

**REQUEST FOR PROPOSALS (RFP)
FOR
PROFESSIONAL DESIGN SERVICES**

RFP
RFP No. 2026 -006
Packet No. 001



Project Name: Dencoe Addition Advance Assistance
Flood Study

Contracting
Agency: City of Lovington

Address: 214 S. Love St.
Lovington, NM 88260

Telephone: 575-396-9302

Date: September 29, 2026

Funding Type: Federal - FEMA HMGP DR-4652-0072-
NM

This form was prepared by City of Lovington and is endorsed by the Professional Technical Advisory Board (PTAB), which is comprised of the American Council of Engineering Companies (ACEC) New Mexico, New Mexico Society of Professional Engineers (NMSPE), American Institute of Architects (AIA) New Mexico Chapter, New Mexico Professional Surveyors (NMPS), and American Society of Landscape Architects (ASLA) New Mexico Chapter; Local Government Division, Department of Finance and Administration; Rural Utilities Service, US Department of Agriculture; New Mexico Environmental Department; and New Mexico Finance Authority.

For information and suggestions on how to fill out this RFP, please refer to the "OWNER'S MANUAL FOR QUALIFICATIONS-BASED SELECTION (QBS)" at www.ptabnm.org.

NOTICE OF REQUEST FOR PROPOSALS (RFP)

Qualifications-based competitive sealed proposals for professional design services will be received by the Contracting Agency, City of Lovington, for RFP No. RFP2026-006.

The Contracting Agency is requesting proposals for the following professional services:

- | | |
|--|---|
| ☐ architectural services | ☒ engineering services |
| ☒ surveying services | ☐ landscape architectural services |
| ☒ planning services | |

for: Dencoe Addition Advance Assistance Flood Study, Lovington, New Mexico 88260

Project No. 4652-0072-NM

Proposals will be received at 214 S. Love St., Lovington, NM 88260, until October 28, 2026, at 3:00 p.m. Mountain Time.

Copies of the RFP may be obtained from Leslie Boldt, Chief Procurement Officer, at 214 S. Love St., Lovington, NM 88260; by telephone at 575-396-9302; or by email at lboldt@lovington.org.

A ☐ mandatory ☐ non-mandatory pre-proposal meeting ☐ will ☒ will not be held, unless later established by written addendum.

Interviews ☒ may be held ☐ will not be held after evaluation of proposals.

PURCHASING AGENT:

Leslie Boldt, Chief Procurement Officer Date: September 29, 2026

(for Contracting Agency's Use Only)

Newspaper: _____	Publish: _____	P.O. No. _____
Newspaper: _____	Publish: _____	P.O. No. _____
Newspaper: _____	Publish: _____	P.O. No. _____

[Note: This Notice is issued pursuant to the requirements of § 13-1-104 NMSA 1978 and must be published not less than 10 calendar days prior to the date set for the receipt of proposals (§ 13-1-113) and published in a newspaper of general circulation in the area.]

PROCUREMENT SCHEDULE

RFP release	September 29, 2026
Written questions due	October 21, 2026, at 3:00 p.m.
Final responses / addenda	By October 23, 2026
Proposals due	October 28, 2026, at 3:00 p.m.
Evaluation / possible interviews	After October 28, 2026
Contract / Notice to Proceed	Anticipated December 2026; subject to approvals

All times are Mountain Time. No pre-proposal meeting is scheduled.

Submit written questions to Leslie Boldt at lboldt@lovington.org. Only written addenda issued by the City are binding. Offerors must acknowledge all addenda.

The proposal deadline is firm unless extended by written addendum. Evaluation, interviews, negotiation, award, and contract execution dates are anticipated and may change. Work may begin only after a written Notice to Proceed.

The approved 16-month work plan and FEMA period of performance remain in effect. All work and costs must be completed before May 14, 2028, unless FEMA approves an extension in writing.

1. PROJECT DESCRIPTION

The City of Lovington seeks professional engineering, surveying, and planning services for the FEMA-funded Dencoe Addition Advance Assistance Flood Study. The Dencoe Addition experiences stormwater runoff hazards, shallow flooding, roadway ponding, property impacts, safety concerns, and road closures during heavy rainfall. The project will document existing drainage conditions, complete topographic and geotechnical investigations, perform hydrologic and hydraulic analyses, develop and compare preliminary mitigation alternatives, coordinate environmental compliance and public engagement, and prepare technical documentation supporting a future HMGP application. This award funds planning and preliminary engineering only; no construction is included.

