

Exhibit 3-C

Request for Proposals for Design Professional Services

RFP No. 2015-27

Packet No. _____

Project Name: Renovation and Expansion of the Las Vegas Senior Center, CDBG 13-C-NR-I-03-G-002

Contracting Agency: City of Las Vegas

Address: 1700 N. Grand Ave. Las Vegas, NM 87701

Telephone: 505-454-1401

Date: March 31, 2015 2:00 PM

Procurement Officer: June Tafoya, Purchasing Officer

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This form was prepared by the Local Government Division, Department of Finance and Administration, and is endorsed by the Professional Technical Advisory Board [composed of the Consulting Engineers Council of New Mexico, New Mexico Society of Professional Engineers, the American Institute of Architects of New Mexico, the New Mexico Society of Surveyors and Mappers, and the New Mexico Society of Landscape Architects].

OFFEROR INFORMATION

OFFEROR: _____

AUTHORIZED AGENT: _____

ADDRESS: _____

TELEPHONE NUMBER (____)_____

FAX NUMBER (____)_____

DELIVERY: _____

NEW MEXICO TAX IDENTIFICATION NUMBER (CRS): _____

NEW MEXICO CONTRACTORS LICENSE NO.: _____

SERVICE: **DESIGN PROFESSIONAL SERVICES FOR RENOVATION AND EXPANSION OF THE LAS VEGAS SENIOR CENTER, CDBG 13-C-NR-I-03-G-002**

THE CITY OF LAS VEGAS RESERVES THE RIGHT REJECT ANY OR ALL PROPOSALS AND TO WAIVE ANY TECHINCAL IRREGULARITY IN THE FORM.

AFFIDAVIT FOR FILING WITH COMPETITIVE PROPOSAL

STATE OF _____ }-

} ss

COUNTY OF _____ }-

I, _____ of lawful age, being of first duly sworn in oath, say that am the agent authorized by the offerors to submit the attached proposal. Affiant further states that the offeror has not been a party to any collusion among offerors in restraint of freedom of competition by agreement to a fixed price or to refrain from submitting a proposal; or with any city official or employee as to the quantity, quality or price in the prospective contract, or any other terms of said prospective contract; or in any discussion between offerors with any City official concerning an exchange of money or any other thing of value for special consideration in the letting of a contract.

Signature

Subscribed and sworn to before me, this _____ day of _____, 20 ____.

(SEAL)

Notary Public Signature
My Commission Expires: _____

NOTICE OF REQUEST FOR PROPOSALS

Qualifications-based competitive sealed proposals for design professional services will be received by the City of Las Vegas, for RFP No. 2015-27.

The City of Las Vegas is requesting proposals for professional
XXX architectural services XXX engineering services
_____ surveying services _____ landscape architectural services
_____ planning services

For: Renovation and Expansion of the Las Vegas Senior Center, located at 500 Sabino St., Las Vegas, New Mexico 87701. Project No. CDBG No. 13-C-NR-I-03-G-002. Proposals will be received at the Office of the City Clerk, City Hall, 1700 N. Grand Ave. Las Vegas, New Mexico 87701 until, March 31, 2015, 2:00 p.m.

Copies of the Request for Proposals can be obtained in person at the Office of the City Clerk, at 1700 N. Grand Avenue at or will be mailed upon written or telephone request to the Office of the City Clerk (505) 454-1401.

June Tafoya, Purchasing Officer

Date Issued: March 16, 2015



Newspaper: Las Vegas Optic Publish: March 18, 2015
Newspaper: Albuquerque Journal Publish: March 19, 2015

P.O. No. 150184
P.O. No. 151658

The following is not to be included in advertisement:

[Note: This Notice is issued pursuant to the requirements of §13-1-104 NMSA 1978 and must be published not less than 10 calendar days prior to the date set for the receipt of proposals (§13-1-113 NMSA 1978) and published in a newspaper of general circulation in the area.]

