



PURCHASING DIVISION
P.O. BOX 6850
SANTA FE, NEW MEXICO 87502-6850
(505) 827-0472

BIDDER:

**INVITATION TO BID
CONSTRUCTION CONTRACT**

BID NUMBER: **10-521-00-5342**

PROJECT:
HARDING PEGMATITE MINE
SAFEGUARD PROJECT
TAOS, NEW MEXICO
PROJECT NO.: EMNRD-MMD-2011-01

Sealed bid opening: _____
NM STATE PURCHASING DIVISION

ARCHITECT/ENGINEER OF RECORD
John T. Guranich, P.E.
Telephone: (505) 476.3423
FAX: (505) 476.3402

DATE: Friday, April 15, 2011 @ 2:00 PM

Procurement Specialist:
Natalie Martinez / 505-827-0251

OWNER: Abandoned Mine Land Program
Mining and Minerals Division
Energy, Minerals and Natural Resources
Department
State of New Mexico
1220 S. St. Francis Drive
Santa Fe, New Mexico 87505

Telephone: (505) 476.3400

**IMPORTANT: BIDS MUST BE SUBMITTED IN
A SEALED ENVELOPE WITH THE BID
NUMBER AND OPENING DATE CLEARLY
INDICATED ON THE BOTTOM LEFT HAND
SIDE OF THE FRONT OF THE ENVELOPE.**

SEALED BIDS WILL BE RECEIVED UNTIL THE ABOVE-SPECIFIED DATE AND LOCAL TIME, THEN PUBLICLY OPENED AT THE NEW MEXICO STATE PURCHASING DIVISION OFFICE AND READ ALOUD. HAND DELIVER BIDS TO THE STATE PURCHASING DIVISION, JOSEPH M. MONTOYA BLDG., ROOM 2016, 1100 ST. FRANCIS DR., SANTA FE, NM, 87505.

THIS BID IS SUBJECT TO THE REQUIREMENTS OF THE BIDDING DOCUMENTS AS DEFINED IN THE "INSTRUCTIONS TO BIDDERS," SECTION 00100.

THE BID PROPOSAL FORM MUST BE ACCOMPANIED BY A SURETY BOND, SUBCONTRACTOR LISTING FORM, AND DOCUMENTS SPECIFIED IN THE "INSTRUCTIONS TO BIDDERS."

This mailing contains three pages

INVITATION TO BID page 2

PLEASE NOTE: All hand-delivered bids must be received at the State Purchasing Division Office and should be submitted at the front desk, Room 2016.

Bidding Documents may be obtained at the office of the Architect/ Engineer of Record upon payment of **\$NO CHARGE (LIMIT ONE)** for each complete set. CHECKS SHOULD BE MADE PAYABLE TO “N/A”. Incomplete sets will not be issued. The successful Bidder will receive refund of his deposit, and any unsuccessful Bidder who returns the Bidding Documents in good and complete condition within fifteen (15) days of the Bid Opening will also receive refund of this deposit. No deposits will be returned after the fifteen-day period.

BIDDING DOCUMENTS MAY BE REVIEWED AT THE FOLLOWING LOCATIONS:

ARCHITECT/ENGINEER OF RECORD
1220 S. ST. FRANCIS DRIVE
SANTA FE, NM 87505
(505) 476.3430
JOHN.GURANICH@STATE.NM.US

CONSTRUCTION NEWS SERVICE
308 WEST SILLMORE, SUITE 101
COLORADO SPRINGS, CO 80907
(719) 632.9292

REED CONSTRUCTION DATA
3351 CANDELARIA, NE SUITE D
ALBUQUERQUE, NM 87107
(505) 881.8590

BUILDER'S NEWS AND PLAN ROOM
3435 PRINCETON DRIVE NE
ALBUQUERQUE, NEW MEXICO
87107
(505) 884.1752

DODGE REPORTS
1615 UNIVERSITY BOULEVARD NE
ALBUQUERQUE, NEW MEXICO
87102
(505) 243.2817

THE PLAN ROOM AT SUN GLASS
648 W. BROADWAY
FARMINGTON, NM 87401
(505) 327.0700
SUN4@DIGII.NET

CONSTRUCTION REPORTER
1609 SECOND STREET NW
P.O. BOX 6116
ALBUQUERQUE, NM 87197
(505) 243.9793

MHC/AGC
4625 RIPLEY DR.
EL PASO, TEXAS 79922
915.581.0498

MARKET REPORTER II,
ISQFT PLAN ROOM
308 WEST FILLMORE STREET,
SUITE 101
COLORADO SPRINGS, CO 80907

Bids shall be presented in the form of a total Base Bid proposal under a Lump Sum Contract plus any additive or deductive alternates that are selected by the Owner. A bid must be submitted on all bid items and alternates; segregated bids will not be accepted. Plans and specifications are available from the Architect/Engineer of record.

