



**REQUEST FOR PROPOSAL  
RFP 2010-001**

**ADDENDUM NO. 4**

To: Prospective Bidders

From: John N. Tortelli  
Cooperative Educational Services

Date: January 11, 2010

CES has received the following questions regarding RFP 2010-001 either by mail, e-mail, or fax. Please accept the following as responses to the questions submitted.

**Submitted by:** Patrick B. Montoya, CBI, CPE  
Wooten Construction

**Question 1:**

I have a question on the "Alternative Pricing Methodology". Section "h" states that CES understands the international price fluctuation on petroleum based products and concrete costs. Would this also apply to the fluctuation of steel products used for the manufactured buildings?

**Background:**

**Price Reduction and Adjustment:** A price reduction can be offered at any time and will become effective upon notice. Special, time-limited reductions are permissible under the following conditions:

1. The price reduction is available to all CES Members equally.
2. The price reduction is for a specific time period, no less than thirty (30) days.
3. The original price is not exceeded after the time limit.
4. CES is to be notified and have the new prices on record prior to any offer of the new prices to a CES Member.

Price increases (change in discount rate) will be considered at the time of a contract extension and will be a factor in renewal.

Category 1, Lot 1, Price and Cost Submittal, 3. Alternative Pricing Methodology, h on page 82:

- h. CES understands that asphalt, petroleum-based products and concrete costs occasionally are influenced by international, national and/or local conditions or governmental actions through the contract term. If material costs covered by this Lot should substantially increase or decrease beyond the prices established at the time of solicitation due date due to conditions beyond the control of the contractor, a temporary price

increase/decrease may be approved by CES, upon written request, prior to the development and submitting of a cost quote/proposal to a CES Member/Participating Entity for their approval on an individual project. Upon receipt of such a request, CES will verify and issue a written determination accepting or rejecting the contractor's request.

**Response 1:**

In response to question regarding steel and other commodities, yes, if there is a significant increase in the price contract holders may be allowed to adjust their price accordingly. Likewise if the price drops significantly the opposite would occur. The contract holder will need to provide written justification for CES to review. CES will verify and issue a written determination accepting or rejecting the request.

**Submitted by:** Steve Wigfield  
Churchich Recreation

**Question 2:**

You stated that we need to get 5 sets of drawings. Is this to the customer upon purchase? Or for every shelter we plan on bidding?

**Background:**

Category 3, Terms and Conditions, item 11, page 134.

11. Only the Offeror will submit shop drawings to the CES Member or its representative. The procedure for this transmittal will be clearly stated in the Offeror's response. The Offeror will submit shop drawings in an orderly sequence and with such promptness as necessary to allow for reasonable checking time and subsequent completion of the work as provided by the New Mexico state agencies. The CES Member will review and return shop drawings with reasonable promptness. Five (5) copies of each shop drawing will be provided by the Offeror. Three (3) sets will be returned to the Offeror, either approved, marked for changes, or marked for rejection and re-submittal. The Offeror will make any corrections required by the CES Member or PSFA for capital projects and will re-submit five (5) copies each, until approved. Work on any part of the project requiring shop drawings will not be started until the drawings have been approved by PSFA and the Member. No changes will be made after the drawings have been approved, unless authorized by PSFA and the Member. The Offeror's review and approval of shop drawings is limited to checking for conformance with design concepts of the project.

**Response 2:**

This requirement is for the member upon purchase and for required building permits. The proposer will need to provide a list of products and services that they will be providing as part of their response. The proposer as part of their submission can provide drawing to demonstrate their capabilities for providing products and services offered under this RFP.

**Question 3:**

With regards to the drawings, do they need to be engineered stamped drawings? These are normally purchased by the customer at a cost of about \$300 per shelter. Other companies are the same or considerably higher. So this would be a large factor on the quantity of shelters proposed. Hence limiting the range for schools to choose from. Also how many copies? We plan on submitting multiple shelters and 5 copies of shelters would be a lot of paper. Can we submit them electronically i.e. CD?

**Background:**

Category 3, Terms and Conditions, item 11, page 134.

11. Only the Offeror will submit shop drawings to the CES Member or its representative. The procedure for this transmittal will be clearly stated in the Offeror's response. The Offeror will submit shop drawings in an orderly sequence and with such promptness as necessary to allow for reasonable checking time and subsequent completion of the work as provided by the New Mexico state agencies. The CES Member will review and return shop drawings with reasonable promptness. Five (5) copies of each shop drawing will be provided by the Offeror. Three (3) sets will be returned to the Offeror, either approved, marked for changes, or marked for rejection and re-submittal. The Offeror will make any corrections required by the CES Member or PSFA for capital projects and will re-submit five (5) copies each, until approved. Work on any part of the project requiring shop drawings will not be started until the drawings have been approved by PSFA and the Member. No changes will be made after the drawings have been approved, unless authorized by PSFA and the Member. The Offeror's review and approval of shop drawings is limited to checking for conformance with design concepts of the project.

**Response 3:**

CES will not require five (5) engineered stamped drawing for this RFP. The proposer can provide non-engineered stamped drawings to show the types of shelters and options they can provide. The proposer needs only to provide one drawing per shelter submitted. The proposer can submit the non-engineered drawing in electronic format. The proposer will need to note in their proposal that they will be supplying the non-engineered drawing and other product literature in electronic format only.

CES will require that the winning proposers provide engineered stamped drawings on a project by project basics. As part of the cost proposal the proposer will need to include the cost for stamped engineering or architect drawing.

