

**VILLAGE OF LOS RANCHOS DE ALBUQUERQUE**

**REQUEST FOR PROPOSALS**



**Topographical Survey of Fourth Street**

**Addendum 1**

**RFP# 2013-03**

**Due: 3:00pm, December 20, 2013**

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## **I. ADVERTISEMENT**

RFP#2013-03

Topographical and Right-of-Way Survey of Fourth Street from Schulte Road north to Ortega Road.

The Village of Los Ranchos is requesting proposals from qualified surveyors to complete a topographical and right-of-way survey of Fourth Street from Schulte Road north to Ortega Road. All proposals submitted shall be valid for ninety days (90) and subject to action by the Village. The Village of Los Ranchos reserves the right to reject any and all proposals in part or in whole. A completed proposal shall be submitted in a sealed envelope indicating the RFP title and number in addition to the Offeror's name and address which must be clearly marked on the outside of the envelope. The Offeror is certifying their proposal complies with regulations and requirements as stipulated in the Request for Proposals upon submission.

Deadline for submission is 3:00pm, Friday, December 20, 2013.

**EQUAL OPPORTUNITY EMPLOYMENT:** All offerors will receive consideration without regard to race, color, religion, sex, national origin, ancestry, age, physical and mental handicap, serious mental condition, disability, spousal affiliation, sexual orientation or gender identity.

Request for proposals will be available at 6718 Rio Grande Blvd NW, Los Ranchos de Albuquerque, New Mexico 87107. The request for proposals are also available on our website at <http://losranchosnm.gov>. If any issues arise accessing the request for proposal, please contact Administrator Kelly Ward at (505) 344-6582.

**PROPOSALS RECEIVED AFTER THE DATE AND TIME SPECIFIED ABOVE WILL NOT BE CONSIDERED AND WILL BE REJECTED BY THE VILLAGE OF LOS RANCHOS.**

## II. INTRODUCTION

### A. PURPOSE OF THIS REQUEST FOR PROPOSAL

The Village of Los Ranchos will be making a capital investment in the redesign and resurfacing of Fourth Street from Schulte Road north to Ortega Road. This may include improvements to intersections, lighting, pedestrian and bicycling facilities, drainage, landscaping, side street, driveway and business entries. A complete survey is required to properly design said improvements.

### B. SCOPE OF SERVICES

Prepare a Topographic Survey including Right-of-Way mapping of the entire length of Fourth Street from Schulte Road north to Ortega Road. The Topographic Survey will extend a minimum of 5' beyond the existing Right-of-Way lines on the east and west sides of the corridor. At all public intersections (approximately 29), the survey will extend a minimum of 150' east or west of the right-of-way boundaries for Fourth Street. The scope of this survey will include the following:

1. Topographic Survey of the corridor which will extend a minimum of 5' beyond the existing Right- of-Way lines on the east and west sides of the project corridor. Project corridor will begin 150' south of the south right-of-way line of Schulte Drive and extend north to 150' north of the north right-of-way line of Ortega Road. At all public intersections (approximately 32), the survey will extend a minimum of 150' east or west of the right-of-way boundaries for Fourth Street.
2. Perform field survey to recover existing City of Albuquerque control monumentation to tie the project to vertical (NGVD88) and horizontal (NAD83) datum. Set additional control points/benchmarks along the project corridor for future construction staking.
3. Perform field surveys to recover and locate a sufficient number of existing property corner/right- of-way monumentation to establish the existing right-of-way lines and property lines. This survey will not constitute a full boundary/right-of-way survey as defined in the current New Mexico minimum standards for boundary surveys. Existing rights-of-way will be mapped from record plats and deeds that are readily available at the Bernalillo County Courthouse. No title searches will be conducted and no new property corners will be set.
4. Spot elevations for the existing corridor will be provided at a minimum of 50' intervals, and will include horizontal/vertical locations of curbs, flow lines, swales, drive cuts, sidewalks, fences, fault lines, break points, and any

other elevations to sufficiently produce 1' contours. All visible utilities will be included; however, New Mexico One Call will not be notified to locate utilities for the corridor as they will not respond to a project this large.