1 RFP required if over \$50,000 in basic design fees excluding taxes or as prescribed by local regulation.

2 RFP required if over \$10,000 in basic design fees excluding taxes or as prescribed by local regulation.

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PROJECT DESCRIPTION

Renovation and Expansion of the Las Vegas Senior Center, located at 500 Sabino St., Las Vegas, New Mexico 87701. The project consists of alteration and renovation of the City's Senior Center at 500 Sabino St. Las Vegas, NM to include a 714 square foot kitchen addition, fire suppression system upgrade with sprinkler system throughout, renovations of the existing restrooms to become ADA complaint, and installation of fixtures to enhance the 9,152 sq. ft. facility.

The Kitchen expansion will include an addition that will accommodate meal preparation for remote sites, new kitchen equipment and layout, dish and utensil cleanup and the reorganization of interior space to make the center more efficient. Food storage and general storage areas are to be expanded, including revisions and additions to the dining rooms to provide for more seating for diners.

2. SCOPE OF WORK

The Offeror shall perform the following professional services:

2.1 Provide standard **Basic Design Services**, consisting of:

Architects/Engineers

- | | |
|---|--|
| <input checked="" type="checkbox"/> Programming Phase | <input checked="" type="checkbox"/> Study and Report Phase |
| <input checked="" type="checkbox"/> Schematic Phase | <input checked="" type="checkbox"/> Preliminary Design Phase |
| <input checked="" type="checkbox"/> Design Development Phase | <input checked="" type="checkbox"/> Final Design Phase |
| <input checked="" type="checkbox"/> Construction Documents Phase | <input checked="" type="checkbox"/> Bidding and Negotiations Phase |
| <input checked="" type="checkbox"/> Bidding and Negotiations Phase | <input checked="" type="checkbox"/> Construction Phase |
| <input checked="" type="checkbox"/> Construction Administration Phase | <input checked="" type="checkbox"/> Operational Phase |
| <input checked="" type="checkbox"/> Post-Construction Phase | |

Surveyors Planning Studies

- | | |
|---|---|
| <input type="checkbox"/> Property Boundary Survey | <input type="checkbox"/> Comprehensive Plan |
| <input type="checkbox"/> Topographic Survey | <input type="checkbox"/> Strategic (i.e. issue specific) Plan |
| <input type="checkbox"/> Easement Survey | <input type="checkbox"/> Mapping and/or Zoning |
| <input type="checkbox"/> Right-of-Way Survey | <input type="checkbox"/> Other Planning Tasks |
| <input type="checkbox"/> Inspection Report | |

Additional Services

- Environmental Documentation
- Permitting
- Grant Administration
- Right-of-Way Acquisition

2.2 **Periodic** observation during construction.

2.3 Other (list):

INSTRUCTIONS TO OFFERORS

1. DEFINITIONS AND TERMS

1.1 **Addendum:** a written or graphic instrument issued prior to the opening of Proposals which clarifies, corrects, or changes the Request for Proposals. Plural: Addenda.

1.2 **Consultant:** means the Successful Offeror awarded the Agreement/Contract.

1.3 **Determination:** means the written documentation of a decision of the procurement officer including findings of fact required to support a decision. A determination becomes part of the procurement file to which it pertains (§13-1-52 NMSA 1978).

1.4 **Offeror:** means any person, corporation, or partnership legally licensed to provide design professional services in this state, who chooses to submit a proposal in response to this Request for Proposals.

1.5 **Procurement Manager:** means the person or designee authorized by the City of Las Vegas to manage or administer a procurement requiring the evaluation of proposals.

1.6 **Request for Proposals:** or "RFP" means all documents, including those attached or incorporated by reference, used for soliciting proposals (§13-1-81 NMSA 1978).

1.7 **Responsible Offeror or Proposer:** means an offeror or proposer 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 (§13-1-83 NMSA 1978).