NOTE: Base Bid price shall not include state gross receipts or local options taxes. Taxes will be included in the Contracted Amount at prevailing rates as a separate item to be paid by Owner.

In submitting this bid, each Bidder must satisfy all terms and conditions of the Bidding Documents.

All work covered by this Invitation to Bid shall be in accordance with applicable state laws and, if the bid amount is \$60,000 or more, is subject to the minimum wage rate determination issued by the New Mexico Department of Workforce Solutions, Labor and Industrial Division, for this project. If the bid amount of the contractor or any tier of subcontractor exceeds \$50,000, the contractor and subcontractor must comply with the registration requirements pursuant to the Public Works Minimum Wage Act.

INVITATION TO BID page 3

Bid Security in the form of a surety bond executed by a surety company authorized to do business in the State of New Mexico in the amount of **5%** of the total bid, or the equivalent in cash by means of a cashier's check or in a form satisfactory to the Owner, must accompany each bid in accordance with the Instructions to Bidders.

A 100% Performance Bond and a 100% Payment and Materials Bond for the total contract amount, including appropriate New Mexico Gross Receipts Tax, executed by a surety company authorized to do business in the State of New Mexico shall be required from the successful Bidder prior to award of contract. A subcontractor shall provide performance and payment bonds if the subcontractor's contract (to the Contractor) for work to be performed is \$125,000 or more. Failure of a subcontractor to provide the required bonds shall not subject owner to any increase in cost due to approved substitution of subcontractor.

A completed Subcontractor Listing Form must accompany each bid.

The Bidding Documents contain a time for completion of the work and further impose liquidated damages for failure to complete the work within that time period.

No Bidder may withdraw his bid for **45 DAYS** after the actual date of the opening thereof.

The Owner intends to award this Project to the lowest responsible Bidder. The Owner reserves the right to reject any and all bids, to waive technical irregularities, and to award the contract to the Bidder whose bid it deems to be in the best interest of the Owner.

Attention of the Bidder is particularly directed to the current requirements as to Resident Contractor's Preference per NMSA 1978, Section 13-4-3. The provisions of NMSA 1978, Sections 13-4-1 through 13-4-4 are not applicable to projects receiving federal aid or when the expenditure of federal funds designated for a specific contract is involved.

MANDATORY PRE-BID CONFERENCE

A Mandatory Pre-bid Conference will be held as follows:

DATE: **Friday, April 1, 2011** TIME: **10:30 a.m.**

LOCATION: **At the entrance to the Harding Pegmatite Mine located between Taos and Peñasco, New Mexico on State Road 75 approximately 0.3 miles east of mile marker 8. Interested parties will tour many of the project sites from this location with AML Program Staff.**

END OF INVITATION TO BID

APPENDIX A
VENDOR INFORMATION FORM

PURSUANT TO INTERNAL REVENUE SERVICE REGULATIONS, VENDORS MUST FURNISH THEIR TAXPAYER IDENTIFICATION NUMBER (TIN) TO THE STATE. IF THIS NUMBER IS NOT PROVIDED, THE VENDOR MAY BE SUBJECT TO A 20% WITHHOLDING ON EACH PAYMENT. TO AVOID THIS 20% WITHHOLDING AND TO ENSURE ACCURATE TAX INFORMATION IS REPORTED TO THE INTERNAL REVENUE SERVICE AND THE STATE, PLEASE USE THIS FORM TO PROVIDE THE REQUESTED INFORMATION.

Legal Business Name: _____

Address: _____

Telephone Number: _____

9 DIGIT TAXPAYER IDENTIFICATION NUMBER

Social Security Number: _____ - _____ - _____
----- or -----

Federal Employer Identification Number _____

Type of Business (Check One):

_____ Individual
_____ Sole Proprietorship
_____ Partnership
_____ General _____ Limited
_____ Corporation
_____ Public Service Corporation
_____ Government/Nonprofit
_____ Other (please specify)

OTHER TAX ACCOUNT NUMBERS

New Mexico CRS Identification Number: _____

State Unemployment Tax Number: _____

Under penalties of perjury, I hereby declare that I have examined this form and to the best of my knowledge and belief, it is true and correct, and complete.

