

REQUEST FOR PROPOSAL
FOR
SCREENING AND BACKGROUND CHECKS
(NIGP CODE # 96130)



DEADLINE FOR RESPONSE

NOVEMBER 5, 2018
Close of Business

PREPARED BY:

Jeanette Bustamante, Procurement Manager/CPO
Middle Rio Grande Conservancy District
P.O. Box 581
Albuquerque, New Mexico 87103
(505) 247-0234

NOTICE

**THE NEW MEXICO PROCUREMENT CODE,
SECTIONS 13-1-28 THROUGH 13-1-199 NMSA 1978
IMPOSES CIVIL AND CRIMINAL PENALTIES FOR ITS VIOLATION.
IN ADDITION, THE NEW MEXICO CRIMINAL STATUTES
IMPOSE FELONY PENALTIES FOR ILLEGAL BRIBES,
GRATUITIES AND KICK-BACKS**

**SECTION I
INTRODUCTION**

PURPOSE OF THIS REQUEST FOR PROPOSAL

The Middle Rio Grande Conservancy District (MRGCD) is requesting sealed proposals for Pre-Employment Background Checks and Screening Checks on safety sensitive and other defined positions.

The Contract shall be a multiple year contract not to exceed a term of four (4) years including all extensions and renewals. The term of the contract shall be one-year with option to extend for three successive one-year terms at the same price, terms and conditions as stated on the original proposal. Exercising the option to extend must be a mutual agreement of both parties.

**SCHEDULE II
SUMMARY OF
SCOPE OF WORK**

The MRGCD is seeking the professional services to provide the following services for the MRGCD.

- A. Pre-employment screening of applicant to include the following
 1. Personal ID verification
 2. Social Security Number Verification
 3. Federal Criminal Records Search
 4. National Criminal & Sex Offender Registry Search
 5. Patriot Act/International Homeland Security Search
 6. New Mexico Statewide Criminal Courts Search, including respective states for out of state applicants
 7. Motor Vehicle Records Check, with alerts or actions.
 8. Employment Verification and personal reference check
 9. Employment and Financial credit background check

- B. Advise the MRGCD with the reporting of all information within a 24-48 hour timeframe
- C. Meet if requested and provide reports to MRGCD Human Resources Department
- D. Assure that all inquiries and background checks are done in compliance with all applicable laws and regulations.
- E. Assure that all new developments in the law and background processes are being met and disclosed.

- F. Submittal Requirements:
 1. Firm Name/Address/Contact information
 2. Statement that the offeror has the ability to provide the services that are requested
 3. Work plan or approach to Scope of Services
 4. Background and Experience of the firm, detailing at least five years of experience working with services as specified in the Scope of Services included herein.
 5. Listing of proposed staff, including resumes, credentials and applicable licensure.
 6. References complete with name and contact information.
 7. Copy of New Mexico Business License

8. Proof of Insurance, General Liability covering bodily injury and property damage liability, and Workers Compensations.

SCHEDULE III GENERAL INFORMATION

TIME - PLACE - AWARD

All Proposals must be prepared in the manner prescribed in these specifications.

Envelopes shall be clearly marked "SCREEN AND BACKGROUND CHECKS" on the lower left-hand corner. The filing date and time marked or stamped on the envelope by MRGCD shall be conclusive evidence of the date and time the Proposal was filed.

Proposals may be mailed, but to be considered must be received by close of business 4:30 p.m. Monday November 5, 2018 at the MRGCD office.

Middle Rio Grande Conservancy District
Jeanette Bustamante, Procurement Manger/CPO
Post Office Box 581
1931 Second Street, SW
Albuquerque, New Mexico 87103

DEFINITION OF TERMINOLOGY

This paragraph contains definitions that are used throughout this RFP, including appropriate abbreviations.

"Agreement" shall mean a duly executed and legally binding contract.

"Offeror" is any person, corporation, or partnership who chooses to submit a proposal.

"Close of Business" shall mean 4:30 p.m. local standard time.

