

NEW MEXICO INTERSTATE STREAM COMMISSION

COMMISSION MEMBERS

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TOM BLAINE, P.E. Secretary
CALEB CHANDLER, Clovis
JIM DUNLAP, Farmington
BLANE SANCHEZ, Isleta
MARK SANCHEZ, Albuquerque
JAMES WILCOX, Carlsbad
TOPPER THORPE, Cliff



BATAAN MEMORIAL BUILDING, ROOM 101
POST OFFICE BOX 25102
SANTA FE, NEW MEXICO 87504-5102
(505) 827-6160
FAX: (505) 827-6188

June 16, 2017

Mr. Ed Toms
11251 Northwest FWY. #400
Fort Collins, CO 80524

RE: Contract # 19776 Amendment #2

Dear Mr. Toms:

This letter shall serve as official notice of the approval of the amendment for contract # 19776. I have enclosed a photocopy of the approved amendment for your files.

Please make sure that all invoices that are submitted under this contract reference the appropriate contract number 19776.

If you have concerns or questions relating to this contract, please contact Ali Effati at (505) 827-5801.

Sincerely,

Kim Abeyta-Martinez for KAM 6/16/17
Kim Abeyta-Martinez
Administrative Manager
Interstate Stream Commission

Attachment

Copy to:
Ali Effati
Marcos Mendiola

**AMENDMENT NO. 2
PROFESSIONAL WATER RESOURCE SERVICES
BETWEEN THE NEW MEXICO INTERSTATE STREAM COMMISSION
AND
AECOM TECHNICAL SERVICES, INC.**

This Amendment to the Price Agreement # 19776 (“Amendment No. 2”) is entered into by and between the Office of the State Engineer, Interstate Stream Commission, an agency of the State of New Mexico (“Agency”), and AECOM Technical Services, Inc. (“Contractor”), collectively “the Parties,” effective as of the date this Amendment No. 2 is approved by the New Mexico Department of Finance and Administration.

RECITALS

THE PARTIES HERETO enter into this Amendment No. 2 on the basis of the following facts, understandings, and intentions:

- A. The Parties entered into that certain Professional Services Agreement dated May 9, 2016 (the “Original Contract”); and
- B. The Original Contract was procured and awarded by the Agency at the New Mexico CAP Entity (“Entity”)’s behest for the purpose of exploring the various options available to the Entity to help identify its proposed project for a New Mexico Unit of the CAP (“Unit”); and
- C. Article 22 of the Original Contract allows for amendment of the Contract in writing, executed by both Parties and all other required signatories; and
- D. The Secretary of the Interior transferred responsibility to design the Unit to the Entity on May 2, 2016; and
- E. In July 2016, the Entity decided upon a proposed action for the Unit project; and

- F. In the fall of 2016, the Scope of Work for the Original Contract was amended through Amendment No. 1 in order to outline a new set of tasks for the Contractor to refine the proposed action for the Unit project selected by the Entity in July; and
- G. On February 7, 2017, representatives of the Parties and the Entity participated in a meeting with The Nature Conservancy and the New Mexico Department of Energy, Minerals and Natural Resources, at which The Nature Conservancy and the Department of Energy, Minerals and Natural Resources indicated they would not allow the Unit project proposed by the Entity to be built on the lands they jointly own; and
- H. Following this refusal, at its March 7, 2017 meeting, the Entity asked its Executive Director to explore other options and report to the Entity so it can revise its proposed project; and
- I. The Entity's Executive Director sent a letter to the Agency on April 3, 2017 requesting that the current Scope of Work be amended to obtain additional information desired by the Entity, and to enable the Entity to make an informed decision to revise its proposed action; and
- J. The Entity approved the amended Scope of Work attached hereto as Exhibit C at its May 2, 2017 public meeting; and
- K. The Agency approved the amended Scope of Work attached hereto as Exhibit C at its May 8, 2017 public meeting; and
- L. The Contractor has been providing services to the Agency and the Agency is satisfied with those services, therefore the Parties wish to amend Article 2(a) – Scope of Work; and

M. The Cost Limitation under the Original Contract as amended by Amendment No. 1 is not increased through this Amendment.

