Henry P. Roybal Commissioner, District 1

Anna Hansen Commissioner, District 2

Robert A. Anaya Commissioner, District 3



Anna T. Hamilton
Commissioner. District 4

Ed Moreno
Commissioner, District 5

Katherine Miller County Manager

DATE:

August 31, 2018

TO:

Board of County Commissioners

FROM:

Bill Taylor, Procurement Manager

VIA:

Katherine Miller, County Manager Stephanie S. Clarke, Finance Director Michael K. Kelley, Public Works Director

ITEM AND ISSUE: BCC Meeting September 11, 2018

Approval of Change Order No. 2 to Agreement No. 2018-0006-PW/MM Between Santa Fe County and H.O. Construction, Inc. in the Amount of \$252,556.00, Exclusive of NM GRT for the Los Pinos Road All-Weather Crossing Project for a Total Agreement Sum of \$1,149,516.92, Exclusive of NMGRT and Granting Signature Authority to the County Manager to Sign the Purchase Order. (Bill Taylor, Purchasing/Diego Gomez, Public Works)

BACKGROUND:

On July 23, 2018 the Arroyo De Los Chamisos experienced a catastrophic flooding event. The force of the water during the flooding event has changed the flow path of the arroyo. The flow path has shifted 100 feet south and now runs parallel to County Road (CR) 54. This change in flow direction creates the possibility that water and debris from any future flood events will flow out of the arroyo and into the road rather than go through the newly constructed Concrete Box Culvert. It is essential that an erosion control structure be constructed along CR 54 to keep the arroyo within its historical limits.

ISSUE:

HO Construction is currently under contract for the construction of the All Weather crossing on Los Pinos Road. The fact they are currently mobilized, it is in the best interest of the County to change order their existing contract to include the construction of the appropriately designed erosion control structure to preserve the integrity of CR 54. Without construction of the erosion control structure the road and surrounding properties will very likely be damaged during future flooding events. The contractor has provided a cost for this work of \$252,556.00, exclusive of NM GRT to build the erosion control structure.

County Resolution 2014-143 requires BCC approval for any contract amount that exceeds \$250,000.00 or amendment or change order that increases the contract amount by 10% or more.

ACTION REQUESTED:

Approval of Change Order No. 2 to Agreement No. 2018-0006-PW/MM Between Santa Fe County and H.O. Construction, Inc. in the amount of \$252,556.00, exclusive of NM GRT for the Los Pinos Road All-Weather Crossing Project for a total Agreement sum of \$1,149,516.92 and granting signature authority to the County Manager to sign the purchase order.

Henry Roybal Commissioner, District 1

Anna Hanson Commissioner, District 2

Robert A. Anaya Commissioner, District 3



Anna Tricia Hamilton Commissioner, District 4

Edward Moreno
Commissioner. District 5

Katherine Miller County Manager

MEMORANDUM

DATE:

August 28, 2018

TO:

Bill Taylor, Procurement Manager

FROM:

Shannon Vigil, Project Manager

CC:

Diego Gomez, Project Engineer & for D

Michael Kelley, Public Work Director

ITEM AND ISSUE: Change Order #2 for CR 54 Los Pinos AWC at Arroyo de los Chamisos

Santa Fe County Projects is requesting Change Order #2 for CR 54 Los Pinos Road AWC at Arroyo de los Chamisos for the amount of \$258,912.56. This will cover the construction of a Gabion wall and dumped riprap.

On July 23, 2018 the Arroyo De Los Chamisos experienced a catastrophic flooding event. The force of the water during the flooding event has changed the flow path of the arroyo. The flow path has shifted 100 feet south and now runs parallel to County Road (CR) 54. This change is flow direction creates the possibility that water and debris from any future flood events will flow out of the arroyo and into the road rather than go through the newly constructed concrete box culvert. It is essential that an erosion control structure be constructed along CR 54 to keep the arroyo within its historical limits.

HO Construction is currently under contract for the construction of the All Weather crossing on Los Pinos Road. The fact they are currently mobilized, it is in the best interest of the County to change order their existing contract to include the construction of the appropriately designed erosion control structure to preserve the integrity of CR 54.

The Contractor will be using a design that was completed by Bohannan Huston, Inc in August 2018 for the Emergency repairs along CR 54 (Los Pinos Road).

The Contractor has provided a price for the Construction of the Gabion wall and dumped riprap. Santa Fe County Project Staff and the Consultant Engineer have reviewed this price and find it acceptable.

These additional costs will need to be included in the Santa Fe County Agreement No. 2018-0006-PW/MM with H. O. Construction, Inc. If you have any questions please feel free to contact me at 505-995-6516.

EXHIBITI

CHANGE ORDER

PROJECT: 54 (Los Pinos Road) Drainage and Road Improvements / 2018-0006-PW/MM

CONTRACTOR HO Construction, Inc.

CHANGE ORDER NO: 2

ARCHITECT/ENGINEER

PROJECT NO: 2018-0006-PW/MM

Contractor Telephone: (505) 873-0554

Contractor e-mail:

ENGINEER'S/ARCHITECT'S PROJECT NO:

CHANGE ORDER JUSTIFICATION (Provide definitive reason for proposed change order.) On July 23, 2018 the Arroyo De Los Chamisos experienced a catastrophic flooding event. The force of the water during the flooding event has changed the flow path of the arroyo. The flow path has shifted 100 feet south and now runs parallel to County Road (CR) 54. This change in flow direction creates the possibility that water and debris from any future flood events will flow out of the arroyo and into the road rather than go through the newly constructed concrete box culvert. It is essential that an erosion control structure be constructed along CR 54 to keep the arroyo within its historical limits.

HO Construction is currently under contract for the construction of the All Weather crossing on Los Pinos Road. The fact they are currently mobilized, it is in the best interest of the County to change order their existing contract to include the construction of the appropriately designed erosion control structure to preserve the integrity of CR 54.

The Contractor will be using a design that was completed by Bohannan Huston, Inc in August 2018 for the Emergency repairs along CR 54 (Los Pinos Road).

The Contractor has provided a price for the Construction of the Gabion wall and dumped riprap. Santa Fe County Project Staff and the Consultant Engineer have reviewed this price and find it acceptable.

