



Torrance County

Purchasing Department

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IFB 2022-02

INVITATION FOR BIDS FOR CSS-1 FOG SEAL

Torrance County is seeking sealed competitive bids for tonnage of CSS-1 Fog Seal, price is to include delivery cost. Delivery is required to be **"In-Place"** to any county-maintained road within Torrance County. Required **"In-Place"** delivery pricing shall be valid for one (1) year with the option to renew for three (3) additional one (1) year terms. In no case shall the term of the awarded bid agreement exceed a term for four (4) years from the date of award letter/notice.

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 company 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 2022-02 – CSS-1 Fog Seal"**. Any bidder that fails to label a bid as such will be considered unresponsive.

Bid Deadline: Bids must be submitted to the Torrance County Purchasing Department located in the Torrance County Administrative Offices at 205 S 9th Street in Estancia, NM by 2:00 PM on Tuesday, August 24, 2021.

Bid Opening: Bids will be opened at 2:15 PM on Tuesday, August 24, 2021 in the Purchasing Office located within the Torrance County Administrative Offices at 205 S 9th Street in Estancia, NM.

Bid Review: The bids will be reviewed by a bid selection team. A recommendation will be given to the County Commission after all bids are reviewed.

Bid Award: The Torrance County Commission will formally award the bid at their regular commission meeting on Wednesday, September 08, 2021 at 9:00 AM. 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 9th Street, Estancia, NM 87016 or my 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 Standard 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

Attachment to Campaign Contribution Disclosure Form
Current Torrance County Elected Officials

Kevin McCall,
Vice-Chair
District 1

Commissioner, District 1 – Kevin McCall
Commission Chairman, District 2 – Ryan Schwebach
Commissioner, District 3 – LeRoy Candelaria

LeRoy Candelaria
District 3

Assessor – Jesse Lucero

Clerk – Yvonne Otero

Probate Judge – Josie Chavez

Sheriff – Marty Rivera

Treasurer – Tracy Sedillo

Janice Y. Barela
County Manager

Tracy Sedillo
Treasurer

Yvonne Otero
Clerk

Jesse Lucero
Assessor

Martin Rivera
Sheriff

Josie Chavez
Probate Judge