2. SCOPE OF WORK

The selected consultant shall perform the professional services described in Attachment A - FEMA-Aligned Scope of Work and Deliverables.

2.1 The following Basic Design and related professional services apply:

Architects/Landscape Architects

- ☐ Programming Phase
- ☐ Schematic Phase
- ☐ Design Development Phase
- ☐ Construction Documents Phase
- ☐ Bidding and Negotiations Phase
- ☐ Construction Administration Phase
- ☐ Post-Construction Phase

Surveyors

- ☐ Property Boundary Survey
- ☒ Topographic Survey
- ☐ Easement Survey
- ☐ Right-of-Way Survey
- ☐ Inspection Report

Additional Services

- ☒ Environmental Documentation and Compliance
- ☒ Permits/Clearances for Approved Study Activities Only
- ☐ Grant Administration
- ☐ Right-of-Way Acquisition

Engineers

- ☒ Study and Report Phase
- ☒ Preliminary Design Phase
- ☐ Final Design Phase
- ☐ Bidding and Negotiations Phase
- ☐ Construction Administration Phase
- ☐ Operational Phase

Planning Studies

- ☐ Comprehensive Plan
- ☐ Strategic Plan
- ☐ Mapping and/or Zoning
- ☒ Other Planning Tasks

2.2 Construction observation services are not included in this procurement.

2.3 Other: See Attachment A - FEMA-Aligned Scope of Work and Deliverables.

INSTRUCTIONS TO OFFERORS

1. DEFINITIONS AND TERMS

- 1.1. **Addendum:** a written or graphic instrument issued prior to the opening of proposals, which clarifies, corrects, or changes the Request for Proposals. Plural: addenda.
- 1.2. **Consultant:** means the Successful Offeror awarded the Agreement/Contract.
- 1.3. **Determination:** means the written documentation of a decision of the procurement officer including findings of fact required to support a decision. A determination becomes part of the procurement file to which it pertains (§ 13-1-52 NMSA 1978).
- 1.4. **Offeror:** any person, corporation, or partnership legally licensed to provide professional design 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 Contracting Agency to manage or administer a procurement requiring the evaluation of proposals.
- 1.6. **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 of Proposer:** means an offeror or proposer who submits a responsive proposal and who has furnished, when required, information and data to prove that the proposer's 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).
- 1.8. **Responsive Offer or Proposal:** means an offer or proposal that 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 that 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.

2. REQUEST FOR PROPOSAL DOCUMENTS

- 2.1. COPIES OF REQUEST FOR PROPOSALS (RFP)
 - A. A complete set of the RFP may be obtained from the Contracting Agent.
 - B. A complete set of the RFP shall be used in preparing proposals; the Contracting Agency assumes no responsibility for errors or misinterpretations resulting from the use of an incomplete set of the RFP.
 - C. The Contracting Agency in making copies of RFP 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 Administration Building of the Contracting Agency.
- 2.2. INTERPRETATIONS
 - A. All questions about the meaning or intent of the RFP shall be submitted to the Procurement Manager of the Contracting Agency in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded by the Contracting Agency as having received the RFP. 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 Contracting Agency of any ambiguity, inconsistency, or error, which they may discover upon examination of the RFP.
- 2.3. ADDENDA
 - A. Addenda will be emailed, mailed, faxed, or hand delivered to all who are known by the Contracting Agency to have received a complete copy of the RFP.
 - B. Copies of Addenda will be made available for inspection wherever RFPs are on file for that purpose.
 - C. No Addenda will be issued later than five days prior to the date for receipt of proposals, except an Addendum withdrawing the RFP 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 Cover Letter.

3. PROPOSAL SUBMITTAL PROCEDURES

3.1. NUMBER, FORM AND STYLE OF PROPOSALS

- A. Offerors shall provide five (5) copies of their proposal (one original and four copies) to the location specified on Page 2 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 twenty-five (25) pages, not including front and back covers, cover letter, table of contents, required certifications, and the Campaign Contribution Disclosure Form.
 - D. The proposal must be organized in the following format and must contain, as a minimum, all listed items in the sequence indicated:
 - 1) Cover Letter
 - 2) Response to Evaluation Criteria included in this RFP.
 - 3) 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. Offerors 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 non-confidential portion of the proposal. A request stating the entire proposal is 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, and presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror.
- #### **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 subcontract under this proposal, must be acceptable to the Contracting Agency after verification by the Contracting Agency of the current eligibility status, including, but not limited, to suspension or debarment by the Contracting Agency.

