



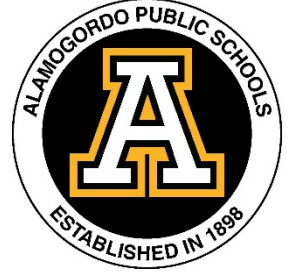
**REQUEST FOR PROPOSAL
FOR CONSTRUCTION**

RFP #006-2021

**Holloman Elementary School
PSFA PROJECT P19-001**

**Alamogordo Public Schools
Commodity Codes 90927, 90924, 90922**

Ver. 1.6a 2019 Edition



Check here if this is not a PSCOC funded project.

Note: If checked, any reference to PSCOC or PSFA does not apply.

DISTRICT RFP NO: 006-2021 PSFA PROJECT NO: P19-001

For Contracting Agency: Alamogordo Public Schools
(District Name)

Contact Person: Marie Bouma, Chief Procurement Officer

Address: 1211 Hawaii Ave

City/State/Zip: Alamogordo, NM 88310

Telephone: 575-812-6044 Fax: 575-812-6049 E-Mail: marie.bouma@alamogordoschools.org

DEADLINE FOR RECEIPT OF PROPOSALS IS AS FOLLOWS:

DATE: Wednesday October 28, 2020 TIME: 3:00 PM MST

DELIVER TO: Alamogordo Public Schools, 1211 Hawaii Ave, Alamogordo, NM 88310
Attention: Marie Bouma, Chief Procurement Officer

Late Proposals **will not** be accepted. It is the responsibility of the Offeror to ensure that proposals are delivered on time to the correct electronic website or District address stated in the solicitation.

A **MANDATORY** *PRE-PROPOSAL CONFERENCE will **X** will not ___ be held as follows:

DATE: Friday September 25, 2020 TIME: 1:00 PM MST

LOCATION: Alamogordo Public Schools District Offices, 1211 Hawaii Ave.
Or Via Google Meeting: <https://global.gotomeeting.com/join/267005397>

CITY/STATE/ZIP: Alamogordo, NM 88310

*All proposers must have a representative attend and sign in at this mandatory pre-proposal meeting or their proposal will be deemed non-responsive.

Note: Any unauthorized change to the language or forms issued in this Project Manual or identified in any addenda shall render your proposal 'nonresponsive.'

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for

Alamogordo Public Schools

& The

STATE OF NEW MEXICO

PUBLIC SCHOOL FACILITIES AUTHORITY

A. PROJECT DEPOSIT INSTRUCTIONS

Proposal Documents may be obtained at **Albuquerque Reprographics, Inc. (ARI)** upon payment of **\$ 360.00** for each complete set. CHECKS SHOULD BE MADE PAYABLE TO ALAMOGORDO PUBLIC SCHOOLS. Incomplete sets will not be issued. The successful Offeror will receive refund of his deposit, and any unsuccessful Offeror who returns the Proposal Documents in good and complete condition within fifteen (15) days of the Proposal Opening will also receive refund of this deposit. No deposits will be returned after the fifteen-day period.

B. LOCATIONS TO REVIEW PROJECT PROPOSAL DOCUMENTS:

Design Professional of Record: Greer Stafford

Address: 1717 Louisiana NE Suite 205

City/State/Zip Albuquerque, NM 87110

Telephone: 505-821-0235

1. Construction Reporter, 4901 McLeod Rd. NE Suite 200, Albuquerque, NM 87102
Telephone: (505) 243-9793
2. Plan-it Room, 1155 Westmorland Dr. #109, El Paso TX 79925
Telephone: (915) 781-2900, Email: projects@theplanitroom.com

C. PROJECT PRICE PROPOSAL INFORMATION:

Price Proposals shall be presented in the form of a total Base Proposal under a Lump Sum Contract per the Bid Lots identified in the Project Manual (per the Proposal Form Section 00 4113). A proposal must be submitted on all proposal items. Allowances, alternates, and segregated proposals will not be accepted.

NOTE: Proposal price shall not include state gross receipts or local options taxes. Taxes will be included in the Contracted Amount at prevailing rates as a separate item to be paid by Owner.

In submitting this proposal, each Offeror must satisfy all terms and conditions of the Proposal Documents. All work covered by this Request for Proposal shall be in accordance with applicable state laws and, if price proposal amount is \$60,000 or more, is subject to the minimum wage rate determination issued by the office of the NM Work Force Solutions Department for this project. Refer to Supplementary Conditions (Section 00 7300). If the price proposal amount of the contractor or any subcontractor exceeds \$60,000, the contractor and/or subcontractor must comply with the registration requirements pursuant to the NM Work Force Solutions Department Registration Act.

D. PROJECT PROPOSAL SECURITY

If Offeror proposal price is greater than \$25,000, Offeror shall provide proposal security in the form of a surety bond executed by a surety company authorized to do business in the State of New Mexico in the amount of **5%** of the total price proposal, or the equivalent in cash by means of a cashier's check or in a form satisfactory to the Owner, must accompany each price proposal in accordance with the Instructions to Offerors.

A 100% Performance Bond and a 100% Payment and Materials Bond executed by a surety company authorized to do business in the State of New Mexico shall be required from the successful Offeror prior to award of contract. The amount of the Bonds shall be the proposal price exclusive of gross receipts tax.

The AIA A312 1984 or 2010 Labor and Materials Payment Bond shall in effect, limit the time line Surety has to respond. The Payment Bond shall be modified as follows:

“Paragraph 6 of this Payment Bond is deleted in its entirety and replaced with the following provision: Within 45 days (1) after the claimant has satisfied the conditions of Paragraph 4 and (2) after the Surety has received at its home office all supporting documentation it requested to substantiate the amount of the claim, the Surety shall pay or arrange for payment of any undisputed amounts. Failure of the Surety to satisfy the above requirements shall not be deemed a forfeiture or waiver of the Surety’s or the Contractor’s defenses under this Bond or their right to dispute such claim. However, in such event the claimant may bring suit against the Surety Company and provided under this Bond.”

E. SUBCONTRACTOR LISTING FORMS AND BONDING

IMPORTANT: PLEASE READ

1. 00 4334 SUBCONTRACTOR QUALIFICATIONS STATEMENT LISTING FORM And 00 4336 SUBCONTRACTOR AND ANTI-TRUST COMBINED LISTING FORM:

BOTH completed Forms SHALL BE PLACED IMMEDIATELY AFTER YOUR LETTER OF TRANSMITTAL. The Committee shall evaluate the entire GC ‘TEAM’ which includes all of the subcontractors that meet the listing thresholds.

2. SUBCONTRACTOR QUALIFICATIONS STATEMENTS: one (1) copy of each subcontractor Qualifications Statement shall be submitted in the technical proposal. Please ensure that the Qualifications Statements included match the subcontractors you’ve listed on the 00 4334 Form.

NOTE: The District may allow additional time to produce the additional required copies of the Qualifications Statements to be submitted to the Procurement Manager at the date and time stated in the Sequence of Events Section II A, and RFP Response Format and Organization Section III C, to ensure a timely delivery of the original technical proposal. If not stated, all copies of the Qualifications Statements must be submitted with the original on the date and time stated.

Qualifications Statement listing threshold is 5% of the Architect Estimate or \$50,000, whichever is greater.

3. 00 4336 STANDARD SUBCONTRACTOR LISTING FORM AND BONDING

Completed Form 00 4336, the standard Subcontractor Listing Form shall list the subcontractors responsible for the work that meet the listing threshold per statute, one half of one percent or \$5,000, whichever is greater.

Each subcontractor shall provide a performance and payment bond on a public works building project if the subcontractor's contract (to the General Contractor) for work to be performed on a project is one hundred twenty-five thousand dollars (\$125,000) or more. Failure of a Subcontractor to provide required bond shall not subject the Owner to any increase in cost due to approved substitution of Subcontractor.

F. COMPLETION TIME AND LIQUIDATED DAMAGES:

The Proposal Documents contain a time for completion of the work and further impose liquidated damages for failure to complete the work within the stated time period. No Offeror may withdraw his proposal for **45 days** after the actual date of the opening thereof.

G. METHOD OF AWARD:

The Owner intends to award this Project to the highest ranked Offeror in accordance with the Request for Proposal requirements. The Owner reserves the right to reject any and all proposals, to waive technical irregularities, and to award the contract to the Offeror whose proposal it deems to be in the best interest of the Owner.*

***NOTE: Please read all of the RFP documents carefully for mandatory requirements.**

H. FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR

The agreement for the work shall be the PSFA Standard Form of Agreement Between the Owner and Contractor 2019 Edition Ver. 3.5 and General Conditions, 2019 Version 3.1a, with the basis of payment as a Stipulated Sum. This document is printed in its entirety in the Project Manual, and it is also available on the PSFA website at www.nmpsfa.org, under Contract Documents and Forms.

I. PROJECT INFORMATION

A. PURPOSE OF THIS REQUEST FOR PROPOSALS

Pursuant to the NM Procurement Code governing the competitive sealed proposal process for construction, more specifically 13-1-111, NMSA 1978, 1.4.1.29 through 1.4.1.1.46, and NMAC 1.4.8.1 through 1.4.8.17, the District has made a determination that the use of the competitive sealed bidding method of procurement is not advantageous to ensure that the project described herein is delivered in a quality manner, and within time and budget constraints. Therefore, it is hereby determined that soliciting competitively sealed proposals for construction of Holloman Elementary School is the most effective means to ensure the project is delivered accordingly.

The award of a contract for construction shall take into consideration certain contractor qualification and performance factors that add value to a procurement contract. Factors such as contractor past performance, technical expertise and experience, management capabilities and resources, subcontractor teams and craft personnel resources, will form the basis for the criteria to be considered, in addition to lump sum price to perform the scope of work. Award shall be made in accordance with the terms, conditions, and requirements stated herein.

This is a qualifications based selection with cost as a consideration. The Offeror is required to provide the qualifications and other documents as requested in this RFP. The Price Proposal will be evaluated separately from the Technical Proposal.

B. PROJECT FUNDING

The District and Public School Capital Outlay Council/Public School Facilities Authority have funds to administer this project and will be referred to throughout the contract documents as “Owner”.

The Design Professional estimate of probable construction cost is:

\$ 23,316,494.00*

***(Note: This estimate does not include NM Gross Receipts Tax)**

C. PROJECT DESCRIPTION

The project is described as:

- A 72,154 square foot replacement Elementary School for the Alamogordo Public Schools located on the Holloman Air Force Base, Otero County, New Mexico.
- The Elementary School shall have a Design Capacity of 600 students serving grades Pre-K through 5th grade.
- The new elementary school will be built on the existing Holloman Elementary school site.
- The existing school to remain operational during the construction of the new replacement school.
- The Project also includes the demolition of both an existing abandoned intermediate school and after completion of the new school, the existing elementary school.

