adopt an ordinance imposing a tax must be completed on or before the last day of March of that year.
2. To be effective on January 1, all action necessary to adopt an ordinance imposing a tax must be completed on or before the last day of September of the previous year.
3. Actions necessary to adopt the ordinance include, completion of required petition periods, notification that no petition was filed, elections held and notifying the Taxation and Revenue Department of election results.
4. Failure to adopt the ordinance using the *model ordinance* furnished by the Taxation and Revenue Department will invalidate any ordinance adopted that imposes any municipal local option gross receipts tax.
5. If an election is held and the electorate fails to approve the proposed ordinance, amendment or repeal, the municipality must wait one year from the election date before attempting to impose, amend or repeal the increment of tax again.
6. Failure to submit a certified copy of the ordinance to the Taxation and Revenue Department within 5 days after the ordinance is adopted may result in the loss of the revenue for at least six months.
7. The Tax Information and Policy Office of the Taxation and Revenue Department can assist and advise you concerning the adoption of any municipal gross receipts tax ordinance. Please visit our website at <http://www.tax.newmexico.gov/Tax-Library/For-Governments/Pages/Home.aspx> or call (505) 827-0679. Questions concerning the election process should be directed to the Information Services Division of the NM Municipal League at (505) 982-5573 (in Santa Fe) or 1-800-432-2036 (outside Santa Fe).

TABLE OF ENACTMENT DATES - MUNICIPAL LOCAL OPTION GROSS RECEIPTS TAXES

The *Table of Enactment Dates* on the following page should be used by the municipality to keep a record of each ordinance enacted. The Taxation and Revenue Department will send a survey table to each municipality every six months asking for this information. Please feel free to copy this table for your use.

TABLE OF ENACTMENT DATES - MUNICIPAL LOCAL OPTION GROSS RECEIPTS TAXES

(to be updated every time an ordinance is enacted, amended or repealed)