Plan submittal for construction permits. Construction Industries Division requires two (2) complete sets of plans and specifications and must be sufficiently clear to show the project in its entirety. All drawings and plans must be stamped by an engineer or architect licensed to do business in the State of New Mexico. See attached "*New Mexico Building Permit Guide*".

**Question 4:**

Do you have any specific sizes in mind or are we to pick and choose. What parameters should we use?

**Background:**

Category 3, Price and Cost Submittal, item 2, page 137.

The Offeror will provide a detailed price schedule indicating the CES price for each of the standard pre-engineered shade structure configurations offered under this Lot. If the Offeror has additional pricing and/or discounts relating to options or other modifications that relate to the standard shade structure configurations, they must also be included and clearly stated with their associated costs. Place behind Tab 6.

**Response 4:**

It is CES intent with this RFP to have proposers offer their complete product line for our members to choose from. The Offeror will provide a detailed price schedule indicating the CES price for each of the standard pre-engineered shade structure configurations offered under this Category. If the Offeror has additional pricing and/or discounts relating to options or other modifications that relate to the standard shade structure configurations, they must also be included and clearly stated with their associated costs. Place behind Tab 6.

**Question 5:**

Is this bid to include installation or is it ok to bid materials only.

**Response 5:**

CES intent is to provide a turnkey solution for its members. A proposer can provide products and materials only. The proposer will need to convey this in their response and pricing for this Category.

**Question 6:**

Wind Load, 120 MPH is higher than the standard. However some parts of New Mexico Require the higher wind load, while others do not. If we are to use 120 MPH for every building, this will drive the cost up for the people who would be purchasing in the parts of NM that do not require 120 Mph.

**Background:**

Category 3, Terms and Conditions, item 15, page 136.

15. The shade structures must be engineered to withstand windloads up to 120 mph. A variety of structure shapes must be available, including dome, pyramid, hexagonal, wave, hip, sandton, pentagon and octagon.

**Response 6:**

The proposer needs to be able to provide shade structures that meet or exceed the current building codes for the regions that they will be submitting a proposal for. The structure shall be designed in accordance with the 2006 IBC Building Code as adopted by the State of New Mexico with the design wind speed to be 90 MPH minimum. The proposer needs to provide options for structures to withstand wind speeds up to 120 MPH.

**Question 7:**

What is the deadline for submitted questions?

**Background:**

SECTION I. Instructions to Offeror, item D. Questions on page 8.

**D. QUESTIONS**

Submit all questions about the Request for Proposals (RFP) in writing to Cooperative Educational Services, Attn: Max Luft, Executive Director, email to bids@nmedu.org, fax 505- 344-9343, or mail to 4216 Balloon Park Rd. NE, Albuquerque, NM 87109. Replies will be made via the website (www.nmedu.org) as addenda and will become part of the proposal documents. Those not having access to the Internet can call CES at 505-344-5470, either to determine if addenda have been issued, or to request of CES by phone or fax that copies of the addenda be mailed. Questions received less than seven (7) days prior to the proposal due date will not be answered.

**Response 7:**

Questions received less than seven (7) days prior to the proposal due date will not be answered. The last day for questions to be submitted for a formal answer by addendum is January 29, 2010 at 5:00 p.m. Questions can be submitted in writing to Cooperative Educational Services, Attn: Max Luft, Executive Director, email to bids@nmedu.org, fax 505- 344-9343, or mail to 4216 Balloon Park Rd. NE, Albuquerque, NM 87109.

**Submitted by:** Brian Schaefer  
Sustainable Modular Management, Inc.

**Question 8:**

Page 69 of 218 states an Offeror must have been in business 5 years to bid. We have only been in business for 1 ¼ years however have great financials and bondable. Can this requirement be changed to 1 year in business?

**Background:**

Category 1, Lot 1 Terms and conditions, item 1, pages 69-70.

1. Through written documentation, the Offeror must demonstrate that it has a proven record of business operations and providing factory-built wood structure portable and relocateable buildings for educational use. Generally, any Offeror that has not been in the business of providing portable/relocateable buildings to educational institutions in the Southwestern United States for at least five (5) years will not be accepted. (Exception: The Offeror has recently purchased an established business or has proof of prior success in the same or closely related business. If the manufacturer you now represent has been recently purchased or acquired, provide a history of the transaction.)

SECTION I. Instructions to Offeror, F. Listing of General Terms and Conditions, Offeror Qualifications, page 34.

**Offeror Qualifications:** The Offeror must have extensive knowledge and experience and possess the background, capacity and resources necessary to manufacturer, obtain, deliver, install, configure, and/or maintain the quality and support of products and services offered and comply with the terms, conditions and requirements stated herein. CES prefers that the Offeror have at least three (3) years experience with the products and services offered.

SECTION I. Instructions to Offeror, F. Listing of General Terms and Conditions, Qualifications, page 40.

**Qualifications:** Includes any and all skills, knowledge, capacities, capabilities, experience, financial stability, available human and physical resources, historical background, past and present performance, properly licensed to perform and do business in New Mexico, proposed products/services meet or exceed specifications specified herein and proposed pricing complies with state and local requirements. The evaluation of a respondent's qualifications will be done in accordance with the criteria set forth herein, and the most recent edition of any relevant regulation, standard, document or code that will be in effect. Where conflict among the requirements or with these specifications exists, the most stringent requirement will be used.