Note: The base-bid lots for the Project are contained in the Project Manual.

D. PROJECT CONTACTS

Any questions concerning the selection process for this Request for Proposals shall be submitted to the Procurement Manager listed below. Technical questions regarding the scope of work shall be submitted to the Design Professional of record, and if appropriate, to the District Representative.

For questions regarding the selection process:

Procurement Contact Name: Marie Bouma, Chief Procurement Officer
Address: 1211 Hawaii Ave
City/State/Zip: Alamogordo, NM 88310
Phone Number: 575-812-6044

For technical questions regarding the scope of work, drawings and specifications:

District Design Professional: Stephen Williams, Greer Stafford/ SJCF Architecture
Address: 1717 Louisiana NE Suite 205
City/State/Zip: Albuquerque, NM 87110
Phone Number: 505-821-0235 ext. 206

E. PROJECT PLANNING SCHEDULE

Key project planning schedule milestones are:

Tentative Notice of Intent to Award	(11/18/2020)
Tentative Notice of Award	(12/16/2020)
Anticipated Substantial Completion Phase 1	(5/3/2022)
Anticipated Substantial Completion Phase 2	(9/12//2022)

F. SUMMARY SCOPE OF SERVICES

A summary of services the General Contractor shall perform to complete the Project, include, but are not limited to, the following:

1. Planning, supervision and timely completion of the Project
2. Prepare, monitor, and maintain Project schedule
3. Material procurement, delivery, and storage
4. Submittals and Project documentation
5. Manage construction labor and materials
6. Coordinate with Owner direct labor, subcontractors, and Owner furnished equipment suppliers, if applicable
7. Manage site access, safety, security, and quality control
8. Manage testing, inspections
9. Coordination of all utility inspections
10. Project close-out and warranty period

G. DEFINITIONS AND TERMINOLOGY

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

“Architect” means a member of the project team who is a New Mexico licensed architect and is responsible for the architectural services.

“Award of Contract” shall mean a formal written notice by the District that a firm has been selected to enter into negotiations for a contract for construction services.

“Construction Industries Division – licensing treatment of general and limited partnerships and joint ventures.

(1) General partnerships are to be separately licenses when the partnership is bidding for and performing the work, provided that partnerships are legally authorized to do business in NM in order to be licensed but not requiring that they be separately licensed, see 14.6.3.8 (B)(3) NMAC.

(2) Limited partnerships are required to be separately licenses even though one or more of its partners holds a license or qualifying party certificate (14.6.3.8(B)(1) NMAC.

(3) Joint ventures must be separately licensed per 14.6.3.8(B)(2)(a) NMAC. No two or more persons shall submit a joint bid or jointly engage in contracting unless operating as a validly licensed joint venture.

“Construction Contractor” means successful Offeror awarded the contract that holds a current State of New Mexico general contractor license designation of GB-98.

“Contract” means an agreement between a state agency or school district and a New Mexico licensed contractor for the work covered by this RFP.

“Contract Documents” means any one, or combination, of the following documents: Agreement Between the Owner and the General Contractor for Construction, General Conditions of the Contract for Construction, and the drawings and specifications.

“Contractor” means any person, corporation, or partnership that has entered into a contract with a state agency or a local public body.

“Co-Owner” means the Public School Facilities Authority, on behalf of the Public School Capital Outlay Council that is funding or partially funding the project.

“Department of Finance and Administration (DFA)” is the cabinet agency with central accounting authority and responsibility, which issue payments for work performed under this RFP involving DCP/PSCOC funding.

“Design Professional” means architect or engineer.

“Determination” means the written documentation of a decision of the District and/or the Selection Committee, including findings of fact required to support a decision. A determination becomes part of the procurement file to which it pertains.

“Limited partnership” is formed upon the filing of a certificate of limited partnership with the Secretary of State. Limited partnership shall state whether partners are general or limited. General partners are agents of the limited partnership, may manage the limited partnership, and may be held liable for the limited partnership’s obligations.

“Joint venture” is a partnership formed for a single transaction. As a partnership, it can be created without a formal, written agreement meeting (1) a community of interest in the performance of a common purpose; (2) a joint proprietary interest in the subject matter, (3) a mutual right to control, (4) a right to share in the profits, and (5) a duty to share in any losses which may be sustained.

“Offeror” is any person, corporation, or partnership who chooses to submit a proposal in response to this RFP.

“Owner” is the District.

“Partnership” is an ‘association of two or more persons who become co-owners of a business for profit per NMSA 1978 54-1A-202(a) 1996. Note: When forming a partnership, written partnership agreements are not required. ‘In a ‘general partnership’ each partner is an agent of and may bind the partnership unless the partnership has limited that partner’s authority.

“Proposal” is the Offerors response to this RFP.

“Public School Capital Outlay Council (PSCOC)” is the body with responsibility to approve allocations for public school capital outlay assistance.

“Public School Facilities Authority (PSFA)” is the agency, under the Public School Capital Outlay Council (PSCOC) charged with responsibility for overseeing projects and shall serve as the owner’s representative for work performed under this RFP.

"Request for Proposals" or "RFP" means all documents, attached or incorporated by reference, used for soliciting proposals for this project.

“Resident Business Preference” means a business that has a valid resident business certificate by the New Mexico Taxation and Revenue Department pursuant to Section 13-1-22 NMSA 1978.

“Resident Veteran Business Preferences” means a business that has a valid resident veteran business certificates issued by the New Mexico Taxation and Revenue Department pursuant Section 13-1-22 NMSA 1978.

“RFP Documents” means any one, or combination, of the following documents: Request for Proposal, technical proposal, price proposal, contractor qualification statement, subcontractor qualification statements, Price Proposal.

"Responsible Offeror" means an Offeror who submits a responsive proposal and who has furnished, when required, information and data to prove that his financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services described in the proposal.

"Responsive Offer" or "Responsive Proposal" means an offer or proposal, which conforms in all material, respects to the requirements set forth in the RFP. Material respects of a RFP include, but are not limited to quality, quantity or delivery requirements.

"Selection Committee or Evaluation Committee" means a body constituted in accordance with Section 13-1-121 NMSA 1978 and 1.4.8.16 NMAC 2005 to perform the evaluation of Offeror proposals and make a recommendation for selection (short list) or final selection recommendation to the governing body. The Evaluation Committee consists of a minimum of three members, should collectively possess expertise in the technical requirements of the project, construction design and contracting.

“Statement of Qualifications Forms” means the forms included as part of this RFP, which all Offerors shall complete, including the qualification for the team member or partners and subcontractors proposed for the project.

“Technical Irregularities” are matters of form rather than substance evident from the Offeror 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, but are not limited to the failure of the 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: (1) it is clear from the proposal that the Offeror received the amendment and intended to be bound by its terms; or (2) the amendment involved had no effect on price, quality or quantity.

Note: A technical irregularity can be waived if the irregularity does not affect quality, price, or time elements of the project.

"User" means the school district staff occupying the facility or facilities, for which a project is being designed.

"User Contact" is the person designated by the District to speak on behalf of the staff concerning the scope of work and programming requirements for the project.

The terms **"must," "shall," "will," "is required,"** or **"are required"** identify *a necessary* item or factor. Failure to comply *with such* an item or factor *may* result in the rejection of the Offerors proposal.

The terms **"can," "may," "should," "preferably,"** or **"prefers"** identifies a desirable or discretionary item or factor. Failure to comply with such an item or factor *may* result in the rejection of the Offerors proposal. *Rejection of the proposal will be subject to review by the Selection Committee and the final decision on rejection will be made by the Committee Chairman.*

H. PROCUREMENT LIBRARY

The Procurement Manager has established a Procurement Library. Offerors are encouraged to review the material contained in the Procurement Library by accessing the documents available on line. The documents are located on the NM State Purchasing Division and PSFA websites as follows:

State Procurement Code - NMSA 1978 Chapter 13 Public Purchases and Property - Article 1 Procurement

Procurement Regulations, 1.4.1.1 NMAC

A copy may be obtained from the following website:

<https://www.generalservices.state.nm.us/uploads/files/SPD/User%20Guides/1%204%201%20NMAC.pdf>

RFP for Construction, Maintenance Services and Repairs, 1.4.8 NMAC

Chapter 10, Article 16 NMSA 1978 "Governmental Conduct Act".

Guidelines to the New Mexico Public School Adequacy Standards, etc.

- NMAC 6.27.30 Statewide Adequacy Standards https://www.nmpsfa.org/wordpress/wp-content/uploads/2020/05/6.27.30_NMAC_Statewide_Adequacy_Standards-1.pdf
- NMAC Rules – Public School Capital Outlay Council
- Master Facility Plan <https://www.nmpsfa.org/wordpress/district-5-year-facility-master-plans-fmp/>he State of New Mexico PSFA HVAC and Controls Performance Assurance Program incorporating all appendices. https://www.nmpsfa.org/wordpress/wp-content/uploads/2020/06/NMPSFA-Performance-Assurance-Manual_Rev-06.15.2020.pdf
- The State of New Mexico Public School Facilities Authority Roofing Program Handbook. https://nmpsfa.org/wordpress/wp-content/uploads/2020/05/rf_prog_hbk_04-13-10_v.1_psfa.pdf. Inclusive of all specification/requirements of Division 07 Thermal & Moisture Protection, located at: <http://www.nmpsfa.org/?q=node/101>
- Public School Capital Outlay Council Awards

Copies may be obtained from the following website: www.nmpsfa.org

II. CONDITIONS GOVERNING THE PROCUREMENT

This section of the RFP outlines and describes the major events of the selection process and the conditions that govern this procurement.

A. SEQUENCE OF EVENTS

	<u>Action</u>	<u>Responsibility</u>	<u>Date</u>
1.	Issue RFP	District	9/21/20
2.	Pre-Proposal Conference Location: District Office or Zoom Note: Mandatory	District Time: 1 PM <u>Yes</u>	9/25/20
3	Site visit	District	10/02/20
4.	Deadline to Submit Written Questions re: RFP Process	Potential Offerors	10/09/20
5.	Response to Written Questions re: RFP Process and Addendum	District	10/16/2020
6.	Date of Release of Last Addenda Prior to Submission of Proposal	Design Professional	10/20/20
7.	Submission of Proposal	Offerors Time: 3 PM MST	10/28/20
8.	Proposal Evaluation	Evaluation Committee	11/02/20
9.	Notice of Short Listed Offerors	Procurement Manager	11/04/20
10.	Interviews of Short-listed Offerors (If held)	Evaluation Committee & Offerors	11/06/20
11.	Contract Negotiations	Procurement Manager & Design Professional	11/09/20
12.	Issue Recommendation of Award to Governing Board/Notice of Intent to Award	District	11/18/20
13.	Issue Notice of Award, Prepare Contract	Design Professional & District	12/16/20
14.	Protest of Award Deadline	Offeror(s)	Fifteen days from award date

B. EXPLANATION OF SEQUENCE OF EVENTS

1. Issue RFP

This RFP is issued by the District in accordance with the provisions of Sections 13-1-111 and 13-1-117 NMSA 1978, General Government Administration Procurement Regulations NMAC 1.4.1.29 through 1.4.1.47, and General Government Administration Procurement Code Regulations for Use of Competitive Sealed Proposals for Construction and Facility Maintenance, Services and Repairs, NMAC 1.4.8.1 through 1.4.8.17.

