

# County of Curry



## Request for Proposals No. 2021/22.04

### PROFESSIONAL ENGINEERING SERVICES For Curry County Roads and Projects

**Issue Date:  
June 3 ,2022**

**Mandatory Notice to Owner of Intent to Propose Form Due:  
June 23, 2022**

**Proposal Due:  
July 7, 2022  
Time: 2:00 p.m.**

**Curry County Administration Office  
417 Gidding St., Suite 100  
Clovis, NM 88101  
Attn: Finance Department/Procurement Office  
575-763-6016**

**Proposals must be submitted in a sealed envelope  
that is clearly marked  
"RFP No. 2021/22.04 Do Not Open"**

The Board of County Commissioners of Curry County, State of New Mexico (hereinafter referred to as "County") is requesting competitive sealed proposals from qualified engineering offerors to provide professional engineering services for the County.

To be responsive, One (1) original and five (5) identical copies of the proposal and one (1) electronic version on a USB "memory stick" must be received no later than July 7, 2022 at 2:00 p.m. Mountain Time at the Curry County Administration Office, located at 417 Gidding Street, Suite 100, Clovis, NM 88101.

Proposals will be reviewed and ranked in private by an Evaluation Committee. It is possible that the Curry County Evaluation Committee will request an oral presentation. A recommendation will then be made to the Curry County Commission for award to the Offeror whose proposal is determined to be the most advantageous to the County, based upon the specific evaluation criteria as outlined in the proposal.

**IMPORTANT:**

**Sealed Proposal** along with RFP number, the offeror's name and address **MUST** appear clearly on the sealed envelope or package of all proposals.

If there is any problem regarding the following specifications or conditions that would prevent you from submitting a proposal, contact Purchasing Agent Lorraine Schlimm [lschlimm@currycounty.org](mailto:lschlimm@currycounty.org) immediately for clarification and/or consideration of an addendum.

Proposals may be mailed to Curry County Finance Department, 417 Gidding Street, Suite 100, Clovis, NM 88101 or hand-courier delivered to Curry County Finance Department, 417 Gidding Street, Suite 100, Curry County Administration, Clovis NM 88101.

**NOTE: WHEN SHIPPING OVERNIGHT DELIVERY, IT IS RECOMMENDED THAT SHIPMENT BE MADE TWO (2) DAYS PRIOR TO THE DEADLINE, IF POSSIBLE, TO ENSURE DELIVERY. IT IS ALSO RECOMMENDED TO VERIFY DELIVERY PRIOR TO PROPOSAL DEADLINE**

## **SCOPE OF WORK**

The County desires to enter into a non-exclusive contractual relationship with a practicing Engineering Offeror to provide Professional Engineering Services to Curry County and its employees to include the planning, design, contract, building, development, renovations, repairs, improvements, and/or expansions to any County roads or County road projects, parking lots, and right-of-way's, and any and all drainage issues, traffic studies and related issues pertaining to the same, and provide professional services with the County on needs, issues, problems, concerns with future growth plans, including but not limited to a comprehensive road plan. The majority of construction projects are done in-house by the County Road Department. From time to time, the County may contract the work out and the engineer will be responsible for providing sets of plans and specifications for any bidding and construction of County roads and acting on behalf of the County or assisting with advertising in securing bids, negotiating for services, analyzing bid results and furnishing recommendations on the award of contracts and preparing contract documents. Several County Road projects have multiple funding sources, to include New Mexico Department of Transportation (NMDOT) and legislative grants and awards. As a result, projects may be subject, but not limited, to the following regulations and requirements: Department of Transportation, certificate of contracts, grants, loans and cooperative agreements.

The format or procedure for County Road projects may be identical and include the following minimum requirements:

1. Research project and make recommendations to the County Road Department Superintendent and Supervisor and/or the County Commission.
2. Prepare preliminary design and cost estimate.
3. Attend public meetings when applicable.
4. Conduct necessary field reviews when applicable.

Awarded offeror must have the capability to provide General Professional Engineering Services including but not limited to:

1. Project Certification
2. Compaction and Materials Testing
3. Surveying
4. Typical section
5. Surfacing schedule
6. Traffic control plans
7. General notes
8. Quantities
9. Cost Estimating

## PRE-PROPOSAL CONFERENCE

A non-mandatory Pre-Proposal conference is scheduled for Tuesday June 16, 2022 at 2:00 p.m. The conference will be held virtually through Google Meet.