1.8 **Responsive Offer or Proposal:** means an offer or proposal which conforms in all material respects to the requirements set forth in the request for proposals. Material respects of a request for proposals include, but are not limited to, price, quality, quantity or delivery requirements (§13-1-85 NMSA 1978).

1.9 The terms **must, shall, will, is required, or are required,** identify a mandatory item or factor. Failure to comply with a mandatory item or factor will result in the rejection of the offeror's proposal.

1.10 The terms **can, may, should, preferably, or prefers** identify a desirable or discretionary item or factor.

2. REQUEST FOR PROPOSAL DOCUMENTS

2.1 COPIES OF REQUEST FOR PROPOSALS

A. A complete set of the Request for Proposals may be obtained from the City of Las Vegas.

B. A complete set of the Request for Proposals shall be used in preparing proposals; the City of Las Vegas assumes no responsibility for errors or misinterpretations resulting from the use of an incomplete set of the Request for Proposals.

C. The City of Las Vegas in making copies of Request for Proposals available on the above terms,

does so only for the purpose of obtaining proposals on the Project and does not confer a license or grant for any other use.

D. A copy of the RFP shall be made available for public inspection and shall be posted at the City of Las Vegas, Office of the City Clerk, City Hall, 1700 N. Grand Ave., Las Vegas, New Mexico 87701.

2.2 INTERPRETATIONS

A. All questions about the meaning or intent of the Request for Proposals shall be submitted to the Procurement Officer of the City of Las Vegas in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded by the City of Las Vegas as having received the Request for Proposals. Questions received less than five days prior to the date for opening of proposals will not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

B. Offerors should promptly notify the City of Las Vegas of any ambiguity, inconsistency, or error which they may discover upon examination of the Request for Proposals.

2.3 ADDENDA

A. Addenda will be mailed by certified mail with return receipt requested, by facsimile or hand delivered to all who are known by the City of Las Vegas to have received a complete set of Request for Proposals.

B. Copies of Addenda will be made available for inspection wherever Request for Proposals are on file for that purpose.

C. No Addenda will be issued later than 5 days prior to the date for receipt of Proposals, except an Addendum withdrawing the Request for Proposals or one which includes postponement of the date for receipt of Proposals.

D. Each Offeror shall ascertain, prior to submitting the Proposal, that the Offeror has received all Addenda issued, and shall acknowledge their receipt in the Proposal transmittal letter.

3. PROPOSAL SUBMITTAL PROCEDURES

3.1 NUMBER, FORM AND STYLE OF PROPOSALS

A. Offerors shall provide one (1) original and three (3) copies of their proposal to the location specified on the cover page on or before the closing date and time for receipt of proposals.

B. All proposals must be typewritten on standard 8 1/2" x 11" paper and bound on the left-hand margin;

C. A maximum of twenty (20) pages, including title, index, etc., not including front and back covers and divider pages.

D. The proposal must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated:

i) Offeror Information Page

- 1) Letter of Transmittal, if any;
- 2) Response to Specialized Design and Technical Competence;
- 3) Response to Capacity and Capability;
- 4) Response to Past Record of Performance;
- 5) Response to Familiarity with the City of Las Vegas;
- 6) Response to Work to be done in New Mexico [cannot to be used for federally funded projects];
- 7) Response to Current Volume of Work with the City of Las Vegas not 75% Complete;
- 8) List of Subconsultants;
- 9) Campaign Contribution Disclosure form (Exhibit A); and
- 10) Other supporting or resource material.

E. Any proposal that does not adhere to this format, and which does not address each specification and requirement within the RFP may be deemed nonresponsive and rejected on that basis.

F. Offerors may request in writing nondisclosure of confidential data. Such data should accompany the proposal and should be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. A request that states that the entire proposal is kept confidential will not be acceptable. Only matters which clearly are of a confidential nature will be considered.

G. Any cost incurred by the Offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror.

3.2 SUBCONSULTANTS

A. The Offeror shall list and state the qualifications for each Subconsultant the Offeror proposes to use for all subcontracted work.

