

**COUNTY OF MCKINLEY
P.O. BOX 70
GALLUP, NM 87305-0070
(505) 722-3868
Fax (505) 863-6362**



**REQUEST FOR PROPOSALS
FOR
ENVIRONMENTAL ASSESSMENT**

RFP NO. 2011-08

Proposal Deadline: Thursday, April 21, 2011 2 p.m.

PROCUREMENT AGENT: THERESA DIAZ, BUYER

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**COUNTY OF MCKINLEY
CONTRACTING AND PROCUREMENT OFFICE**

NOTICE OF REQUEST FOR PROPOSALS

Qualifications-based competitive sealed proposals will be received by McKinley County, P. O. Box 70, Gallup, New Mexico 87305 for RFP No. #2011-08 Environmental Assessment; for McKinley County Projects, until Monday, April 21, 2011. **Environmental Assessments, and all components of the National Environmental Policy Act (NEPA) including Biological Reviews, Historical Research and Reviews, Archeological Reviews, and other professional services work**, which will meet the guidelines established by the United States Forest Service and/or all appropriate Federal and State agencies for acceptance of such reports.

The County of McKinley will consider proposals from qualified vendors to perform and prepare environmental assessments for present and future County projects including but not limited to trails, roadways, facility construction, and recreation areas.

Copies of Request for Proposals can be obtained in person at the Office of the Manager at 207 West Hill Street, Gallup, N.M. 87301 or will be mailed upon written or telephone request to Purchasing (505) 722-3868 and on our website at www.co.mckinley.nm.us McKinley County reserves the right to accept or reject any or all proposals and to waive all formalities. **The Procurement Code, Sections 13-1-28 Through 13-1-199, NMSA, 1978 imposes civil and criminal penalties for code violations. In addition the New Mexico criminal statutes impose felony/penalties for illegal bribes, gratuities and kickbacks.**

**DATED this 4th day of April, 2011 BY: /s/ David R. Dallago
Chairperson, Board of Commissioners**

PUBLISH: Wednesday, April 6, 2011: The Gallup Independent

COUNTY OF MCKINLEY

REF #0011 00

PROPOSAL REVIEW SCHEDULE

- | | | |
|----|---|-------------------|
| 1. | ADVERTISEMENT | April 6,2011 |
| 2. | ISSUANCE OF PROPOSAL PACKET | April 6, 2011 |
| 3. | PROPOSAL SUBMITTAL DEADLINE | April 21, 2011 |
| 4. | EVALUATION OF PROPOSALS | April 22-21, 2011 |
| 5. | RECOMMENDATION OF AWARD | May 7, 2011 |
| 6. | EXECUTION OF AGREEMENT AND
NOTICE TO PROCEED | May 8, 2011 |

**DATES AFTER THE PROPOSAL DEADLINE ARE TENTATIVE
AND ARE SUBJECT TO CHANGE WITHOUT NOTICE.**

PART 1 GENERAL INFORMATION

GENERAL INFORMATION/PROJECT DESCRIPTION

McKinley and Cibola County recently received a contract from the United States Forest Service to procure services for assessing land related to a trail system in the Zuni Mountains. McKinley County has also received a contract(s) from the State of New Mexico Parks and Federal Highway Administration's "Recreational Trails Program" (RTP) to assess land pursuant to a trail system on private land in Ramah area and other land in the National Forest. There are also other current and proposed projects that will require this work and other governments in our region that may want to utilize our agreement to procure similar services on various projects in our region.

The County of McKinley is soliciting Request for Proposal (RFP's) No. 2011- 08 for Environmental Assessments, and all components of the National Environmental Policy Act (NEPA) including Biological Reviews, Historical Research and Reviews, Archeological Reviews, and other professional services work. We are requesting that you prepare a brief response based on the Request for Proposal and accompanying information. The proposal should address your interest to satisfy the County's objectives established for this effort. The proposal should also clearly demonstrate your capability to achieve the scope of work. It is, therefore, important that you list all key individuals that you would assign to the project and define an approach that would be used to complement this service. The RFP was prepared in accordance with current State procurement statutes. Careful review of the RFP is highly recommended to ensure a responsive submittal.

