

**NEW MEXICO HIGHLANDS UNIVERSITY**

**REQUEST FOR PROPOSAL # 23-009**

**Grounds Maintenance  
NGIP: 98836 and 98888**

<p><b>New Mexico Highlands University is soliciting Proposals for Grounds Maintenance for NMHU’s grounds located on its main campus in Las Vegas, New Mexico.</b></p>			
<p><b>Date Request For Proposal</b> <b>23-009</b> <b>Issued: January 04, 2023</b></p>		<p><b>Date and Time Request for Proposal Is Due:</b> <b>Prior to 3:00 pm local time on</b> <b>Wednesday, February 01, 2023</b></p>	
<p><b>NMHU Point-of-Contacts:</b> <b>Ms. Jennifer Madrid</b> <b>Mr. Aaron Flure</b></p>	<p><b>Email:</b> <b>jrmadrid@nmhu.edu</b></p>	<p><b>Phone Number:</b> <b>(505) 454-3358</b></p>	<p><b>Fax Number:</b> <b>(505) 454-3109</b></p>

**RFP CONDITIONS**

New Mexico Highlands University (hereinafter called “NMHU”) is seeking responses (hereinafter called “Proposal”) for the services as requested in this Request for Proposal Number 23-009, its attachments and subsequent addendums (hereinafter called “RFP”). You/your companies’ (hereinafter called “Offeror”) Proposal is to provide responses to all of the requirements set forth within the RFP.

NMHU may accept Proposals, in whole or in part that most closely meets all the criteria described herein. NMHU reserves the right to make an award to multiple Offerors. NMHU also reserves the right to cancel this RFP in whole or in part at any time if it is in its best interests of the University and/or if the State appropriation for this project to the university does not transpire. An award will be based on several weighted criteria, as provided herein. Proposals may not be withdrawn from Offeror for ninety (90) calendar days after the actual date of the closing.

The successful Offeror(s) (hereinafter called “Contractor”) will enter into a binding agreement (hereinafter “Contract”) with NMHU. Offeror may recommend changes, deletions or additions to the Contract, however NMHU will determine if they will be in its best interest to accept any of those recommendations.

For definitions or clarifications to terms, refer to Section VII of this document.

**ACCEPTANCE OF TERMS AND CONDITIONS OF RFP FORM**

During the period of offer, your point of contact (hereinafter called “POC”) will be limited to Ms. Jennifer Madrid, Central Receiving Manager and Mr. Aaron Flure, Director of Purchasing. She has been designated as the contact person for this RFP. No Offeror may contact any NMHU employee, officer or member of the Board of Regents other than Ms. Madrid regarding this RFP through the date of the execution and award of the Contract. Any Offerors who makes such unauthorized contact shall be deemed to have violated the terms and conditions of this RFP and Offeror’s Proposal may be rejected as a result. Questions regarding the RFP should be submitted in writing via email to the POC at [jrmadrid@nmhu.edu](mailto:jrmadrid@nmhu.edu). Any question, statement or response from the POC or other individual from NMHU that is not submitted and responded to in writing will not be incorporated into the Contract, RFP & attachments and addendums. NMHU will not be responsible for any misinterpretations, discrepancies or contradictory information that Offeror may claim if correspondences for clarification are not submitted to and received in writing. Every effort will be made to respond to your questions within a timely manner. The question(s) and response(s) will be shared with all Offerors, with personal information removed to ensure anonymity.

By signing below, Offeror signifies that he understands all of the terms and conditions of this RFP, its Attachments and all subsequent addendums and agrees to cause himself/herself or his/her firm to be bound by them. Only an authorized agent of the Offeror’s company may sign this document.

\_\_\_\_\_  
 Name of Firm Tax Identification No.