**Response 8:**

Since this is a Request for Proposal, the proposer will need to demonstrate that they have the ability, experience, capacities, capabilities, experience, financial stability, available human and physical resources, and the proper license to provide the product and services requested in this category. Since this requirement is not a must or shall, then the evaluation committee and CES staff can make the determination to waive or reduce this requirement. The proposer may not receive all evaluation points related to this item.

**Question 9:**

Page 74 of 218 #30 species box sizes that are not on the bid list for 2010-001 Exhibit D-1-1 & 1-2; Page 77 of 218 #5-8 discusses numerous items such as leasing, labor costs and materials for setup, etc to be included in Offeror's bid as well that are not on 2010-001 Exhibit D-1-1 & 1-2. How are these pricing items requested to bid?

**Background:**

Category 1, Lot 1, Lot 1 Terms and Conditions, item 30 on page 74.

30. The classroom buildings offered will include, but are not limited to, those sizes listed below. (Building sizes are box sizes) Please note that Offeror is encouraged to provide its entire product line of buildings.
- a. 28' by 32' (896 square feet) Single Classroom.
  - b. 28' by 60' (1,680 square feet) Double Classroom.
  - c. 28' by 64' (1,792 square feet) Double Classroom.
  - d. 36' by 60' (2,160 square feet).
  - e. 48' by 64' (3,072 square feet).
  - f. 62' by 62' (3,844 square feet).
  - g. 70' by 72' (5,040 square feet) (wood and metal).

Category 1, Lot 1, Lot 1 Cost Evaluation Information, item 3.a. on page 83.

- a. Pricing for wooden construction type classrooms, standard configurations with standard options. Prices will include delivery and setup, with the Member providing all site preparation and utility hookups from source. Please provide prices for each of the following buildings:
  - 1). 28'x32' single modular classroom without restroom.
  - 2). 28'x64' double modular classroom without restroom.
  - 3). 42'x64' double modular classroom/daycare/head start with restrooms and kitchen.
  - 4). 42'x64' double modular classroom without restroom.
  - 5). 70'x72' four classroom modular building.

Category 1, Lot 2, Lot 2 Terms and Conditions, item 28 on page 90.

28. The classroom buildings offered will include, but are not limited to, those sizes listed below. (Building sizes are box sizes.) Please note that the Offeror is encouraged to provide its entire product line of buildings.
- a. 28' by 32' (896 square feet) Single Classroom.
  - b. 28' by 64' (1,680 square feet) Double Classroom.
  - c. 28' by 72' (1,876 square feet) Double Classroom.

Category 1, Lot 2, Lot 2 Cost Evaluation Information, item 3.a. on page 99.

- a. Prices for metal classrooms.
  - 1). 28'x32' single modular classroom without restroom.
  - 2). 28'x64' double modular classroom without restroom.
  - 3). 28'x64' double modular classroom/daycare with restrooms and kitchen.
  - 4). 28'x72' double modular classroom with restroom.

**Response 9:**

Make the following changes to item 30 on page 74.

RFP current:

- a. 28' by 32' (896 square feet) Single Classroom.
- b. 28' by 60' (1,680 square feet) Double Classroom.
- c. 28' by 64' (1,792 square feet) Double Classroom.
- d. 36' by 60' (2,160 square feet).
- e. 48' by 64' (3,072 square feet).
- f. 62' by 62' (3,844 square feet).
- g. 70' by 72' (5,040 square feet) (wood and metal).

Change to:

- a. 28' by 32' (896 square feet) Single Classroom with restroom.
- b. 28' by 60' (1,680 square feet) Double Classroom with restroom.
- c. 28' by 64' (1,792 square feet) Double Classroom with out restroom.
- d. 36' by 60' (2,160 square feet) box size only.
- e. 42' by 64' (2,688 square feet) double modular classroom/daycare/head start with restrooms and kitchen.
- f. 42' by 64' (2,688 square feet) double modular classroom without restroom.
- g. 48' by 64' (3,072 square feet) box size only.
- h. 62' by 62' (3,844 square feet) box size only.
- i. 70' by 72' (5,040 square feet) (wood and metal) four classroom modular building box size only.

Make the following change to item 3.a. on page 83.

RFP current:

- 1). 28'x32' single modular classroom without restroom.
- 2). 28'x64' double modular classroom without restroom.
- 3). 42'x64' double modular classroom/daycare/head start with restrooms and kitchen.
- 4). 42'x64' double modular classroom without restroom.
- 5). 70'x72' four classroom modular building.

Change to:

- 1). 28' by 32' (896 square feet) Single Classroom with restroom.
- 2). 28' by 60' (1,680 square feet) Double Classroom with restroom.
- 3). 28' by 64' (1,792 square feet) Double Classroom with out restroom.
- 4). 36' by 60' (2,160 square feet) box size only.
- 5). 42' by 64' (2,688 square feet) double modular classroom/daycare/head start with restrooms and kitchen.
- 6). 42' by 64' (2,688 square feet) double modular classroom without restroom.
- 7). 48' by 64' (3,072 square feet) box size only.
- 8). 62' by 62' (3,844 square feet) box size only.
- 9). 70' by 72' (5,040 square feet) (wood and metal) four classroom modular building box size only.

See attached Exhibit D-1-1 revised 1-7-10 for the changes.

Make the following changes to item 28 on page 90.

RFP current:

- a. 28' by 32' (896 square feet) Single Classroom.
- b. 28' by 64' (1,680 square feet) Double Classroom.
- c. 28' by 72' (1,876 square feet) Double Classroom.

