

County of Curry



Invitation to Bid No. 2020/21-01

STRIPING/REFLECTORIZED PAVEMENT MARKINGS

Issue Date:

September 10, 2020

BID Due:

October 6, 2020

Time: 2:00 p.m. Mountain Time

**Curry County Administrative Complex
417 Gidding, Suite 100
Clovis, NM 88101
Attn: Finance/Purchasing Department
575-763-6016**

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On behalf of the Board of Curry County Commissioners and pursuant to and in compliance with the NM State Procurement Code, Curry County hereby invites competitive sealed bids for Striping and or reflectorized pavement markings.

**IMPORTANT:
BIDS ARE DUE BY OCTOBER 6, 2020 AT 2:00 P.M.**

IN THE WAKE OF THE COVID-19 PUBLIC HEALTH EMERGENCY AND TO MINIMIZE PUBLIC HEALTH RISK, BIDS MUST BE SUBMITTED ELECTRONICALLY THROUGH CURRY COUNTY'S PROCUREMENT PROVIDER, VENDOR REGISTRY. REGISTRATION AND ACCESS TO ALL DOCUMENTS IS FREE OF CHARGE. TO REGISTER, PLEASE VISIT THE LINK: [FREE VENDOR REGISTRATION](#). BIDS WILL BE TIME-STAMPED IN THE VENDOR REGISTRY SYSTEM WHEN BIDDER SUBMITS. THE BIDDER WILL RECEIVE AN EMAIL OF THE SUBMISSION FOR THEIR RECORDS. SUCH ELECTRONIC SUBMISSION WILL BE CONSIDERED SEALED BIDS IN CONFORMANCE WITH STATUTE.

WE LOOK FORWARD TO YOUR BID SUBMISSION.

IF THERE IS ANY PROBLEM REGARDING THE FOLLOWING BID SPECIFICATIONS OR CONDITIONS THAT WOULD PREVENT YOU FROM SUBMITTING A BID, CONTACT THE PROCUREMENT OFFICER BY EMAIL AT thall@currycounty.org IMMEDIATELY FOR CLARIFICATION OR CONSIDERATION OF AN ADDENDUM.

Troy Hall
Curry County Purchasing Agent
thall@currycounty.org

SPECIFIC CONDITIONS

Bids must be received electronically by October 6, 2020 at 2:00 p.m. Mountain Time. Sealed bids will be publicly opened online via GoogleMeet. Instructions for participating in the meeting are as follows:

Meeting ID

meet.google.com/ahm-pszz-kfn

Phone Numbers

(US)+1 315-801-9416

PIN: 107 165 330#

[More phone numbers](#)

1. **Criteria for Award:** Award shall be based on the lowest responsible bid prices which meet specifications. Multiple bids may be accepted. The Board of Curry County Commissioners reserves the right to reject any or all bids, to waive any technicalities and to accept the bid(s) which in its judgment is most advantageous to the County.
2. **Guaranteed Performance:** The successful bidder, if awarded a contract as a result of this bid, guarantees that services will conform to the specifications in this bid. Failure of the bidder to comply with providing a service which meets minimum specifications may result in termination of the award of that item or termination of the contract.

SPECIFICATIONS

Curry County is requesting bids from a licensed contractor to provide striping and/or reflectorized pavement marking services for various Curry County roads. Bids shall include materials, labor and equipment as per the specifications contained herein.

Successful bidder shall abide with all applicable New Mexico Department of Transportation Standard Specifications for Highway and Bridge Construction, Division 700 – Traffic Control Devices and with the Manual of Uniform Traffic Control Devices (MUTCD), including Part 6 – Temporary Traffic Control (current editions)

GENERAL REQUIREMENTS

1. The successful bidder shall furnish all equipment, labor, material and tools required to perform the work specified. All equipment proposed to be utilized to accomplish the work described herein, shall be capable, have the capacity and be in good mechanical condition to meet the requirements of the work and services required. Downtime due to equipment failure shall not exceed one (1) working day. Should downtime in excess of one (1) working day occur, the successful bidder shall notify the Curry County Road Department of the problem as well as provide the estimated downtime.
2. The successful bidder shall be responsible for inspecting the roadway(s) prior to

placement of the painted marking. All incidental dirt, debris, oil, rocks, chips or any material that would affect the quality of the markings shall be removed by the successful bidder prior to applying any markings. This work shall be incidental to the placement of painted marking item(s) with no additional cost to the County. Excessive dirt, debris, oil, rocks, chips or any other material present will be immediately reported to the County for removal by County forces or to be paid under the item for Sweeping. Such locations shall not be striped until removal of debris has been completed and approved by the County Road Superintendent.