B. The Offeror is specifically advised that any person or other party, to whom it is proposed to award a subcontract under this proposal, must be acceptable to the City of Las Vegas after verification by the City of Las Vegas of the current eligibility status, including but not limited to suspension or debarment by the City of Las Vegas .

3.3 PREQUALIFICATION PROCESS

N/A A business may be prequalified by the Purchasing Agent as an Offeror for particular types of service. Mailing lists of potential Offerors shall include but shall not be limited to such prequalified businesses (§13-1-134 NMSA 1978). For purposes of this RFP, if prequalification is utilized, special instructions will be attached as an exhibit to this RFP.

3.4 DEBARRED OR SUSPENDED CONTRACTORS

A business (contractor, subcontractor or supplier) that has either been debarred or suspended pursuant to the requirements of §13-1-177 through §13-1- 180, and §13-4-11 through §13-4-17 NMSA 1978 as amended, shall not be permitted to do business with the City of Las Vegas and shall not be considered for award of the contract during the period for which it is debarred or suspended with the City of Las Vegas.

3.5 SUBMITTAL OF PROPOSALS

A. Proposals shall be submitted at the time and place indicated in the Notice of Request for Proposals and shall be included in an opaque sealed envelope marked with the Project title and name and address of the Offeror and accompanied by the documents listed in the Request for Proposals.

B. The envelope shall be addressed to the Purchasing Officer of the City of Las Vegas (June Tafoya). The following information shall be provided on the front lower left corner of the Bid envelope: Project Title, Project No., Request for Proposals number, date of opening, and time of opening. If the Proposal is sent by mail, the sealed envelope shall have the notation "**SEALED PROPOSAL ENCLOSED**" on the face thereof.

C. Proposals received after the date and time for receipt of Proposals will be returned unopened.

D. The Offeror shall assume full responsibility for timely delivery of proposals to the Office of the City Clerk, City of Las Vegas, 1700 N. Grand Ave., Las Vegas, NM 87701, including those proposals submitted by mail. Hand-delivered proposals shall be submitted to the Office of the City Clerk and will be clocked in/time stamped at the time received, which must be prior to the time specified.

E. After the date established for receipt of proposals, a register of proposals will be prepared which includes the name of each Offeror, a description sufficient to identify the service, the names and addresses of the required witnesses and such other information as may be specified by the Purchasing Officer.

F. Oral, telephonic, or telegraphic proposals are invalid and will not receive consideration.

3.6 CORRECTION OR WITHDRAWAL OF PROPOSALS

A. A Proposal containing a mistake discovered before proposal opening may be modified or withdrawn by an Offeror prior to the time set for proposal opening by delivering written or telegraphic notice to the location designated in the Request for Proposals as the place where Proposals are to be received.

B. Withdrawn Proposals may be resubmitted up to the time and date designated for the receipt of Proposals, provided they are then fully in conformance with the Request for Proposals.

3.7 NOTICE OF CONTRACT REQUIREMENTS BINDING ON OFFEROR

A. In submitting this proposal, the Offeror represents that the Offeror has familiarized himself with the nature and extent of the Request for Proposals dealing with federal, state and local requirements which are a part of these Request for Proposals.

B. Laws and Regulations. The Offeror's attention is directed to all applicable federal and state laws, local ordinances and regulations and the rules and regulations of all authorities having jurisdiction over the services of the Project.

3.8 REJECTION OR CANCELLATION OF PROPOSALS

This Request for Proposals may be canceled, or any or all proposals may be rejected in whole or in part, when it is in the best interest of the City of Las Vegas. A determination containing the reasons therefore shall be made part of the project file (§13-1-131 NMSA1978).

4. CONSIDERATION OF PROPOSALS

4.1 RECEIPT, OPENING AND RECORDING

A. Proposals received on time will be opened publicly or in the presence of one or more witnesses and the name of the Offeror and address will be read aloud.