2. Mandatory Pre-Proposal Conference

This is the date and time of the meeting to review the RFP documents, including the Scope of Work, Response Format, Schedule, and Price Proposal requirements.

In addition to the Pre-Proposal Meeting, the Owner may allow Prospective Offerors the opportunity to visit with the project User Representative with permission from the District Representative. **Please note that after the proposal submission due date, the Offerors are not allowed any contact without the District Representative's permission. The District, may, however, contact Offerors for clarification purposes, changes in the Schedule of Events, notices of non-responsiveness or responsiveness of proposals, and notices of shortlist status and/or interviews.**

3. Site Visit (Optional)

This is the date that potential bidders will be able to either visit the project site in person or virtually. The visit will cover the construction site of the new Holloman Elementary as well as the current Elementary school and Intermediate school to be demolished.

4. Deadline to Submit Written Questions regarding the RFP Process

This is the date and time set for submitting written questions regarding the RFP document and procurement process to the Procurement Manager. Note: questions regarding the drawings and specifications shall be directed to the Design Professional.

5. Response to Written Questions to RFP Process and Addendum

This is the date and time set by the Procurement Manager to issue a response to written questions regarding the RFP procuring document or the procurement process. The Procurement Manager will coordinate this response with the Design Professional to be included in the issuance of addenda, if applicable.

6. Date of Release of Last Addenda Prior to Submission of Proposals

This is the date that has been set by the Design Professional that signifies no other addenda will be issued on the project so that Offerors have time to finalize their responses.

7. Submission of Proposal

This is the date and time that has been set for the submission of Proposals. Late Proposals will not be accepted. It is the Offeror's responsibility to ensure that Proposals arrive at the appointed location, date and time. Proposals may be delivered early to avoid any possible delay of the submission. The documents shall be in a sealed container with the RFP number and opening date indicated on the bottom left hand side of the container as follows:

On Package: RFP #006-2021 Holloman Elementary School Construction Proposal
Due Date: October 28, 2020 @ 3:00 PM MST.
Addressed to: Alamogordo Public Schools
Attention: Marie Bouma, CPO
1211 Hawaii Avenue
Alamogordo, NM 88310

PROPOSALS RECEIVED AFTER THE DEADLINE SHALL BE CONSIDERED NON-RESPONSIVE. Proposal submittals shall be date and time-stamped by the District office that is designated to receive proposals. A public log will be kept of the names and submittal times of all Offerors who submitted proposals.

The Procurement Manager shall review the proposals for completeness and compliance with the mandatory requirements prior to distribution to the Evaluation Committee. If any proposal submitted is deemed non-responsive, the Offeror will be notified in writing of such determination which will include

the right of the Offeror to protest the decision. (See Section II.C.1.). The Procurement Manager shall designate a witness to be present during the opening the proposals. The witness and Procurement Manager shall sign the “List of Offerors” for the procurement file.

7. Submission of copies of Technical Proposals – if applicable

If the Procurement Manager so designates, this is the date and time that Offerors may submit **copies** of the Subcontractor Qualifications Statements for distribution to the Evaluation Committee so that an Offeror submission is not jeopardized due to the volume of copies that must be made. Note: The General Contractor must include one (1) copy of each Subcontractor Qualifications Statement per the 00 4334 Subcontractor Qualifications Statement Listing Form and the 00 4336 Subcontractor Listing Form in the technical proposal that is being submitted on Item 6, Schedule of Events.

8. Proposal Evaluation

This is the date and time that the Evaluation Committee will convene to discuss the proposals and to report individual scores to the Procurement Manager. Individual scores shall be recorded on the Master Score/Rank Sheet. After the scores have been recorded, the Procurement Manager shall open the Price Proposals and calculate the points for each Offeror. The Procurement Manager shall record the scores allocated to Price for each Offeror on the Master Score/Rank Sheet.

9. Notice of Short-Listed Offerors

The Procurement Manager shall send the Score Sheet to PSFA for review prior to any notification of the evaluation results. Upon PSFA approval, the Procurement Manager may notify all Offerors of the Short List Rank of Offerors in writing, and state whether or not interviews will be held.

Note: The Selection Committee may hold interviews with the highest-ranked Offerors, where there is a natural break in the scoring. The number of interviews, if held, will be at the discretion of the PSFA and the Selection Committee. If interviews are not held, the decision shall be documented for the procurement file.

10. Interview of Short-List Offerors

If interview(s) are to be held, the date, time, and location of the Interview meeting will be included with the notice to those Offerors selected for interview. A list of questions shall be distributed to the Short-List Offerors that includes the points to be allocated to each question. Points allocated to the questions shall be evenly distributed.

NOTE: A “Pre-Interview” meeting may be held by the District Representative, if it is determined it is in the best interest of the short-listed Offerors and the Project, to answer questions regarding the interview process, and to distribute the list of prepared questions to be addressed.

11. Contract Negotiations

The Owner reserves the right to enter into negotiations with the highest ranked Offeror per NMSA 13-1-115. If contract negotiations are not finalized within a reasonable period of time, the Owner will conclude negotiations with the selected firm and begin negotiations with the next ranked firm based on final ranking.

12. Recommendation of Award to Board of Education

The Procurement Manager shall prepare a procurement report and a recommendation to the Board for award of the Project that shall include the ranking of all Offerors and the final ranking of Short-Listed Offerors.

Upon Board of Education approval, the Design Professional shall prepare the Notice of Intent to Award a contract to the Board approved Offeror.

The Owner reserves the right to enter into negotiations with the highest ranked Offeror per NMSA 13-1-115. If contract negotiations are not finalized within a reasonable period of time, the Owner will conclude negotiations with the selected firm and begin negotiations with the next ranked firm based on final ranking.

13. Issue Notice of Award, Prepare Contract

Upon the successful completion of contract negotiations, Board of Education approval Architect shall issue the Notice of Award and prepare the Contract for Construction.

14. Protest Deadline

The protest period for **award** of the contract shall begin the day after the date of the Notice of Award. This date shall be determined by the Procurement Manager. See Section C, Paragraph 1, below for more detail.

C. STANDARD CONDITIONS GOVERNING THE PROCUREMENT

The Standard Conditions section contains statutory guidelines under which this RFP is issued, and conditions concerning how the project will be completed.

The Owner may evaluate the Proposals based on the anticipated completion of all or any portion of the Project. The Owner reserves the right to divide the Project into multiple parts, to reject any and all Proposals and re-solicit for new Proposals, or to reject any and all Proposals and temporarily or permanently abandon the Project, should the need arise. Owner makes no representations, written or oral, that it will enter into any form of agreement with any Offeror.

1. Protests

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

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

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. Third-Party or Subcontracting GC Contract Responsibilities

Direction of all work that may result from this procurement must be performed by the Offeror and payments will only be made to the Offeror. Use of consultants identified in the proposal is permitted, but since the award is made on a quality-based evaluation process, reassignment of GC duties and responsibilities to a third party is not acceptable.

4. Amendments or Modifications to a Proposal by Offeror

Per 1.4.1.34 and 1.4.1.35 NMAC, an Offeror may request in writing to amend, modify or withdraw their proposal if the Procurement Manager makes a determination that it is in the best interests of the

District and the Offeror to do so, prior to the date and time of the receipt of proposals. If the request is accepted to amend or modify a proposal, the Offeror shall replace the incorrect proposals with corrected proposals in their entirety. Substitution of random pages will not be allowed to avoid information being inserted or removed incorrectly. Any amendment or modification to an Offeror's proposal shall be documented for the procurement file.

5. Late Withdrawals or Late Modifications

Per 1.4.1.36, inclusive of 1.4.1.21 NMAC, submission of a request to withdraw or modify a proposal after the deadline, shall be documented, and shall not be considered unless the written request is received before contract award, and the request to submit, modify or withdraw the proposal would have been timely but for the action or inaction of the Procurement Manager and/or District personnel directly involved in the procurement.

Any of these occurrences shall be documented by the Procurement Manager, and all Offerors of record shall be notified of the event in writing as soon as possible.

6. Disclosure of Proposal Contents

The content of any proposal shall not be opened to public inspection or disclosed prior to award. At that time, all proposals will be open to the public, except for the material which has clearly been noted and determined by the Procurement Manager to be proprietary or confidential as noted by the Offeror.

7. Confidential Data

If a request is received for disclosure of data, for which an Offeror has made written request for confidentiality, the Procurement Manager shall make a determination that the data is, in fact, confidential and proprietary financial information concerning the Offeror's organization and whether or not the data qualifies as a trade secret under the Uniform Trade Secrets Act, Sections NMSA 1978 57-3A-7. Unless the Offeror takes legal action to prevent disclosure of data that does not meet the requirements of the Uniform Trade Secrets Act, the data will be so disclosed. After award the proposal shall be open to public inspections subject to any continuing prohibition on the disclosure of confidential data. Any pages of a proposal on which the Offeror has stamped or imprinted "proprietary" or "confidential" shall be readily separable from the proposal in order to facilitate public inspection for the non-confidential portion of the qualifications based proposal.

8. Termination

This RFP may be canceled at any time and any and all proposals may be rejected in whole or in part when the District determines such action to be in the best interest of the District and the State of New Mexico.

9. Sufficient Appropriation

Any contract awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations do not exist. Such termination will be effected by sending written notice to the contractor. The Owner's decision as to whether sufficient appropriations and authorizations are available will be accepted by the contractor as final.

If the determination is made that there is insufficient funding to continue or finalize a project, the successful Offeror will be compensated to the level of effort performed, as authorized by the Owner prior to that determination.

10. Offeror Qualifications

The Evaluation Committee may consider any relevant information or data, from any reliable source (references) relating to the RFP evaluation factors and the Offeror's ability to successfully perform the project. Such information may be obtained from the Offeror's prior customers, commercial and public databases or other reliable sources. The Selection Committee may reject the proposal of any Offeror who is not a responsible Offeror or fails to submit a responsive offer as defined in Sections 13-1-83 and 13-1-85 NMSA 1978.

