

**INVITATION TO BID (ITB)**

**Community Services**

**Animal Shelter Kennel**



**ITB# FY23-SCCS-01R**

Release Date: September 1, 2022

Due Date: September 14, 2022 at 3:00 PM MDT

NIGP Codes: 93890

# **I. INTRODUCTION**

## **A. PURPOSE OF THIS INVITATION TO BID**

Sandoval County Board of County Commissioners is requesting sealed bids on behalf of the Sandoval County Community Services Department from qualified bidders for the Design/Build or Installation of a Climate Controlled Dog Kennel Structure. Responses will be accepted in the Finance Department, Attn: Leslie Olivas, Sandoval County Administrative Bldg., 1500 Idalia Road, Bldg. D 2<sup>nd</sup> floor, P.O. Box 40, Bernalillo, New Mexico up to 3:00 p.m. (Mountain Daylight Time) on September 14, 2022. The Sandoval County Board of Commissioners reserves the right to reject any and all responses.

## **B. SCOPE OF BID**

The Sandoval County (“County”) Purchasing Office is soliciting proposals from prospective offerors soliciting bids from experienced and qualified Contractors to design and build of a climate controlled dog kennel structure with the capacity to comfortably hold at least nine large dogs.

Offeror is additionally invited to submit a cost proposal for any applicable prefabricated model they may have in stock at the time of submission as the County desires to have a kennel structure with comparable specifications indicated in the Scope of Work delivered as soon as possible.

## **C. PROCUREMENT MANAGER**

1. Sandoval County has assigned a Procurement Manager who is responsible for the conduct of this procurement whose name, address, telephone number and e-mail address are listed below:

Name: Leslie Olivas, Senior Procurement Specialist  
Address: Sandoval County  
1500 Idalia Road Bldg. D 2<sup>nd</sup> Floor  
PO Box 40  
Bernalillo, NM 87004

Telephone: (505) 404-5873  
Fax: (505) 867-7605  
Email: [ldolivas@sandovalcountynm.gov](mailto:ldolivas@sandovalcountynm.gov)

2. All deliveries of responses via express carrier must be addressed as follows:

Name: Leslie Olivas, Senior Procurement Specialist  
Reference ITB Name: Animal Shelter Kennel  
ITB# FY23-SCCS-01R  
Address: Sandoval County  
1500 Idalia Road Bldg. D

PO Box 40  
Bernalillo, NM 87004

3. **Any inquiries or requests** regarding this procurement should be submitted, in writing, to the Procurement Manager. Bidders may ONLY contact the Procurement Manager regarding this procurement. Other county employees or Evaluation Committee members do not have the authority to respond on behalf of the County. **Protests of the solicitation or award must be delivered by mail to the Protest Manager.** A Protest Manager has been named in this Request for Bids, pursuant to NMSA 1978, § 13-1-172, ONLY protests delivered directly to the Protest Manager in writing and in a timely fashion will be considered to have been submitted properly and in accordance with statute, rule and this Request for Bids. Emailed protests will not be considered as properly submitted nor will protests delivered to the Procurement Manager be considered properly submitted.

## II. CONDITIONS GOVERNING THE PROCUREMENT

This section of the Invitation to Bid contains the schedule, description and conditions governing the procurement.

### A. SEQUENCE OF EVENTS

The Procurement Manager will make every effort to adhere to the following schedule:

Action	Responsible Party	Due Dates
1. Issue ITB	Sandoval County	SEPTEMBER 1, 2022
2. Return of Acknowledgement of Receipt Form	Bidders	SEPTEMBER 6, 2022
3. Deadline to Submit Questions	Bidders	SEPTEMBER 7, 2022
4. Response to Written Questions	Potential Bidders	SEPTEMBER 9, 2022
<b>5. Submission of Sealed Bids</b>	Bidders	<b>SEPTEMBER 14, 2022 by 3:00 P.M. MDT</b>
6. Bid Tabulation	Sandoval County	<b>SEPTEMBER 14, 2022 at 3:00 P.M. MDT</b>
7. Commission Approval	County Commission	TBD
8. Bid Award	County Commission	TBD
9. Protest Deadline		15 calendar days from date of award

### B. EXPLANATION OF EVENTS

The following paragraphs describe the activities listed in the sequence of events shown in Section II. A., above.

