



# TOWN OF TAOS

As Fiscal Agent for  
Taos Regional Landfill Board

## BID SPECIFICATIONS FOR

BID #09-10-12

Lease of New 11-Cubic Yard Elevating Scraper

### BID DUE DATE

DATE: March 3, 2010

TIME: 2:00 PM Local Time

LOCATION: Office of the Procurement Officer,  
Town Hall Room 202  
400 Camino de la Placita,  
Taos N.M.  
87571

### Chair

Barb Wiard, Taos Ski Valley

### Vice Chair

Russell Church, Town of Red River

### Members

Councilor Amy Quintana, Town of Taos  
Mayor Billie J Odum, Village of Eagle Nest  
Councilor Louise Padilla, Village of Questa  
Commissioner Joe Mike Duran, Taos County

## LEGAL NOTICE

Notice is hereby given that the Town of Taos as Fiscal Agent for The Taos Regional Landfill Board (TRLB) calls for Sealed Bids for:

Bid # 09-10-12  
**Minimum 3-Year Lease (with option to Renew/Purchase) for  
New 11 Cubic Yard Elevating Scraper**

Interested parties may secure a copy of the Request for Bids and any amendments if applicable from:

Tina Torres, Procurement Officer  
Town of Taos  
400 Camino de la Placita  
Taos, NM 87571  
(575) 751-2025

Or at [www.taosgov.com](http://www.taosgov.com). You must contact the Purchasing Office @ (575) 751-2025 to be included in the spec-holder list in order to receive amendments to this request if applicable.

The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kick-backs.

Sealed Bids must be received by the Town of Taos Procurement Officer, at the Purchasing Office, Taos Town Hall Room 202, 400 Camino de la Placita, Taos, New Mexico 87571 no later than **2:00 P.M. Local Time Wednesday, March 3, 2010** at which time the bids will be opened at the Town of Taos Municipal Building (Town Hall), Room 109, 400 Camino de la Placita, Taos, New Mexico 87571.

As per NMSA 1978, Sections 13-1-131 and 13-1-132, the Town of Taos reserves the right to cancel this procurement or reject any/all bid proposals if it is in the best interest of the Town to do so, and to waive all technical irregularities not involving price, quality or quantity of construction, services or materials.

By Order of the Taos Regional Landfill Board  
Town of Taos as Fiscal Agent  
Tina Torres,  
Procurement Officer  
(575) 751-2025

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[classads@taosnews.com](mailto:classads@taosnews.com)

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## INVITATION TO BID

**This Invitation to Bid is issued by the Town of Taos as Fiscal Agent for the Taos Regional Landfill Board. Any reference in this document to the Town of Taos shall mean Town of Taos as Fiscal Agent for the Taos Regional Landfill Board.**

TOWN OF TAOS

PROJECT: Bid #09-10-12

### **Lease of New 11 Cubic Yard Elevating Scraper**

### **SPECIFICATIONS / DESCRIPTION**

As per Specifications included with this bid packet.

### **BIDDING:**

Sealed bids must be received by the Procurement Officer, Tina Torres, at the Purchasing Office located at Town Hall Room 202, 400 Camino de la Placita, Taos, New Mexico, no later than 2:00PM (local time), on Wednesday, March 3, 2010 at which time the bids will be opened at Taos Town Hall, Room 109, 400 Camino de la Placita, Taos, New Mexico 87571. **Any bid received after this time will be returned unopened.**

As per NMSA 1978, Sections 13-1-131 and 13-1-132, the Town of Taos reserves the right to cancel this procurement or reject any/all bid proposals if it is in the best interest of the Town to do so, and to waive all technical irregularities not involving price, quality or quantity of construction, services or materials.

You must contact the Procurement Officer, Tina Torres, and ask to be included in the Specholder Listing. If any Addendums are issued only the Specholders on the listing will be advised of the Addendum(s).