AGREEMENT

THEREFORE, in consideration of the foregoing recitals and the covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

Article 2(a) – Scope of Work, is hereby amended to read as follows:

“(a) *Generally*. The Contractor shall perform the following work:

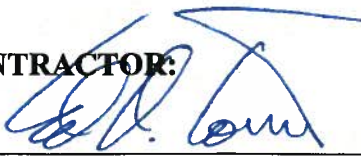
- (1) The Contractor has completed the tasks and provided the deliverables listed in Exhibit A to the Original Contract, and has completed some of the tasks outline in Exhibit B. The tasks remaining uncompleted out of Exhibit B (Tasks 9, 10 and 12) are no longer needed. The Contractor will instead perform the tasks outlined in Exhibit C, which is attached hereto and made a part hereof.
- (2) The Contractor shall provide professional engineering services required to complete the tasks and provide the deliverables listed in Exhibit C, which is attached hereto and made a part hereof. This work is required in light of Objective No. 1 in Exhibit A to the Original Contract.

The Contractor shall advise the Agency promptly of any problems encountered in performing its duties associated with this Agreement.”

All terms, covenants and conditions contained in the Original Contract, and in Amendment No. 1, and not modified herein shall remain in full force and effect. This Amendment shall not become effective unless and until approved by the New Mexico Department of Finance and Administration.

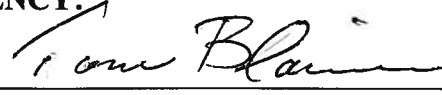
IN WITNESS WHEREOF, the Parties have entered into this Amendment No. 2 to the Original Agreement effective as of the date of execution by the State Contracts Officer below.

CONTRACTOR:

By: 
Name: Ed Toms, P.E.
Title: Vice President

Date: May 8, 2017

AGENCY:

By: 
Tom Blaine, P.E., State Engineer
As Secretary for the NM Interstate Stream Commission

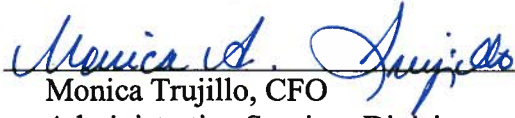
Date: 05/09/17

Approved as to budget sufficiency

By: 
Jeff Primm, Director
Administrative Services Division

Date: 5/9/17

Approved by Agency CFO:

By: 
Monica Trujillo, CFO
Administrative Services Division

Date: 5/9/2017

Approved as to legal form and sufficiency:

By: 
for Office of the ISC General Counsel

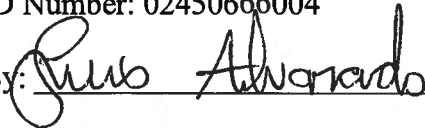
Date: 5-9-17

TAXATION AND REVENUE DEPARTMENT

The records of the Taxation and Revenue Department of the State of New Mexico reflect that the Contractor is registered with the Taxation and Revenue Department to pay gross receipts and compensating taxes.

Taxation and Revenue is only verifying the registration and will not confirm or deny taxability statements contained in this contract.

ID Number: 02450666004

By: 

Date: 5-9-17

DEPARTMENT OF FINANCE AND ADMINISTRATION

By: 
State Contracts Officer

Date: 6/16/17
5/16/17

CONTRACTOR:

By: 
Name: Ed Toms, P.E.
Title: Vice President

Date: May 10, 2017

AGENCY:

By: _____
Tom Blaine, P.E., State Engineer
As Secretary for the NM Interstate Stream Commission

Date: _____

Approved as to budget sufficiency

By: _____
Jeff Primm, Director
Administrative Services Division

Date: _____

Approved by Agency CFO:

By: _____
Monica Trujillo, CFO
Administrative Services Division

Date: _____

Approved as to legal form and sufficiency:

By: _____
Office of the ISC General Counsel

Date: _____

TAXATION AND REVENUE DEPARTMENT

The records of the Taxation and Revenue Department of the State of New Mexico reflect that the Contractor is registered with the Taxation and Revenue Department to pay gross receipts and compensating taxes.

ID Number: 02450666004

By: _____

Date: _____

DEPARTMENT OF FINANCE AND ADMINISTRATION

By: _____
State Contracts Officer

Date: _____

**Exhibit C
Phase IIB Services**

Phase IIB – Evaluation of components for consideration of a revision to the proposed action for the NM Unit.

Tasks are not necessarily presented in order. No task will begin until NTP is issued by the ISC.