MUNICIPALITY: _____

MUNICIPAL CODE _____

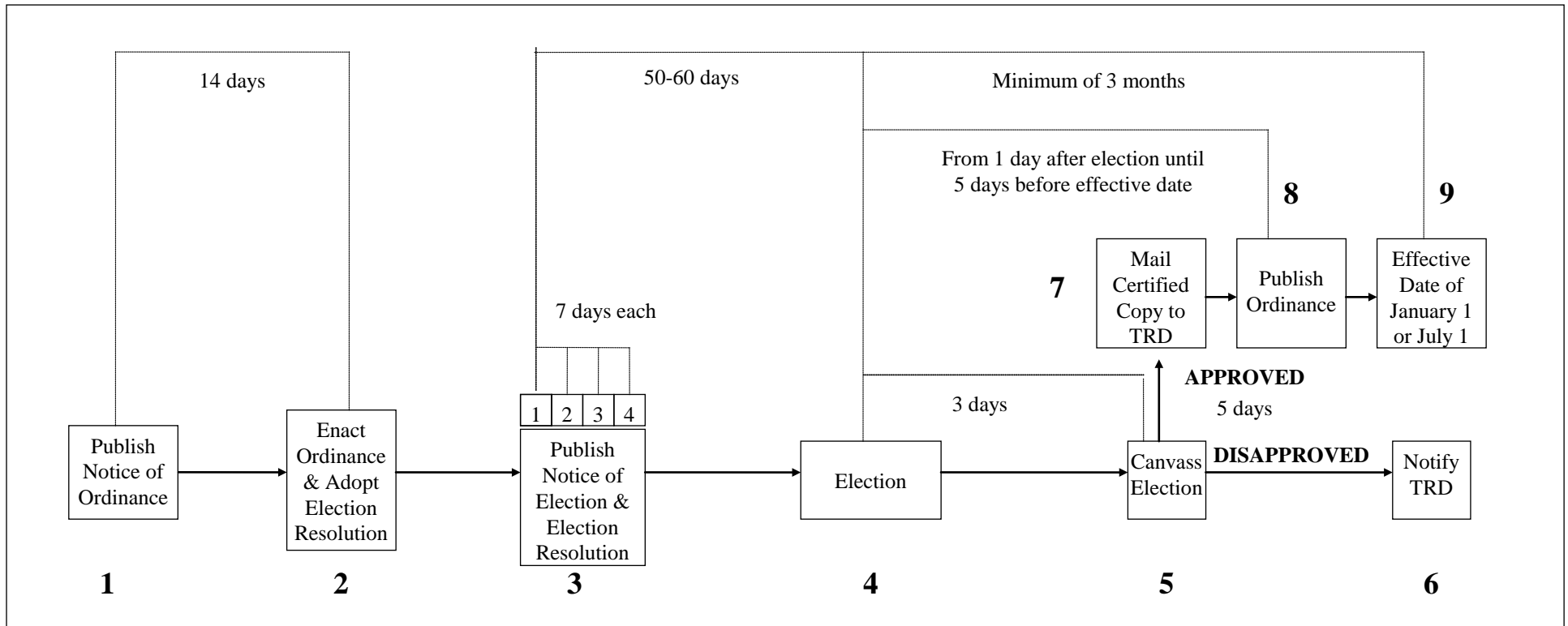
DATE: _____

SIGNATURE _____

DATE _____

Type of Tax	Ordinance Number	Effective Date	Dedication	Sunset or Amendment Date (if applicable)	Rate
Municipal Gross Receipts-1st 1/4%					
Municipal Gross Receipts-2nd 1/4%					
Municipal Gross Receipts-3rd 1/4%					
Municipal Gross Receipts-4th 1/4%					
Municipal Gross Receipts-5th 1/4%					
Municipal Gross Receipts-6th 1/4%					
Municipal Environmental Gross Receipts					
Municipal Infrastructure Gross Receipts - 1st 1/16%					
Municipal Infrastructure Gross Receipts - 2nd 1/16%					
Municipal Infrastructure Gross Receipts - 3rd 1/16%					
Municipal Infrastructure Gross Receipts - 4th 1/16%					
Municipal Capital Outlay Gross Receipts					
Municipal Quality of Life Gross Receipts					
Municipal Regional Spaceport Gross Receipts					
Municipal Higher Education Gross Receipts Tax					
Federal Water Project Gross Receipts Tax					
Municipal Hold Harmless Gross Receipts Tax					
Supplemental Municipal Gross Receipts - 1%					
Total Municipal Gross Receipts Tax Rate					
County Gross Receipts Tax Rate					
State Gross Receipts Tax Rate - 5.125%					5.125%
Total Combined Rate of all Ordinances Including State & County Gross Receipts Tax Rate					

TABLE 1
ELECTION PROCESS CALENDAR
MUNICIPAL LOCAL OPTION GROSS RECEIPTS TAXES
Municipality Opts for Election or an Election is Required (Positive Referendum)