## 1. Issuance of ITB

This ITB is being issued on behalf of the Sandoval County Community Services Department.

## 2. Acknowledgement of Receipt

Potential Bidders may e-mail, hand deliver, return by facsimile or registered or certified mail the "Acknowledgement of Receipt of Request for Bids Form" that accompanies this document, APPENDIX A, to have the Bidder placed on the procurement distribution list. The form should be signed by an authorized representative of the Bidder, dated and returned to the Procurement Manager by 5:00 p.m. MDT on September 6, 2022.

The procurement distribution list will be used for the distribution of written responses to questions.

## 3. Deadline to Submit Written Questions

Potential Bidders may submit written questions to the Procurement Manager as to the intent or clarity of this ITB until September 7, 2022 at 1:00 p.m. Mountain Daylight Time as indicated in the sequence of events. All written questions must be addressed to the Procurement Manager as declared in Section I, Paragraph C. Questions shall be clearly labeled and shall cite the Section(s) in the ITB or other document which form the basis of the question.

## 4. Response to Written Questions

Written responses to written questions will be distributed as indicated in the sequence of events to all potential Bidders whose name appears on the procurement distribution list. An e-mail copy will be sent to all Bidder's that provide Acknowledgement of Receipt Forms.

## 5. Submission of Bids

**ALL BIDS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT MANAGER OR DESIGNEE NO LATER THAN 3:00 P.M. MOUNTAIN DAYLIGHT TIME ON SEPTEMBER 14, 2022.** Bids received after this deadline will not be accepted or considered. The date and time of receipt will be recorded on each bid.

Bids must be addressed and delivered to the Procurement Manager at the address listed in Section I, Paragraph C2. **Bids must be sealed and labeled on the outside of the package to clearly indicate that they are in response to a new "Animal Shelter Kennel and ITB# FY23-SCCS-01R"**. Bids submitted by facsimile, or other electronic means will not be accepted.

A public log will be kept of the names of all Bidders that submitted bids. Pursuant to NMSA 1978, § 13-1-116, the contents of bids shall not be disclosed to competing potential Bidders during the negotiation process. The negotiation process is deemed to be in effect until the contract is awarded pursuant to this Request for Bids.

## **6. Bid Tabulation**

Any Contractual agreement(s) resulting from this ITB will be finalized with the most advantageous Bidder(s) as per schedule Section II. A., Sequence of Events or as soon thereafter as possible. This date is subject to change at the discretion of the Sandoval County.

## **7. Commission Approval**

The contract shall be awarded to the Bidder whose Bid is most advantageous to Sandoval County and Sandoval County Community Services Department. The award is subject to appropriate Sandoval County Commission approval.

## **8. Bid Award**

After review of the bids, the contract for the item(s) or services will be awarded to the lowest Responsible and Responsive Bidder meeting or exceeding the required specifications for this sealed bid.

## **9. Protest Deadline**

Any protest by a Bidder must be timely and in conformance with NMSA 1978, § 13-1-172 and applicable procurement regulations. As a Protest Manager has been named in this Request for Bids, pursuant to NMSA 1978, § 13-1-172, ONLY protests delivered directly to the Protest Manager in writing and in a timely fashion will be considered to have been submitted properly and in accordance with statute, rule and this Request for Bids. The 15 calendar day protest period shall begin on the day following the award of contracts and will end at 5:00 pm Mountain Standard Time/Daylight Time on the 15<sup>th</sup> day. Protests must be written and must include the name and address of the protestor and the request for proposal number. It must also contain a statement of the grounds for protest including appropriate supporting exhibits and it must specify the ruling requested from the party listed below. The protest must be delivered to:

Leslie Olivas, Senior Procurement Specialist  
Sandoval County  
1500 Idalia Road Bldg. D 2<sup>nd</sup> Floor  
PO Box 40  
Bernalillo, NM 87004

Protests received after the deadline will not be accepted.

## **C. GENERAL REQUIREMENTS**

### **1. Acceptance of Conditions Governing the Procurement**

Potential Bidders must indicate their acceptance of the Conditions Governing the Procurement section in the Letter of Transmittal. Submission of a bid constitutes acceptance of the all factors described herein.

### **2. Incurring Cost**

Any cost incurred by the potential Bidder in preparation, transmittal, and/or presentation of any bid or material submitted in response to this ITB shall be borne solely by the Bidder. Any cost incurred by the Bidder for set up and demonstration of the proposed equipment and/or system shall be borne solely by the Bidder.