3.3. PREQUALIFICATION PROCESS

A business may be pre-qualified by the Purchasing Agent as an Offeror for particular types of service. Mailing lists of potential Offerors shall include but shall not be limited to such pre-qualified businesses (§ 13-1-134 NMSA 1978). For purposes of this RFP, if pre-qualification 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 § 13-3-11 through § 13-4-17 NMSA 1978 as amended, shall not be permitted to do business with the Contracting Agency and shall not be considered for award of the contract during the period for which it is debarred or suspended with the Contracting Agency.

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 Proposal.
- B. The envelope shall be addressed to the Purchasing Agent/Procurement Officer of the Contracting Agency. The following information shall be provided on the front lower left corner of the envelope: project title, project number, RFP 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 Agent's office, including those proposals submitted by mail. Hand-delivered proposals shall be submitted to the Purchasing Agent or the Purchasing Agent's designee and will be clocked

in/time stamped at the time received, which must be prior to the time specified.

- 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 Agent.
- 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 RFP 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 RFP.

3.7. NOTICE OF CONTRACT REQUIREMENTS BINDING ON OFFEROR

- A. In submitting this proposal, the Offeror represents that the Offeror has familiarized itself with the nature and extent of the RFP dealing with federal, state, and local requirements, which are a part of these RFP.
- 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.

3.8. REJECTION OR CANCELLATION OF PROPOSALS

This RFP 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 Contracting Agency. A determination containing the reasons therefore 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 qualifications for the type of service required and shall be based on the evaluation factors set forth in this RFP. Price, including costs or fees, cannot be considered in the evaluation of proposals for professional services (architecture, engineering, surveying, and landscape architecture, §13-1-120 NMSA 1978). 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 Contracting Agency 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 Purchasing Agent/Procurement Manager. 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 Contracting Agency will perform an 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 provide the required services.
- 2) If fewer 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 local governing body 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 Contracting Agency'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 RFP is initiated.

- E. The Contracting Agency shall publicly announce the business selected for award.

4.4. NOTICE OF AWARD

After award by the local governing body, a written notice of award shall be issued by the Contracting Agency after review and approval of the proposal and related documents by the Contracting Agency with reasonable promptness (§ 13-1-100 and § 13-1-108 NMSA 1978).

5. POST-PROPOSAL INFORMATION

5.1. PROTESTS

- A. Any Offeror who is aggrieved in connection with a solicitation or award of a Agreement may protest to the Contracting Agency's Purchasing Agent and the Chief Administrator/Clerk in accordance with the requirements of the Contracting Agency'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 Agent and the Contracting Agency shall not proceed further with the procurement unless the Purchasing Agent makes a determination that the award of Agreement is necessary to protect substantial interests of the Contracting Agency (§ 13-1-173 NMSA 1978).
- C. The Purchasing Agent or the Purchasing Agent's 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 attorneys' fees (§ 13-1-174 NMSA 1978).
- D. The Purchasing Agent or the Purchasing Agent's 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 pursuant to § 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 1979).

5.2. EXECUTION AND APPROVAL OF AGREEMENT

The Agreement shall be signed by the Successful Offeror and returned within an agreed 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 Contracting Agency will issue a written Notice to Proceed to the Consultant.

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

Resident Business Preference or Resident Veteran Business Preference (required by House Bill 93, 2016):

Points will be awarded based on Offeror's ability to provide a copy of a current Resident Business certificate or Resident Veteran Business certificate.

6.1 Resident Business Preference

For the Offeror to receive a Resident Business Preference, the business shall submit, with this proposal, a copy of a valid Resident Business certificate issued by the New Mexico Taxation & Revenue Department. The application for preference may be downloaded at the following website:

<http://www.tax.newmexico.gov/forms-and-publications/pages/recently-updated.aspx>.

An Offeror who qualifies as a Resident Business shall receive a 5% preference added to the total possible points of the selection process.

