

# PROJECT MANUAL

## IMPROVEMENTS SHULER THEATER 131 N. Second Street Raton, New Mexico

June 10, 2019



## **NOTICE OF INVITATION TO BID**

Sealed bids will be received by the City of Raton for providing one time maintenance and improvements to portions of the Shuler Theater located at 131 N. Second Street in Raton. Bidders must be licensed general contractors or licensed electricians. The awarded contractor will subcontract to other licensed trades when needed. Sealed bids will be received at the Office of the City Clerk located at the Raton Municipal Building, 224 Savage Avenue, P.O. Box 910, Raton New Mexico 87740 until 10:00 am MDT on June 27, 2019. Bids will be opened and publicly read aloud immediately after the specified closing time. Bids received after this date and time will be returned unopened. Bids submitted by fax, email, text, or other electronic means will not be considered. The City of Raton reserves the right to waive technicalities, accept or reject any or all bids as deemed to be in the best interest of the City of Raton.

A non-mandatory pre-bid conference will be held at the project site at 10:00 am MDT June 20, 2019.

Plans and specifications in digital format are available at no cost from the architect. Addenda will be issued to parties that received full printed or digital plan sets from the architect. Submit questions or requests for bid documents to the office of the architect, Alpha Design, P.O. Box 241, Raton, NM 87740, phone 575-445-4235, email [alphadesign@bacavalley.com](mailto:alphadesign@bacavalley.com).

Raton City Clerk/Chief Procurement Officer: Michael Anne Antonucci  
Date: June 13, 2019  
Phone: 575-445-9551  
Email: [mantonucci@cityofraton.com](mailto:mantonucci@cityofraton.com)

## PROJECT DESCRIPTION

Contractor will provide all materials, accessories, tools, and labor so that the facility is ready for the Department to re-occupy and use. The remodel will include approximately 1200 square feet of interior work plus various isolated work items outside of the primary work area.

## PROJECT SCHEDULE and USE OF SITE

The City Commission plans to review the quotes submitted within 15 days after quotes are due, then could award the contract for construction. The Commission may deviate from this projected schedule at its option. Construction will occur beginning on or around July 1 with the actual date to be determined by coordination between the contractor and the Shuler management. Construction Time will be 45 calendar days.

Liquidated damages of \$250 per calendar day will be deducted from the payments to the Contractor for each calendar day that work is not substantially complete after the allowed 45 days specified above. Time extensions will not be allowed for poor weather conditions since most of the work is on the building interior. No bonus payments will be made for early completion.

The Shuler Theater will continue to hold rehearsals and events during the work. The City Manager's office will direct when remodel work will need to temporarily stop for theater operations. Rehearsals and events will have priority over the remodel. When directed to stop work by the City Manager, each day or part of a day that the remodel work is interrupted will be credited to the construction schedule. No additional payments will be made for interruptions.

The contractor will coordinate the project schedule with the owner throughout the construction phase in order to minimize the disruption to the project areas during theater events.

## BASIS OF AWARD

The contract will be awarded to the qualified contractor submitting the lowest quote. Resident Contractor Preference and Resident Veteran Contractor preference do not apply because of the size of the project. The Owner reserves the right to accept or reject any bid for any reason and to act in the best interest of the Owner.

## BID BOND

None required

## LABOR AND MATERIAL PAYMENT BONDS

None required

## WAGE RATES

No wage rate is issued specifically for this project. Comply with wage requirements the same as any other private or small public project.

#### SITE INSPECTION

Bidders will inspect the existing facility prior to submitting a bid and be familiar with the existing conditions. Failure of the bidder to fully inspect the project site will not be grounds for a change order whether or not the existing conditions are identified in the plans and this project manual.

#### AGREEMENT

The City of Raton will issue a purchase order to the awarded bidder, or another form of written agreement will be prepared at the City Manager's option.

#### INSURANCE

The Contractor will carry liability insurance, worker's compensation, and other insurance policies required by law. Coverage for each will be at least \$1 million aggregate. The awarded contractor will provide the City with a Certificate of Insurance issued by the insurance provider.