Name (print or type)

Title (print or type)

Signature

Date

Telephone

00100 – INSTRUCTIONS TO BIDDERS

Title IV of the federal Surface Mining Control and Reclamation Act (SMCRA) of 1977, 30 U.S.C. Section 1201, *et seq.* provides for the reclamation of abandoned mine lands. All operators of coal mining operations subject to the provisions of the Act pay to the Secretary of the Interior Department, for deposit in the fund, a reclamation fee of thirty-five cents per ton (35¢/tn.) of coal produced by surface coal mining and fifteen cents per ton (15¢/tn.) of coal produced by underground mining. Under SMCRA, individual states acquire federal funds from the Office of Surface Mining, Reclamation, and Enforcement (OSMRE) to administer an approved state reclamation program and to implement specific reclamation projects. The New Mexico Energy, Minerals and Natural Resources Department (EMNRD) administers the Abandoned Mine Land (AML) Program within New Mexico pursuant to a state approved plan and the requirements of the New Mexico Abandoned Mine Reclamation Act, NMSA 1978, § 69-25B-1, *et seq.* The supervision and coordination of work done under the AML Program are conducted by the Mining and Minerals Division (MMD) of EMNRD. Wherever the term Owner is used, it shall mean the MMD Director. EMNRD, MMD and Owner may be collectively referred to as “EMNRD.”

MMD has obtained 100% federal funds for this construction project. MMD is, by this Invitation to Bid (ITB), requesting bids from responsible, qualified Bidders for the construction project in accordance with the terms of this ITB. Bidders are advised that responsive bids are invited from both profit making and nonprofit organizations. EMNRD is an affirmative action and equal opportunity employer.

The deadline date for receipt of bids is no later than as listed in the Invitation to Bid. One each of the required bid documents, with original signature, must be received and stamped in at the State Purchasing Division of the General Services Department, Room 2016, Joseph M. Montoya Building, 1100 Saint Francis Drive, Santa Fe, New Mexico 87505 (1.505.827.0472). Bids in response to this ITB will be opened publicly at the State Purchasing Division, Joseph M. Montoya Building, 1100 Saint Francis Drive, Santa Fe, New Mexico 87503. The name of each Bidder, the lump sum of each bid, and the Bidder's Contractor License Number will be announced.

The Contract Time for project completion shall be no later than 180 calendar days, including all Sundays, holidays, and non-work days, after the Contractor receives a Notice to Proceed via certified mail.

An abstract of the bids may be available for public inspection from the State Purchasing Division upon request. Those portions of any bid for which a Bidder has made a written request for confidentiality and for which the MMD Director has made a finding which concurs in that confidentiality shall be withheld from public inspection.

IMPORTANT - BIDS MUST BE SUBMITTED IN A SEALED ENVELOPE WITH THE INVITATION TO BID NUMBER AND OPENING DATE CLEARLY INDICATED ON THE BOTTOM LEFT-HAND SIDE OF THE FRONT OF THE ENVELOPE.

00120 – SUPPLEMENTARY INSTRUCTIONS TO BIDDERS

The following shall be included with each responsive bid:

I. Information

A fully completed Vendor Information Form (see Section 00010, Pre-Bid Information), including the name, address, telephone number, Taxpayer Identification Numbers, and signature of the Bidder, or of an officer or employee who has the authority of the Bidder. Do not leave blanks. This signature shall signify that the matters stated or certified on the form are true and accurate to the best of the Bidder's knowledge.

II. Bid

A fully completed Bid Form (Section 00300), including the name, address, telephone number, New Mexico Contractor's License Number, Contractor and Subcontractor New Mexico Labor Enforcement Fund Registration Numbers for bids and subcontracts greater than \$50,000.00, and signature of the Bidder, or of an officer or employee who has the authority to bind the Bidder. Do not leave blanks. This signature shall signify that the matters stated or certified in the bid are true and accurate to the best of the Bidder's knowledge and that the bid was made without collusion or fraud.