6.2 Resident Veteran Business Preference

For the Offeror to receive a Resident Veteran Business Preference, the business shall complete, sign, and include with the proposal the attached certification form, along with a copy of a valid Resident Veteran Business Preference certificate issued by the New Mexico Taxation & Revenue Department. The application for preference may be downloaded at the following website:

<http://www.tax.newmexico.gov/forms-and-publications/pages/recently-updated.aspx>.

Offerors seeking a Resident Veteran Business Preference will be evaluated as follows:

- A. Resident Veteran Businesses with annual gross revenues of up to \$3M shall receive a 10% preference added to the total possible points of the selection process.

Preference points are added only once to the total possible points of the overall selection process.

Example: A selection process has total possible points of 1,000 points. Five proposals are received: one from a Resident Business, one from a Resident Veteran Business, and three non-resident businesses. The Resident Business would receive 50 points (5% of 1,000 possible points) and the Resident Veteran Business would receive 100 points (10% of 1,000 possible points) which would be added to the total of their evaluated scores, thereby making it possible for the highest possible total points to be 1,100.

An additional example of the scoring process is attached to this RFP.

Note: Neither the Resident Business Preference nor the Resident Veteran Business Preference can be awarded for any project/contract if it includes federal funds.

6.3 Campaign Contribution Disclosure Form

The Offeror shall submit, with its proposal, the signed Campaign Contribution Disclosure Form with the name(s) of applicable public official(s) filled in on the form.

GENERAL TERMS AND CONDITIONS

1. GOVERNING LAW

The Agreement shall be governed exclusively by the laws of the State of New Mexico as the same from time to time exists.

2. INDEPENDENT CONTRACTORS

The Consultant (design professionals) and the Consultant's agents and employees are independent Contractors and are not employees of the Contracting Agency. The Consultant and Consultant's agents and employees shall not accrue leave, retirement, insurance, bonding, use of Contracting Agency vehicles, or any other benefits afforded to employees of the Contracting Agency 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 prohibits 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 CONSULTANT (Design Professional)

The form of agreement required by the funding agency or issued by the Contracting Agency will be used for this project. Copies are available and may be reviewed upon request.

5. FEES

A lump sum fixed fee for Basic Services will be negotiated with the Offeror selected.

Additional Services may also be negotiated with the Offeror selected.

6. FUNDING

This solicitation is subject to the availability of funds to accomplish the work.

7. DESIGN PROFESSIONAL REGISTRATION

All work shall be under the direction of the applicable design professional legally licensed and registered by the State.

8. PROFESSIONAL LIABILITY INSURANCE

The Offeror will be required to carry professional liability (errors and omissions) insurance with coverage of not less than \$1,000,000.

Note to Owner Regarding Evaluation Criteria

The Request for Proposal must include each of the following Evaluation Criteria* as required by statute (§ 13-1-120.B NMSA 1978). Each proposal submitted must address the required Evaluation Criteria. Based on the complexity of the project, the Owner may add additional items to be evaluated. The Owner must assign a weight factor to each of the Evaluation Criteria to communicate to Offerors the relative importance of each.

EVALUATION CRITERIA:

1. **Specialized Design and Technical Competence***

Specialized design and technical competence of the business, including a joint venture or association, regarding the type of services required.

2. **Capacity and Capability***

Capacity and capability of the business, including any consultants, their representatives, qualifications, and locations, to perform the work, including any specialized services, within the time limitations.

3. **Past Record of Performance***

Past record of performance on contracts with government agencies or private industry with respect to such factors as control of costs, quality of work, and ability to meet schedules.

4. **Familiarity with the Contracting Agency***

Proximity to or familiarity with the area in which the project is located.

5. **Work to be Done in New Mexico***

The amount of design work that will be produced by a New Mexico business within this state. **Note: Not allowed for federally funded projects.**

6. **Current Volume of Work with the Contracting Agency Not 75% Complete***

The volume of work previously done for the entity requesting proposals which is not seventy-five percent complete with respect to basic professional design services [through bidding phase], with the objective of effecting an equitable distribution of contracts among qualified businesses and of assuring the interest of the public in having available a substantial number of qualified businesses is protected; however, that the principal of selection of the most highly qualified business is not violated.