\_\_\_\_\_  
 Authorized Representative Name Title

\_\_\_\_\_  
 Signature Date

**Provide point of contact of Offeror:**

\_\_\_\_\_  
 Name Title

\_\_\_\_\_  
 Mailing Address

\_\_\_\_\_  
 Telephone Number(s) Fax Number

\_\_\_\_\_  
 Email Address

## SECTION I GENERAL INFORMATION

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### PROPOSAL SCHEDULE

#### ALL DATES AND TIMES ARE SUBJECT TO CHANGE

Issuance of RFP	January 04, 2023
Site Visit	10:30 AM, January 17, 2023
Last Day to Submit Requests for Clarification	3:00 PM, January 24, 2023
Proposal Submittal Deadline	3:00 PM on February 1, 2023
Receipt/Screening of Proposals	February 01, 2023
Evaluations of Proposals	Approximately (2) weeks, From Receipt of Proposals
Negotiations, if Required	TBD
Conclusion of Negotiation, Final Offer Due	TBD
Award of Contract	TBD
Award of Purchase Order	TBD
Protest Period	TBD
Performance Start	TBD

## **SECTION II PURPOSE AND SPECIFICATIONS**

### **1. PURPOSE**

NMHU is seeking proposals for an experienced and qualified Grounds Maintenance vendor.

This Request for Proposals (RFP) solicits proposal for a company or person to maintain multiple areas around main campus.

## **SECTION III SCOPE OF WORK & SUBMITTALS**

### **1. SCOPE OF WORK:**

Routinely performing raking, mowing, weeding, trimming around sidewalks, flowerbeds, edging and trash/litter pickup. Maintain turf, small shrubs and trees and maintain gravel beds. Also snow and ice removal from walkways.

### **2. REFERENCES:**

Furnish up to three (3) References that Offeror has provided similar services to within the last 5 years. The organizations name, a contact, telephone number, and a brief description of the items and services provided are required for each reference. Offeror, by furnishing these references, agrees to allow NMHU to contact any persons and/or organizations listed, and to utilize information obtained in evaluation of the proposal.

### **3. AVAILABILITY AND RELIABILITY:**

Provide a performance timeline based on the information presented in the Scope of Work that includes all segments of your proposed work. NMHU is interested in how quickly an Offeror can respond to an issue when it arises in addition to availability for recurring work. Please include any pertinent information such as the number of staff that could be dedicated to this Scope of Work, equipment owned as well as any other items you wish to include.

### **4. EXPERIENCE:**

Indicate experience relating to the area described in the scope of work and as related to this RFP. Describe any additional experience that would substantiate and enhance the qualifications of the respondent in regards to the performance of a contract resulting from this solicitation.

**5. COST:**

Include your general hourly rate for services and specific rates for any specialized services. This includes if you have different rates for different types of services that are part of this RFP. Please include any additional services and costs you are able to perform that are related but may not be specified in this RFP. If you have holiday or weekend rates, please be sure to include these itemized as well.

## **SECTION IV GENERAL TERMS AND CONDITIONS**

**1. LENGTH OF PROPOSAL**

Offerors are required to keep their proposal within ten (10) pages. Double –sided printed pages will count for two (2) pages. The following will not count towards the limit of ten (10) pages:

- 1.) Tab Dividers provided the only text or graphics on the dividers are the tab numbers and section titles;
- 2.) Acceptance of Terms and Conditions of RFP Form (page 2 of this document);
- 3.) Addenda Acknowledgement Form (Attachment 1);
- 4.) Supplier Conflict of Interest and Debarment/Suspension Certification Form (Attachment 2);
- 5.) Campaign Contribution Disclosure Form (Attachment 3);
- 6.) New Mexico Business Preference Form (Attachment 4), if applicable;
- 7.) Resident Veterans Preference Form (Attachment 5), if applicable.

**Any response that exceeds the referenced page limitation shall have a deduction of 10 points taken from each evaluation committee member’s Technical Proposal score.** If there are any questions regarding format or submission requirements, please contact the NMHU Procurement Contact prior to submission of Documents.

**2. SITE VISIT:**

A site visit will be held on Tuesday, January 17, 2023 at 10:30 AM. Site Visit is optional. Meet location is Facilities Building located at 1051 11<sup>th</sup> Street, Las Vegas, NM 87701. Refer to “ACCEPTANCE OF TERMS AND CONDITIONS OF RFP FORM” regarding any questions and answers.