III. Security

Bid security shall be required of Bidders for construction contracts procured by competitive sealed bid. A bid security shall be in the form of a negotiable Surety Bond (see an example in Section 00410), Cashier's Check, Certified Check, or Money Order in the amount of at least 5% of the total bid payable to the Energy, Minerals and Natural Resources Department. A letter of credit is not acceptable

IV. References

A list of the Bidder's general background including relevant resources, capabilities, experience, and references with telephone numbers (Section 00420). Do not leave blanks. The Bidder must have a minimum of five years of related construction experience to qualify.

V. Supplements

A complete listing of all subcontractors (Section 00430), if applicable, including for each subcontractor: the work to be performed; the subcontractor's name, address, telephone number, and New Mexico Contractor License Number, if applicable; and a complete listing of pertinent equipment (Section 00450) including for each piece of equipment: the type, manufacturer, model, capacity, and condition. Do not leave blanks.

If for any reason this ITB requires further amendment, such amendments shall be sent via addenda to all parties recorded by the Project Engineer as having received the Bidding Documents. Each Bidder shall be required to acknowledge the receipt of any addenda on the bid form. If such addenda become necessary, they will be distributed within a reasonable time to allow the Bidders to consider the amendment in preparation of their bid.

A responsive bid to the ITB shall be submitted as a sealed bid and shall include project costs for each work task on the Bid Form (Section 00300). Prices quoted in these sealed bids shall be firm fixed prices for both lump sum and/or unit prices as listed on the Bid Form. This ITB shall become a part of the final contract agreement.

The total bid amounts as read at the Bid Opening are tentative only and subject to verification of mathematical accuracy. Such verification may result in a change to the order of the bids. The Bidder with the lowest overall total bid price will be announced as the apparent low Bidder. The apparent low Bidder's bid will be carefully evaluated to insure that it complies with the evaluation criteria listed below and the other requirements of this ITB. The bid will be awarded with reasonable promptness by written Notice of Award via certified mail to the lowest responsible Bidder. If for any reason the apparent low Bidder does not meet all of the evaluation criteria listed below or comply with all of the requirements of this ITB, the next lowest Bidder will be evaluated and awarded the contract if the evaluation criteria are met.

The evaluation criteria include:

1. possession of a valid New Mexico Contractor License appropriate for the work;
2. proof of registration with Labor and Industrial Division of the New Mexico Department of Workforce Solutions for contractor and all subcontractors when Bidder submits a bid valued at more than \$50,000;
3. proven records of satisfactory work performance for both Bidder and listed subcontractors; and
4. a completed and signed employee pay equity form (PE 10-249 or PE250), or, for Bidders who fall within an exception to the Pay Equity Reporting Requirement, an affirmative statement attached to their bid that indicates they are exempt and cites the specific exception they fall under.

This evaluation is not conducted to determine whether one Bidder's offering is superior to another Bidder's but only to determine that a Bidder's offering is acceptable as set forth in the ITB.

Each Bidder shall submit information sufficient to evaluate the bid based on documentation of the Bidder's proven ability to perform the required tasks. Failure to provide the information required to evaluate the bid shall result in rejection of the bid without further discussion.

All questions about the meaning or intent of the Bidding Documents shall be submitted to the Project Engineer in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded by the Project Engineer as having received the Bidding Documents. Questions received less than 10 days before the date for opening of Bids 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. Bidders or the Contractor shall promptly notify the Project Engineer of any ambiguity, inconsistency, or error which they may discover upon examination of the Bidding Documents or of the site and local conditions.

Note: Because this project is 100% federally funded, the 5% New Mexico Resident Contractor's Preference will not apply.

VI. New Mexico Employees Health Insurance

1. If Bidder has, or grows to, six or more employees who work, or who are expected to work, an average of at least 20 hours per week over a six-month period during the term of the contract, Bidder certifies, by responding to this ITB, 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 no later than July 1, 2010 if the expected annual value in the aggregate of any and all contracts between Contractor and the state exceed \$250,000.

2. Bidder agrees to maintain a record of the number of employees who have:
- 1) accepted health insurance;
 - 2) declined health insurance due to other health insurance coverage already in place; or
 - 3) declined health insurance for other reasons.

These records are subject to review and audit by a representative of the state.

3. Bidder 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://insurenemexico.state.nm.us/>.

VII. Employee Pay Equity Reporting

If Bidder has 10 or more employees OR eight or more employees in the same job classification, Bidder must complete and submit the required reporting form (PE10-249 or PE250, depending on their size at the time) with their bid or proposal for evaluation purposes.