Indicate the volume of work currently underway with the Contracting Agency that is less than seventy-five percent complete. An example of how points can be assigned is provided below:

Value of work not yet completed on projects that are not 75% Complete	(Example) Points to be allowed for this item
None	5
\$1 to \$ 25,000	4
25,001 to 50,000	3
50,001 to 75,000	2
75,001 to 100,000	1
100,001 or more	0

7. **Other Contracting Agency Criteria**

The Owner may add additional elements to be evaluated, such as Public Involvement Experience, and assign points according to their importance. **Note: Price cannot be a factor (§ 13-1-120.B NMSA 1978). Price of any type, i.e. fees, fee schedule, etc., cannot be included with the proposal. This includes a separate sealed envelope, which also is not allowed.**

RFP EVALUATION CRITERIA

EVALUATION CRITERIA AND POINT VALUES

OFFERORS:

Proposal must address each of the following criteria. Each proposal may be awarded points up to the amount listed.

RATING SHEET FOR: Applicant _____		
ITEM	POSSIBLE POINTS	SCORE
PLANNING & DESIGN SERVICES		
Specialized Design and Technical Competence*	(30)	
Capacity and Capability*	(25)	
Past Record of Performance*	(20)	
Familiarity with the Contracting Agency*	(10)	
Work to Be Done in New Mexico* Not scored because federal funds are involved.	(0)	
Current Volume of Work with the Contracting Agency Not 75% Complete*	(5)	
Project-Specific Experience: FEMA Hazard Mitigation or comparable flood-risk planning; topographic and geotechnical investigations; H&H modeling; environmental compliance; public engagement; alternatives analysis; BCA support; and FEMA-ready technical documentation.	(10)	
SUBTOTAL (total possible points for PLANNING & DESIGN SERVICES)	(100)	

**Items required by statute (§ 13-1-120.B NMSA 1978).*

Interviews ☒ may be held ☐ will not be held for the Dencoe Addition Advance Assistance Flood Study.

INTERVIEW EVALUATION CRITERIA

INTERVIEW RATING SHEET FOR: Applicant _____		
ITEM	POSSIBLE POINTS	SCORE
1. Describe the project manager's and team's experience with FEMA Hazard Mitigation, flood-risk planning, H&H modeling, topographic surveys, and geotechnical investigations.	<u>(15)</u>	
2. Demonstrate the team's understanding of the Dencoe Addition flooding concerns, approved Advance Assistance scope, environmental conditions, and exclusions.	<u>(15)</u>	
3. Describe the technical approach for completing the ten approved tasks and required deliverables.	<u>(20)</u>	
4. Present the proposed 16-month schedule, including City/DHSEM review time and completion before May 14, 2028.	<u>(15)</u>	
5. Describe quality control, model validation, data management, and coordination among disciplines.	<u>(15)</u>	
6. Describe the approach to public engagement, environmental compliance, and agency coordination.	<u>(10)</u>	
7. Identify practical or innovative methods for comparing alternatives, supporting a FEMA BCA, and producing implementable recommendations.	<u>(10)</u>	
TOTAL SCORE	<u>(100)</u>	

The above are suggested EVALUATION CRITERIA and POSSIBLE POINTS for interviews.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor 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 two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code 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.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND 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 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 of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Prospective contractor” means a person or business that 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 or business 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.

Name(s) of Applicable Public Official(s) if any:
([Completed by State Agency or Local Public Body](#))

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

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 TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (Position)

Veterans Preference Certification

_____ (Name of Business) hereby certifies the following in regard to application of the resident veteran preference to this formal request for proposals process:

Please check one box only:

- ☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$3M allowing me the 10% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

"I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 ending December 31, the following to be true and accurate:

"In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22 NMSA 1978, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be."

"I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime."

(signature of Business Representative)*

(Date)

*Must be an authorized signatory for the Business.

The representation made in checking the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award or unaward of the procurement involved if the statements are proven incorrect.