You are directed to make the following changes in this Contract: (Provide a detailed description of the Scope of the Work.) The project will require the construction of a gabion wall and dumped rebar along the northeast section of Los Pinos Road. This will entail installing a Gabion wall with dumped rebar along Los Pinos Road as shown on the design done by Bohannan Huston, Inc. NOT VALID UNTIL SIGNED BY BOTH THE COUNTY AND THE ARCHITECT/ENGINEER. Signature of the Contractor indicates his agreement herewith, including any adjustment in the Contract Sum or Contract Time. \$816,404.00 The Original Contract Sum was \$80,556.92 Net change by previously authorized Change Orders \$896,960.92 The Contract Sum prior to this Change Order was The Contract Sum will be increased by this Change Order in the amount of \$252,556.00 \$1,149,516.92 The new contract Sum including this Change Order will be The Contract Time will be increased by <u>60</u> days. The date of Substantial Completion as of the date of this Change Order therefore is: 191 days IN WITNESS WHEREOF, the parties have executed this Change Order as of the date of last signature by the parties. SANTA FE COUNTY: Anna Hansen, Chair Santa Fe County Board of County Commissioners ATTESTATION: Date Geraldine Salazar Santa Fe County Clerk Approved as to form: Date R. Bruce Frederick

Santa Fe County Attorney

Finance Department:	
Stephanie Schardin Clarke Finance Director	Date
CONTRACTOR:	
gr gr	8/31/2018
Signature	Date
Horacio Ortiz President	
(Print name & title)	
ENGINEER:	
KA!LE	8-31-2018
Signature	Date
KELIN MURTAGE, P.E.	
(Print name & title)	
POLECT MA	MAGEZ

	:
	;

PO BOX 9468

ALBUQUERQUE, NM 871119 PHONE: 505-873-0554

Estimate

Date	Estimate #
08/24/2018	2018-63

Name / A	Address	
Santa Fe Co	unty Public Works	

				Project	
			County	Road 54 Los Pinos	Road
Item	Description	Qty	Rate	Unit	Total
203000 602010 602200 00 3	UNCLASSIFIED EXCAVATION RIPRAP CLASS B GABIONS DREDGING OF ARROYO BORROW EXCLUDED: HAULING AND DISPOSAL OF MATERIALS, DISPOSAL FEES, PERMITS, TESTING, AND SURVEYING	300 740 240 1,186 388	38.00 178.00 302.00 22.00 28.00	CY CY CY	11,400.00 ⁻ 131,720.00 ⁻ 72,480.00 ⁻ 26,092.00 ⁻ 10,864.00 ⁻
	Signature		Subtotal		\$252,556.00
	olgisalure		Sales Ta	x (7.125%)	\$17,994.62
			Total		\$270,550.62

Phone#	Fax#
505-873-0554	505-452-0844

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EXHIBITI

CHANGE ORDER

PROJECT: CR 54 (Los Pinos Road) Drainage and Road Improvements / 2018-0006-PW/MM

CONTRACTOR: H. O. Gonstruction, Inc.

CHANGE ORDER NO: 12

ARCHITECT/ENGINEER: Bohannan Huston, Inc.

PROJECT NO: 2018-0006-PW/MM

Contractor Telephone: 505-873-0554

Contractor e-mail:

ENGINEER'S/ARCHITECT'S PROJECT NO:

CHANGE ORDER JUSTIFICATION (Provide definitive reason for proposed change order.)
The Engineer explains in the attached response letter that while the Contractor was excavating for the foundation of the (CBC) it was discovered the water table is at the same elevation as the foundation. The plans never identified the elevation of water table nor did they include any line items associated with foundation stabilization. It is necessary to stabilize the foundation prior to placing the concrete footings for the CBC. This will require excavating 18" below the foundation and installing 18" of rock in order to place the footings on a stable foundation.

While researching the design of the CBC the current Project Staff located a Geotechnical report from 2013. This Geotechnical report identified the water table at 9 feet below the road. For reasons unknown the construction plans for the CBC never addressed stabilizing the foundation. Since this work was not shown in the plans the Contractor had no way to know they would be required to stabilize the foundation.

The Contractor has provided a price for the foundation stabilization. Santa Fe County Project Staff and the Consultant Engineer have reviewed this price and find it acceptable.

You are directed to make the following changes in this Contract: (Provide a detailed description of the Scope of the Work.)

The project will require the stabilization of the foundation prior to placing the concrete footings for the Concrete Box Culvert. This will require excavating 18" below the foundation and installing 18" of rock in order to place the footings on a stable foundation.

NOT VALID UNTIL SIGNED BY BOTH THE COUNTY AND THE ARCHITECT/ENGINEER. Signature of the Contractor indicates agreement herewith, including any adjustment in the Contract Sum or Contract Time.

\$816,404.00 The Original Contract Sum: Net change by previously authorized Change Orders: \$0.00 The Contract Sum prior to this Change Order: \$816,404.00 Contract Sum will be increased/decreased/unchanged \$80,556.92 by this Change Order in the amount of: \$896,960.92 The new contract Sum including this Change Order: The Contract Time will be increased/decreased/unchanged by 11 days.

The date of Substantial Completion as of the date of this Change Order is:

CHANCE ODDED SIGNATURE DACE

	ENTERNATION CLEATING THE MENNING WAS COMMON TO A COMMON TO THE WAS TO SERVED	
APPROVED	40	
SANTA FE COUNTY	By: Kaiterine Miller Santa Fe County Manager	
Approved as to form:	By: R. Bruce Frederick Santa Fe County Attorney	Date: 3/8//8
Finance Department:	By: Stephanie Schardin Clarke Finance Director	Date: 3\8 (5
CONTRACTOR	By: Jul Title: president	Date: 3/14/15
		: 1