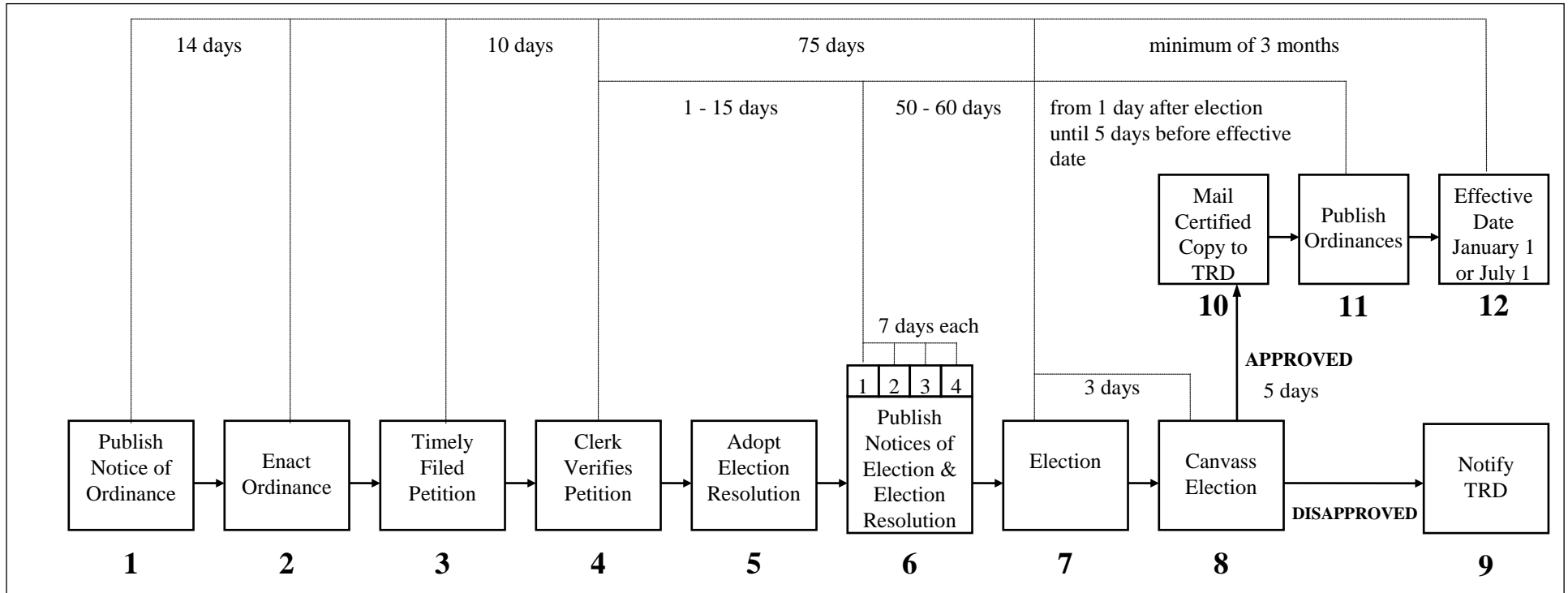


ELECTION PROCESS CALENDAR

1. The municipality gives notice of the proposed ordinance by publishing its title and subject matter at least two weeks prior to consideration of the ordinance by the governing body.
2. The governing body enacts the ordinance and adopts a resolution calling for an election. **The model ordinance provided by the Taxation and Revenue Department, which includes an election certification, must be adopted verbatim.**
3. The municipal clerk publishes the first notice of election 50 to 60 days before the election and subsequent notices, one each for the four consecutive weeks thereafter.
4. The municipal clerk conducts the election.
5. The municipal clerk canvasses and certifies the election results.
6. The municipal clerk must notify the Taxation and Revenue Department if the ordinance is disapproved by the electorate, or proceed with step 7.
7. The municipal clerk sends a certified copy of the approved ordinance to the Taxation and Revenue Department within 5 days after the election results are certified. The copy should be sent by certified mail, return receipt requested, or it should be hand delivered to the Department. The municipality must keep a copy of the ordinance for its official records. **Failure to deliver a certified copy to the Department may result in the Department's taking no action to collect the tax and a delay of at least six (6) months of the expected revenue.**
8. The municipal clerk publishes the adopted ordinance in its entirety or by title and summary any time from 1 day after the electorate approves the ordinance until 5 days before its effective date.
9. The ordinance becomes effective January 1 or July 1.

TABLE 2
 PETITION PROCESS CALENDAR
MUNICIPAL LOCAL OPTION GROSS RECEIPTS TAXES

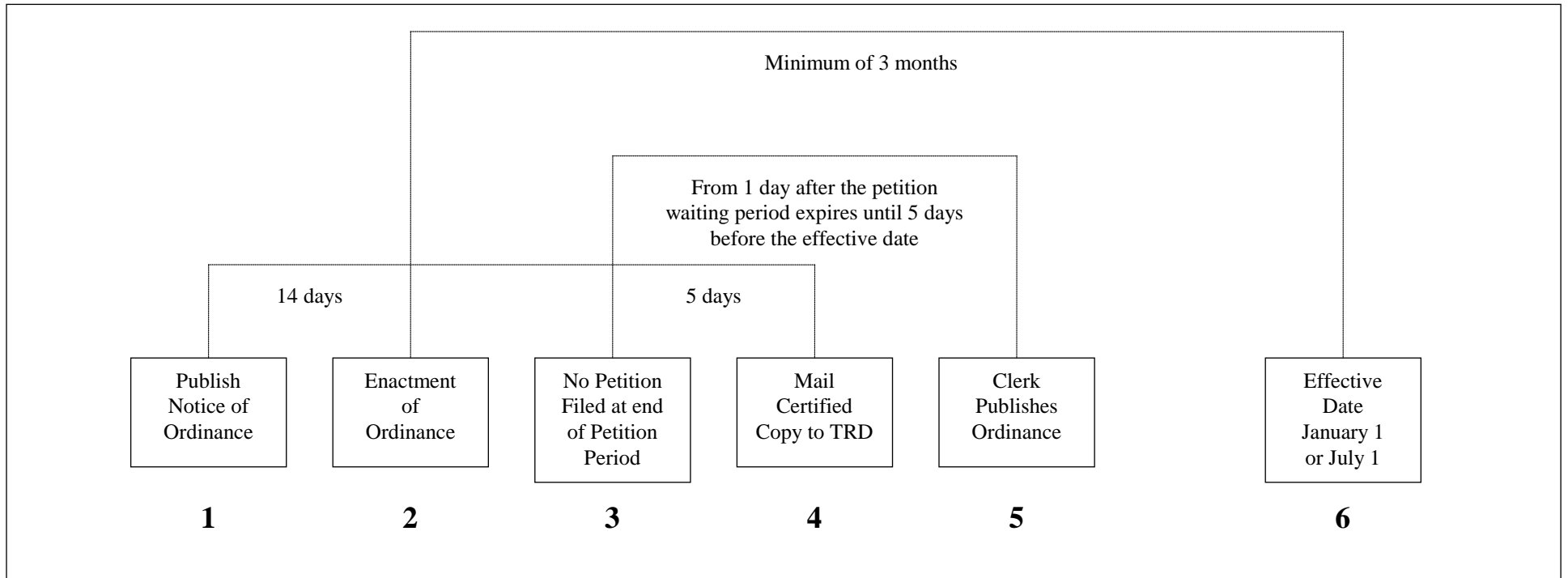
Municipality Opts for Petition (Negative Referendum) and **VALID PETITION IS FILED** by the End of a Petition Period