5. Locate the existing wet (sanitary, sewer, and storm sewer) utilities horizontally and vertically within said survey area. Obtain invert elevations of sanitary sewer manhole, storm sewer manholes, and drain inlets.

#### C. BASIC SERVICES

The offeror shall represent that all tasks will be performed in accordance with generally acceptable professional standards and further represent that the advice and consultation provided shall be within its authority and capacity. The offeror shall comply with the regulations, laws, ordinances and requirements of all forms of government applicable to any assigned project.

#### D. QUALIFICATIONS

Offerors must clearly demonstrate that its staff and consultants have all of the necessary professional qualifications for the project. Offeror must demonstrate knowledge of the Village, adhere to the State of New Mexico and Federal requirements, and possess the ability to work with the public throughout the project.

Offeror shall complete survey requirements in accordance with all applicable municipal, state, and federal codes, laws and standards.

#### E. INSURANCE REQUIREMENTS

1. Offeror must possess the ability to procure and maintain workers compensation, commercial general liability and business automobile liability policies. Proof of insurance must be provided prior to execution to the final contract. Offeror must agree to comply with the Worker's Compensation Act of the State of New Mexico. Insurance must include the following minimum coverages: A. General liability coverage Bodily Injury/Property Damage \$1,000,000 per occurrence, \$2,000,000 general aggregate; B. Products/Completed Operations \$1,000,000 per occurrence, \$2,000,000 aggregate; C. Property Damage Liability Insurance shall not exclude (XCU); D. Pollution Legal Liability \$1,000,000 per occurrence; Business Automobile Liability: A. combined single limit \$1,000,000 per occurrence; B. Pollution liability \$1,000,000 per occurrence; C. shall include coverage for the use of all owned, non-owned and hired automobiles and vehicle.

F. PROCUREMENT MANAGER

The Village has designated a Procurement Manager who is responsible for the conduct of this procurement whose name, address, and telephone number is listed below. All deliveries via express carrier should be addressed as follows:

Kelly Ward  
6718 Rio Grande Blvd NW  
Los Ranchos de Albuquerque, 87107  
(505) 344-6582 (Office)  
(505) 344-8978 (Fax)  
[kward@losranchosnm.gov](mailto:kward@losranchosnm.gov)

Any inquiries or requests regarding this procurement should be submitted to the Procurement Manager in writing. Offerors may contact ONLY the Procurement Manager regarding the procurement. Other Village employees do not have the authority to respond on behalf of the Village.

G. DEFINITION OF TERMINOLOGY

This section contains definitions and abbreviations that are used throughout this procurement document.

“BT” means the Village of Los Ranchos Board of Trustees.

“Close of Business” means 5:00pm Mountain Standard Time or Mountain Daylight Time, whichever is in effect on the given date.

“Contract” or “Agreement” means a written agreement for the procurement of items of tangible personal property or services.

“Contractor” means a successful offeror who enters into a binding contract.

“Determination” means the written documentation of a decision by the Procurement Manager including findings of fact supporting a decision. A determination becomes part of the procurement file.

“Desirable” The terms “may”, “can”, “should”, “preferably”, or “prefers” identify a desirable or discretionary item or factor (as opposed to mandatory).

“Evaluation of Committee” means a body appointed by Village management to perform the evaluation of offeror proposals.

“Finalist” is defined as an offeror who meets all the mandatory specifications of this Request for Proposals and whose score on evaluation factors is sufficiently high to merit further consideration by the Evaluation Committee.

“Mandatory” The terms “must”, “shall”, “will”, “is required”, or “are required”, identify a mandatory item or factor (as opposed to “desirable”).

“Offeror” is any person, corporation, or partnership that chooses to submit a proposal.

“Procurement Manager” means the person or designee authorized by the Village to manage or administer a procurement requiring the evaluation of competitive sealed proposals.

“Purchasing Division” means the Village of Los Ranchos.

