



**REQUEST FOR PROPOSALS
FOR
CONSTRUCTION SERVICES**

RFP Number: 2009-0001LCC

December 25, 2009

**Luna Community College
MEDIA EDUCATION CENTER
Las Vegas, New Mexico**

**Luna Community College
366 Luna Drive
Las Vegas, New Mexico 87701**

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I. PROJECT INFORMATION

A. PURPOSE OF THIS REQUEST FOR PROPOSALS

Luna Community College, (LCC), is requesting competitive sealed proposals for construction services based on the scope of work described below. All potential Offerors are to read, understand and accept the requirements of this Request for Proposals, (RFP).

B. BACKGROUND

It is the intent of the Luna Community College to apply sustainable development concepts in the planning, design, construction, environmental management, operation, maintenance and disposal of facilities and infrastructure projects, consistent with applicable laws and budget requirements. Furthermore, EO 2006-001, State of New Mexico Energy Efficient Green Building Standards for State Buildings, signed January 16, 2006, calls on Executive Branch state agencies, and Institutions of Higher Learning, to promote energy efficiency, water conservation, and the use of clean energy sources, and to help foster markets for sustainable economic development. Specifically, it requires Luna Community College to adopt the U.S. Green Building Council's LEED[®] rating system to achieve a minimum rating of LEED[®] Silver for new construction of public buildings in excess of 15,000 square feet and/or using over 50 kW peak electrical demand. In achieving its LEED rating, the project must achieve a minimum delivered energy performance standard of 50% of the US energy consumption for that building type as defined by the U.S. Department of Energy. Additionally, new construction and renovation of public buildings between 5,000 -15,000 square feet shall achieve a minimum delivered energy performance standard of 50% of the US energy consumption for that building type as defined by the U.S. Department of Energy.

Luna Community College is requesting proposals for the construction of a new facility hereinafter referred to as the LCC Media Education Center or as the "Project". The proposed facility will be located at the main campus of Luna Community College at 366 Luna Drive, Las Vegas, New Mexico, 87701. The new energy efficient, state-of-the-art facility will serve as a media arts and general education center.

C. PROJECT DESCRIPTION

The Proposed Project is planned as a phased construction project. The building is designed to achieve the USGBC LEED Silver certification. Funding for the initial phase of construction is by General Obligation Bonds and State of New Mexico Legislative Funding. The completed project will include teaching facilities for the Media Arts Education Program of the College. The master plan includes four classrooms, two production studios, a 1200 seat auditorium, platform-stage, backstage support, staff and administrative offices and required ancillary spaces. The site development master plan includes renovation of two existing parking lots and the addition of a new south parking lot, service parking lot, and a new connecting road. Extension of all utilities will be necessary to serve the new building.

Phase 1, or Base Bid, includes the classrooms, production studios, offices and lobby, all surrounding the auditorium. It is the intent of the solicitation to provide a "Certificate of Occupancy for a portion of that portion of the building. The auditorium will be "warm shell" construction, a minimal HVAC system will be provided but the space will be unfinished. As permitted by funding, several Additive Alternates are being proposed. If awarded, the Owner will award alternates in any order it deems in its best interest. Future phases, all dependent on the Owner identifying

additional funding, may include enhancements to the classroom and production studios, completion of the auditorium, performance stage, backstage areas, and the site improvements.

- A mandatory Pre-proposal meeting and site visit will be held at the main campus of LCC located at 366 Luna Drive, Las Vegas, New Mexico 87701 on January 6th, 2010 at 1:30 P.M. The meeting will be conducted at the Learning Resource Center, (LRC), Lecture Hall located at the main campus. **All prime contractors intending to submit on this project must attend this meeting. Again, this is a mandatory meeting.**
- LCC reserves the right to reject any or all proposals.

D. PROCUREMENT SCHEDULE:

It is the goal of Owner to Award the Contract & Authorize the architect and the Owner's staff to Negotiate with highest ranked proposer on or before February 17th, 2010

Construction documents are available for inspection at the following locations:

Ortega/Romero/Rodriguez Architects 1418 Luisa Street, Suite 6 Santa Fe, New Mexico 87505 (505) 984-8208	Construction Reporter 1609 Second Street NW Albuquerque, NM 87102 (505) 243-9793 (505) 242-4758 FAX	Builder's News and Plan Room 3435 Princeton Drive NE Albuquerque, NM 87107 (505) 884-1752 (505) 883-1627 FAX	Dodge Reporters/McGraw Hill 1615 University Blvd NE Albuquerque, NM 87102 (505) 243-2817 (505) 842-0231 FAX
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Project Estimate: A/E's Estimate: **\$ 6.0 million**
(note: includes New Mexico Gross Receipts Taxes.)

This procurement shall be under the Competitive Sealed Proposals for Construction and Facility Maintenance, Services and Repairs rule per New Mexico Administrative Code (NMAC) 1.4.8, and will result in a single award. The Request for Proposal (RFP) documents consist of all the documents listed in the Table of Contents and all said documents are incorporated in this RFP by reference.

Prospective Offerors are expected to visit the site and understand the local conditions under which the Work will be performed.

E. DEFINITION OF TERMINOLOGY

This paragraph contains definitions and meanings that are used throughout this Request for Proposals (RFP), including appropriate abbreviations.

"A/E" means the New Mexico licensed architect/engineer hired as the Consultant for this project. The Architect is Ortega/Romero/Rodriguez Architects.

"Construction Contractor" means a member of the project team who is a New Mexico licensed general contractor and is responsible for the construction services for the contract.

"Contract" An agreement between a the Owner and a Construction Contracting firm for the work covered by this RFP.

“Contract Documents” means any one or combination of the following contract documents: This Request for Proposals, contract, conditions of the contract, drawings, specifications and addenda.

“Contractor” means any business having a contract with a state agency or a local public party.

“Customer Agency” Luna Community College, for which this project was designed.

“Customer Agency Contact” The person designated by the customer agency to act on their behalf concerning the scope of work and programming requirements for the project.

“Determination” The written documentation of a decision made by the Evaluation Committee including findings of fact required to support a decision. A determination becomes part of the procurement file to which it pertains.

“Firm” means the company or other business entity referenced under 1.4.8 NMAC for the purpose of identifying, individually or collectively: a general contractor, a prime contractor or a subcontractor, of any tier, whether basic trade subcontractor, subcontractor or other.

“General Provisions” The terms **“can”**, **“may”**, **“should”**, **“preferably”**, or **“prefers”** identifies a desirable or discretionary item of the RFP. Failure to comply with such an item will not result in the rejection of the Offerors proposal.

“LEED®” (Leadership in Energy and Environmental Design) Green Building Rating System® is a voluntary, consensus-based national standard for developing high-performance, sustainable buildings, created and administered by the U.S. Green Building Council.

“Mandatory Requirements” The terms **“must,” “shall,” “will,” “is required,”** or **“are required”** identify a mandatory requirement of this RFP. Failure to comply with such a mandatory factor shall result in the rejection of the Offerors proposal. Rejection of the proposal will be subject to review by the Evaluation Committee and a final decision on rejection will be made by the PCD Director.

“Offeror” is any person, corporation, or partnership who chooses to submit a proposal in response to this RFP, with the intent of providing services for this project.

“Owner” as defined in the Agreement Between Owner and Contractor shall be the Luna Community College.

“Owner’s Team” is comprised of the Owner, the Owner’s Facilities Director, the Owner’s Purchasing Specialist, the Owner’s Architect and his consultants, and other that may be assigned to this Project.

“Pre listed subcontractors” means the subcontractors, of any tier, that the Offeror is required to list, pursuant to 1.4.8.13 NMAC of 1.4.8 NMAC, at the time it submits a proposal in response to a request for proposals.

“Prime Contractor” means the New Mexico licensed contractor selected for this project by the Evaluation Committee.

“Project Team” All members of the firm, including consultants who will be responsible for the completion of the project.

"Proposal" is the Offeror's response to this RFP.

"Request for Proposals" or **"RFP"** This document, any attachments incorporated by reference, and any amendments issued for use in soliciting proposals, for this project.

"RFP documents" means any one or combination of the following request for proposal documents: technical proposal; price proposal; financial proposal; contractor qualifications statement; subcontractor qualification statement, contracts or agreements.

"Responsive Offer" or **"Responsive Proposal"** An offer or proposal which conforms in all material respects to the requirements set forth in the RFP as determined by the Evaluation Committee. Material respects of an RFP include, but are not limited to quality, quantity or delivery requirements.

"Selection" A formal written notice by the chair of the Evaluation Committee that a firm has been selected to enter into a contract for services.

"Selection Committee or Evaluation Committee" A body constituted in accordance with Section 1.4.8.16 NMAC 2005 to evaluate proposals and make selection recommendation and or selection. The Evaluation Committee consists of at least three members. The committee should collectively possess expertise in the technical requirement of the project, construction design and contracting. The Evaluation Committee is chaired by the Purchasing Director of LCC.

"Statement of Qualifications Forms" means the forms included as a part of this RFP, which all Offerors shall complete, including the qualifications for the Team member or partners and subcontractors proposed for the project.

"Technical Irregularities" Are matters of form rather than substance evident from the proposal document, or insignificant mistakes that can be waived or corrected without prejudice to other Offerors; that is, when there is no effect on price, quality or quantity. If discussions are not held or if best and final offers upon which award will be made have been received, the Evaluation Committee may waive such irregularities or allow an Offeror to correct them if either is in the best interest of the Owner. Examples include the failure of an Offeror to:

- a) Submit the number of signed proposals required by the RFP
- b) Sign the proposal, but only if the unsigned proposal is accompanied by other material indicating the Offeror's intent to be bound; or
- c) Acknowledge receipt of an amendment to the RFP, but only if: a) it is clear from the proposal that the Offeror received the amendment and intended to be bound by its terms; or b) the amendment involved had no effect on price, quality or quantity.

