CITY OF CARLSBAD

REQUEST FOR PROPOSALS NO. 2016-27
CONCESSION SERVICES FOR BOB FORREST YOUTH SPORTS COMPLEX, CARLSBAD, NM

The City of Carlsbad will accept proposals at the office of the Purchasing Manager, 101 N. Halagueno, Carlsbad, NM 88220 or P.O. Box 1569, Carlsbad, NM 88221-1569, Room 114, until 5:00 p.m., September 9, 2016 for concession services contract for the Bob Forrest Youth Sports Complex.

The intent of this proposal is to enter into a contractual agreement for the concession stand operations of the Bob Forrest Youth Sports Complex three (3) concession stands. The City will continue to maintain the infrastructure of the concession buildings and all other services will be the responsibility of the contractor. The operations of all three (3) concession stands will be the sole responsibility of the contractor. Contractor shall maintain at his own expense public liability insurance with the City named as an additional insured. This is to be a multi-year contract, renewed annually, based on the satisfaction of both parties.

Request for Proposals may be obtained at the office of the Purchasing Department, noted above between 8:00 a.m. and 5:00 p.m. Monday through Friday or will be mailed upon written or telephone request to the Purchasing Department at (575) 234-7905. Copies of the RFP may also be obtained by visiting the City of Carlsbad website at the following link: http://www.cityofcarlsbadnm.com/purchasing.cfm

Proposals will be reviewed by the Bob Forrest Youth Sports Complex Advisory Board with a recommendation made to the governing body of the City of Carlsbad.

The City of Carlsbad reserves the right to reject any or all proposals received and in the case of ambiguity or lack of clearness to determine the best proposal or to reject the same and waive irregularities and technicalities.

Date: 8/12/16

/s/ Matt Fletcher, CPO
Purchasing Manager

RFP NO. 2016-27

CONCESSION SERVICES FOR BOB FORREST YOUTH SPORTS COMPLEX CARLSBAD, NM

GENERAL CONDITIONS

1. Proposals must be received at the office of the Purchasing Department on or before 5:00 p.m. on September 9, 2016. Late proposals will not be considered. The filing date and time marked or stamped on the sealed envelope by the City of Carlsbad shall be conclusive evidence of the time and date each proposal is filed.

2. Proposals must be clearly marked on the outside of the sealed envelope **RFP 2016-27 Concession Services**. Proposals shall be submitted to: Purchasing Department, Municipal Building, 101 North Halagueno St., Room 114, Carlsbad, NM 88220, or P.O. Box 1569, Carlsbad, NM 88221-1569.

3. No proposals will be accepted by facsimile transmittal or email.

4. State law requires that a signed campaign contribution form is required to be submitted with your proposal.

4. Acceptance of a proposal constitutes a contract and is binding upon both parties.

5. The Procurement Code of the State of New Mexico imposes civil and criminal penalties for its violation. In addition, the New Mexico Criminal Statutes impose felony penalties for illegal bribes, gratuities, and kickbacks.

6. The City reserves the right to accept or reject any or all proposals.

CONCESSION SERVICES FOR BOB FORREST YOUTH SPORTS COMPLEX
CARLSBAD, NM

The City of Carlsbad is seeking the services of concession stand operations for the Bob Forrest Youth Sports Complex. To that end, the Governing Body of the City of Carlsbad has authorized the request for proposals.

SECTION 1. Project Description

The intent of this proposal is to enter into a contractual agreement for the concession stand operations of the Bob Forrest Youth Sports Complex three (3) concession stands. The City will continue to maintain the infrastructure of the concession buildings and all other services will be the responsibility of the contractor. The operations of all three (3) concession stands will be the sole responsibility of the contractor. Contractor shall maintain at his own expense public liability insurance with the City named as an additional insured. This is to be a multi-year contract renewed annually based on the satisfaction of both parties.

The Bob Forrest Youth Sports Complex located at 3001 W Lea Street offers:

- Six (6) full-size youth softball fields
- Four (4) full-size youth soccer fields
- One (1) football field
- Two (2) Junior/ Senior baseball fields
- Eleven (11) youth baseball fields

These fields are utilized year-round for youth recreation league play, tournaments, and other special events. Each area is equipped with large concession facilities including large rest rooms. The complex has a central parking area to accommodate multiple events simultaneously.

SOCCER
The local CYSL hosts two seasons of league play each year (Spring & Fall). Each season runs approximately 10 to 12 weeks per season. In addition to league play the CYSL sponsors several tournaments throughout the year. Also, the soccer fields play host to soccer camps and club soccer events throughout the year.

FOOTBALL
The Boys & Girls Club of Carlsbad plays their flag football games at the BFYSC. This season is held in the fall and historically on the same days as the fall soccer season. Flag football has a season ending tournament each year.

