

**MINUTES OF THE EMERGENCY MEETING
HELD BY THE BOARD OF COMMISSIONERS OF
SAN MIGUEL COUNTY, NEW MEXICO,
ON FRIDAY, AUGUST 22, 2014, BEGINNING AT 12:00 P.M.**

CALL TO ORDER AND ROLL CALL

At 12:00 o'clock p.m., Chairman Nicolas T. Leger called the meeting to order at the Commission chambers on the 2nd floor of the San Miguel County Courthouse, Las Vegas, New Mexico. Upon a call of the roll by the clerk, four of the five County Commissioners were present and a quorum was duly established and noted as follows: Chairman Nicolas T. Leger, and Commissioners Marcellino A. Ortiz, Arthur J. Padilla and Gilbert J. B. Sena. (Vice Chairman Ron R. Ortega was absent.)

PLEDGE OF ALLEGIANCE AND SALUTATION TO THE NM FLAG

Joined by staff and all in attendance, the Commissioners pledged allegiance to the U.S. flag and offered their salutation to the NM state flag.

INTRODUCTION BY COMMISSION CHAIRMAN

Chairman Leger opened the emergency meeting by stating that only two Items were before the Board of Commissioners at today's emergency meeting, and he proceeded to read in its entirety the Notice of the Emergency Meeting, which was issued on August 18, 2014, and on that day posted on the County's website and on the outer doors of the Courthouse, and disseminated to the Optic, and radio stations KFUN and KNMX.

At the conclusion of Chairman Leger's introduction, County Manager Les Montoya addressed the Commission, apologizing for having to call an emergency meeting, but noting that the matters of road repairs following recent rainfalls and flooding, are of utmost concern, and affect public health and safety, and that the County needs to proceed expeditiously to procure contractors' services for road repairs.

APPROVAL OF AGENDA

Upon motion by Commissioner Padilla and a second by Commissioner Sena, the Agenda was duly approved by the Commission, all Commissioners voting for the motion.

ITEM 1: REJECTION OF BIDS FOR SEVERAL ROAD PROJECTS

Public Works Division Supervisor Harold Garcia introduced this Item, and informed the Commission that an invitation for bids was issued by the County for road construction

projects for the following county roads: La Liendre, Las Dispensas, Garrita/Trujillo, La Tewa and San Pablo.

Garcia then informed the Commission that during the procurement process, the County's consulting engineer, Engineers Inc., required that the bid form for the aforesaid invitation for bids be revised, and an addendum was issued, but the addendum requirements were not followed by bidders, save and except one bidder, whose bid was the highest of all bids received. For these reasons, Garcia said, he is recommending to the Commission that all bids be rejected, and that staff be authorized to issue a second invitation for bids for the aforesaid road construction projects.

Chairman Leger and Commissioner Padilla both expressed their concern that the road construction projects would be delayed, and Leger requested that staff express to Engineers Inc. the Commission's displeasure with the delay. Chairman Leger also inquired of Garcia if it was his position that rejection of all bids in this matter was in the best interest of the County, and Garcia replied in the affirmative.

Whereupon, Commissioner Sena moved that all bids received for road construction projects for La Liendre, Las Dispensas, Garrita/Trujillo, La Tewa and San Pablo, be rejected, and that staff be authorized to issue a second invitation for bids for said road construction projects. Commissioner Sena seconded the motion, and upon a call for the question, all Commissioners voted in favor of the motion, and it was duly approved and adopted.

ITEM 2: AWARD OR REJECT BIDS FOR SEVERAL OTHER ROAD PROJECTS

Public Works Division Supervisor Garcia introduced this Item of the Agenda, and informed the Commission that an invitation for bids was issued by the County for road construction projects for the following county roads: San Jose, B-65 (Pecos), Cinder Road, Gonzales/Sacatosa, and Pendaries.

Garcia then informed the Commission that three bids were received, and opened on August 20, 2014, as follows: HO Construction, \$595,921.26, CBKN Dirtworks, \$469,083.33, and Rocky Road Gravel Products, \$404,474.45.

Garcia then recommended to the Board of Commissioners that the bid award be made to the lowest responsible bidder, Rocky Road Gravel Products, in the amount of \$404,474.45.

Thereupon Commissioners made inquiry of Garcia as follows:

Commissioner Ortiz asked if Garcia was satisfied with Rocky Road material, and Garcia answered in the affirmative.

Commissioner Padilla asked if a schedule had already been developed for the road construction projects, and Garcia answered that he and staff will soon meet with the contractor to develop a schedule.

Chairman Leger noted that even the low the bid was over the project estimate, and inquired whether the County had sufficient funds for the road projects to be awarded. Garcia replied that emergency disaster road funds will be available to cover any deficit in presently available funds.

Chairman Leger then recognized Finance Supervisor Melinda Gonzales, who informed the Commission that Rocky Road Gravel Products made a minor error in calculating the gross receipts tax, and that the correct amount of Rocky Road's bid should be \$404,949.75, rather than \$404,474.45.

Whereupon, Commissioner Padilla moved that a bid award be made to Rocky Road Gravel Products in the amount of \$404,949.75, inclusive of gross receipts tax, for construction projects for the following county roads: San Jose, B-65 (Pecos), Cinder Road, Gonzales/Sacatosa, and Pendaries. Padilla's motion was seconded by Commissioner Ortiz, and upon a call of the question, all Commissioners voted in the affirmative and the motion was duly approved and adopted.

ADJOURNMENT

At 12:28 p.m., Commissioner Ortiz moved and Commissioner Padilla seconded, that the emergency meeting be adjourned, and by unanimous voice vote, the motion was duly approved and the meeting adjourned.

MOVED, SECONDED AND ADOPTED this 9th day of September, 2014, as the minutes of the emergency meeting held by the Board of County Commissioners of San Miguel County on August 22, 2014.



Nicolas T. Leger, Chairman



Ron R. Ortega, Vice Chairman



Marcellino A. Ortiz, Member

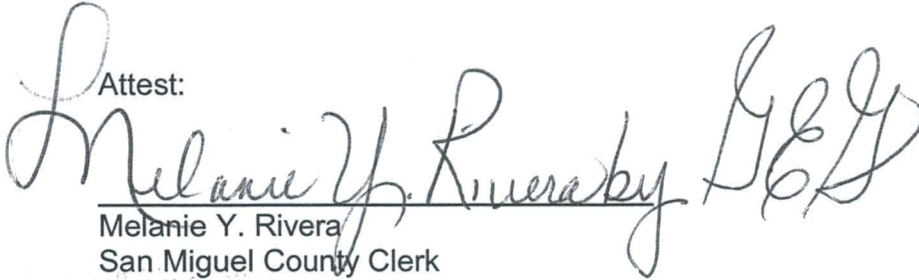


Arthur J. Padilla, Member



Gilbert J. B. Sena, Member

Attest:



Melanie Y. Rivera
San Miguel County Clerk



Minutes of the Emergency Meeting of the Board of County Commissioners of San Miguel County, New Mexico held FRIDAY AUGUST 22ND, 2014, beginning at 12:00 P.M.

Minutes prepared by:

Mr. Jesus Lopez

County Attorney