II. CONDITIONS GOVERNING THE PROCUREMENT

This section of the RFP outlines and describes the major events of the Selection Process and specifies general requirements.

A. SEQUENCE OF EVENTS

	Event	Responsible Party	Date	Location
1.	RFP and Construction Documents Available	Architect	December 25, 2009	Architect's office and listed plan rooms
2.	Questions/Clarifications	Potential Offerors to Architect	As requested prior to submission	
3.	Mandatory Pre-proposal Site Meeting	Owner/Architect	January 6, 2010 1:30 PM	366 Luna Drive Las Vegas, New Mexico, 87701 LRC Lecture Hall
4.	RFP Amendments	Architect to Potential Offerors	<u>Prior to Submission</u>	
5.	Submission of Proposal	Potential Offerors to Owner	January 27, 2010 (2:00 PM deadline)	Luna Community College – Location to be determined
6.	Proposal Shortlisting	Evaluation Committee	February 1 through February 4, 2010	Luna Community College – Location to be determined
7.	Notice of Finalists	LCC Purchasing Director	February 5, 2010	
8.	Interviews	Evaluation Committee	February 8 through February 12, 2010	Luna Community College – Location to be determined
9.	Notice of Intent to Award	LCC Purchasing Director	February 17, 2010	
10.	Contract Negotiations	Successful Offeror with Owner/Architect	TBD	Owner and Architect

NOTICE: LCC reserves the sole right, without incurring any liability, to change any aspect of the proposed procurement described above, including the right not to proceed with the procurement and/or the right to proceed in a different manner or on a different timeline than as described above.

B. EVALUATION PROCESS

1. Issue RFP - This RFP is issued by the LCC in accordance with the provisions of Sections 13-1-111 through 13-1-117 NMSA 1978. This and other RFPs will be posted on the LCC website www.luna.edu
2. Contract Documents – Plans and specifications are available from the office of the architect and can also be inspected at plan rooms identified elsewhere herein.
 - a. The Plans and Specifications and all addendum previously issued under the cancelled Invitation to Bid are intended to be re-issued in their entirety. This RFP and with its attachments will specifically identify all sections and information contained in those documents that **do not** apply to this RFP.
 - b. Any person or firm that fails to return the complete hard-copy set of Drawings and Specifications, or other Contract Documents, in good condition within ten (10) days of

the date set for selection announcement shall forfeit any required deposit. Notwithstanding this, if the Contract Documents are provided on a compact disc, the compact disc does not need to be returned.

3. Questions/Clarifications/Site Visits – Between issuing the RFP and Submission of Proposals, prospective Offerors may contact the Architect with questions about the scope of the project or the RFP schedule. Copies of the Standard agreement Between Owner and Contractor are included in the Project Manual. Offerors are encouraged to familiarize themselves with this Standard Agreement Between the Owner and Contractor. Any questions concerning the project or selection process contact:

Jake Rodriguez, Architect
Ortega/Romero/Rodriguez Architects
1418 Luisa Street, Suite 6
Santa Fe, New Mexico 87505
505-984-8209
505-983-6879
e-mail: jrarchitect@me.com

or

Antonio Florencio Ortega, Architect
Ortega/Romero/Rodriguez Architects
1418 Luisa Street, Suite 6
Santa Fe, New Mexico 87505
505-984-8209
505-983-6879
e-mail: aortega@qwestoffice.net

3. Pre-proposal Meeting - Provides interested Offerors an opportunity to request clarification about the procurement process and discuss the intent of the project with PCD and the customer. A representative from each interested prime contractor is required to attend. During the meeting a presentation will be made to describe the overall scope of work and intended schedule.

Subcontractors and suppliers are invited to attend this meeting but it is not mandatory for them.

THE PRIME CONTRACTOR'S ABSENCE FROM THE PRE-PROPOSAL MEETING PRECLUDES PARTICIPATION AS A PROPOSER ON THIS PROJECT .

4. RFP Addenda - If an addendum is deemed necessary it will be issued no later than four (4) working days prior to the submission deadline. Any addenda issued prior to the submittal deadline shall become part of the Request for Proposals and any information required shall be included in your proposal. The A/E will distribute the addenda in writing to all recipients of the RFP.
5. Product Approvals – Where reference is made to one or more proprietary products in the Contract Documents, but restrictive descriptive materials of one or more manufacturer(s) is referred to in the Contract Documents, the products of other manufacturers will be accepted, provided they are equal or exceed the standards set forth in the drawings and specifications and are compatible with the intent and purpose of the design. No pre-approvals will be issued prior to the submission of

the Response to this RFP. It will be the offerer's full responsibility to assure that products are compatible with the specification, intent, and purpose of the design as determined by the A/E.

6. Submission of Proposal – Offerors shall submit two-part, two-volume written proposals. Each volume shall be submitted in a separate sealed envelop or package. Clearly label each volume with the RFP number, your name, address and date of submittal and prominently identify each as: Volume I: Technical Proposal and Volume II: Price Proposal, delivered to:

Luna Community College
RFP Number 2009-0001LCC
366 Luna Drive
Las Vegas, New Mexico 87701
ATTENTION: Miguel Martinez, Purchasing Director, LCC

- a) Receipt of Proposals: LCC will time-stamp proposals at the Purchasing Office and hold it in a secure location. A public log will be kept of the names and submittal times of all proposals. **Proposals received after the deadline will be deemed non-responsive, and will be returned unopened to the Offeror.**
 - b) Restrictions on Opening of Proposals: Price proposals shall remain sealed until the technical proposal evaluation for all Offerors has been completed and final technical scores prepared.
 - c) Confidentiality of Proposals: Proposals will not be opened publicly and shall not be open to public inspection until after an Offeror has been selected for award of the contract. An Offeror may request in writing non-disclosure of confidential data. Such data shall accompany the proposal and shall be readily separable from the proposal in order to facilitate eventual public inspections of the non-confidential portion of the proposal.
 - d) Non-Conforming Proposals: Proposals will be reviewed, for completeness, format and compliance with the requirements of the RFP. If any proposal is deemed non-responsive by the Evaluation Committee, the Offeror will be notified in writing of such determination.
7. Security – A Bid Bond in the amount of five percent (5%) of the proposal amount is required of each Offeror.
 8. Proposal/Shortlisting -The Evaluation Committee will review each proposal. Points will be allocated per Section V of this RFP, by each committee member. Member's point totals will be translated to a numeric ranking. The committee member rankings will be totaled to determine the overall ranking of the firms. The Evaluation Committee will hold interviews with the highest-ranked Offerors. If fewer than three proposals are received the Evaluation Committee may recommend award to the Owner without interviews. The Committee shall determine the rankings without the possibility of a tie.

9. Best and Final Offers - Firms may be asked to submit revisions to their proposals for the purpose of obtaining best and final offers. Best and final offers may be clarified and amended at the interview. LCC will notify firms with a due date and time for submission of best and final offers.
10. Interviews/Award – Overall rankings from the interview shall determine the firm to be awarded the project. Notice to finalists will include the interview date, time, and location. The purpose of the interview is to allow the Offeror to present its qualifications, past performance, management plan, schedule and general plan for constructing the project. It will also provide an opportunity for the Evaluation Committee to seek clarification of the Offeror's proposal. Ninety (90) minutes will be allotted for the interview to include a forty five (45) minute question and answer session by the evaluation committee. Points will be allocated, by each member. Each member's point totals will be translated into a numeric ranking of the interviewed firms. Individual member rankings will be totaled together to determine the overall ranking from interview. In the event of a tie for first, after the completion of interviews, the tie shall be broken by awarding to the firm with the higher ranking from the shortlist. All calculations of point standings shall occur during the Evaluation Committee meeting for this project with all members in attendance.
11. Notice of Intent to Award - The Purchasing Officer will notify the selected Offeror in writing of their selection for tentative contract award. This notice will include the interview rankings for the project award. At this time, PCD will maintain at least one copy of each Offeror's proposal. Proposals are open for public inspection after the award and conclusion of successful contract negotiations.
12. Contract Negotiations - The Owner and the successful Offeror will begin contract negotiations as soon as possible after notice of intent to award. If contract negotiations are not finalized within 30 calendar days after Notice of Intent to Award, Owner may conclude negotiations with the selected Offeror and begin negotiations with the next ranked Offeror based on final ranking.

C. GENERAL REQUIREMENTS / INFORMATION

This section contains information about the RFP process and conditions which this RFP is issued and how the intended project will be completed.

1. Right to 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 Owner. 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:

Miguel Martinez, Procurement Director, LCC
Luna Community College
366 Luna Drive
Las Vegas, New Mexico 87701

Protests must include the name and address of the protestant, the solicitation number, and a statement of grounds for protest, including appropriate supporting exhibits. Protests received after the deadline will not be accepted.

2. Incurring Cost - Any cost incurred by the Offeror in preparation, transmittal, or presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror.