Contact Information:

Tina Torres, Procurement Officer  
400 Camino de la Placita  
Taos, NM 87571

575.751.2025  
[ttorres@taosgov.com](mailto:ttorres@taosgov.com)

## INSTRUCTIONS TO BIDDERS

Town of Taos Bid #09-10-12  
New 11 Cubic Yard Elevating Scraper

### NOTICE

**The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kick-backs.**

As per NMSA 1978, Sections 13-1-131 and 13-1-132, the Town of Taos reserves the right to cancel this procurement or reject any/all bid proposals if it is in the best interest of the Town to do so, and to waive all technical irregularities not involving price, quality or quantity of construction, services or materials

Any questions concerning the above New Mexico Statutes should be referred to legal counsel.

### **1. BIDDER QUALIFICATIONS**

It shall be the sole responsibility of the bidders requesting consideration for Resident Bidders Preference to apply to the New Mexico State Purchasing Director for Certification; and to receive approval and a certification number, which must be included in the Bid Proposal prior to bid opening deadline date and time.

Requests for qualification for Resident Bidder Preference certification after the bid submission deadline date and time will not be considered.

**2. SUBMISSION OF BIDS:** The bid form is included in the bid documents. Additional copies may be obtained from the Procurement Officer.

Sealed bids must be submitted to Tina Torres, Procurement Officer, at the Purchasing Office located at 400 Camino de la Placita, Taos, New Mexico, no later than 2:00PM (local time), on Wednesday, March 3, 2010. **Bids must be submitted in a sealed envelope with the Bid Number, Bid Title and Bidders Business name and address clearly written on the outside of the envelope.**

All bids must be typed or written in ink on the appropriate forms provided by the Town of Taos in the Bid Documents. All appropriate forms must be filled out by the Bidder and must be complete and clearly legible. Incomplete or illegible Bids will not be considered. All bids must be signed with the submitters name and title clearly typed or printed below the signature.

### **3. MODIFICATION OR WITHDRAWAL OF BIDS:**

Bids may be modified or withdrawn by an appropriate document duly executed (in the

manner that a bid must be executed) and delivered to the place where bids are to be submitted at any time prior to the deadline for receipt of bids.

#### **4. UNBALANCED BIDS:**

Any apparent unbalancing of bids through the use of unrealistic or unreasonable bids including unrealistically or unreasonable low bids may be cause for rejection of the bid.

#### **5. ADDENDA/CONTRACT DOCUMENTS:**

Any addenda issued during the time of bidding, or forming a part of the contract documents furnished to the bidder for the preparation of his/her proposal as well as this Invitation to Bid shall be made a part of the contract. Receipt of each or any addendum issued during the time of bidding, or forming a part of the contract documents furnished to the bidder for the preparation of his proposal, shall be covered in the proposal and shall be made a part of the contract. Receipt of each addendum shall be acknowledged in the Bid Proposal.

#### **6. SUBSTITUTIONS (IF APPLICABLE):**

The bid shall not be qualified in the Bid Proposal as to substitutions for specified materials or equipment, and no alternative bids will be considered unless such bids are specifically requested prior to the scheduled bid opening date and time.

#### **7. INTERPRETATION OF DOCUMENTS:**

If a person submitting a Bid Proposal is in doubt as to the true meaning of any part of the specifications, or finds discrepancies in or omissions from the specifications, he/she may submit to the Town of Taos, a written request for an interpretation or correction thereof. The person submitting such a request shall be responsible for its prompt delivery.

Any interpretation or correction to the bid documents will be made only by an Addendum duly issued, and a copy of the Addendum will be mailed or delivered to each individual receiving a set of the Bid documents. The Town of Taos will not be responsible for any explanation or interpretation of the Bid Documents unless submitted in the manner described herein.

#### **8. BID AWARD AND CONTRACT EXECUTION:**

The Bid Award(s) shall be made to the lowest responsible bidder submitting a responsive base bid, whose bid meets all standards and specifications on the Bid Documents. The Town of Taos intends to award the Bid within (30) days of the bid opening. The Town and the lowest bidder shall not be legally bound until a lease agreement between them is signed.