ARCHITECTIENGINEER By: Jan Hall Day Fraged - Maraga

Date: 3/14/18

PO BOX 9468

ALBUQUERQUE, NM 871119 PHONE: 505-873-0554

Estimate

Date	Estimate #
02/06/2018	2018-9

Name / Address	nnethu za vizikak Adal Secul Adalasii Sah dalaku kahala 1544-0545 anta vizikah kahala kahala ya salah securi a
Engineering Associate	THE RESERVE THE PROPERTY OF TH
Santa Fe County Public Works	
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	•			Project	
		7220	Count	y Road 54 Los Pinc	s Road
item	Description	Qty	Rate	Unit	Total
	CHANGE ORDER (STABILIZATION FOR SUBGRADE ON CULVER AND WING WALLS)	G 1200 E 120 E		gar opposition on the second contract of the	and the state of t
	DIRT REMOVAL AND EXCAVATION 50'X50' STABILIZATION BASE UNDER BOX CULVERT 4" TO 8" CRUSHED ROCK 1' DEEP	290 193.46	28.00 45.00	CY TON	8,120.007 8,705.707
Ž.	4" TO 8" CRUSHED ROCK DELIVERY WING WALLS STABILIZATION SUB BASE UNDER WING WALLS WITH 4" TO 8"	193.46 10.21	8.00 45.00	TON TON	459.457
5	BASALT CRUSHED ROCK 4" TO 8" BASALT CRUSHED ROCK DELIVERY	10.21	8.00	TON	81.687
5	50' X 50' STABILIZATION SUB BASE UNDER BOX CULVERT WITH 1-1/2" BASALT CRUSHED ROCK 6" DEEP	97	43.00	TON	4,171.007
7	1-1/2" BASALT CRUSHED ROCK DELIVERY 50' X 50' STABILIZATION SUB BASE UNDERWING WALLS WITH 1-1/2" BASALT CRUSHED ROCK 6" DEEP	97777	8.00 43.00	TON TON	776.007 3,311.007
) 0,	I-I/2" BASALT CRUSHED ROCK DELIVERY WOOD FORMS TO STAY IN PLACE WITH STEAKS (120 STKS)	77 630	8,00 2.82	TON SF	616.00T 1,776.60T
II.	TRAFFIC CONTROL MANAGEMENT	10	50.00	DAY	500.007
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	·		Total		**************************************

Phone#	Fax#
505-873-0554	505-452-0844

PO BOX 9468 ALBUQUERQUE, NM 871119

PHONE: 505-873-0554

Estimate

Date	Estimate #
02/06/2018	2018-9

Name / Address
Engineering Associate
Santa Fe County Public Works

Project

County Road 54 Los Pinos Road

item	Description	Qty ·	Rate	Unit	Total
12	LABOR	8	1,150.00	DAY	9,200,00T
13	EQUIPMENT	8	1,250.00	DAY	10,000,00T
14	(FUEL	8	200,00	DAY	1,600.001
15	VIS QUEEN 6 MIL	T. Statement	600.00	LS	600.00T
4	MAINTAIN WATER LEVEL FOR FOOTINGS	ere este este este este este este este e			
16	2 PUMPS-2", I PUMP 3" AND I PUMP 4"	- Marketine Marketine Company of the	8,800.00	LS	8,800.00T
17	INCLUDES HOSE AND PIPE	:			·
18	LABOR	10	1,150.00		11,500.00T
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No.	Signature		Subtota		\$80,556.92
	3.2 Fed € 1.00 € 1.20 € 100 • In the parameter of the parameter	water-water-water	Sales Ta	ax (7.125%)	\$5,739.68

Phone # Fax # 505-873-0554 505-452-0844

Total

\$86,296.60



MUST APPEAR ON ALL INVOICES AND SHIPPING CONTAINERS. INVOICES ARE TO BE IN DUPLICATE.

PAGE: . P.O. NO.: 182067 DATE.

09/14/17

CHANGE #: 25 2 2 1

DATE CHG: 03/15/18

TO:

HO CONSTRUCTION INC PO BOX 9468 ALBUQUERQUE, NM 87119

SHIP TO/ INVOICE TO:

Santa Fe County PROJECT DELIVERY/PW SANTA FE COUNTY 901 W. ALAMEDA, STE SANTA FE, NM 87501

NOTES VENDOR NO. Federal Tax I.D. Number is required for payment. If unable to fill at prices shown, or meet delivery day, please advise immediately. 20219 3 All items subject to terms and conditions on reverse. DELIVER BY SHIP VIA FOB. TERMS 06/30/18 NET - CONFIRM BY CONFIRM TO REQUISITIONED BY: ORTIZ, HORACIO MARTINEZ, MARICELA FREIGHT CONTRACT NO. ACCOUNT NO. PROJECT REQ. NO. REQ DATE SEE BELOW

NO.	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	816404.00	E/	CHANGE ORDER CH	os .	816404.00
2	19911.28	EΑ	NMGRT 7.00%	1.0000	19911.28
3	37237.00	ΕA	NMGRT 7.00%	1.0000	37237.00
4	80556.92	EA	CHANGE ORDER NO. 1	1.0000	80556.92
5	5739.60	EA	TAX ON CHANGE ORDER NO. 1	1.0000	5739.60
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d appropriate and a second	-	respective to the face for	TO	TAL	959848.80
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NOT VALID BY THE COUNTY FINANCE THE COUNTY PURCHASING AGENT.

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Blue - File Copy

PURCHASE ORDER . **SANTA FE COUNTY** SANTA FE, NEW MEXICO

THIS PURCHA ORDER NUMBER MUST APPEAR ON ALL INVOICES AND SHIPPING CONTAINERS. INVOICES ARE TO BE IN <u>DUPLICATE</u>. PAGE:

P.O. NO.: 182067

DATE:

09/14/17

CHANGE #:

DATE CHG: 03/15/18

HO CONSTRUCTION INC PO BOX 9468 ALBUQUERQUE, NM 87

TO:

87119

SHIP TO/ INVOICE TO:

Santa Fc County PROJECT DELIVERY/PW SANTA FE COUNTY 901 W. ALAMEDA, STE 20-C SANTA FE, NM 87501

20219 3	If unable to fill at pr	mber is required for payment. ices shown, or meet delivery day, pleaterms and conditions on reverse.	ase advise immediate	ely.	
DELIVER BY	SHIP VIA	# 1		AND PROPERTY.	MStaller
06/30/18					NET
, CONFIRI	MBY.	CONFIRM TO	a production of the second	REQUISITION	NED BY
ORTIZ, HOF	RACIO	MARTINEZ, MARI	CELA		
FREIGHT	CONTRACT NO	SEE BELOW	PROJECT	REQ NO.	REQ DATE
INE QUANTITY	UOM	ITEM NO. AND DESCRIPTION		JNIT COST	EXTENDED COST
	*****	********	*****		
	*	CHANGE ORDER	*		
	Ø3/15/1 TO SAN	SE ORDERS, MM. 18- ADDED LINES 4 & TA FE COUNTY AGREEME S: UPON COMPLETION N DTICE TO PROCEED, MN	NT NO. 201	8-0006-PW/N	ξM.
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REQ/ACCT	FROM NO	REQ. BY		ROJECT	AMOUNT
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NOT VALUE DINESS SIGNED BY THE COUNTY FINANCE DIRECTOR OR THE COUNTY PURCHASING AGENT.