3. Subcontractors - Since the award is made on a qualification-based evaluation process, replacement of subcontractors after award of and prior to the contract execution may cause the Offeror to be disqualified.
4. Pre listed subcontractors – Prior to the award of the Contract, the A/E will notify the Offeror, in writing, if either the Owner or the A/E, after due investigation, has reasonable and substantial objection to any person or organization on such list, and refuses in writing to accept such person or organization, the Offeror may, at their option, (1) withdraw their bid, or (2) submit an acceptable substitute Subcontractor with no increase in the bid price. In the event of withdrawal under this paragraph, Bid Security will not be forfeited, notwithstanding anything to the contrary in Paragraph 6 below.
5. Amended Proposals - An Offeror may submit an amended proposal prior to the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The Owner's personnel will not collate or assemble proposal materials for the Offeror.
6. Offeror's Rights to Withdraw Proposal - Offerors will be allowed to withdraw their proposals at any time prior to the date for Interviews (Event 9 – Section II A). The Offeror must submit a written withdrawal request signed by the Offerors duly authorized representative addressed to the Owner's Purchasing Specialist.
7. Disclosure of Proposal Contents - Proposal contents will be kept confidential until conclusion of successful contract negotiations. At that time, all proposals will be open to the public, except for the material, which has clearly been noted and deemed as proprietary or confidential by the Offeror. Confidential data is normally restricted to confidential financial information concerning the Offeror's organization and data that qualifies as a trade secret under the Uniform Trade Secrets Act, Sections NMSA 1978 § 57-3A-7. Any pages of a proposal on which the Offeror has stamped or imprinted "proprietary" or "confidential" must be readily separable from the proposal in order to facilitate public inspection for the non-confidential portion of the qualifications-based proposal.
8. Termination of RFP- This RFP may be canceled at any time and any and all proposals may be rejected in whole or in part when the Purchasing Specialist determines such action to be in the best interest of the Owner. The RFP process may be terminated at any time if sufficient appropriations or authorizations do not exist. Such termination will be effected by sending written notice to the Architect/Engineer. The Owner's decision as to whether sufficient appropriations and authorizations are available will be accepted by the Offeror as final.
9. Contract -. A copy of the standard Agreement Between Owner and Contractor is available from the Architect. Any questions about the contract terms and conditions must be brought to the attention of the Architect.
10. Right to Waive Technical Irregularities - The Evaluation Committee reserves the right to waive technical irregularities.
11. Notice - The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

12. Clarifications from Offerors - The Evaluation Committee, after review of the proposals and/or Interviews may request clarifications on information submitted by any and all Offerors in a written format, with a specified deadline for response.
13. Licensing Requirements - The Contractor shall comply with and require all of its subcontractors to comply with the license laws as required by the State of New Mexico.
14. New Mexico Employees Health Coverage –
 - a. For all contracts solicited and awarded on or after January 1, 2008: If the Offeror has, or grows to, six (6) or more employees who work, or who are expected to work, an average of at least 20 hours per week over a six (6) month period during the term of the contract, Offeror must agree to:
 - i. have in place, and agree to maintain for the term of the contract, health insurance for those employees and offer that health insurance to those employees no later than July 1, 2008 if the expected annual value in the aggregate of any and all contracts between Contractor and the State exceed \$1,000,000 dollars or;
 - ii. have in place, and agree to maintain for the term of the contract, health insurance for those employees and offer that health insurance to those employees no later than July 1, 2009 if the expected annual value in the aggregate of any and all contracts between Contractor and the State exceed \$500,000 dollars or
 - iii. have in place, and agree to maintain for the term of the contract, health insurance for those employees and offer that health insurance to those employees no later than July 1, 2010 if the expected annual value in the aggregate of any and all contracts between Contractor and the State exceed \$250,000 dollars.
 - b. Offeror must agree to maintain a record of the number of employees who have (a) accepted health insurance; (b) declined health insurance due to other health insurance coverage already in place; or (c) declined health insurance for other reasons. These records are subject to review and audit by a representative of the state.
 - c. Offeror must agree to advise all employees of the availability of State publicly financed health care coverage programs by providing each employee with, as a minimum, the following web site link to additional information: <http://insurenemexico.state.nm.us/>.
 - d. 4. For Indefinite Quantity, Indefinite Delivery contracts (price agreements without specific limitations on quantity and providing for an indeterminate number of orders to be placed against it); these requirements shall apply the first day of the second month after the offeror reports combined sales (from state and, if applicable, from local public bodies if from a state price agreement) of \$250,000, \$500,000 or \$1,000,000.
15. Errors & Omissions Insurance – Contractors liability and workman's compensation. See Specifications

III. RESPONSE FORMAT AND ORGANIZATION

A. NUMBER OF RESPONSES/COPIES

The proposal shall be submitted in two parts: Volume I: Technical Proposal and Volume II: Price Proposal. Only one proposal may be submitted by each Offeror for this project. Offerors shall provide eight (8) identical copies of their Technical Proposal, and two (2) copies of their Price Proposal at the location specified in Section II

B. VOLUME I: TECHNICAL PROPOSAL FORMAT

Format will be 8-1/2" x 11" with foldout sheets allowed up to 11" x 17" in size. All foldout sheets, up to a maximum of 11" x 17" sheets will be counted as two pages and shall be labeled as such. Text will be no smaller than 10 point. If there is any question as to format requirements contact the Architect for clarification, prior to submittal of the proposal.

1. Proposal Organization - All pages shall be numbered. All foldout pages shall be counted as two (2) pages and shall be numbered as such. Proposals shall be organized and tabbed as follows:
 - a. Submittal Letter
 - b. Table of Contents
 - c. Glossary
 - d. Part I. General Contractor's Qualifications Statement with tabbed attachments
 - e. Part 2. Subcontractor's Qualifications Statement with tabbed attachments
 - f. Subcontractor Listing Form

2. Submittal Letter – (Two page maximum) Each proposal must be accompanied by a submittal letter. **Submittal letters that omit any of the following minimum information may be deemed non-responsive.** The submittal letter shall contain an acknowledgement and certification section with the following provisions:
 - a. Be signed by a director, officer or manager of the submitting firm who has sufficient knowledge to fully address all matters and respond to all inquiries included in RFP documents.
 - b. Provide telephone numbers, fax and e-mail address of the director, officer or manager to be contacted for clarification questions regarding this RFP.
 - c. Submitting firm shall represent that the information provided in the RFP documents is truthful, accurate and complete and that the firm and individual responsible for the submission shall be fully responsible for and bound by all information, data, certifications, disclosures and attachments included in the RFP documents.
 - d. Explicitly indicate the information and data provided in connection with the RFP documents, as well as any other relevant information obtained from any other sources regarding the firm, may be reviewed to determine whether it qualifies as a responsible contractor pursuant to 1.4.1.75 NMAC and whether its offer represents the best value to the using agency.
 - e. Explicitly indicate understanding that the firm's failure to meet responsibility standards or provide requested information may render it ineligible to perform work on the prospective procurement contract.
 - f. Explicitly acknowledge the firm's obligation to carefully review and complete, and, when applicable, update the RFP documents.

- g. Acknowledge that omission of any material fact concerning requested or submitted information, or the submission of any material false or misleading statement, or misrepresentation of a material fact concerning any requested or submitted information, may lead to the disqualification of the proposal.
 - h. Explicitly agree that if awarded the contract, the RFP documents, and all terms and conditions specified therein, and all information, data, certifications and disclosures included in the RFP documents, shall be incorporated into the contract.
 - i. Explicitly indicate understanding that if it is determined that it has intentionally or recklessly failed to disclose requested information, or has intentionally or recklessly made a false statement, misrepresentation or omission regarding a material fact relating to the RFP documents, the firm may be declared in default of contract and any such conduct shall be grounds to terminate the contract and/or withhold full or partial payment and/or impose any sanctions or penalties, as deemed appropriate and available under New Mexico law.
 - j. Identify the name and title of the person(s) authorized to contractually obligate the Offeror for the purpose of this RFP and the contract;
 - k. Acknowledge receipt of any and all amendments to this RFP;
3. Statement of Qualifications Form – Each Offeror shall complete the Statement of Qualifications form and include this form in their proposal. Each Offeror shall also include in their proposal the appropriate MECHANICAL, ELECTRICAL, PLUMBING , FIRE PROTECTION, SPECIAL SYSTEMS subcontractor qualification forms. All Offeror qualifications will be reviewed and rated by the selection committee.
 4. Subcontractor Listing Form – Each Offeror shall complete the Subcontractor Listing Form and include this form in their proposal. The Offeror shall provide a list of all subcontractors that will perform work on the project above \$5,000.00. The Offeror may not change any of the firms listed without the Owner’s consent.
 - a. The Owner will consider any request for a change in the listed firms in conformance with the New Mexico “Subcontractors Fair Practices Act” (New Mexico Statutes Annotated, Chapter 13, Sections 13-4-31 through 13-4-43.

C. VOLUME II: PRICE PROPOSAL FORMAT

1. Before submitting a proposal, each contractor shall carefully examine the RFP; shall visit the site of the Work; shall fully inform themselves as to all existing conditions and limitations; and shall include in the proposal the cost of all items required by the RFP. If the contractor observes that portions of the Contract Documents are at variance with applicable laws, building codes, rules, regulations or contain obvious erroneous or uncoordinated information, the contractor shall promptly notify the Architect and the necessary changes shall be accomplished by Amendment.
2. Compliance with Construction Budget – The Owner expects to receive price proposals that are within the stated construction budget.
3. Price Proposal Form – Each Offeror shall complete the Price Proposal Form and include this form in Volume II: Price Proposal. The proposal, bearing original signatures, must be typed or hand-written in ink on the Price Proposal Form and submitted in a sealed envelope at the time and location specified in this RFP. Late proposals will be disqualified and returned to the Offeror unopened. One original and one copy of the price proposal is required.