#### WARRANTY

The Contractor will provide a 1 year labor warranty on all work performed.

#### PERMITS

No building permit is required because the project is only maintenance, replacements, and finishes.

#### INVOICE AND PAYMENT

The Contractor can submit an invoice at approximately 30 day intervals for work completed and materials stored on site. Payments will be made within the following 30 calendar days for any undisputed amounts. No payments will be made in advance of the work or product delivery to the site.

## BELOW STAGE PREPARATION

Temporarily remove the movable furnishings and materials from the project area below the stage. Place in the boiler room or elsewhere in the building as directed by the theater management. Replace at the completion of the project at the direction of the management.

### SOUTH STAIR from stage to below stage

Paint drywall and concrete wall at stairs where previously painted. See concrete wall repair description. Do not paint wood handrail or rail brackets. At stage side of stair wall cover the existing drywall with new ½" CD plywood or better. New plywood will measure approximately 10'-6" x 4' and 3'-4" x 4'. No baseboard required. Paint new plywood. Paint existing wood wall cap to match drywall in stairs.

Install horizontal vinyl corner guard over the stairs at the lower edge of the stair ceiling where the corner is damaged. See corner guard description in this project manual. Trim the corner guard to fit the full width of the stairs.

Remove carpet from stairs. 16 risers. Replace carpet with commercial grade vinyl treads and risers equal to Röppe or Johnsonite products. Evaluate edge of stage floor at top riser with architect to determine how to finish with a 16<sup>th</sup> tread, a vinyl nosing, or other solution to be determined.

### NORTH STAIR from stage to below stage

Paint drywall and concrete wall at stairs where previously painted. Do not paint steel handrail and brackets. At stage side of stair wall cover the existing drywall with new ½" CD plywood or better. New plywood will measure approximately 12'-1" x 3'-11 ½". No baseboard required. Paint new plywood. Paint existing wood wall cap to match drywall in stairs.

Cover two vertical exposed drywall corners at the top of the stairs with vinyl corner guards each trimmed from 48" lengths to fit. One of those corner guards will lap the new plywood wall covering. See corner guard description in this project manual. Trim existing 1x wood rail approximately 2" shorter at top of stairs to make room for the other corner guard.

Existing vinyl treads and risers to remain. Heat and re-glue top vinyl riser where lose.

### DOORS, below stage

New doors where specified will be solid core wood with lauan veneer. Leave new doors unfinished to match the existing wood doors. New latches will be lever passage latches, no locks and no knobs. New hardware will be grade 2 with brushed chrome or similar finish.

Door 1 Alley Hall to boiler room. Existing solid core wood door in wood frame. Paint wood frame on hall side of door.

Door 2 North Stairs to Dressing Area. Existing door is missing. Hinges are present. Install new solid core wood door in existing steel frame. Nominal 36"x80". Install new strike plate. Paint frame. Remount existing wall mounted door stop on new painted wood plate mounted to drywall.

Door 3 Dressing Area to Dressing Room #1. Existing solid core wood door in steel frame. Paint existing steel frame.

Install new  $\frac{3}{4}$ " x 5-1/2" x 5-1/2" wood or similar plate over hole in wall previously punched by the door knob. Paint the new plate to match the wall.

Door 4 Dressing Area to Mechanical Room. Existing solid core wood door in wood frame. Paint existing wood frame on dressing area side of door.

Door 5 Dressing area to Orchestra Pit. Existing wood door with steel grill, no frame. Trim top and bottom edges of door so that it doesn't rub on the ceiling and floor when opening. Install new  $\frac{3}{8}$ " plywood measuring approximately 28"x56" over grill on dressing area side of the door. Before installing the new plywood paint the plywood black that will be visible through the grill from the orchestra pit. Paint dressing area side of the door and new plywood after plywood is applied. Do not paint steel grill. Add a simple pull handle to the pull side of the door. Add a common screen door spring if the altered door tends to pull open by gravity.

Door 6 Hall to Dressing Room #2. Replace old wood panel door with new solid core wood door nominal 36"x80" in existing steel door frame. Re-use existing hinges. Install new strike plate. Install new lever latch. Paint frame to match wall.