In order to adequately supply the committee members involved in reviewing the RFP's and making the selection, we are requesting **(1) original and four (4) copies of the RFP to be submitted. In a separate sealed envelope submit your fee schedule on your firm's letterhead and mark it "Fee Schedule."** Make certain you address all items requested to ensure a responsive submittal.

The Contracting and Procurement staff feels this format for RFP's is objective and represents a comprehensive and fair system for evaluation of your submittals. Should you require further information, please feel free to contact the purchasing department at 505-722-3868. Ext. 1004

PART 2 SCOPE OF WORK

SCOPE OF WORK:

The County will consider proposals from qualified vendors to perform and prepare **Environmental Assessments, and all components of the National Environmental Policy Act (NEPA) including Biological Reviews, Historical Research and Reviews, Archeological Reviews, and other professional services work**, which will meet the guidelines established by the United States Forest Service and/or all appropriate Federal and State agencies for acceptance of such reports. This is an open and inter-governmental services contract that will include other projects and other government agencies that need similar services.

The County of McKinley will consider proposals from qualified vendors to perform and prepare environmental assessments for present and future County projects including but not limited to trails, roadways, facility construction, and recreation areas:

- A. Meet with a representative from the County to obtain information on pending projects, which will require environmental assessments;
- B. Prepare letter(s) of intent and/or applications to the US Forest Service and/or other appropriate agencies to obtain permission to initiate biological investigation and fieldwork.
- C. Conduct field survey and prepare field notes, maps and data to complete final report.
- D. Provide final report to McKinley County, US Forest Service and/or other appropriate agencies for review and approval.
- E. Provide additional information/research as requested by the permitting appropriate Federal and State agencies to complete application.

SCHEDULE:

The contract period will begin May 8, 2011, through April 30, 2012, with the option to extend for a total of three (3) years for one-year periods based on annual review and under the same terms and conditions.

FEE SCHEDULE:

- A. Proposals must indicate all cost for consulting services for field work, report writing and application fees, for a standard per- acre environmental assessment, including:

1. Direct Labor: cost per hour for principal investigator, technicians, and clerical staff;
2. Other Direct Cost: travel time, mileage, per diem, supplies, printing, permit fees, etc.

B Cost for projects on an as needed basis based on acreage will be negotiated by project based on the basic per-acre fee.

IMPORTANT NOTE: The fee schedule shall be submitted under separate cover and separate sealed container from the general proposal: The County intends to evaluate the proposals on the merit of the services provided and back-ground information: Proposals which, after discussion and submission of additional clarification and/or supplementary information, are determined to meet the requirements of the Request for Proposals will be classified as "acceptable". Proposals found not to be acceptable will be classified, as "unacceptable" and no further discussion concerning it will be conducted. Offerors whose proposals rank the highest may be requested to meet with the County to discuss the technical aspects of their proposal. A recommendation to the County Commissioners will be made prior to the actual award of the contract.

EVALUATION CRITERIA

CRITERIA AND POINT VALUES

Proposals must address each of the following criteria. Each proposal may be awarded percentage point up to the amount listed in parentheses.

Criteria	Suggested Points	Points this RFP
1. Qualifications of staff, firm, and/or team	200	
2. Capability of providing the services requested based on both timeliness and technical approach to a large sized assessment.	300	
3. Past Record of Performance. Demonstration of completed work for firms/local governments for which your firm has administered.	100	
4. Related experience and familiarity with contracting agency and/or the area: any information regarding pertinent related project experience near or in Cibola and/or McKinley County area.	200	
5. Mobilization: ability to mobilize of multiple projects, phases, and/or components of a project.	150	
6. Proposal Submittal Format (Described in Section 3)]	50	
Total Points		1000