Task	Description	Deliverables	Cost	Due Date
14.0	Project Management		\$42,328	15 Weeks following NTP from ISC
14.1	<p><u>Weekly Meetings:</u></p> <ul style="list-style-type: none"> • AECOM Project Manager will conduct weekly conference calls with the ISC and the NM CAP Entity Technical Representative. • During these calls, AECOM will provide a summary of technical work accomplished; work anticipated for the next month, schedule update, and areas of concern, if any. • Internet video conferencing and/or net meetings will be used as much as possible to help reduce project costs. 			
14.2	<p><u>Prepare Monthly Status Reports:</u></p> <ul style="list-style-type: none"> • AECOM Project Manager will provide monthly status reports, in combination with the monthly invoices presenting costs incurred in the prior month by task. The monthly status reports will address the following: <ul style="list-style-type: none"> - Key performance indicators (KPI) - Percent of work accomplished in the previous month by task - Earned Value tracking will be used to present the monthly summary which will include burndown chart, Cost Performance Index (CPI), and 	<ul style="list-style-type: none"> • Monthly status reports to be included with the monthly invoices submitted by AECOM. 		

	<p>Schedule Performance Index (SPI) charts.</p> <ul style="list-style-type: none"> - Meetings held and relevant action items - Problems encountered and solutions implemented or recommended - Cost and schedule status - Work scheduled for the next month 			
15.0	Surface Diversions and Surface Diversion Locations		\$142,724	
15.1	<p>Mogollon Surface (Diversion) Evaluation:</p> <ul style="list-style-type: none"> • Develop engineering concepts (supported by engineering studies) for diversion alternatives and diversion locations in the Mogollon basin, on private lands outside the National Forest Boundary, between the USGS Gage (09430600) and the confluence with the Gila River, for the purpose of diverting AWSA water. • Develop a single engineering concept alignment for the gravity conveyance of AWSA water for assumed storage in Winn Reservoir. • Develop conceptual site access road for each conceptual diversion location. • Develop conceptual comparative costs for each conceptual diversion alternative and location. • Conduct a single site visit to evaluate hydraulic, geomorphic and biological aspects of the conceptual Mogollon Creek diversion alternatives and locations. • Develop 1D HEC-RAS hydraulic model of bounding river reach for the conceptual project alternative locations. <p>Assumptions:</p>	<ul style="list-style-type: none"> • Summary of conceptual diversion alternatives and locations, access roads, and conveyance to be included in the technical memorandum to be prepared as a supplement to the Phase I Report. • Conceptual engineering drawings of alternative structures and topographical maps of locations showing associated infrastructure with approximate water surface elevations. Summary of site conditions including but not limited to, bed material sizes, vertical and lateral geomorphic stability of potential diversion locations based on available data to be included in the technical memorandum to be prepared as a supplement to the Phase I Report. 		

	<ul style="list-style-type: none"> • Surface diversion concepts will be similar to previous surface diversion concepts developed for the Gila River Diversion Conceptual Assessment. • No more than two (2) conceptual diversion alternatives will be developed for up to three (3) separate locations. • Locations of conceptual diversion alternatives will be plotted on maps indicating land ownership based on existing County GIS databases. • A single engineering concept alignment for each conceptual diversion location will be developed for the purposes of providing gravity conveyance of AWSA water to Winn Reservoir and to avoid USFS Roadless Areas and Wilderness Area. 			
<p>15.2</p>	<p>Groundwater Pumping:</p> <ul style="list-style-type: none"> • Develop engineering concepts (supported by engineering studies) for permanent facilities for extraction of groundwater from a new location within the Cliff-Gila valley to divert AWSA water under the influence of surface water through Ranney Wells or infiltration galleries (location, separation between wells and number of wells to be evaluated). AWSA water diverted for these conceptual alternatives shall be assumed to be used directly in the Cliff-Gila Valley or stored in Winn Reservoir. • Develop conceptual comparative costs for each conceptual pumping alternative and location. • Conduct a single site visit to evaluate hydraulic, geomorphic and biological aspects of the conceptual groundwater pumping alternatives and locations. • Develop 1D HEC-RAS hydraulic 	<ul style="list-style-type: none"> • Summary of conceptual groundwater pumping alternatives and locations to be included in the technical memorandum to be prepared as a supplement to the Phase I Report. • Conceptual engineering drawings of alternative structures and topographical maps of locations showing associated infrastructure with approximate water surface elevations, to be based on existing ISC LiDAR data. • Summary of site conditions including but not limited to, bed material sizes, vertical and lateral geomorphic stability of potential diversion locations based on available data to be included in the technical memorandum to be prepared as a supplement to the Phase I Report. 		