Change to:

- a. 28' by 32' (896 square feet) Single Classroom without restroom.
- b. 28' by 64' (1,680 square feet) Double Classroom without restroom
- c. 28' by 64' (1,680 square feet) Double Classroom/Daycare with restrooms and kitchen.
- d. 28' by 72' (1,876 square feet) Double Classroom with restroom.

Make the following changes to item 3.a. on page 99.

RFP current:

- a. Prices for metal classrooms.
  - 1). 28'x32' single modular classroom without restroom.
  - 2). 28'x64' double modular classroom without restroom.
  - 3). 28'x64' double modular classroom/daycare with restrooms and kitchen.
  - 4). 28'x72' double modular classroom with restroom.

Change to:

- a. Prices for metal classrooms
  - 1) 28' by 32' (896 square feet) Single Classroom without restroom.
  - 2) 28' by 64' (1,680 square feet) Double Classroom without restroom
  - 3) 28' by 64' (1,680 square feet) Double Classroom/Daycare with restrooms and kitchen.
  - 4) 28' by 72' (1,876 square feet) Double Classroom with restroom.

See attached Exhibit D-1-2 revised 1-7-10 for the changes.

**Question 10:**

Page 74 of 218 #31 states numerous items to be included in the Offeror's bid such as windows, blinds, numerous floor coverings, variety of interior wall finishes, metal doors, electrical options, plumbing options, etc. that are not on 2010-001 Exhibit D-1-1 & 1-2;

**Background:**

Category 1, Lot 1, Lot 1 Terms and Conditions, item 31 on page 74 and 75.

31. The Offeror must be able to provide a variety of building styles, roofing systems, ceiling and wall types in order to meet the CES Members needs.
  - a. The Offeror must provide a variety of floor coverings. Various grades and types of floor coverings are requested, but any floor covering offered must be designed for public facilities and of commercial grade and have a minimum 10-year wear warranty by its manufacturer. Floor coverings will be priced by the square yard installed.
  - b. The Offeror will provide a variety of window sizes, styles and types. Only high quality, energy efficient windows and hardware that meet or exceed the strictest industry standards will be provided. Window options will be individually priced.
  - c. The Offeror will provide a variety of exterior and interior wall types and coverings. Exterior options can include stucco, baked-on enamel, or 20-year exterior paint/sidings.
  - d. If requested, the Offeror will provide fire and security alarm fixtures to include smoke, carbon monoxide and heat detectors. If available, include complete systems for individual buildings.
  - e. The Offeror will provide standard 36" by 80" hollow metal 18-gauge welded frame, keyed lever set, ball bearing hinges, ADA approved closure, threshold, door bottom and weather-stripping. Exterior doors will be upgraded with continuous hinges and panic exit devices. Other acceptable options can be offered as alternatives.
  - f. Millwork and specialty items should include cabinets, marker boards, tack boards and similar items. Bids must indicate the type of joinery available, the grades of wood used, and the interior trim for cabinets.
  - g. Plumbing options must include handicap rest rooms, stainless steel sinks, hot water heaters and drinking fountains. Only high quality water faucets and fixtures will be permitted.
  - h. Electrical options should provide for additional electrical power, energy efficient lamps with electronic ballasts, intercom system wiring and equipment, energy efficient exterior light and additional power outlets.
  - i. Interior partitioning options for rooms will be priced by the linear foot.
  - j. HVAC units will be the finest in the industry, energy efficient and Energy Star rated. (When natural gas is available, it will be preferred to electricity for heating and cooling.) Heat pumps will only be used in climates that permit efficient operation.
  - k. A coating of an environmentally acceptable agent may be sprayed on the underside of the building as a moisture barrier, rust inhibitor and for termite resistance.
  - l. For places with high winds (such as Clovis), a hurricane-resistant design for windows, shutters, foundation and footing should be available.
  - m. The electrical service offered can include, but is not limited to, the following: 115/230 volt, single phase, 40 circuit, 200 amp stablok panel, lockable cover; underground service, nipple thru wall; main breaker; AC cable wiring; telephone/data outlet stub through floor and to T-bar space with conduit, without wiring; fluorescent 3

tube, 34 watt T12 w/E.S. ballast, T-bar suspended ceiling with diffuser; exterior incandescent lighting, vandal resistant on photocell; switches, 15 amp receptacles, white; automatic shut-off of classroom lights as required; clock outlets, 15 amp; smoke detector, strobe, conduit to T-bar space only, without wiring or device; fire alarm bell, manual pull stations, conduit to T-bar space only, without wiring or device and meter base to be supplied by the CES Member.

Category 1, Lot 1, Lot 2 Terms and Conditions, items 29-43 on page 90 and 91.