Bidders can find these forms (PE10-249 or PE250) (as well as directions on completing the forms and their worksheets, a “Frequently Asked Questions” sheet and other instructional materials) at http://www.generalservices.state.nm.us/spd/pay_e.html.

For contracts that extend beyond one calendar year, or are extended beyond one calendar year, Bidder must also agree to complete and submit the required form annually within 30 calendar days of the annual bid or proposal submittal anniversary date and, if more than 180 days has elapsed since submittal of the last report, at the completion of the contract.

Should Bidder not meet the size requirement for reporting at contract award but subsequently grows such that it meets or exceeds the size requirement for reporting, Bidder must agree to provide the required report within 90 calendar days of meeting or exceeding the size requirement.

Bidder must also agree to levy these reporting requirements on any subcontractor(s) performing more than 10% of the dollar value of this contract if said subcontractor(s) meets, or grows to meet, the stated employee size thresholds during the term of the contract. Bidder must further agree that, should one or more subcontractor not meet the size requirement for reporting at contract award but subsequently grows such that they meet or exceed the size requirement for reporting, offer will submit the required report, for each such subcontractor, within 90 calendar days of that subcontractor meeting or exceeding the size requirement.

VIII. Additional Pay Equity Reporting Information

A. For the purposes of complying with Section VII., Employee Pay Equity Reporting:

1. “Job Classification” means an arrangement of tasks in an establishment or industry into a limited series of jobs or occupations, rated in terms of skill, responsibility, experience, training, and similar considerations, usually for wage setting purposes. This term, or job class, refers to a single cluster of jobs of approximately equal “worth.”

2. “New Mexico Employee” (also “Employee”) means a person working within the State of New Mexico at a New Mexico facility, regardless where the employee legally resides, and regardless of the origin of compensation checks.

3. “PE10-249 form” means the reporting form to be used by contractors that meet or exceed the minimum size thresholds for reporting but have less than 250 New Mexico employees.

4. “PE250 form” means the reporting form to be used by contractors that have 250 or more New Mexico employees.

5. “Solicitation” means an Invitation to Bid or a Request for Proposals.

B. Report Submittal: Until further notice, successful Bidder shall submit the required form(s) to the State Purchasing Division of the General Services Department, and other departments as may be determined. The mailing address is: PO Box 6850, Santa Fe, NM, 87502-6850.

C. The successful Bidder shall not be required to report more frequently than annually unless more than 180 calendar days has elapsed since submittal of the last report and the contract has reached completion. The requirement for reporting at contract completion shall not apply in the case of a one-time fulfillment of a purchase order.

D. Exceptions to the Pay Equity Reporting Requirement:

1. Bidders with fewer than 10 employees are exempt, unless they have at least eight employees in the same job classification.

2. Bidders receiving a contract resulting from an emergency procurement are exempt, unless they hold other contracts that would already subject them to the requirement.

E. Bidders who are subject to the Pay Equity Reporting Requirement shall complete and sign the applicable pay equity form (PE 10-249 or PE250) and submit the form with their bid. Bidders who fall within an exception to the Pay Equity Reporting Requirement shall submit an affirmative statement with their bid indicating they are not subject to the Pay Equity Reporting Requirement, and listing which exemption they fall under.

IX. Use of Brand Name Specifications

Use of any brand name herein is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to limit or restrict competition.

00125 – BID ASSURANCES

In addition to the requirements above, the Bidder must make, include, and agree to the following assurances as a part of the responsive bid submitted in response to this Invitation for Bids (ITB)

I. General

This ITB does not commit EMNRD to pay any costs incurred by any Bidder in the submission of a responsive bid, in making necessary studies and designs for the responsive bid, or in procuring or contracting for services or supplies for the preparation of the responsive bid.

Issuance of this ITB does not constitute an award commitment by EMNRD. An ITB may be canceled and any or all bids may be rejected in whole or in part, when it is in the best interest of the State of New Mexico. Technical irregularities may be waived that do not affect the contractual conditions, delivery, price, quality, or quantity of the construction, services, or items of tangible personal property that are bid. EMNRD specifically reserves the right to reject even responsible, qualified bids that make it impossible to determine the true amount of the bid, and bids that exceed EMNRD's budgeted or available funds for the project. Final approval for funding is contingent upon approval from the Department of the Interior: Office of Surface Mining - Albuquerque Field Office.

