REQUEST FOR PROPOSAL NO. P-300  
CONSTRUCTION MANAGER AT RISK, STEP 2

TITLE: Construction Manager at Risk Services for CNM’s Westside Phase III Instructional Facility

DUE DATE: July 6, 2010

TIME: 3:00 P.M. local time

BUYER: Charlotte Gensler, Director of Purchasing and Materials Management
Telephone number: 505-224-4546
Fax number: 505-224-4548
E-mail address: cgensler@cnm.edu

NUMBER OF RESPONSES REQUIRED: One (1)

FREIGHT TERMS: FOB Destination
PAYMENT TERMS: Net 30 Days

INSTRUCTIONS TO OFFERORS:
The Central New Mexico Community College (CNM) invites offerors who have met minimum requirements and were selected by committee per P-300, Request for Qualification Step 1 to submit an offer on step two of a three step RFP process for the material and/or services specified within this Request for Proposals. Please read carefully all instructions, specifications, terms and conditions. Failure to comply with the instructions, specifications, terms and conditions of this Request may result in your offer being declared non-responsive. The purchase of materials and/or services awarded under this Request is subject to CNM’s General Terms and Conditions as well as all statements contained in this Request for Proposals step 1-3, and any mutually agreed contractual terms and conditions between CNM and the successful offeror. New Mexico criminal law prohibits bribes, gratuities and kickbacks (13-1-28 through 13-1-199, NMSA 1978).

To submit an offer on the goods or services specified, provide a written proposal responding to the minimum requirements, and evaluation criteria contained herein. Complete the form labeled Updated Attachment A for Step 2, “Signature of Firm’s Authorized Representative” and submit with the RFP response in addition to the original RFQ proposal response and your proposal/bid bond. CNM does not desire responses with fancy binders, binding, or sales literature. Instead, offerors should submit responses as required for easy and clear evaluation with information presented in the order it appears herein referencing sections on all attachments. Each original proposal must be signed in ink by an authorized representative; all corrections shall be initialed in ink by person signing the proposal. The contents of the selected proposal may become part of any resultant contract award. Submit the number of copies of your proposal specified above. Each copy is to include all supporting documentation. Failure to submit the required number of copies may result in your RFP offer being considered non-responsive.

Completed RFP package should be placed in a sealed envelope, referencing this RFP number P-300 Step 2 in the lower left corner of the envelope, and submitted to the above address no later than the time and date specified above. Failure to properly complete and reference this RFP number in the lower left corner of your sealed proposal envelope may result in either premature opening of your proposal or failure to open it upon the correct closing date and time.

Note: Any and all clarifications of instructions, terms and conditions, insurance, bonds, or proposal preparation shall be made only by the Buyer listed above. Such requests for clarification should be made in writing, addressed to the Buyer listed above, and submitted no later than five (5) days prior to the proposal due date. Technical questions concerning the requirements of the requester should be directed to the Buyer listed above. If appropriate, CNM Purchasing shall issue a written Amendment which shall thereafter become part of this Request for Proposal. No oral interpretations shall be binding upon CNM unless reduced to a written amendment issued by CNM Purchasing prior to the proposal due date and time.

TABLE OF CONTENTS: PAGE #:

<table>
<thead>
<tr>
<th>TABLE OF CONTENTS</th>
<th>PAGE #</th>
</tr>
</thead>
<tbody>
<tr>
<td>INSTRUCTIONS TO OFFERORS</td>
<td>1</td>
</tr>
<tr>
<td>I.  INTRODUCTION</td>
<td>2</td>
</tr>
<tr>
<td>II. RESPONSE FORMAT, ORGANIZATION, MINIMUM REQUIREMENTS AND CRITERIA RESPONSE</td>
<td>3 - 4</td>
</tr>
<tr>
<td>UPDATED ATTACHMENT A for Step 2</td>
<td>5</td>
</tr>
<tr>
<td>III. ATTACHMENT E: RFP QUESTIONNAIRE RESPONSE CRITERIA FOR GENERAL CONTRACTORS</td>
<td>6 - 11</td>
</tr>
<tr>
<td>ATTACHMENT F: CAMPAIGN CONTRIBUTION FORM (REQUIRED PRIOR TO AWARD)</td>
<td>12 - 13</td>
</tr>
</tbody>
</table>
I. INTRODUCTION

A. PURPOSE OF THIS REQUEST FOR PROPOSALS FOR CONSTRUCTION MANAGER AT RISK

CNM desires to contract for Construction Manager at Risk Services for Construction of CNM’s Westside Phase III project through a multi-step request for proposal selection process. If your firm has met the minimum requirements and based upon your submittal of Step 1, RFQ to P-300; your firm will be notified in writing that they have been selected by the evaluation committee to submit an offer in the second step in a three step procedure to RFP P-300, Requests for Proposal (RFP).