29. The Offeror must be able to provide a variety of building styles, roofing systems, and ceiling and wall types in order to meet the CES Members needs.
30. The Offeror must provide a variety of floor coverings. Various grades and types of floor coverings are requested, but any floor covering offered must be designed for public facilities and of commercial grade and have a minimum 10-year wear warranty by its manufacturer. Floor coverings will be priced by the square yard installed.
31. The Offeror will provide a variety of window sizes, styles and types. Only high-quality, energy-efficient windows and hardware that meet or exceed the strictest industry standards will be provided. Window options will be individually priced.
32. The Offeror will provide a variety of exterior and interior wall types and coverings. Exterior options can include stucco, baked-on enamel, or 20-year exterior paint/sidings.
33. If requested, the Offeror will provide fire and security alarm fixtures to include smoke, carbon monoxide and heat detectors. If available, include complete systems for individual buildings.
34. The Offeror will provide standard 36" by 80" hollow metal 18 gauge welded frame, keyed lever set, ball bearing hinges, ADA approved closure, threshold, door bottom and weather-stripping. Exterior doors will be upgraded with continuous hinges and panic exit devices. Other acceptable options can be offered as alternatives.
35. Millwork and specialty items should include cabinets, marker boards, tack boards and similar items. Bids must indicate the type of joinery available, the grades of wood used, and the interior trim for cabinets.
36. Plumbing options must include handicap rest rooms, stainless steel sinks, hot water heaters and drinking fountains. Only high quality water faucets and fixtures will be permitted.
37. Electrical options should provide for additional electrical power, energy-efficient lamps with electronic ballasts, intercom system wiring and equipment, energy-efficient exterior light and additional power outlets.
38. Interior partitioning options for rooms will be priced by the linear foot.
39. HVAC units will be the finest in the industry, energy efficient and fueled in the most economical way. (When natural gas is available, it will be preferred to electricity for heating and cooling.) Heat pumps will only be used in climates that permit efficient operation.
40. A coating of an environmentally acceptable agent may be sprayed on the underside of the building as a moisture barrier, rust inhibitor and for termite resistance.
41. For places with high winds (such as Clovis), a hurricane-resistant design for windows, shutters, foundation and footing should be available.
42. The electrical service offered can include, but is not limited to, the following: 115/230 volt, single phase, 40 circuit, 200 amp stablok panel, lockable cover; underground service, nipple thru wall; main breaker; AC cable wiring; telephone/data outlet stub through floor and to T-bar space with conduit, without wiring; fluorescent 3 tube, 34 watt T12 w/E.S. ballast, T-bar suspended ceiling with diffuser; exterior incandescent lighting, vandal resistant on photocell; switches, 15 amp receptacles, white; automatic shut-off of classroom lights as required; clock outlets, 15 amp; smoke detector, strobe, conduit to T-bar space only, without wiring or device; fire alarm bell, manual pull stations, conduit to T-bar space only, without wiring or device and meter base to be supplied by the CES Member.
43. During any inspection conducted by either a governing agency or the CES Member's representative, the Offeror's project manager and any other provider's representative who was involved with the work/product being inspected must be present. It is the Offeror's responsibility to coordinate, schedule and provide notification of these inspections to all parties, including the CES Member.

**Response 10:**

Since this is an indefinite quantity RFP, CES has decided for evaluation purposes that the items listed under Lot 1 Cost Evaluation Information on pages 82 to 84 and Lot 2 Cost Evaluation Information on pages 98 and 99 will be used for evaluation of the proposer's submittal. The proposer will still need to provide a detailed price sheet for the items they will provide under this solicitation or a factor added to or subtracted from R.S. Means

**Question 11:**

Page 77 of 218 #5-8 discusses numerous items such as leasing, labor costs and materials for setup, etc to be included in Offeror's bid as well that are not on 2010-001 Exhibit D-1-1 & 1-2. How are these pricing items requested to bid?

**Background:**

Category 1, Lot 1, Lot 1 Price and Cost Submittal, items 5 to 8 on page 77.

5. For operating leases, the Offeror must clearly identify all terms, conditions and parameters. Provide the payment factor for determining monthly payments on operating leases (that is, .0175 times purchase price). If there are multiple payment factors, list all payment factors and the contract term for each.
6. Lease purchase agreements may be offered to allow the CES Member to lease a building with an option to purchase it at the end of the lease. Lease purchase agreements must comply with and conform to all federal, state and local regulations and codes. The Offeror must include as part its response all terms, conditions and parameters associated with agreement offered. Indicate if financing of purchases is available through the Offeror or a third party financial provider that has a relationship with the Offeror to provide such financing. Indicate the applicable interest rate at the time of proposal submittal. Indicate the percentage to be indexed to U.S. Treasury Bills to determine the interest rate at the time of financing. Indicate if the interest rate will change because of transaction size, bank qualification status, 501c (3) status, etc., and provide the relevant information for each of those changes (change in percent to be indexed to U.S. Treasury Bills, etc.). Indicate how long a rate quoted will be honored.
7. If the Offeror intends to provide existing customers with factory-built building relocation services as part of this lot, provide prices for dismantling existing buildings, components and accessories and prepare the building for relocation to new site. Pricing must be complete and include all materials and services associated with the move and shall include the following as a minimum: flat rate or cost per mile to transport the building with all components and accessories (price per module, if applicable); cost(s) for escort vehicles, as required; cost(s) for permits, etc., as required and other charges, as required. All services offered must be provided by certified/licensed providers and shall be in accordance with industry standards and the manufacturer's instructions. Pricing must be complete, and include all materials and services.
8. The Offeror will provide pricing schedules for all labor costs and materials necessary to set up and prepare a factory-built building located on the project site to a condition established and agreed upon by the CES Member. Work may include, but is not limited to, securing and leveling of the building; utility hookups; installing components and accessories; preparing both interior and exterior areas for occupancy (that is, skirting, etc.); install any steps and ramps as required; and other related products and services as required. Price schedules and CES discounts for both products and services are to be included as part of the Offeror's response.

Category 1, Lot 2, Lot 2 Price and Cost Submittal, items E to I on pages 92 and 93.