COUNTY OF McKINLEY

INSTRUCTIONS TO OFFERORS

1. DEFINITIONS AND TERMS

- 11 Addendum:** a written or graphic instrument issued prior to the opening of Proposals which clarifies, corrects, or changes the Request for Proposals. Plural: addenda.
- 12 Consultant:** means the Successful Offeror awarded the Agreement/Contract.
- 13 Determination:** means the written documentation of a decision of the procurement officer including findings of fact required supporting a decision. A determination becomes part of the procurement file to which it pertains (13-1-52 NMSA 1978).
- 14 Offeror:** any person, corporation, or partnership legally licensed to provide professional services in this state, who chooses to submit a proposal in response to this Request for Proposals.
- 1.5 Procurement Manager:** means the person or designee authorized by the County of McKinley to manage or administer procurement requiring the evaluation of proposals.
- 16 Request For Proposals:** or "RFP" means all documents, including those attached or incorporated by reference, used for soliciting proposals (13-1-81 NMSA 1978).
- 1.7 Responsible Offeror or Proposer:** means an offeror or proposer who submits a responsive proposal and who has furnished, when required, information and data to prove that his financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services described in the proposal (13-1-83 NMSA 1978).
- 18 Responsive Offer or Proposal:** means an offer or proposal, which conforms in all material respects to the requirements set forth in the request for proposals. Material respects of a request for proposals include, but are not limited to, price, quality, quantity or delivery requirements (13-1-85 NMSA 1978).
- 1.9** The terms **must, shall, will, is required, or are required,** identify a mandatory item or factor. Failure to comply with a mandatory item or factor will result in the rejection of the offeror's proposal.
- 1.10** The terms **can, may, should, preferably, or prefers** identify a desirable or

discretionary item or factor.

1.11 Contract: means a master open ended and inter-governmental services contract that will include other projects and allow other government agencies to use that need similar services.

2. REQUEST FOR PROPOSAL DOCUMENTS

2.1 COPIES OF REQUEST FOR PROPOSALS

- A. A complete set of the Request for Proposals may be obtained from the County of McKinley as stated in the RFP Notice.
- B. A complete set of the Request for Proposals shall be used in preparing proposals; the County of McKinley assumes no responsibility for errors or misinterpretations resulting from the use of an incomplete set of the Request for Proposals.
- C. The County of McKinley in making copies of Request for Proposals available on the above terms, does so only for the purpose of obtaining proposals on the Project and does not confer a license or grant for any other use.
- D. A copy of the RFP shall be made available for public inspection and shall be posted at the Office of the Manager, 3rd Floor, County Courthouse

2.2 INTERPRETATIONS

- A. All questions about the meaning or intent of the Request for Proposals shall be submitted to the Procurement Officer of the County of McKinley in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded by the County of McKinley having received the Request for Proposals. Questions received less than five days prior to the date for opening of proposals will not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
- B. Offerors should promptly notify the County of McKinley of any ambiguity, inconsistency, or error, which they may discover upon examination of the Request for Proposals.

2.3 ADDENDA

- A. Addenda will be mailed, by facsimile or hand delivered to all who are known by the County of McKinley to have received a complete set of Request for Proposals.
- B. Copies of Addenda will be made available for inspection wherever Request for Proposals are on file for that purpose.
- C. No Addenda will be issued later than 5 days prior to the date for receipt of Proposals, except an Addendum withdrawing the Request for Proposals or one, which includes postponement of the date for receipt of Proposals.

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

3. PROPOSAL SUBMITTAL PROCEDURES

3.1 NUMBER, FORM AND STYLE OF PROPOSALS

- A. Offerors shall provide one (1) original and Four (4) copies of their proposal to the location specified on the cover page on or before the closing date and time for receipt of proposals.

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

- C. A maximum of 15 pages, including title, index, etc., not including front and back covers.

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

- 1) Letter of Transmittal;
- 2) Response to table of content;
- 3) Response to qualifications of staff and capability of individual firm and/or team;
- 4) Response to describe capability and technical approach to large size project, including samples of work schedule and approach to provide service;
- 5) Response to demonstration of completed work for firms or other local governments for which your firm has conducted environmental assessments;
- 6) Response to familiarity of contracting agency and area in which work will be provided;
- 7) Response to mobilization including current volume of work during contract period and availability of staff and ability to complete assigned projects in a timely manner.
- 8) List of Subconsultants; and
- 9) Other supporting or resource material.