	<p>model of bounding river reach for the conceptual project alternative locations.</p> <p>Assumptions:</p> <ul style="list-style-type: none"> • Pumped groundwater concepts will be similar to those presented in the Phase 1 Report. • No more than two (2) conceptual diversion alternatives will be developed for up to three (3) separate locations. • Locations of conceptual pumping alternatives will be plotted on maps indicating land ownership based on existing County GIS databases. 			
15.3	<p>Upper Gila Surface Diversion :</p> <ul style="list-style-type: none"> • Conduct a single site visit to evaluate hydraulic, geomorphic and biological aspects of the conceptual Upper Gila Surface diversion alternatives and locations. • Develop 1D HEC-RAS hydraulic model of bounding river reach for the conceptual project alternative locations. • To supplement Tasks 13.1 and 13.3 under Phase 2 scope of work 	<ul style="list-style-type: none"> • Summary of site conditions including, but not limited to, bed material sizes, vertical and lateral geomorphic stability of potential diversion locations based on available data to be included in the technical memorandum to be prepared as a supplement to the Phase I Report. 		
15.4	<p>San Francisco Surface Diversion:</p> <ul style="list-style-type: none"> • Conduct a single site visit to evaluate hydraulic, geomorphic and biological aspects of the conceptual San Francisco diversion alternatives and locations. • Develop 1D HEC-RAS hydraulic model of bounding river reach for the conceptual project alternative locations. • To supplement Task 13.2 under Phase 2 scope of work 	<ul style="list-style-type: none"> • Summary of site conditions including but not limited to, bed material sizes, vertical and lateral geomorphic stability of potential diversion locations based on available data to be included in the technical memorandum to be prepared as a supplement to the Phase I Report. 		
16.0	Gila/Mogollon Basin Yield Model		\$111,480	
16.1	<p>Diversion Model</p> <ul style="list-style-type: none"> • AECOM will review the ISC, NM 	<ul style="list-style-type: none"> • AECOM will prepare a Task Memorandum documenting the 		

	<p>CAP Entity (Allen Campbell), and Coha models, confirming the formulas used throughout each of the models.</p> <ul style="list-style-type: none"> • Create an updated diversion model that reconciles the differences to the extent possible. • Evaluate that the updated diversion model replicates the intent of the CUFA, and takes into account the Globe Equity Decree and other relevant water rights requirements. • Based on the review of the ISC, NM CAP Entity (Allen Campbell), and Coha models, AECOM will document the assumptions in the updated diversion model, including the assumptions made in the model development and operation. • AECOM will develop a "line diagram" to graphically explain the model flow within the spreadsheets. 	<p>analysis of the three diversion models, with an explanation of the differences between the methods, as well as the updated diversion model.</p>		
<p>16.2</p>	<p>Yield Model</p> <ul style="list-style-type: none"> • A GOLDSIM Model will be developed to simulate the operation of both a surface water impoundment and Aquifer Storage and Recovery (ASR), based on the updated diversion model. • Using the output from the updated diversion model (Task 16.1), up to 6 simulations will be run with differing storage and demand sizing. • Demands may have to be adjusted based upon diversion and delivery points. • AECOM will document the assumptions for the inputs to the yield model and make recommendation on improving the yield estimates through additional data collection. 	<ul style="list-style-type: none"> • AECOM will prepare a Task Memorandum describing the hydrologic yield that may be expected based upon storage type (Surface Reservoir or ASR), sizing, location, diversion rate and delivery rate. • AECOM will document the amount of water that cannot be captured and used in the Cliff-Gila Valley, and will be available for diversion in the Virden Valley. • AECOM will evaluate transit loss from the point of return flow in the Cliff-Gila Valley to the diversion in the Virden Valley. • AECOM will provide recommendations for additional water availability modeling needed, if any. 		

17.0	Screening of Components and System Concepts	\$160,384	
17.1	<ul style="list-style-type: none"> • A feasibility-level screening, development and assessment process will be conducted for the surface diversions and groundwater pumping concepts (i.e. components comprised of various infrastructure elements) described in Phase 3 Task 2. Additionally, this task will evaluate On-Farm Pond concept (Phase 1 Component 6 Cliff-Gila Valley Storage) - AWSA water to on-farm ponds to be supplied by diversion at Upper Gila, Ft. West or groundwater under the influence of surface water. • The comparative screening analysis will be conducted using the same methods and criteria that were applied in Section 4 of the Phase I Report to the extent possible. If needed, the screening criteria will be modified to reflect new limitations. <p>Assumptions:</p> <ul style="list-style-type: none"> • The following components will be screened: <ul style="list-style-type: none"> ○ Mogollon Surface Diversion – up to two (2) conceptual diversion alternatives at up to three (3) locations will be evaluated. ○ Groundwater pumping from a new location within the Cliff-Gila valley. ○ Upper Gila Surface Diversion – up to two (2) conceptual diversion alternatives at up to three (3) locations will be evaluated. ○ San Francisco Surface Diversion – up to two (2) conceptual diversion alternatives at up to three (3) locations will be evaluated. ○ On-Farm Pond locations (Phase 1 Component 6 Cliff-Gila Valley Storage). AWSA water to On-Farm Ponds to be supplied by diversion at Upper Gila, Ft. West 		