11. Right to Waive Minor Irregularities

The Selection Committee reserves the right to waive minor irregularities per 1.4.1.42 NMAC 2005 (see Definitions). The Selection Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the same mandatory requirements and the failure to do so does not otherwise materially affect the procurement. This right is at the sole discretion of the Selection Committee.

12. Notice

The New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

13. Release of Information

Only the Owner is authorized to release information about the project(s) covered by this RFP. The Offerors must refer to the Owner any requests to release any information that pertains to the work or activities covered by any action or award related to this RFP.

14. Project Reporting

In addition to the normal project meetings with the Owner, successful Offeror is required to work with the District Representative, the Project Architect, and the PSFA Regional Manager to ensure the project records are uploaded into the PSFA construction information management system. Training for use of this system will be provided by the PSFA training staff. If you have not been trained to use the construction information management system, please check the PSFA website at www.nmpsfa.org for training schedules and information as soon as possible.

15. New Mexico Prevailing Wage Rates

Wages to be paid as a result of a contract awarded for this project will be subject to the minimum wage rate determination by the State of New Mexico, and will be attached to the final contract documents. This determination will become part of the contract by reference and must be posted, per State of New Mexico Statutes, in a conspicuous place at the General Contractor's place of business. It is the General Contractor's responsibility to be aware of the applicable State of New Mexico statutes and responsibilities related thereto. Failure by the Owner to physically make such minimum wage rate determinations available to the General Contractor will not relieve the General Contractor from becoming aware of or complying with such determinations.

16. Clarifications from Offerors

The Procurement Manager may, at the request of a Selection Committee designee request clarifications on information submitted by any and all Offerors.

17. Licensing Requirements

The Contractor and subcontractors shall comply with all licensing regulations and the Contractor shall provide copies of all valid licenses necessary to perform the work in the State of New Mexico.

18. Subcontractors

The Subcontractors Fair Practices Act, 13-4-31 et. seq. per NMAC 1.4.8.13, para. C applies to this procurement. Therefore, any request for substitution on the part of the Owner or the Offeror shall comply with this section.

III. RFP RESPONSE FORMAT AND ORGANIZATION

A. NUMBER OF RESPONSES

General Contractors shall only submit one offer. See Paragraph B for the number of copies of the offer required. Multiple offers by one General Contractor are not allowed. Please note that the Procurement Manager, after award, shall retain the original Technical Proposal and Price Proposal for the procurement file as a matter of record.

NOTE: SUBMIT Original Price Proposal with the original Technical Proposal. The Price Proposal shall be submitted in a clearly marked sealed envelope easily removable from the Technical Proposal.

B. NUMBER OF COPIES OF RESPONSES

In addition to the original signed and dated hard copy Technical Proposal and Price Proposal submittal, Offerors shall provide **six (6)** identical hard copies of the Technical Proposals for the Evaluation Committee for a total of **seven (7)** printed proposals. Only **one (1)** copy of the Price Proposal is required. In addition, proposers must submit **two (2)** separate USB flash drives, with **one (1)** flash drive containing the complete Technical Proposal and one flash drive containing the Price Proposal.

After award of a contract, all Offerors of record may make arrangements with the District to have their proposal copies returned or picked up. The District shall not be responsible for any shipping or mailing costs to return copies of the proposals.

C. SUBMISSION OF PROPOSAL

Hand Carried: Proposals may be hand carried/delivered. If requested, the District may give the person delivering the proposal package a receipt for the Offeror's records, that notes the firm name, date and time the proposal was delivered.

Common Carrier or USPS: Offers may be shipped/mailed by common carrier or courier. Be advised that the District is not responsible for offers that are not received timely. It is solely the responsibility of the Offeror to ensure the submittal arrives on time at the location state herein.

No Other Methods of Offer Delivery Allowed: Telephone, telegraphic, facsimile or electronic offers will NOT be accepted.

D. GENERAL RESPONSE INSTRUCTIONS AND INFORMATION

1. Proposals shall be prepared SIMPLY AND ECONOMICALLY, providing straightforward, CONCISE description of the respondent's ability to meet the requirements of this RFP. Emphasis shall be on the completeness, clarity of content, responsiveness to the requirements, and an understanding of the owner's needs.
2. Respondents shall carefully read the information contained in this RFP and submit a complete response to all requirements and questions as directed. Incomplete Proposals will be considered non-responsive and subject to rejection.
3. Offerors shall prepare and develop proposals at the sole expense of the Offeror.

4. Proposals that are qualified with conditional clauses, alterations, items not called for in the RFP documents, or irregularities of any kind are subject to rejection by the Owner. Questions regarding the procurement process, the RFP documents, general requirements, terms and conditions, etc. must be submitted in writing prior to the submission of Proposal for clarification purposes.
5. If your proposal contains proprietary/confidential information, you shall stamp those pages so that they are easily identifiable by the Procurement Manager. Those pages shall be examined and a written determination shall be made that specifies which portions of the proposal may not be disclosed. If the Offeror disagrees, they are entitled to take legal action to prevent the disclosure.
6. Proposals shall consist of answers to questions or requirements identified in the RFP. It is not necessary to repeat the question in the Proposals; however, it is essential to reference the question number with the corresponding answer.
7. All amendments and addenda shall be acknowledged on the Price Proposal Form where designated.

VOLUME I – TECHNICAL PROPOSAL

A. Technical Proposal Format

Proposals may be submitted in a spiral or three-ring binder. Page format shall include 8-1/2” x 11” paper and 11” x 17” foldout sheets in size. Foldout pages shall be counted as two pages and shall be numbered as such. Text will be no smaller than 10 point. If there are any questions regarding format requirements, please contact the Procurement Manager prior to submission.

Proposals shall not exceed 30 pages total for the tabbed sections 3, 4, 5, 6 and 7 (tabbed Section 2A & 2B, Contractor and Subcontractor Questionnaire Attachments, shall be not be counted in the total pages described herein). Each sheet face that is printed with text or graphics counts as one page. Tab dividers do not count as pages provided the only text or graphics on the divider are the tab number and section title.

Offerors are cautioned to please keep the required documents/attachments in each category to concise, easily readable and applicable information.

B. Tabs/Evaluation Categories:

All sections shall be separated by a numbered tab that corresponds to the Evaluation Category, 1 through 6, described below.

TAB 1 SIGNED LETTER OF SUBMITTAL AND MANDATORY FORMS

00 4334 Subcontractor Qualifications Statement Listing Form

00 4336 Subcontractor Listing Form w/Registration Number and Anti-Trust signatures (before contract is signed)

Resident Contractor Preference Certificate

OR

Resident Veteran Preference Certificate

Campaign Contribution Form

Acknowledgment of Special Circumstances

Letter of Submittal Requirements

Each proposal must be accompanied by a submittal letter. **Any submittal letter that omits any of the following information may be deemed ‘non-responsive’.** The submittal letter shall include acknowledgments and where appropriate, certification of the following:

1. Identify the name(s), title(s), telephone number(s), fax number(s) and e-mail address(es) of the person or persons who have authority to sign documents and who has sufficient knowledge to fully address all matters and respond to all inquiries included in the RFP submittal.
2. If a joint proposal is being submitted, identify the firm, and disclose the work/services to be executed by the nonresident contractor as a percentage of the total amount of the Price Proposal. The resident contractor or veteran contractor preference will be apportioned to the technical, price, and interview (if held) scores based on the percentage of work being performed by the in-state Offeror minus the out-of-state Offeror’s percentage of the work.
3. Acknowledge acceptance of all conditions that govern the procurement.
4. Acknowledge that the information provided in the proposal is truthful, accurate and complete, and that the firm is bound by all information, data, certifications, disclosures and attachments submitted.
5. Acknowledge that the omission of any material fact concerning requested information, or the submission of any material false or misleading statement, or misrepresentation of a material fact concerning any requested or submitted information, may deem the proposal ‘non-responsive’.
6. Acknowledge that the Owner has a right to obtain relevant information from other sources (references) to determine that the Offeror is ‘responsible’.
7. Acknowledge that if awarded the contract, the RFP documents, all terms and conditions stated herein, all information, data, certifications, disclosures and addendum shall be a part of the Contract.
8. Statement/Certification and/or documentation that the firm possesses the necessary equipment, financial resources, technical resources, management, professional and craft personnel resources and other required capabilities to successfully perform the contract, or will achieve same through its prelisted subcontractors with supporting information, pictures, diagrams, reports, etc.
9. Letter of Submittal shall be signed by a person or persons identified in Paragraph 1 of this section, who is/are fully authorized to contractually obligate the firm, and who has sufficient knowledge to fully address all matters and respond to all inquiries including the RFP submittal.
10. Letter of Special Circumstances of contractor to be responsible for any issues and complications relative to the site being within an active military institution.

TAB 2A & 2B – GENERAL CONTRACTOR & SUBCONTRACTOR QUALIFICATIONS

NOTE: The attachments to this section are in addition to, and are not counted in the 30 pages allowed per Section IV, Volume I, Technical Proposal, Paragraph A for Tabs 3, 4, 5, 6 and 7.

TAB 2A – GENERAL CONTRACTOR QUALIFICATIONS STATEMENT SUMMARY

1. Firm name and address, type of organization, years in business, other names business may have operated under.

2. Licensing Information
3. Experience completing one (1) or more educational facilities, addition and/or renovation project of similar complexity totaling 60,000 square feet or more since **the year** 2012 as the proposed project – List a maximum of 5 Projects (Projects will be described in detail in Attachment A of the Contractor Qualification Statement)
4. Key Personnel Experience
5. Capacity and Capability to Perform the Work
6. Surety Name and Bonding information
7. Safety Information
8. Insurance Claims and History
9. Quality Assurance
10. Project Scheduling
11. Labor Code Violations
12. Judgments/Breach of Contract
13. Contractor Comments/Other Information

TAB 2A – GENERAL CONTRACTOR ATTACHMENTS

Attachment A – Project Experience of Similar Complexity and Scope/Qualifications

Provide maximum of 5 examples on Attachment A Form provided

- a. Experience on Similar projects totaling 60,000 square feet since 2012
- b. Project execution
- c. Customer satisfaction

Attachment B – Resumes for Project Manager, Superintendent, Safety, other key personnel

Attachment C – Organizational Chart of Project Management Team

Attachment D – Projects currently under construction totaling 20,000 or more square feet.