The RFP offers shall be evaluated and based upon meeting the minimum requirements and ranked from offers to the score based criteria based proposal qualification questionnaire described herein for Step 2. Up to three of the highest ranking offers that meet minimum requirements will be shortlisted and selected to participate in Step 3, request for interview.

B. SUMMARY OF CMAR PROCESS AND BOND REQUIREMENTS

The RFP P-300 Step 2, Request for Proposal offers for CMAR shall be submitted to CNM no later than July 6, 2010 at 3:00 pm local time in the CNM Purchasing Office. Interested Offerors shall provide all required documents described under Minimum Requirements and the offer in response to RFP QUESTIONNAIRE RESPONSE CRITERIA FOR GENERAL CONTRACTORS provided herein, indicating their ability to perform the services required by the Owner to execute a complete Project. Only those Short Listed Finalists determined by the highest scoring Proposals shall receive an invitation to Interview for final consideration of Award.

Note: If your firm is submitting for this RFP be advised that you will be required to submit statement of your ability to supply a Proposal or Bid Bond in the amount of 5% of $18,050,000.00 which shall represent a good faith offer for consideration of a contract to perform the Pre-Construction Services. The Proposal Bond shall be a bond provided by a surety company authorized to do business in New Mexico, or the equivalent in cash, or otherwise supplied in a form satisfactory to CNM in accordance with NMSA 13-1-146. All offerors who are shortlisted to proceed to Step 2 shall be required to submit the bond with their RFP Step 2 offer.

It shall be noted here that once the Contract for Construction for a Guaranteed Maximum Price is finalized and prior to the start of construction of the Project, the CMAR shall provide Performance and Payment Bonds in the amount equal to 100% of the price specified as the GMP contract which is currently approved at $18,050,000.00 as is required for a local public works project per 13-4-18, NMSA 1978. The CMAR shall also require Bonds of the subcontractors and sub-subcontractors as required by statute NMSA 13-1-148.1.

C. PROJECT CONTACTS

Any questions concerning the procurement and technical process for this Request for Qualifications should be submitted to the procurement contact as listed below.

Owner: Central New Mexico Community College
Point of Contact: Charlotte Gensler, Director of Purchasing and Materials Management
Address: 525 Buena Vista SE
City/State/Zip: Albuquerque NM 87106
Phone: (505) 224-4546
Email: cgensler@cnm.edu

D. STEP 3 OF 3, Summary Criteria for Interviews

Interviews shall be held with the up to the three (3) highest scored Offeror Qualification Questionnaires. This shall constitute the Short-Listed Finalists. Once the Evaluation Committee determines the Short List, Offerors will be notified in writing of the date, location and time that Interviews will be held. Those Offerors that did not make the Short List to receive the RFP will also be notified in writing. CNM shall determine the number of interview questions and the content of the questions. Interviews will be for one (1) hour. The date for the interviews are tentatively scheduled as follows:

Monday, July 19, 2010 between 1 - 5 pm local time.
II. RESPONSE FORMAT, ORGANIZATION, MINIMUM REQUIREMENTS AND CRITERIA QUESTIONNAIRE RESPONSE

A. NUMBER OF RESPONSES
One original RFP Submittal package may be submitted by each Offeror/Team/individual entity for CNM’s Construction of Westside Phase III project, which is the subject of this RFP. The RFP offer Package shall be clearly identified on the outside as to the name of the procurement, date and time RFPs offers are to be received, the Offeror’s name, address, name of contact person and a phone number where the contract person may be reached and to avoid misplacing or premature opening of the RFP offer package.

