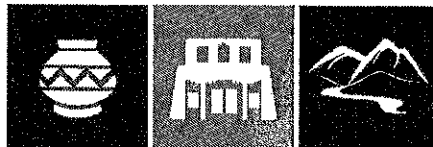


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Rudy N. Garcia
Commissioner, District 3



SANTA FE COUNTY

Anna T. Hamilton
Commissioner, District 4

Hank Hughes
Commissioner, District 5

Gregory S. Shaffer
County Manager

MEMORANDUM FOR FILE

DATE: November 29, 2022

TO: File

FROM: Bill Taylor, Procurement Manager *BT*

RE: **Sole Source Determination per Section 13-1-126 NMSA 1978 to Complete Engineering Design Services for the NE/SE Connector Project with the Engineer of Record, Souder, Miller & Associates, in the Amount of \$91,028.64, exclusive of NMGRT.**

BACKGROUND:

In accordance with Section 13-1-112, NMSA 1978, of the procurement code, Santa Fe County issued a Request for Proposal (RFP) No. 2019-0003-PW/KE for the services of a professional licensed engineer to design and engineer the Northeast/Southeast (NE/SE) Connector Project in Santa Fe County.

As a result of the RFP, the County entered into Engineer Agreement No. 2019-0003-PW/KE with Souder, Miller & Associates to design and engineer the NE/SE Connector project to provide better connectivity through the roads in the Community College area. The NE/SE Connector will reduce traffic along Richards Avenue and provide additional access to the Community College.

ISSUE:

In accordance with Section 13-1-150. B, NMSA 1978 Multi-term contracts; specified period, "A contract for professional services may not exceed four years, including all extensions and renewals," The current contract between Santa Fe County and Souder, Miller & Associates will reach its four-year maximum term in January 2023.

The County recently awarded the construction contact for the subject project, and the County will require the engineering services be provided by the Engineer of Record through project close out.

DETERMINATION:

Souder, Miller & Associates (SMA) has completed the design documents, as well as provided bidding and negotiation services for the award of the construction contract. Although, there are other Engineering Firms that can provide these services during the construction phase of the project, it

would give rise to the liability of the design completed by SMA, and accepted by the County. The County, as well as SMA would be required to indemnify and hold harmless any obligation to the design by the Engineer of Record (SMA). This would not meet the intended purpose of the contract. Therefore, it is the determination of the Santa Fe County Chief Procurement Officer that the professional services that are being requested and that are required to complete the subject project, are unique and that uniqueness is substantially related to the intended purpose of the contract. It is therefore in the best interest of the County to enter into a new contract as a sole source procurement, pursuant to NMSA 1978, 13-1-126.

Contract Information:

Vendor: Souder, Miller & Associates
5454 Venice Avenue NE
Suite D
Albuquerque, NM 8710701948
(505) 299-0942

Design Services: Basic Engineering services required for the construction phase of the NE/SE Connector Project, including:

Construction Administration Services
Project Close-out and 11-month warranty
Cultural Resource Management

Total Contract Amt: **\$ 91,028.64, exclusive of NMGRT**