Attachment E – Notarized declaration of surety

Attachment F – **ONE (1)** Copy of Firm’s written safety plan

Attachment G – Letter from Insurance Carrier on their letterhead

Attachment H – Written Assurance Program

Attachment I – Affidavit of non-violation of Labor codes

Attachment J – Judgments/Breach of Contract/Protests

TAB 2B – SUBCONTRACTOR QUALIFICATION STATEMENT SUMMARY

Note: The attachments to this section are in addition to, and do not count toward the 30 pages allowed per Section IV, Volume I, Technical Proposal, Para. A for Tabs 3, 4, 5 and 6.

Per NMAC 1.4.8 RFP for Construction and Facility Maintenance, Services and Repairs, Paragraph 1.4.8.12, subparagraph D (2), the value of the subcontractors’ work that meets the listing threshold state below shall submit a Qualifications Statement:

“Subcontractor Qualification Statements. Subcontractor qualification statements shall be required for all subcontractors identified in the technical proposal pursuant to the subcontractor listing requirements

1.4.8.13 NMAC, where the value of the subcontract is fifty thousand (\$50,000) or five percent (5%) whichever is greater. A using agency MAY reserve the right to require subcontractor qualification statements from any other subcontractors, at whatever tier and regardless of the value of the subcontract.”

1. Offeror Information
2. Licensing
3. Experience completing one or more facilities over 60,000 square feet since 2012.
List a maximum of 3 projects.
4. Key Personnel
5. Capacity and Capability
6. Safety
7. Insurance and Claims History
8. Quality Assurance
9. Labor Code Violations
10. Subcontractor Comments
11. Other Information
12. Provide certification and/or documentation that the firm possesses the necessary equipment, financial resources, technical resources, management, professional and craft personnel resources and other required capabilities to successfully perform the contract, or will achieve same through its prelisted subcontractors.

TAB 2B – SUBCONTRACTOR ATTACHMENTS

Attachment A – Project Experience of Similar Complexity and Scope/Qualifications

Provide maximum of 3 examples on Subcontractor Attachment A Form provided

Attachment B – Resumes for Project Manager, Superintendent, other key personnel

Attachment C – Similar Projects

Attachment D – Written Safety Plan

Attachment E – Written Quality Assurance Program

Attachment F – Affidavit of non-violation of Labor codes

Attachment G – Judgments/Breach of Contract, Mediations & Arbitrations

Attachment H – Subcontractor Comments/Other Information

Attachment I – Certify and/or document firm possesses necessary equipment, financial resources, technical resources, management, professional and craft personnel resources and other required capabilities to successfully perform the contract

TAB 3 – PAST PERFORMANCE

Please provide the following information:

A. Capability to meet schedules, budgets and project administration requirements for past projects listed in Attachment A:

1. Were any of the projects completed early? If yes, identify the project(s) and describe how this was accomplished.

2. Were any of the projects completed late? If yes, identify the project, how many days late, and the reason(s) why the completion date was delayed.
 3. How many days after Substantial Completion were required to complete the punch list items on each project listed
 4. Was your firm or your subcontractors called back to any of the projects listed for any reason during the warranty period? After the warranty period?
 5. Were there any outstanding issues remaining after the warranty inspection on any of the projects you've listed?
 6. Did your firm, for any reason, refuse to do additional work required by the Owner? If yes, identify the project and state the reason(s) why.
 7. What was your firm's process for vetting the pricing from your subcontractors and suppliers on change orders in order to ensure fair pricing to the Owner?
 8. What was the dollar threshold below which your firm absorbed additional cost changes in order to avoid disproportionate administrative costs for all parties? Give examples of the changes on the project listed for which your firm absorbed the costs.
- B. Describe the role of each teaming partner on the contract.
- C. Evidence of past performance quality and overall customer satisfaction.
- D. Record of compliance with applicable laws and regulations on past projects.
- E. Past record of achievement of health and safety targets.

TAB 4 – PROJECT STAFFING

Please provide the following information:

- 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 key project personnel to be assigned to this project.
- B. Address the extent to which key personnel have worked together as a team on project of similar or greater magnitude and on projects of the same nature. Provide a matrix that lists key staff names across the top of the matrix and list past projects down the side of the matrix. The project list should begin with all of the projects that appear in Item 3.a of the General Contractor's Statement of Qualifications. The project list may also include up to five more projects that demonstrate how the key personnel have worked together as a team. At each intersection within the field of the matrix, list the role that the person filled on that particular project (such as Project Manager Site Superintendent, Safety Manager, QA/QC Manager, Estimator, etc.).\
- C. Describe Contractor's and subcontractors' participation in skill training
- D. Address reliable staffing sources/project staffing

TAB 5 – MANAGEMENT PLAN

Provide a brief narrative of the approach to the following issues as they pertain to this project:

Management Team: Provide an organizational chart of the Management Team and address how critical subcontractors were selected and will be managed.

- A. Describe how the construction will be organized, managed, and administered to meet the project requirements, including security and safety controls, staging areas, delivery routes, crane locations and interfaces required at the site with the using agency.
- B. Describe the technical approach to the project that is intended to ensure that tasks are executed within cost, schedule and quality goals.
- C. Provide a proposed project schedule. Indicate critical dates and other information in sufficient detail for the Evaluation Committee to determine if time frames are reasonable.
- D. Provide information regarding your firm’s ability to deliver the project within the allotted construction time.

TAB 6 – HEALTH AND SAFETY

Please provide the following information:

- A. Provide a summary description of the General Contractor’s Health and Safety management system.
NOTE: One copy only of the full General Contractor’s written Safety Plan is required as Attachment F of the General Contractor Statement of Qualifications.
- B. Identify the competent person responsible for, and capable of, implementing the safety and health program/plan.
- C. Address the project specific health and safety risks that have been identified by the RFP and additional risks that the Offeror’s team has identified. Describe processes to minimize risk and to ensure that health and safety issues are clearly communicated with the Contractors, Subcontractors, and the Owner.
(See Section V.B. Evaluation Criteria below for detailed scoring guidelines for the ‘Health and Safety’ category).

TAB 7 – NEW MEXICO PRODUCED WORK

Indicate the volume of work by percentage 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 a part of the project team.

(See Section V.B Evaluation Criteria below for detailed scoring guidelines for the New Mexico Produced Work” category).

TAB 8 – EXTENDED WARRANTY

Indicate the amount of Extended Warranty period beyond the standard twelve (12) warranty period that commences at the end of Substantial Completion.

(See Section IV. b Evaluation Criteria below for detailed scoring guidelines for the “Extended Warranty” category).

NOTE REGARDING TABS 3, 4, 5, 6 AND 7:

There may be a duplication of required information on Attachments of the General Contractor Statement of Qualifications and other sections of the Technical Proposal. The purpose of Tabs 4, 5, 6, and 7 is to allow the Offeror the ability to present more concise information regarding the strengths of the proposed team, and to identify information that the Selection Committee can use for scoring. If the Offeror so chooses, other sections of the Technical Proposal may be referenced within these Tabs, without wholly duplicating information provided. Also, information presented elsewhere may be summarized or condensed within these Tab sections to make the Offeror’s proposal more clear.

VOLUME 2 – PRICE PROPOSAL

(Provide One Original Copy of below Information in Separate Sealed container. Price Proposal Form is included in Div. 00 of the Project Manual)

- 1. PRICE PROPOSAL AMOUNT**— use the Lump Sum Proposal form provided in the project manual. Price *shall not* include NM Gross Receipts Tax. However, the GRT will be added to the contract.

NOTE: If a joint proposal is being submitted, be sure you have stated the % of the work/services that will be performed by the nonresident contractor stated, based on the dollar amount of the Price proposed and include your valid in-state preference number assigned by NM Taxation and Revenue on the Proposal Form. Copies of your certificate shall be included in the Technical Proposal, so the preference points are considered and applied correctly.

- 2. ANY ALTERNATES OR BID LOTS LISTED** must be clearly identified by cost.

- 3. STATE OF NEW MEXICO W-9**

- 4. AGENT’S AVIDAVIT**

- 5. PROPOSAL BOND**

- 6. CERTIFICATE OF INSURANCE**

- 7. POWER OF ATTORNEY**

- 8. LICENSES, PREFERENCE, REGISTRATION, AND ANY OTHER NUMBERS REQUIRED ON THE PROPOSAL FORM**

IV. PROPOSAL EVALUATION

A. EVALUATION PROCESS AND SCORING METHODOLOGY

1. Receipt and Opening of Proposals

Proposals received prior to or at submission shall be time-stamped upon receipt and the Price Proposal shall be separated from the Technical Proposal and held in a secure place until the Evaluation Committee has scored the Technical Proposal. Proposals shall not be opened publicly and shall not be open to public inspection until the contract for construction is signed by the successful Offeror.

2. Evaluation Committee

The Evaluation Committee shall consist of a minimum of three (3) persons, but no more than five (5) persons appointed by the Owner that possess expertise in the technical requirements of the project, construction design and contracting. The Owner may use independent consultants or agents to support the Committee, provided appropriate precautions are taken to avoid potential conflicts of interest.

3. Technical Proposal

The Procurement Manager shall review each proposal to determine if it meets all of the mandatory requirements. Proposals that do not meet the mandatory requirements may be considered “nonresponsive”. The Procurement Manager reserves the right to contact an Offeror to clarify contents of any Technical Proposal.

Any Offeror whose proposal is determined to be non-responsive shall be notified in writing of the determination as soon as possible. The Procurement Manager will then distribute the proposals and individual score sheets to the Evaluation Committee, and review evaluation criteria.

4. Price Proposal

Price Proposals shall be evaluated on the basis of the numerical weight assigned below and as well as the NM resident/veteran contractor preference law. The regulatory scoring process permits the scoring of competing Offeror’s price proposals in relation to one another: The Offeror with the lowest price shall receive the maximum price score, i.e., the maximum numerical weight assigned to the price below. The price score of each other Offeror shall be determined by applying the following mathematical formula: price of lowest Offeror divided by the price for this Offeror multiplied by the maximum price score:

Price of lowest Offeror X maximum price score = price score this Offeror
Price of this Offeror

The Evaluation Committee members shall score the technical proposals individually. Those individual scores will then be combined with the price proposal score and converted to a numeric ranking of all proposals per committee member. The individual member rankings per Offeror will then be totaled and averaged to determine the overall ranking of proposals. The Committee will then determine whether or not to conduct interviews based on the final ranking.

5. Resident Contractor Preference and Resident Veteran Contractor Preference

NMSA 1978, Section 13-1-22.

When a public body makes a purchase using a formal request for proposals process, not including contracts awarded on a point-based system, the public body shall award an additional

- (a.) Five percent of the total weight of all the factors used in evaluating the proposals to a resident business; and
- (b.) Ten percent of the total weight of all the factors used in evaluating the proposals to a resident veteran business that has annual gross revenues of up to three million dollars (\$3,000,000) in the preceding tax year.