B. The names of all businesses submitting proposals and the names of all businesses, if any, selected for interview shall be public information. After an award has been made, final ranking and evaluation scores for all proposals shall become public information. (§13-1-120 NMSA 1978). The contents of any proposal shall not be disclosed so as to be available to competing Offerors during the negotiation process (§13-1-116 NMSA 1978).

4.2 PROPOSAL EVALUATION

A. Proposals shall be evaluated on the basis of demonstrated competence and qualification for the type of service required, and shall be based on the evaluation factors set forth in this RFP. For the purpose of conducting discussions, proposals may initially be classified as:

- 1) Acceptable,
- 2) Potentially acceptable, that is, reasonably assured of being made acceptable, or
- 3) Unacceptable (Offerors whose proposals are unacceptable shall be notified promptly).

B. The City of Las Vegas shall have the right to waive technical irregularities in the form of the Proposal of the Offeror which do not alter the quality or quantity of the services (§13-1-132 NMSA 1978).

C. If an Offeror who otherwise would have been awarded a contract is found not to be a responsible Offeror, a determination that the Offeror is not a responsible Offeror, setting forth the basis of the finding, shall be prepared by the Purchasing Officer. The unreasonable failure of the Offeror to promptly supply information in connection with an inquiry with respect to responsibility is grounds for a determination that the Offeror is not a responsible Offeror (§13-1-133 NMSA 1978). Businesses which have not been selected shall be so notified in writing within twenty-one days after an award is made (§13-1-120 NMSA 1978).

D. Selection Process: (§13-1-120 NMSA 1978)

1) The evaluation of proposals will be performed by an evaluation committee composed of representatives selected by the City of Las Vegas . The committee shall evaluate statements of qualifications and performance data submitted by at least three businesses in regard to the particular project and may conduct interviews with and may require public presentation by all businesses applying for selection regarding their qualifications, their approach to the project and their ability to furnish the required services.

2) If fewer than three businesses have submitted a statement of qualifications for a particular project, the committee may: a) rank in order of qualifications and submit to the local governing body for award those businesses which have submitted a statement of qualifications; or b) recommend termination of the selection process and sending out of new notices of the proposed procurement pursuant to §13-1-104 NMSA 1978.

4.3 NEGOTIATIONS (§13-1-122 NMSA 1978)

A. The City of Las Vegas' designee shall negotiate a contract with the highest qualified business for the services contemplated under this RFP at compensation determined in writing to be fair and reasonable. In making this decision, the designee shall take into account the estimated value of the services to be rendered and the scope, complexity and professional nature of the services.

B. Should the designee be unable to negotiate a satisfactory contract with the business considered to be the most qualified at a price determined to be fair and reasonable, negotiations with that business shall be formally terminated. The designee shall then undertake negotiations with the second most qualified business. Failing accord with the second most qualified business, the designee shall formally terminate negotiations with that business.

C. The designee shall then undertake negotiations with the third most qualified business.

D. Should the designee be unable to negotiate a contract with any of the businesses selected by the committee, additional businesses shall be ranked in order of their qualifications and the designee shall continue negotiations in accordance with this section until a contract is signed with a qualified business or the procurement process is terminated and a new request for proposals is initiated.

E. The City of Las Vegas shall publicly announce the business selected for award.

4.4 NOTICE OF AWARD

After award by the Governing Body, a written notice of award shall be issued by the City of Las Vegas after review and approval of the Proposal and related documents by the City of Las Vegas with reasonable promptness (§13-1-100 and §13-1-108 NMSA 1978).

5. POST-PROPOSAL INFORMATION

5.1 PROTESTS

A. Any Offeror who is aggrieved in connection with a solicitation or award of an Agreement may protest to the City of Las Vegas 's Purchasing Officer and the City Clerk Clerk in accordance with the requirements of the City of Las Vegas 's Procurement Regulations and the state Procurement Code. The protest should be made in writing within 24 hours after the facts or occurrences giving rise thereto, but in no case later than 15 calendar days after the facts or occurrences giving rise thereto (§13-1-172 NMSA 1978).