**3. CHANGES**

The Purchasing Director may at any time, by written order, and without notice to the sureties, if any, make changes within the general scope of this contract. If any such change causes an increase or decrease in the cost of, or the time required for, performance of any part of the work under this contract, whether or not changed by the order, the Purchasing Director shall make an equitable adjustment in the contract price, the delivery schedule, or both, and shall modify the contract. The Contractor must assert its right to an adjustment under this clause within 30 days from the date of receipt of the written order. Failure to agree to any adjustment shall be a dispute under the Disputes clause. However, nothing in this clause shall excuse the Contractor from proceeding with the contract as changed.

**4. AWARD**

- A.) In accordance with the State of New Mexico “Procurement Code”, §13-1-28 through §13-1-199 N.M.S.A., NMHU reserves the right to make an Award to the Offeror which provides the services in its best interest and may not make the Award to the Offeror with the lowest fee. The RFP will be evaluated based on all criteria listed in this RFP, its attachments and its addendums; and
- B.) NMHU reserves the right to negotiate with Offerors. Issuance of an Intent to Negotiate with an Offeror does not guarantee an Award. An Award will be made only after NMHU and Offeror complete successful negotiations/clarifications if needed. The *continuation* of an executed Contract is dependent on the acquisition of funding for this project at the beginning of each fiscal year.

**5. PERIOD OF PERFORMANCE**

This Award shall be effective on the date the Contract is signed by duly authorized individuals from NMHU and Contractor. The Award will be for one (1) years from the effective date of the Contract. The Award can be renewed if such renewal is mutually agreed to and found to be in the best interest of NMHU. These renewals shall be in one (1) year increments and is not to exceed nine (9) renewal years, not to exceed ten (10) years including all renewals.

**6. PROTEST**

In accordance with Section §13-1-172 NMSA 1978, any Offeror who is aggrieved in connection with a solicitation or the award of a contract may protest to the Procurement Director. The protest must be submitted in writing within fifteen (15) calendar days after knowledge of the facts or occurrences giving rise to the protest. Protests must be submitted in written form to:

New Mexico Highlands University  
Attn: Aaron Flure, Director of Purchasing  
P.O. Box 9000  
Las Vegas, NM 87701 or aflure@nmhu.edu

The protest letter shall include the name and address of the protestant, the solicitation number, and a statement of the grounds for protest, including appropriate supporting exhibits.

**7. FAILURE TO MEET REQUIREMENTS**

Failure on the part of the Offeror to meet these requirements shall constitute a material breach of Contract, upon which the University may terminate this agreement in accordance with the provisions listed below or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, and all monies so paid by the University shall be repaid by Contractor upon demand.

**8. AUTHORIZED AGENT**

Contractor agrees that the performance of all Services required under the terms and conditions of the RFP, addendums, Proposal and subsequent changes to the Contract are to be subject to the direction of NMHU or person designated by NMHU. Such person designated by NMHU shall be the Authorized Agent representative of NMHU.

All Services are to be performed only after the Authorized Agent has given approval to perform the Services. All information or direction desired or required by the Contractor for the performance of his Services hereunder shall be obtained from said Authorized Agent and representative.

**9. INVOICING AND PAYMENTS**

Upon certification and acceptance of services, and if applicable, NMHU will issue initial payment within thirty (30) calendar days of agreed upon payment schedule. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked;

a. Reference the Purchase Order number on the Invoice; and

b. Invoices are to be sent to:

New Mexico Highlands University

Attn: Accounts Payable

P.O. Box 9000

Las Vegas, NM 87701

**10. NEW MEXICO LAW PREVAILS**

The place of performance of any resultant Contract of this RFP shall be the State of New Mexico. This Contract shall be construed, interpreted and enforced according to the laws of the State of New Mexico, and all claims and disputes shall be brought in the State courts of the State of New Mexico.