B. NUMBER OF COPIES OF RESPONSES
In addition to the Original RFP Submittal package, Offerors shall provide (4) identical copies (copies shall also be sealed) of their RFP for the Evaluation Committee’s use. The copies will be submitted with the originals in the Proposal Package. The Owner will retain the original response for the procurement file. The Offerors may make arrangements to pick up the extra copies of their RFP Package after the final award is determined if that request is made within 10 days of the award.

C. DELIVERY OF RFP SUBMITTAL
Late submissions: Sealed RFP Submittal packages not received by the time and date indicated on the RFP will not be accepted.

Hand Carried: RFP may be hand carried to Purchasing Department, Building A, CNM Main Campus.
Mailed: RFP offer may be mailed or shipped by express carrier (FedEx, UPS, etc.) to the attention of Charlotte Gensler, Purchasing Director, 525 Buena Vista SE, Albuquerque NM 87106. The Owner shall not be responsible for any RFP offer that is mailed or shipped and not received by the appointed date and time specified in this solicitation.

Receipts: Receipts for any hand-delivered RFP offer shall be issued by NAME (upon request) for a RFP which are hand carried.

No Other Methods of Offer Delivery Acceptable: Neither telephone, telegraphic, nor facsimile offers will be accepted.

D. GENERAL RESPONSE INSTRUCTIONS AND INFORMATION
1. Your RFP offer 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 QUALITY, 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 offer and submit a complete response to all requirements and questions as directed. Incomplete RFP offers may be considered non-responsive and subject to rejection.

3. Offeror shall prepare and develop RFP offers at the sole expense of the Offeror.

4. RFP offers 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, at its option.

Questions regarding the procurement process, the RFP documents, general requirements, terms and conditions, etc. must be submitted in writing prior to the submission of the RFP for clarification purposes.

5. The RFP responses for the Three-Step process shall be kept confidential until a contract is awarded. The Purchasing Department unless required by law will not disclose or make public any pages of a RFP which the Offeror has stamped or imprinted with these words subject to the following requirements:

Proprietary or confidential data shall be readily separable from the RFP in order to facilitate eventual public inspection of the non-confidential portion of the RFP. Confidential data is normally restricted to confidential financial information concerning the Offeror’s organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act [§57-3A-1 to 57-a] NMSA 1978]. The price of products offered or the cost of services proposed shall not be designated as proprietary or confidential information.

6. RFP offers shall consist of answers to questions or requirements identified in the RFP. It is not necessary to repeat the question in the responses; however, it is recommended that the firm’s response reference the question number with the corresponding answer.
7. Failure to comply with all requirements contained in this RFP may result in the rejection of an Offeror’s submittal.

8. Receipt of an addendum of the RFP by an Offeror must be acknowledged either: by signing and returning the addendum. Such acknowledgment should be submitted with your RFP. This acknowledgment must be received prior to the hour and date specified for receipt of RFP.

9. An RFP may be modified or withdrawn in person at any time BEFORE the scheduled opening of RFPs, provided a receipt for the withdrawn RFP is signed by the Offeror or the Offeror’s authorized representative. The Owner reserves the right to request proof of authorization to withdraw an offer.

E. CMAR RFP QUESTIONNAIRE RESPONSE CRITERIA FORMAT

General Notes: The CMAR shall submit information utilizing the Request for Proposal Forms that are attached to this RFP. The information provided shall be considered by the Owner for evaluating and scoring CMAR RFP to determine if the proposed Offerors are responsible pursuant to New Mexico statutes and regulations. The Owner shall not be restricted to the minimum information submitted, and may obtain any relevant information regarding performance from reliable sources other than those provided.

F. SUBMITTALS:

The RFP must be accompanied by all documentation required under minimum requirement. Failure to submit all required documentation may result in the offer being found non-responsive. Minimum requirements forms and bond will not be included in the 20 page maximum page limit of your response. Cover letter, table of contacts, resumes and tabs will not be included in your firms 20 page limit of your questionnaire response.

OFFERS SHALL INCLUDE THE FOLLOWING:

1. SIGNATURE PAGE: UPDATED ATTACHMENT A

   UPDATED ATTACHMENT A. Offerors are required to submit Updated Attachment A, incorporating the scope of work, terms and conditions of the RFP Step 2 and including the terms and conditions stated in the P-300, RFQ Step 1, including all amendments/addenda.