When a public body makes a purchase using a formal request for proposals process, and the contract is awarded based on a point-based system, the public body shall award additional points equivalent to:

- (a.) Five percent of the total possible points to a resident business; or
- (b.) Ten percent of the total possible points to a resident veteran business that has annual gross revenues of up to three million dollars (\$3,000,000) in the preceding tax year.

When a joint bid or joint proposal is submitted by a combination of resident veteran, resident or nonresident businesses, the preference provided pursuant to Section 13-1-22, Subsection B, C, D or E of this section shall be calculated in proportion to the percentage of the contract, based on the dollar amount of the goods or services provided under the contract, that will be performed by each business as specified in the joint bid or proposal.

The preference calculation formula shall be applied to each Offeror on the Procurement Manager's Master Score/Rank sheet that has a valid preference certificate and number issued by the NM Taxation and Revenue Department.

6. Proposal Discussions

Per 1.4.1.39 NMAC 2005, if mistakes are discovered after receipt of the proposal, The Evaluation Committee may request clarifications of information submitted by any or all Offerors in a written format with a specified deadline for response.

Short-listed Offerors shall be accorded fair and equal treatment with respect to any clarifications of proposals. If during discussions there is a need for any substantial clarification of or change in a RFP, the RFP shall be amended to incorporate such clarification or change. Any substantial oral clarification of a proposal shall be reduced to writing by the short-listed Offeror.

NOTE: Except for circumstances and situations otherwise approved by the Procurement Manager, negotiations of the relevant terms and conditions as well as any other important factors in an RFP and proposed contract are negotiated **PRIOR TO AWARD OF A CONTRACT, NOT AFTER AWARD.**

7. Interviews:

If interviews are held, the Evaluation Committee shall score each question, and the total points shall be translated to a rank. Each interview question shall have the same weight. Example: If the Interview is worth 50 points, and you have 5 questions, each question shall be worth 10 points. The same questions will be issued to each short listed firm as a benchmark for evaluation purposes. Each question may lead to other questions to help clarify and better understand the firm's capabilities, which may be considered in scoring the interview.

Interview points shall be added to the Technical Proposal and Price Proposal and re-calculated to determine the final overall rank of Short-listed Offerors for recommendation for award of a contract.

8. Short-Listed Offeror Withdrawal from Interview:

A short-listed firm may withdraw their proposal if they determine that cannot improve their position if interviews are held. This event shall be documented for the procurement file, and a notice shall be sent to all Offerors of record of the event. If the next ranked firm is invited to interview, their final points/rank for their Technical/Price evaluation does not change.

B. EVALUATION CRITERIA:

The criteria below aligns with the 1.4.8 NMAC 2007 Rules that govern the process.

VOLUME 1 – TECHNICAL PROPOSAL

TAB 1: LETTER OF SUBMITTAL

**Mandatory
(No Points Assigned)**

- 00 4334 Sub Qualifications Statement Listing Form**
- 00 4336 Subcontractor/WFS#/Anti-Trust Listing Form**
- Resident OR Veteran Contractor Preference Certificate**
- Campaign Contribution Form**
- Debarment/Suspension Certification**
- Prospective Contractor Conflict of Interest Certification**
- Acknowledgement of Special Circumstances**

TAB 2A: GENERAL CONTRACTOR QUALIFICATIONS STATEMENT

**Mandatory
(No Points Assigned)**

- a. Written Safety Program Compliant, Provide 1 copy
- b. List of key safety personnel/safety manager for this project
- c. Modification rate for past 5 years
- d. Recordable incident rate for past calendar year
OSHA 300 Log
- e. Free of committing serious/willful violation of Federal/State safety laws

TAB 2B: SUBCONTRACTOR QUALIFICATIONS STATEMENT

**Mandatory
(No Points Assigned)**

- a. Written Safety Program Compliant; Provide 1 copy
- b. Experience Modification Rate past 5 Years
- c. Recordable Incident Rate for past calendar year
OSHA 300 log
- d. Free of committing serious/willful violations of
Federal/State safety laws

TAB 3: PAST PERFORMANCE

120 POSSIBLE POINTS

- a. Budget & Schedule Data
(See III Response Format, Technical Proposal, Tab 3, questions 1-8) 40 Points
- b. Performance quality and overall customer satisfaction 15 Points
- c. Compliance with Applicable Laws & Regulations 20 Points
- d. Safety Performance Record 20 Points

- e. History of work on Military Establishments 25 Points

TAB 4: PROJECT STAFFING/CRAFT LABOR CAPABILITIES 155 POSSIBLE POINTS

- a. Management Team resumes, experience 40 Points
- b. Reliable staffing sources/project staffing 30 Points
- c. Team members experience in this project team role 30 Points
- d. Proposed team prior working relationships on other projects 20 Points
- e. GC and proposed subcontractor skill training 15 Points
- f. Current projects underway 20 Points

TAB 5: MANAGEMENT PLAN 150 POSSIBLE POINTS

- a. Management Team/Selection of Subcontractors 20 Points
- b. Safety plan/programs for construction tasks/security/safety/staging areas 10 Points
- c. Technical approach to project to meet costs/schedule/quality 50 Points
- d. Project schedule/critical dates, project plan for completion on time, including plans to mitigate continued use of existing school while construction is underway 40 Points
- e. Demolition plan of Intermediate School and existing Elementary 30 Points

TAB 6: HEALTH AND SAFETY 120 POSSIBLE POINTS

- a. Summary description of Health & Safety Plan 10 Points
- b. One Full Copy of Written Safety Plan 10 Points
- c. Competent Person Responsible/Capable of Implementing 30 Points
- d. Detailed plan for Project Specific Health/Safety Risks 45 Points
- e. Describe processes to clearly communicate Health/Safety risks 25 Points

TAB 7: NM PROCURED WORK 65 POSSIBLE POINTS

- a. All listed subcontractors are NM firms or 35 Points
- b. All except one listed subcontractors are NM firms or 30 Points
- c. All except two of the listed subcontractors are NM firms or 20 Points
- d. All except three or more of the listed subcontractors are NM firms 10 Points
- e. History of all NM construction projects 30 Points

TAB 8: EXTENDED WARRANTY 90 POSSIBLE POINTS

- (12 Months Post Substantial Completion Date is Mandatory)**
- a. 6 additional months post Substantial Completion (total of 18 months) 30 Points
 - b. 9 additional months post Substantial Completion (total of 21 months) 60 Points
 - c. 12 additional months post Substantial Completion (total of 24 months) 70 Points
 - d. 15 additional months post Substantial Completion (total of 27 months) 90 Points

TOTAL TECHNICAL POINTS AVAILABLE 700 POSSIBLE POINTS

VOLUME 2 – PRICE PROPOSAL

PRICE PROPOSAL FORM (Amount stated to be translated to points) 300 POSSIBLE POINTS

	TOTAL POINTS	1000 POSSIBLE POINTS
INTERVIEWS, If Held		200 POSSIBLE POINTS
	GRAND TOTAL	1200 POSSIBLE POINTS

C. CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Note: Submit with Transmittal Letter/Technical Proposal

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

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 Contributions” 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 on that official's behalf for the purpose of electing the official to either statewide or local office. “Campaign Contributions” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

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

“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:

(Note: If you have made more than one contribution, please attach a list of the public officials you have contributed to following the format and attach the list to this document. Please write “see attached” in the blank below.)

Contribution Made By:

Relation to Prospective Contractor:

Name of Applicable Public Official on the District Board of Education:

(Note: List Board of Education Member(s) here)

Date Contribution(s) Made:

Amount(s) of Contribution(s):

Nature of Contribution(s):

Purpose of Contribution(s)

(Attach extra pages if necessary)

Signature

Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (position)

D. Acknowledgement of Special Circumstances

The prospective Contractor acknowledges that the site of construction is located within an active Military Installation i.e. Holloman Air Force Base. The prospective Contractor understands that it is the sole responsibility of the contractor to ensure that all crew and equipment will have access to the Military Installation. The prospective Contractor will not hold the Owner responsible for any lost wages or down time due to higher AFB clearances or any other unexpected closure that would bar access to the work site. The prospective Contractor also acknowledges that all requirements current and future imposed by the Military Installation relating to COVID 19 will be followed.

Signature: _____ Date: _____

Title: _____

Name Typed/Printed: _____

Company Name: _____

Address: _____

E. DEBARMENT/SUSPENSION CERTIFICATION

The prospective Contractor certifies that it is not suspended, debarred or ineligible from entering into contracts with any Federal department or agency or with any department or agency of the State of New Mexico, or in receipt of a notice or proposed debarment from any Federal or Public State Agency. The prospective Contractor agrees to provide immediate notice to the Alamogordo Public Schools Purchasing Department in the event of being suspended, debarred or declared ineligible by any department or federal agency, or upon receipt of a notice of proposed debarment that is received after the submission of the quote or offer but prior to the award of the purchase order or contract.

If prospective Contractor is awarded a contract, prospective Contractor agrees to provide immediate notice to the Alamogordo Public Schools Purchasing Department in the event of being suspended, debarred or declared ineligible by any Federal or State Department Agency, or upon receipt of a notice of proposed debarment/suspension that is received at any time during the term or any renewal term of the contract.

The undersigned hereby certifies that prospective Contractor understands and will comply with these requirements, including the requirements of 22 CRF Part 513 and § 13-1-177 NMSA 1978 et seq. and any amendments thereto. The undersigned further certifies that he/she has the authority to certify compliance for the prospective Contractor named and that the information contained in this document is true and accurate to the best of their knowledge.

The prospective Contractor certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from participation in this transaction by any State or Federal department or agency.

Where the prospective Contractor is unable to certify to any of the statements in this certification, the prospective Contractor shall attach an explanation to this proposal.

Signature: _____ Date: _____

Title: _____

Name Typed/Printed: _____

Company Name: _____

Address: _____

F. PROSPECTIVE CONTRACTOR CONFLICT OF INTEREST CERTIFICATION

No employee or Board of Education member of the Alamogordo Public School District has a direct or indirect interest in the prospective Contractor or in the proposed transaction (unless prospective Contractor is publicly traded company and the employee or Board of Education member’s interest is less than one percent of the prospective Contractor).

Prospective Contractor neither employs nor is negotiating to employ any employee or Board of Education member of the Alamogordo Public School District.

Prospective Contractor did not participate directly or indirectly in the preparation of specifications upon which the quote or offer is made.

If the prospective Contractor is a New Mexico State Legislator or if a New Mexico State Legislator holds a controlling interest in prospective Contractor, please identify legislator:

List below the name and social security number of any employee of the prospective Contractor or person assisting in the proposed transaction in any way who was an Alamogordo Public School District employee within the preceding 12- month period.