- E. Any Proposal that does not adhere to this format, and which does not address each specification and requirement within the RFP may be deemed non-responsive and rejected on that basis.**

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

- G. Any cost incurred by the Offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror.
- H. A pre-proposal conference will not be held.

3.2 SUBCONSULTANTS

- A. The Offeror shall list and state the qualifications for each Subconsultant the Offeror proposes to use for all subcontracted Work.
- B. The Offeror is specifically advised that any person or other party to whom it is proposed to award a subcontractor under this proposal, must be acceptable to the County of McKinley after verification by the County of McKinley of the current eligibility status, including but not limited to suspension or debarment by the County of McKinley.

3.3 PREQUALIFICATION PROCESS

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

3.4 DEBARRED OR SUSPENDED CONTRACTORS

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

3.5 SUBMITTAL OF PROPOSALS

- A. Proposals shall be submitted at the time and place indicated in the Notice of Request for Proposals and shall be included in an opaque sealed envelope marked with the Project title and name and address of the Offeror and accompanied by the documents listed in the Request for Proposals. Proposals must be date and time stamped with the receptionist.
- B. The envelope shall be addressed to the Procurement Officer of the County of McKinley. The following information shall be provided on the front lower left corner of the envelope: Project Title, Request for Proposals number date of opening, and time of opening. If the Proposal is sent by mail, the sealed envelope shall have the notation “**SEALED PROPOSAL ENCLOSED**” on the face thereof.
- C. Proposals received after the date and time for receipt of Proposals will be returned unopened.

- D. The Offeror shall assume full responsibility for timely delivery of proposals at the Purchasing Officer's office, including those proposals submitted by mail. Hand-delivered proposals shall be submitted to the Purchasing Officer or his designee and will be clocked in/time stamped at the time received, which must be prior to the time specified.

VIA MAIL

OFFICE OF THE MANAGER
COUNTY OF MCKINLEY
POST OFFICE BOX 70
GALLUP, NM 87305-0070

HAND DELIVERED

OFFICE OF THE MANAGER
COUNTY COURTHOUSE, 3RD FLOOR
207 WEST HILL STREET
GALLUP, NM 87301

- E. After the date established for receipt of proposals, a register of proposals will be prepared which includes the name of each Offeror, a description sufficient to identify the service, the names and addresses of the required witnesses, and such other information as may be specified by the Purchasing Officer.
- F. Oral, telephonic, or telegraphic proposals are invalid and will not receive consideration.

3.6 CORRECTION OR WITHDRAWAL OF PROPOSALS

- A. A Proposal containing a mistake discovered before proposal opening may be modified or withdrawn by an Offeror prior to the time set for proposal opening by delivering written or telegraphic notice to the location designated in the Request for Proposals as the place where Proposals are to be received.
- B. Withdrawn Proposals may be resubmitted up to the time and date designated for the receipt of Proposals, provided they are then fully in conformance with the Request for Proposals.

3.7 NOTICE OF CONTRACT REQUIREMENTS BINDING ON OFFEROR

- A. In submitting this proposal, the Offeror represents that the Offeror has familiarized himself with the nature and extent of the Request for Proposals dealing with federal, state, and local requirements which are a part of these Request for Proposals.
- B. Laws and Regulations: The Offeror's attention is directed to all applicable federal and state laws, local ordinances and regulations and the rules and regulations of all authorities having jurisdiction over the services of the Project.

3.9 REJECTION OR CANCELLATION OF PROPOSALS

This Request for Proposals may be canceled, or any or all proposals may be rejected in whole or in part, when it is in the best interest of the County of McKinley.

A determination containing the reasons therefor shall be made part of the project file (13-1-131 NMSA 1978).