**11. REQUIRED AND INFORMATIONAL FORMS**

A.) The following are to be **completed and submitted** with your Proposal:

8.) Acceptance of Terms and Conditions of RFP Form (page 2 of this document);

9.) Addendum(s) Acknowledgement Form (Attachment 1);

10.) Supplier Conflict of Interest and Debarment/Suspension Certification Form (Attachment 2);

11.) Campaign Contribution Disclosure Form (Attachment 3);

12.) New Mexico Business Preference Form (Attachment 4), if applicable;

13.) Resident Veterans Preference Form (Attachment 5), if applicable.

B.) Informational Documents

1.) Advertisement (Attachment 6)

## SECTION V EVALUATION COMPONENTS

This section of the RFP contains specifications and other relevant information to be used by Offeror in preparation of their Proposal.

Offerors shall ensure that all the information required herein be submitted with their Proposal. All information provided should be verifiable by documentation requested by NMHU. Failure to provide all information, inaccuracy or misstatement may be sufficient cause for rejection of the Proposal or rescission of the Contract. **Offerors are encouraged to provide any additional information describing any additional abilities. Offerors are required to keep their technical proposal within ten (10) pages.**

All responsive Proposals will be reviewed independently by each member of the evaluation committee. Their evaluations will be based on the Proposal as a whole and will be scored solely on the requirements, data, information and related responses to the RFP.

### SELECTION CRITERIA

All Proposals shall be reviewed for compliance with the mandatory requirements as stipulated within this RFP and procurement statutes. Proposals found not to be in compliance will be rejected from further consideration. NMHU will determine if the Proposal complies. Proposals which are not rejected will then be evaluated based upon the following weighted criteria. There is a maximum number of one-hundred (100) points that may be awarded.

<u>Description</u>	<u>Weight</u>
1. <b>Performance History of Vendors</b> NMHU shall evaluate based on past performance of projects.	25%
2. <b>Cost</b> NMHU shall evaluate based on cost proposal.	25%
3. <b>Knowledge in Maintaining the Campus Trees and Vegetation</b> NMHU shall evaluate based on similar projects conducted by Offeror and the references provided	15%
4. <b>References</b> NMHU shall evaluate the Offeror's references of other work experience.	15%
5. <b>Availability and Reliability</b> NMHU shall evaluate the availability and reliability of the vendor with NMHU's hours or operation as well as holidays and closures.	20%
<b>Total</b>	100%



## SECTION VI SUBMITTAL PROCEDURES

### 1. NUMBER OF PROPOSALS

Offeror is to submit **four (4)** complete copies of their Proposal when submitting through carrier service or in person. Offeror is to submit **one (1)** copy when submitting through vendorregistry.com

### 2. COSTS INCURRED

Any cost incurred by the Offeror in preparation, delivery and presentation of any Proposal or material submitted in response to this RFP shall be borne solely by the Offeror.

### 3. INSTRUCTIONS

#### A.) Instructions

- 1.) Proposals must be received in the NMHU main campus' Central Receiving Department office (800 National Avenue, Las Vegas, NM 87701) or electronically at vendorregistry.com by the due date and time as listed on page three (3) of this RFP. If a Proposal is late NMHU shall not accept it. Postmarked or estimated delivery dates issued by carriers will not be accepted as received by NMHU.
- 2.) All Proposals must be submitted in a SEALED envelope. Please write on the outer sealed envelope the following:  
**"Sealed PROPOSAL #23-009 to be received by 3:00 PM on February 01, 2023."**  
Failure to mark the sealed envelope may result in the Proposal being opened early or later and/or the Proposal may be declared non-responsive;
- 3.) NMHU is not responsible for Proposals lost during delivery regardless of means of delivery. Proposals may be accepted if received by NMHU staff and not delivered to the Purchasing Department office only when the error was made by NMHU staff. NMHU will make this determination.
- 4.) Faxed and emailed Proposals shall not be accepted.
- 5.) Proposals will be accepted through vendorregistry.com.

