



PURCHASING DIVISION (GSD)
1100 S. Saint Francis Drive,
Room 2016, Santa Fe, New Mexico 87505
PO Box 6850
Santa Fe, New Mexico 87502-6850
(505) 827-0472

BIDDER:

Name:
Address:

Phone:
Fax:
E-mail:

PROJECT NAME: San Pedro Mine Safeguard Project -
Phase III
PROJECT NO.: EMNRD-MMD-2020-04
LOCATION: Santa Fe County, New Mexico

ARCHITECT/ENGINEER OF RECORD

Meghan J. McDonald, P.E.
Telephone: (505) 629.9872
Meghan.McDonald@state.nm.us

OWNER/POINT OF CONTACT:

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

**INVITATION TO BID
CONSTRUCTION CONTRACT**

BID NUMBER: **10-52100-20-06025**

Sealed bid opening **FORMAL**
NM STATE PURCHASING DIVISION

DATE: Thursday, October 30, 2020
TIME: 2:00 p.m.

Procurement Specialist: **Mark Lujan**
Contact Number: **(505) 827-0564**
Email: **Mark.Lujan@state.nm.us**

IMPORTANT

FOR ELECTRONICALLY UPLOADED BIDS: such bids will be time-stamped in the system when Bidder clicks "OK" after "Review and Submit." You will receive a confirmation email of the submission for your records. Such electronic submissions will be considered sealed bids in conformance with statute. To register as a Supplier with the State of New Mexico, or to log in if already registered go to: <https://suppliers.sciquest.com/StateOfNewMexico>

SEALED BIDS WILL BE PUBLICLY OPENED ONLINE VIA GOTOMEETING. BIDS ARE SUBJECT TO THE "TERMS AND CONDITIONS," SHOWN ON THE ATTACHED PAGES OF THIS DOCUMENT, AND ANY ADDITIONAL BIDDING INSTRUCTIONS OR REQUIREMENTS. NOTE: IF YOU DECIDE NOT TO BID, DO NOT RETURN THIS ITB DOCUMENT.

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

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

PLEASE NOTE: SPD WILL NOT AT THIS TIME ACCEPCT HAND DELIVER OR MAIL BIDS TO THE STATE PURCHASING DIVISION, JOSEPH M. MONTOYA BLDG. AT THE ADDRESSES STATED IN THE ABOVE LETTERHEAD DUE TO COVID-19 RESTRICTIONS

This mailing contains Five pages

INVITATION TO BID page 2

Bidding Documents: Bidding documents, plans, specifications, drawings etc. may be obtained at the office of the Architect/Engineer of Record listed below at no charge for each complete set. Incomplete sets will not be issued.

Meghan J. McDonald, P.E.

Telephone: (505) 629.9872

Meghan.McDonald@state.nm.us

<http://www.emnrd.state.nm.us/MMD/AML/AML-ConstructionProjects.html>

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.

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.

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. No Bidder may withdraw his bid for **Ninety (90) DAYS** after the actual date of the opening thereof. All work covered by this Invitation to Bid shall be in accordance with applicable state laws and is subject to the minimum wage rate determination issued by the office of the Labor Commissioner for this project.

Wage Rates & Workforce Solutions Registration: Pursuant to the Public Works Minimum Wage Act, Section 13-4-10 to 13-4-17 NMSA 1978, all work covered by this Invitation to Bid shall be in accordance with applicable state laws and, if the bid amount is sixty thousand dollars (\$60,000) or more, is subject to the minimum wage rate determination issued by the New Mexico Department of Workforce Solutions, Labor Relations Division, Public Works Unit.

Section 13-4-13.1 requires Contractors when their bid is over \$60,000 and subcontractors of all tiers when their portion of the work is over \$60,000, to be registered with the Labor Relations Division of the Department of Workforce Solutions. This registration is available under the "Contractor Registration" section at the following website:

<http://www.dws.state.nm.us/LaborRelations/LaborInformation/PublicWorks>

There may be some administrative delay in processing your registration. Pursuant to Section 13-4-13.1 NMSA 1978, the State Purchasing Division **cannot accept your bid if you are not registered at the time of bid opening.**

Please direct all questions concerning registration to DWS at (505) 841-4400.

INVITATION TO BID page 3

Bidder Instructions for Invitation to Bid (ITB)

Viewing ITB:

Bidders can access active procurements at the following sites:

- <https://www.generalservices.state.nm.us/statepurchasing/active-procurements.aspx>
- <https://bids.scquest.com/apps/Router/PublicEvent?CustomerOrg=StateOfNewMexico>

Complete bid documents as required by the ITB Specifications, and submit any required documentation, supporting materials, certificates, etc. in addition to the bid documents.