“Request for Proposals” or “RFP” means all documents, including those attached or incorporated by reference, used for soliciting proposals.

“Responsive Offer” or “Responsive Proposal” means an offer or proposal, which confirms in all material, respects to the requirements set forth in the request for proposals. Materials of a request for proposals include, but are not limited to, quality, quantity, or delivery requirements.

“Village” means the Village of Los Ranchos de Albuquerque

### **III. CONDITIONS GOVERNING THE PROCUREMENT**

This section of the RFP contains the schedule for the procurement, describes the major procurement events, and the conditions governing the procurement.

#### **A. SEQUENCE OF EVENTS**

The Village Administration will make every effort to adhere to the following schedule:

| <b>ACTION</b>                           | <b>RESPONSIBILITY</b> | <b>DATE</b>             |
|---|-----------------------|-------------------------|
| Issue of RFP                            | Purchasing Division   | November 18, 2013       |
| Acknowledgement Form Due                | Offerors              | December 13, 2013 (COB) |
| Deadline to Submit Additional Questions | Offerors              | December 13, 2013 (COB) |

|                               |                     |                            |
|-------------------------------|---------------------|----------------------------|
| Response to Written Questions | Purchasing Division | December 17, 2013 (COB)    |
| Submission of Proposal        | Offerors            | December 20, 2013 (3:00pm) |
| RFP Award                     | Village BT          | January 3, 2013            |
| Final Contract                | Village, Contractor | January 10, 2014           |

B. EXPLANATION OF EVENTS

The following paragraphs describe the activities listed in the sequence of events shown in Section III, Paragraph A.

1. Issue of RFP

This RFP is being issued by the Village of Los Ranchos.

2. Acknowledgment of Receipt Form Due

Potential offerors should hand deliver, return by facsimile or email the “Acknowledgment of Receipt Form” provided as Appendix A to be placed on the procurement distribution list. The form should be signed by an authorized representative of the organization, dated and returned by close of business on December 13, 2013.

The procurement distribution list will be used for the distribution of written responses to questions and any RFP addenda.

3. Deadline to Submit Written Questions

Potential offerors may submit written questions regarding this RFP until the close of business on the date indicated in the Sequence of Events at Section III.A. All written questions must be addressed to the Procurement Manager, listed in Section II, Paragraph E and sent via facsimile or email. *Any contact with any other Village staff member other than the Village Administrator may be grounds for the rejection of a proposal.*

4. Response to Written Questions

Written responses to written questions and any RFP until the close of business on the date indicated in the Sequence of Events at Section III.A. to all potential offerors whose name appear on the procurement

distribution list. Additional written requests for clarification of distributed answers or addenda answers or addenda will be issued.

5. Submission of Proposal

ALL OFFEROR PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT MANAGER OR DESIGNEE NO LATER THAN 3:00pm (MOUNTAIN STANDARD TIME), December 20, 2013. Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal. Proposals must be addressed and delivered to the Village Administrator at the address listed in Section II, D. Proposals must be sealed and labeled on the outside of the package to clearly indicate they are in response to the Village's Request for Proposals #2013-03. Proposals submitted by facsimile or other electronic means will not be accepted. Proposals must be delivered to:

Kelly Ward  
6718 Rio Grande Blvd NW  
Los Ranchos de Albuquerque, 87107

A public log will be kept of the names of all offeror's that submit proposals. Pursuant to §13-1-116 NMSA 1978, the contents of any proposal shall not be disclosed so as to be available to competing offerors during the negotiation phase.

6. RFP Award

The Village anticipates awarding the RFP on the date in the Sequence of Events at Section IIIA. These dates are subject to change at the discretion of the Village.

The RFP should be awarded to the offeror whose proposal is most advantageous to the Village, taking into consideration the evaluation factors set fourth in the RFP.

7. Finalize Contract

The contract will be finalized with the most advantageous offeror during the timeframe indicated in the Sequence of Events at Section III.A. In the event that mutually agreeable terms cannot be reached within the time specified, the Village reserves the right to finalize a contract with the next most advantageous offeror without underrating a new procurement process.