II. Confidentiality

It is further understood that all bids shall become a part of the official file on this matter without obligation to EMNRD and shall be made available for public inspection, unless the Bidder specifies in writing that specific portions of the bid are confidential and are to be held confidential by EMNRD in accordance with NMSA 1978, § 71-2-8. All matter intended to be confidential shall be submitted in a sealed envelope marked "confidential" and each page of the material shall also be marked clearly with the word "confidential". EMNRD reserves the right to review information submitted as to confidentiality. For this purpose, confidential information includes, but is not limited to, matter that relates to trade secrets or which is privileged commercial or financial information that affects the competitive rights of the person, firm, or corporation that submits it.

III. Inspection

To assure EMNRD that the Bidder has the competence, equipment, facilities, and staff to furnish the services required under this contract, EMNRD shall be allowed to determine the adequacy of the competence, equipment, facilities, and staff of any Bidder considered for the contract award. For this purpose, if EMNRD deems it appropriate, the Bidder shall permit representatives of EMNRD to make an inspection of the Bidder's equipment and facilities.

IV. Samples

Bid samples or descriptive literature should not be submitted unless expressly requested. Regardless of any attempt by a Bidder to condition the bid, unsolicited bid samples or descriptive literature, which are submitted at the Bidder's risk, will not be examined or tested, and will not be deemed to vary any of the provisions of this ITB.

V. Cancellation

Failure by the successful Bidder to return the signed contract with acceptable contract bond and insurance within 10 working days after receipt via certified mail of the Notice of Award shall be just cause for the cancellation of the award and the forfeiture of the proposal guaranty

which shall become the property of EMNRD, not as a penalty, but in liquidation of damages sustained.

00130 – MANDATORY PRE-BID CONFERENCE

Prospective Bidders are required to attend the pre-bid conference in order to inspect the site where the work is to be conducted to familiarize themselves with the existing conditions that may affect the performance of the contract work. The work sites are located on private and BLM land that can be accessed only through a locked gate. Subcontractors and suppliers are not required to attend the pre-bid conference; however, failure to inspect the site will not relieve subcontractors and suppliers from the responsibility of properly estimating the difficulty and cost of performing their portion of the work.

The mandatory pre-bid conference and site showing will be held at the project site to explain the work requirements. AML representatives will guide potential Bidders through the proposed work sites and will answer any questions. See the Invitation to Bid for date, location, and time.

Those wishing to attend are advised to be prompt.

The site showing is expected to take two to three hours. Access is across bumpy dirt roads and may require four-wheel drive vehicles (AML can transport some prospective bidders in state vehicles). On-site roads are unimproved, and narrow. Access to some sites also requires walking across scrubby, sometimes steep and rocky terrain. AML advises attendees to bring food, water, and appropriate clothing and shoes.

NOTE: NOTHING STATED AT THE PRE-BID CONFERENCE SHALL CHANGE THIS INVITATION FOR BIDS UNLESS SUCH CHANGE IS MADE BY WRITTEN AMENDMENT.

00300 – BID FORMS

BID ITEM	MATERIAL OR WORK DESCRIPTION	ESTIMATED QUANTITY¹	BID AMOUNT²
1.	Mobilization	For the lump sum of (Not to exceed 10% of TOTAL BASE BID)	
			Dollars (\$_____)
(Written Whole Dollars and Zero Cents)			
2.	Construct Chain Gate #1 (On Entrance Road)	For the lump sum of	
			Dollars (\$_____)
(Written Whole Dollars and Zero Cents)			
3.	Construct Chain Gate #2 (On Side Road)	For the lump sum of	
			Dollars (\$_____)
(Written Whole Dollars and Zero Cents)			
4.	Widen Access Road, Grade Parking Lot, Remove Metal Posts and Install Post and Chain Barricade	For the lump sum of	
			Dollars (\$_____)
(Written Whole Dollars and Zero Cents)			
5.	Construct Swing Gate at Parking Lot	For the lump sum of	
			Dollars (\$_____)
(Written Whole Dollars and Zero Cents)			
6.	Backfill Feature 8 “North Knob” Shaft	For the lump sum of	
			Dollars (\$_____)
(Written Whole Dollars and Zero Cents)			
7.	Construct Walk-Through Bat Gate at Feature 1 Adit	For the lump sum of	
			Dollars (\$_____)
(Written Whole Dollars and Zero Cents)			

¹ The estimated quantities of materials and work required to complete the project are approximations only and are given as a basis for calculation upon which the contract award will be determined.