3. The successful bidder shall have sole responsibility for all clean-up of materials resulting from the transportation of materials and/or work performed under this contract.
4. The successful bidder shall be responsible for all damages resulting from paint materials getting on vehicles utilizing the road.
5. The successful bidder shall utilize the NMDOT's Maintenance Standard Drawings for Mobile Operations. If a deviation from these standards is to occur, the County Road Superintendent or their designee shall review and approve any changes prior to the beginning of operations. The successful bidder shall provide sufficient flagmen, additional shadow vehicles and/or truck mounted attenuators when deemed necessary for safety and/or to allow adequate time for material to cure to a non-tracking state. Treated roadways shall be reopened to traffic during nighttime or nonworking hours. All traffic control costs shall be incidental and included in the cost(s) of the bid item(s).
6. The successful bidder is responsible for restriping any areas where vehicles have tracked through fresh paint.

Storage, Spill Mitigation and Disposal of Material:

The successful bidder shall be responsible for the disposal of all waste material associated with any and all activities covered in this ITB. All waste shall be transported to an appropriate facility for proper handling and disposal.

Material storage, including all materials and material containers, shall be stored according to manufacturer requirements. No material or storage containers shall be stored, staged or left for any period of time within the County right-of-way.

Materials and equipment may be stored at the Curry County Road yards only when authorized by the Curry County Road Superintendent or their designee.

QUALITY AND APPLICATION TOLERANCE

Standards of quality performance indicated or specified herein shall be understood to be minimum requirements.

The finished stripe shall be smooth, aesthetically acceptable and free from undue

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waviness. The end of the stripe shall be square and free from splatter, dribble or any trailing, Centerline stripe and edge stripe shall be four (4) inches wide. White channelizing stripes for left turn bays shall be four (4) inches wide. Stripe width variation of more than ¼” shall require reduction in pay or rework, at the County’s discretion. The space or gap between double yellow stripes shall be two (2) inches clear. A reduction in pay or rework, at the County’s discretion, shall be required for a gap less than 1.75 inches or greater than 2.25 inches. The successful bidder shall be subject to liquidated damages of a price reduction of up to ten percent (10%) of the total project, for pavement markings that are not in compliance with specifications set forth above.

For high build acrylic paints required to be installed at 22 to 25 mils wet film thickness the minimum rate is 24.14 to 27.43 gallons of paint per mile of solid four (4) inch stripe or 6.04 to 6.86 gallons of paint per mile of broken four (4) inch stripe. Application rates will be adjusted as necessary to conform to manufacturer's recommendations for successive generations of pavement materials.

The following table correlates wet mil thickness for four (4) inch stripe, paint volume and stripe length.

PAINT (GAL/MILE)	THICKNESS (MIL)	PAINT (FT/GAL)
30.72	28	172
29.62	27	178
28.53	26	185
27.43	25	193
26.33	24	201
25.23	23	209
24.14	22	219
23.04	21	229
21.94	20	241
20.85	19	253
19.75	18	267
PAINT (GAL/MILE)	THICKNESS (MIL)	PAINT (FT/GAL)
18.65	17	283
17.55	16	300
16.45	15	320
15.36	14	344
14.26	13	370
13.16	12	401
12.06	11	437
10.96	10	481
9.86	9	535

Any error in the striping pattern deemed by the County Road Superintendent or their

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designee to be the responsibility of the successful bidder shall be corrected at the successful bidder's expense, using approved methods. Covering or obliterating any stripe with black paint is strictly prohibited. Pavement markings not applied in accordance with plans and specifications shall be subject to the price reduction schedule consistent with section 704 of the New Mexico Department of Transportation Standard Specifications for Highway and Bridge Construction (current edition).

Striping requiring obliteration shall be removed using only water blasting in accordance with all New Mexico Department of Transportation Standard Specifications for Highway and Bridge Construction. Stripe obliteration shall not deform or damage the roadway surface. The successful bidder shall use equipment capable of delivering water pressure at 36,000 psi. The successful bidder shall collect all debris from the obliteration process and dispose of the material in an approved environmentally sound manner. No payment shall be made to the successful bidder for obliteration of the bidder's improperly installed or rejected pavement markings.

WORK SCHEDULE

Except as otherwise approved in writing by the County, the work shall be performed during daylight hours, Monday through Thursday. No work shall be performed on state holidays or on weekends unless otherwise approved by the County. The successful bidder shall avoid work during "rush hour" traffic in urban areas, unless prior approval is received from the County.