- a. The contractor shall bid the base bid price, the add alternates, and the unit prices.
4. Campaign Contribution Disclosure Form – A blank form is included at the end of this RFP. Pursuant to Chapter 81, Laws of 2006, any prospective contractor seeking to enter into a contract with any state agency or local public body must file this form with that state agency or local public body. This form must be filled by any prospective contractor whether or not they, their family member, or their representative has made any contributions subject to disclosure. Include the completed forms in Volume II: Price Proposal.
5. Assignments of Antitrust Claims Form – Each Offeror, their subcontractors and suppliers shall complete the Assignment of Antitrust Claims Form and include this form in Volume II: Price Proposal.
6. Include Security documents required in **Section IV**.

IV. SECURITY AND BONDS

A. SECURITY FOR PRICE PROPOSAL

1. Security in an amount of not less than five percent (5%) of the total amount of the proposal submitted is required of each Offeror. An acceptable Bond or Cashier's Check must accompany each proposal as a guarantee that, if awarded the contract, the Offeror will enter into a contract promptly and execute the required Contract Documents. The successful Offeror's security will be retained until they have signed a contract and furnished the required payment and performance bonds. The security shall become property of the owner as liquidated damages for delay and additional expense caused thereby in the event that the contract is not executed and/or acceptable 100% Performance and Payment bonds are not delivered within the time set forth. The Owner reserves the right to retain the security of the next two ranked Offerors until the accepted Offeror enters into a contract or until one hundred-twenty (120) days after the receipt of proposals, whichever is shorter. All other security will be returned within fourteen (14) days of the selection announcement.
2. The Offeror will provide a Security for the Price Proposal with the Price Proposal submittal.
3. The bonds will be written on the AIA Document A310, Bid Bond
4. The Offeror will require the Attorney-In-Fact who executes the required bonds on behalf of the surety to affix thereto a certified and current copy of his Power of Attorney.

B. SECURITY FOR FAITHFUL PERFORMANCE

1. The Offeror will furnish and maintain bonds covering the faithful performance of the Contract, and the payment of all obligations arising there under, in an amount equal to one hundred percent (100%) of the Contract Sum as adjusted, and with such sureties secured through the Offeror's usual sources, licensed to do business in the State of New Mexico and as may be agreeable to the parties.

C. TIME OF DELIVERY AND FORM OF BONDS

1. The Offeror will provide, with the proposal, a letter from a bonding company licensed to do business in the State of New Mexico confirming the Offeror's ability to obtain Performance;

Labor, and Materials Payment Bond in an amount not less than 100% of the price proposal. The Offeror will, prior to commencement of Work, furnish such bonds.

2. The bonds will be written on the AIA Document A311, Performance Bond and Labor and Material Payment Bond.
3. The Offeror will require the Attorney-In-Fact who executes the required bonds on behalf of the surety to affix thereto a certified and current copy of his Power of Attorney.

V. EVALUATION

A. EVALUATION CRITERIA

Shortlisting - A maximum total of 1000 points are possible in scoring each proposal for the shortlist evaluation. The Selection Committee will evaluate the proposals and may conduct interviews with Offerors applying for selection.

The evaluation criteria to be used by the Selection Committee for the proposal shortlist and the corresponding point values for each criterion are as follows:

- (1) Past Performance, documented record of performance of the Prime Contractor and subcontractors on projects of a similar nature relative to budget and schedule, quality of work and customer satisfaction, compliance with applicable laws and regulations, LEED AP, and safety record. **150 points**
- (2) Management Plan, management and administration of the team and team resources, technical approach to the project, safety plan and programs, and detailed project schedule..... **100 points**
- (3) Project staffing/craft labor capabilities, participation in skill training, reliable staffing sources, reliable project staffing..... **75 points**
- (4) Health and Safety with respect to site safety and quality assurance/quality control..... **75 points**
- (5) New Mexico Produced Work, plan for hiring local construction or maintenance craft labor..... **50 points**
- (6) Price Proposal (Price Proposal submittal) based on requirements set forth in Plans and Specifications. List any Value Engineering opportunities for this project..... **550 points**

TOTAL 1000 points

B. EVALUATION FACTORS

The completed Statement of Qualification forms will be reviewed by the Evaluation Committee for accuracy and completeness. Each prospective Offeror must answer all of the questions and provide all requested information, where applicable. Any Offeror failing to do so may be deemed not responsive and not responsible with respect to this pre qualification at the sole discretion of the Owner. Prime Contractors are hereby informed that in making evaluations and determinations, the Owner is not restricted to the minimum information required for Qualification Statements and that any relevant information regarding performance from reliable sources may be considered.

A brief explanation of each evaluation category is listed below.

1. Past Performance: (Up to 150 points)

- Statement of Qualifications submittal.
- Past Performance Summary and present capability to perform the procurement contract. Describe the role of each teaming partner that will perform the work on the contract.
- Offeror's are cautioned that the Evaluation Committee will use data provided by teaming partners as well as data obtained from other sources in the evaluation of past performance.
 - 101 – 150 points for one or more media or performance arts projects of similar or greater scope and complexity. No negative surety information
 - 60 – 100 points for one or more projects with similar or greater scope or complexity but not a media or performance arts projects. No negative surety information.
 - 1 – 59 points for other relevant experience..

2. Management Plan: (Up to 100 points)

- Statement of Qualifications submittal.
- Sustainability Compliance: Contractor and subcontractors ability to deliver a sustainable building as described by USGBC to LEED silver minimum.
- Describe how the construction will be managed, including security and safety controls, staging areas, preservation techniques, and interfaces required at the site with the using agencies
- Address project specific criteria, risks that have been identified by the RFP (if any) and additional risks that the team has identified. State how those risks will be mitigated.
- Describe processes to ensure tasks are executed within cost, schedule, and quality goals.
- Describe processes to minimize risk and to ensure that cost, schedule and quality status and issues are clearly communicated with the contractors, subs, and the owner.
- Include your proposed project schedule. Indicate critical dates and other information in sufficient detail for the selection committee to determine if time frames are reasonable.
- Describe ability to deliver the project within the construction time.
 - 76 – 100 points for extensive experience managing similar projects, excellent articulation of risks and risk mitigation strategies, and history of high quality, delivery on or ahead of schedule, within cost and recognized budget control
 - 36 – 75 points for some experience managing similar projects, address risks and risk mitigation strategies, history of good quality, delivery on schedule and meets cost
 - 1 – 35 points for little to no experience managing similar projects but excellent articulation of risks and risk mitigation strategies

3. Project Staffing (Up to 75 points)
 - Provide an organization chart of key project personnel and also address how critical subcontractors were selected and will be managed.
 - Provide a brief resume (education, professional certification(s), years with firm, total years of experience, and a brief description of experience supporting the proposed role) for each key project personnel.
 - 60 – 75 points for highly qualified staff and consultants, and highly skilled craftspeople
 - 41 – 59 points for qualified staff and consultants, and skilled craftspeople
 - 1 – 40 points where staff, consultants, and craftspeople have limited qualifications or experience

4. Health and Safety (75 points)
 - Describe the processes and/or the plan to effectively and efficiently provide Quality Assurance/Quality Control and to manage site safety.
 - 75 points for a comprehensive plan and history of zero lost time and recordable incidents
 - 60 points for a comprehensive plan and history of Experience Modification Rates at 60% or more below industry average (OSHA)
 - 50 points for a comprehensive plan and history of Experience Modification Rates at no greater than industry average (OSHA)

5. New Mexico Produced Work (50 points)
 - LCC's goal is to support New Mexico owned businesses. Indicate the volume of work to be produced by New Mexico firms, using New Mexico based employees on this project. Indicate the number of New Mexico based employees that will be part of the Project Team.
 - 50 points for 100% New Mexico produced work
 - 25 points for greater than 50% New Mexico produced work
 - 10 points for greater than 25% New Mexico produced work

6. Price (550 points)
 - Price offered is responsive to the RFP requirements and instructions, and is realistic in respect to project plans and specifications .

END OF REQUEST FOR PROPOSALS

GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

PART 1

1. ORGANIZATION

Name: _____

Address _____

Principal Office _____

Corporation Partnership Sole Proprietorship Joint Venture

Other _____

a. How many years has your organization been in business as a Contractor? _____

b. How many years has your organization been in business under its present business name? _____

c. Under what other or former names has your organization operated? _____

2. LICENSING

a. Name of license holder (or qualifying party) exactly as on file with the State of New Mexico Construction Industries Division:

b. License Classification: _____ License Code: _____

c. License Number: _____

d. Issue Date: _____ Expiration Date: _____

e. Is the firm's contractor's license free of ever being suspended or revoked by the CID or by the appropriate licensing agency in any other state?

Yes, Free of suspension or revocation No (Explain, under separate cover)

f. Does your firm hold all applicable Business licenses required by State (New Mexico) or Local (Las Vegas, San Miguel County) Law?

License Number: _____ Jurisdiction: _____

GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

Name of License Holder, exactly as it appears on file with jurisdictional authorities.

Issue Date: _____ Expiration Date: _____

License Number: _____ Jurisdiction: _____
Name of License Holder, exactly as it appears on file with jurisdictional authorities.

Issue Date: _____ Expiration Date: _____

License Number: _____ Jurisdiction: _____
Name of License Holder, exactly as it appears on file with jurisdictional authorities.