8. Right to Protest

Any protest by an offeror must be timely and in conformance with §13-1-172 NMSA 1978, and applicable procurement regulations. Protests must be written and must include the name, address, and offeror in addition to the request for proposal number. It must also contain a statement of grounds for protests including appropriate supporting exhibits. The protest must be hand delivered to Village Administrator at:

Kelly Ward, Administrator  
6718 Rio Grande Blvd NW  
Los Ranchos de Albuquerque, 87107

Protests will not be accepted by facsimile or other electronic means. Protests received after the deadline will not be accepted.

#### C. GENERAL REQUIREMENTS

This procurement will be conducted in accordance with Chapter 13, NMSA 1978, NMAC 1.4.1, and the Village of Los Ranchos Procurement Regulations.

1. Acceptance of Conditions Governing the Procurement

Offerors must indicate their acceptance of the Conditions Governing the Procurement section in the letter of transmittal.

2. Incurring Cost

Any cost incurred by the offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be the sole responsibility of the offeror.

3. Prime Contractor Responsibility

Any contract that may result from this RFP shall specify that the prime contractor is solely responsible for fulfillment of the contract with the Village. The Village will make contract payments to only the prime contractor.

4. Subcontractors

Use of subcontractors must be clearly explained in the proposal, and major subcontractors must be identified by name; the prime contractor shall be wholly responsible for the performance of the contract with the Village whether or not subcontractors are used.

5. Amended Proposals

An offeror may submit an amended proposal before the deadline for receipt of proposals. Such an amended proposal must be a complete replacement of the previously submitted proposal and must be clearly identified as such in the transmittal letter. Village personnel will not merge, collate, or assemble proposal materials.

6. Offerors' Rights to Withdraw Proposal

Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The offeror must submit a written withdrawal request signed by the offeror's duly authorized representative addressed to the Village Administrator. The approval or denial of withdrawal requests received after the deadline for receipt of the proposals is governed by the applicable procurement regulations.

7. Disclosure of Proposal Contents

Proposals shall not be opened publicly and shall not be open to public inspection until after an offeror has been selected for the awarded contract.

An offeror may request in writing non-disclosure of confidential data. Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. Confidential data is normally restricted to confidential financial information concerning the offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, §57-3A-1 to §57-3A-7, NMSA 1978. The products offered and the services proposed shall not be designated as proprietary or confidential data.

If a request is received for disclosure of data for which an offeror has made a written request for confidentiality, the Village shall examine the offeror's request and make a written determination that specifies which portions of the proposal should be disclosed. Unless the offeror takes legal action to prevent the disclosure, the proposal will be disclosed. The proposal shall be open to public inspection subject to any continuing prohibition on the disclosure of confidential data.

8. No Obligation

This procurement in no manner obligates the Village to the use of any proposed professional services until a valid written contract is awarded and approved by the appropriate authorities.

9. Termination

This RFP may be canceled at any time and any and all proposals may be rejected in whole or in part when the Village determines such action to be in the best interest of the Village.

10. Sufficient Appropriation

Any contract awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations do not exist. Such termination will become effective by sending a written notice to the contractor. The Village's decision as to whether sufficient appropriations and authorizations are available will be accepted by the contractor as final.

11. Legal Review

The Village requires that all offerors agree to be bound by the General Requirements contained in this RFP. Any offeror concerns must be promptly brought to the attention of the Village Administrator.

12. Governing Law

This procurement and any agreement with offeror that may result shall be governed by the laws of the State of New Mexico.

13. Basis for Proposal

Only information supplied by the Village in writing or through this RFP should be used as the basis for preparation of offeror proposals.

14. Contract Terms and Conditions

The contract between the Village and the Contractor will follow the format specified by the Village.

15. Contract Deviations

Any additional terms and conditions, which may be the subject of negotiation, will be discussed only between the Village and the selected offeror and shall not be deemed an opportunity to amend the proposal.