Door 7 Dressing Room #2 to Toilet Room #1. Existing hollow core wood door and steel frame to remain. Trim edges of door to allow door to close and latch. Paint door and frame to match walls.

Door 8 Hall to Mechanical Room. Existing solid core wood door in wood frame. Paint hall side of wood frame to match wall.

Door 9 Hall to Dressing Room #3. Replace old hollow core wood door with new solid core wood door nominal 36"x80" in existing steel frame. Re-use existing hinges. Install new lever latch and strike plate. Paint frame to match wall.

Door 10 Dressing Room #3 to Toilet Room #2. Existing hollow core wood door and steel frame to remain. Trim edges of door to allow door to close and latch. Paint door and frame to match walls.

Door 11 Exterior Alley to Alley Entry. Existing hollow metal and metal frame. No work required.

#### CONCRETE WALL SURFACE REPAIR, below stage

South and east exterior walls, and the lower level west wall below stage against orchestra pit are constructed of concrete. Those concrete walls are spalling in several isolated locations of the interior surface. Some of those walls have a thin layer of cement plaster that is also spalling. The concrete and plaster is painted. Scrape the spalling surfaces till the substrate is solid enough for painting. Do not chisel or damage the structural integrity of the wall. Apply hardening and bonding agent to be selected with architect then apply concrete patch to the deep voids. New surfaces will not be smooth like new and will have some visible pits and offsets in the plaster and concrete finish. Prepare surface for new paint.

Include the area under the wood steps from the dressing area to the orchestra pit.

#### CONCRETE STAIR REPAIR at alley entry

Concrete is chipped and missing at the nosing of one concrete exterior stair tread. Clean the broken concrete surface of loose material. Drill three or more anchors approximately 3/8" dia. firmly into existing concrete and place a horizontal rebar stick approximately 1/2" dia. then form and pour a concrete patch.

#### FLOOR PATCHING, below stage

At least five small areas of chipped or deteriorated floor slab are found in the Hall and Dressing Area causing tripping hazards. See floor plan for locations. Cut and chisel out the chipped and deteriorated areas, each less than one square foot, to at least 1.5 inches deep. Patch with new concrete patch to reduce the trip hazard.

Existing concrete joints are caulked with some of the caulk coming loose. Remove the caulking that is not securely sealed and bonded then replace with new self leveling paintable dark gray colored caulking made for sealing concrete joints.

Floors have all been previously painted. Most floors are concrete. Floors in and around Dressing Room #1 and alley entry are plywood or particle board. Scrape loose paint from the floors where loose paint is present. Prepare and paint the floors in all rooms below the stage except the two mechanical rooms, orchestra pit, and the old boiler room behind door no. 1.

Floor paint will be manufactured as floor paint and not wall paint. See paint description for products.

## CORNER GUARDS

Install 8 vinyl corner guards below the stage at outside corners of drywall. Install 3 additional corner guards as noted in the north and south stair description. Corner guards will be 48" long x approximately 1.5" x 1.5" and cut where necessary to fit each application. Adhere in place. Color to be selected by architect from manufacturer's standard color selection.

## TOILET ROOM #2 LAVATORY AND CABINET below stage

Replace the existing stainless steel lavatory with improvised supports with new base cabinet.

New cabinet will be 18"x18" constructed with  $\frac{3}{4}$ " solid wood (not particle board) oak face frame,  $\frac{1}{2}$ " particle board sides with real wood veneer at outside face, and  $\frac{1}{8}$ " plywood back. Countertop will be  $\frac{3}{4}$ " particle board with backsplash and countertop laminate. Cabinets will be equal to Legacy brand, Debut series, Select grade. Oak finish will match the existing oak cabinet in the Dressing Area.

If the cabinet is manufactured with a drawer then remove the drawer and install the drawer front as a fixed panel. Shim between new cabinet and floor and wall as needed. Adhere or otherwise fix the cabinet in place against the concrete wall and concrete floor. Apply black or brown vinyl wall base with cove at three sides of the new cabinet base.