Issue Date: _____ Expiration Date: _____

- g. Is your firm registered with the State of New Mexico, State Purchasing Department with a Resident Preference Number? (See Instructions to Bidders).

Resident Preference Number: _____ Issue Date: _____
Name of Number holder, exactly as it appears on file with State Purchasing.

- h. Is your firm free from formal debarment from public works, federal, state or local jurisdictions? Yes No (attach explanation under separate cover)

3. EXPERIENCE

- a. Has your firm completed **one (1) or more** media or performance arts projects of similar complexity since **2004** as similar or greater in complexity that the proposed project? Complete Attachment A for **five (5)** maximum projects listed.

Yes Number: _____ No

Project 1 Name: _____

Project 2 Name: _____

Project 3 Name: _____

Project 4 Name: _____

GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

Project 5 Name: _____

- b. State the average annual amount of construction work performed during the past five years:

- c. Also on Attachment A list major construction projects your organization has in progress, giving the name of the project, owner, architect, contract amount, percent complete and scheduled completion date.
- d. List the categories of work that your organization normally performs with its own forces.

4. KEY PERSONNEL EXPERIENCE

Please note that more consideration will be given to those meeting or exceeding the required qualifications stated below.

- a. Does your assigned Project Manager have the following minimum qualifications and experience? (Attach Resume in format shown at Attachment C)

(1) At least ten (10) years experience in the construction industry?

Yes Number Years: _____ No

(2) Experience on at least one (1) construction type as identified in 3a?

Yes Number Projects: _____ No

(3) Experience as a Project Manager on one (1) or more construction projects valued at **\$3,000,000.00** or more?

Yes Number Projects: _____ No

- b. Does your assigned Project Superintendent have the following minimum qualifications and experience? (Attach Resume in format shown at Attachment C)

(1) At least **ten (10)** years experience in the construction industry?

Yes Number Years: _____ No

(2) Experience on at least **one (1)** construction type as identified in 3a?

Yes Number Projects: _____ No

(3) Experience as a Project Superintendent on **one (1)** or more construction projects valued at **\$3,000,000.00** or more?

GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

Yes Number Projects: _____ No

c. Does your assigned Safety Program Manager have the following minimum qualifications and experience? (Attach Resume in format shown at Attachment C)

(1) At least **five (5)** years experience in a safety management role?

Yes Number Years: _____ No

(2) Experience on at least **one (1)** construction type as identified in **3a**?

Yes Number Projects: _____ No

d. List the individuals your firm will assign as your project management team, and the roles/functions each individual will perform during the construction/occupancy phase.

(1) Project Manager: _____ Years with your firm: _____

Present Position/Job Title: _____ Years in this Position: _____

List other project(s) this person has had a similar role for the past ten (10) years.

Is your Project Manager a Principal or Officer of the firm? Yes No

(2) Superintendent: _____ Years with your firm: _____

Present Position/Job Title: _____ Years in this Position: _____

List other project(s) this person has had a similar role for the past ten (10) years.

GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

Is your Superintendent a Principal or Officer of the firm? Yes No

(3) Safety Manager: _____ Years with your firm: _____

Present Position/Job Title: _____ Years in this Position: _____

List other project(s) this person has had a similar role for the past ten (10) years.

Is your Safety Manager a Principal or Officer of the firm? Yes No

(2) QA/QC Manager: _____ Years with your firm: _____

Present Position/Job Title: _____ Years in this Position: _____

List other project(s) this person has had a similar role for the past ten (10) years.

GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

Yes No (explain)

Contact Agent: Name: _____ Telephone: _____

Years utilizing this surety: _____ Maximum Capacity: _____

Aggregate Total of current surety in force: _____

b. Is the surety company to be used on this project licensed to do business in the State of New Mexico?

Yes No (explain)

c. Is your firm free of having any construction contracts taken over by a surety for completion in the past **five (5)** years?

Yes No (Explain)

d. Has your firm used other surety companies since 2002? Yes (list) No

Surety company

Contact

Surety company

Contact

Surety company

Contact

e. Is your firm able to obtain bonding in the amount required for the completion of this project? Please provide a notarized declaration from the surety identified above, stating the amount of bonding capacity available to your firm for this project at Attachment F.

Yes No (Explain)

7. SAFETY

a. Does your firm have a written safety program compliant with current State regulations? Provide one (1) copy of your firm's written safety program at Attachment G.

Yes No (Explain)

b. Provide a list of key safety personnel, including the designated safety manager who will be assigned to this project, and list specific duties.

Name and Title

Specific Duties

GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

- c. Submit a letter from your insurance carrier listing your company's Workmen's Compensation Experience Modification Rate (EMR) for the most recent three-year policy period average. Include as ATTACHMENT H. Additionally provide the EMR for the past five (5) years below:

2008_____ / 2007_____ / 2006_____ / 2005_____ / 2004_____

- d. Provide the information requested below for the years shown using U.S. Bureau of Labor Statistics Guidelines to determine recordability and lost workdays from your firm's OSHA 300 logs.

Total Recordable Injury/Illness Case Rate:
2006:_____ 2007:_____ 2008:_____ 3-year average:_____

Lost Workday Case Rate:
2006:_____ 2007:_____ 2008:_____ 3-year average:_____

- e. Is your firm free of committing serious or willful violations of federal or state safety laws as determined by a final non-appealable decision of a court or government agency?
 Yes No (Explain)

8. INSURANCE & CLAIMS HISTORY

- a. Is your firm free from any court judgments, pending litigation, arbitration and final agency decisions filed within the last **five (5)** years in a construction related matter in which the contractor, or any officer, is or was party?
 Yes No (Explain)

- b. Has your firm during the past five **(5) years** been free of a determination by a court of competent jurisdiction that it filed a false claim with any Federal, State, or local government entity?
 Yes No (Explain)

- c. Does your firm have the ability to provide the required insurance in the limit stated in the project documents (General Liability and Comprehensive Auto at \$1M per occurrence and \$5M in the aggregate)?

GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

[] Yes [] No (Explain)

d. Please provide a letter from an insurance carrier stating that the firm is able to obtain insurance in the limits stated as Attachment H.

9. QUALITY ASSURANCE

a. Does your firm have a written Quality Assurance Program?

[] Yes [] No

b. Provide one (1) copy of the written Assurance Program (Attachment I).

10. PROJECT SCHEDULING

a. Does your firm use computerized scheduling?

[] Yes [] No

b. If yes, which programs and versions are used? Please list.

c. Has the firm been involved with a construction project within the past ten (10) years, where the schedule was not met?

[] yes [] No

d. If yes, please indicate the projects (refer to Attachment A).

(1) Project: _____

Reason for Delay: _____

(2) Project: _____

Reason for Delay: _____

(3) Project: _____

Reason for Delay: _____

GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

e. Has the firm been assessed liquidated damages due to scheduling for any project in the past **ten (10)** years? (Refer to Attachment A)

[] Yes [] No

f. If Yes, List Projects

11. LABOR CODE VIOLATIONS

a. Has your firm, during the past **five (5)** years, been free of any determinations by a court or an administrative agency of repeated or willful violations of laws and/or regulations pertaining to the payment of prevailing wages or employment of apprentices of public works projects?

[] Yes [] No (Explain)

b. Please provide documentation to substantiate this (Attachment J)

c. Is the firm free of all Sub-contractor Fair Practices Act violations for the past **five (5)** years?

[] Yes [] No (Explain)

12. AFFIRMATIVE ACTION POLICY

a. Does your firm have an active Affirmative Action Policy? [] Yes [] No

b. Provide one (1) copy of the current policy (Attachment K).

13. NEW MEXICO PRODUCED WORK

Number of New Mexico based employees that will be part of the project team: _____

Percentage of New Mexico produced work: _____%

14. MANAGEMENT PLAN

On a separate sheet, please describe how you would manage this project, including staffing, technical approach to the project and your proposed schedule, should you be awarded this construction project. What challenges do you see on this project? Do you see any opportunity for value engineering & the estimated cost savings and accelerating the schedule? Explain.

Please comment on how your team will make LCC happy. (Attachment L).

15. CONTRACTOR'S COMMENTS

GENERAL CONTRACTOR’S STATEMENT OF QUALIFICATIONS

- a. Please provide further explanation of items indicated requiring explanation, or other additional information to further explain any of the questions asked in this Qualification Statement (Attachment M).
- b. Additional information provided as outlined in the Request for Proposal (written qualification limitation of 15 pages) will be attached as Attachment N.

The undersigned certifies that all of the Qualification information submitted with this form is true and correct.

Name and Title	Firm Name
Signature	Address of Firm
E-mail Address	City, State, Zip Code
Telephone	

General Contractors are reminded to include a copy of each requested sub-contractor’s Statement of Qualifications with this Qualification Document.

ATTACHMENTS INCLUDED:

(Please check all attachments included in this Submittal)

- A Project Experience of Similar Complexity and Scope
- B NOT USED
- C Resumes of Key Project Personnel
- D Project Management Wire Diagram
- E Current Active Project List Valued over \$500,000
- F Notarized Declaration From Surety
- G One Copy of Written Safety Program
- H Letter(s) From Insurance Carrier(s) for EMR and Ability to Insure
- I Copy of Assurance Program
- J Substantiation of Non-violation of Labor Codes
- K One Copy of Written Affirmative Action Policy
- L Management Plan
- M Clarifications, and Explanations
- N Additional Information (Optional)

----- END OF QUALIFICATION STATEMENT -----

ATTACHMENT A

REFERENCE: 3.a. Experience in projects of similar complexity since 2004.