### Google Meet joining info

Video call link: <https://meet.google.com/kug-abhq-nao>

Or dial: (US) +1 605-653-3120 PIN: 767 633 899#

More phone numbers: <https://tel.meet/kug-abhq-nao?pin=4964009480431>

Failure to attend the Pre-Proposal meeting will not disqualify an Offeror from submitting a proposal. The failure of an Offeror to attend shall be interpreted to mean the proposal documents are clear and acceptance to all nonparticipants at the Pre-Proposal Conference. Such clarity and acceptability shall be presumed with respect to all Offerors.

## REQUIREMENTS FOR PROPOSAL

1. Offeror shall deliver one (1) original and five (5) identical copies (6 total) of their proposal and one (1) electronic version on a USB “memory stick” of the proposal containing all sections and all Confidential Information separated on the electronic version (must mirror the hard copy submitted) to the Purchasing Agent on or before the closing date and time for receipt of proposals.
2. The offeror with the successful proposal shall be prepared to enter into negotiations for projected fees, when required, for the project, prior to any work being started. Negotiations will follow procedures established by State Procurement Code 13-1-115 through 13-1-122.
3. Potential Offerors must return the **Mandatory “Notice to Owner of Intent to Propose” Form in order to submit a proposal**. This form may be hand-delivered, returned by facsimile, electronic mail, registered mail, certified mail, or any other type of carrier by the deadline stated. This is to ensure your organization is placed on the Procurement Distribution List to be notified of any change or amendments to the RFP documents, and written answers to inquiries.
4. Proposals shall not exceed forty (40) pages in length exclusive of cover letter, divider sheets, Resident Certificate(s) and Campaign Contribution Disclosure pages.
5. Proposal shall be good for ninety (90) days subsequent to the RFP opening date.

## PROPOSAL PACKAGE

Each offeror must submit the following as labeled and in the same order as follows:

1. **Specialized Design and Technical Competence.** Offeror shall provide detailed information on the professionalized design and technical competence of the

business, including a joint venture or association, regarding the type of services required to include documentation showing prior involvement in the design and engineering of New Mexico County Road projects, including drainage and traffic flow for governmental entities during the past five (5) years. Offeror shall also provide information showing prior involvement with State of New Mexico grant requirements during the past five (5) years.

2. **Past record of performance.** Offeror shall provide detailed information on the past record of performance on prior contracts with government agencies or private industry with respect to such factors as control of costs, quality of work and ability to meet schedules during the past five (5) years.
3. **Ability of Engineer to Assist County Personnel.** Offeror is to include a narrative showing how it would be available to assist County personnel with design, development and renovations of the county roads and right of ways, parking lots, including matters pertaining to drainage issues and traffic flows. If offeror does not have an office or physical location in Curry County, offeror must provide information on response time for Engineer, its agents and/or representative to come to Curry County, if necessary, to address issues or concerns with engineering projects, road projects, or other Curry County projects. Said information must show that offeror will be able to provide forty-eight (48) hour response time to Curry County for any communications during the planning and development phase of any projects and a four (4) hour response time during the construction phase of any project.
4. **Capacity and Capability.** Offeror shall provide detailed information on the capacity and capability of their business including any specialized services to include resumes of the engineers and engineering assistants, any consultants and their representatives and their qualifications and their business location. Said information shall also show their ability to work and provide services over the past five (5) years.
5. **Familiarity with the Contracting Agency.** Offeror shall provide detailed information on the proximity to or familiarity with Curry County including any and all past performance in Curry County. Offeror shall include detailed information on their prior experience in working with terrain, soil types, climate and other geographic factors of Curry County to include a description of your familiarity with the area, *i.e.*, terrain, climate, soil types, and any unique geographical factors of Curry County.
6. **Work to be done in New Mexico.** Offeror shall provide detailed information on the amount of design work that will be produced by a New Mexico Business within this state.
7. **Current Volume of Work with the Contracting Agency not 75% Complete.** Offeror shall provide detailed information on the volume of work previously done for Curry County which is not seventy-five percent complete with respect to basic professional design services (through bidding phase), with the objective of effecting an equitable distribution of contracts among qualified businesses and of assuring the interest of the public in having available a substantial number of

qualified businesses is protected; however, that the principal of selection of the most highly qualified business is not violated.