4. CONSIDERATION OF PROPOSALS

4.1 RECEIPT, OPENING AND RECORDING

- A. Proposals received on time will be opened publicly or in the presence of one or more witnesses and the name of the Offeror and address will be read aloud.
- B. The names of all businesses submitting proposals and the names of all businesses, if any, selected for interview shall be public information. After an award has been made, final ranking and evaluation scores for all proposals shall become public information. (13-1-120 NMSA 1978). The contents of any proposal shall not be disclosed so as to be available to competing Offerors during the negotiation process (13-1-116 NMSA 1978).

4.2 PROPOSAL EVALUATION

- A. Proposals shall be evaluated on the basis of demonstrated competence and qualification for the type of service required, and shall be based on the evaluation factors set forth in this RFP. For the purpose of conducting discussions, proposals may initially be classified as:
 - 1) acceptable
 - 2) potentially acceptable, that is, reasonably assured of being made acceptable, or
 - 3) unacceptable (Offerors whose proposals are unacceptable shall be notified promptly).
- B. The County of McKinley shall have the right to waive **technical irregularities** in the form of the Proposal of the Offeror which do not alter the quality or quantity of the services (13-1-132 NMSA 1978).
- C. If an Offeror who otherwise would have been awarded a contract is found not to be a responsible Offeror, a determination that the Offeror is not a responsible Offeror, setting forth the basis of the finding, shall be prepared by the Procurement Officer. The unreasonable failure of the Offeror to promptly supply information in connection with an inquiry with respect to responsibility is grounds for a determination that the Offeror is not a responsible Offeror (13-1-133 NMSA 1978). Businesses, which have not been selected, shall be so notified in writing within twenty-one days after an award is made (13-1-120 NMSA 1978).
- D. Selection Process: (13-1-120 NMSA 1978)
 - 1) An evaluation committee composed of representatives selected by the County of McKinley will perform the evaluation of proposals. The committee shall evaluate statements of qualifications and performance data submitted by at least three businesses in regard to the particular project and may

conduct interviews with and may require public presentation by all businesses applying for selection regarding their qualifications, their approach to the project and their ability to furnish the required services.

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

4.3 NEGOTIATIONS (13-1-122 NMSA 1978)

- A. The County of McKinley's designee shall negotiate a contract with the highest qualified business for the services contemplated under this RFP at compensation determined in writing to be fair and reasonable. In making this decision, the designee shall take into account the estimated value of the services to be rendered and the scope, complexity and professional nature of the services.
- B. Should the designee be unable to negotiate a satisfactory contract with the business considered to be the most qualified at a price determined to be fair and reasonable, negotiations with that business shall be formally terminated. The designee shall then undertake negotiations with the second most qualified business. Failing accord with the second most qualified business, the designee shall formally terminate negotiations with that business.
- C. The designee shall then undertake negotiations with the third most qualified business.
- D. Should the designee be unable to negotiate a contract with any of the businesses selected by the committee, additional businesses shall be ranked in order of their qualifications and the designee shall continue negotiations in accordance with this section until a contract is signed with a qualified business or the procurement process is terminated and a new request for proposals is initiated.
- E. The County of McKinley will publicly announce the business selected for award.

4.4 NOTICE OF AWARD

After award by the County of McKinley, a written notice of award shall be issued by the County of McKinley with reasonable promptness (13-1-100 and 13-1-108 NMSA 1978).

4.5 CONTRACT TERM:

The contract period will begin July 1, 2007, through June 30, 2008, with the option to extend for Three (3) years based on the same terms and conditions.

4.6 COOPERATIVE PROCUREMENT AGREEMENT:

This Request for Proposal is issued as a Cooperative Procurement Agreement with County of McKinley, and other local governments associated within the North West New Mexico Council of Governments (NWNMCOG). The items/services listed in this proposal apply to all local agencies in need of these services and are associated with the NWNMCOG. Each Central Purchasing Office will issue their Purchase Order for the items/services mentioned in this proposal.

The services in this proposal do not necessarily reflect the total estimated services by all participating Central Purchasing Offices. Any project requested by another Local Government, will be negotiated under the same terms as this master agreement.