#### B.) DELIVERY MAY BE MADE AS FOLLOWS

- 1.) **If via delivery in person:**  
New Mexico Highlands University  
Post Office – Receiving  
Attn: Purchasing Department-RFP #23-009  
800 National Avenue Las Vegas, NM 87701
- 2.) **If via USPS, FedEx, UPS or other carrier**  
New Mexico Highlands University  
Post Office – Receiving  
Attn: Purchasing Department-RFP #23-009  
800 National Avenue Las Vegas, NM 87701

## SECTION VII INSTRUCTIONS TO OFFERORS

### 1. DEFINITIONS AND TERMS

- A.) **Addendum:** a written or graphic instrument issued prior to the opening of Proposals which clarifies, corrects, or changes the RFP. Plural: addenda.
- B.) **Determination:** means the written documentation of a decision of the Purchasing Agent including findings of fact required to support a decision. A determination becomes part of the procurement file to which it pertains.
- C.) **Offeror:** any person, corporation, or partnership legally licensed to provide professional services in this state who chooses to submit a Proposal in response to this RFP.
- D.) **Purchasing Agent:** means the person or designee authorized by NMHU to manage or administer a procurement requiring the evaluation of proposals.
- E.) **RFP:** means all documents, including attachments, addendums or other documents incorporated by reference which are used for soliciting Proposals.
- F.) **Responsible Offeror:** means a Offeror who submits a responsive Proposal and who has furnished, when required, information and data to prove that his financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the Services described in the RFP.
- G.) **Responsive Proposal:** means a Proposal which conforms in all material respects to the requirements set forth in the RFP. Material respects of a RFP include, but are not limited to; price, quality, quantity or delivery requirements.
- H.) The terms **must, shall, will, is required, or are required,** identify a mandatory item or factor. Failure to comply with a mandatory item or factor may result in the rejection of the Offeror Proposal.
- I.) The terms **can, may, should, preferably, or prefers** identify a desirable or discretionary item or factor.

### 2. RFP DOCUMENTS

#### A.) COPIES OF RFPS

- 1.) A complete set of the RFP shall be used in preparing Proposals; NMHU assumes no responsibility for errors or misinterpretations resulting from the use of an incomplete set of the RFP.
- 2.) A copy of the RFP shall be made available for public inspection at the Purchasing Office of NMHU.

#### B.) INTERPRETATIONS

- 1.) All requests of clarification about the meaning or intent of the RFP shall be submitted in writing and to the POC. The date listed as the deadline for submitting questions is the date of receipt. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
- 2.) Offerors should promptly notify NMHU of any ambiguity, inconsistency, or error, which they may discover upon examination of the RFP.

**C.) ADDENDA**

- 1.) Addenda will be mailed, by facsimile or emailed to all who are known by NMHU to have received a complete set of RFPs.
- 2.) Each Offeror shall ascertain, prior to or with submitting the Proposal, that the Offeror has received all Addenda issued, and shall acknowledge their receipt in the Proposal transmittal letter (Attachment 1).

**3. PROPOSAL SUBMITTAL PROCEDURES**

**A.) CORRECTION OR WITHDRAWAL OF PROPOSALS**

- 1.) A Proposal containing a mistake discovered before Proposal opening may be modified or withdrawn by an Offeror prior to the time set for Proposal opening by delivering written, telegraphic, or electronic notice to the location designated in the RFP as the place where Proposals are to be received.
- 2.) Withdrawn Proposals may be resubmitted up to the time and date designated for the receipt of Proposals, provided they are then fully in conformance with the RFP.

**B.) REJECTION OR CANCELLATION OF PROPOSALS**

A rejection or cancellation of this RFP may be made in accordance with §13-1-131 N.M.S.A. 1978. NMHU reserves the right to waive irregularities, reject any or all Proposals, cancel this RFP for any reason and at any time, and/or award a Contract that is in its best interests.

**4. CONSIDERATION OF PROPOSALS**

**A.) RECEIPT, OPENING AND RECORDING**

- 1.) Proposals received on time will be opened in the presence of two (2) or more witnesses (NMHU employees), but will not be opened publicly.
- 2.) The contents of all Proposals shall not be disclosed so as to be available to competing Offerors during the negotiation process.