In specific locations requested by the County's Road Superintendent or their designee, the successful bidder shall provide layout in the field where pavement markings are to be placed. The successful bidder shall obtain concurrence from the County's Road Superintendent or their designee before the final markings are applied.

The successful bidder shall provide a minimum of three working days' notice to the County Road Superintendent of location(s) to be striped. When the work is to be performed at the beginning of the work week (Monday), the successful bidder shall provide notice by Wednesday of the preceding week. The successful bidder shall report to the County Road Superintendent or their designee the total number of linear feet of markings applied, material used and location(s) of completed work. Upon notification, the County Road Superintendent or their designee shall conduct a final inspection. Work found to be in conformance with the specifications herein shall be accepted and scheduled for payment.

To ensure timely placement of pavement markings, the following delivery times shall be met from the date of the purchase order or agreed upon start date by the County Road Superintendent or their designee:

PAVEMENT MARKINGS
LINEAR FEET

REQUIRED DELIVERY TIMES
NUMBER OF WORKING DAYS

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0 – 400,000	15
400,001 – 800,000	30
800,001 – 1,200,000	60
1,200,001 AND OVER	**

** The number of days will be determined by the County Road Superintendent or their designee based on actual footage.

TRAFFIC CONTROL

The successful bidder shall abide with the New Mexico Department of Transportation Standard Specifications for Highway and Bridge Construction, special provisions and supplemental specifications, Section 700 on traffic control devices and with the Manual of Uniform Traffic Control Devices current editions, Part 6 – Temporary Traffic Control (current editions).

MOBILIZATION

Mobilization for moves within the State of New Mexico to any job site as required. No payment will be made for moves of less than twenty-five (25) miles. Mileage will be measured and paid from the successful bidder's designated base station to the job site or when applicable mileage will be measured from an existing job site to the new job site and payment will be for whichever distance is less. No payment will be made for the successful bidder's return to their designated based station. The County Road Superintendent or their designee will approve the distance used for payment and their decision shall be final. For the purpose of this item, the successful bidder shall designate a New Mexico base station.

CONTRACT

The term of a contract awarded as a result of this BID shall be from award date for two (2) years. The contract may be renewed according to the terms stated herein for four (4) additional two (2) year periods, not to exceed ten (10) years. All prices, costs and conditions submitted in response to this Invitation to Bid shall remain fixed and valid after the closing date for this bid submission and throughout the term of the agreement. The County shall have the option of renewing the existing contract, by mutual agreement, with approval by the Board of Commissioners, or requesting new Bids for services. The rates may be negotiated for each renewal of the contract. A breach of any terms of the contract shall be grounds for immediate termination of the contract. Either party may terminate the contract for any reason upon written notice to the other party, made at least thirty days in advance of the termination date.

VARIATIONS

Any variations from, or exceptions to, the conditions and specifications of this bid must be listed on a separate sheet labeled "Exception(s) to Bid Conditions", and attached to the bid.

QUOTATION SHEETS

Bidders shall use the attached Quotation Sheet(s) to submit their bids. The Quotation Sheet(s) must be signed.

NEW MEXICO BIDDER'S PREFERENCE

Pursuant to Sections 13-1-21 & 13-4-2 NMSA 1978, and GSD Rule 1.4.1 NMAC, bidders claiming the 5% preference must be certified prior to the bid opening. The number must appear on the Quotation Sheet(s) in the space provided in order to receive the preference.

RESERVATIONS

The Curry County Commission reserves the right to reject any or all bids, to waive any technicalities, to accept in whole or in part such bid or bids as may be deemed in the best interest of the County.

SAFETY REQUIREMENTS

It shall be the contractor's responsibility to provide for the safety of its workers and the public in compliance with the requirements of insurance and public health and safety standards.

AWARD

The award may be made to the bidder providing a responsive, responsible bid that meets and satisfies all of the requirements herein and results in the lowest overall cost to the County. The award will be made by the Curry County Commission at their regularly scheduled meeting. Bid prices must be good for ninety (90) days subsequent to date of opening.

QUESTIONS

Questions regarding the specifications stated within the bid or the bidding process should be directed to Troy Hall, Purchasing Agent at thall@currycounty.org. The last day for questions shall be close of business on Wednesday, September 30, 2020.

PERFORMANCE, PAYMENT AND MATERIAL BONDS

Upon the issuance of a purchase order, the successful awarded contractor(s) must provide a performance bond, payment and materials bond equal to 100% of the total purchase order. Said bonds must be provided to the requesting Road Superintendent or

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their designee prior to the commencement of work.