McKINLEY COUNTY does not in any way guarantee the proposer any services other than for the county needs, other cooperative agencies only have an option to participate off this proposal with subsequent Master Agreement and will be liable for their own requirements.

5. POST-PROPOSAL INFORMATION

5.1 PROTESTS

- A. Any Offeror who is aggrieved in connection with a solicitation or award of an Agreement may protest to the County of McKinley Purchasing Officer in accordance with the requirements of the County of McKinley's Procurement Regulations and the State Procurement Code. The protest should be made in writing within 24 hours after the facts or occurrences giving rise thereto, but in no case later than 15 calendar days after the facts or occurrences giving rise thereto (13-1-172 NMSA 1978).
- B. In the event of a timely protest under this section, the Purchasing Officer and the County of McKinley shall not proceed further with the procurement unless the Purchasing Officer makes a determination that the award of Agreement is necessary to protect substantial interests of the County of McKinley (13-1-173 NMSA 1978).
- C. The Purchasing Officer or his designee shall have the authority to take any action reasonably necessary to resolve a protest of an aggrieved Offeror concerning procurement. This authority shall be exercised in accordance with adopted regulations, but shall not include the authority to award money damages or attorney's fees (13-1-174 NMSA 1978).
- D. The Purchasing Officer or his designee shall promptly issue a determination relating to the protest. The determination shall:
 - 1) state the reasons for the action taken; and
 - 2) inform the Protestant of the right to judicial

review of the determination (13-1-183 NMSA 1978).

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

5.2 EXECUTION AND APPROVAL OF MASTER AGREEMENT

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

5.3 NOTICE TO PROCEED

The County of McKinley will issue a written Notice to Proceed on an as needed basis for each project needing services under the scope-of-services described herein based on the Master Agreement and a negotiated task order process. Any other governmental entities using the Master Agreement shall negotiate and issue their task orders.

5.4 OFFEROR'S QUALIFICATION STATEMENT

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

6 OTHER INSTRUCTIONS TO OFFERORS (If NONE, write None)

6.1 EQUAL OPPORTUNITY COMPLIANCE/WORKERS' COMPENSATION:

6.1.1 McKinley County does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in the employment or the provisions of services. The Contractor agrees to comply strictly with the policies of County, as well as all Federal and State Laws pertaining to Equal Employment Opportunity, including the Americans with Disabilities Act, and will not discriminate against any person or deny any person participation or benefit from the performance of this Agreement as a result of any discriminatory action. The Contractor agrees to comply with State Laws and rules applicable to workers' compensation benefits for its employees. If the Contractor fails to comply with the Workers' Compensation Act and applicable rules when required to do so, the County may terminate this agreement.

6.2 OSHA REQUIREMENTS IN EMPLOYMENT:

McKinley County shall contract with Companies or Firms whose operators and equipment meet OSHA (Occupational Safety and Health Administration) standards in their field of expertise and shall also comply with the McKinley County Loss Control Manual as if an employee of McKinley County.

6.3 LOCKOUT-TAGOUT POLICY:

McKinley County has adopted standard procedures for Lockout-Tagout for energy isolating devices. Companies or firms under contract with McKinley County shall provide the County's Safety Officer with their Lockout/Tagout procedures or comply with the County's Lockout/Tagout procedures.

6.4 HAZARDOUS COMMUNICATION PROGRAM:

McKinley County has adopted standard procedures for the Hazard Communication program otherwise referred to as the: "Right to Know Law", to provide knowledge, warning, protection and other materials. Companies or firms under contract with McKinley County shall provide the County's Safety Officer or his designee, with their "Hazard Communication Program" procedures for comply with the County's Hazard Communication Program procedures.

GENERAL TERMS AND CONDITIONS

1. GOVERNING LAW

Exclusively the laws of the State of New Mexico shall govern the Agreement as the same from time to time exists.

2. INDEPENDENT CONTRACTORS

The Offeror and his agents and employees are independent Contractors and are not employees of County of McKinley. The Offeror and his agents and employees shall not accrue leave, retirement, insurance, bonding, use of County of McKinley vehicles, or any other benefits afforded to employees of the County of McKinley as a result of the Agreement.