**B.) PROPOSAL EVALUATION**

- 1.) Proposals shall be evaluated on the basis of demonstrated competence and qualification for the type of Service required, and shall be based on the evaluation factors set forth in this RFP. For the purpose of conducting discussions, proposals may initially be classified as:
  - a.) acceptable, or
  - b.) potentially acceptable, that is, reasonably assured of being made acceptable, or
  - c.) unacceptable (Offeror whose Proposal is unacceptable shall be notified promptly).
- 2.) NMHU shall have the right to waive technical irregularities in the form of the Proposal of the Offeror, which do not alter the price, quality or quantity of the Services.

- 3.) If an Offeror who otherwise would have been issued an Award and Contract, is found not to be a responsible Offeror, a determination that the Offeror is not a responsible Offeror, setting forth the basis of the finding, shall be prepared by the Purchasing Agent. The unreasonable failure of the Offeror to promptly supply information in connection with an inquiry with respect to responsibility is grounds for a determination that the Offeror is not a responsible Offeror.
- 4.) Selection Process
  - a.) The evaluation of Proposals will be performed by an evaluation committee composed of representatives selected by the NMHU. The committee shall evaluate statements of qualifications and performance data submitted by Offerors in regard to the particular request.
  - b.) The committee will, rank in order of their qualifications which are most qualified to perform the required services:
  - c.) If Applicable, committee will recommend the finalist(s) for oral presentation to the committee. The committee along with the Chief Procurement Officer (CPO) will determine the schedule for the oral presentations. The top-rated Offerors will then be scheduled. The committee may make recommendation to the Purchasing Director as to selection of Offeror. All costs incurred by Offeror for the oral presentations will be borne on Offeror.

**C.) NEGOTIATIONS**

Offerors submitting Proposals may be afforded an opportunity for discussion and revision of Proposals. Revisions may be permitted after submissions of Proposals and prior to Award for the purpose of obtaining best and final offers. Negotiations may be conducted with responsible Offeror who submit Proposals found to be reasonably likely to be selected for Award.

**D.) NOTICE OF AWARD**

After Award by NMHU, with reasonable promptness, a written Notice of Award shall be issued by NMHU to the selected Offeror and a letter of non-Award to the unsuccessful Offerors.

**ATTACHMENT 1**

**ADDENDA ACKNOWLEDGEMENT FORM**

**ADDENDUM ACKNOWLEDGEMENT**

In submitting this Proposal, Offeror represents that he has examined copies of all addenda listed below and has incorporated them into his Proposal:

<b>Addendum Number</b>	<b>Date</b>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**ATTACHMENT 2**

**SUPPLIER CONFLICT OF INTEREST AND  
DEBARMENT/SUSPENSION CERTIFICATION FORM**

**Conflict of Interest**

- 1.) No employee or Regent of New Mexico Highlands University has a direct or indirect interest in the Contractor or in the proposed transaction (unless Contractor is a publicly traded company and the employee or Regent's interest is less than one percent (1%) of the Contractor);
- 2.) Contractor neither employs nor is negotiating to employ any NMHU employee or member of the NMHU Board of Regents;
- 3.) Contractor did not participate directly or indirectly in the preparation of specifications upon which the Proposal is made;
- 4.) If the Contractor is a New Mexico State Legislator or if a New Mexico State Legislator holds a controlling interest in Contractor, please identify Legislator(s):  
\_\_\_\_\_;
- 5.) List below the name and social security number of any employee of the Contractor or person assisting in the proposed transaction in any way who was a NMHU employee within the preceding twelve (12) month period; and
- 6.) In accordance with NMHU policy, an award cannot be made to a firm in which current or recent (last twelve [12]) NMHU employees have a controlling interest.

**Debarment/Suspension Status**

- 1.) The Contractor certifies that it is not suspended, debarred or ineligible from entering into contracts with the Executive Branch of the Federal Government, or in receipt of a notice or proposed debarment from any Agency; and
- 2.) The Contractor agrees to provide immediate notice to New Mexico Highlands University Purchasing Department Buyer in the event of being suspended, debarred or declared ineligible by any department or Federal Agency, or upon receipt of a notice of proposed debarment that is received after the submission of the Proposal but prior to the award of the purchase order or contract.