Offeror should indicate the volume of work they currently have underway with Curry County that is less than 75 percent complete. The purpose of the criterion is to help distribute projects among qualified offerors. An example of how points can be assigned is provided below:

Value of work not yet completed on projects that are not 75% Complete	(Example) Points to be allowed for this item
None	5
\$1 to \$ 25,000	4
25,001 to 50,000	3
50,001 to 75,000	2
75,001 to 100,000	1
100,001 or more	0

8. **References.** The offeror must submit the name and contact person for any and all references of Counties and other governmental entities that the offeror has work experience with during the last five (5) years on Road Engineering work to include Design and Construction Management.
9. Offeror must provide a description of experienced personnel that will be assigned to any Curry County project who have experience with State Appropriation Agreements.
10. If offeror intends to provide any additional services to the County which will benefit County and ensure quality of work in performing the above eight (8) areas, offeror needs to provide a separate detailed statement regarding the same and labeled as Additional Services Offered.

**EVALUATION CRITERIA**

1. Specialized Design and Technical Competence of the business, including a joint venture or association, regarding the type of services required. (Paragraph 1 above) **20 Points**
2. Past record of performance on contract with government agencies or private industry with respect to such factors as **20 Points**

control of costs, quality of work and ability to meet schedules.  
(Paragraph 2 above)

3. Ability of engineer to assist County personnel. (Paragraph 3 above) **10 Points**
  4. Capacity and capability of business, including any consultants, their representatives, qualifications and locations, to perform the work, including any specialized services, within the time limitations. (Paragraph 4 above) **20 Points**
  5. Familiarity with Curry County. (Paragraph 5 above) **10 Points**
  6. Work to be done in New Mexico. (Paragraph 6 above) **5 Points**
  7. Current volume of work with the Curry County not 75% complete. (Paragraph 7 above) **5 Points**
  8. References. Name and contact person for any and all references of Counties and other governmental entities that the offeror has work experience with during the last five years on Road Construction Engineering work to include Design and Construction Management. (Paragraph 8 above) **5 Points**
  9. Experience with State Appropriation agreements. (Paragraph 9 above) **5 Points**
- Maximum Evaluation Score **100 Points**

## **PROCEDURE**

1. Procedure: Proposals will be reviewed and ranked by an Evaluation Committee. Offerors who are deemed, on the basis of selection criteria, fully qualified and best suited among those submitting proposal, may be requested to participate in discussions or interviews regarding their proposals. Discussions may cover methods of delivery and other relevant factors. Those offerors will then be ranked on the basis of the evaluation criteria and/or information presented during the discussion/interview(s). Negotiations will be conducted with the top-ranking offeror at a compensation determined in writing to be fair and reasonable. If a satisfactory

agreement cannot be reached, the contract will be awarded to subsequent offeror until a satisfactory contract can be established or until the County determines the cancellation of the process is in the best interest of Curry County.

2. Method of award: Award will be made to the offeror whose proposal is determined to be the most professional, technically complete and in the best interest of the County. The selection process may, however, include a request for additional information or an oral presentation to support the written proposal.
3. The County reserves the right to award this contract to the offeror that demonstrates the best ability to fulfill the requirements of this request for proposal.
4. Pursuant to the New Mexico Procurement Code, prices are to be determined through formal negotiations relating to the scope of work after an award has been made with the recommended offeror.

### Sequence of Events

All parties shall make every effort to adhere to the following schedule:

	<b>Action</b>	<b>Responsibility</b>	<b>Date</b>
1.	Issue of RFP	Curry County	June 3, 2022
2.	Pre-Proposal Non-Mandatory	Curry County	June 16, 2022 2:00pm
3.	<b>Mandatory</b> "Notice to Owner of Intent to Propose"	Potential Offerors	June 23, 2022
4.	Deadline to submit questions	Potential Offerors	June 23, 2022 2:00pm
5.	Last Response to Written Questions/RFP Amendments	Curry County	June 30, 2022
6.	<b>Submission of Proposal</b>	<b>Offeror</b>	July 7, 2022 At 2:00p.m.
7.	Proposal Evaluation	Evaluation Committee	July 7, 2022 through July 15, 2022
8.	Selection of Finalist(s)	County	July 21, 2022 2:00pm
9.	Oral Presentation by Finalist	Offeror	TBD if deemed necessary
10.	Negotiate and Finalize Contract	Curry County, Awarded Offeror	July 21, 2022 through August 8, 2022
11.	Approve Contract	County Commission	August 9, 2022 (tentative)
12.	Commence Services	Contract Offeror	August 10, 2022 (tentative)



## **TERM OF CONTRACT**

The contract shall be awarded for a two (2) year period; August 9, 2022 to August 8, 2024, The County shall have the option to renew the contract for one (1) additional two (2) year period for a total period of four (4) years through August 8, 2026, or soliciting proposal for a new offeror. The rate shall be negotiated at the end of the first two-year period if the County takes the option to renew. The County reserves the right to terminate the contract at any time for non-performance with no less than a thirty (30) day written notice.