- E. For operating leases, the Offeror must clearly identify all terms, conditions and parameters. Provide the payment factor for determining monthly payments on operating leases (that is, .0175 times purchase price). If there are multiple payment factors, list all payment factors and the contract term for each.
- F. Lease purchase agreements may be offered to allow the CES Member to lease a building with an option to purchase it at the end of the lease. Lease purchase agreements must comply with and conform to all federal, state and local regulations and codes. The Offeror must include, as part its response, all terms, conditions and parameters associated with agreement offered. Indicate if financing of purchases is available through the Offeror or a third party financial provider that has a relationship with the Offeror to provide such financing. Indicate the

applicable interest rate at the time of proposal submittal. Indicate the percentage to be indexed to U.S. Treasury Bills to determine the interest rate at the time of financing. Indicate if the interest rate will change because of transaction size, bank qualification status, 501c (3) status, etc., and provide the relevant information for each of those changes (change in percent to be indexed to U.S. Treasury Bills, etc.). Indicate how long a rate quoted will be honored.

- G. If the Offeror intends to provide existing customers with factory-built building relocation services as part of this lot, provide prices for dismantling existing buildings, components and accessories and preparing the building for relocation to new site. Pricing must be complete and include all materials and services associated with the move, and shall include the following as a minimum: flat rate or cost per mile to transport the building with all components and accessories (price per module, if applicable); cost(s) for escort vehicles, as required; cost(s) for permits, etc., as required; and other charges, as required. All services offered must be provided by certified/licensed providers and shall be in accordance with industry standards and the manufacturer's instructions. Pricing must be complete, and include all materials and services.
- H. The Offeror will provide pricing schedules for all labor costs and materials necessary to set up and prepare a factory-built building located on the project site to a condition established and agreed upon by the CES Member. Work may include, but is not limited to, securing and leveling of the building; utility hookups; installing components and accessories; preparing both interior and exterior areas for occupancy (that is, skirting, etc.); install any steps and ramps, as required; and other related products and services, as required. Price schedules and CES discounts for both products and services are to be included as part of the Offeror's response.
- I. Due to the scope of this Lot, Offeror may be required to provide professional services (engineering/design/drafting) as part of a proposal. Provide detailed and complete price schedules for furnishing the engineering, design and drawing services with: designing and modifying factory-built buildings, site plans and drawings relating to the locating and installation of the factory-built building on a project site. Work will be in accordance with federal, state, and local laws and the professional standards for each of the service areas required. Pricing must be complete and include all materials and labor costs. If subcontractors are to be used to perform these services, provide names, resumes, license numbers and contact information along with their rates.

**Response 11:**

Leasing as referenced in Category 1, Lot 1 items 5 & 6 and Category 1, Lot 2 items E & F:

Since this is a Request for Proposal, the proposer as part of their submission can provide information regarding the type of leasing to be offered, the cost to the member and how the lease term and conditions will comply with the State of New Mexico requirement on leasing of real and personal property by a governmental agency. The proposer will need to provide the cost information as part of their cost proposal submission. This is not mandatory and will not be used in the evaluation of the offeror cost proposal.

Factory-built buildings relocation services as reference in Category 1, Lot 1 item 7 and Category 1, Lot 2 item G:

CES has revised Exhibit D-1-1 and D-1-2 to provide cost information for the following items:

- 1. Cost to transport factory built building will all components, accessories and permits
- 2. Cost for escort vehicles
- 3. Other cost to be itemized
- 4. Discount of a published price sheet.
- 5. See attached Exhibit D-1-1 revised 1-7-10 and D-1-2 revised 1-7-10 for the changes.

The proposer can also provide cost for the factory-built building relocation services using in the factor for the R.S. Means Pricing Methodology as described on pages 78 to 81 for Category 1 Lot 1 and pages 93 to 96 of the RFP.

Site preparation for factory-built buildings as reference in Category 1, Lot 1 item 8 and Category 1, Lot 2 item H:

CES has revised Exhibit D-1-1 and D-1-2 to provide cost information for the following items:

1. Labor for site preparation to include but not limited to utilities hookups, interior and exterior preparation, steps and ramps
2. Discount off a published price sheet for supplies and materials
3. See attached Exhibit D-1-1 revised 1-7-10 and D-1-2 revised 1-7-10 for the changes.

The proposer can also include the cost for site preparation for factory-built building relocation services in the factor for the R.S. Means Pricing Methodology as listed on pages 78 to 81 for Category 1 Lot 1 and pages 93 to 96 of the RFP.

CES has revised Exhibit D-1-1 and D-1-2 to provide cost information for the following items:

1. Project Design/Development Consultant – A professional with experience and background in surveying, evaluating, consulting, designing and developing proposed solutions for the obtaining, delivering and setting up of a portable/pre-engineered building.
2. Installer and Other Tradesman – An individual who is licensed and/or certified to perform work relating to a specialized product and/or service (electrical, gas, plumbing, etc.) required to complete the installation of products offered.
3. Labor Rates (Tradesman Electrician) – An individual who is licensed and/or certified to perform specialized work related to a project.
4. Labor (General) – An individual who is not licensed or certified to perform specialized work, but assists the installer and performs various tasks related to a project.
5. See attached Exhibit D-1-1 revised 1-7-10 and D-1-2 revised 1-7-10 for the changes.

**Submitted by:** Steve Adams and Jill Cline  
Wayne Rutherford General Contractor, Inc.

**Question 12:**

I would like to know how the award is going to be handled as far as regions go. We are only bidding on region 2. Is it possible we can win this region alone or will there be multiple awards?

**Background:**

None.

**Answer 12:**

The Evaluation Committee will review and rank all proposals and make a recommendation to award on region by region basis.

**Question 13:**

I am now working on the portable metal units and I don't see any specs on them. Did I miss anything or is there some clarification on this.