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Blue - File Copy

TO:

JRCHASE ORDER

SANTA FE COUNTY SANTA FE, NEW MEXICO THIS PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES AND SHIPPING CONTAINERS. INVOICES ARE TO BE IN DUPLICATE.

PAGE: P.O. NO.:

DATE:

182067

09/14/17

HO CONSTRUCTION INC PO BOX 9468 ALBUQUERQUE, NM 87119

SHIP TO/ INVOICE TO:

Santa Fe County PROJECT DELIVERY/PW SANTA FE COUNTY 901 W. ALAMEDA, STE SANTA FE, NM 87501 STE 20-C

NOTES VENDOR NO. Federal Tax I.D. Number is required for payment. If unable to fill at prices shown, or meet delivery day, please advise immediately. 2 20219 3 All items subject to terms and conditions on reverse. DELIVER BY F.O.B. TERMS 06/30/18 NET CONFIRM BY CONFIRM TO REQUISITIONED BY ORTIZ, HORACIO MARTINEZ. MARICELA **FREIGHT** CONTRACT NO. ACCOUNT NO. **PROJECT** REQ. NO. REQ. DATE SEE RELOW LINE QUANTITY UOM ITEM NO: AND DESCRIPTION NO. EXTENDED UNIT COST COST 1 816404.00 SHANNON VIGIL IS REQUESTING-CONSTRUCTION SERVICES FOR CR54 LOS 1.0000 816404.00 FINOS ALL WEATHER STRUCTURE AT ARROYO DE LOS CHAMISOS REBID OF PROCUREMENT 2017-0149-PW/MM NEW IFB NO. 2018-0006-PW/MM. APPROV **APPROVED** 2 19911.28 EA NMGRT 7.00% BUDGET ONLY 1.0000 19911.28 3 37237.001 EA NMGRT 7.00% 1.0000 37237.00 4 50,556,92 CO#1 SUB-TOTAL 873552.28 5739.68 TOTAL. 5. Taxe 7.125% 873552.28 FmU 352 REMARKS REMARKS: 09/14/17-PURSUANT TO SANTA FE COUNTY AGREEMENT NO 2018-0006-PW/MM EXPIRES: 120 WORKING DAYS AFTER NOTICE TO PROCEED, AGREEMENT APPROVED BY BCC ON 09/12/17 AND AUTHORIZING COUNTY MANAGER TO SIGN PURCHASE ORDERS, MM. REQ/ACCT DATE REQ. BY PROJECT AMOUNT 0000180110 07/06/17 35261674538010 0000180110 07/06/17 35161674538010 LGRIEGO 836315.28 LGRIEGO 37237.00 NOT VALID UNLESS SIGNED BY THE COUNTY FINANCE DIRECTOR OR THE COUNTY PURCHASING AGENT. White - Vendor's)Copy Yellow - Purchasing Agent Copy Dok Department Head Copy AUTHORIZED SIGNATURE & TITLE Blue - File Copy

EXHIBIT I

CHANGE ORDER

PROJECT: CR 54 (Los Pinos Road) Drainage and Road Improvements / 2018-0006-PW/MM

CONTRACTOR: H. O-Gonstruction, Inc. CHANGE ORDER NO: 1

ARCHITECT/ENGINEER: Bohannan Huston, Inc.

PROJECT NO: 2018-0006-PW/MM

Contractor Telephone: 505-873-0554

Contractor e-mail:

ENGINEER'S/ARCHITECT'S PROJECT NO:

CHANGE ORDER JUSTIFICATION (Provide definitive reason for proposed change order.)
The Engineer explains in the attached response letter that while the Contractor was excavating for the foundation of the (CBC) it was discovered the water table is at the same elevation as the foundation. The plans never identified the elevation of water table nor did they include any line items associated with foundation stabilization. It is necessary to stabilize the foundation prior to placing the concrete footings for the CBC. This will require excavating 18" below the foundation and installing 18" of rock in order to place the footings on a stable foundation.

While researching the design of the CBC the current Project Staff located a Geotechnical report from 2013. This Geotechnical report identified the water table at 9 feet below the road. For reasons unknown the construction plans for the CBC never addressed stabilizing the foundation. Since this work was not shown in the plans the Contractor had no way to know they would be required to stabilize the foundation.

The Contractor has provided a price for the foundation stabilization. Santa Fe County Project Staff and the Consultant Engineer have reviewed this price and find it acceptable.

You are directed to make the following changes in this Contract: (Provide a detailed description of the Scope of the Work.)

The project will require the stabilization of the foundation prior to placing the concrete footings for the Concrete Box Culvert. This will require excavating 18" below the foundation and installing 18" of rock in order to place the footings on a stable foundation.

NOT VALID UNTIL SIGNED BY BOTH THE COUNTY AND THE ARCHITECT/ENGINEER. Signature of the Contractor indicates agreement herewith, including any adjustment in the Contract Sum or Contract Time.

\$816,404.00 The Original Contract Sum: Net change by previously authorized Change Orders: \$0.00 \$816,404.00 The Contract Sum prior to this Change Order: Contract Sum will be increased/decreased/unchanged \$80,556.92 by this Change Order in the amount of:

The new contract Sum including this Change Order:

The Contract Time will be increased/decreased/unchanged by 11 days. The date of Substantial Completion as of the date of this Change Order is:

CHANGE ORDER SIGNATURE PAGE

APPROVED

SANTA FE COUNTY

alicane Miller

Sunta Fe County Manager

Approved as to form:

Date: _3/8/18

\$896,960.92

R. Bruce Frederick Santa Fe County Attorney

Finance Department:

Stephanie Schardin Clarke

Date: 3 \ 8 | 15

Finance Director

CONTRACTOR

By:

Date: 3/14/18

ARCHITECT/ENGINEER By:

Date: 3/14/18

Tille: L. Prefet- Meanger

PO BOX 9468

ALBUQUERQUE, NM 871119 PHONE: 505-873-0554

Estimate

Date	Estimate#
02/06/2018	2018-9

Name / Address	·
Engineering Associate	
Santa Fe County Public Works	
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	•	·		Project	
			Count	ty Road 54 Los Pinos	Road
ltem	Description	Qty	Rate	Unit	Total
	CHANGE ORDER (STABILIZATION FOR SUBGRADE ON CULVER AND WING WALLS)				and the state of t
	DIRT REMOVAL AND EXCAVATION 50'X50' STABILIZATION BASE UNDER BOX CULVERT 4" TO 8" CRUSHED ROCK I' DEEP	290 193.46	28.00 45.00	CY TON	8,120.00 8,705.70
	4" TO 8" CRUSHED ROCK DELIVERY WING WALLS STABILIZATION SUB BASE UNDER WING WALLS WITH 4" TO 8" BASALT CRUSHED ROCK	193.46		TON	1,547,68 459.45
	4" TO 8" BASALT CRUSHED ROCK DELIVERY	10.21	8.00	TON	81.68
	50' X 50' STABILIZATION SUB BASE UNDER BOX CULVERT WITH 1-1/2" BASALT CRUSHED ROCK 6" DEEP	97	43,00	TON	4,171.00
	1-1/2" BASALT CRUSHED ROCK DELIVERY 50' X 50' STABILIZATION SUB BASE UNDERWING WALLS WITH 1-1/2" BASALT CRUSHED ROCK 6" DEEP	97 77	8.00 43.00	TON TON	776.00 3,311.00
),	1-1/2" BASALT CRUSHED ROCK DELIVERY WOOD FORMS TO STAY IN PLACE WITH STEAKS (120 STKS)	77 630	8,00 2,82	TON SF	616.00° 1,776.60°
	TRAFFIC CONTROL MANAGEMENT	10	50.00	DAY	500.007
	Signature	*	Subtota		AT UNCESTABLE ANY ON THE SECOND
			Sales Ta	их (7.125%)	
	,		Total		

Phone # Fax # 505-873-0554 505-452-0844

PO BOX 9468

Item

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20.

ALBUQUERQUE, NM 871119

PHONE: 505-873-0554

Estimate

Date	Estimate #
02/06/2018	2018-9

Name / Address	14 14 14 14 14 14 14 14 14 14 14 14 14 1
Engineering Associate	
Santa Fe County Public Works	

	All		Project	
	Domain and and and and and and and and and an	County	Road 54 Los Pinc	s Road
Description	Qiy	Rate	Unit	Total
LABOR	8	1,150.00	DAY	9,200,00T
EQUIPMENT	3)	1,250.00	DAY	10.000.00T
FUEL	8	200.00	DAY	1,600.001
VIS QUEEN 6 MIL		600.00	LS	600.00T
MAINTAIN WATER LEVEL FOR FOOTINGS				
2 PUMPS-2", 1 PUMP 3" AND 1 PUMP 4" INCLUDES HOSE AND PIPE	b.c.d	00,008,8	LS	8,80 9.0 0T
LABOR	10	1,150,00	DAY	11,500,00T
FUEL	10	150.00		1,500.00T
OVER HEAD		7,291.81		7,291.817
14 DAY CALENDAR DAYS	14		DAY	0.00T

\$80,556.92 Subtotal Sales Tax (7.125%) \$5,739.68 Total \$86,296.60

Contract of the Contract of th	Phone #	Fax#
all of latest and an inches	505-873-0554	505-452-08-14

Bohannan & Huston

February 27, 2018

Courtvard 1 7500 Jefferson St. NE Albuquerque, NM 87109-4335

www.bhinc.com

voice: 505.823.1000 facsimile: 505,798,7988 toll free: 800.877.5332

Shannon Vigil, PE Santa Fe County Public Works Department PO Box 276 Santa Fe, NM 87504

Re:

Los Pinos Rd (CR 54) Construction Issue Regarding Dewatering and Stabilization Under the Concrete Box Culvert (CBC)

Dear Shannon:

Recently, HO Construction submitted a Cost Proposal for stabilization of the subgrade under the CBC and wing walls for the Los Pinos Rd (CR 54) project. This stabilization includes dewatering the channel and replacing 18 inches of the subgrade under the box with clean gravel. The County has requested an explanation for why these items were not in the original construction drawings.

In November 2013, the geotechnical investigation performed by Geotest, Inc. for the project included three soil borings in the roadway to a depth of 6-10 feet. The geotechnical report showed that groundwater was encountered in the deepest boring at 9 feet. The report also showed the existing soils were considered suitable to support the box culvert. It was recommended the proposed structure be supported directly on densified native soils or on properly compacted structural fill. Based on the report, the native soils would be suitable for supporting the CBC. However, after excavation it was found the groundwater is flowing continuously such that the contractor is unable to dewater enough to compact the existing soil. This is an unknown condition that was unable to be predicted prior to construction. The contractor is proposing the clean gravel because it requires minimal compaction, and the ground water can flow through it similar to a French drain.

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If you have any questions, please feel free to contact me at (505) 823-1000.

Sincerely,

genetic a Walther Jeanette A. Walther, PE Senior Project Manager

Traffic & Transportation

JAW/le

CC*

Malihew Santistevan, BHI Kevin Murtagh, BHI

Engineering A

Spatial Data 🛦

Advanced Technologies A

Henry Roybal Commissioner, District 1

Anna Hanson Commissioner, District 2

Robert A. Anaya Commissioner, District 3



Anna Tricia Hamilton Commissioner, District 4

Edward Moreno Commissioner, District 5

Katherine Miller County Manager

MEMORANDUM

DATE:

March 5, 2018

TO:

Bill Taylor, Procurement Manager

FROM:

Shannon Vigil, Project Manager 🎊 🕏

CC:

Diego Gomez, Project Engineer

Michael Kelley, Public Work Director

ITEM AND ISSUE: Change Order #1 for CR 54 Los Pinos AWC at Arroyo de los Chamisos

Santa Fe County Projects is requesting Change Order #1 for CR 54 Los Pinos Road AWC at Arroyo de los Chamisos for the amount of \$88,883.70. This will cover the stabilization of the foundation under the Concrete Box Culvert (CBC).

While the Contractor was excavating for the foundation of the (CBC) it was discovered the water table is at the same elevation as the foundation. The plans never identified the elevation of water table nor did they include any line items associated with foundation stabilization. It is necessary to stabilize the foundation prior to placing the concrete footings for the CBC. This will require excavating 18" below the foundation and installing 18" of rock in order to place the footings on a stable foundation.

While researching the design of the CBC the current Project Staff located a Geotechnical report from 2013. This Geotechnical report identified the water table at 9 feet below the road. For reasons unknown the construction plans for the CBC never addressed stabilizing the foundation. Since this work was not shown in the plans the Contractor had no way to know they would be required to stabilize the foundation.