EXAMPLE OF SCORING

	Total Possible Points	Consultant Firm A (Resident Veteran Business)	Consultant Firm B (Resident Business)	Consultant Firm C
Score from PLANNING & DESIGN SERVICES Section	100	90	85	80
Score from CONSTRUCTION OBSERVATION SERVICES Section (N/A if Section not included)	25	20	25	20
Score from INTERVIEW Section (N/A if Section not included)	100	90	85	80
Subtotal Score		200	195	180
Total Possible Points (of all Sections included)	225			
Total Preference Points Applied, if applicable (total preference points for Resident Business is equal to 5% of the Total Possible Points or Resident Veteran Business is equal to 10% of the total possible points); only one can apply		22.5 Because Consultant Firm A is a Resident Veteran Business, 22.5 points (10% of the Total Possible Points of 225) are added to the firm's Subtotal	11.25 Because Consultant Firm B is a Resident Business, 11.25 points (5% of the Total Possible Points of 225) are added to the firm's Subtotal	0 Because Consultant Firm C is neither a Veteran Resident Business nor a Resident Business, 0 points are added to the firm's Subtotal
Total Score		222.5	206.25	180

Notes:

*Neither the Resident Business Preference nor the Resident Veteran Business Preference can be awarded for any project/contract if it includes **federal funds**.*

*Either the Resident Business Preference **or** the Resident Veteran Business Preference is applied. Both cannot be applied to the score of an individual Consultant Firm.*

ATTACHMENT A

FEMA-ALIGNED SCOPE OF WORK AND DELIVERABLES

Project: Dencoe Addition Advance Assistance Flood Study | HMGP DR-4652-0072-NM

A.1 Purpose and Funding Limits

The selected consultant shall complete the FEMA-approved Advance Assistance planning and preliminary engineering activities described below. No construction is authorized.

Any material change to the approved scope, study area, ground disturbance, deliverables, or budget allocation requires advance written review through DHSEM and, when required, FEMA approval.

A.2 Approved Potential Scope of Work

Site Visits and Inventory of Existing Conditions

Conduct a kickoff meeting and field visits. Document physical conditions, drainage patterns, stormwater concerns, historical flooding, and existing drainage infrastructure, including culverts, inlets, and retention basins. Prepare a photographic inventory and baseline conditions assessment.

Topographic and Geotechnical Surveys

Conduct detailed land and soil investigations to understand important factors such as elevation, how water flows across the area, where water might collect, what lies beneath the surface, and whether construction is feasible. This work will be focused on the specific area defined by E Avenue R/Brian Urlacher, 2nd Street, South Street, and South Love Street/Dencoe Drive, near the coordinates 32.926077, -103.349059. The soil will be sampled and test holes will be dug, with depths ranging from just a few feet down to a maximum of 15 feet below the ground surface. After the investigations, restore any disturbed areas and follow all environmental regulations set by FEMA.

Hydrology and Hydraulic Studies

Analyze how water moves and collects during storms using rainfall data, historical flood records, soil types, and the ground's water absorption capacity. Assess current water flow, speed, drainage routes, low-lying areas where water can gather, and the extent of flooding under different storm scenarios. Be sure to document the data sources, assumptions, methods, and any study limitations.

Preliminary Engineering Design

Develop and compare preliminary alternatives, which may include detention or retention features, improved ditches, drainage conveyance, culverts or inlets, curb-and-gutter systems, and related drainage or roadway alignment concepts. Prepare conceptual layouts, preliminary drawings, design criteria, quantities, and planning-level construction cost estimates. Final design and construction documents are excluded.

Environmental Review and Regulatory Compliance

Document environmental and regulatory constraints, coordinate with appropriate agencies, identify permits or clearances applicable to the approved study activities or a future project, and maintain compliance with the FEMA approval letter and Record of Environmental Consideration. FEMA has already categorically excluded the approved Advance Assistance work; construction is not authorized.

Public Engagement Workshops

Assist the City with at least one public meeting or town hall and related stakeholder engagement. Prepare bilingual and ADA-accessible materials, explain study findings and alternatives, document participation and comments, and summarize how relevant feedback was considered.

Engineering Analysis and Modeling

Refine the H&H models to test feasible drainage configurations. Compare alternatives for engineering feasibility, flood-risk reduction, constructability, operations and maintenance, and planning-level cost. Present a side-by-side comparison supporting selection of a preferred alternative.

Technical Memorandum

Prepare a draft and final technical memorandum consolidating existing conditions, surveys, H&H modeling, environmental and regulatory findings, public engagement, alternatives, costs, technical feasibility, cost-effectiveness considerations, and anticipated flood-risk reduction.