COMPLETE ONE FORM FOR EACH PROJECT LISTED ON THE QUESTIONNAIRE (MAXIMUM 5)

PROJECT DESCRIPTION

Project Type: _____ Contact Title: _____

Project Name: _____ Contact Name: _____

Owner: _____ Contact Phone No: _____

DESIGN PROFESSIONAL

Name: _____ Phone Number: _____

Contact: _____ Title: _____

Gross Building Area (Sq Ft): _____ [] New [] Addition [] Renovation

Project Start Date: _____ Completion Date: _____

Original Contract Amount: \$ _____ Original Contract Duration (days) _____

Final Contract Amount
With all Change Orders: \$ _____ Final Contract Duration (days)
With All Time Extensions: _____

PROJECT EXECUTION

Were Liquidated Damages Assed on this Project? [] No [] Yes days _____ \$ _____

Percentage of Work Subcontracted: _____% Contract Type: [] Competitive Bid Lump Sum

[] Negotiated Lump Sum

Major Subcontractors: [] Guaranteed Maximum Price

[] Other (Describe)

Mechanical _____

Electrical _____

Plumbing _____

Concrete _____

Fire
Protection _____

CUSTOMER SATISFACTION

How was this measured? [] Customer Survey Attached [] Yes [] No [] other (describe)

**ATTACHMENT B
(NOT USED)**

ATTACHMENT C
REFERENCE: 4.a, b c. Resumes.

ATTACH ONE (1) PAGE RESUMES OF THE PROPOSED
PROJECT MANAGER
PROJECT SUPERINTENDENT
SAFETY PROGRAM MANAGER
OTHER KEY PERSONNEL (OPTIONAL)

1.0 EDUCATION

High School, College, Trade Schools, Trade Seminars, Trade/Management Specialized Courses, etc.

2.0 RELATED EXPERIENCE

Related experience should include the Position Title, Duties and Responsibilities, Major Accomplishments, and Number of Personnel Supervised.

Related experience must cover, at a minimum, the time period identified in the Statement 4a(1), b(1), and c(1).

3.0 PROJECT EXPERIENCE

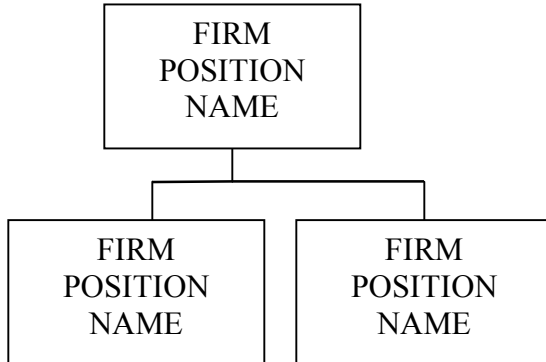
Identify project experience requested in the Statement at 4a(2)(3), 4b(2)(3), and 4c(2). Include the Project Title and Location.

4.0 Other information that demonstrates the individual's strengths for this project.

5.0 Project Professionals and Project Owner Reference may be included.

ATTACHMENT D

REFERENCE: 4.e Wire Diagram of Project Management Structure.



WIRE DIAGRAM SHOULD INCLUDE
THE ENTIRE PROJECT TEAM,
SUBCONTRACTOR KEY PERSONNEL
AND SUPERVISION

1. Indicate the relationship between the PM/Supt of the Subcontractors and the GC PM/SUPT.
2. Indicate the relationship of the Safety Manager of the Subcontractors and GC, and the relationship of the Safety Manager with others on the job site.
3. Indicate the relationship between the QA/QC manager with other personnel on the job site.

ATTACHMENT E

REFERENCE: 5.b. Projects currently under contract valued over \$1,000,000.00.

<u>PROJECT TITLE & LOCATION</u>	<u>START DATE</u>	<u>PROJECTED COMPLETION</u>
-------------------------------------	-----------------------	---------------------------------

ATTACHMENT F

REFERENCE: 6.e. Notarized declaration of surety.

ON LETTERHEAD OF SURETY ORGANIZATION

ATTACHMENT G

REFERENCE: 7.a. Copy of Firm's written Safety Plan.

SUBMIT ONLY ONE COPY WITH SUBMITTAL PACKET

ATTACHMENT H

REFERENCE: 8.c. and 8.d. Letter(s) from Insurance Carrier(s).

ON LETTERHEAD OF INSURANCE CARRIER ORGANIZATION

ATTACHMENT I

REFERENCE: 9.b Written Assurance Program.

SUBMIT ONLY ONE COPY WITH SUBMITTAL PACKET

ATTACHMENT J

REFERENCE: 11.b Affidavit of non-violation of Labor codes.

Name of Firm:
Address:

Project

Reference: Luna Community College
Media Education Center
Affidavit of Non-violation of Labor Codes

Request for Proposal No: 2009-001LCC

TO: Luna Community College
Miguel Martinez, Purchasing Director
366 Luna Drive
Las Vegas, new Mexico 87701

The undersigned officer of _____ hereby states that _____ has, during the past five years, been free of any determinations by a court or an administrative agency, of repeated or willful violations of laws and/or regulations pertaining to the payment of prevailing wages or employment of apprentices of public works projects.

Name

Title

Signature

NOTARY

State of _____)

)

County of _____)

Signed or attested before me on _____ by _____

seal

My Commission Expires: _____

ATTACHMENT K

REFERENCE: 12.b Copy of Affirmative Action Policy.

Submit one (1) copy of the Firm's Affirmative Action Policy.

ATTACHMENT L

REFERENCE: 14 Management Plan

ATTACHMENT M

REFERENCE: 15.a Additional Information

Additional written explanations or comments required for clarification of items contained in the Statement of Qualifications.

ITEM REF

NUMBER

COMMENTS

ATTACHMENT N

REFERENCE: 15.b Additional Information

Additional written qualifications (optional) are limited to a maximum of fifteen (15) pages of text/photos, single sided, excluding a single cover letter, title page, table of contents, dividers and covers. Material should be limited to 8-1/2" x 11" format.

SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

PART 2

- Mechanical** **Electrical** **Plumbing** **Fire Protection**
 Other

2. ORGANIZATION

Name: _____

Address: _____

Principal Office: _____

Corporation Partnership Sole Proprietorship Joint Venture

Other _____

a. How many years has your organization been in business as a Contractor? _____

b. How many years has your organization been in business under its present business name? _____

d. Under what other or former names has your organization operated? _____

3. LICENSING

a. Name of license holder (or qualifying party) exactly as on file with the State of New Mexico Construction Industries Division:

b. License Classification: _____ License Code: _____

c. License Number: _____

d. Issue Date: _____ Expiration Date: _____

e. Is the firm's contractor's license free of ever being suspended or revoked by the CID or by the appropriate licensing agency in any other state?

Yes, Free of suspensions or revocation No (Explain)

f. Does your firm hold all applicable Business licenses required by State (New Mexico) or Local (Las Vegas, San Miguel County) Law?

License Number: _____ Jurisdiction: _____

SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

Name of License Holder, exactly as it appears on file with jurisdictional authorities.

Issue Date: _____ Expiration Date: _____

License Number: _____ Jurisdiction: _____
Name of License Holder, exactly as it appears on file with jurisdictional authorities.

Issue Date: _____ Expiration Date: _____

License Number: _____ Jurisdiction: _____
Name of License Holder, exactly as it appears on file with jurisdictional authorities.

Issue Date: _____ Expiration Date: _____

- g. Is your firm registered with the State of New Mexico, State Purchasing Department with a Resident Preference Number? (See Instructions to Bidders).

Resident Preference Number: _____ Issue Date: _____
Name of Number holder, exactly as it appears on file with State Purchasing.

- h. Is your firm free from formal debarment from public works, federal, state or local jurisdictions? Yes No (attach explanation)

4. EXPERIENCE (In Addition to AIA Document A305)

- a. Has your firm completed **one (1) or more** projects of similar complexity since **2004** as the listed project? Complete Attachment A for **three (3)** maximum projects listed.

Yes Number: _____ No

Project 1 Name: _____

Project 2 Name: _____

Project 3 Name: _____

SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

5. KEY PERSONNEL EXPERIENCE

Please note that more consideration will be given to those meeting or exceeding the required qualifications stated below.

a. Does your assigned Project Manager have the following minimum qualifications and experience? (Attach Resume in format shown at Attachment C)

(1) At least **ten (10)** years experience in the construction industry?

Yes Number Years: _____ No

(2) Experience on at least one (1) construction type as identified in 3a?

Yes Number Projects: _____ No

(4) Experience as a Project Manager on one (1) or more projects requiring construction coordination of a project valued at a **total** construction cost of **\$500,000** or more?

Yes Number Projects: _____ No

b. Does your assigned Project Superintendent/Lead Forman have the following minimum qualifications and experience? (Attach Resume in format shown at Attachment C)

(1) At least **ten (10)** years experience in the construction industry?

Yes Number Years: _____ No

(2) Experience on at least **one (1)** construction type as identified in 3a?

Yes Number Projects: _____ No

(5) Experience as a Superintendent/Lead Forman on one (1) or more projects requiring construction coordination of a project valued at a **total** construction cost of **\$500,000** or more?

Yes Number Projects: _____ No

c. Does your assigned Safety Program Manager have the following minimum qualifications and experience? (Attach Resume in format shown at Attachment C)

(1) At least **three (3)** years experience in a safety management role?