The Contractor has provided a price for the foundation stabilization. Project Staff and the Consultant Engineer have reviewed this price and find it acceptable.

These additional costs will need to be included in the Santa Fe County Agreement No. 2018-0006-PW/MM with H. O. Construction, Inc. If you have any questions please feel free to contact me at 505-995-6516.



REDI-MIX CONCRETE SAND & GRAVEL LANDSCAPE ROCK PHONE: (505) 877-5777 FAX: (505) 452-0806 www.QualityMattersHere.com LOCALLY OWNED & OPERATED

CONTRACTOR:

H O Construction

DATE: 2/19/2018

ATTENTION:

Robert

JOB: Santa Fe Downs

PHONE: Fax:

Email:

hoconstruction@men.com

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LMIT	UNIT PRICE	DESCRIPTION
Ton	\$34.00	1 1/2" Crushed Basalt Delivered
Ton	\$45,00	2-4" Crushed Basalt Delivered
Ton	\$45.00	4-8" Crushed Basalt Delivered

Prices good through June 1, 2018

*Price based on 23 ton semi-trailer delivery

*Add \$4.50 for tandem delivery

Payment Terms:

* Payment terms are NET 10th

* Finance charges of 1.5% will be added on late payments
* Applicable Taxes will be added

Josh Bareia / Aggregate Sales Representative

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Henry Roybal Commissioner, District 1

Anna Hanson Commissioner, District 2

Robert A. Anaya Commissioner, District 3



Anna Tricia Hamilton Commissioner, District 4

Edward Moreno Commissioner, District 5

> Katherine Miller County Manager

MEMORANDUM

DATE:

March 5, 2018

TO:

Bill Taylor, Procurement Manager

FROM:

Shannon Vigil, Project Manager

CC:

Diego Gomez, Project Engineer

Michael Kelley, Public Work Director

ITEM AND ISSUE: Change Order #1 for CR 54 Los Pinos AWC at Arroyo de los Chamisos

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,

Bohannan & Huston

February 27, 2018

Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335

www.bhinc.com

voice: 505.823.1000 facsimile: 505.798.7988 toll free: 800.877.5332

Shannon Vigil, PE Santa Fe County Public Works Department PO Box 276 Santa Fe, NM 87504

Re:

Los Pinos Rd (CR 54) Construction Issue Regarding Dewatering and Stabilization Under the Concrete Box Culvert (CBC)

Dear Shannon:

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If you have any questions, please feel free to contact me at (505) 823-1000.

Sincerely,

Jeanette A. Walther, PE Senior Project Manager Traffic & Transportation

JAW/le

CC:

Matthew Santistevan, BHI Kevin Murtagh, BHI

Engineering 🛦

Spatial Data A

Advanced Technologies A

PO BOX 9468 ALBUQUERQUE, NM 871119

PHONE: 505-873-0554

Estimate

Date	Estimate #
02/06/2018	2018-9

Name / Address	
Engineering Associate Santa Fe County Public Works	
·	

				Project	
			Count	Road 54 Los Pin	os Road
Item	Description	Qty	Rate	Unit	Total
2	LABOR	8	1,150.00	DAY	9,200.007
3	EQUIPMENT	8	1,250.00	DAY	10,000.00
4	FUEL	8]	200.00		1,600.00
5	VIS QUEEN 6 MIL	1	600.00	LS	600.007
	MAINTAIN WATER LEVEL FOR FOOTINGS				
6	2 PUMPS-2", 1 PUMP 3" AND 1 PUMP 4"	1	8,800.00	LS	8,800.007
	INCLUDES HOSE AND PIPE	1	3,000.00		0,000.001
7	LABOR	10	1,150.00	DAY	11,500.001
8	FUEL	10	150.00		1,500.00
9.	OVER HEAD	1	7,291.81		7,291.81
0.	14 DAY CALENDAR DAYS	14		DAY	0.000
	Signature		Subtotal		\$80,556.92
			Sales Ta	x (7.0%)	\$5,638.98
	· · · · · · · · · · · · · · · · · · ·	 	Total		\$86,195.90

Phone # Fax # 505-873-0554 505-452-0844

PO BOX 9468

ALBUQUERQUE, NM 871119 PHONE: 505-873-0554

Estimate

Date	Estimate #
02/06/2018	2018-9

Name / Address	
Engineering Associate Santa Fe County Public Works	

				Project	
			County	/ Road 54 Los Pino	os Road
Item	Description	Qty	Rate	Unit	Total
	CHANGE ORDER (STABILIZATION FOR SUBGRADE ON CULVER AND WING WALLS)				
1	DIRT REMOVAL AND EXCAVATION	290	28.00	CY	8,120.00T
2	50'X50' STABILIZATION BASE UNDER BOX CULVERT 4" TO 8" CRUSHED ROCK 1' DEEP	193.46	45.00		8,705.70T
3	4" TO 8" CRUSHED ROCK DELIVERY	193.46	8.00	TON	1,547.68T
4	WING WALLS STABILIZATION SUB BASE UNDER WING WALLS WITH 4" TO 8" BASALT CRUSHED ROCK	10.21	45.00	TON	459.45T
5	4" TO 8" BASALT CRUSHED ROCK DELIVERY	10.21	8.00	TON	81.68T
6	50' X 50' STABILIZATION SUB BASE UNDER BOX CULVERT WITH 1-1/2" BASALT CRUSHED ROCK 6" DEEP	97	43.00	TON	4,171.00T
7	1-1/2" BASALT CRUSHED ROCK DELIVERY	97	8.00	TON	776.00T
8	50' X 50' STABILIZATION SUB BASE UNDERWING WALLS WITH 1-1/2" BASALT CRUSHED ROCK 6" DEEP	77	43.00	TON	3,311.00T
9	1-1/2" BASALT CRUSHED ROCK DELIVERY	77	8.00	TON	616.00T
10.	WOOD FORMS TO STAY IN PLACE WITH STEAKS (120 STKS)	630	2.82		1,776.60T
11.	TRAFFIC CONTROL MANAGEMENT	10	50.00	DAY	500.00T
			Subtota	1	
	Signature		Sales Ta	ax (7.0%)	
· · · · · · · · · · · · · · · · · · ·			Total		

Phone# Fax# 505-873-0554 505-452-0844

ORTIZ RENT & SALES, INC.