### **3. Prime Contractor Responsibility**

Any contractual agreement that may result from this ITB shall specify that the prime contractor is solely responsible for fulfillment of all requirements of the contractual agreement which may derive from this ITB.

### **4. Amended Bids**

A Bidder may submit an amended proposal before the deadline for receipt of Bids. Such amended Bids must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The County personnel will not merge, collate, or assemble proposal materials.

### **5. Bidder's Rights to Withdraw Proposal**

Bidders will be allowed to withdraw their Bids at any time prior to the deadline for receipt of Bids. The Bidder must submit a written withdrawal request addressed to the Procurement Manager and signed by the Bidder's duly authorized representative.

The approval or denial of withdrawal requests received after the deadline for receipt of the Bids is governed by the applicable procurement regulations.

### **6. Bid Offer Firm**

Responses to this ITB, including proposal prices for services, will be considered firm for one hundred twenty (120) days after the due date for receipt of Bids or ninety (90) days after the due date for the receipt of a best and final offer, if the Bidder is invited or required to submit one.

## **7. No Obligation**

This ITB in no manner obligates Sandoval County to the use of any Bidder's services until a valid written contract is awarded and approved by appropriate authorities.

## **8. Termination**

This ITB may be canceled at any time and any and all Bids may be rejected in whole or in part when the agency determines such action to be in the best interest of Sandoval County.

## **9. Sufficient Appropriation**

Any contract awarded as a result of this ITB process may be terminated if sufficient appropriations or authorizations do not exist. Such terminations will be effected by sending written notice to the contractor. The County's decision as to whether sufficient appropriations and authorizations are available will be accepted by the contractor as final.

## **10. Legal Review**

The County requires that all Bidders agree to be bound by the General Requirements contained in this ITB. Any Bidder's concerns must be promptly submitted in writing to the attention of the Procurement Manager.

## **11. Governing Law**

This ITB and any agreement with a Bidder which may result from this procurement shall be governed by the laws of the State of New Mexico and the Federal Acquisition Regulation.

## **12. Basis for Bid**

Only information supplied, in writing, by Sandoval County through the Procurement Manager or in this ITB should be used as the basis for the preparation of Bidder Bids.

## **13. Bidder Qualifications**

The Evaluation Committee may make such investigations as necessary to determine the ability of the potential Bidder to adhere to the requirements specified within this ITB. The Evaluation Committee will reject the proposal of any potential Bidder who is not a Responsible Bidder or fails to submit a responsive offer as defined in NMSA 1978, § 13-1-82 and 13-1-85.

Bidders must, upon request of the County, provide information and data to prove that the financial resources, production or services facilities, service reputation and experience are adequate to make satisfactory delivery of materials and/or service.

#### **14. Right to Waive Minor Irregularities**

The Evaluation Committee reserves the right to waive minor irregularities. The Evaluation Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive Bids failed to meet the same mandatory requirements and the failure to do so does not otherwise materially affect the procurement. This right is at the sole discretion of the Evaluation Committee.

#### **15. Notice of Penalties**

The Procurement Code, NMSA 1978, § 13-1-28 through 13-1-199, imposes civil, misdemeanor and felony criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

#### **16. Right to Publish**

Throughout the duration of this procurement process and contract term, Bidders and contractors must secure from the County written approval prior to the release of any information that pertains to the potential work or activities covered by this procurement and/or County contracts deriving from this procurement. Failure to adhere to this requirement may result in disqualification of the Bidder's proposal or termination of the contract.

#### **17. Ownership of Bids**

All documents submitted in response to the ITB shall become property of the Sandoval County.

#### **18. Confidentiality**

Any confidential information provided to, or developed by, the contractor in the performance of the contract resulting from this ITB shall be kept confidential and shall not be made available to any individual or organization by the contractor without the prior written approval of the County.

The Contractor(s) agrees to protect the confidentiality of all confidential information and not to publish or disclose such information to any third party without the procuring County's written permission.

#### **19. Use of Electronic Versions of this ITB**

This ITB is being made available by electronic means. In the event of conflict between a version of the ITB in the Bidder's possession and the version maintained by the agency, the Bidder acknowledges that the version maintained by the County shall govern.