#### **9. SPECIAL CONDITIONS OR REQUIREMENTS**

The Bid amount shall include the total monthly lease amount. Information shall be provided setting forth all costs associated with the lease. Total monthly lease amount shall include all

additional charges if any. Bid award will be determined on total monthly lease amount. Bid must be lump sum per month amount, please **do not** include GRT in the lump sum per month amount.

#### **10. BID OPENING PROCEDURES:**

Bids shall be opened at 2:00PM (local time) on March 3, 2010, as stated above.

Following the bid opening, bids will be evaluated for such items as accuracy, completeness, resident bidder's preference, and bidder's qualifications. Bidders shall furnish such information, data, and documents to the Town of Taos as required, and the Town may conduct such inquiry as it deems appropriate into the bidder's qualifications, equipment offered and lease agreement and terms prior to contract award. A conditional or non-responsive bid will not be accepted. The Town reserves the right to reject the bid of any bidder whom the Town deems is not qualified.

#### **11. BID INQUIRIES:**

Any questions or clarifications regarding this bid may be directed to:

Tina Torres, Procurement Officer,  
(575) 751-2025  
ttorres@taosgov.com

#### **12. EQUAL EMPLOYMENT OPPORTUNITY**

The Contractor and his subcontractors shall not discriminate against any employee or applicant for employment, to be employed in the performance of such contract, with respect to hire, tenure, terms, conditions, or privileges of employment, because of race, sex, age, color, religion, national origin or ancestry, sexual preference, disability or serious medical condition. Breach of this covenant may be regarded as a material breach of the contract. (Laws 1949, Ch. 161, S.5) (New Mexico Statutes relating to Equal Employment Opportunities on Government Contracts.) The Contractor and his subcontractors shall comply with the Federal Civil Rights Act of 1964 and Title 7 of that Act revised in 1979.

#### **13. DISPOSAL OF MATERIALS**

Not Applicable

#### **14. Addendums (If applicable)**

Addendums (if applicable) need to be acknowledged on the bid form. The Town of Taos reserves the right to terminate any part of or the entirety of any contract that may result from this proposal, without cause and at any time with thirty (30) calendar day's written notice. In such case, the Contractor shall be paid for services rendered through the date of the termination notice, and the results of all such work through that date shall become the property of the Town of Taos.

### **15. Campaign Contribution Disclosure**

Included in this packet is a Campaign Contribution Disclosure which needs to be filled out and included with your bid submission.

### **16. Lease Agreement**

A Lease Agreement will be provided by the Town of Taos to the lowest responsible Bidder. Terms of the lease agreement may be changed as circumstances warrant before it is signed.

### **17. Option to Renew**

The Town of Taos shall have the option to renew the Lease Agreement for an additional term of up to two years.

### **18. Option to Purchase**

The Lease Agreement shall provide that the Town has the option, at its sole discretion, to purchase the equipment at the end of the lease term at fair market value to be determined by the town and the Contractor at the end of the lease term.

### **ALL PROPOSALS MUST BE RECEIVED BY THE PROCUREMENT OFFICER OR DESIGNEE NO LATER THAN 2:00PM March 3, 2010.**

Bid Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal.

Proposals must be addressed and delivered to the attention of the Procurement Officer at the above address. Proposals must be sealed and labeled on the outside of the package to clearly indicate that they are in response to the **Bid 09-10-12 11 Cubic Yard Elevating Scraper.**

NOTE: UPS, FEDEX, or other overnight delivery services to Taos may not be reliable as to date of delivery. Fax or e-mail proposals will not be accepted.

Any inquiries or requests regarding this procurement should be submitted to the Procurement Officer in writing. Respondents may contact **ONLY** the Procurement Officer regarding the procurement. Any question, comment or concern will be shared with all interested parties to this proposal.

A public log will be kept of the names of all Respondents that submit Bid Proposals. The Procurement Officer will review proposals for completeness and compliance with requirements. If any proposal submitted is deemed non-responsive, the Procurement Officer will notify the submitter in writing of such determination and the method of protesting that determination.