Yes Number Years: _____ No

SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

(2) Experience on at least **one (1)** construction type as identified in 3a?

[] Yes Number Projects: _____ [] No

d. List the individuals your firm will assign as your project management team, and the roles/functions each individual will perform during the construction/occupancy phase.

(1) Project Manager: _____ Years with your firm: _____

Present Position/Job Title: _____ Years in this Position: _____

List other project(s) this person has had a similar role for the past ten (10) years.

Is your Project Manager a Principal or Officer of the firm? [] Yes [] No

(2) Supt/Lead Forman: _____ Years with your firm: _____

Present Position/Job Title: _____ Years in this Position: _____

List other project(s) this person has had a similar role for the past ten (10) years.

Is your Superintendent a Principal or Officer of the firm? [] Yes [] No

(3) Safety Manager: _____ Years with your firm: _____

Present Position/Job Title: _____ Years in this Position: _____

List other project(s) this person has had a similar role for the past three (3) years.

SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

7. SURETY

- a. Firm's current surety company: _____
Will this surety be used for the construction contract for this project?

Yes No (explain)

Contact Agent: Name: _____ Telephone: _____

Years utilizing this surety: _____ Maximum Capacity: _____

Aggregate Total of current surety in force: _____

- b. Is the surety company to be used on this project licensed to do business in the State of New Mexico?

Yes No (explain)

- c. Is your firm free of having any construction contracts taken over by a surety or a General Contractor for completion in the past **five (5)** years?

Yes No (Explain)

- d. Has your firm used other surety companies since 2002? Yes (list) No

Surety company

Contact

Surety company

Contact

Surety company

Contact

- e. Is your firm able to obtain bonding in the amount required for the completion of this project? Please provide a notarized declaration from the surety identified above, stating the amount of bonding capacity available to your firm for this project at Attachment F.

Yes No (Explain)

8. SAFETY

- a. Does your firm have a written safety program compliant with current State regulations? Provide one (1) copy of your firm's written safety program at Attachment G.

Yes No (Explain)

- b. Provide a list of key safety personnel, including the designated safety manager who will be assigned to this project, and list specific duties.

SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

Name and Title	Specific Duties

c. Provide the Experience Modification Rate for the past five (5) years, and the most recent three-year policy period average:

2008_____ / 2007_____ / 2006_____ / 2005_____ / 2004_____

f. Provide the Recordable Incident Rate for the past calendar Year: _____

g. Is your firm free of committing serious or willful violations of federal or state safety laws as determined by a final non-appealable decision of a court or government agency?

Yes No (Explain)

8. INSURANCE & CLAIMS HISTORY

a. Is your firm free from any court judgments, pending litigation, arbitration and final agency decisions filed within the last **five (5)** years in a construction related matter in which the contractor, or any officer, is or was party?

Yes No (Explain)

b. Has your firm during the past five **(5) years** been free of a determination by a court of competent jurisdiction that it filed a false claim with any Federal, State, or local government entity?

Yes No (Explain)

c. Does your firm have the ability to provide the required insurance in the limit stated in the project documents (General Liability and Comprehensive Auto at \$1M per occurrence and \$5M in the aggregate)?

Yes No (Explain)

SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

- d. Please provide a letter from an insurance carrier stating that the firm is able to obtain insurance in the limits stated as Attachment H.

11. QUALITY ASSURANCE

- a. Does your firm have a written Quality Assurance Program?

Yes No

- b. Provide one (1) copy of the written Assurance Program (Attachment I).

12. PROJECT SCHEDULING

- a. Does your firm use computerized scheduling?

Yes No

- b. If yes, which programs and versions are used? Please list.

- c. Has the firm been involved with a construction project within the past ten (10) years, where the schedule was not met?

yes No

- d. If yes, please indicate the projects (refer to Attachment A).

(1) Project: _____

Reason for Delay: _____

(2) Project: _____

Reason for Delay: _____

(3) Project: _____

Reason for Delay: _____

SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

e. Has the firm been assessed liquidated damages due to scheduling for any project in the past **five (5)** years? (Refer to Attachment A)

[] Yes [] No

f. If Yes, List Projects

11. LABOR CODE VIOLATIONS

a. Has your firm, during the past **five (5)** years, been free of any determinations by a court or an administrative agency of repeated or willful violations of laws and/or regulations pertaining to the payment of prevailing wages or employment of apprentices of public works projects?

[] Yes [] No

b. Please provide documentation to substantiate this (Attachment J)

c. Is the firm free of all Sub-contractor Fair Practices Act violations for the past **five (5)** years?

[] Yes [] No (Explain)

12. AFFIRMATIVE ACTION POLICY

a. Does your firm have an active Affirmative Action Policy? [] Yes [] No

b. Provide one (1) copy of the current policy (Attachment K).

13. CONTRACTOR'S COMMENTS

a. Please provide further explanation of items indicated requiring explanation, or other additional information to further explain any of the questions asked in this Qualification Statement (Attachment M).

b. Additional information may be provided as outlined in the Request for Proposal, however it will be included in the General Contractor's additional information limitation.

The undersigned certifies that all of the Qualification information submitted with this form is true and correct.

Name and Title Firm Name

SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

Signature

Address of Firm

E-mail Address

City, State, Zip Code

Telephone

Subcontractors are reminded to include a copy of this Statement of Qualifications with each General Contractor submitting Qualification Documents.

Attachments Included:

(Please check all attachments included in this Submittal)

- A Project Experience of Similar Complexity and Scope
- B NOT USED
- C Resumes of Key Project Personnel
- D NOT USED
- E Current Active Project List Valued over \$500,000
- F Notarized Declaration From Surety
- G One Copy of Written Safety Program
- H Letter From Insurance Carrier for Ability to Ensure
- I Substantiation of Non-violation of Labor Codes
- J One Copy of Written Affirmative Action Policy
- K Clarifications, Explanations and Additional Information.
- L NOT USED
- M Clarifications and Explanations

-----END OF QUALIFICATION QUESTIONNAIRE-----

SUBCONTRACTOR LISTING FORM



SUBCONTRACTOR LISTING REQUIREMENTS

This form was developed in conjunction with the New Mexico Branch Association of General Contractors, to help clarify requirements under the “**Sub-Contractors Fair Practices Act**” of 1988, Sections 13-4-31 to 13-4-42 NMSA 1978, and subsequent changes thereto. Architects, State Agencies and Local Public Bodies are encouraged to use it when soliciting Public Works Projects, as that term is defined in the procurement code, Sections 13-1-66.1 and 13-1-91 NMSA 1978.

Date: _____ Project No.: _____ Bid No.: _____

Project Name: _____

Contractor: _____

Authorized Signature: _____

In accordance with the “Subcontractor Fair Practices Act”, **the following listing is required to be submitted with this bid:**

- 1) **Name of each subcontractor who will be performing work or rendering service on the public works project and whose total contract will be the greater of:**
 - A. \$5,000.00; or
 - B. \$30,000.00 which represents one/half of one percent of the total project (to be estimated by the architect and/or engineer of record).
- 2) **Location of place of business (city or county).**
- 3) **Type of work and/or service to be performed by the subcontractor.**

NOTE: YOUR BID MAY BE DEEEMED NON-RESPONSIVE IF ALL (3) ITEMS ABOVE ARE NOT ADDRESSED

Note: The Statute Does Not Require The Following Listings:

- (1) 2nd tier subcontractors;
- (2) Material, suppliers;
- (3) Subcontractors whose contract is less than the greater of A or B above.

SUBCONTRACTOR LISTING FORM

List of Subcontractors: (Please do not include suppliers)

Name & License No.	Address (City or County)	Work to be performed
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Name & License No.	Address (City or County)	Work to be performed
--------------------	--------------------------	----------------------

Name & License No.	Address (City or County)	Work to be performed
--------------------	--------------------------	----------------------

Name & License No.	Address (City or County)	Work to be performed
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Name & License No.	Address (City or County)	Work to be performed
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Name & License No.	Address (City or County)	Work to be performed
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Name & License No.	Address (City or County)	Work to be performed
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Name & License No.	Address (City or County)	Work to be performed
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Name & License No.	Address (City or County)	Work to be performed
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Name & License No.	Address (City or County)	Work to be performed
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Name & License No.	Address (City or County)	Work to be performed
--------------------	--------------------------	----------------------

RFP 2009-001LCC / PRICE PROPOSAL

**Luna Community College
MEDIA EDUCATION CENTER
Las Vegas, New Mexico**

Date of Proposal: _____

New Mexico State Contractor's License No. _____

Resident Contractor's Preference Certificate No. _____

Contractor's New Mexico Gross Receipts Tax No. _____

Contractor's Federal Employee Identification No. _____

Proposal of (company name): _____
(Hereinafter called the "Offeror") organized and existing under the laws of the State of New Mexico, doing business as a Corporation, Partnership or Individual. **(Circle correct one).**

To: Luna Community College, Las Vegas, New Mexico (hereinafter called the "Owner") for:

LCC MEDIA/EDUCATION CENTER

The undersigned, as an authorized representative for the Bidder named above, in compliance with the Advertisement for Bids for the **LCC MEDIA EDUCATION CENTER**, having examined the drawings and specifications, with related documents, and having examined the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project, including the availability of labor, materials and supplies, hereby proposes to furnish all labor, materials and supplies, and to construct the project in accordance with the contract documents 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.