"Confidential" means confidential financial information concerning offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act NMSA 16978 57-3-A-1 to 57-3A-

"Contractor" shall mean successful Offeror.

"Desirable" means the terms "may", "can", "should", "preferably", or "prefers" identifies a desirable or a discretionary item or factor for the MRGCD to determine.

"Determination" means the written documentation of a decision of the Procurement Manager including findings of fact required supporting a decision. A determination becomes part of the procurement file to which it pertains.

"Evaluation Committee" Will consist of MRGCD employees The objective of the Evaluation Committee is to evaluate, score, rank the proposals and recommend the Offeror whose proposal is most responsive and in compliance with the specifications and requirements of the RFP.

"Firm Fixed Rate" means the proposed fully loaded rates that will include equipment, operators, mileage, fuel, miscellaneous expenses, and any overhead costs, as well as subcontractor personnel if applicable.

“Mandatory” means the terms “must”, “shall”, “will”, “is required”, or “are required”, identify a mandatory item or factor. Failure to meet a mandatory item or factor may result in the rejection of the proposal, without exception.

“MRGCD” shall refer to the Middle Rio Grande Conservancy District.

“Notice of Award” shall mean a formal written notice by the Procurement Manager.

“Owner” is synonymous with the MRGCD.

“Procurement Manager” means the person or designee authorized by the MRGCD to manage or administer procurements requiring the evaluation of competitive sealed proposals.

“Purchase Order” means the document which directs a contractor to deliver items of tangible personal property or services pursuant to an existing Agreement.

“Request for Proposal” (RFP) means all documents, including those attached or incorporated by reference, used for soliciting proposals.

“Responsible Offeror” means a Offeror who submits a responsive proposal and who has furnished, when required, information and data to prove that his, or its financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services or items of tangible personal property described in the proposal.

“Responsive Proposal” means a proposal, which conforms in all material respects to the requirements set forth in the request for proposal, including all mandatory requirements. Material respects of a request for proposal include, but are not limited to, price, and quality, quantity or delivery requirements.

“Statement of Concurrence” means an affirmative statement from the Offeror to the required specification agreeing to comply and concur with the stated requirements(s). This statement shall be included in Proposal (e.g. “We concur”, “Understands and Complies”, “Comply”, “will Comply if Applicable”, etc.)

**SECTION IV
SCHEDULE OF EVENTS**

This section of the RFP outlines and describes the major events of the Selection Process and specifies general requirements.

A. SEQUENCE OF EVENTS

<u>ACTION</u>	<u>RESPONSIBILITY</u>	<u>DATE</u>
Issue of Proposal	MRGCD	October 22, 2018
Submit Acknowledgement of Receipt Form	OFFEROR	October 26, 2018
Deadline to Submit Questions	OFFEROR	October 29, 2018
Responses to Questions	MRGCD	October 31, 2018
Submission of Proposal	OFFEROR	November 5, 2018
Proposal Evaluation	MRGCD	November 6 & 7, 2018
Notice to Finalist(s) & Non-Finalists	MRGCD	November 7, 2018
Best and Final Offers	OFFEROR	November 9, 2018
Interview and Oral Presentation	MRGCD & OFFEROR	TBD
Recommendation/Approval	MRGCD	November 19, 2018
Notice of Award	MRGCD	November 20, 2018
Protest	OFFEROR	15 Days after Award

B. EXPLANATION OF EVENTS

1. Distribution of RFP Document

This RFP is issued by the MRGCD in accordance with the provisions of Sections 13-1-120 and 13-1-121 NMSA 1978. The MRGCD Purchasing Department is the only organization who is authorized to make copies and/or distribute this RFP in any format. A distribution list of those who receive the RFP will be maintained throughout the procurement process and will become part of the procurement file.

2. **Acknowledgement of Receipt Form**

Potential Offerors should hand deliver, return by facsimile, e-mail, or registered or certified mail the “Acknowledgement of Receipt Form” that accompanies this document as Appendix 6 to have their organization placed on the procurement distribution list. . The form should be signed by an authorized representative of the organization, dated, and returned by close of business **October 26, 2018**. The procurement distribution list will be used for the distribution of written responses to questions. Failure to return the “Acknowledgment of Receipt Form” shall constitute a presumption of receipt and rejection of the RFP, and the potential Offeror’s organization name shall not appear on the distribution list.