BASEBALL
American, Shorthorn and National Little League and the Carlsbad Junior/Senior League host their regular season games at the BFYSC. Their season typically starts in late March and runs through the end of June. In years past the BFYSC baseball fields have hosted the Little League District 6 tournament and New Mexico State Little League Baseball Tournaments. These fields are also promoted for other tournaments throughout the year.

SOFTBALL
The local Little Girls Softball Association (LGSA) hosts league play on the six softball fields at the BFYSC. Historically this season runs from late March through June. In addition to league play the LGSA hosts several tournaments & softball camps each year.

SECTION II. Scope of Work

The following scope of services serves as the minimum standard. **Proposer shall address in detail any plans for accomplishing these tasks**.

TASK I
Operations of Concession Stands:
Define plans for the full operation of the three (3) concession stands at the Bob Forrest Youth Sports Complex. Supply all inventory, utensils, coolers, food products, and supplies as needed. Insure that the concession stand is well stocked and clean at all times. State clearly how you would operate concession stands that needed to be open simultaneously. Define plans for confirming to the requirements of the State of New Mexico Environment Department to operate a concession stand.

TASK II
Labor and Equipment
Labor and equipment will be the sole responsibility of the contractor. The contractor will provide all labor and equipment to successfully operate each concession stand.

TASK III
FINANCIAL

1) State clearly your plans for managing bookkeeping, including inventory controls and cash flow.
2) Indicate how you plan on sharing revenue with the City of Carlsbad.

SECTION III. Submittal of Proposal
Persons desiring to respond shall submit proposals outlining a plan for concession stand operations as described in the scope of work. Be as brief and concise as possible without sacrificing intent.

The statements should include, at a minimum, the following information:

1. Introduction – Present an introduction to the proposal indicating you understand the proposed project. Identify any person or persons that will be working with you or for you in this endeavor.

2. Experience and Qualifications – State your experience, qualifications, and financial ability in the operations of concession stands.

3. Scope of Work – Present your response to the scope of work and what improvements you could implement for the operations of the three (3) concession stands.

4. Financial Proposal – State your proposed financial arrangements for providing

the concession services you outline in the scope of work.

5. Contract – A contract must be negotiated between the city and the successful proposer. A contract that is satisfactory to both parties must be negotiated before final award is made.

6. References - List any sport related organizations that you have been associated with and your responsibility to each organization.

SECTION IV. Proposal Evaluation{ TC \l4 "}

Proposals will be evaluated on the basis of the criteria enumerated below by a committee comprised of members of the Bob Forrest Youth Sports Complex Advisory Board. The Proposer receiving the highest evaluation will be recommended by said committee to the Governing Body of the City of Carlsbad for award subject to the negotiation of a satisfactory contract.

Experience, Qualifications, & Financial Ability	Based on experience and qualifications of proposer in the operation of concession stands and business management plan.	40%
Operation	Based on the overall operation plan of the concession stands.	40%
Financial Arrangements	Based on the proposer's financial plan	15%
Revenue Sharing	Revenue Sharing % Proposed by Vendor	5%
Total Percentage		100%

PROPOSER INFORMATION SHEET

Please complete the following information and submit this form with your proposal.

Note 1: If a partnership, list the names & address of all partners, share percentages, role and date of responsibility.

Note2: If a corporation, list the state of incorporation, date of incorporation, names, titles of addresses of all principal officers, New Mexico Registered Agent and address of home office.

Name of Individual or Corporation _____

Type of Entity (Check One)

__ Individual/Sole Proprietor __ C Corporation __ S Corporation __ Partnership __ LLC

Address _____

City _____

State _____ Zip Code _____

Federal Tax ID or Social Security # _____

City of Carlsbad Business License # _____

New Mexico Resident Bidder Certificate # _____ (if applicable)
(attach copy of certification)
New Mexico Veterans Business Certificate # _____ (if applicable)
(attach copy of certification)

Email Address _____

Phone Number _____

Signature of Proposer or Proposer Representative _____

Date of Proposal Submission _____

Acceptance of this bid constitutes a contract and is binding on both parties.
The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities, and kickbacks. Acceptance of this bid constitutes a contract and is binding on both parties.

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:

Mayor Dale Janway
Councilman Edward T. Rodriguez
Councilman Wesley Carter
Councilwoman Leo Estrada
Councilman J.R. Doporto
Councilman Lisa Anaya-Flores
Councilman Jason G. Shirley
Councilman Janell E. Whitlock
Councilman Richard W. Doss
Municipal Court Judge Janet Ellis

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)

Resident Veterans Preference Certification

_____ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement:

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 $1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

__ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than $1M but less than $5M allowing me the 8% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

__ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than $5M allowing me the 7% 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 and ending on 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 understand that knowingly giving false or misleading information on this report constitutes a crime."