The Procurement Officer reserves the right to amend and/or cancel this request for bid proposals prior to the time and date of the proposal submission deadline, and the right to reject all offers submitted.

The Procurement Officer reserves the right to waive any minor or technical irregularities in any proposal that do not alter the price, quality or quantity of services, systems or items of tangible personal property being offered and the right to reject any proposal mistakenly awarded as a result of clerical, arithmetical, or other error on the part of the Town of Taos.

**Contract Award**

Recommendation to award will be presented to the Taos Regional Landfill Board. The contract shall be awarded to the lowest responsible bidder.

**No Obligation**

This procurement in no manner obligates the Town of Taos or any of its agencies until a valid written contract is awarded and approved by the appropriate authorities.

**Sufficient Appropriation**

Any contract awarded as a result of this Bid Solicitation may be terminated if sufficient appropriations or authorizations do not exist. Sending written notice to the contractor will effect such termination. The Town of Taos's decision as to whether sufficient appropriations and authorizations are available will be accepted by the contractor as final.

**Legal Review**

The contract to be entered into between the Town of Taos and the selected vendor for the lease of equipment solicited by this Bid Proposal shall be subject to legal review and approval by the Town Attorney and will contain provisions mandated by and advisable under New Mexico Law.

**Town of Taos Rights**

The Town of Taos may enter into cooperative purchasing agreements with other political subdivisions or other governmental entities of the State of New Mexico in order to conserve resources, reduce procurement costs, and improve the timely acquisition of supplies, equipment and services. The Respondent to whom a contract is awarded under this RFP may be requested by other parties to such a cooperative purchasing agreement to extend to those parties the right to purchase services provided by the Respondent under its contract with the Town of Taos, pursuant to terms and conditions stated therein.

Town of Taos Bid #09-10-12  
New 11 Cubic Yard Elevating Scraper

**Bidder must meet or exceed specifications:**

*Bidder must be willing to sell the equipment to the Town at the end of the lease term for fair market value to be determined at that time, or to renew the lease for an additional term of up to two years at the option of the Town.*

General:

Machine shall be new, currently advertised, standard production, two-axle self-loading wheel tractor elevating scraper. Machine shall have a Full one (1) year factory warranty with five- (5) year/7500 hour power-train warranty. The scraper model bid must meet OSHA, Federal, and State regulations.

Capacity:

Scraper bowl shall have a SEA heaped capacity rating of not less than eleven (11) cubic yards.

Power-train:

Engine:

Engine shall be of diesel type; four stroke cycle, fully equipped with all necessary Operating accessories, including fire suppression.

Engine shall develop at least 175 net flywheel horsepower.

Standard engine equipment shall include fan, air cleaner, water pump, lubricating Oil pump, fuel pump and alternator.

Engine shall be equipped with 24-volt electrical starting and operating system.

Engine shall include dry-type air cleaner.

Engine shall include service indicator.

Transmission:

Transmission shall be a semi-automatic planetary type powershift or equivalent.

Transmission shall have at least six (6) forward gears and one (1) reverse gear with torque converter drive in reverse, first, through sixth gears provide automatic torque converter lockup.

Final Drives:

Compact planetary design.

Full-floating axles.

Differential Lock:

Scraper floor and cutting edge shall retract when dumping.

Floor shall retract on rollers for minimum wear and maintenance.

Hydraulic System:

Manufacturer's standard filtration system.

Bowl:

Bowl shall have a positive down-pressure at the cutting edge.

Width of cut shall not be less than seven feet nine inches (7'9").

Serviceability:

Engine shall be easily accessible.

Engine hood shall provide fast, easy accessibility to engine.

Hydraulic tank sight gauge.