Countertop will be  $\frac{3}{4}$ " particleboard with backsplash and laminate. Laminate will match the new laminate at the make-up counter.

Re-use existing stainless steel drop in lavatory and faucet if salvaged in good condition or replace if damaged. If replaced the new lavatory will be stainless steel. Lavatory and faucet equal to Elkay. Connect to existing supply hoses and existing waste piping at removed lavatory. Water heater next to the lavatory will remain.

## MIRRORS, below stage

Mount three existing box mirrors in each of the three dressing rooms. Existing wood boxes framing the mirrors measure approximately 22"w x 67"h x 5"d and are currently stored in the dressing rooms. Mount with the 22"x5" edge of the box resting on the floor so that if someone steps on the base there is less chance of damaging the box and mirrors. Consult theater management for location of each box mirror in each dressing room.

Replace 15"x24" broken mirror above make-up counter. Remount in same location with existing or identical residential plastic clips. Mount with no frame or backing to match other five existing mirrors.

## PAINT below stage

Paint all floors, walls, and drywall ceiling below the stage except for the two mechanical rooms and the boiler room not shown on the floor plan. Paint bottom of trap door hatch and wood tracks to match the ceiling. Paint the wood steps and wood railing from the dressing area to the orchestra pit.

Spray foam was used in the past to seal isolated openings in some walls and ceilings. Where present cut the foam back to approximately flush with the adjacent surfaces before painting the foam with the walls.

Paint walls of stairs except at exterior brick walls above stage level.

Paint exposed conduit where present to match wall and ceiling. Paint existing wood and vinyl wall base where present to match wall. Protect emergency fixtures and detectors from paint and damage.

Paint new plywood above stage floor at wall between stairs and stage. Wall is approximately 4 feet high above the stage level. See stair description.

Paint products will be semi-gloss equal to McCloskey, Pratt and Lambert, or Valspar. Colors will be identified by the architect after consulting management. 1 color for plaster and drywall at walls and ceilings, 1 color at floor, 1 color for steps and rail from dressing area to orchestra pit and door no. 5, 1 color for new plywood above stage stairs, and other colors if needed for miscellaneous isolated items. See exterior door description for additional coatings at oak entry doors. Prepare all surfaces per coating manufacturer's written recommendations.

## HEATING below stage

Replace damaged residential grade return air grill located low on wall in hall by door 8. Replace with new heavy gauge grill or floor grate that can better resist being bumped. Approximately 24"x12", field measure the opening and install without constructing a new frame that would extend the grill farther from the wall.

Supply register damper near the same location doesn't completely seal. Install a second duct damper between the existing damper and the furnace in the furnace room. Cut into and alter the existing flex duct as needed. Coordinate final details with architect.

## LIGHTING

Power and lighting work will be performed by a licensed electrician.

The 12 fluorescent light fixtures shown below the stage will be site altered for new LED lamps in sockets and other damaged parts repaired or replaced. All 12 fixtures are four lamp surface mounted 48 inch fixtures. Replace all 12 wrap around prismatic diffusers with new. At builder's option any or all 12 fixtures can be replaced with new fixtures to match the existing and using the same replacement LED lamps. All 12 fixtures will be left operable whether altered or replaced.

Replace 20 exposed incandescent lamps below the stage over the make-up counter with new screw-in 5 to 6 watt LED lamps, temperature 2500 to 3000 K so that the lamp is the same lumen and color range as 40 watt incandescent lamps. Submit actual lamp sample to the architect for approval prior to ordering.

Replace all (approximately 102) standard screw-in 15 watt exposed incandescent lamps in the public entry awning face overhanging the Second Street sidewalk with the "SHULER" sign. Replace with approximately 1 watt LED outdoor lamps with standard E-26 base, 90 to 120 lumens, temperature 2500 to 3000 K so that the lamp is approximately the same lumens and color range as the existing 15 watt incandescent lamps. Edison style lamps are optional. Equal to Newhouse brand. Verify that the proposed replacement lamp can easily be screwed in and out of the existing sockets and awning face. Submit actual lamp sample to the architect for approval prior to ordering. If corroded sockets are found that do not allow electrical contact with the lamp base then clean the socket with steel wool or similar methods. At all sockets apply automotive grade electric putty and a rubber gasket to help seal out future weathering inside the socket. Notify the architect if some sockets are found to remain non-functioning after cleaning the sockets.