² The bid amount shall exclude the applicable state gross receipts tax or applicable local option tax.

<u>BID ITEM</u>	<u>MATERIAL OR WORK DESCRIPTION</u>	<u>ESTIMATED QUANTITY</u>¹	<u>BID AMOUNT</u>²
8.	Construct Bat Grate at Feature 1 Stope	For the lump sum of	
			Dollars (\$_____)
	(Written Whole Dollars and Zero Cents)		
9.	Construct Walk-Through Bat Gate At Feature 2 Adit	For the lump sum of	
			Dollars (\$_____)
	(Written Whole Dollars and Zero Cents)		
10.	Construct Bat Gate in CSP with Grouted Rock Bulkhead at Feature 3 Adit	For the lump sum of	
			Dollars (\$_____)
	(Written Whole Dollars and Zero Cents)		
11.	Construct CSP Airflow Closure at Feature 4 Adit	For the lump sum of	
			Dollars (\$_____)
	(Written Whole Dollars and Zero Cents)		
12.	Construct Bat Gate with Hinged Door at Feature 5 Adit	For the lump sum of	
			Dollars (\$_____)
	(Written Whole Dollars and Zero Cents)		
13.	Construct Bat Gate with Hinged Door at Feature 10 Adit	For the lump sum of	
			Dollars (\$_____)
	(Written Whole Dollars and Zero Cents)		
14.	Construct Bat Grate at Feature 11 Adit	For the lump sum of	
			Dollars (\$_____)
	(Written Whole Dollars and Zero Cents)		

¹ The estimated quantities of materials and work required to complete the project are approximations only and are given as a basis for calculation upon which the contract award will be determined.

² The bid amount shall exclude the applicable state gross receipts tax or applicable local option tax.

<u>BID ITEM</u>	<u>MATERIAL OR WORK DESCRIPTION</u>	<u>ESTIMATED QUANTITY¹</u>	<u>BID AMOUNT²</u>
15.	Construct Bat Grate at Feature 17 Adit	For the lump sum of	
			Dollars (\$_____)
	(Written Whole Dollars and Zero Cents)		
16.	Install Approximately 550' of Six Strand Barbed Wire Fence along Highwall	For the lump sum of	
			Dollars (\$_____)
	(Written Whole Dollars and Zero Cents)		

TOTAL BASE BID³

_____ Dollars (\$_____)

(Written Whole Dollars and Zero Cents)

(Amounts shall be shown in both words and figures. In case of discrepancy, the amount shown in words shall govern.)

¹ The estimated quantities of materials and work required to complete the project are approximations only and are given as a basis for calculation upon which the contract award will be determine.

² The bid amount shall exclude the applicable state gross receipts tax or applicable local option tax.

³ The bid amount shall exclude the applicable state gross receipts tax or applicable local option tax.

I agree to the assurances set out in the Invitation for Bids, all of which are incorporated in this Bid Form by reference. I certify that I have the authority to bind the Bidder. The matters stated in this bid are true and accurate to the best of the Bidder's knowledge. This bid is made without collusion or fraud.

SIGNED: _____

TITLE: _____

DATE: _____

BIDDER'S NAME: _____

ADDRESS: _____

TELEPHONE NO.: _____

NEW MEXICO CONTRACTOR'S LICENSE NO: _____

LICENSE CATEGORIES: _____

CONTRACTOR NM LABOR ENFORCEMENT FUND REGISTRATION NO.:¹ _____

SUBCONTRACTOR LABOR ENFORCEMENT FUND REGISTRATION NO.(S):¹ _____

I (we) do hereby acknowledge receipt of the following addenda to the project documents:

Addendum No. _____ **Dated:** _____

Addendum No. _____ **Dated:** _____

Addendum No.: _____ **Dated:** _____

¹ Required for bids and subcontracts valued at more than fifty thousand dollars (\$50,000).

00400 – SUPPLEMENTS TO BID FORMS

00410 - Bid Security Form

Bond No. _____

KNOW ALL MEN BY THESE PRESENTS, that we _____

(Insert full name and address or legal title of Contractor)

as Principal, hereinafter called the Principal, and _____

(Insert full name and address or legal title of Surety)

a corporation duly organized under the laws of the State of New Mexico as Surety, hereinafter called the Surety, are held and firmly bound unto the Energy, Minerals and Natural Resources Department, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, as Obligee, hereinafter called the Obligee, in the sum of _____ Dollars (\$_____), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for the Project.