3. **Deadline to Submit Written Questions**

Potential Offerors may submit written questions to the Procurement Manager as to the intent or clarity of this RFP until close of business Monday, October 29, 2018. All written questions must be submitted to the Procurement Manager as described in Section III. Questions shall be clearly labeled and shall cite the Section(s) and Item(s) in the RFP. All responses to written questions will be distributed via e-mail or facsimile to the Offeror distribution list. Include the e-mail address for the individual appointed to receive responses to the questions. The identity of the organization submitting the question(s) will not be revealed.

4. **Response to Written Questions/RFP Amendments**

Written Responses to written questions will be distributed October 31, 2018 to all potential Offerors whose organization name appears on the procurement distribution list. An e-mail copy will be sent to all Offeror’s that provide their Acknowledgement of Receipt Form, and responses will also be posted on MRGCD website.

5. **Submission of Proposal**

ALL OFFEROR PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT MANAGER OR DESIGNEE, NO LATER THAN 4:30 P.M. LOCAL TIME MONDAY, NOVEMBER 5, 2018. Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal. Proposals must be sealed and labeled on the outside of the package to clearly indicate response to the “**SCREENING AND BACKGROUND CHECKS**”. PLEASE NOTE: Proposals submitted via facsimile or any other electronic method will not be accepted.

A public log will be kept of the names of all Offeror organizations that submitted proposals. Pursuant to Section 13-1-116 NMSA 1978, the contents of any proposal shall not be disclosed to competing potential Offerors during the negotiation process. The negotiation process is deemed to be in effect until the contract is awarded pursuant to this RFP.

6. **Proposal Evaluation/Short listing**

The Evaluating Committee will evaluate all proposals on November 6 & 7, 2018. The Procurement Manager may initiate discussions with Offerors who submit responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposal. However, proposals may be accepted and evaluated without such discussion. Discussions SHALL NOT be initiated by the Offerors. Each responsive Offeror will be notified in

writing as to their status following the short listing. A public log will be kept of the names shortlisted.

7. **Notice of Finalists/Non-Finalists**

Each responsive Offeror will be notified in writing on November 7, 2018 whether their proposal has been shortlisted. A public log will be kept of the names and rankings of all Offerors shortlisted for interviews.

8. **Best and Final Offer**

The MRGCD may be asking for a Best and Final Offer may be asked to submit revisions to their proposals for the purpose of obtaining best and final offers by November 9, 2018. Best and final offers may be clarified and amended at the finalist offeror's oral presentation.

10. **Oral Presentation (TBD)**

Finalist offeror's may be required to present their proposals to the Evaluation Committee. The Procurement Manager will schedule the time for each offeror presentation. All offeror presentations will be held at the MRGCD office Albuquerque, NM, and oral presentation will be limited to one (1) hour in duration.

11. **Recommendation and Approval**

Recommendation will be submitted for approval and award of contract for **“Screening and Background Checks”** on November 19, 2018. This contract shall be awarded to the offeror whose proposal is most advantageous to the district, taking into consideration the evaluation factors set forth in the RFP.

The most advantageous proposal may or may not have received the most points.

12. **Notice of Award**

The contract shall be awarded to the Offeror (or Offerors) whose proposal are most advantageous to the MRGCD, taking into consideration the evaluation factors set forth in this RFP. The most advantageous proposal may or may not have received the most points. The award is subject of the MRGCD Board of Directors Approval.

The Procurement Manager will notify all finalists in writing of the final award on November 20, 2018.

13. **Protest Deadline**

Any protest by an offeror must be timely and in conformance with Section 13-1 172 NMSA 1978 and applicable procurement regulations. The fifteen (15) day protest period for responsive offeror's shall begin on the day following the contract award and will end as of 4:30 p.m. Mountain Time on **December 5, 2018**. Protests must be written and must contain the name and address of the protestant, the name of this solicitation, and a statement of grounds for protest, including appropriate supporting exhibits.