Final Report with Recommendations

Prepare a draft and final report containing the studies, modeling, environmental and regulatory findings, engagement documentation, preferred alternative, conceptual drawings, preliminary construction cost estimates, implementation schedule, BCA or sufficient FEMA BCA inputs as directed by the City and DHSEM, maps, exhibits, native data, and

future HMGP application support. Clearly state that future design and construction are not funded or authorized by this award.

Project Management and Coordination

Maintain a project management plan, quality-control process, schedule, meeting records, action-item log, monthly progress updates, and deliverable register. Coordinate consultant activities with the City and participating agencies. The City retains responsibility for grant administration, reporting, internal review, and approved in-kind staff contributions.

A.3 Required Deliverables

Task	Deliverable	Minimum contents
1	Existing Conditions Package	Kickoff record, site-visit notes, photographs, drainage-infrastructure inventory, and baseline assessment.
2	Survey Package	Topographic survey, geotechnical results, boring/test-pit logs, control/metadata, and restoration record.
3	H&H Study Package	Models, maps, inputs, assumptions, calculations, validation, results, and flood/ponding exhibits.
4	Preliminary Engineering Package	Alternatives, concepts, drawings, design criteria, quantities, and planning-level estimates.
5	Environmental/Regulatory Memorandum	Constraints, agency coordination, permits/clearances, and REC compliance documentation.
6	Public Engagement Package	Bilingual and ADA-accessible materials, presentation, participation record, comments, and consideration summary.
7	Alternatives Analysis	Refined modeling and comparison of feasibility, risk reduction, constructability, O&M, and cost.
8	Technical Memorandum	Draft and final memorandum consolidating findings and alternatives evaluation.
9	Final Report	Draft/final report, preferred alternative, concepts, estimates, schedule, BCA support, maps, exhibits, and native data.
10	Project Management Records	Plan, schedules, progress reports, meeting/action records, QC documentation, and deliverable register.

A.4 Schedule and Period of Performance

Work shall begin only after a written Notice to Proceed. The consultant shall propose a detailed schedule consistent with the approved 16-month work plan and allow time for City and agency review. All work and costs must be completed before the FEMA period of performance ends May 14, 2028, unless FEMA approves an extension in writing.

Approved milestone sequence	Target
Project kickoff	Months 1-2
Topographic/geotechnical surveys and hydrology studies	Months 2-5
Preliminary engineering analysis and environmental/regulatory assessment	Months 5-7
Preliminary plans, drainage concepts, and roadway alignment concepts	Months 7-10
Initial agency review and regulatory compliance coordination	Months 10-12
Community engagement, feedback, and plan updates	Months 12-15
Finalize conceptual drawings, estimates, technical memorandum, and final report	Months 15-16

A.5 Environmental Conditions

- Dispose of unusable equipment, debris, petroleum products, hazardous materials, and toxic waste in an approved manner and in accordance with applicable requirements.

- If potential archaeological resources are discovered during ground disturbance, immediately stop work in that area and notify the City so DHSEM/FEMA and the appropriate authorities can be contacted.
- Obtain and document permits and clearances applicable to the approved study and investigation activities.
- Do not begin changed or expanded work until the City receives all required written approvals.

A.6 Activities Not Included

- Construction, demolition, or installation of drainage improvements.
- Final engineering design, sealed construction plans, construction documents, bidding-phase services, construction administration, operational/post-construction services, or construction observation.
- Right-of-way acquisition or a right-of-way survey unless separately approved in writing.
- Ground disturbance outside the approved parcel or deeper than 15 feet below existing grade.
- A new Environmental Assessment or construction-phase NEPA clearance unless FEMA/DHSEM directs and approves that work in writing.

A.7 Proposal Response Requirements

- Understanding of the FEMA-approved Advance Assistance scope and Dencoe Addition flooding concerns.
- Technical approach for each of the ten tasks and required deliverables.
- H&H methods; survey/geotechnical approach; data management; quality control; environmental compliance; public engagement; alternatives analysis; BCA support; and reporting.
- Team roles, licenses, subcontractors, and specialty disciplines.
- A realistic 16-month schedule showing City/DHSEM review time and completion before May 14, 2028.
- Coordination of consultant work with City-provided in-kind services without duplication.

Offerors shall not include price, fees, or fee schedules in their qualifications proposals. A detailed scope and fair and reasonable fee will be negotiated with the highest-ranked offeror, subject to the approved budget and funding requirements.