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract or give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this _____ day of _____, 20__.

PRINCIPAL (Seal)

WITNESS _____

TITLE_____
SURETY (Seal)

WITNESS _____

TITLE

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00420 - BIDDER'S QUALIFICATION FORMS

CONTRACTOR'S QUALIFICATION STATEMENT

To be filled out by the Bidder and returned with the responsive Bid.

BIDDER: _____

I. Experience

List the major construction projects that your organization has completed in the past five (5) years, giving the name of the project, project owner, contract amount, date of completion, and percentage of the cost of the work performed with your own forces. Do not leave blanks.

1. Project Name: _____

Owner: _____

Contract Amount: \$ _____

Completion Date: _____ Percentage: _____

2. Project Name: _____

Owner: _____

Contract Amount: \$ _____

Completion Date: _____ Percentage: _____

3. Project Name: _____

Owner: _____

Contract Amount: \$ _____

Completion Date: _____ Percentage: _____

4. Project Name: _____

Owner: _____

Contract Amount: \$ _____

Completion Date: _____ Percentage: _____

5. Project Name: _____

Owner: _____

Contract Amount: \$ _____

Completion Date: _____ Percentage: _____

II. References

List references for the above projects including work performed, contact person, firm represented, mailing address, and phone number with area code. Do not leave blanks.

1. Work Performed: _____

Contact Name: _____

Firm Represented: _____

Mailing Address: _____

Phone Number: (____) _____

2. Work Performed: _____

Contact Name: _____

Firm Represented: _____

Mailing Address: _____

Phone Number: (____) _____

3. Work Performed: _____

Contact Name: _____

Firm Represented: _____

Mailing Address: _____

Phone Number: (____) _____

4. Work Performed: _____

Contact Name: _____

Firm Represented: _____

Mailing Address: _____

Phone Number: (____) _____

5. Work Performed: _____

Contact Name: _____

Firm Represented: _____

Mailing Address: _____

Phone Number: (____) _____

LIST OF SUBCONTRACTORS AND EQUIPMENT

To be filled out by the Bidder and returned with the responsive Bid.

BIDDER: _____**00430 – SUBCONTRACTORS LIST**

Any person submitting a bid shall in this bid set forth the name and location of the place of business of each subcontractor under subcontract to the Contractor who will perform work or labor or render service to the Contractor in or about the construction of the public works construction project and whose total contract will be in excess of \$5,000.00 and the nature of the work which will be done by each subcontractor under the New Mexico Subcontractors Fair Practices Act, NMSA 1978, § 13-4-34. The Contractor shall list only one subcontractor for each category as defined by the Contractor in this bid. Do not leave blanks. If no subcontractors, indicate such. The statute does not require listings of second tier subcontractors, material suppliers, and subcontractors whose contracts are less than \$5,000.

1. Work: _____

Firm Represented: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone No.: (____) _____ License No.: _____

2. Work: _____

Firm Represented: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone No.: (____) _____ License No.: _____

3. Work: _____

Firm Represented: _____

Mailing Address: _____

City: _____ State: . Zip Code: _____

Phone No.: () _____ License No.: _____

4. Work: _____

Firm Represented: _____

Mailing Address: _____

City: _____ State: . Zip Code: _____

Phone No.: () _____ License No.: _____

5. Work: _____

Firm Represented: _____

Mailing Address: _____

City: _____ State: . Zip Code: _____

Phone No.: () _____ License No.: _____

6. Work: _____

Firm Represented: _____

Mailing Address: _____

City: _____ State: . Zip Code: _____

Phone No.: () _____ License No.: _____

00450 – EQUIPMENT LIST

List all pertinent equipment proposed to be employed on the above Project as required by the bidding documents. Attach a list on a separate piece of paper if more space is needed.

- A.** Equipment Type: _____
Manufacturer: _____
Model: _____
Capacity: _____
Condition: _____
- B.** Equipment Type: _____
Manufacturer: _____
Model: _____
Capacity: _____
Condition: _____
- C.** Equipment Type: _____
Manufacturer: _____
Model: _____
Capacity: _____
Condition: _____
- D.** Equipment Type: _____
Manufacturer: _____
Model: _____
Capacity: _____
Condition: _____
- E.** Equipment Type: _____
Manufacturer: _____
Model: _____
Capacity: _____
Condition: _____