AMENDMENT # 2

DATE: November 24, 2008

TO: All Bidders of Record

FROM: David Martinez, Senior Buyer

SUBJECT: Amendment #2 to T-2741 “CNM Main Campus, Renovations at Ted Chavez Hall”

This amendment becomes part of the Contract Documents and modifies the original bidding documents as noted below:

1. Section 00 10 00-11, 1.16 List the Subcontractor Listing Threshold @ $5,000. Per the NM Subcontractor Fair Practices Act requires ½ of 1% of the Architects or Engineers Construction Estimate.
   A. The correct listing threshold is $14,675.66 based on the ½ of 1% formula of the estimated direct construction costs per Architect/Engineer.

2. .10 SUBCONTRACTOR PAYMENT AND PERFORMANCE BONDS
   A. Senate Bill 227 (“SB 227”) (effective July 1, 2007) modifies the New Mexico Procurement Code to require that subcontractors whose contract for work to be performed on a project is One Hundred Twenty Five Thousand Dollars ($125,000.00) or more are required to provide a payment and performance bond. Contractors performing work on CNM Projects shall comply with SB 227 as follows:
   1. All entities and persons doing business with CNM shall comply with SB 227.
   2. Any subcontractors whose work to be performed on a CNM Project is $125,000.00 or more must provide payment and performance bonds.
   3. Subcontractor is defined as a contractor who contracts directly with the general contractor (hereinafter “First Tier Subcontractor”).
   4. CNM requires payment and performance bonds from all First Tier Subcontractors whose contracts, as determined by their bids submitted on bid day, are $125,000.00 or more.
   5. The First Tier Subcontractor shall include in their payment and performance bond amounts, monies for any contractors, subcontractors, or suppliers with whom they contract for any CNM Project.
   6. The subcontractor payment and performance bonds shall be issued by a corporate surety authorized to do business in New Mexico in accordance with the New Mexico Insurance Code, shall be sureties listed in the most current U.S.
Treasury Circular 570, and shall name both the prime/general contractor and Central New Mexico Community College (CNM), as obligees.

7. The performance and payment bonds required under this section shall be provided to the general contractor at the time the subcontract is executed. The general contractor is required to provide CNM with certified copies of payment and performance bonds for all subcontracts of $125,000.00 or more prior to the (general contractor/subcontractor) starting work on any CNM Project.

8. The payment and performance bond shall be in the amount 100% of the subcontractor’s contract as determined by the bid submitted by the subcontractor on bid day.

9. The payment and performance bonds required by this section shall be provided at the expense of the subcontractor, who may include the bond premium in their bid. CNM will not pay additional monies, over and above the bid amount, for payment and performance bonds.

10. Nothing in this section relieves the general/prime contractor from its obligation to provide payment and performance bonds pursuant to N.M. Stat. Ann. §§ 13-4-18 and 19, New Mexico’s Little Miller Act.

11. The subcontractor payment and performance bonds required by this section shall be provided on AIA surety bond forms AIA document A312.

3. Bid time and date has remains the same December 1, 2008 3:00PM local time.

All other specifications, terms and conditions remain unchanged. Bidders are required to acknowledge receipt of this Amendment in the space provided on Section 00200-1.