 $700\,\mathrm{RIO\,BRAVO\,SW}$ **LBUQUERQUE, NM 87105**

Invoice

Date	Invoice #
2/21/2018	2018-127

Customer	<u>-</u>		
H.O. CONSTRUCTION, INC. PO BOX 9468 ALBUQUERQUE, NM 87119	:	6,,	y

Hours on Meter	Fuel Type /Fuel Amount	Du	e Date	Pick L	Jp /Return Time	PHONE #	
None	Gas	2/2	1/2018			(505)873-0554	
Item	Description		Qty		Rate	Amount	
4" Trash Pump 3" Trash Pump 2" Trash Pump	4" Trash Pump with hoses 3' Trash Pump with hoses 2" Trash Pump with hoses included	:		2	2,200.0 1,500.0 1,150.0	00 1,500.00T	
	Project: Los Pinos Santa Fe						
Proposal	<u> </u>			Sub	total	\$6,000.00	
	OR TIME OUT NOT TIME USED!			Sale	s Tax (0.0%)	\$0.00	
Absolutely No Refun	ozin:		-	Tot	al	\$6,000.00	
				Bala	nce Due	\$6,000.00	

Phone#	Fax#	E-mail
505-452-0064	505-452-0844	hoconstruction@msn.com



BSNSantaFe@AOL.com

🕮 23 - Bashie Coupt «Sulius | 3 | 10 - Santa Fe, NM | 87508 | 1110 «Tel: 805-473-7973 «Fax: 505-47A-1979

OUOTF

Date: February 22nd, 2017

To: HO Construction

Ref: CR 54 - Los Pinos Road Drainage and Road Improvements/Santa Fe, NM/Santa Fe County

BSN Santa Fe is pleased to submit this quote for additional work

Description:

> Topo/Verification of Existing De-Watering Operation and Volume Calculations – Lump Sum \$800.00

Does not include:

- Grade Checking
- · Traffic control and staking of haul roads, detours, construction signing, and ROW
- Layout of sediment and erosion control measures
- GRT (New Mexico Gross Receipt Tax)
- SWPPP work if any required, on this quote

No extra work will be performed without the direction from the Contractor. Negotiations by the Contractor with the Owner for authorization of payments will not be a basis for the Contractor to delay payment to BSN Santa Fe. Replacement cost of stakes, on site standby, weekends, after hours and/or any additional work will be billed in accordance with our Standard Rate Chart. Payment will be due within fifteen (15) days from receipt of invoice. Fed Id: 42-1685863, DBE No.: 11-08-412, CRS-1 No.: 03-056561-00-8, D&B No.: 03-776-2267, Cage Code: 1Q0A0, Professional Engineering License No.: [5].: 23674 and 5694, ACNM TTCP License No.: 222302, NMED: DM130-12, NMWFS: 1-739920141222 and City of Santa Fe: 16-00110638.

We are proud to announce that we are the winning recipient of the 2016 Associated General Contractors of America Best Building and Best Public Utility Award for our line of work, in the State of New Mexico.

Sincerely,

Kevin D, Fernandez - Operations Analyst/SWPP Supervisor

A DBE Company



REDI-MIX CONCRETE SAND & GRAVEL LANDSCAPE ROCK PHONE: (505) 877-5777 FAX: (505) 452-0806 WWW.QualityMattersHere.com LOCALLY OWNED & OPERATED

CONTRACTOR:

H O Construction

DATE: 2/19/2018

ATTENTION:

Robert

JOB: Santa Fe Downs

PHONE:

Fax:

Email:

hoconstruction@msn.com

UNIT	UNIT PRICE	DESCRIPTION
Ton	\$34.00	1 1/2" Crushed Basalt Delivered
Ton	\$45.00	2-4" Crushed Basalt Delivered
Ton	\$45.00	4-8" Crushed Basalt Delivered

Prices good through June 1, 2018

*Price based on 23 ton semi-trailer delivery

*Add \$4.50 for tandem delivery

Payment Terms:

* Payment terms are NET 10th

* Finance charges of 1.5% will be added on late payments

* Applicable Taxes will be added

Josh Barela / Aggregate Sales Representative

EXHIBIT H

NOTICE TO PROCEED

TO:

H. O. Construction, Inc.

DATE: March 5, 2018

PROJECT: 2018-0006-PW/MM

ATTN: Horacio Ortiz

PROJECT NO. CONTRACT NO.

IFB NO.

Enclosed is your copy of the Contract, which has been approved. Please consider this letter as official NOTICE TO PROCEED on the above-referenced project.

Your firm shall commence work within ten (10) calendar days of the above date, unless modified by Change Order.

It is essential that you make reference to the above-stated project number on all documents sent to the Architect/Engineer from your office. These documents shall include correspondence, change order proposals, change orders, payment request statements, and all other project-related material which you forward to the Architect/Engineer for information and processing.

Also, before you may start any Work at the site, you must (add any other requirements):

OWNER:

Santa Fe County

SFC PUBLIC WORKS/PROJECTS DEPARTMENT

By:

Shannon Vigil

Project Manger II

EXHIBIT I

CHANGE ORDER

PROJECT: CR 54 (Los Pinos Road) Drainage and Road Improvements / 2018-0006-PW/MM

CONTRACTOR: H. O. Construction, Inc.

CHANGE ORDER NO: 1

ARCHITECT/ENGINEER: Bohannan Huston, Inc.

PROJECT NO: 2018-0006-PW/MM

Contractor Telephone: 505-873-0554

Contractor e-mail:

ENGINEER'S/ARCHITECT'S PROJECT NO:

CHANGE ORDER JUSTIFICATION (Provide definitive reason for proposed change order.) The Engineer explains in the attached response letter that while the Contractor was excavating for the foundation of the (CBC) it was discovered the water table is at the same elevation as the foundation. The plans never identified the elevation of water table nor did they include any line items associated with foundation stabilization. It is necessary to stabilize the foundation prior to placing the concrete footings for the CBC. This will require excavating 18" below the foundation and installing 18" of rock in order to place the footings on a stable foundation.

While researching the design of the CBC the current Project Staff located a Geotechnical report from 2013. This Geotechnical report identified the water table at 9 feet below the road. For reasons unknown the construction plans for the CBC never addressed stabilizing the foundation. Since this work was not shown in the plans the Contractor had no way to know they would be required to stabilize the foundation.

The Contractor has provided a price for the foundation stabilization. Santa Fe County Project Staff and the Consultant Engineer have reviewed this price and find it acceptable.

You are directed to make the following changes in this Contract: (Provide a detailed description of the Scope of the Work.)