## 20. Use by Other Government Agencies

By submitting a bid, the Bidder indicates that they understand and agree that other local public bodies and state agencies with the State of New Mexico, if allowed by their governing directives, may contact for the goods and services included in this procurement document with the awarded Contractor(s). Contractual engagements accomplished under this provision shall be solely between the awarded Contractor and the contracting government entity with no obligation or liability by Sandoval County.

## 21. Campaign Contribution Disclosure Form

Bidder must complete, sign, and return the Campaign Contribution Disclosure Form as a part of their proposal. Failure to complete and return the signed unaltered form will result in disqualification.

## 22. Letter of Transmittal

Bidder's proposal must be accompanied by the Letter of Transmittal Form which must be completed and signed by an individual person authorized to obligate the company. The letter of transmittal MUST:

1. Identify the submitting business entity.
2. Identify the name, title, telephone, and e-mail address of the person authorized by the Bidder organization to contractually obligate the business entity providing the Offer.
3. Identify the name, title, telephone, and e-mail address of the person authorized to negotiate the contract on behalf of the organization (if different than (2) above).
4. Identify the names, titles, telephone, and e-mail addresses of persons to be contacted for clarification/questions regarding proposal content.
5. Sub-contractor will not be authorized for this procurement.
6. Identify the following with a check mark and signature where required:
  - a. **Explicitly** indicate acceptance of the Conditions Governing the Procurement
  - b. Acknowledge receipt of any and all amendments to this ITB.
7. Be signed by the person identified in paragraph 2 above.

## 23. New Mexico Preferences

To ensure adequate consideration and application of NMSA 1978, § 13-1-21 (as amended), Bidders **must** include a copy of their preference certificate with their proposal. Certificates for preferences must be obtained through the New Mexico Department of Taxation & Revenue:

<http://www.tax.newmexico.gov/Businesses/in-state-veteran-preference-certification.aspx>.

### A. New Mexico Resident Business Preference

A copy of the certification must accompany Offeror's proposal.

- B. **New Mexico Native American Resident Business Preference**  
A copy of the certification must accompany Offeror's proposal.
- C. **New Mexico Resident Veterans Business Preference**  
A copy of the certification must accompany Offeror's proposal.
- D. **New Mexico Native American Resident Veterans Business Preference**  
A copy of the certification must accompany Offeror's proposal

**An agency shall not award a business both a resident business preference and a resident veteran business preference.**

**The New Mexico Preferences shall not apply when the expenditures for this ITB includes federal funds.**

### **III. RESPONSE FORMAT AND ORGANIZATION**

This section describes the format and organization of the Bidder's responses. Failure to conform to these guidelines may result in the disqualification of the bid.

#### **A. NUMBER OF RESPONSES**

Bidders shall submit only one bid in response to this ITB.

#### **B. NUMBER OF COPIES**

Bidders shall deliver one (1) original, one (1) copy and one (1) electronic PDF copy will be required with the submission of signed and sealed bids to the location specified in Section 1 Paragraph C on or before the closing date and time for the receipt of bids.

#### **C. BID CONTENTS**

All Bids **MUST** contain the following items:

1. **COMPLETED, SIGNED AND TO BE E-MAILED/FAXED** Acknowledgement of Receipt Form (Appendix A)
2. **COMPLETED AND SIGNED** Campaign Contribution Disclosure Form (Appendix B)
3. **COMPLETED AND SIGNED** Letter of Transmittal Form (Appendix C)
4. **COMPLETED AND SIGNED** Conflict of Interest Affidavit (Appendix D)
5. **COMPLETED AND SIGNED** Non-Collusion Affidavit (Appendix E)
6. **COMPLETED AND SIGNED** Bid Form (Appendix F)

## **D. BID FORMAT**

All Bids must be submitted as follows:

1. Typewritten on standard 8 ½ x 11 inch paper (larger paper is permissible for charts, spreadsheets, etc.) and placed within binders with tabs delineating each section.
2. Quotes: The quote is to include all items covered in the Scope of Work.
3. Delivery Time: Delivery time stated in the specifications shall apply.
4. Payment Terms: Bidder must identify the payment terms offered in Bid Documents.