The protest must be addressed and delivered to as follows:

Ms. Jeanette Bustamante, Procurement Manager/CPO
Middle Rio Grande Conservancy District
PO Box 581
Albuquerque, NM 87103-0581
505 247-0235 ext. 1329
Jeanette@MRGCD.com

Protests received after the deadline will not be accepted.

SECTION V

RESPONSE FORMAT AND ORGANIZATION:

This section describes the format and organization of the Offerors response. Failure to conform to these guidelines may result in the disqualification of the proposal.

A. Number of Responses

Offerors shall submit only one proposal.

B. Number of Copies

Offerors shall deliver one (1) original and three (3) identical copies of their proposal.

C. Proposal Format

Letter of Transmittal

Include at-least the following information:

1. Name, address and telephone number of offeror;
2. Name and telephone number of primary contact;
3. Signature of the offeror or of an officer or employee who certifies that he/she has the authority to bind offeror;
4. Date of the proposal;
5. A statement that offeror, if awarded the contract, will comply with all terms and conditions set forth in this RFP;
6. A statement that offeror's proposal is valid for sixty (60) days after the deadline for submission of proposals.

D. Mandatory Forms:

Campaign Contribution Disclosure Form Appendix 1; Debarment and Suspension Form, Appendix 2; NM Employees Health Coverage Appendix 4; Conflict of Interest Affidavit Appendix 5, and Acknowledgement of Receipt Form, Appendix 6

E. Non-Mandatory Forms

Resident Business/Resident Veterans Preference Appendix 3 (*Only If applicable*)

The MRGCD shall not award both a resident business preference and a resident veteran business preference.

**SECTION VI
MRGCD EVALUATION CRITERIA**

All Proposals must be in writing. Proposals will be scored independently on the basis of demonstrated competence and qualifications for the type of service required and shall be based upon the criteria set forth in the request.

Failure to adequately address and meet the above requirements may be cause for the proposal to be deemed unresponsive by the Procurement Manager.

Scores of the evaluation committee members will be totaled to determine the top rated firms.

NAME OF COMPANY _____

COMPANY CONTACT _____

The Selection Committee is charged with the responsibility of reviewing and evaluating all responsive submittals and other information received in accordance with the requirement of the RFP. The committee could request clarification of any responses to the RFP or other issue that may arise during the evaluation process.

EVALUATION CRITERIA			
ITEM	DESCRIPTION	MAXIMUM SCORE	EVALUATED SCORE
1.	Work Plan to meet the RFP Requirements	15	
2.	Annual Cost	35	
3.	Experience / Expertise of Firm and Assigned Personnel	35	
4.	Service Location(s)	15	
TOTAL SCORE		100	

EVALUATED BY: _____ **DATE:** _____

EVALUATED BY: _____ **DATE:** _____

EVALUATED BY: _____ **DATE:** _____

APPENDIX 1

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person 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 shall void an executed contract or cancel a solicitation or proposed award for a proposed contract 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.

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, which 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.

“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.

“Name(s) of Applicable MRGCD Public Official(s)”

(Derrick Lente, Beverly Dominguez, Karen Dunning, Joaquin Baca, Valerie Moore, Glen Duggins, and John Kelly)

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable MRGCD Public Official: _____

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)

APPENDIX 2
SUSPENSION AND DEBARMENT REQUIREMENT
CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT
AND OTHER RESPONSIBILITY MATTERS

The entering of a contract between Middle Rio Grande Conservancy District (MRGCD) and the successful Offeror pursuant to this procurement process is a “covered transaction,” as defined by 45 C.F.R. Part 76. MRGCD’s contract with the successor Offeror shall contain a provision relating to debarment, suspension, and responsibility substantially in the form contained in Article 39 of Attachment D. All Offerors must provide as a part of their proposal a certification to MRGCD in the form provided below. Failure of an Offeror to furnish a certification or provide such additional information as requested by the Procurement Manager for this RFP will render the Offeror non-responsible. Furthermore, the Offeror shall provide immediate written notice to the Procurement Manager for this RFP if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

Although MRGCD may review the veracity of the certification through the use of the federal Excluded Parties Listing System or by other means, the certification provided by the Offeror in paragraph (a), below, is a material representation of fact upon which MRGCD will rely when making a contract award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to other remedies available to MRGCD, MRGCD may terminate the contract resulting from this request for proposals for default.