B. In the event of a timely protest under this section, the Purchasing Officer and the City of Las Vegas shall not proceed further with the procurement unless the Purchasing Agent makes a determination that the award of Agreement is necessary to protect substantial interests of the City of Las Vegas (§13-1-173 NMSA 1978).

C. The Purchasing Officer or his designee shall have the authority to take any action reasonably necessary to resolve a protest of an aggrieved Offeror concerning a procurement. This authority shall be exercised in accordance with adopted regulations, but shall not include the authority to award money damages or attorneys' fees (§13- 1-174 NMSA 1978).

D. The Purchasing Agent or his designee shall promptly issue a determination relating to the protest. The determination shall:

- 1) state the reasons for the action taken; and
- 2) inform the protestant of the right to judicial review of the determination pursuant to §13-1-183 NMSA 1978.

E. A copy of the determination issued under §13-1-175 NMSA 1978 shall immediately be mailed to the protestant and other Offerors involved in the procurement (§13-1-176 NMSA 1978).

5.2 EXECUTION AND APPROVAL OF AGREEMENT

The Agreement shall be signed by the Successful Offeror and returned within an agreed upon time frame after the date of the Notice of Award. No Agreement shall be effective until it has been fully executed by all of the parties thereto.

5.3 NOTICE TO PROCEED

The City of Las Vegas will issue a written Notice to Proceed to the Consultant.

5.4 OFFEROR'S QUALIFICATION STATEMENT

Offeror to whom award of an Agreement is under consideration shall submit, upon request, information and data to prove that their financial resources, production or service facilities, personnel, and service reputation and experience are adequate to make satisfactory delivery of the services described in the Request for Proposals (§13-1-82 NMSA 1978)

6. CAMPAIGN CONTRIBUTION DISCLOSURE AND PROHIBITION (§13-1-112 NMSA 1978)

6.1 A prospective contractor subject to the provisions of §13-1-191.1 NMSA 1978 shall disclose all campaign contributions given by the prospective contractor or a family member or representative of the prospective contractor to an applicable public official (governing body) of the Grantee during the two years prior to the date on which a proposal is submitted or, in the case of a sole source or small purchase contract, the two years prior to the date on which the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor or a family member or representative of the prospective contractor to the public official exceeds two hundred fifty dollars (\$250) over the two-year period.

See Exhibit A – Campaign Contribution Disclosure Form.

6.2 The form shall be filed with the Grantee as part of the competitive sealed proposal, or in the case of a sole source or small purchase contract, on the date on which the contractor signs the contract.

6.3 A prospective contractor submitting a disclosure statement pursuant to this section who has not contributed to an applicable public official, whose family members have not contributed to an applicable public official or whose representatives have not contributed to an applicable public official shall make a statement that no contribution was made.

6.4 A prospective contractor or a family member or representative of the prospective contractor shall not give a campaign contribution or other thing or value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or during the pendency of

negotiations for a sole source or small purchase contract.

6.5 A solicitation or proposed award for a proposed contract may be canceled pursuant to §13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to §13-1-181 NMSA 1978 if:

A. A prospective contractor fails to submit a fully completed disclosure statement pursuant to this section; or

B. A prospective contractor or family member or 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.

6.6 As used in this section:

A. *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;

B. *Family member* means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law;

C. *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;

D. *Prospective contractor* means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code, §13-1-28 NMSA 1978, or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or small purchase contract; and

E. *Representative of the 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.

7. OTHER INSTRUCTIONS TO OFFERORS

7.1 None

GENERAL TERMS AND CONDITIONS

1. GOVERNING LAW

The Agreement shall be governed exclusively by the laws of the state of New Mexico as the same from time to time exist.