## **IV. SPECIFICATIONS AND REQUIREMENTS**

Awardee will provide a new animal shelter kennel that will comply with the specifications listed below:

### **A. SCOPE AND GENERAL REQUIREMENTS**

The portable kennel structure should include the following general requirements:

1. At least nine (9) 5' x 5' dog indoor boxes;
2. At least nine (9) 5' x 6' dog outdoor boxes;
3. Kennel boxes within both the interior and exterior design of the structure shall have secure tops made of material that will not inhibit proper temperature control for the dogs (chain link or related);
4. 3' wide feed alley; and
5. 6' x 12' storage room.
6. Material used below the doggie doors shall be weather-proof and may not wrap or impede the door swing in any way.

The portable kennel structure should include the following standard requirements:

1. 4" x 4" pressure treated posts in runs;
2. 2" x 4" pressure treated floor joist – 16" OC;
3. 5/8" LP Smart floor with polyurea coating on interior floor;
4. 2" x 4" wall studs – 16" OC;
5. Contractor's choice of siding – painted LP Smart side;
6. 24" x 36" double pane windows with screens;
7. Insulated fiberglass slab door with keyed latch;
8. R-13 fiberglass insulated walls and ceiling interior;
9. R-7 spray foam insulated floor interior;
10. Interior walls and ceiling are lined with glass board or truss core;
11. Interior dog box partitions and gates are 11.5 GA chain link;

12. Exterior dog runs with chain link partitions and entry gate;
13. 1" x 6" PVC composition decking in exterior dog run area;
14. 20" plexi-glass chew proof dog door with stainless edging;
15. Cathedral ceiling;
16. 2"x4" rafters – 16" OC; and
17. 7/16" LP tech shield sheathing.

The following are general requirements:

1. 100-amp electrical package with breaker box including light, switch, receptacle and breaker box;
2. Five (5) light (see item 1);
3. Three (3) receptacles (see item 1);
4. Mini split unit heat/ac – (24,000 BTU) and placed in the center of the structure to ensure equitable temperature control among all interior kennels;
5. 110-volt exhaust fan with thermostat and timer;
6. 45 continuous stainless floor drain (includes drain pipe);
7. Stainless steel bowls (per pair) includes cutout in chain link and mounting"
8. Bracket divider panel – 4' high solid heavy duty plastic and 3/16" thick with welded frame;
9. Nine (9) guillotine dog doors (in and out lock);
10. Gauge welded wire;
11. Tub sink (installed); and
12. Hose port.

Price should include delivery and placement.

For any bidder who opts to design/build a kennel, a 5% bid bond will be applicable.

## **V. EVALUATION PROCESS**

### **1. Compliance Review**

After the required public opening and reading, all timely Bids will be reviewed for compliance with the requirements and specifications stated within the ITB. Bids deemed non-responsive will be eliminated from further consideration.

### **2. Clarifications**

The Procurement Manager may contact the Bidder for clarification of a response.

### **3. Other Information Sources**

The County may use other sources of information to confirm the validity of the bids submitted and the ability of the Bidder to perform.

### **4. Bid Tabulation**

The bid price(s) on the Bid Form from the timely and responsive bids will be tabulated (price compared) to identify the lowest priced bid. If applicable, the price bids will be adjusted (for comparison and award purposes only) for those Bidders that submitted a valid Preference Certificate with their bid.

**5. Discrepancies in Price(s)**

In case of an error in the Extended Price and Unit Price, the Unit Price shall govern.

**6. Determination of Lowest Price**

After completion of the bid tabulation, the County will examine the results to determine which Bidder offered the lowest price to the County in accordance with the specifications, terms and conditions set forth in this Invitation to Bid.

**VI. APPENDICES**

**1. Acknowledge of Receipt Form**

Potential Bidders **should** hand deliver or return by facsimile, registered or certified mail or email the “Acknowledgement of Receipt Form” (see APPENDIX A) that accompanies this document to have their organization placed on the procurement distribution list. The form **should** be signed by an authorized representative of the organization and delivered to the Procurement Manager no later than the date specified in the Sequence of Events. The procurement distribution list will be used for the distribution of important information regarding this procurement.

**2. Campaign Contribution Disclosure Form**

The Bidder must complete an unaltered Campaign Contribution Disclosure Form and submit a signed copy with the Bidder’s proposal. This must be accomplished whether or not an applicable contribution has been made. (See APPENDIX B)

**3. Letter of Transmittal Form**

The Bidder’s proposal **must** be accompanied by the Letter of Transmittal Form located in APPENDIX C. The form **must** be completed and must be signed by the person authorized to obligate the company.