The performance bond is to secure the County for losses and damages sustained by reason of default by Bidder. A payment bond is to guarantee that subcontractors and material suppliers on the project will be paid. The materials bond is to guarantee availability of equipment and acceptance of product.

TAX NOTE

Price shall not include State Gross Receipts or Local Option Tax. Taxes shall be added to the invoice at current rates as a separate item.

PUBLIC WORKS MINIMUM WAGE ACT:

This is a Public Works Price Agreement subject to the provisions of the Public Works Minimum Wage Act, Section 13-4-11 through 13-4-17, et. Seq. NMSA 1978 as amended. Minimum Wage Rates as determined and published by the New Mexico Department of Workforce Solutions (NMDWS), Santa Fe, New Mexico shall be in effect and utilized by the Contractor during the life of this Agreement.

If a Contractor or Subcontractor is willfully paying employees covered by the Public Works Minimum Wage Act, lower rates than required, the contractor or subcontractor may lose their right to proceed with the work.

PRICE AGREEMENT ORDER:

For projects over \$60,000.00 where a purchase order has been issued, a Wage Rate Decision number must be requested by the County. The Wage Rate Decision number can be obtained through the New Mexico Department of Work Force Solutions, Public Works Section. County must be registered through the Public Works website that can be accessed at: <http://www.dws.state.nm.us/pwaa/LRDEmployer/Core/Login.ASPX>

GENERAL CONDITIONS

1. Bid Forms: All pages included in this Invitation to Bid that are marked "**BID FORM**" must be completed and submitted as part of the bid document.
2. Bids Binding Ninety (90) days: Unless otherwise specified all formal bids submitted shall be binding for ninety (90) calendar days following bid opening date, unless the bidder(s), upon request of the County Manager, agrees to an extension.
3. Payment Terms: For all goods/services provided by the successful bidder, payment shall be made net thirty (30) days from invoice date after receipt of goods/services unless otherwise specified on bid form or as otherwise agreed by both parties. All invoices shall be submitted directly to the Curry County Finance Department at 417 Gidding, Suite 100, Clovis, NM 88101. The successful bidder must submit and have a completed W9 form on file with the County prior to any payments being issued.

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For all services paid by Credit Card, standard payments are usually made within 3-5 business days. All services made by credit card require a receipt. Invoices shall not be submitted separately if payment is made with credit card. Curry County shall not pay any fees when utilizing a credit card for payment.

4. **Equivalency:** The County hereby reserves the right to approve as equivalent, or to reject as not being equivalent, any item the bidder proposes to furnish which contains variations from specification requirements but may comply substantially therewith. Such decisions are strictly at the discretion of the County.
5. If there is any clarification, problem, ambiguity or question regarding this bid, you must contact the Procurement Officer or designee prior to the bid opening. Clarifications and addenda will be considered prior to the bid opening. Answers provided regarding the bid specifications or bid package **MUST** be answered by the Procurement Officer or designee. Questions answered by any other person or County official shall be considered completely nonapplicable to the legal provisions of this bid, except as specifically authorized by the Procurement Officer.
6. **Restrictive Specifications:** It is the responsibility of the prospective bidder to review the entire Invitation to Bid (ITB) packet and to notify the purchasing department if the specifications are formulated in a manner which would unnecessarily restrict competition. Any such protest or question regarding the specifications or bidding procedures must be received in the purchasing department not less than seventy-two (72) hours prior to the time set for bid opening.
7. An in-state resident or resident veteran preference will be given to all resident New Mexico businesses that have been issued certification by the State of New Mexico. To qualify for the preference, the bidder must list a valid resident business certificate number and shall submit a copy of the certificate with the bid. If you have a question regarding a Resident Business (or Resident Veteran Business) Certification, or wish to be given a number, you may contact the New Mexico State Department of Taxation and Revenue at 505-827-0951. This number is valuable to have as it allows the county to consider your bid at five to ten percent less than the amount submitted, and could mean a difference in award. Please note that this number is **NOT** your State CRS Number (i.e. 01503047004). In addition, **any preference numbers issued by the NM State Purchasing Office were valid only through December 31, 2011 and must be re-issued through the Taxation and Revenue Department.**
8. Bidders shall list on a separate sheet of paper any variations from or exceptions to the conditions and specifications of this bid. **This sheet shall be labeled "Exception(s) to Bid Conditions" and shall be included with bid.**
9. **Non-collusion:** Bidders, by submitting a signed bid, certify that the accompanying bid or proposal is not the result of, or affected 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.