16. Offeror Qualifications

The Evaluation Committee may make such investigations as necessary to determine the ability of the offeror to adhere to the requirements specified within this RFP. The Evaluation Committee will reject the proposal of any offeror who is not a responsible offeror or fails to submit a responsive

offer as defined in §13-1-83 and §13-1-85 NMSA, 1978 subject to Village's approval.

17. Right to Waive Minor Irregularities

The Evaluation Committee reserves the right to waive minor technical irregularities. This right is at the sole discretion of the Evaluation Committee subject to The Village's approval.

18. Change in Contractor Representatives

The Village reserves the right to require a change in contractor representatives if the assigned representatives are not in the opinion of the Village, meeting the Villages needs adequately. Any change in contractor representative must receive prior approval from the Village.

19. Notice

The Procurement Code, § 13-1-28 through § 13-1-199, NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

20. Village Rights

The Village reserves the right to accept all or a portion of an offer's proposal.

21. Right to Publish

Throughout the duration of this procurement process and contract term, potential offerors and contractors must secure from the Village written approval prior to the release of any information that pertains to the potential work or activities covered by this procurement or the subsequent contract. Failure to adhere to this requirement may result in disqualification of the offeror's proposal or termination of the contract.

22. Ownership of Proposals

All documents submitted in response to this Request for Proposals shall become the property of the Village. However, any technical or user documentation submitted with the proposals of non-selected offerors shall be returned after the expiration of the protest period.

23. Electronic Mail Address Required

A large part of the communication regarding this procurement will be conducted by electronic mail (e-mail). It is recommended that the offeror should have a valid email address to receive e-mail correspondence.

24. Preferences in Procurement by the Village of Los Ranchos

**A. *New Mexico In-state Preference***

New Mexico law, §13-1-22 NMSA 1978 provides a preference in the award of public works contract for an “*in-state resident business*”. Application of a resident business preference for any offeror requires the offeror to provide a copy of a valid and current certificate as a resident business. Certificates are issued by the state taxation and revenue department.

Certification by the department of taxation and revenue for the resident business takes into consideration such activities as the business’ payment of property taxes or rent in the state and payment of unemployment insurance on employees who are residents of the state.

**OR**

**B. *New Mexico Resident Veteran Preference***

New Mexico law, §13-1-22 NMSA 1978, provides a preference in the award of a public works contract for a “resident veteran business”. Certification by the department of taxation and revenue for the resident veteran business requires the Offeror to provide evidence of annual revenue and other evidence of veteran status.

An Offeror who wants to veteran business preference to be applied to its proposal is required to submit with its proposal the certification from the department of taxation and revenue and the sworn affidavit attached hereto as Appendix C.

**IV. RESPONSE FORMAT AND ORGANIZATION**

A. NUMBER OF RESPONSES

An offeror shall submit one proposal in response to this RFP.

B. NUMBER OF COPIES

Offeror shall deliver one (1) original and give (5) identical copies of their proposal to the location specified in Section II, Paragraph D on or before the closing date and time for receipt of proposals.

C. PROPOSAL FORMAT

All proposals shall be limited to 20 pages, with the exception of professional licenses and certifications, which shall be added as appendices. The document shall be printed on 8/12 x 11 paper with the following restrictions: font no smaller than 12pt, nominal 1" margins, and normal line spacing. Proposals shall be placed within a binder with tabs delineating each section.

1. Proposal Organization

The purpose must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated.

- a) Letter of Transmittal
- b) Table of Contents
- c) Proposal Summary (optional)
- d) Response to Specifications-Evaluation Factors
- e) Campaign Contribution Disclosure Statement

Within each section of their proposal, offerors should address the items in the order in which they appear in this RFP under Section V., Paragraph B. "EVALUATION FACTORS". All forms provided in the RFP must be thoroughly completed and include in the appropriate section of the proposal.

**Any proposal that does not adhere to these requirements may be deemed non-responsive and rejected on that basis.**

The proposal summary may be included by offerors to provide the Evaluation Committee with an overview of the technical and business features of the proposal; however, this material will not be used in the evaluation process unless specifically referenced from other portions of the offeror's proposal. Offerors may attach other materials that they feel may improve the quality of their responses. However, these materials should be included as items in a separate appendix.