The certification provided by the Offeror in paragraph (a), below, will be considered in connection with a determination of the Offeror's responsibility. A certification that any of the items in paragraph (a), below, exists may result in rejection of the Offeror's proposal for nonresponsibility and the withholding of an award under this RFP. If the Offeror's certification indicates that that any of the items in paragraph (a), below, exists, the Offeror shall provide with its proposal a full written explanation of the specific basis for, and circumstances connected to, the item; the Offeror's failure to provide such explanation will result in rejection of the Offeror's proposal. If the Offeror's certification indicates that that any of the items in paragraph (a), below, exists, MRGCD, in its sole discretion, may request, that the U.S. Department of Health and Human Services grant an exception under 45 C.F.R. §§ 76.120 and 76.305 if MRGCD believes that the procurement schedule so permits and an exception is applicable and warranted under the circumstances. In no event will MRGCD award a contract to an Offeror if the requested exception is not granted for the Offeror.

(a)(1) By signing and submitting a proposal/proposal in response to this RFP, the Offeror/Offeror certifies, to the best of its knowledge and belief, that:

(i) The Offeror/Offeror and/or any of its Principals-

(A) Are are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal department or agency;

- (B) Have have not , within a three-year period preceding the date of the proposal, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property;
- (C) Are are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with, commission of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this certification;
- (D) Have have not within a three-year period preceding the date of proposal, had one or more public agreements or transactions (Federal, State or local) terminated for cause or default; and
- (E) Have have not been excluded from participation from Medicare, Medicaid or other federal health care programs pursuant to Title XI of the Social Security Act, 42 U.S.C. §1320a-7.

(ii) "Principal," for the purposes of this certification, shall have the meaning set forth in 45 C.F.R. §76.995 and shall include an officer, director; owner, partner, principal investigator, or other person having management or supervisory responsibilities related to a covered transaction. "Principal" also includes a consultant or other person, whether or not employed by the participant or paid with Federal funds, who: is in a position to handle Federal funds; is in a position to influence or control the use of those funds; or occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction.

(iii) For the purposes of this certification, the terms used in the certification, such as *covered transaction*, *debarred*, *excluded*, *exclusion*, *ineligible*, *ineligibility*, *participant*, and *person* have the meanings set forth in the definitions and coverage rules of 45 C.F.R. Part 76.

(iv) Nothing contained in the foregoing certification shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Offeror/Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

OFFEROR: _____

SIGNED BY: _____

TITLE: _____

DATE: _____

APPENDIX 3

**RESIDENT BUSINESS AND/OR RESIDENT VETERANS BUSINESS
CERTIFICATION**

(As per NMSA 1978 13-1-22)

Resident Business Certificate

Resident Veterans Certificate

RESIDENT BUSINESS CERTIFICATION

Offeror's Company Name: _____

Resident Business Certificate Number: _____

Expiration Date: _____

Offeror "must" include a copy of Resident Business Certificate with their proposal

Resident Veterans Preference Certification

_____ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement.

Please check one box only

- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this proposal or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference discount on this proposal or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

“I agree to submit a report, or reports, to the State Purchasing Division of the NM General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31st the following to be a true and accurate

“In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran contractor Preference under Section 13-1-21 or 13-1-22 NMSA 1978, when awarded a contract which was on the basis of having such veterans' preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award as a purchase from a public body or as a public works contract from a public body as the case may be.

“I understand that knowingly giving false or misleading information on this report constitutes a crime.”

I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statement about material fact regarding this matter constitutes a crime.

(Signature of Business Representative)*

DATE: _____

Must be an authorized signatory for the Business. The representations made in checking the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award or termination of award of the procurement involved if the statements are proven to be incorrect.

