



City of Lovington

214 S. Love St.
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DATE: February 3, 2016

TO: GARY LEE CHAPMAN, FINANCE DIRECTOR

FROM: JAMES R. WILLIAMS, CITY MANAGER

RE: RFP 120115B: Radio Read Water Meter Install

After discussions with the NMED, they are not allowing us to proceed with the installation of the water meters as identified in the above referenced RFP. Although this project was awarded by the City Commission, we cannot proceed due to the involvement of the NMED and the Capital Outlay Funds that are involved. I have contacted File Construction and advised them that we will not be entering into a contract with them at this time. I am actively working with NMED to resolve the installation issues and as of this date I am still awaiting their response. I will place a copy of their letter and this memo in the project book and bid book, as well as posting on the website.



NEW MEXICO
ENVIRONMENT DEPARTMENT



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

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RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

February 2, 2016

Mr. James Williams
City Manager
City of Lovington
214 S. Love Street
Lovington, New Mexico 88260

RE: **Review of RFP and Contract Documents and Bids for City of Lovington Meters
Procurement and Installation Project (SAP 13-1458-STB & SAP 14-1642-STB)**

Mr. Williams:

The New Mexico Environment Department (NMED) Construction Programs Bureau (CPB) has reviewed the information provided regarding the request for competitive sealed proposals (RFP) for the above referenced projects. Procurement and installation of meters were bid separately prior to CPB review. Per Attachment B, Article 1, Paragraph F of the grant agreement, if the grant funds are to be used for construction, the Grantee must submit all plans and specifications to NMED for review and approval before the project is advertised for bids.

The RFP for the referenced projects were received by NMED-CPB on January 11, and the Contract Agreement for installation on February 1, 2016. The RFP was advertised October 24, 2015. Bids were opened December 1, 2015. Two companies submitted a proposal for procurement of meters. One company submitted a proposal for installation of meters. The documents have been reviewed and the NMED-CPB cannot concur with award based on the following:

1. The RFP would have awarded a public works project in excess of \$60,000. Construction of public works projects of \$60,000 or more must have plans and specifications prepared by a registered engineer. The RFP did not include plans or specifications prepared by a registered engineer.
2. The evaluation for both the procurement and installation RFPs were structured to use competitive sealed proposals for construction services although it does not adhere to the requirements specified in 1.4.8 NMAC. The evaluation procedure included consideration of cost that was not submitted in a separately sealed envelope. Cost proposals must be submitted in a separately sealed envelope.

NMED-CPB will work with the City to determine an approach to meet requirements set forth in the Grant Agreement and expedite review of the plans and specifications. Should you have any question or comments, I can be reached at (505) 222-9568 or e-mail at sara.rhoton@state.nm.us.

Sincerely,

Sara L. Rhoton, P.E.
Project Manager

cc: David E. Bishop, P.E. (NMED CPB, e-mail)