2. PROPOSAL BOND, Offeror will be required to provide a PROPOSAL or Bid to be 5% of the $18,050,000.00. (MACC) pursuant to NMSA 13-1-146 1978. This must be included in your RFP submittal (Step 2).

3. CONTRACTOR QUESTIONNAIRE RESPONSE CRITERIA ATTACHMENT E

   1) OFFEROR’S EXPERIENCE WITH CONSTRUCTION OF SIMILAR TYPES OF PROJECTS: 20 POSSIBLE POINTS

   2) QUALIFICATIONS AND EXPERIENCE OF THE OFFEROR’S PERSONNEL AND CONSULTANTS AND THE ROLE OF EACH IN THE PROJECT: 20 POSSIBLE POINTS

   3) PLAN FOR MANAGEMENT ACTIONS TO BE UNDERTAKEN ON THE PROJECT, INCLUDING SERVICES TO BE RENDERED IN CONNECTION WITH SAFETY AND THE SAFETY PLAN FOR THE PROJECTS: 20 POSSIBLE POINTS

   4) OFFEROR’S EXPERIENCE WITH THE CONSTRUCTION MANAGER AS RISK METHOD: 20 POSSIBLE POINTS

   5) IGMP AND ALL OTHER SELECTIONS CRITERIA AS STATED IN THE RFQ AND THE RFP: 20 POSSIBLE POINTS

4. CAMPAIGN CONTRIBUTION FORM, Offer will be required to provide a completed and signed Campaign Contribution Form prior to Award. CNM desires that this form be submitted with Step 2, RFP or upon request of CNM prior to Award.

5. Insurance requirement are listed in AIA draft forms. Offerors will be required to provide a completed and endorsed insurance naming CNM prior to Award. Any changes to insurance must be mutually agreed to by both parties.
UPDATED ATTACHMENT A:
SIGNATURE OF FIRM’S AUTHORIZED REPRESENTATIVE

By signing below, contractor acknowledges that it is a competent firm capable of providing the items and/or services requested, has read
this Request for Proposal including all instructions, scope of work terms and conditions for step 1-3, understands it, and agrees to be
bound by its terms and conditions. Contractor hereby agrees to furnish items and/or services, at the prices quoted, pursuant to all
requirements and specifications contained in this document, upon receipt of an authorized purchase order from the purchasing
department, and further agree that the language of this document shall govern in the event of a conflict with its offer.

Please fill in all spaces below:

Acknowledgment of Amendment (Specify Number and Date):

Company Name: ________________________________

Address: ________________________________________

City, State, Zip: ________________________________

Phone Number: ________________________________

FAX Number: ________________________________

Email: ________________________________________

Contact Person for Clarification of Response: ________________________________

No.__________ dated ________________       No.__________ dated ________________

No.__________ dated ________________       No.__________ dated ________________

No.__________ dated ________________       No.__________ dated ________________

No.__________ dated ________________       No.__________ dated ________________

NM Tax ID: ________________________________ Federal Tax ID: ________________________________

Applicable NM License Number(s): ________________________________

______________________________________________

Signature of individual authorized to sign: ________________________________

Name and Title of Individual Authorized to Sign for Firm: ________________________________
ATTACHMENT E

RFP QUESTIONNAIRE RESPONSE CRITERIA FOR GENERAL CONTRACTORS

1. **OFFEROR'S EXPERIENCE WITH CONSTRUCTION OF SIMILAR TYPES OF PROJECTS**
   **20 POSSIBLE POINTS**

CNM desires offers to describe at least (3) projects to illustrate the offeror's project experience, all of which must have been completed since 2005 with a construction cost at the time of bid with a MACC of at least $5,000,000.00 and no greater than $50,000,000.00. At least one of these projects shall include CMAR delivery method. Include the following:

- Name of the project
- Contract amount
- Date of completion
- Owner with point of contact name, title, and phone number
- Architect with the point of contact name, title, and phone number

CNM desires that the projects described include the following elements:

a. Project with Educational, Government Agencies or local public bodies or other projects similar in scope and complexity within the State of New Mexico.

b. Projects which provide cost estimating and value engineering, and how issues were addressed and used to revise or develop the Architect's design to meet the project construction budget.