## **BIDDER'S CHECKLIST – REQUIRED FORMS**

Each proposal should be prepared simply and economically, avoiding the use of elaborate promotional materials beyond those sufficient to provide a complete presentation. The cost for developing the submittal is the sole responsibility of the Offeror. The following documents are also required to be included in your proposal packet:

1. Notice to Owner of Intent to Propose – Page #15
2. Offeror's Response Form – Page #16
3. Execution of Proposal Form – page #17
4. Offeror's Reference Form – page #18
5. Offeror's Certification and Non-Collusion Affidavit – page #19
6. Offerors Information Form – page #20
7. Copy of Business License – include with page #20
8. Completed W-9 – include with page #20
9. Options, Exceptions or Variations – Page #21
10. Resident/Veterans Preference Certification – page #22-23
11. Campaign Disclosure Form – pages #24-26
12. Proof of Insurance

## **Contractual Provisions**

The following provisions will be in any contract entered into by and between the County and the successful offeror:

**Amendment:** This contract shall not be altered, changed or amended, except by instrument in writing by the parties hereto.

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

**Equal Opportunity Compliance:** The successful offeror agrees to abide by all Federal and State laws, rules and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the offeror agrees to ensure that no person in the United States shall, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under an agreement for the services outlined in this RFP. If the offeror is found not to be in compliance with these requirements during the life of the contract, then the institution agrees to take appropriate steps to correct these deficiencies. By signing and submitting a proposal, offeror agrees to comply with this paragraph.

## **PROJECT CONTACTS**

Any questions regarding this Request for Proposal must be submitted **by email** to the Purchasing Agent listed below. The County will only consider questions submitted in writing by Offerors regarding the RFP, including requests for clarification and request to correct errors.

Lorraine Schlimm  
Purchasing Agent/Chief Procurement Officer  
417 Gidding St. Suite 100  
Clovis, NM 88101  
Email: [lschlimm@currycounty.org](mailto:lschlimm@currycounty.org)

Written questions/request must be submitted no later than 2:00 PM (Mountain Daylight Time) on June 23, 2022 and must include the requestor's name, mailing address, email address, telephone and firm he/she represents.

Only written questions/requests that are sent to the below email address will be considered. Oral questions/requests will not be considered. Written or oral questions/requests submitted to any other Department or employee will not be considered

## **NONDISCRIMINATION STATEMENT**

Curry County in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Please refer to complete Curry County Title VI Plan, specifically Appendices A and E at <http://www.currycounty.org/dr/miscellaneous>.

**Applicable Laws:** The contract shall be governed by the laws of the State of New Mexico

## **PROTEST DEADLINE**

Any protest by an Offeror shall be timely and in conformance with the applicable procurement regulations. The fifteen (15) day protest period for responsive Offerors shall begin on the day following the contract award and will end as of close of business on fifteen (15) days after the Contract Award. Protests shall be written and shall include the name and address of the protestor and the request for proposals number. It shall also contain a statement of grounds for protest including appropriate supporting exhibits, and it shall specify the ruling requested from the Finance Director/Chief Procurement Officer. The protest shall be delivered to the Assistant Finance Director and Purchasing Agent.

## **ADDITIONAL TERMS**

1. The terms and conditions outlined in this RFP, unless otherwise modified, shall govern the submission of proposals and subsequent contracts. The County reserves the right to reject any proposal which takes exception to these conditions.
2. If there is any clarification, problem, ambiguity or question regarding this RFP, you must contact the Purchasing Agent or Finance Director prior to **the proposal opening**. Clarifications and ambiguities will not be considered after the proposal opening. Answers provided regarding the specifications or RFP package must be answered by the Purchasing Agent or Finance Director. Questions answered by any other person or County Official shall be considered completely non-applicable to the legal provision of this proposal except as authorized by the Purchasing Agent or Finance Director. The County is not responsible for any errors or omissions contained in the offeror's proposal.
3. All information contained in the proposal must be legible. Any and all corrections and/or erasures must be initialed. Changes will not be permitted after the deadline for receipt. Proposals must be signed in ink by an authorized representative of the respondent and the required information must be provided. The contents of the proposals submitted by the offeror of the RFP will become public record upon award and may become part of any contract approved as the result of any solicitation. If there are portions of the proposal desired to be kept confidential, such as company financial information or any data that qualifies as a trade secret in accordance with the Uniform Trade Secret Act 57-3A-1, NMSA 1978, it is necessary to provide a written request for non-disclosure of such information **with the proposal**. It is not acceptable under the New Mexico State Procurement Code to request that either the entire proposal or the proposed cost of services be kept confidential.