**Certification**

The undersigned hereby certifies that he/she has read the above Conflict of Interest and Debarment/Suspension Status requirements and that he/she understands and will comply with these requirements. The undersigned further certifies that they have the authority to certify compliance for the Contractor named below.

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Name Typed: \_\_\_\_\_ Date: \_\_\_\_\_

Company: \_\_\_\_\_ City \_\_\_\_\_

Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip \_\_\_\_\_

**ATTACHMENT 3**

**CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Pursuant to the Procurement Code, Sections §13-1-28, et seq., N.M.S.A. 1978 and N.M.S.A. 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 (2) 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 (2) 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 (2) 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 N.M.S.A. 1978 or a Contract that is executed may be ratified or terminated pursuant to Section §13-1-182 N.M.S.A. 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:

\_\_\_\_\_  
 (Completed by State Agency or Local Public Body)

**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)

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**(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)

**ATTACHMENT 4**

**NEW MEXICO BUSINESS PREFERENCE**

Points will be awarded based on Offeror's ability to provide a copy of a current Resident Business Certificate or Resident Veterans Certificate.

In addition, the attached certification form must accompany any RFP and any business wishing to receive a resident veteran's preference must complete and sign the form.

RFP's are to be evaluated on preference as follows:

In addition, to the total points on an RFP, 10% must be added for preference award. For example; an RFP has a total value of 1000 points. Five proposals are received; one from a resident business, one from a resident veteran's business with an 8% preference and three non-resident businesses.

The two preference businesses would receive 50 points and 80 points to their already evaluated score, making it possible for the highest score total 1080.

"I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty or 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 N.M.S.A. 1978, when awarded a contract which was on the basis of having such veteran's preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

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

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

**NM RESIDENT PREFERENCE NUMBER OR RESIDENT VETERANS PREFERENCE NUMBER (if applicable):**

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**ATTACHMENT 5**

**RESIDENT VETERANS PREFERENCE CERTIFICATION FORM**

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

**Please check one only**

\_\_\_\_\_ I declare under penalty of perjury that my business prior year revenue starting January 01 ending December 31 is less than \$1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

\_\_\_\_\_ I declare under penalty of perjury that my business prior year revenue starting January 01 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

\_\_\_\_\_ I declare under penalty of perjury that my business prior year revenue starting January 01 ending December 31 is more than \$5M allowing me the 7% preference discount on this solicitation. 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 or perjury that during the last calendar year starting January 01, 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 N.M.S.A. 1978, when awarded a contract which was on the basis of having such veteran's preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

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

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

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

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

\*Must be an authorized signatory for the business.

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

**ATTACHMENT 6**

**NEW MEXICO HIGHLANDS UNIVERSITY  
REQUEST FOR PROPOSAL #23-009  
NGIP: 98836 and 98888**

New Mexico Highlands University (NMHU) is seeking proposals from experienced and qualified companies for its Grounds Maintenance Services for main campus Request for Proposal Number 23-009.

An optional, yet highly encouraged, site visit will be held at the Facilities Services Building located at 1051 11<sup>th</sup> Street Las Vegas, New Mexico. It will be held on January 17, 2023 at 10:30 am.

All proposals must be submitted to NMHU's Purchasing Department prior to **3:00 pm** local time on Wednesday, February 01, 2023. Proposals received after that time shall not be accepted. Proposals shall not be opened publicly.

All proposals shall comply with the New Mexico Procurement Code, and applicable federal, State and local laws.

NMHU reserves the right to waive irregularities, reject any or all proposals, cancel this RFP for any reason and at any time, and/or award a contract that is in its best interest. No offeror may withdraw his proposal for ninety (90) calendar days after the actual date of the opening.

RFP 23-009 will be available and solicited through Vendor Registry at: <https://vrapp.vendorregistry.com> Proposals received after that time will not be accepted

RFP documents can also be obtained by emailing [rfp@nmhu.edu](mailto:rfp@nmhu.edu).

To register at Vendor Registry, follow three steps below:

1. [www.nmhu.edu/purchasing-department](http://www.nmhu.edu/purchasing-department)
2. Click "Information for Vendors Link"
3. Click Vendor Registration, complete instructions