3. BRIBES, GRATUITIES AND KICK-BACKS

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

4. STANDARD FORM OF AGREEMENT BETWEEN CONTRACTING AGENCY AND OFFERER

The form of agreement required by the funding agency or issued by the County of McKinley will be used for each project on an as needed basis.

5. FEES

A fee for completion of service will be paid based on negotiated task order(s) with the Offeror selected on an as needed basis.

6. FUNDING This solicitation is subject to the availability of funds to

accomplish the work.

7. CONTACT WITH COUNTY OF MCKINLEY OFFICIALS OR STAFF MEMBERS

Prior to, and after submittal of proposal, prospective Offerors shall **not** make contact with any official or staff member regarding this RFP, other than contact to obtain a copy of this RFP.

8. LIABILITY INSURANCE

The Offeror will will not be required to carry liability (errors and omissions) insurance. If required to carry such insurance, the amount of coverage will be \$ 500,000.00 [\$250,000, \$500,000, \$1,000,000].



County of McKinley

P.O. Box 70 • 207 West Hill Avenue

Gallup, New Mexico 87305-0070

505-722-3868

Fax 505-863-6362

Commissioner, Dist. 1
Carol Bowman - Muskett.

Commissioner, Dist. 2
Genevieve Jackson

Chairperson
Commissioner, Dist. 3
David Dallago

Acting Manager
Dezerie Gomez

Billy W. Moore

Dave Dallago Jr.

Tom D. Trujillo

Addendum Number 1

TO: All Bidders

FROM: **Theresa M. Diaz**
Procurement Agent/Buyer

DATE: April 18, 2011

RE: RFP 2011-08 addendum No. One (1)

ENVIROMENTAL ASSESSMENT

You are hereby notified of Addendum Number One (1), to our Request for Proposals #2011-08:

1. **CLARIFICATION ON FEE SCHEDULE PAGE 6-7** - Verification should be bases on cost needed instead of per acres fees. The county is interested in per hour hourly fee for each type of level of employees, rates on travel & mileage, cost of mobilization cost of each rentals or use of equipment charges. What cost for subcontractors will be, Misc cost, postage costs, printing costs, ETC (If these costs can be bases on per acre unit for each project the County then will negotiate per acre price on each project . The purpose is based on cost on acres.
2. **CLARIFICATION** - Bid Due date is Thursday, April 21, 2011 not Monday, April 21 as stated on page 6 of the RFP
1. Other terms and conditions remain the same.

CERTIFICATION OF BIDDER

The undersigned acknowledge receipts of Addendum Number One (1) and the bid submitted is in accordance with information, instruction and stipulation set forth herein.

BIDDER: _____

BY: _____

DATE: _____



County of McKinley

P.O. Box 70 • 207 West Hill Avenue

Gallup, New Mexico 87305-0070

505-722-3868

Fax 505-863-6362

Commissioner, Dist. 1
Carol Bowman - Muskett.

Commissioner, Dist. 2
Genevieve Jackson

Chairperson
Commissioner, Dist. 3
David Dallago

Acting Manager
Dezerie Gomez

Billy W. Moore

Dave Dallago Jr.

Tom D. Trujillo

Addendum Number 2

TO: All Bidders
FROM: **Theresa M. Diaz**
Procurement Agent/Buyer
DATE: April 18, 2011

**RE: RFP 2011-08 addendum No. One (2)
ENVIROMENTAL ASSESSMENT**

You are hereby notified of Addendum Number One (2), to our Request for Proposals #2011-08:

1. Deadline Date has been changed to: **Tuesday, April 26th 2011 at 2 p.m. local time**
2. Other terms and conditions remain the same.

CERTIFICATION OF BIDDER

The undersigned acknowledge receipts of Addendum Number two (2) and the bid submitted is in accordance with information, instruction and stipulation set forth herein.

BIDDER: _____

BY: _____

DATE: _____