4. Addendum: All changes, additions, and/or clarifications in connection with the RFP will be issued by the Curry County Purchasing Agent in the form of a written addendum. The offeror shall acknowledge each addendum on the information form contained with the addendum. Verbal responses and/or representations are **not acceptable**.
5. The offeror will perform all services indicated in the proposal in compliance with the negotiated contract.
6. Proposals that do not meet the requirements set forth may be considered non-responsible.
7. The County reserves the right to negotiate any and all elements of this RFP.
8. The County, or any of its agents, reserves the right to refuse to hold harmless or identify any respondent for any liability whatsoever.
9. Non-Collusion: Offerors, by submitting a signed proposal, certify that the accompanying proposal is not the result of, or affect by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under New Mexico or United States law.
10. Curry County reserves the right to reject any proposal from any offeror that has previously failed to perform properly, or complete on time, contracts of similar nature, or to reject the proposal from any offeror who is not in the position to perform such services satisfactory. Such is at the discretion of the County.
11. If an offeror to whom a contract is awarded refuses to accept the award, or fails to deliver in accordance with the contract terms and conditions, Curry County may, in its discretion, suspend the offeror for a period of time from entering into any contracts with Curry County.
12. This solicitation is governed by the laws of the State of New Mexico. By signing and submitting a proposal, the parties agree that any litigation concerning this request for proposal, or subsequent contract or purchase order must be brought in the 9<sup>th</sup> Judicial District in and for Curry County, State of New Mexico, and each party shall pay its own cost and attorney fees.
13. Failure to comply with all of the Instructions and Conditions may subject the proposal to rejection. The terms and conditions, specifications and Contractual Terms set forth in this RFP will form part of the contract between the County and the successful offeror.
14. All offerors submitting proposals will be notified by letter of the Board's award which will be conditioned upon entering into a formal written contract acceptable to the County.
15. The proposal specifications indicate the minimum standard of quality, performance or other pertinent characteristics required. All variations and exceptions from minimum specifications must be listed on or attached to the proposal.
16. Contents of any proposal shall not be disclosed upon opening, so as to not be available to competing offerors during the negotiation process.
17. Proposals shall be evaluated according to factors set forth on Evaluation Criteria. Each factor shall be given the weight indicated.

18. The County reserves the right to waive any technical irregularities in the form of the proposal which do not alter the quality, quantity, or time of performance of the services, and the County may reject any and all proposals when it is in the best interest of the County to do so.
19. The Curry County Procurement Policy and the New Mexico Procurement Code 13-1-28 through 199, NMSA, 1978 shall apply to this procurement and prevail over any inconsistent terms and govern all interpretations of contract documentation.
20. In submitting this proposal, the offeror represents the offeror has familiarized themselves with the nature and extent of the Request for Proposals dealing with Federal, State and local requirements which are part of the Request for Proposals.
21. In signing this proposal, the offeror certifies that there has been no direct or indirect action in restraint of free competition in connection with this proposal submitted to Curry County.
22. The County shall negotiate a contract with the highest qualified offeror as selected by the selection committee for the services contemplated under this RFP at compensation determined in writing to be fair and reasonable ("Contract").
23. The offeror will be required to carry the following minimum insurance coverage with Curry County named as additional insured on all policies:
  - a. General and professional liability insurance in the amount of \$1,050,000 single limit, and \$2,000,000 aggregate.
  - b. Workers' Compensation insurance as required by state statute.
24. The RFP and the Contract are or will be subject to New Mexico law, including but not limited to, the Procurement Code, the New Mexico Public Works Minimum Wage Act and all federal and state laws, rules and regulations pertaining to equal employment opportunity. The right and obligations set forth herein are to be construed and interpreted according to said laws, regardless of whether they are expressly set forth herein. Should any provision herein be found to be legally unenforceable, it shall not affect the legality or enforceability of the remainder of this contract, so long as the basic intent and object of this agreement is not undermined by the elimination of the objectionable provision(s). The offeror agrees to comply with state laws and rules applicable to workers' compensation benefits for its employees. If the offeror fails to comply with the Workers' Compensation Act and applicable rules when required to do so, this agreement may be terminated by the contracting agency.
25. The offeror will save and hold the County harmless from all suits, actions, claims, losses and expenses, including attorney's fees brought on account of any injuries or damages sustained by an employee or person, including wrongful death, or damage to property as a result of any negligent act or omission by the offeror or employee or agent thereof connected in any way with offeror's performance under this RFP or Contract.
26. The offeror, its agents and employees, by virtue of any award of the RFP will not be employees of Curry County and will not be entitled to any fringe benefits available to the employees of Curry County.