c. Projects similar to the scope of work for the CNM project described in the scope of work of this RFP which contains various components of the project such as: administrative space, classrooms, specialized labs, student services, support spaces.

d. Projects that include sustainability issues and require LEED Silver or better certification.

e. Projects that demonstrate your firm's ability to act as a Construction Manager at Risk with a Guaranteed Maximum price.

f. Projects that use BIM or other 3D modeling and its integration during construction and close-out processes.
2. QUALIFICATIONS AND EXPERIENCE OF THE OFFEROR’S PERSONNEL AND CONSULTANTS AND THE ROLE OF EACH IN THE PROJECT. 20 POSSIBLE POINTS

a. Provide information of the project personnel and consultants who will be assigned to successfully accomplish the services required for this project as follows:

b. Identify each of those personnel members, their titles and their roles and responsibility both in pre-construction and the construction phases of the project. Include resumes for key personnel.

c. Describe their experience with projects of similar size, scope and complexity.

d. Describe professional certifications and technical expertise in General construction, Construction Management at Risk, Sustainability and LEED Certified projects.

e. Key personnel’s current commitments and availability for the proposed project timeframe

f. Identify key consultants and the roles of each in the project
3. **PLAN FOR MANAGEMENT ACTIONS TO BE UNDERTAKEN ON THE PROJECT, INCLUDING SERVICES TO BE RENDERED IN CONNECTION WITH SAFETY AND THE SAFETY PLAN FOR THE PROJECTS. 20 POSSIBLE POINTS**

Provide information that demonstrates your firm’s capacity and capability to perform work of the nature and scope of this project. Detail your firm’s and that of your proposed personnel’s ability, depth of knowledge, skills, experience and expertise as it relates to the services related to a management and safety plan and services requested and required to be performed as described and outlined within this Request for Proposal. Your approach should include outlining and completely describing your firm’s commitment and guarantee for the successful completion of the project.

I. Describe your firm’s approach to be used during the Preconstruction Services to include:

   a. Process to review and develop the documents with CNM and the Architect
   b. Estimating and constructionability Assessments and input
   c. Participation in constructability, Schedule Cost and Document Reviews.
   e. Process to define opportunities for sustainable design with LEED Silver certification.
   f. Development of bid packages
   g. Prequalification of subcontractors
   h. Quality control and safety plan to be used during Preconstruction
   i. Preconstruction conferences to verify scope of work, coordinate inspections, testing and submittal approval
   j. Described techniques planned to assure that schedule dates will be met. Include your review process to demonstrate ability to meet project budget and schedule.
   k. Anticipated GMP process and schedule of events

II. Describe your firm’s approach to be used during the Construction Svcs for both the offsite infrastructure and on site construction including infrastructure:

   a. Quality control plan to be used during Construction
   b. How the schedule will be administered to verify performance
   c. Planning, supervision and timely completion of the project
   d. Method (including software applications used) to prepare, monitor and maintain project schedule
   e. Submittals and Project documentation (also including LEED)
   f. Manage construction labor and materials
   g. Coordinate with Owner direct labor, subcontractors, and Owner furnished equipment suppliers, if applicable
h. Manage site access, safety, security, and quality control  
i. Manage testing, inspections  
j. Coordination of all utility inspections  
k. Review of trade progress payments  
l. Coordination of trade work and problem resolution
III. EXPERIENCE WITH CONSTRUCTION MANAGER AT RISK METHOD. 20 POSSIBLE POINTS

Provide a narrative that demonstrates your experience the project work plan for the CM at Risk process indicating a clear understanding of the objectives of the CM at Risk delivery method.

Provide a proposed Schedule and Project Plan that includes the following:

a. Demonstrates the ability to deliver a project using the CM at Risk delivery.

b. A construction schedule illustrating how it intends to provide and manage the tasks and resources necessary to accomplish the work commencing with the Notice to Proceed for the Preconstruction, the GMP Process, Construction, and LEED Application.

c. Illustrates milestones for approval activity.

d. Illustrates an understanding of a critical path for a project.

e. Provide design coordination and review with the Designer (Architect).

f. Manner that review and constructability issues were addressed and rolled into the design.

g. Provide conceptual budget model, cost estimating and value engineering, and how issues were addressed and used to revise or develop the Architect’s design to meet the project construction budget.

h. Process for Evaluating Change Order Requests from Sub-Contractors

i. Approach to Contingency and GMP management

j. If and how BIM will be utilized for providing O&M information and as-builts
IV. COST PROPOSAL IGMP. 20 Possible Points

Provide an Initial Guaranteed Maximum (IGMP) price submitted in the Price Proposal for work to be performed.