APPENDIX 4

NEW MEXICO EMPLOYEES HEALTH COVERAGE

- A. If Contractor has, or grows to, six (6) or more employees who work, or who are expected to work, an average of at least 20 hours per week over a six (6) month period during the term of the contract, Contractor certifies, by signing this agreement, to have in place, and agree to maintain for the term of the contract, health insurance for those employees and offer that health insurance to those employees if the expected annual value in the aggregate of any and all contracts between Contractor and the State exceed \$250,000 dollars.
- B. Contractor agrees to maintain a record of the number of employees who have (a) accepted health insurance; (b) declined health insurance due to other health insurance coverage already in place; or (c) declined health insurance for other reasons. These records are subject to review and audit by a representative of the state.
- C. Contractor agrees to advise all employees of the availability of State publicly financed health care coverage programs by providing each employee with, as a minimum, the following web site link to additional information: <http://insurenewmexico.state.nm.us/>.
- D. For Indefinite Quantity, Indefinite Delivery contracts (state price agreements without specific limitations on quantity and providing for an indeterminate number of orders to be placed against it); Contractor agrees these requirements shall apply the first day of the second month after the Contractor reports combined sales (from state and, if applicable, from local public bodies if from a state price agreement) of \$250,000.

By signing below, Offeror agrees to be bound by the terms stated in this form:

Signature of Offeror: _____ Date: _____

APPENDIX 5
CONFLICT OF INTEREST AFFIDAVIT AND DISCLOSURE

A. "Conflict of Interest Disclosure" A disclosure of clients represented and a formal statement of whether there is any real or perceived conflict of interest in representing the issues and advocacy for the MRGCD, addressing whether or not any conflict of interest exists between this project and other past or on-going projects, including any projects currently being conducted.

B. "Person" includes a offeror, offeror, contractor, consultant, or subcontractor or sub-consultant at any tier, and also includes an employee or agent of any of them if the employee or agent has or will have the authority to control or supervise all or a portion of the work for which a proposal or offer is made.

C. The Consultant or Sub consultant warrants that, except as disclosed in §D, below, there are no relevant facts or circumstances now giving rise or which could, in the future, give rise to a conflict of interest.

D. The following facts or circumstances give rise or could in the future give rise to a conflict of interest (explain in detail):

E. The Consultant or Sub consultant agrees that if an actual or potential conflict of interest arises after the date of this affidavit, the consultant or sub consultant shall immediately make a full disclosure in writing to the chief procurement officer of all relevant facts and circumstances. This disclosure shall include a description of actions which the consultant or sub consultant has taken and proposes to take to avoid, mitigate, or neutralize the actual or potential conflict of interest.

The undersigned further states that the firm or individual submitting a proposal/proposal is not in violation of any applicable Conflict of Interest laws or regulations, etc.

Date: _____

By: _____
(Authorized Representative)



APPENDIX 6



ACKNOWLEDGEMENT OF RECEIPT FORM

REQUEST FOR PROPOSAL

SCREEN AND BACKGROUND CHECKS

In acknowledgement of receipt of this Request for Proposal the undersigned agrees that s/he has received a complete copy, beginning with the title page, and ending with Acknowledgement of Receipt Form.

The "Acknowledgement of Receipt Form" should be signed and returned to the Procurement Manager no later than October 26, 2018. Only potential Offerors who elect to return this form completed with the intention of submitting a proposal will receive amendments, if any are issued.

FIRM: _____

REPRESENTED BY: _____

TITLE: _____ PHONE NO.: _____

E-MAIL: _____ FAX NO.: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

SIGNATURE: _____ DATE: _____

This name and address will be used for all correspondence related to the Request for Proposal.
Firm does/does not (circle one) intend to respond to this Request for Proposal.

Jeanette Bustamante, Procurement Manager/CPO
Middle Rio Grande Conservancy District
1931 Second Street, SW
Albuquerque, New Mexico 87102
Phone: 505-247-0234
E-mail: jeanette@mrgcd.us