27. The Contract will provide that the County will be allowed to prematurely terminate the Contract if the County Manager and/or County Commission determine that the offeror has inadequately or unsatisfactorily met its obligation under the Contract. The Contract will provide it may be terminated by any party for cause upon 30-days written notice to the other parties to the Contract. As used herein, the term "cause" will mean a material breach of the Contract by a non-terminating party, or acts or conduct by a non-terminating party that substantially alters the terminating party's ability to benefit from the Contract, which breach, acts, or conduct are not cured or remedied within the 30-day period following the giving of notice by the terminating party (which notice shall detail the nature of the breach, acts, or conduct constituting the case for termination and specify the effective date of termination in the event such breach, acts, or conduct constituting the case for termination and specify the effective date of termination in the event such breach, acts, or conduct are not cured or remedied within 30 days following the giving of such notice).
28. The offeror agrees not to assign any rights or privileges under this RFP or the Contract, or any part thereof, to any other person or business entity, without first receiving prior written consent of the County.
29. After award, proposals are subject to public inspection. Any confidential or proprietary information should be marked as such with a brief explanation as to why. Entire proposals may not be marked as proprietary.
30. The County's policy on requests for copies of proposal information after award is as follows:  
Submit a written request detailing what information you would like to receive.
  - a) There will be a charge of \$1.00 per page by cash or check / money order made payable to Curry County at the following address:

Curry County, Finance Department  
417 Gidding Street, Suite 100  
Clovis, NM 88101

The fee must be paid before the information is released.

In order to receive resident or resident veteran preference, a copy of the offer's current Resident/Resident Veteran Contractor Preference Certificate must be included in the Proposal in addition to the Veteran Preference Certification page found in the following Request for Proposals for Professional Engineering Services for Curry County Roads and Project For additional information regarding obtaining a Resident/Resident Veteran Contractor Preference Certificate please visit <http://www.tax.newmexico.gov/Businesses/in-state-veteran-preference-certification.aspx>.

**PROPOSAL FORM  
MANDATORY "NOTICE TO OWNER OF INTENT TO PROPOSE"**

By this "Mandatory Notice to Owner of Intent to Submit a Proposal" the undersigned agrees that he/she has received a complete copy of the RFP. Proposals will only be accepted from those Offerors who sign and return this form. Only potential Offerors who elect to return this form completed with the intention of submitting a proposal will receive copies of all Offeror written questions and the Owner's written responses to those questions, as well as any RFP amendments that may be issued.

**All other responses will be rejected as non-responsive.**

This Mandatory Notice to Owner shall be signed and returned to the Curry County Administration Office, 417 Gidding St., Suite 100, Clovis, New Mexico 88101, [jschlimm@currycounty.org](mailto:jschlimm@currycounty.org), Fax: 575-763-3656 no later than 5:00 pm Mountain Standard Time on:

**June 23, 2022.**

**FIRM:** \_\_\_\_\_

**REPRESENTED BY:** \_\_\_\_\_  
(Printed Name & Title)

**ADDRESS:** \_\_\_\_\_

**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**TELEPHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**E-Mail:** \_\_\_\_\_

\_\_\_\_\_  
Signature of Person authorized to sign for Firm

**ALTERNATE CONTACT PERSON/INFORMATION:** \*This name and address may be used for all correspondence related to the RFP if the Representative indicates herein.