Submitting Bids:

Bidders have one option to submit bids to the State Purchasing Division (SPD):

- Electronic submissions through eProNM at the following site:
<https://bids.scquest.com/apps/Router/PublicEvent?CustomerOrg=StateOfNewMexico>
- Bids will be time-stamped in the system when Bidder clicks “OK” after “Review and Submit.” The bidder will receive a confirmation email of the submission for their records. Such electronic submissions will be considered sealed bids in conformance with statute.
- Bids must be received by the due date and time listed on the front page of this ITB or as amended. Bids submitted electronically within 2 hours of the close time cannot be guaranteed to upload successfully.
- If an amendment is processed after you submit your bid, you must resubmit your bid in order for your bid to be considered fully submitted.

Bid Opening:

Sealed bids will be publicly opened online via GoToMeeting. Bids are subject to the “Terms and Conditions,” shown on the attached pages of this document, and any additional bidding instructions or requirements. NOTE: if you decide not to bid, do not return this ITB document.

Please join Bid Opening from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/332519117>

You can also dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (312) 757-3121

- One-touch: <tel:+13127573121,,332519117#>

Access Code: **332-519-117**

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: **332 519 117**

Or dial directly: 332519117@67.217.95.2 or 67.217.95.2##332519117

New to GoToMeeting? Get the app now and be ready Bid Opening starts:

<https://global.gotomeeting.com/install/332519117>

A completed Subcontractor Listing Form must accompany each bid.

INVITATION TO BID page 4

Bonds: 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 five percent (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.

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.

Preferences: This project is funded with Federal funds. In accordance with the provisions of Sections 13-4-1 through 13-4-4 NMSA 1978, New Mexico resident contractor preferences shall not apply to this project.

New Mexico Employees Health Coverage

- A. For all contracts solicited and awarded on or after January 1, 2008: If the Offeror 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, Offeror must agree 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 dollars.
- B. Offeror must agree to maintain a record of the number of employees who have (a) accepted health insurance; (b) decline health insurance due to other health insurance coverage already in place; or (c) decline health insurance for other reasons. These records are subject to review and audit by a representative of the state.
- C. Offeror must agree 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://www.insurenewmexico.state.nm.us/>.
- D. For Indefinite Quantity, Indefinite Delivery contracts (price agreements without specific limitations on quantity and providing for an indeterminate number of orders to be placed against it); these requirements shall apply the first day of the second month after the Offeror reports combined sales (from state and, if applicable, from local public bodies if from a state price agreement) of \$250,000.

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A **Mandatory** Pre-Bid Meeting will be held as follows:

Prospective Bidders are required to attend the pre-bid conference, in order to familiarize themselves with the site where the work is to be conducted the existing conditions that may affect the performance of the contract work. Subcontractors and suppliers are not required to attend the pre-bid conference; however, failure to participate in the virtual pre-bid meeting will not relieve subcontractors and suppliers from the responsibility of properly estimating the difficulty and cost of performing their portion of the work.

Due to the State of New Mexico's efforts to prevent further exposure/spread of the virus SARS-CoV-2 and to continue to practice social distancing, the AML Program will be holding a virtual mandatory pre-bid meeting via Zoom, a web-based video conferencing tool.

Mandatory Pre-Bid Meeting will be held as follows:

Due to the State of New Mexico's efforts to prevent further exposure/spread of the virus SARS-CoV-2 and to continue to practice social distancing, the New Mexico AML Program will be holding a virtual mandatory pre-bid meeting via Zoom, a web-based video conferencing tool. This meeting is scheduled to take place on:

DATE: Thursday October 8, 2020

TIME: 10 a.m. – Noon MDT

VIRTUAL PRE-BID INFORMATION:

Join Zoom Meeting

<https://zoom.us/j/94897216249?pwd=bGw3T2RmajloenBaUVpEQ25rYTdFZz09>

Meeting ID: 948 9721 6249

Passcode: 126109

One tap mobile

+16699006833,,94897216249# US (San Jose)

+12532158782,,94897216249# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

OPTIONAL SITE VISIT

- Date: **Tuesday October 13, 2020**
- Time: **TBD**
- Meeting Location: **Henderson Store, State Highway 14, Golden, NM, 87047**
- Details: **Meet at Henderson Store and travel to project site off Luz del Cielo Road, Golden, to view typical site features. Please minimize the number of attendees due to site access constraints.**
- **The site visit will follow all current restrictions including group size, social distancing, and personal protective equipment. As of 6/17/2020, this includes limiting each group size to five (5) people, wearing a face covering at all times, and maintaining a six (6) foot distance between individuals.**

QUESTIONS AND ANSWERS DEADLINES

- Questions Date: **Friday October 16, 2020**
- Answers Date: **Wednesday October 21, 2020**

LAST AMENDMENT DEADLINE

- Date: **Friday October 23, 2020**

EMNRD POINT OF CONTACT: Meghan J. McDonald, P.E., Project Engineer
AML Program
Phone: 505-629-9872
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END OF INVITATION TO BID