2. Letter of Transmittal

Each proposal must be accompanied by a letter of transmittal. The letter MUST:

- a) Identify the submitting organization;
- b) Identify the name and title of the person authorized by the organization to contractually obligate the organization
- c) Identify the names, titles, and telephone numbers of persons to be contacted for clarification;
- d) Explicitly indicate acceptance of the Conditions Governing the Procurement stated in Section III, Paragraph C.1
- e) Signatures of all authorized individuals to contractually obligate the organization;
- f) Acknowledge receipt of any and all amendments to this RFP.

## **V. SPECIFICATIONS**

Offerors should respond in the form of a thorough narrative to each mandatory specification. The narratives along with required supporting materials will be evaluated and awarded points accordingly.

### **A. INFORMATION**

#### **Time Frame**

The contract is scheduled to begin in or around January 10, 2014.

### **B. EVALUATION FACTORS**

A brief explanation of each mandatory specification is listed below. Offerors are encouraged to fully address each category completely, as points are assigned for responses to each.

#### **1. Capability and Capacity**

- Demonstrate firm's capability and capacity to accomplish projects with its present work force, include availability based on current and anticipated workload;

- Clearly identify all disciplines available with the firm and those which will be subcontracted to others;
  - Provide qualifications and capabilities, years of experience, level of experience, licenses, certification(s), and the level of training of all personnel who will be performing on this contract including all consultants. Provide the scope of responsibilities for each;
  - Describe your firms organization, working relationships, and how tasks will be coordinated.
2. Past Record of Performance
- Demonstrate through contracts and other agreements with government agencies or private industry with respect to such factors as control of costs, quality of work, and ability to meet schedules;
  - Include information on last five (5) completed roadway surveys.
  - Describe any particular difficulties confronted in past projects and how the Offeror addressed and resolved the issues.
3. Proximity to and Familiarity with the Village of Los Ranchos
- Demonstrate the firm's proximity to and familiarity with the Village of Los Ranchos in which this project will be located.
4. New Mexico Produced Work
- The Village of Los Ranchos strives to support New Mexico owned businesses. Indicate the volume of work by percentage to be produced by New Mexico firm(s) using New Mexico based employees.
5. Offeror's proposal contains a valid NM State Resident Business Certificate, the preference in accordance with § 13-4-2 NMSA 1978, will be applied.
6. Offeror's proposal contains a valid NM State Resident Veteran Business Certificate the preference in accordance with §13-4-2 and §13-1-22 NMSA 1978, will be applied.

## **VI. EVALUATION OF PROPOSALS**

### **A. EVALUTION SCORING**

The Village of Los Ranchos will evaluate the content and substance of the offeror's response to each evaluation factor and assigning a numerical score not to exceed the maximum allowed score for that factor. The amount of discussion for

each factor is an individual choice of the offeror; however, discussion should be detailed enough to inform and educate the Evaluation Committee.

Proposals will be scored based upon the Evaluation Committee's review and consideration of the offeror's response to each Evaluation Factor.

| <b>Evaluation Factor</b>   | <b>Maximum Score</b> |
|----------------------------|----------------------|
| Capability and Capacity    | 100 points           |
| Past Record of Performance | 40 points            |
| Proximity/ Familiarity     | 5 points             |
| New Mexico produced work   | 5 points             |

**Maximum Total: 150**

## PREFERENCES

If an offeror's proposal contains a valid NM State Resident Business Certificate, the following points will be applied to an offeror's total points in accordance with §13-1-21 NMSA 1978:

- (1) Five percent (5%) of the total possible points to a resident business;
- (2) Ten percent (10%) of the total possible points to a resident veteran business that has annual revenues of one million dollars (\$1,000,000) or less;
- (3) Eight percent (8%) of the total possible points to a resident veteran business that has annual revenues of more than one million dollars (\$1,000,000) but less than five million dollars (\$5,000,000) subject to the limitation;
- (4) Seven percent (7%) of the total possible points to a resident veteran business that has annual revenues of five million dollars (\$5,000,000) or more subject to the limitation.