2. INDEPENDENT CONTRACTORS

The Consultant (design professionals) and his agents and employees are independent Contractors and are not employees of the City of Las Vegas. The Consultant and his agents and employees shall not accrue

leave, retirement, insurance, bonding, use of City of Las Vegas vehicles, or any other benefits afforded to employees of the City of Las Vegas as a result of the Agreement.

3. BRIBES, GRATUITIES AND KICK-BACKS

Pursuant to §13-1-191 NMSA 1978, reference is hereby made to the criminal laws of New Mexico (including §30-14-1, §30-24-2, and §30-41-1 through §30-41-3 NMSA 1978) which prohibit bribes, kickbacks, and gratuities, violation of which constitutes a felony. Further, the Procurement Code, §13-1-28 through §13-1-199 NMSA 1978, imposes civil and criminal penalties for its violation.

4. STANDARD FORM OF AGREEMENT BETWEEN CITY OF LAS VEGAS AND CONSULTANT (Design Professional)

The form of agreement required by the funding agency or issued by the City of Las Vegas will be used for this project. Copies are available and may be reviewed upon request.

5. FEES

A lump sum fixed fee for Basic Service will be negotiated with the Offeror selected. Construction Observation will be calculated on a Payroll Cost times a multiplier³. Additional Services will be calculated on a Payroll Cost times a multiplier³. [Note: ³ or as appropriate or agreed upon]

6. FUNDING

This solicitation is subject to the availability of funds to accomplish the work.

7. DESIGN PROFESSIONAL REGISTRATION

All work shall be under the direction of the applicable design professional legally licensed and registered by the state.

8. PROFESSIONAL LIABILITY INSURANCE

The Offeror will will not be required to carry professional liability (errors and omissions) insurance. If required to carry such insurance, the amount of coverage will be \$250,000, \$500,000, \$1,000,000. Rev. 5-07 3C - 11

Note to Owner regarding Evaluation Criteria

The Request for Proposal must include each of the following evaluation criteria as required by statute (13-1-120.B NMSA 1978). Each proposal submitted must address the required evaluation criteria. Based on the complexity of the project, the owner may add additional items of concern. The Owner must include a weight factor with each of the evaluation criteria to communicate to the Offerors the relative importance of each.

EVALUATION CRITERIA AND POINTS VALUE:

PLANNING & DESIGN SERVICES

1. Specialized Design and Technical Competence (30 Points)

Specialized design and technical competence of the business, including a joint venture or association, regarding the type of services required.

2. Capacity and Capability (25 points)

Capacity and capability of the business to perform the work, including any specialized services, within the time frame

3. Past Record of Performance (20 Points)

Past record of performance on contracts with government agencies or private industry with respect to such factors as control of costs, quality of work and ability to meet schedules.

4. Familiarity with the City of Las Vegas (10 Points)

Proximity to or familiarity with the area in which the project is located.

5. Work to be Done in New Mexico (5 points)

The amount of design work that will be produced by a New Mexico business within this state. Note that this criteria is not allowed for federally funded projects.

6. Current Volume of Work with the City of Las Vegas not 75% Complete (10 Points)

The volume of work previously done for the entity requesting proposals which is not seventy-five percent complete with respect to basic professional design services [through bidding phase], with the objective of effecting an equitable distribution of contracts among qualified businesses and of assuring the interest of the public in having available a substantial number of qualified businesses is protected; however, that the principal of selection of the most highly qualified business is not violated. Firm should indicate the volume of work they currently have underway with the City of Las Vegas that is less than 75 percent complete. The purpose of this criteria is to help distribute projects among qualified firms. An example of how points can be assigned is provided below:

Value of work not yet completed on projects that are not 75% Complete

(Example)