“IGMP” means Guaranteed Maximum Price is the maximum amount to be paid by the governing body for the construction of the educational facility, including the cost of the work, the general conditions and the fees charged by the CMAR. The final contract price agreed upon by the Owner and the Contractor, shall be the amount stated in the Agreement Between Owner and Contractor for Construction and General Conditions for Construction.

State your firm’s fee for the Preconstruction Services for both the off-site infrastructure and the on-site building including infrastructure as a percentage of the MACC of $18,050,000.00 and a dollar amount as follows:

a. Preconstruction fee: ________% x $18,050,000.00 = $__________________

NOTE: Reference RFQ for a list of services and Major work activities related to pre-construction and construction services. Services shall include the time in which a contract is awarded and ending upon the commencement of the construction phase with the exception of any early work agreed upon by parties.

State your firm’s fee for the CM at Risk as a percentage of the MACC of both the and a dollar amount as follows for both the off-site infrastructure and the on-site building including infrastructure as a percentage of the MACC of $18,050,000.00.

and a dollar amount as follows:

b. CM at Risk fee: ________% x $18,050,000.00 = $__________________

State your firm’s fee for the General Conditions and any other costs not included in the direct material and labor costs for construction as a percentage of the MACC of both the and a dollar amount as follows for both the off-site infrastructure and the on-site building including infrastructure as a percentage of the MACC of $18,050,000.00.

and a dollar amount as follows:

General Conditions including any other costs not included in the direct labor and materials of construction:

c. ________% x $18,050,000.00 = $__________________

List General Conditions and other costs. All costs not used shall be returned to CNM.

4. IGMP = a. (Preconstruction fee) + b. (CM at risk fee) + c. (General conditions and all other costs) + $18,050,000.00. (MACC)

IGMP shall be evaluated as follows:

<table>
<thead>
<tr>
<th>Points</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>to lowest IGMP offer</td>
</tr>
<tr>
<td>19</td>
<td>within 1% of lowest IGMP</td>
</tr>
<tr>
<td>18</td>
<td>within 2% of lowest IGMP</td>
</tr>
<tr>
<td>17</td>
<td>within 3% of lowest IGMP</td>
</tr>
<tr>
<td>16</td>
<td>within 4% of lowest IGMP</td>
</tr>
<tr>
<td>15</td>
<td>within 5% of lowest IGMP</td>
</tr>
<tr>
<td>14</td>
<td>within 6% of lowest IGMP</td>
</tr>
<tr>
<td>13</td>
<td>within 7% of lowest IGMP</td>
</tr>
<tr>
<td>12</td>
<td>within 8% of lowest IGMP</td>
</tr>
<tr>
<td>11</td>
<td>within 9% of lowest IGMP</td>
</tr>
<tr>
<td>10</td>
<td>within 10% of lowest IGMP</td>
</tr>
<tr>
<td>9</td>
<td>within 11% of lowest IGMP</td>
</tr>
<tr>
<td>8</td>
<td>within 12% of lowest IGMP</td>
</tr>
<tr>
<td>7</td>
<td>within 13% of lowest IGMP</td>
</tr>
<tr>
<td>6</td>
<td>within 14% of lowest IGMP</td>
</tr>
<tr>
<td>5</td>
<td>within 15% of lowest IGMP</td>
</tr>
<tr>
<td>4</td>
<td>within 16% of lowest IGMP</td>
</tr>
<tr>
<td>3</td>
<td>within 17% of lowest IGMP</td>
</tr>
<tr>
<td>2</td>
<td>within 18% of lowest IGMP</td>
</tr>
<tr>
<td>1</td>
<td>within 19% of lowest IGMP</td>
</tr>
<tr>
<td>0</td>
<td>within 20% of lowest IGMP</td>
</tr>
</tbody>
</table>

P-300 Attachment F
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 REQUEST FOR PROPOSALS 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

______________________________  _______________________
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)