*Note: A business shall not be awarded both a resident business preference and a resident veteran business preference.*

## B. EVALUATION PROCESS

The evaluation process will follow the steps listed below:

1. All proposals will be reviewed for compliance with the mandatory specifications stated within the RFP. Proposals deemed non-responsive will be eliminated from further consideration.
2. The Evaluation Committee may use other sources of information to perform the evaluation as specified in Section III, Paragraph C.18.

4. Responsive proposals will be evaluated using the factors in Section V. The responsible Offeror whose proposal scores the highest, taking into consideration the evaluation factors in Section VI, will be recommended for contract award as specified in Section III, Paragraph B.12. Please note, however, that a serious deficiency in the response to any one factor may be grounds for rejection regardless of overall score.

APPENDIX A

ACKNOWLEDGEMENT OF RECEIPT FORM

RFP# 2013-03

In acknowledgment of receipt of this Request for Proposal the undersigned agrees that he/she has received a complete copy, beginning with the title page and table of contents, and ending with Appendix D.

The acknowledgment of receipt should be signed and returned to the Village Administration no later than the close of business on December 13, 2013. Only potential offerors will receive copies of all offeror written questions and the Village's written responses to those questions as well as RFP amendments, if any are issued.

**Firm:** \_\_\_\_\_

**Represented by:** \_\_\_\_\_

**Title:** \_\_\_\_\_ **Contact Number:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Fax Number:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

This name and address will be used for all correspondence related to the Request for proposal.

Firm Does/Does not (circle one) intend to respond to this Request for Proposal.

## APPENDIX B

### CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

**“Applicable public official”** means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

**“Campaign Contribution”** means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or

unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

**“Family member”** means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

**“Pendency of the procurement process”** means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

**“Person”** means any corporation, partnership, individual, joint venture, association or any other private legal entity.

**“Prospective contractor”** means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

**“Representative of a prospective contractor”** means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name (s) of Applicable Public Official if any: \_\_\_\_\_

**DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:**

Contribution Made By: \_\_\_\_\_

Relation to Prospective Contractor: \_\_\_\_\_

Name of Applicable Public Official: \_\_\_\_\_

Date Contribution(s) Made: \_\_\_\_\_

Amount(s) of Contribution(s): \_\_\_\_\_

Nature of Contribution(s): \_\_\_\_\_

Purpose of Contribution(s): \_\_\_\_\_

(Attach extra pages if necessary)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (position)

**--OR--**

**NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE** to an applicable public official by me, a family member or representative.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (Position)

## Appendix C

\_\_\_\_\_ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement:

**Please check one box only:**

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

“I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31, the following to be true and accurate:

“In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22 NMSA 1978, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

“I understand that knowingly giving false or misleading information on this report constitutes a crime.”

I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime.

\_\_\_\_\_

(Signature of Business Representative)\*

\_\_\_\_\_

(Date)

\*Must be an authorized signatory for the Business

The representations made in the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award or unaward of the procurement involved if the statements are proven to be incorrect.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_

NOTARY PUBLIC

My Commission Expires:

\_\_\_\_\_

APPENDIX D

VOLUME OF WORK PREVIOUSLY DONE FOR THE VILLAGE OF LOS RANCHOS

PROJECT LISTING FORM

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**FIRM**

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**DATE**

| <b>PROJECT</b> | <b>AWARD DATE</b> | <b>CONTRACT DATE</b> | <b>AMOUNT</b> | <b>COMPLETION PERCENTAGE</b> |
|----------------|-------------------|----------------------|---------------|------------------------------|
| 1.             |                   |                      |               |                              |
| 2.             |                   |                      |               |                              |
| 3.             |                   |                      |               |                              |
| 4.             |                   |                      |               |                              |
| 5.             |                   |                      |               |                              |