**NAME:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **E-Mail Address of Alternate Contact:** \_\_\_\_\_

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**PLACE AN 'X' ON THE APPROPRIATE STATEMENT BELOW AND RETURN FORM TO THE  
PROCUREMENT MANAGER LISTED HEREIN:**

\_\_\_\_\_ Firm DOES INTEND to respond to this RFP

\_\_\_\_\_ Firm DOES NOT INTEND to respond to this RFP THIS PAGE MUST BE COMPLETED AND  
SUBMITTED ON OR BEFORE June 23, 2022

PROPOSAL FORM  
OFFEROR'S RESPONSE FORM  
RFP #2021/22-04 PROFESSIONAL ENGINEERING SERVICES FOR CURRY COUNTY  
ROADS AND PROJECTS  
DUE DATE: July 7, 2022

The services offered meet specifications: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Completed and attached campaign disclosure form: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Completed & attached veteran's preference form (if applicable): \_\_\_\_\_ Yes \_\_\_\_\_ No

***If the services offered do not meet specifications, all exceptions or variations are set forth on the following page.***

I have read and understand the Terms & Conditions and Specifications and Contractual Terms. I agree to comply with such and warrant that the services offered are as represented in this Proposal.

\_\_\_\_\_  
Signature Name (Typed/Printed)

\_\_\_\_\_  
Company Position

\_\_\_\_\_  
Address Telephone Number FAX Number

\_\_\_\_\_  
City, State, Zip Tax ID # E-mail Address

State of \_\_\_\_\_)

County of \_\_\_\_\_)

\_\_\_\_\_(name), being duly sworn, deposes and says that he/she is  
\_\_\_\_\_(title) of \_\_\_\_\_(company) and all foregoing

Questions and all statements herein contained are true and correct.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR  
PROPOSAL**



PROPOSAL FORM  
EXECUTION OF PROPOSAL FORM  
RFP #2021/22-04 PROFESSIONAL ENGINEERING SERVICES FOR CURRY  
COUNTY ROADS AND PROJECTS  
DUE DATE: JULY 7, 2022

DATE: \_\_\_\_\_

The potential Contractor certifies the following by placing an "X" in all blank spaces:

- \_\_\_\_\_ That this proposal was signed by an authorized representative of the offeror.
- \_\_\_\_\_ That the potential offeror has determined the cost and availability of all materials and supplies associated with performing the services outlined herein.
- \_\_\_\_\_ That all labor costs associated with this project have been determined, including all direct and indirect costs.
- \_\_\_\_\_ That the potential offeror agrees to the conditions as set forth in this Request for Proposal with no exceptions.

Therefore, in compliance with the foregoing Request for Proposals, and subject to all terms and conditions thereof, the undersigned offers and agrees, if this proposal is accepted within ninety (90) days from the date of the opening, to furnish the services for the prices quoted within the timeframe required.

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed Name & Title

**THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL**

OFFEROR'S REFERENCE FORM

RFP #2021/22-04 PROFESSIONAL ENGINEERING SERVICES FOR CURRY COUNTY  
ROADS AND PROJECTS  
DUE DATE: JULY 7, 2022

All references must be from customers for whom your company has completed work similar to the specifications of this bid. Attach additional page if necessary.

References for: \_\_\_\_\_  
(Company Name)

1. Company \_\_\_\_\_  
Street Address \_\_\_\_\_  
City, State & Zip \_\_\_\_\_  
Contact Person Name \_\_\_\_\_  
Phone \_\_\_\_\_ FAX \_\_\_\_\_ Email \_\_\_\_\_  
Describe Scope of Work and dates of project/service: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Company \_\_\_\_\_  
Street Address \_\_\_\_\_  
City, State & Zip \_\_\_\_\_  
Contact Person Name \_\_\_\_\_  
Phone \_\_\_\_\_ FAX \_\_\_\_\_ Email \_\_\_\_\_  
Describe Scope of Work and dates of project/service: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Company \_\_\_\_\_  
Street Address \_\_\_\_\_  
City, State & Zip \_\_\_\_\_  
Contact Person Name \_\_\_\_\_  
Phone \_\_\_\_\_ FAX \_\_\_\_\_ Email \_\_\_\_\_  
Describe Scope of Work and dates of project/service: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL**

PROPOSAL FORM

OFFERORS'S CERTIFICATION AND STATEMENT OF NON-COLLUSION FORM  
RFP #2021/22-04 PROFESSIONAL ENGINEERING SERVICES FOR CURRY  
COUNTY ROADS AND PROJECTS  
DUE DATE: JULY 7, 2022

I \_\_\_\_\_ certify that this proposal is made without prior understanding, agreement or connection with any corporation, firm or person submitting a proposal for the same services and is in all respects fair and without collusion or fraud. I understand that collusive bidding is a violation of state and Federal law and can result in fines, prison sentences and civil damages awards. I certify that this proposal has been prepared independently and the price submitted will not be disclosed to another person.