**Background:**

Category 3 Terms and Conditions, items 1 to 19, pages 135 to 136.

The following items are intended to provide the Offeror with minimum specifications and guidelines for product lines offered.

1. Fabrics used in the shade structures should have a ten-year lifecycle and be warranted for five (5) years against failure due to fading, tearing or poor workmanship. Evidence that the fabric has met the specifications, such as independent lab test results, will be included in the bid. The test results will describe the fabric being bid as to density, stretching and effects of aging. Place test results after Tab 8.
2. Knitted fabrics will be Class "A" Fire Rated and Class 1, ASTM E 84-91A. All fabric must conform to requirements of the UBC.
3. Offeror must submit samples of fabric. Fabrics will be evaluated on how it stretches (the less the best) and how the fabric is woven. The samples should be about 8" x 10" and be representative of the fabric to be offered on this contract. At least five (5) samples in different colors should be sent. Place after Tab 8.
4. Steel should be 3" powder coated schedule 40 pipes. Concrete work will be executed in strict accordance with the latest American Concrete Institute Building Code (ACI 318-89).
5. Footings must be 2,500 psi or higher in strength. Concrete anchors will have a minimum service load tensile strength of 1,145 lbs.
6. Steel reinforcement will conform to 40 ksi, Grade 60 using ASTM A 615. Tubular steel will be 36 ksi. All reinforcement steel will be designed, detailed, fabricated and placed in accordance with the latest ACI Detailing Manual.
7. Structural steel will meet or exceed ASTM standards A 63, except steel pipe columns which will meet ASTM A 53. Slip fittings will be manufactured of drawn-over-mandrel steel with minimum yield strength of 70 ksi and a minimum tensile strength of 80 ksi. Steel telescoped sleeves will not have more than 1/16" tolerance nor less than 3" overlap at all sleeves.
8. All shop and field welding will be welded by certified welders in accordance with the latest edition of the American Welding Society specifications. Shop connections will be welded, unless otherwise specified. All welds will be performed using E70 electrodes. Fillet welds will be 3/16", unless otherwise specified.
9. Erection bolts will be treated to retard corrosion per ASTM A 307. All structural steel will be painted with a shop coat of rust inhibitive paint, or powder coated with outdoor UV inhibited, weather resistant polyester powder 3.5 mils or thicker.
10. Wire rope will be 1/4" nominal diameter, 7 strand, 19 wires/strand, with a minimum nominal tensile strength of 9,000 lbs.
11. The metal structures must be warranted for at least 10 years. Responses with longer warranties will be given preference.
12. The fabric must be warranted for at least three (3) years. Responses with longer warranties will be given preference.
13. All electrical wiring will be installed by a licensed electrician.
14. All hardware will be first-grade stainless steel; all fittings will include neoprene washers for watertight seals at all joints.
15. The shade structures must be engineered to withstand windloads up to 120 mph. A variety of structure shapes must be available, including dome, pyramid, hexagonal, wave, hip, sandton, pentagon and octagon.
16. Steel structures must be treated to prevent rusting and be warranted against structural failure caused by corrosion or inferior workmanship.
17. Structures must be securely fastened to the ground or bolted to existing concrete slabs or bolted to reinforced concrete footings. Other mounting techniques may be bid, but CES reserves the right to reject any system that it deems unsatisfactory.
18. Fabric attributes must meet or exceed the following:
  - a. Mesh design must reduce the sun's harsh ultraviolet rays up to 90%, depending on color and weave, reduce temperatures 15° or more, and be mildew and fade resistant.
  - b. Must not crack in cold weather up to -70°F.
  - c. Must have a Class A fire rating; have a load rating of at least 40 lbs per square foot and a burst strength over 300 psi.
  - d. Must be stitched using an UV inhibited thread and shall be light-weight material, yet strong enough to withstand weather and other environmental factors within New Mexico educational institutions.
19. All steel products used in the structure offered will be hot-dipped, galvanized throughout. All fasteners used in these structures will be stainless steel and all cables used will be galvanized, aircraft grade cable.

### **Response 13:**

This is a Request for Proposal and not a Request for Bid. CES has included the minimum specification required for Category 3 in Term and Condition as listed on pages 135 to 136. CES and its members are looking for a proposer that can provide pre-designed shade structures that can be easily configured and customized; offer a wide product selection; and can be delivered from stock. It is CES's intent with this RFP to have proposers offer their complete product line so a CES member can choose from a variety of shapes, configurations and colors.

### **Question 14:**

I would like to clarify that in this proposal, we only need to create one (1) technical proposal, sub-tabbed appropriately for the Region/Category/Lot combinations -- as opposed to a full technical proposal binder for each combination. Also that the pricing proposals can then be included in a single binder and sub-tabbed for the same Region/Category/Lot combinations.

### **Background:**

Section 1, Instructions to Offeror, E. Proposal Submission, 3. Contents of the Proposal, Part I. Technical Proposal, paged 10 to 13.

### **Part I. Technical Proposal**

#### Tab 1: The Offer

- Offeror's Declaration Form (page 163) **Form A.**
- Signed Acceptance of Offer (page 165) **Form B.**
- The RFP Affidavit, notarized signature required (page 166) **Form C.**
- Signed copies of any addendum issued.
- Mandatory \$25,000.00 Bid Bond

#### Tab 2: Introduction

- Executive Summary (a one-page description of what you are proposing on this contract).

