



# Torrance County

## Purchasing Department

Noah J. Sedillo

PO Box 48

205 S Ninth Street

Estancia, NM 87016

Phone: (505) 544-4730 Fax: (505) 384-5294

[www.torrancecountynm.org](http://www.torrancecountynm.org)

**IFB 2023-01**

## **INVITATION FOR BIDS FOR COUNTY ROAD DEPARTMENT CONSTRUCTION**

The Torrance County Road Department is inviting sealed competitive bids for construction for the new County Road Department located at 207 Salt Mission Trail NW, Estancia, NM 87016.

A completed ***Campaign Contribution Form*** (included in the IFB) must be submitted with all proposals. Compliance with NMSA 1978 13-1-191.1 (2006) is required. Any party that fails to submit the ***Campaign Contribution Form*** with their proposal will be considered unresponsive.

**Torrance County requires one (1) original bid and four (4) copies** for the bid selection team. Any bidder that fails to submit the required number will be considered to be unresponsive.

Clearly mark your sealed bid as:

**"IFB 2023-01 – County Road Department Construction"**

**Bid Deadline:** Bids must be submitted to the Torrance County Purchasing Department located in the Torrance County Administrative Offices at 205 S Ninth Street in Estancia, NM by 3:00 PM on February 1, 2023.

**Bid Opening:** Bids will be opened at 3:30 PM on February 1, 2023 in the Purchasing Office located within the Torrance County Administrative Offices at 205 S Ninth Street in Estancia, NM 87016.

**Bid Review:** The bids will be reviewed by a bid selection committee and Chief Procurement Officer to determine responsive and lowest bid.

Bid Award: The Board of County Commissioners will formally award the bid on the regularly scheduled meeting on February 22, 2023. This award date is tentative and can be changed without notice.

*Torrance County reserves the right to reject any or all bids if it is not in the best interest of the County or waive any informality in the bid process. The Invitation for Bids process will be conducted according to the New Mexico Procurement Code (Sections 13-1-28 through 13-1-199, NMSA 1978) which imposes civil and criminal penalties for its violations. In addition, the New Mexico Criminal Statutes impose felony penalties for illegal bribes, gratuities, and kick-backs.*

*According to 13-1-158.A., no warrant, check or other negotiable instrument shall be issued in payment for any purchase of services, construction or items of tangible personal property unless the central purchasing office or the using agency certifies that the services, construction of items of tangible personal property have been received and meet specifications.*

All bids must be sealed or will not be accepted. Bids will NOT be accepted after the deadline. Bids may be delivered in person to Torrance County Purchasing Department 205 South Ninth Street, Estancia, NM 87016 or by mail to the Torrance County Purchasing Department, P.O. Box 48, Estancia, NM 87016. NOTE: United States Postal Service mail is not delivered until after 1:00 PM Mountain Daylight Time.

#### **Resident Business Preference**

Pursuant to Section 13-1-21 and Section 13-1-22 NMSA 1978 a resident business possessing a valid resident business certificate shall receive 5% preference less the total cost. The Offeror's proposal must contain a copy of the Resident Business Preference Certificate issued by the New Mexico Taxation and Revenue Department in order to qualify for the preference.

#### **Resident Veterans Preference**

Pursuant to Section 13-1-21 and Section 13-1-22 NMSA 1978 a resident veteran may submit a completed Resident Veterans Preference Certificate in the proposal. The resident veteran shall receive up to 10% preference less the total cost. The Offeror's proposal must contain a Resident Veterans Preference Certificate issued by the New Mexico Taxation and Revenue Department in order to qualify for the preference.

### **CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must

disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE INVITATION FOR BIDS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

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

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

**“Family member”** means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

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

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

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

Name(s) of Applicable Public Official(s) if any: \_\_\_\_\_  
(Completed by State Agency or Local Public Body)

**DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:**

Contribution Made By: \_\_\_\_\_

Relation to Prospective Contractor: \_\_\_\_\_

Date Contribution(s) Made: \_\_\_\_\_  
\_\_\_\_\_

Amount(s) of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

Nature of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

Purpose of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

(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)

**Ryan Schwebach,**  
*Chair*  
*District 2*

**Kevin McCall**  
*District 1*

**Vacant**  
*District 3*

**Tracy Sedillo**  
*Treasurer*

**Vacant**  
*Clerk*

**Jesse Lucero**  
*Assessor*

**David E. Frazee**  
*Sheriff*

**Josie Chavez**  
*Probate Judge*

**Janice Barela**  
*County Manager*

**Attachment to Campaign Contribution Disclosure**  
**Form**

**Current Torrance County Elected Officials**

Commissioner, District 1 – Kevin McCall  
Commission Chairman, District 2 – Ryan Schwebach  
Commissioner, District 3 – Vacant  
Assessor – Jesse Lucero  
Clerk – Vacant  
Probate Judge – Josie Chavez  
Sheriff – David E. Frazee  
Treasurer – Tracy Sedillo