	<p>or groundwater under the influence of surface water. Evaluate re-diverted water through Ranney Wells or infiltration galleries at the On-Farm Pond location to be used directly in the Cliff-Gila Valley or stored in Winn Reservoir.</p> <p>Five (5) components with associated elements will be screened to develop three (3) system alternatives (Gila/On Farm Storage and San Francisco and Mogollon) to compare for the selection of an amended proposed action.</p> <ul style="list-style-type: none"> The screening will be utilized to aid the NM CAP Entity to determine an amended proposed action to be carried forward for further evaluation in the NEPA process. 			
18.0	Presentation to NM CAP Entity		\$11,124	
18.1	<p>The AECOM Team will present the results of the Supplement to the Phase I Summary Report to the NM CAP Entity. Resource specialists will also be available by telephone to answer technical questions related to the system concepts screening and development process.</p> <p>Assumptions:</p> <ul style="list-style-type: none"> A PowerPoint presentation will be prepared. The meeting will be held in Silver City, New Mexico. 1 day for the meeting and one day for travel by the AECOM representatives. 	<ul style="list-style-type: none"> PowerPoint presentation In the event the NM CAP Entity makes a decision based on AECOM's work in this amended scope of work, AECOM will assist the NM CAP Entity in preparing a letter to the Bureau of Reclamation that describes the amended proposed action selected by the NM CAP Entity. 		
19.0	Additional Work as Directed		\$30,000	As Directed by the ISC
19.1	<ul style="list-style-type: none"> AECOM will perform additional work as required. 	<ul style="list-style-type: none"> As required. 		
Subtotal			\$498,040	
NMGRT			\$36,419	
Total			\$534,459	



State of New Mexico Purchase Order

PO Number to be on all Invoices and Correspondence

DUPLICATE

Dispatch via Print

Office of State Engineer

P.O. Box 25102
Santa Fe NM 87504-5102
United States

Vendor: 0000074387
AECOM TECHNICAL SERVICES, INC.
11251 NORTHWEST FWY #400
FORT COLLINS CO 80524-0000

Purchase Order 55000-0000016326	Date 10/26/2016	Revision	Page 1
Payment Terms Pay Now	Freight Terms FOB Destination	Ship Via Best Way	
Buyer STEVEN BAROS	Phone		

Ship To: P.O. Box 25102
Santa Fe NM 87504-5102
United States

Bill To: P O Box 25102
Santa Fe NM 87504-5102
United States

Origin: EXC **Exc\Excl #:** 13-1-99A

Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
1- 1	FY17, Professional Services Agreement for Engineering Design Services for the NM Unit of the Central Arizona Project		1.00	EA	702,650.00	702,650.00	10/26/2016
	55000-30810-Z80126-535200- - - - -91448-30000						
	Schedule Total					<u>702,650.00</u>	
	Contract ID: 0000000000000000019776 01	Contract Line: 0			Release: 1		
	Item Total					<u>702,650.00</u>	
2- 1	FY17, Professional Services Agreement for Engineering Design Services for the NM Unit of the Central Arizona Project		1.00	EA	133,350.00	133,350.00	10/26/2016
	55000-30810-A150100-535200- - - - -91648-50000						
	Schedule Total					<u>133,350.00</u>	
	Contract ID: 0000000000000000019776 01	Contract Line: 0			Release: 2		
	Item Total					<u>133,350.00</u>	
	Total PO Amount					<u>836,000.00</u>	

Agency Approval - I certify that the proposed purchase represented by this document is authorized by and is made in accordance with all State (and if applicable Federal) legislation rules and regulation. I further certify that adequate unencumbered cash and budget expenditure authority exists for this proposed purchase and all other outstanding purchase commitments and accounts payable.

Authorized Signature