Noise, Safety & Operator Comfort:

Unit shall have the following:

- Fully enclosed ROPS, sound-suppressed cab
- Air Conditioner with heater and defroster
- Electronic monitoring or full gauge group
- Seat belt, retractable
- Lighting system, halogen with dimmer
- Windshield with wiper, washer
- Vandalism protection to include locking radiator, fuel and hydraulic tank caps
- Crankcase guard
- Back-up alarm
- Engine compartment fire suppression (Landfill Fire Suppression)
- Teeth on cutting edge
- Beacon Light
- AM – FM Radio

#### Training:

At least 4 hours minimum in-person training to be provided upon delivery of the scraper, vendor shall furnish mechanical, technical and operator training on site at the Taos Regional Landfill. Vendor shall also provide two (2) copies each of parts and service manuals.

Machine shall have standard differential lock.

Differential lock shall be operator engaged to allow positive solid axle Performance when needed and normal differential action when not Required.

#### Brakes:

Service brakes shall be manufacturer's standard on all four wheels.

Machine shall have the following:

- Standard emergency braking system
- Standard parking brake
- Audible low pressure warning system

#### Tires:

Tires size shall not be smaller than 23.5 x R25 (L-3) Radials

Unit to have front and rear fenders.

#### Steering:

Shall be Manufacturer's standard

Secondary Steering (Supplemental Steering)

Steering shall be a full 90-degree left and 90-degree right to enable the machine to maneuver easily in tight quarters.

Turning Radius to be a minimum 14.67 feet.

#### Elevator:

Shall be Manufacturer's standard.

Elevator shall have at least two speeds forward and one speed reverse.

Design of drive sprockets shall enable replacement without removing elevator chain.

Adjustable throat clearance from one (1) inch to sixteen (16") inches.

BID FORM

Bidders acknowledge receipt of the following addenda:

Addendum No. \_\_\_\_\_ Date \_\_\_\_\_  
Addendum No. \_\_\_\_\_ Date \_\_\_\_\_

MAKE: \_\_\_\_\_

MODEL: \_\_\_\_\_

GRT should **not** be included in bid.

Monthly Lease payment \_\_\_\_\_

Bid prices shall be FOB Taos Regional Landfill, 24670 Hwy 64, Taos, NM. Delivery Monday thru Friday between the hours of 10:00 AM and 1:00 PM.

Respectfully Submitted:

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Contractor Signature

\_\_\_\_\_  
By

\_\_\_\_\_  
Title

(Seal – If bid by Corporation)

\_\_\_\_\_  
Business Address and Zip Code

The undersigned bidder, having examined the Bid Specifications, and being fully cognizant of all conditions or requirements associated with the bid as covered by and in accordance with the attached bid specifications, does hereby submit this bid.

CompanyName \_\_\_\_\_

Contact Person \_\_\_\_\_ Title \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City \_\_\_\_\_, State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Number: (\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_ Fax Number: (\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

New Mexico State Tax ID # \_\_\_\_\_ Federal Tax ID # \_\_\_\_\_

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to Chapter 81, Laws of 2006, any prospective contractor seeking to enter into a contract with any state agency or local public body must file this form with the state agency or local public body. 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 representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

THIS FORM MUST BE FILED BY AND PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAD 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 either 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 un-reimbursed 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.

**“Contract”** means any agreement for the procurement of items of tangible personal property, services, professional services or construction

**“Family member”** means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

**“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.

**“Person”** means any corporation, partnership, individual, joint venture, association or any other private legal entity.

**“Prospective contractor”** means a person who 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 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.

**DISCLOSURE OF CONTRIBUTIONS** applies to contributions made to the following Public Officials: **DARREN CORDOVA, MAYOR**

**COUNCIL MEMBERS:**

**AMY QUINTANA      EUGENE (GENE) SANCHEZ**  
**MICHAEL SILVA    RUDY C. ABEYTA**

Contribution made by: \_\_\_\_\_

Relation to Prospective Contractor: \_\_\_\_\_

Name of Applicable Public Official: \_\_\_\_\_

Date Contribution(s) made: \_\_\_\_\_

Amount(s) of Contributions(s) \_\_\_\_\_

Nature of Contributions (s) \_\_\_\_\_

Purpose of Contributions(s) \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (position)

**OR**

**NO** CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable official by me, a family member or representative.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (Position)