

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 PM, DONALD E. CARROLL COMMISSION CHAMBERS
November 5, 2024**

**SUSAN PAYNE, MAYOR
SHARON MCDONALD, MAYOR PRO-TEM
NICHOLAS PAUL, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
WARREN ROBINSON, COMMISSIONER**

**JOSHUA RARDIN, COMMISSIONER
MARK TAPLEY, COMMISSIONER
STEPHANIE HERNANDEZ, ACTING CITY
MANAGER
ASHLEY SMITH, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER & ROLL CALL

Mayor Payne called the meeting to order at 6:30. Roll Call was taken by the City Clerk. Mayor Pro-Tem McDonald was absent. City Clerk Hughs announced there was a quorum present.

INVOCATION & PLEDGE OF ALLEGIANCE

The Invocation was given by Commissioner Robinson, and the Pledge of Allegiance was led by Commissioner Burnett.

APPROVAL OF AGENDA

Commissioner Burnett moved to approve.
Commissioner Paul seconded the motion.
Motion Passed with a vote of 6 - 0 - 0.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

Acting City Manager Hernandez made the following remarks:

1. The New York project is ahead of schedule.
2. The SMP for Oregon, from Indian Wells to 10th Street, will start on the 18th.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Tapley said it was brought to his attention that a bush on Hamilton and Desert Lakes Road was interfering with wheelchair access.

Mayor Payne said there was a demonstration or protest on Saturday at the corner of White Sands and 10th. After the crowd cleared up, they left political signs on the grass at the Zoo. I received texts and an email about it. I am very disappointed with that, and I thought it was very disrespectful. I went and took them out, and I called Acting City Manager Hernandez. I also went to the Air Force Ball on Saturday night. Lieutenant General Marc Rogers, a former commander of the Base, was there, and he shared fascinating stories.

CONSENT AGENDA

1. Approve the minutes for the Regular Commission meeting on October 22, 2024. *(Rachel Hughs, City Clerk)*
2. Consider, and act upon, Resolution 2024-68, declaring 1420 N. New York Ave. to be so ruined, damaged, and dilapidated that it is a menace to public comfort, health, peace, or safety and ordering its abatement. *(Josh Sides, Code Enforcement Manager)* (Roll Call Vote Required)
3. Consider, and act upon, the award of Public Works Bid No. 2024-006, Great Blocks Mainstreet Project No.EN2306, to Crosstown Construction & Trucking, LLC, related to the Alamogordo Great Blocks

Mainstreet Project for an amount not to exceed \$2,774,440.07, including NMGR. (Justen Boyle, Project Manager)

Commissioner Rardin pulled Item 3.

Commissioner Robinson moved to approve the Consent Agenda as amended.

Commissioner Paul seconded the motion.

Motion Passed with a vote of 6 - 0 - 0.

ITEMS REMOVED FROM CONSENT AGENDA

3. Consider, and act upon, the award of Public Works Bid No. 2024-006, Great Blocks Mainstreet Project No.EN2306, to Crosstown Construction & Trucking, LLC, related to the Alamogordo Great Blocks Mainstreet Project for an amount not to exceed \$2,774,440.07, including NMGR. (Justen Boyle, Project Manager)

Commissioner Rardin said there was a \$2,000,000 difference in the two bids. Are we concerned about that? Project Manager Boyle said the \$2,500,000 difference was from two things on the bid schedule: the signage and pylons. For some reason, one contractor thought it would cost that much compared to the other based on where they were getting it. I had Project Engineer Rusty Payne from Smith Engineering investigate, which is why this took longer after the bid opening a while back. He said that whatever Crosstown did on their bid schedule was correct, so there were no issues with their pricing. General Hydronics Concrete, LLC said theirs was \$2,500,000 more because of material. I do not know where they got that number.

Commissioner Rardin said that Item 26 in Bid Lot 2 had one at \$740,000 and another at \$115,000. How can they be that far apart? Project Manager Boyle said that sometimes contractors try to upscale. They charge low based on what they feel they can get. It depends on the contractor, who they know, and where they can get their material. As long as their submittals come through after the notice of the contract and the construction starts, they still have to show submittals, and they still have to show proof they are giving everything we require. Commissioner Rardin asked what we would do in the event they do the submittals, and it isn't what we asked for. Project Manager Boyle said Mr. Payne talked to both contractors and investigated both prices. There was a big difference. The differences are usually closer than \$2,500,000. Commissioner Rardin said that usually, a competitive bid is within ten percent. Project Manager Boyle said Mr. Payne from Smith Engineering investigated that and concluded that it was okay to award Crosstown. I cannot talk to them until it is awarded, but the Engineer is allowed to. Commissioner Rardin asked if it could be guaranteed that there would not be any change orders on this project. Project Manager Boyle said no, the only way you will get a change order is if something unforeseen happens. Commissioner Rardin said if we knew they forgot something, I would feel bad because that was a huge mistake. Project Manager Boyle said we looked over it multiple times. It was mostly the pylons and the big signs that go across the street. Commissioner Rardin said that was all in the lighting package as an overhead art feature. Project Manager Boyle said yes. If the difference was based on material, like concrete, that would kind of be an issue, but it is just signs, and we know that the Engineer investigated who they are using. Commissioner Rardin asked if they were bidding apples for apples. Project Manager Boyle said on everything else, yes. Commissioner Rardin asked if that included the lighting as well. Project Manager Boyle said yes, everything else except those two things. Commissioner Rardin asked what the pylons were. Project Manager Boyle said triangular twelve-foot structures that are to be spaced out in different places. Commissioner Rardin said he could not see how one was at \$137,5000 and the other at \$1,150,000 and had an issue with that. Project Manager Boyle said the Engineer investigated that to figure out how they were to buy the material and get it done. Mr. Payne has been doing this for a long time and is good at what he does. That is why he is helping with this. I could not make the call on my own because of the big difference.

Commissioner Robinson asked why we were ahead of schedule. Project Manager Boyle said this is the second phase of that project.

Commissioner Robinson moved to approve.

Commissioner Burnett seconded the motion.

Motion Passed with a vote of 5 - 1 - 0. Commissioner Rardin voted nay.

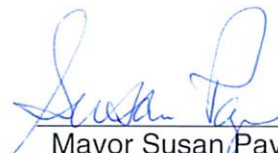
ADJOURNMENT

Commissioner Rardin moved to adjourn.

Commissioner Robinson seconded the motion.

Motion with a vote of 6 - 0 - 0.

ATTEST:



Mayor Susan Payne



City Clerk Rachel Hughes

(Prepared by Dylan Aleshire, Deputy Clerk)

Approved at the Regular Meeting held on November 19, 2024.