**4. Conflict of Interest Affidavit**

Bidders must include signed and completed Conflict of Interest Form (APPENDIX D) with ITB documents. The Bidder warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement. The Bidder certifies that the requirements of the Governmental Conduct Code Act, Sections 10-16-1 through 10-16-18, NMSA 1978, regarding contracting with a public officer or state employee or former state employee have been followed.

**5. Non-Collusion Affidavit**

In signing this form (Appendix E), the Bidder certifies he/she has not, either directly or indirectly, entered into action in restraint of free competitive bidding in connection with this offer submitted to the County.

**6. Bid Form**

The form (Appendix F) is to present the cost to the County and to include all items required for this Bid. **Bid Form may be modified to accommodate additional items not included on original form but must remain in the original format.**

## **APPENDIX A**

### **ACKNOWLEDGEMENT OF RECEIPT FORM**

**APPENDIX A**  
**REQUEST FOR PROPOSAL**

**Animal Shelter Kennel**  
**ITB# FY23-SCCS-01R**  
**ACKNOWLEDGEMENT OF RECEIPT FORM**

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 APPENDIX G.

The acknowledgement of receipt should be signed and returned to the Procurement Manager no later than **September 6, 2022 by 5:00 pm (Mountain Daylight Time)**. Only potential Bidders who elect to return this form completed with the indicated intention of submitting a proposal will receive copies of all Bidder written questions and the written responses to those questions as well as ITB 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.

Leslie Olivas, Senior Procurement Specialist  
Sandoval County  
1500 Idalia Road Bldg. D, PO Box 40  
Bernalillo, NM 87004  
Fax: 505-867-7605  
E-mail: [ldolivas@sandovalcountynm.gov](mailto:ldolivas@sandovalcountynm.gov)



**APPENDIX B**

**CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

## **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 one hundred dollars (\$100) 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, 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.

“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 Bids and ending with the award of the contract or the cancellation of the request for Bids.

“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) \_\_\_\_\_  
\_\_\_\_\_

(Attach extra pages if necessary)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (position)

—OR—

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER ONE HUNDRED DOLLARS (\$100) WERE MADE to an applicable public official by me, a family member or representative.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (Position)

**SANDOVAL COUNTY'S CURRENT ELECTED OFFICIALS**

Katherine A. Bruch, Commission District 1

Jay C. Block, Commission District 2

Michael Meek, Commission District 3

David J. Heil, Commission District 4

F. Kenneth Eichwald, Commission District 5

Linda P. Gallegos, Assessor

Anne Brady-Romero, Clerk

Charles J. Aguilar, Probate Judge

Jesse James Casaus, Sherriff

Jennifer Taylor, Treasurer

## **APPENDIX C**

### **LETTER OF TRANSMITTAL FORM**

**APPENDIX C**  
**Letter of Transmittal Form**

**ITB #: FY23-SCCS-01R – Animal Shelter Kennel**

**Bidder Name:** \_\_\_\_\_ **FED ID#:** \_\_\_\_\_

Items #1 - #7 EACH MUST BE COMPLETED IN FULL

1. **Identity (Name) and Mailing Address** of the submitting organization:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. For the person authorized by the organization to contractually obligate on behalf of this Offer:

Name \_\_\_\_\_  
Title \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

3. For the person authorized by the organization to negotiate on behalf of this Offer:

Name \_\_\_\_\_  
Title \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

4. For the person authorized by the organization to clarify/respond to queries regarding this Offer:

Name \_\_\_\_\_  
Title \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

5. Use of Sub-Contractors (Select one)

No sub-contractors will be used in the performance of any resultant contract **OR**  
 The following sub-contractors will be used in the performance of any resultant contract:

\_\_\_\_\_  
(Attach extra sheets, as needed)

6. Please describe any relationship with any entity (other than Sub-contractors list in #5 above) which will be used in the performance of any resultant contract.

\_\_\_\_\_  
(Attach extra sheets, as needed)

7. \_\_\_\_\_ On behalf of the submitting organization named in item #1, above I accept the Conditions Governing the Procurement.

\_\_\_\_\_ I concur that submission of our proposal constitutes acceptance of the Evaluation Factors contained in Section V of this ITB.