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10. Non-discrimination 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>.
11. Qualifications of Bidders: The County Purchasing Officer may make such investigations as he/she deems necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish to the County all such information and data for this purpose as the County may request. The County reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the County that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.
12. The State of New Mexico's Procurement Code, Section 13128 through Section 131199 NMSA 1978, imposes civil and criminal penalties for its violations. In addition, the New Mexico Criminal Statutes impose felony penalties for illegal bribes, gratuities and kickbacks.
13. Curry County reserves the right to reject any bid from a bidder who previously failed to perform properly, or complete on time, contracts of similar nature, or to reject the bid of a bidder who is not in a position to perform such a contract satisfactorily. Such is at the discretion of the County.
14. The successful bidder agrees to protect, defend and save the County, its elected and appointed officials, agents, and employees, while acting within the scope of their duties as such, harmless from and against all claims, demands, causes of action of any kind or character, including the cost of defense thereof, arising in favor of the contractor's employees or third parties on account of bodily or personal injuries, death, or damage to property arising out of services performed or omissions of services or in any way resulting from the acts or omissions of the contractor and/or its agents, employees, representatives, assigns, subcontractors, except the sole negligence of the County under this agreement.
15. If a bidder to whom a bid is awarded refuses to accept the award or, fails to deliver in accordance with the contract terms and conditions, the County may, in its discretion, suspend the bidder/contractor for a period of time from entering into any contracts with Curry County.
16. This solicitation is governed by the laws of the State of New Mexico. By signing and submitting a bid, the parties agree that any litigation concerning this bid, request for

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proposal, limited solicitation, or subsequent contract or purchase order, must be brought in the Ninth Judicial District in and for Curry County, State of New Mexico, and each party shall pay its own costs and attorney fees.

17. Successful bidder must, in performance of work, agree to fully comply with all applicable federal, state and local laws, rules and regulations. The bidder 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' Compensations insurance as required by state statute.
18. It is the responsibility of the bidder to ensure that any addenda issued related to this Invitation to Bid have been received prior to submitting a bid. The County guarantees that any addenda issued will be distributed and available to every party on the Distribution List for this solicitation. The County will not accept responsibility for addenda not being obtained, and will not guarantee that addenda will be forwarded or available if the original packet was not obtained as directed.
19. The successful bidder shall not subcontract any portion of the Price Agreement without the prior written approval of the Procuring Agency. No such subcontracting shall relieve the Bidder from its obligations and liabilities under this Price Agreement, nor shall any subcontracting obligate payment from the Agency.

**BID FORM 1
 QUOTATION SHEET**

Line #	Unit	Article and Description	Unit Price
1.	L.F.	Placement of reflectorized high-durable acrylic traffic painted marking installed at 22 to 25 mils wet film thickness, 4 IN Stripe, white and Yellow (M-TPCWBA CRHB ROHM & HAAS HD-21 type II emulsion or DOW DT 400 NA emulsion). To include shadow vehicles with warning lights and arrow boards. Mobilization required to complete work and all requisite traffic control. Labor and material.	
2.	L.F.	Milled 4-6" wide groove, 75-100 mil depth	
3.	L.F.	Obliteration of existing long line pavement markings 4-6 IN stripe	
4.	S.F.	Obliteration of existing pavement markings by the square foot	
5.	FT.	Layout of passing/no-passing zones, unmarked roadways and auxiliary lanes to include left and right lanes, and acceleration and deceleration lanes. This item will be measured by the linear foot of center line stripe or length of auxiliary lane(s). Mobilization included.	
6.	L.F.	Sweeping. This item to be measured by the linear foot of the stripe to be swept. Sweeping shall be for the lane line where pavement markings are to be directly applied, not the entire roadway surface. For roadways with a centerline stripe, the centerline will be considered one lane line. Note, cases where debris requires more than one pass shall be considered incidental to the measurement.	

The undersigned hereby offers to furnish and deliver the services as specified above at the prices and terms there stated, and in strict accordance with the specifications and general conditions of the Invitation to Bid, all of which are made a part of this offer. This offer must be good for at least ninety (90) days subsequent to the bid opening date.

Signed _____

Printed/typewritten name _____

Title _____

Firm _____

Address _____

Phone _____ Fax _____

Email _____ Date _____

BID FORM 2
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,

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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: Ben L. McDaniel, Robert Sandoval, Chet Spear, Robert Thornton, Seth Martin Anastasia Hogland, Candace Morrison, Debbie Spriggs, 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)

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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)

**BID FORM #3
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 veterans 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.