Install a conversion kit to the eight recessed can fixtures at the ceiling of the public entry awning overhanging the Second Street sidewalk. The conversion kit will allow the cans and socket to remain but to power a new LED lamp, 1200 to 1500 lumens, temperature 2500-3000 K. Do not simply screw in a new led lamp into the old socket in place of the old lamp.

Removal of the sheet metal covering the awning is not required. Accessing the inside of the awning is not required.

#### POWER below stage

Repair receptacle in Dressing Room #2 that doesn't have power. If it is found that the receptacle requires new wiring then cap the wires in the junction box and install a blank cover plate.

Remove extension cord from hall to boiler room sump pump located in the east end of the boiler room at a sunken floor level. Wire and install a new receptacle at the existing sump. Conceal new conduit and wiring in wall and ceiling voids. New conduit can be surface mounted where necessary and in the boiler room.

Diagnose why emergency lights fail to light when tested and notify architect of findings. Do not replace emergency fixtures under this contract.

Replace all damaged wall plates with new plastic plates to match existing.

ADDITIONAL WORK below stage

See floor plan for additional work.

PUBLIC RESTROOMS near Second Street entry. One men's and one women's room.

Remove stainless steel soap dispensers and stainless steel towel dispensers. Patch screw holes in drywall behind the old stainless dispensers. Existing plastic soap and towel dispensers to remain. Owner will re-paint affected walls. Coordinate schedule of work with owner.

Cut new opening in existing ½" solid surface quartz or corian countertops between the drop in lavatories for new waste receptacle opening. One new opening in Women's room and one in Men's room. Coordinate locations on countertop with architect. Install new 6 inch diameter x 2" tall stainless steel grommet with finish flange. Adhere or otherwise fix the grommet in the new opening to discourage removal.

EXTERIOR OAK DOORS at the main public entry at Second Street. Four oak doors total.

Sand, stain, seal, and polyurethane the exterior sides of the four doors and two side lites. No new finishes required at the transom windows above. Each door and side lite has multiple glass panes with wood muntins between. The doors are approximately ten years old and in good condition with most weathered portions at the lower end of the doors. The entire exterior face of the doors does not need to be sanded and stained if the new finish matches the existing and a transition from old to new finish is not noticeable. Protect the doors from blowing dust when finishes are applied and curing. Stains and coatings at the exterior doors will be equal to Minwax products.

Doors can be worked on in place, or can be removed to be worked on if the entry is left secure when left unwatched. Public access to the facility will need to be maintained during business hours and for events. Emergency egress from the interior will need to be maintained at all times. Coordinate scheduling with the theater management.

Replace the sweeps at the exterior bottom edge of the four doors with new commercial grade aluminum sweeps with rubber insert. Match the existing sweeps.

Remove the vertical bronze colored brush weatherstripping from exterior face of the door where the door edges meet. The existing doors are slightly warped so that the existing brush weatherstripping doesn't consistently contact the corresponding brush weatherstripping on the adjacent door. Replace with new brush weatherstripping made for installation along at the narrow vertical edge of each door. Putty the old screw holes with putty to match the color of the door.

Provide or replace gasket type commercial grade weatherstripping at the other three edges of the doors as needed to seal the doors in the closed position. Weatherstripping will be selected and located to minimize future damage from contact with people and equipment brushing against the doors and frames.

Weatherstripping will be commercial grade and will be bronze in color. Peel and stick foam will not be used. Coordinate final product selections with architect.

**EXTERIOR HOLLOW METAL DOORS** north of the main public entry at Second Street. Two hollow metal doors total.

Provide or replace commercial grade gasketed weatherstripping at three edges of the doors as needed to seal the doors in the closed position. Install new sweeps at the exterior bottom edge of the doors. Match the sweeps at the oak doors. Coordinate final product selections with architect.