The undersigned Bidder's representative also acknowledges receipt of the following Addenda:

Addendum No: ____, dated _____, Addendum No: ____, dated _____

Addendum No: ____, dated _____, Addendum No: ____, dated _____

Addendum No: ____, dated _____, Addendum No: ____, dated _____

Addendum No: ____, dated _____, Addendum No: ____, dated _____

Addendum No: ____, dated _____, Addendum No: ____, dated _____

The following information is required for state reporting purposes only, and will not be used in evaluating or awarding the contract.

Continued on following page.

Is project material offered grown, produced or wholly manufactured in New Mexico? _____

Business Size / Classification:

___ Small Business Concern

___ Disadvantaged Business Concern

___ Large Business Concern

___ Women Owned Business Concern

ALLOWANCE: A cash allowance of \$200,000.00 will be become part of the contract for unforeseen conditions and other needed work as revealed onsite. The Bidder will include this amount in the base price. It will be paid out only if needed and justified during the project at the unit price rates proposed.

BASE PROPOSAL LUMP SUM PRICE: The Bidder agrees to perform all work for the construction of the LCC Media Education Center, as described in the Project Manual and as shown on the Drawings for the following lump sum which includes the allowance of \$200,000 as described above: (Amounts to be shown in both words and figures. In case of a discrepancy, the amount shown in words will govern, **please print.**) **All sums will exclude NM Gross Receipts Tax.**

Total Base Bid Proposal Lump Sum: _____

Dollars, (\$ _____)

UNIT PRICE BIDS

A. Unit Price No. 1 – Drilled Pier-Additional Length: Per Lineal Foot

\$ _____ Per Lineal Foot (excludes GRT)

B. Unit Price No. 2 - Drilled Pier – Reduction of Length:

\$ _____ Per Lineal Foot (excludes GRT)

Alternates: I (we) agree to perform the work described in the Specifications and noted on the Construction Documents for each of the following Deductive or Additive Alternates for the respective sums stated as follows:

ADDITIVE ALTERNATES:

A. Additive Alternate #1: Furnish and install labor and materials required to provide Performance Stage shell and attached back stage spaces as shown on Sheets A-103 & A203. Provide the equipment and equipment installation for smoke hatches, AHU-7 and AHU-8 as shown on M-121.

Dollars, (\$ _____)

(excludes GRT)

Continued on following page.

- B. Additive Alternate #2: Furnish and install labor and materials required to provide Electrical Service Disconnect Switch (DS), Main Distribution Panel (MDP) and K-13 Transformer Panels for Performance Stage and back stage spaces as shown on Sheet E-601.

_____ Dollars, (\$) _____)
(excludes GRT)

- C. Additive Alternate #3: Furnish and install all labor and materials to required to provide South Parking lot, with curb, gutter, base course and gravel finish, as shown on Sheet C-140 and Parking Lot Lighting as shown on the Utility Plan E-100

_____ Dollars, (\$) _____)
(excludes GRT)

- D. Additive Alternate #4: Furnish and install all labor and materials to required to provide Secure (West) Parking lot, with curb, gutter, base course and gravel finish, as shown on Sheet C-140 and Parking Lot Lighting as shown on the Utility Plan E-100

_____ Dollars, (\$) _____)
(excludes GRT)

- E. Additive Alternate #5: Furnish and install all labor and materials to required to construct landscape improvements and irrigation system (including controller, backflow preventor in hot box, mainline piping, valves, etc.) at the building entry as shown on Sheets LP-102 and LI-102

_____ Dollars, (\$) _____)
(excludes GRT)

Continued on following page.

- F. Additive Alternate #6: Furnish and install all labor and materials to required constructing landscape improvements and extension of irrigation system (from portion of irrigation system included in Add. Alt. #5) for the remaining landscape as shown on Sheets LP-103 and LI-103

_____ Dollars, (\$) _____)
(excludes GRT)

Continued on following page.

- G. Additive Alternate #7: Furnish and install all labor and materials to required to provide Lighting grid and interior acoustic wall treatment and electrical accommodations in Small Studio #134 as shown on Sheets A-105, A-106, AV-1 & PL-1

_____ Dollars, (\$) _____)
(excludes GRT)

- H. Additive Alternate #8: Furnish and install all labor and materials to required to provide Instructional Marker Boards @ Classrooms 150, 151, 152 & 153, as shown on Sheets A-105, A106 & A-207

_____ Dollars, (\$) _____)
(excludes GRT)

- I. Additive Alternate #9: Furnish and install all labor and materials to required to provide East Parking lot renovation and connecting road between Luna Drive and Camino Linda. Refer to Sheets C-140, C-142, C-143, C-144

_____ Dollars, (\$) _____)
(excludes GRT)

- J. Additive Alternate #10: Furnish and install all labor and materials to required to provide all Floor Coverings, Carpet, Carpet Tile, Vinyl tile, and Ceramic tile, noted in Room Finish Schedule Sheet A-601

_____ Dollars, (\$) _____)
(excludes GRT)

- K. Additive Alternate #11: Furnish and install all labor and materials to required to provide computer access flooring for Classroom No. 150, 151, 152, & 153, as shown on sheets A-104 & A-105. Depressed slab noted to remain as Base bid item.

_____ Dollars, (\$) _____)
(excludes GRT)

The Offeror understands that the contract will be awarded in accordance with the provisions of the Instructions to Proposer and that the Owner reserves the right to reject any or all proposals and to waive any formalities in the proposal.

The Offeror agrees that this price proposal will be good and may not be withdrawn for a period of SIXTY (60) calendar days after the scheduled closing time for receiving bids.

Continued on following page.

Upon receipt of written notice of acceptance of this Price, Offeror will execute the final contract and deliver surety bonds as required by the Instructions to Bidders within seven calendar days.

The BID SECURITY attached in the sum of 5% of the amount bid is: _____
_____ Dollars, (\$_____)

And will become the property of the Owner in the event the contract and bonds are not executed within the time set forth herein, as liquidated damages for the delay and additional expenses to the Owner caused thereby.

Respectfully Submitted,

By :(Authorized Signature) _____ Date: _____

By :(Same Name, Printed or Typed) _____

Title: _____

Company: _____

Address: _____ Phone: _____

_____ Zip: _____

Fax: _____ Email: _____

(Affix Corporate Seal if bid by Corporation)

THIS FORM MUST BE ATTACHED TO BOND

REVIEW AND APPROVAL:

This Bond has been executed by a Surety named in the current list of "companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies," as published in Circular 570 (amended) by the Audit Staff Bureau of Accounts, United States Treasury Department.

APPROVED

Owner's Representative or Governing Authority

Date: _____

AGENT'S AFFIDAVIT

THIS FORM MUST BE
USED BY SURETY

(To be filled in by Agent.)

STATE OF _____)
) ss.
COUNTY OF _____)

_____, being first duly sworn, deposes and says that
he/she is the duly appointed agent for _____
and is licensed in the State of New Mexico.

Deponent further states that a certain bond given to indemnify Luna Community College in
connection with the construction of dated the _____ day of _____
,2000, _____ executed by _____
_____ Contractor, as principal, and,
_____ as surety, signed by
this

Deponent; and Deponent further states that said bond was written, signed, and delivered by
him/her; that the premium on the same has been or will be collected by him/her; and that the full
commission thereon has been or will be retained by him/her.

Subscribed and sworn to before me this _____ day _____ of _____, 2000,

Notary Public

My Commission expires: _____

AGENT'S ADDRESS:

Telephone: _____

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to Chapter 81, Laws of 2006, any prospective contractor seeking to enter into a contract with any state agency or local public body must file this form with that state agency or local public body. 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.

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

The following definitions apply:

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

“**Campaign Contribution**” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official’s behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“**Contract**” means any agreement for the procurement of items of tangible personal property, services, professional services, or construction.

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

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

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

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

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

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(The above fields are unlimited in size)

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)

ASSIGNMENT OF ANTITRUST CLAIMS

TO BE EXECUTED BY GENERAL CONTRACTORS,
SUBCONTRACTORS, SUPPLIERS,
AND SUBSUBCONTRACTORS OF CONTRACTORS ON STATE CONTRACTS.

FIRM NAME:
ADDRESS:

PROJECT:

PHONE NO.:

PROJECT NO:

_____ agrees that any and all claims which it may have or may inure to it for overcharges resulting from antitrust violations as to goods, services, and materials purchased in connection with the above-referenced project are hereby assigned to Luna Community College, but only to the extent that such overcharges are passed on to Luna Community College. It is agreed that the undersigned retains all rights to any such antitrust claims to the extent of any overcharges not passed on to the State, including the right to any treble damages attributable thereto.

FIRM: _____

BY: _____
Signed by Individual empowered to obligate Suppliers,
Subcontractors, or Sub-subcontractors

TITLE _____

F) ENUMERATION OF RFP DOCUMENTS

The following Documents constitute the Request for Proposal Documents for this project:

- A) The **Request for Proposals**, document dated 12-25-09

- B) The **Media Education Center Project Manual**, dated November 16, 2009,
with the deletions or additions of the following Specification Sections:
Delete Section 00100-Invitation to Bid
ADD Section 00100- Request for Proposals, Attached
Delete Section 00200-Instruction to Bidders
Delete Section 00410-Bid Form
Delete Section 00420-Proposal Form
Delete Section 00430-Statement of Bidders Qualifications
Delete Section 00431-List of Subcontractors
Delete Section 01230 –Alternates
ADD Section 01230 Alternates (Revised) Attached

- C) The **Drawings prepared by ORR Architects and Consultants**, dated 11-16-09

- D) **Addendum No. 2**, prepared by ORR Architects and Consultants, dated 12-10-09