Points to be allowed
for this item

None 10

\$1 to \$ 25,000 8

25,001 to 50,000 7

50,001 to 75,000 5

75,001 to 100,000 4

100,001 or more 0

7. Other City of Las Vegas Criteria

7.1 N/A

SUBTOTAL PLANNING & DESIGN SERVICES 95-(100) POINTS

CONSTRUCTION SERVICES

1. Specialized construction management experience. **(20 Points)**
2. Specialized experience with start up assistance to the Owner of new facilities. **(15 Points)**
3. Capacity and capability of the consultant to perform the work within the Owner's timeframe. **(15 Points)**
4. History of past performance on the three similar projects itemized in PLANNING & DESIGN SERVICES in Item Number 1, including the record of bid amount versus final close out contract amount. **(10 Points)**
5. History of claims on three similar construction projects and their resolution. The consultant should detail their claims avoidance approach and construction management philosophy. **(10 Points)**

SUBTOTAL CONSTRUCTION SERVICES 70 POINTS

TOTAL SCORE POSSIBLE 165 (170) POINTS

EVALUATION CRITERIA

Criteria and Point Values---Rating Sheets

Proposals must address each of the following criteria. Each proposal may be awarded points up to the amount listed.

RATING SHEET FOR: Renovation and Expansion of the Las Vegas Senior Center

Applicant _____ Reviewer _____

Possible Points 170

Total Points _____

PLANNING & DESIGN SERVICES

1. _____ **Specialized Design and Technical Competence (30 Possible Points)**

Specialized design and technical competence of the business, including a joint venture or association, regarding the type of services required.

2. _____ **Capacity and Capability (25 Possible Points)**

Capacity and capability of the business to perform the work, including any specialized services, within the time frame

3. _____ **Past Record of Performance (20 Possible Points)**

Past record of performance on contracts with government agencies or private industry with respect to such factors as control of costs, quality of work and ability to meet schedules.

4. _____ **Familiarity with the City of Las Vegas (10 Possible Points)**

Proximity to or familiarity with the area in which the project is located.

5. _____ **Work to be Done in New Mexico (5 Possible Points)**

The amount of design work that will be produced by a New Mexico business within this state. Note that this criteria is not allowed for federally funded projects.

6. _____ **Current Volume of Work with City of Las Vegas not 75% complete (10 Possible Points)**

The volume of work previously done for the entity requesting proposals which is not seventy-five percent complete with respect to basic professional design services [through bidding phase], *with the objective of effecting an equitable distribution of contracts among qualified businesses and of assuring the interest of the public in having available a substantial number of qualified businesses is protected; however, that the principal of selection of the most highly qualified business is not violated.* Firm should indicate the volume of work they currently have underway with the City of Las Vegas that is less than 75 percent complete. The purpose of this criteria is to help distribute projects among qualified firms. *Points will be assigned is provided below:*

Value of work not yet completed on projects that are not 75% Complete

Points to be allowed for this item

None 10 Points

\$1 to \$ 25,000 8 Points

25,001 to 50,000 7 Points

50,001 to 75,000	5 Points
75,001 to 100,000	4 Points
100,001 or more	0 Points

_____ **SUBTOTAL PLANNING & DESIGN SERVICES (100-95)**

CONSTRUCTION SERVICES

1. _____ **Specialized construction management experience. (20 Possible Points)**
2. _____ **Specialized experience with start up assistance to the Owner of new facilities. (15 Possible Points)**
3. _____ **Capacity and capability of the consultant to perform the work within the Owner's timeframe. (15 Possible Points)**
4. _____ **History of past performance on the three similar projects itemized in PLANNING & DESIGN SERVICES in Item Number 3, including the record of bid amount versus final close out contract amount. (10 Possible Points)**
5. _____ **History of claims on three similar construction projects and their resolution. The consultant should detail their claims avoidance approach and construction management philosophy. (10 Possible Points)**

_____ **SUBTOTAL CONSTRUCTION SERVICES (70 Possible Points)**

_____ **TOTAL SCORE**

EXHIBIT A

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to Chapter 81, Laws of 2006, any prospective contractor seeking to enter into a contract with any state agency or local public body must file this form with that state agency or local public body. 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.

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 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 either 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.

“Contract” means any agreement for the procurement of items of tangible personal property, services, professional services, or construction.

“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:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

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)