_____	_____
_____	_____
_____	_____

Certification

The undersigned hereby certifies that he/she has read the Conflict of Interest requirements as set forth in § 10-16-1 NMSA 1978 et seq. and that he/she understands and will comply with these requirements. The undersigned further certifies that they have the authority to certify compliance for the prospective Contractor named below.

Signature: _____ Title: _____

Name Printed: _____ Date: _____

Company: _____ City: _____

Alamogordo Public Schools

REQUEST FOR PROPOSAL FOR CONSTRUCTION # 006-2021 Holloman Elementary

For the convenience of the contractors, an electronic version of this RFP may be issued for your use. Any changes to the document's questions or language that differs from the wording as issued in the Project Manual dated 06/12/2020 other than to fill in answers for the questions asked, will constitute a non-responsible proposal.

STATEMENT OF QUALIFICATIONS FOR GENERAL CONTRACTORS

Project Name: _____

1. OFFEROR INFORMATION

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?

d. DUNS Number _____

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 IF no, attach explanation.

- f. Does your firm hold all applicable Business licenses required by State of New Mexico?

License Number: _____ Jurisdiction: _____
 Fill in name of license holder, exactly as it appears on file with jurisdictional authorities:

 (Name)

Issue Date: _____ Expiration Date: _____

License Number: _____ Jurisdiction: _____
 Fill in name of license holder, exactly as it appears on file with jurisdictional authorities:

 (Name)

Issue Date: _____ Expiration Date: _____

License Number: _____ Jurisdiction: _____
 Fill in name of license holder, exactly as it appears on file with jurisdictional authorities:

 (Name)

Issue Date: _____ Expiration Date: _____

- g. Is your firm free from formal debarment from public works, federal, state or local public works jurisdictions?

() Yes () No (Attach explanation)

3. EXPERIENCE

- a. Has your firm completed one (1) or more educational facility, addition and/or renovation project(s) of similar complexity totaling 40,000 square feet or more since 2008, as the proposed project? Complete **Attachment A** for five (5) maximum projects listed:

() Yes Number of Projects: _____ () No

Project 1 Name: _____

Project 2 Name: _____

Project 3 Name: _____

Project 4 Name: _____

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 project your organization has in progress, giving the name of the project, owner, architect, contract amount, percent of completion, 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 below:

a. Does your assigned Project Manager have the following minimum qualifications and experience? (Attach Resume at **Attachment B**)

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

Yes Number of Years: _____ No

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

Yes Number of Projects _____ No

(3) Experience as a Project Manager on one (1) or more construction projects totaling 40,000 square feet or more?

Yes Number of Projects _____ No

b. Does your assigned Project Foreman/Superintendent have the following minimum qualifications and experience? (Attach Resume at **Attachment B**)

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

Yes Number of Years: _____ No

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

Yes Number of Projects _____ No

(3) Experience as a Project Manager on one (1) or more construction projects totaling 40,000 square feet or more?

Yes Number of Projects _____ No

c. Does your Safety Program Manager have the following minimum qualifications and experience? (Attach Resume to **Attachment B**)

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

Yes Number of Years: _____ No

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

Yes Number of Projects _____ No

d. Does your Quality Assurance/Quality Control (QA/QC) Manager have the following minimum qualifications and experience? (Attach Resume to **Attachment B**)

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

Yes Number of Years: _____ No

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

Yes Number of Projects _____ No
_____ Years with your firm: _____

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

List other project(s) this person has had a similar role for the past five (5) years:

Is your QA/QC a Principal or Officer of the firm? Yes No

e. Please include an Organizational Chart (**Attachment C**) of the Management Team that will be assigned to this project. Identify relationships, duties and responsibilities and key roles of each individual.

5. CAPACITY AND CAPABILITY TO PERFORM THE WORK

a. Resources: Total number of current employees: Project Managers _____

Estimators _____
Superintendents _____
Foremen _____
Tradesmen _____
Administration _____
Other _____

- b. Does your firm have the immediate capacity to perform the work required for this project:
 Yes No
- c. Please list all projects currently under contract totaling over 40,000 square feet with scheduled completion dates (**Attachment D**)
 See Attachment D None

6. SURETY

- a. Firm's current surety company:

Will this surety be used for the construction contract for this project?

Yes No (attach explanation)

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 (attach explanation)
- 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 (attach explanation)
- d. Has your firm used other surety companies since 2008? 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? Provide a notarized declaration from the surety identified above, stating the amount of bonding capacity available to your firm for this project at **Attachment E**.

Yes No (attach explanation)

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 F**.

Yes No (attach explanation)

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: _____ Title: _____

Specific Duties:

Name: _____ Title: _____

Specific Duties:

Name:

Title:

Specific Duties:

c. Provide the experience modification Rate for the past five (5) years:

_____ / _____ / _____ / _____ / _____ /

d. Provide the Recordable Incident Rate for the past calendar year: _____

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 (attach explanation)

8. INSURANCE & CLAIMS HISTORY

a. Is your firm free of 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 a party?

Yes No (attach explanation)

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

Yes No (attach explanation)

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 \$1 Million per occurrence and \$1 Million in the aggregate)?

Yes No (attach explanation)

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

9. QUALITY ASSURANCE – ATTACHMENT H

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

Yes No

b. Provide one (1) copy of the written Assurance Program for **Attachment H**

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 five (5) years, where the schedule was not met? Yes No

d. If YES, please indicate the project (refer to **Attachment A**)

(1) Project: _____

Reason for Delay: _____

(2) Project: _____

Reason for Delay: _____

(3) Project: _____

Reason for Delay: _____

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

If YES, please list projects

(1) Project: _____ Amount \$ _____

Reason for assessment _____

(2) Project: _____ Amount \$ _____

Reason for assessment _____

(3) Project: _____ Amount \$ _____

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? Refer to **Attachment I**

() Yes () No

b. Is the firm free of all Subcontractor Fair Practices Act violations for the past five (5) years?

() Yes () No (explain)

12. JUDGEMENTS/BREACH OF CONTRACT/ MEDIATIONS AND ARBITRATIONS
Attachment J

a. List any judgments against the firm during the past 5 years.
Who initiated? What was the outcome?

b. List any other actions brought against you for breach of contract during the past 5 years,
Who initiated? What was the outcome or current status?

c. List all mediations/arbitrations in the last 5 years.
Who initiated? What was the outcome?

13. CONTRACTOR COMMENTS/OTHER INFORMATION

a. Certify and/or documentation that the firm possesses the necessary equipment, financial resources, technical resources, management, professional and craft personnel resources and other required capabilities to successfully perform the contract, or will achieve same through its pre-listed subcontractors. Refer to **Attachment K** (4 PAGE MAXIMUM)

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

Telephone Number

Fax Number

End of GENERAL CONTRACTOR QUALIFICATIONS QUESTIONNAIRE

**ATTACHMENT A
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS**

REFERENCE: 3.a. EXPERIENCE
COMPLETE ONE FORM FOR EACH PROJECT LISTED (MAXIMUM 5)

PROJECT DESCRIPTION

Project Type: _____ Contact Name: _____

Project Name: _____ Contact Title: _____

Owner: _____ Contact Phone No.: _____

DESIGN PROFESSIONAL

Name of Firm: _____ Contact Name: _____

Contact Phone No.: _____ Contact Title: _____

Gross Building Area (Sq. Ft.) _____ (New Addition Renovation

Project Start Date: _____ Completion Date: _____

Original Contract Amt.: \$ _____ Original No. of Days to Complete: _____

Final Contract Amount
With all Change Orders: \$ _____ Final Contract Days to Complete:
with all Time Extensions: _____

PROJECT EXECUTION

Were Liquidated Damages assessed on this Project? (No Yes Days _____ \$ _____

Percentage of Work Subcontracted: _____% Contract Type: (Competitive Bid Lump Sum
(Negotiated Lump Sum
(Guaranteed Maximum Price
(Other (Describe) _____

Major Subcontractors:

Mechanical: _____
Electrical: _____
Plumbing: _____
Concrete: _____

CUSTOMER SATISFACTION

How was this measured? (Customer Survey Attached Yes No Other (Describe)

ATTACHMENT B
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

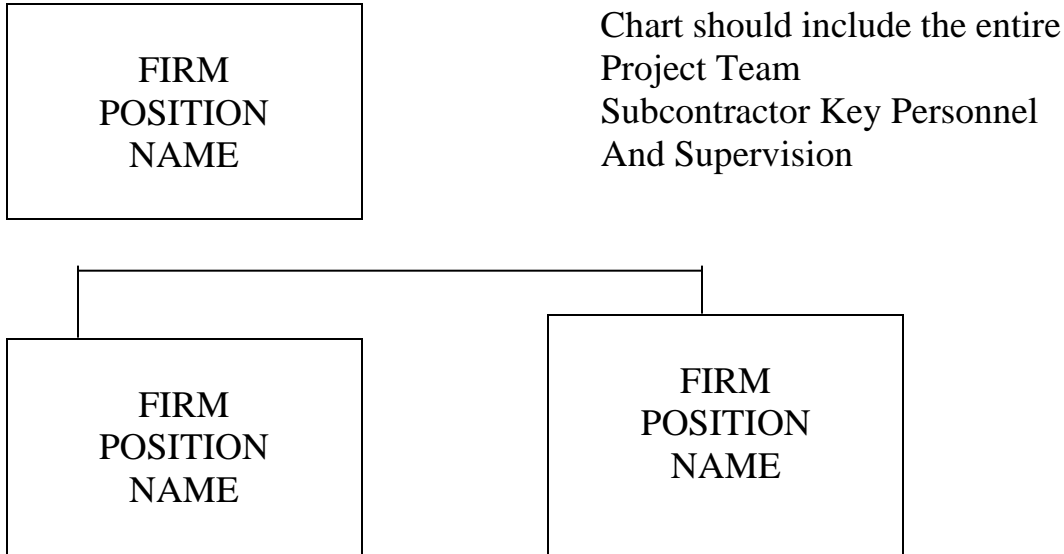
REFERENCE: 4 a., b, c, d
KEY PERSONNEL EXPERIENCE

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

1. **EDUCATION**
High School, College, Trade Schools, Trade Seminars, Trade/Management Specialized Courses, Etc.
2. **RELATED EXPERIENCE**
Related experience should include the following:
 - a. Position Title
 - b. Duties and Responsibilities
 - c. Major accomplishments
 - d. Number of personnel supervised
3. **PROJECT EXPERIENCE**
Identify project experience requested in the Statement at 4.a. (2) (3), 4.b. (2) (3), and 4.c. (2). Include the project Title and Location.
4. Other information that demonstrates the individual's strengths for this project.
5. Project Professionals and Project Owner Reference may be included.