I certify that there has been no contract or communication by the proposer or the proposer's associates with any County staff, or elected officials since the date this **RFP #2021/22-04 Professional Engineering Services for Curry County Roads and Projects** was issued except: 1) through the Purchasing Department 2) as provided by existing work agreement(s). **The County reserves the right to reject the proposal submitted by any proposer violating this provision.** I agree to abide by all conditions of this proposal and certify that I am authorized to sign this proposal.

COMPANY NAME: \_\_\_\_\_

\_\_\_\_\_  
Authorized Representative (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Representative/Title  
(Print or Type)

**THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL**

PROPOSAL FORM  
OFFEROR'S INFORMATION FORM  
RFP #2021/22-04 PROFESSIONAL ENGINEERING SERVICES FOR CURRY  
COUNTY ROADS AND PROJECTS  
DUE DATE: JULY 7, 2022

1. Legal Business Name: \_\_\_\_\_
2. Street Address \_\_\_\_\_
3. City, State & Zip \_\_\_\_\_
4. Type of Business: \_\_\_\_\_ State of Registration: \_\_\_\_\_

(Association, Corporation, Partnership, Limited Liability Company, etc.)

5. Name & Title of Authorized Signer: \_\_\_\_\_
6. Primary Contact \_\_\_\_\_
7. Phone: \_\_\_\_\_ FAX \_\_\_\_\_
8. Email \_\_\_\_\_
9. Company Website \_\_\_\_\_
10. Has your company ever been debarred from doing business with any federal, state or local agency?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, please state the agency name, dates and reason for debarment.

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**ATTACH COPY OF BUSINESS LICENSE AND A COMPLETED W-9 FORM**

**THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL**

PROPOSAL FORM  
OPTIONS, EXCEPTIONS OR VARIATIONS FORM  
RFP #2021/22-04 PROFESSIONAL ENGINEERING SERVICES FOR CURRY  
COUNTY ROADS AND PROJECTS  
DUE DATE: JULY 7, 2022

Please state each and every option, exception, or variation to the specifications (if any) for the services offered. Please sign below and return with your offer.  
(Use additional pages if necessary.)

1. THERE ARE OPTIONS, EXCEPTIONS OR VARIATIONS \_\_\_\_\_  
Signature

2. THERE ARE NO OPTIONS, ETC. LISTED. The services offered on this Request For Proposal meet or exceed all specifications, terms and conditions as described in said Request For Proposal without exceptions. I understand services not meeting all specifications, terms and conditions will be rejected.

\_\_\_\_\_  
Signature

**THIS PAGE MUST BE COMPLETED AND SUBMITTED AS A PART OF YOUR PROPOSAL**

PROPOSAL FORM  
RESIDENT/VETERANS PREFERENCE CERTIFICATION FORM  
RFP #2021/22-04 PROFESSIONAL ENGINEERING SERVICES FOR CURRY  
COUNTY ROADS AND PROJECTS  
DUE DATE: JULY 7, 2022

RESIDENT/VETERANS PREFERENCE CERTIFICATION FORM

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

**Please check one box only**

**Resident Veterans:**

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$3M allowing me the 10% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime

**Resident Businesses:**

I declare under penalty of perjury that my business is a New Mexico resident business allowing me the 5% 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 veteran's preference, I agree to report to the State's Division of the General Services Department the awarded amount involved. I will indicate in the report the awarded 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.

**Resident Business/Veteran Business Certificate Number:** \_\_\_\_\_

\_\_\_\_\_

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

**A valid New Mexico Resident Business or New Mexico Veteran's Resident Business Certificate number must be provided in order to receive preference.**

I do not claim New Mexico Resident Business or New Mexico Veteran's Resident Business preference on this bid.

\_\_\_\_\_  
(Signature of Business Representative) \*

\_\_\_\_\_  
(Date)

\*Must be an authorized signatory for the Business.

**CAMPAIGN CONTRIBUTION DISCLOSURE FORM**  
RFP #2021/22-04 PROFESSIONAL ENGINEERING SERVICES FOR CURRY  
COUNTY ROADS AND PROJECTS  
DUE DATE: JULY 7, 2022

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor 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 may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code 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.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

**THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND 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 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 of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

**“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.

**“Prospective contractor”** means a person or business that 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 or business 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(s) if any: Tom Martin, Robert Sandoval, Chet Spear, Robert Thornton, Seth Martin, Anastasia Hogland, Candace London, Kendall Kempf, Wesley Waller, Mark Lansford

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By:

\_\_\_\_\_

Relation to Prospective Contractor:

\_\_\_\_\_

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)