The project will require the stabilization of the foundation prior to placing the concrete footings for the Concrete Box Culvert. This will require excavating 18" below the foundation and installing 18" of rock in order to place the footings on a stable foundation.

EXHIBIT J

CERTIFICATE OF SUBSTANTIAL COMPLETION

SANTA FE COUNTY - (INSERT DE	PARTMENT)	
Public Works Director or designee (na	me):	
CONTRACTOR:		
Contractor Purchase Order Number:		
ARCHITECT/ENGINEER:		
Project Name:		
Contract Date:		
Project Description - Article 2 to Agreem address and project location description):		and Contractor (include
The contractor hereby certifies the Work Contract Documents and is substantially cas intended.	of this project to be in comp complete, enabling the County	lete conformance to the to make use of the Work
By its signature below the Contractor fur the Work and to concur in the Work's sub- in a timely manner to Contractor a listing completed or corrected. Contractor agrees representative of such listing within dates.	estantial completion by their sign of work items adjudged by the sto complete and correct all years.	mature and/or to provide hem as remaining to be work items (Punch Liet)
Contractor		
Signature	Print Name	Data

APPLICATION TO COMBINE EXISTING PERMITS FOR THE USE OF UNDERGROUND WATERS

File NoRG	i-41225 et al
(요) 없는 사람들이 보고 있는 사람들이 발표하고 있다. - 전 : 10 : 10 : 10 : 10 : 10 : 10 : 10 :	
Application ReceivedDe	cember 16, 1994
	eque School Board of Education
	Box 3468, Pojoaque Station a Fe, New Mexico 87501-0468

- 2. Source of water supply is the shallow water aquifer, located in the Rio Grande Underground Water Basin.
- 3. Applicant is owner of the following permits and well numbers:

A. RG-48290 et al. allows a diversion up to 17.1 acre-feet of water per year, with the consumptive use not to exceed 8.55 acre-feet per year. RG-48291 et al. allows a diversion of up to 9.4 acre-feet per year, with the consumptive use not to exceed 4.70 acre-feet per year.

Wells RG 48290 & RG 48291 are located in the SE1/4, NE1/4, SW1/4 of Section 14, T19N, R8E, NMPM. The place of use is within said Section 14.

B. RG-42923 into RG-33765 allows a diversion up to 3.0 acre-feet per year, with the consumptive use not to exceed 1.63 acre-feet per year in addition to the consumptive use associated with the diversion of 3.0 acre-feet per year under 72-12-1 permit RG-33765.

Well RG-33765 located in the NW1/4,NE1/4,SE1/4 of Section 7, T19N, R9E, NMPM. The place of use is within said Section 7.

- C. RG-42923 allows a diversion up to 12.85 acre-feet of water per year. with the consumptive use not to exceed 6.97 acre-feet per year.

 Well RG-48923 is located in the SE1/4,NW1/4,NE1/4 of Section 7, T19N-R9E; NMPM. The place of use is within said Section 7.
- D. RG-41225 et al. allows a diversion up to 22.05 acre-feet per year, with the consumptive use not to exceed 7.65 acre-feet per year.

 Well RG-41225 is located in the SE1/4,SW1/4,NE1/4 of Section 7. F19N R9E, NMPM: and Wells RG-41225-S and RG-41225-S-2 are located in F2 the NE1/4,NW1/4,SE1/4 of said Section 7. The place of use is within said Section 7.

Water under the above permits is used for school uses, irrigation of recreation fields, landscape irrigation and school related uses. The total diversion under all permits is up to 64.4 acre-feet per year (with approval of a return flow plan), with the total consumptive use not to exceed 29.5 acre-feet per year.

26-47453 266 86-47453

4. Application is hereby made to combine the water rights from the four above listed permits, such that the total diversion from well Nos. RG-48290, RG-48291, RG-33765, RG-48923, RG-41225, RG-41225-S, and RG-41225-S-2, under this combined permit, shall not exceed 64.4 acre-feet per year, and the total consumptive use from all wells under this combined permit shall not exceed 29.5 acre-feet per year.

Water under this combined permit will be used for school uses, irrigation of recreation fields, landscape irrigation and school related uses.

18.30 (Jan)

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CONDITIONS OF APPROVAL

APPLICANT: POJOAQUE BOARD OF EDUCATION

DATE: JANUARY 25, 1996

For administrative purposes the wells under this permit shall be renumbered as follows::

OLD WELL NO.	NEW WELL NO
RG-41225	RG-41225
RG-41225-S	RG-41225-S
RG-41225-S-2	RG-41225-S-2
RG-23765	RG-41225-S-3
RG-42923	RG-41225-S-4
RG-48290	RG-41225-S-5
RG-48291	RG-41225-S-6

- The total diversion of water from Wells No. RG-41225, RG-41225-S, RG-41225-S-2, RG-41225-S-3, RG-41225-S-4, RG-41225-S-5, RG-41225-S-6 shall be limited to a consumptive use of 29.5 acre-feet per annum, except that the diversion may be increased to 45.3 acre-feet per annum as demonstrated in the Return Flow Reports submitted on October 20, 1994 and accepted by the State Engineer on January 25, 1996.
- Wells No. RG-41225, RG-41225-S, RG-41225-S-2, RG-41225-S-3, RG-41225-S-4, RG-41225-S-5, and RG-41225-S-6 shall each be equipped with totalizing meters of a type and at locations approved by and installed in a manner acceptable to the State Engineer.
- 4. Records of the amount of water diverted from Wells No. RG-41225, RG-41225-S, RG-41225-S-2, RG-41225-S-3, RG-41225-S-4, RG-41225-S-5, RG-41225-S-6 shall be submitted to the District I Office of the State Engineer, in writing, on or hefore the 10th day of each month for the preceding calendar month.
- 5. The State Engineer retains jurisdiction to ensure that conditions do not change that result in diminished return flow as reported to the State Engineer on October 20, 1994, and accepted by the State Engineer on January 25, 1996. In the event that conditions change resulting in less return flows, the state engineer will decrease the quantity of diversion allowed under this permit. If return flows change resulting in an increase of such flows, the Pojoaque Valley Schools may capture that credit by submittal to the State Engineer of an Application to Adjust Diversion accompanied by Return Flow Report.

6. Proof of Application of Water to Beneficial Use shall be submitted to the State Engineer on or before August 15, 1996.

Dated this 25th day of January, 1996.

Calvin Chavez, Asst. Chief Water Rights Division

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