ATTACHMENT C
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 4.e.
Organizational Chart of Project Management Team



1. Indicate the relationship between PM/Supt. of the Subcontractors and the General contractor's PM/SUPT.
2. Indicate the relationship of the Safety Manager of the Subcontractors and General Contractor, 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
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 6.d.
Notarized Declaration of Surety

DOCUMENTATION FROM SURETY

ATTACHMENT F
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 7.a. SAFETY
Copy of Firm's Written Safety Program

SUBMIT ONLY COPIES OF SAFETY PLAN WITH SUBMITTAL PACKET

Include Work Loss Incidents and History

ATTACHMENT G
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 8.d.
Letter from Insurance Carrier regarding limits of liability

DOCUMENTATION OF INSURABILITY

ATTACHMENT H
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 9.b.
Written Quality Assurance Program

SUBMIT COPIES WITH SUBMITTAL PACKET

**ATTACHMENT I
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS**

**REFERENCE: 11.a.
Affidavit of non-violation of Labor Codes**

Name of Firm:

Address:

Project

**Reference: Alamogordo Public Schools
Holloman Elementary School**

**Request for Proposal #006-2021
Affidavit of Non-violation of Labor Codes**

**To: The Board of Education
Alamogordo Public Schools**

The undersigned officer of _____ hereby states that

_____ has, 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.

Name

Title

Signature

NOTARY

State of _____)

County of _____)

Signed or attested before me on _____ by _____

Seal _____

My Commission Expires: _____

ATTACHMENT J
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 12.a.b.c.
Judgments/Breach of Contract/Mediations/Arbitrations

- a. List any judgments against the firm during the past 5 years
Who initiated? What was the outcome?

- b. List any other actions brought against you for breach of contract during the past 5 years,
Who initiated? What was the outcome or current status?

- c. List all mediations/arbitrations in the last 5 years,
Who initiated? What was the outcome?

ATTACHMENT K
GENERAL CONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 13.
Contractor Comments/Other Information

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

ITEM

REF. NO: COMMENTS

ALAMOGORDO PUBLIC SCHOOLS
REQUEST FOR PROPOSAL FOR CONSTRUCTION
#006-2021 Holloman Elementary School

For the convenience of the contractors, an electronic version of this RFP is issued for your use. Any changes to the document's questions or language that differs from the wording as issued in the Project Manual dated 06/12/2020 other than to fill in answers for the questions asked, will constitute a non-responsible proposal.

00 4334 STATEMENT OF QUALIFICATIONS FOR SUBCONTRACTORS

Project Name: _____

1. OFFEROR INFORMATION

Firm Name: _____

Type of Firm:

Corporation Partnership Sole Proprietorship Joint Venture

Other _____

- a. Year Firm was established: _____
- b. Parent Company (if applicable) _____
- c. All former names during the past 10 years your organization has operated?

2. LICENSING

Provide your team's New Mexico contractor's license, which is current and in good standing with the State of New Mexico Construction Industries Division (CID).

- 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/revocation No IF no, attach explanation

3. **EXPERIENCE**

- a. Has your firm completed one (1) or more educational facility, addition and/or renovation project of similar complexity and of 40,000 square feet or more since 2008, as the proposed project? Complete **Attachment A** for three (3) maximum projects listed:

Yes Number of Projects: _____ No

Project 1 Name: _____

Project 2 Name: _____

Project 3 Name: _____

Provide copies of Performance Evaluation Reports prepared in connection with projects described in Para. 3.a above.

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

\$ _____

- c. Also, on **Attachment A**, list major construction project your organization has in progress, giving the name of the project, owner, architect, contract amount, percent of completion, and scheduled completion date.

4. **KEY PERSONNEL EXPERIENCE**

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

- a. Does your assigned Project Manager have the following minimum qualifications and experience?
(Attach Resume at **Attachment B**)

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

Yes Number of Years: _____ No

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

Yes Number of Projects _____ No

- (3) Experience as a Project Manager on one (1) or more construction projects valued at \$1.1 Million or more?

Yes Number of Projects _____ No

- b. Does your assigned Project Foreman/Superintendent have the following minimum qualifications and experience? (Attach Resume at **Attachment B**)
- (1) At least ten (10) years experience in the construction industry?
 Yes Number of Years: _____ No
- (2) Experience on at least one (1) construction type as identified in 3a.?
 Yes Number of Projects _____ No
- (3) Experience as a Project Foreman/Superintendent on one (1) or more construction projects valued at \$1.1 Million or more?
 Yes Number of Projects _____ No

c. Does your Firm have a Quality Assurance/Quality Control (QA/QC) Manager:

Yes No

Name: _____ Years with your firm: ____

Present Position/Job Title: _____ Years in position: ____

List other project(s) this person has had a similar role for the past five (5) years:

Is your QA/QC a Principal or Officer of the firm? Yes No

5. CAPACITY AND CAPABILITY TO PERFORM THE WORK

a. Resources

(1) Total number of current employees: Project Managers _____

Estimators _____

Foremen _____

Tradesmen _____

Administration _____

Other _____

b. Please list all projects currently under contract at square footage listed in 3a. with scheduled completion dates (**Attachment C**)

See Attachment E None

6. 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 D**.

Yes No (attach explanation)

b. Provide your Experience Modification Rate for the past five (5) years:

_____ / _____ / _____ / _____ / _____ /

c. Provide the Recordable Incident Rate for the past calendar year: _____

d. 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 (attach explanation)

7. INSURANCE & CLAIMS HISTORY

a. Is your firm free of 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 a party?

Yes No (attach explanation)

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

Yes No (attach explanation)

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 \$1 Million per occurrence and \$1 Million in the aggregate)?

Yes No (attach explanation)

8. QUALITY ASSURANCE

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

Yes No

- b. Note: If you have a Quality Assurance Program, please provide one (1) copy of the written Assurance Program for **Attachment E**

9. 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? Refer to **Attachment F**
 Yes No
- b. Is the firm free of all Subcontractor Fair Practices Act violations for the past five (5) years?
 Yes No (explain)

10. JUDGEMENTS/BREACH OF CONTRACT, MEDIATIONS AND ARBITRATIONS
Attachment G

- a. List any judgments against the firm during the past 5 years.
Who initiated? What was the outcome?
- b. List any other actions brought against you for breach of contract during the past 5 years,
Who initiated? What was the outcome or current status?
- c. List all mediations/arbitrations in the last 5 years,
Who initiated? What was the outcome?

11. SUBCONTRACTOR COMMENTS

Please provide further explanation of any of the attachments/items indicated, or other additional information you may want to submit to further clarify any of the information provided in this questionnaire as **Attachment H**

12. OTHER INFORMATION

- a. Certify and/or documentation that the firm possesses the necessary equipment, financial resources, technical resources, management, professional and craft personnel resources and other required capabilities to successfully perform the contract, or will achieve same through its pre-listed subcontractors. Refer to **Attachment I**
- b. Additional information, pictures, diagrams, reports, etc. may provided as outlined in the Request for Proposal (written qualification limitation of 5 pages will be attached as **Attachment J**

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

Telephone Number Fax Number

End of SUBCONTRACTOR QUALIFICATIONS QUESTIONNAIRE

ATTACHMENT A
SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 3.a.
Experience in the past 5 years with projects of similar size and scope

COMPLETE ONE FORM FOR EACH PROJECT LISTED ON THE QUESTIONNAIRE (MAXIMUM 3)

PROJECT DESCRIPTION

Project Type: _____ Owner: _____

Project Name and Location: _____

Gross Building Area (Sq. Ft.) _____ () New () Addition () Renovation

Original Contract Amt.: \$ _____ Completion Date/Percentage Complete: _____

DESIGN PROFESSIONAL

Name of Firm: _____ Contact Name: _____

GENERAL CONTRACTOR

Name of Firm: _____ Contact Name: _____

CUSTOMER SATISFACTION

How was this measured? () Customer Survey () Attached () Yes () No () Other (Describe)

ATTACHMENT B
SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 4 a., b., c., d.
Key Personnel Resumes

ATTACH ONE (1) PAGE RESUMES OF THE PROPOSED:

1. PROJECT MANAGER
2. PROJECT FOREMAN/SUPERINTENDENT
3. OTHER KEY PERSONNEL (OPTIONAL)

4. EDUCATION:
High School, College, Trade Schools, Trade Seminars, Trade/Management Specialized Courses, Etc.

5. RELATED EXPERIENCE:
Related experience should include the following:
 - a. Position Title
 - b. Duties and Responsibilities
 - c. Major accomplishments
 - d. Number of personnel supervised

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

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

8. Project Professionals and Project Owner Reference may be included.

ATTACHMENT D
SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

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

SUBMIT COPIES OF SAFETY PLAN WITH SUBMITTAL PACKET

Include Work Loss Incidents & History

ATTACHMENT E
SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 9.b.
Written Quality Assurance Program

SUBMIT COPIES WITH SUBMITTAL PACKET

ATTACHMENT F
SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

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

Name of Firm: _____

Address: _____

Project

Reference: Alamogordo Public Schools Request for Proposal # 006-2021
Holloman Elementary School Affidavit of Non-violation of Labor Codes

To: The Board of Education
Alamogordo Public Schools

The undersigned officer of _____ hereby states that
_____ has, 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.

Name

Title

Signature

NOTARY

State of _____)

County of _____)

Signed or attested before me on _____ by _____

Seal _____

My Commission Expires: _____

ATTACHMENT G
SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 10. a. and b.
Judgments/Breach of Contract, Mediation and Arbitrations

- a. List any judgments against the firm during the past 5 years.
Who initiated? What was the outcome?

- b. List any other actions brought against you for breach of contract during the past 5 years,
Who initiated? What was the outcome or current status?

- c. List all mediations/arbitrations in the last 5 years,
Who initiated? What was the outcome?

ATTACHMENT H
SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 11.
Subcontractor comments

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

ITEM REF.
NUMBER COMMENTS

ATTACHMENT I
SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: Other Information 15.a.

Certify and/or documentation that the firm possesses the necessary equipment, financial resources, technical resources, management, professional and craft personnel resources and other required capabilities to successfully perform the contract, or will achieve same through its pre-listed subcontractors.

ATTACHMENT J
SUBCONTRACTOR'S STATEMENT OF QUALIFICATIONS

REFERENCE: 15.b.
Additional Information

Additional written qualifications (optional) are limited to a maximum of 5 pages of text/photos, single sided, diagrams, reports, etc. may be provided to support your Team. Material should be limited to 8-1/2" x 11" format.