#### Tab 3: General Terms and Conditions.

- Terms and Conditions, Section I-E (copy of each page in order) (pages 20-47).
- Acceptance of Terms and Conditions, (**Form E**, first line must be signed) (page 169).
- American Recovery and Reinvestment Act and other Required Federal Government Contract Clauses (provided as separate documents) must be certified and signed. (**Form E-2**, page 171)

#### Tab 4: Qualifications

Note: If the Offeror is responding to more than one Category/Lot, sub-tabs/electronic folders must be set up to provide contractor's and subcontractor's information that does not apply to all Categories/Lots.

- Offeror questions (page 178-182) **Form J.**
- Subcontractor questions (page 183-185) **Form J-1** for each Subcontractor listed.
- Subcontractors List for each Category and Lot listed (pages 176) **Form I.**
- A copy of current New Mexico Construction Industries (NMCID) Contractors and Subcontractors Licenses that applies for each of the Categories.
- Confirmation of Contractors and Subcontractors New Mexico Department of Labor (NMDOL) Registration that applies for each of the Categories.
- Documentation from Offeror's security company.
- Contractor and Subcontractor Certificate of Commercial Liability Insurance.

#### Tab 5: Category

Note: If the Offeror is responding to more than one Category/Lot, sub-tabs/electronic folders must be set up to provide your responses to the following items for each Category/Lot.

- Categorical Terms and Conditions page(s) only for the Category(s) and Lot(s) for which the Offeror will be submitting a proposal (copy of each page in order).
- Acceptance of Categorical Terms and Conditions (**Form E-1**, second line to be signed, page 170). If submitting more than one Category/Lot, submit a separate **Form E-1** for each Category/Lot and circle the Category and Lot that applies.
- Listing of any exceptions to the Categorical Terms and Conditions and Specifications for each Category and Lot submitted (page 170) **Form E-1**.
- Required Categorical Responses for your category (written response to every part). A separate response for each Category and Lot that is submitted, to be marked with the Category and Lot number.

Tab 7: Required Forms

- Offeror's Support for CES Prices (page 173) **Form G**.
- Questionnaire for Offeror (pages 174) **Form H**.
- Support and Maintenance Plans (page 172) **Form F**.
- **W-9 Form**

Tab 8: Additional Information

Note: If the Offeror is responding to more than one Category/Lot, sub-tabs/electronic folders must be set up to provide the following items for each Category/Lot.

- Additional information that you wish to include.
- Additional support pages requested in each specific category.

Tab 9: Submission Check-Off Form

- Make certain everything is included, and then sign form (page 217) **Form K**.

Tab 10: Literature, slicks, samples and supporting printed material.

Note: If the Offeror is responding to more than one Category/Lot, sub-tabs/electronic folders must be set up for each Category/Lot.

**Response 14:**

If a proposer will be responding to one of more categories and lots, the proposer can sub-tab the appropriate regions, categories and lots. See the following examples below.

1. Tab 1, Offerors Declaration Form (page 163) Form A, this form list the regions, categories and lots a proposer can respond too. The proposer can use one Form A for all regions, categories and lots if the regions they will be responding to are the same. If a proposer is responding to different regions by category and lot and they may want to fill out a separate Form A for each of the categories and lots so they can indentify only the regions they want to provide products and services. The Offeror needs to provide a sub-tab for each category and lot if providing different information for each category and lot.
2. Tab 4, Offeror questions (page 178-182) Form J; Subcontractor questions (page 183-185) Form J-1 for each Subcontractor listed; A copy of current New Mexico Construction Industries (NMCID) Contractors and Subcontractors Licenses that applies for each of the Categories. The proposer may want to sub-tab this Tab due to the fact that different information can be submitted for each category and lot. Sub-tab should list the category and lot. The Offeror needs to provide a sub-tab for each category and lot if providing different information for each category and lot.
3. Tab 5: If the Offeror is responding to more than one Category/Lot, sub-tabs for that category and lot must be set up.
  - a. Categorical Terms and Conditions page(s) only for the Category(s) and Lot(s) for which the Offeror will be submitting a proposal (copy of each page in order).
  - b. Acceptance of Categorical Terms and Conditions (Form E-1, second line to be signed, page 170). If submitting more than one Category/Lot, submit a separate Form E-1 for each Category/Lot and circle the Category and Lot that applies.
  - c. Listing of any exceptions to the Categorical Terms and Conditions and Specifications for each Category and Lot submitted (page 170) Form E-1.

- d. Required Categorical Responses for your category (written response to every part). A separate response for each Category and Lot that is submitted, to be marked with the Category and Lot number.
- 4. Tab 7: Required Forms
  - a. Offeror's Support for CES Prices (page 173) Form G. The Offeror needs to provide a sub-tab for each category and lot if providing different information for each category and lot.
  - b. Questionnaire for Offeror (pages 174) Form H. The Offeror needs to provide a sub-tab for each category and lot if providing different information for each category and lot.
  - c. Support and Maintenance Plans (page 172) Form F. The Offeror needs to provide a sub-tab for each category and lot if providing different information for each category and lot.
- 5. Tab 8: Additional Information. The Offeror needs to provide a sub-tab for each category and lot if providing different information for each category and lot.
- 6. Tab 10: Literature, slicks, samples and supporting printed material. The Offeror needs to provide a sub-tab for each category and lot if providing different information for each category and lot.

If you have any questions regarding this Addendum, please contact my office at 505-344-5470.

By dating, signing, and returning this page, the Offeror acknowledges receipt of Addendum No.4  
**(Please place behind Tab 1 of your response).**

Date: \_\_\_\_\_ Company Name (Print): \_\_\_\_\_

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_