**FIRE ESCAPE DOORS** at the north and south edges of the auditorium balcony

Fire escape doors consist of two pairs of wood doors. Doors are warped and lack adequate weatherstripping. Install new sweeps and weatherstripping to all edges of the wood doors (4 doors total). Coordinate details and product selections with architect.

**CLEAN UP** at all affected work areas

At the completion of work the work areas will be left as clean as reasonably possible. Glass at the exterior doors, sidelites, and transom to be cleaned each side.

Replace the movable furnishings and equipment to the area below the stage at the theater management's direction.

BID FORM

IMPROVEMENTS to the SHULER THEATER  
RATON, NEW MEXICO

TO: City of Raton  
224 Savage Avenue  
Raton, New Mexico 87740

FROM: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ business name and mailing address of bidder

The undersigned, (herein called "Bidder") in compliance with the Instructions to Bidders, having examined the Drawings and Specifications and related Documents as prepared by Alpha Design and having examined the sites of the proposed Work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials and supplies, and to construct the project in accordance with the Contract Documents, and at the prices stated below. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents of which this proposal is a part, except for gross receipts tax on the construction contract.

A. BID AMOUNT

Bidder agrees to furnish all labor, materials, equipment and services required to construct and complete the Work as described and required by the herein above stated Documents, in accordance therewith for the sum of:

\_\_\_\_\_ DOLLARS  
spelled

\$ \_\_\_\_\_  
same amount in numbers

The bid amount indicated does NOT includes NM gross receipts tax to be added to the contract.

B. ADDENDA ACKNOWLEDGMENT

The undersigned acknowledges receipt of the following Addenda if any

:

ADDENDA NUMBER

ADDENDA DATE

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

C. SIGNATURE

Bidder understands that the Owner reserves the right to reject any or all Bids and to waive any formalities in the bidding.

The bidder agrees that this Bid shall be good and may not be withdrawn for a period of thirty (30) calendar days after the scheduled closing time for receiving bids.

Upon receipt of written notice of the acceptance of this Bid, Bidder will execute the formal Contract within ten (10) days and deliver the required Surety Bond or Bonds and Certificates of Insurance as required by the Contract Documents and post bid Submittals as required by the Instructions to Bidders.

The Bid Security attached, in the sum of at least five per cent of the bid amount, is to become the property of the Owner in the event the Contract, Bonds, and Insurance are not executed within the time above set forth, as liquidated damages for the delay and additional expense to the Owner.

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

BY: \_\_\_\_\_  
(Signature)

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

\_\_\_\_\_  
(Business Address)

**D. PROPOSED SUBCONTRACTOR LIST**

New Mexico law requires that a list of all Subcontractors and Suppliers whose subcontract will be for a dollar amount total of \$5000 or more be supplied with the bid. It further requires that if costs or quotes are received for any portions(s) of the work for \$5000 or more per Subcontractor or Supplier, then the bid must include the name of the Subcontractor or Supplier to be used for those portion(s) of the work unless the work will be performed by the General Contractor. Include name, address, and phone number of Subcontracting companies to be used on this project.

If awarded the Contract the bidder proposes to use the following Subcontractor(s) and Supplier(s) when the total payment to each listed Subcontractor or Supplier is expected to exceed \$ 5,000. Write "none" if no subcontractors will perform any work.

Subcontractor, phone number, and license number	Description of Subcontracted Work

**E. BID SUBMITTAL CHECK LIST**

**Submitted to the owner with the Bidder's sealed bid are:**

- 1) This 3 page bid form.**
- 2) Campaign Contribution Disclosure Form (3 page form found near the end of this project manual)**
- 3) Copy of Bidder's New Mexico current active contractor's license**

## CAMPAIGN CONTRIBUTION DISCLOSURE FORM

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 Officials(s) if any:**

Mayor – James Neil Segotta, Jr.  
Mayor Pro Tem – Linde Schuster  
Commissioner – Ronald Chavez  
Commissioner – Donald Giacomo  
Commissioner – Lori Chatterley  
Municipal Judge – Roy Manfredi

**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)