PETITION FILED

1. The municipality gives notice of the proposed ordinance by publishing its title and subject matter at least two weeks prior to consideration of the ordinance by the governing body.
2. The governing body enacts the ordinance. **The model ordinance provided by the Taxation and Revenue Department, which includes an election certification, must be adopted verbatim.**
3. Registered voters file with the municipal clerk a valid petition calling for a referendum. The petition must be filed by or before the end of the petition period.
4. The municipal clerk verifies the petition. To be valid it must contain the signatures of 5% of the registered voters in the municipality who were registered to vote in the most recent general election.
5. The governing body adopts a resolution calling for an election.
6. The municipal clerk publishes the first notice of election 50 to 60 days before the election and subsequent notices, one each for the four consecutive weeks thereafter.
7. The municipal clerk conducts the election.
8. The municipal clerk canvasses and certifies the election results.
9. The municipal clerk must notify the Taxation and Revenue Department if the ordinance is disapproved by the electorate, or proceed with step 10.
10. The municipal clerk sends a certified copy of the approved ordinance to the Taxation and Revenue Department within 5 days after the election results are certified. The copy should be sent by certified mail, return receipt requested, or it should be hand delivered to the Department. The municipality must keep a copy of the ordinance for its official records. **Failure to deliver a certified copy to the Department may result in the Department's taking no action to collect the tax and a delay of at least six (6) months of the expected revenue.**
11. The municipal clerk publishes the adopted ordinance in its entirety or by title and summary any time from 1 day after the electorate approves the ordinance until 5 days before its effective date.
12. The ordinance becomes effective January 1 or July 1.

TABLE 3
 PETITION PROCESS CALENDAR
MUNICIPAL LOCAL OPTION GROSS RECEIPTS TAXES
 Municipality Opts for Petition (Negative Referendum) and **NO PETITION IS FILED** by the End of a Petition Period



NO PETITION FILED

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. The municipality gives notice of the proposed ordinance by publishing its title and subject matter at least two weeks prior to consideration of the ordinance by the governing body. 2. The governing body enacts the ordinance. The model ordinance provided by the Taxation and Revenue Department, which includes an election certification, must be adopted verbatim. 3. Voters do not file a petition calling for a referendum within the petition period. 4. The municipal clerk sends a certified copy of the approved ordinance to the Taxation and Revenue Department within 5 days. The copy should be sent by certified mail, return receipt requested, or it | <p>should be hand delivered to the Department. The municipality must keep a copy of the ordinance for its official records. Failure to deliver a certified copy to the Department may result in the Department's taking no action to collect the tax and a delay of at least six (6) months of the expected revenue. The clerk sends a written statement that no valid petition for referendum was received.</p> <ol style="list-style-type: none"> 5. The municipal clerk publishes the adopted ordinance in its entirety or by title and summary any time from 1 day after the expiration of the petition period until 5 days before its effective date. 6. The ordinance becomes effective January 1 or July 1. |
|---|---|