**ACKNOWLEDGEMENT OF RECEIPT FORM**  
**IFB 2023-01**  
**COUNTY ROAD DEPARTMENT CONSTRUCTION**

In acknowledgment of receipt of this Invitation to Bid, the undersigned agrees that he/she has received a complete copy of the bid packet and hereby is requesting access to the Dropbox containing the bid documents in their entirety.

**The acknowledgment of receipt should be signed and returned (by e-mail, courier or hand delivery) to the Procurement Manager no later than January 12, 2023.**

The contractor listed below does intend to respond to this Invitation for Bid.

CONTRACTOR: \_\_\_\_\_

REPRESENTED BY: \_\_\_\_\_ TITLE: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

PHONE NO.: \_\_\_\_\_ FAX NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

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

This name and address will be used for all correspondence related to the Invitation to Bid.

Please return to:

**Noah J. Sedillo**  
Torrance County Purchasing  
PO Box 48 / 205 S Ninth Street  
Estancia, NM 87016  
Phone: (505) 544-4730 E-mail: [njsedillo@tcnm.us](mailto:njsedillo@tcnm.us)



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## **INVITATION FOR BIDS FOR COUNTY ROAD DEPARTMENT CONSTRUCTION**

### **Sequence of Events:**

The Procurement Manager will make every effort to adhere to the following schedule:

<b>ACTION</b>	<b>RESPONSIBILITY</b>	<b>DATE</b>
1. ITB Published	Procurement Manager (PM)	1/04/23
<b>2. Return of "Acknowledgment of Receipt" Form for Distribution List</b>	<b>Potential Offerors (PO)</b>	<b>1/12/23</b>
<b>3. Mandatory Pre-Bid Conference</b>	<b>Procurement Manager (PM)</b>	<b>1/18/23</b>
4. Deadline to Submit Questions	PO	1/23/23
5. Response to Written Questions/ ITB Addenda(s)	PM	1/26/23
<b>6. Submission of Bid</b>	<b>Offerors</b>	<b>2/01/23 3:00 PM MDT</b>
7. Bid Opening	Procurement Manager (PM)	<b>2/01/23 3:30 PM MDT</b>
7. Bid Evaluation	Evaluation Committee (EC)	2/01/23 – 2/16/23
10. Contract Award*	BCC	02/22/23
11. Protest Deadline	Offerors	03/10/23

\*Contract award is subject to approval of the Board of County Commissioners.



### **Scope of Work:**

- Bid documents, schedules, packages, and applicable documents will be available in the “Dropbox,” access to Dropbox will be given upon receipt of the Acknowledgement of Receipt form.

### **Mandatory Requirements:**

- Pre-Bid Conference Attendance (In-Person)
- Proof of Contractor’s License
- Proof of General Insurance
- Proof of Bonding
- **(If awarded)** Contractor is responsible to obtain proper permits
- **(If awarded)** Certificate of Insurance listing Torrance County as additional insured with the following limits: The Contractor shall provide public liability insurance for the minimum amount of one hundred thousand dollars (\$100,000) for damage to or destruction of property arising out of each occurrence; the amount of three hundred thousand dollars (\$300,000) to any person for any number of claims arising out of each occurrence for all damages other than property damage as permitted under the New Mexico Tort Claims Act; and the amount of five hundred thousand dollars (\$500,000) for all claims arising out of each occurrence. Umbrella or excess liability coverage shall not be considered as any part of the primary coverage.
- **(If awarded)** Payment and Performance Bond (100% of project)
  - a. Subcontractor shall provide said bond if subcontractor’s contract for work is \$125,000 or greater
- Statement to pay prevailing wages
- Proof of payment of prevailing wages with pay request submittals
- Return of “Acknowledgement of Receipt” Form for Distribution List
  - a. Upon return of the Acknowledgement of Receipt to the Purchasing Director, access will be given to the “Dropbox” for bidders. A valid email address, computer, and internet access will be needed.
- Proposed Schedule of Completion to include projected building code approvals and state required inspections
- Statement to pay late penalty fees (\$1,000 per day) over exceeded by proposed date of certificate of occupancy