\_\_\_\_\_ I acknowledge receipt of any and all amendments to this ITB.

\_\_\_\_\_, 2022

\_\_\_\_\_  
Authorized Signature  
(Must be signed by the person identified in item #2, above)

\_\_\_\_\_  
Date

**APPENDIX D**  
**CONFLICT OF INTEREST AFFIDAVIT**

**APPENDIX D**

**CONFLICT OF INTEREST AFFIDAVIT**

STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF SANDOVAL )

I, \_\_\_\_\_ (name), being first duly sworn upon my oath, depose and state the following:

I am a former employee of \_\_\_\_\_ (name of Department/Agency), having separated/retired from state employment as of \_\_\_\_\_ (date).

I am a current employee of \_\_\_\_\_ (name of Department/Agency), or a legislator with the state, or the family member (spouse, parent, child, sibling by consanguinity or affinity) of a current employee or legislator with the state. Being a current employee or legislator or family member of a current employee or legislator of the state, I hereby certify that I obtained this Agreement pursuant to Sections 10-16-7 or 10-16-9 NMSA 1978, that is, in accordance with the Procurement Code except that this Agreement has NOT been awarded via the sole source or small purchase procurement methods.

The Department/Agency and I have entered into an agreement in the amount of \$\_\_\_\_\_.

Section 10-16-8.A(1) NMSA 1978 of the Governmental Conduct Act does not apply to this Agreement because I neither sought a contract with the Department/Agency, nor engaged in any official act which directly resulted in the formation of the Professional Services Agreement while an employee of the Department/Agency.

To the best of my knowledge, this Agreement was awarded in compliance with all relevant provisions of the New Mexico Procurement Code (13-1-28, et. seq., NMSA 1978).

FURTHER, AFFIANT SAYETH NOT.

\_\_\_\_\_  
NAME

Subscribed and sworn to before me by \_\_\_\_\_ (name of former employee)  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

Terms of the Conflict of Interest Affidavit are inapplicable.



**APPENDIX E**

**NON-COLLUSION AFFIDAVIT**

**NON-COLLUSION AFFIDAVIT**

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ )

\_\_\_\_\_ (name) being first duly sworn, deposes and says that  
he/she is (title) \_\_\_\_\_ of organization  
\_\_\_\_\_ who submits herewith to  
the County of Sandoval, a bid:

That all statements of fact in such bid are true:

That said bid was not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation;

That said bidder has not, directly or indirectly by agreement, communication or conference with anyone attempted to induce action prejudicial to the interest of the County of Sandoval, or of any bidder of anyone else interested in the proposed contract; and further,

That prior to the public opening and reading of the bid, said bid:

1. Did not directly or indirectly, induce or solicit anyone else to submit a false or sham bid;
2. Did not directly or indirectly collude, conspire, connive or agree with anyone else that said bidder or anyone else would submit a false or sham bid, or that anyone should refrain from bidding or withdraw his bid;
3. Did not in any manner, directly or indirectly, seek by agreement, communication or conference with anyone to raise or fix the bid price of said bidder or of anyone else, or to raise or fix any overhead, profit or cost element of their bid price, or of that of anyone else;
4. Did not directly or indirectly, submit his proposed price or any breakdown thereof, or the contest thereof, or divulge information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository or to any member or agent thereof, or to any individual or group of individuals, except that County of Sandoval, or to any person or persons who have a partnership or other financial interests with said bidder in his business.

By: \_\_\_\_\_

Title \_\_\_\_\_

SUBSCRIBED and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Public: \_\_\_\_\_

My Commission Expires:

**APPENDIX F**

**BID FORM**

**APPENDIX F – BID FORM**  
**FY23-SCCS-01R – Animal Shelter Kennel**

To: Sandoval County  
 Attn: Purchasing  
 P.O. Box 40  
 Bernalillo, NM 87004

From: Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_

Description	Qty.	Cost
Animal Shelter Kennel	1	
<b>Sub-Total</b>		
____ % NM State Sales Tax		
<b>OPTIONS AND ATTACHMENTS</b>		
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
<b>Sub-Total</b>		
____ % NM State Sales Tax		
<b>TOTAL</b>		
<b>DELIVERY/PLACEMENT CHARGE</b>		
<b>GRAND TOTAL</b>		