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 representations made in 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 to be incorrect.

New Mexico Resident Business Preference

The State of New Mexico Procurement Code mandates a New Mexico Resident Business Preference on all bids and request for proposals (RFP).

Qualified resident businesses will be given a 5% preference on all bids. When bids are evaluated, New Mexico Businesses registered with the Department of Taxation and Revenue, will have its bid reduced by a factor of 5%.

Qualified resident businesses will be given a 5% preference on all RFP's. When proposals are evaluated, New Mexico resident businesses that are registered with the Department of Taxation and Revenue, will receive an additional points equivalent to 5% of the total points possible for award.

As of October 5, 2011, applications for in-state preference will no longer be processed through the State Purchasing Division. All resident businesses, veterans and contractors will have to obtain a preference number with the NM Department of Taxation & Revenue.
For additional information please call 505-827-0951.

Qualifications

A. To receive a **resident** business **preference** pursuant to Section 13-1-21 NMSA 1978 or a **resident** contractor **preference** pursuant to Section 13-4-2 NMSA 1978, a business or contractor shall submit with its bid or proposal a copy of a valid **resident** business certificate or valid **resident** contractor certificate issued by the taxation and revenue department.

B. An application for a **resident** business certificate shall include an affidavit from a certified public accountant setting forth that the business is licensed to do business in this state and that:

(1) the business has paid property taxes or rent on real property in the state and paid at least one other tax administered by the state in each of the three years immediately preceding the submission of the affidavit;

(2) if the business is a new business, the owner or majority of owners has paid property taxes or rent on real property in the state and has paid at least one other tax administered by the state in each of the three years immediately preceding the submission of the affidavit and has not applied for a **resident** business or **resident** contractor certificate pursuant to this section during that time period;

(3) if the business is a relocated business, at least eighty percent of the total personnel of the business in the year immediately preceding the submission of the affidavit were **residents** of the state and that, prior to the submission of the affidavit, the business either leased real property for ten years or purchased real property greater than one hundred thousand dollars ($100,000) in value in the state; or

(4) if the business is a previously certified business or was eligible for certification, the business has changed its name, has reorganized into one or more different legal entities, was purchased by another legal entity but operates in the state as substantially the same commercial enterprise or has merged with a different legal entity but operates in the state as substantially the same commercial enterprise.

C. An application for a **resident** contractor certificate shall include an affidavit from a certified public accountant setting forth that the contractor is currently licensed as a contractor in this state and that:

(1) the contractor has:

(a) registered with the state at least one vehicle; and

(b) in each of the five years immediately preceding the submission of the affidavit: 1) paid property taxes or rent on real property in the state and paid at least one other tax administered by the state; and 2) paid unemployment insurance on at least three full-time employees who are **residents** of the state; provided that if a contractor is a legacy contractor, the requirement of at least three full-time employees who are **residents** of the state is waived;

(2) if the contractor is a new contractor, the owner or majority of owners has paid property taxes or rent on real property in the state and has paid at least one other tax administered by the state in each of the five years immediately preceding the submission of the affidavit and has not applied for a **resident** business or **resident** contractor certificate pursuant to this section during that time period;

(3) if the contractor is a relocated business, at least eighty percent of the total personnel of the business in the year immediately preceding the submission of the affidavit were **residents** of the state and that, prior to the submission of the affidavit, the contractor either leased real property for ten years or purchased real property greater than one hundred thousand dollars ($100,000) in value in the state; or

(4) if the contractor is a previously certified contractor or was eligible for certification, the contractor has changed its name, has reorganized into one or more different legal entities, was purchased by another legal entity but operates in the state as substantially the same enterprise or has merged with a different legal entity but operates in the state as substantially the same commercial enterprise.

D. The taxation and revenue department shall prescribe the form and content of the application and required affidavit. The taxation and revenue department shall examine the application and affidavit and, if necessary, may seek additional information to ensure that the business or contractor is eligible to receive the certificate pursuant to the provisions of this section. If the taxation and revenue department determines that an applicant is eligible, the department shall issue a certificate pursuant to the provisions of this section. If the taxation and revenue department determines that the applicant is not eligible, the department shall issue notification within thirty days. If no notification is provided by the department, the certificate is deemed approved. A certificate is valid for three years from the date of its issuance; provided that if there is a change of ownership of more than fifty percent, a **resident** business or **resident** contractor shall reapply for a certificate.

E. A business or contractor whose application for a certificate is denied has fifteen days from the date of the taxation and revenue department's decision to file an objection with the taxation and revenue department. The person filing the objection shall submit evidence to support the objection. The taxation and revenue department shall review the evidence and issue a decision within fifteen days of the filing of the objection.

F. If, following a hearing and an opportunity to be heard, the taxation and revenue department finds that a business or contractor provided false information to the taxation and revenue department in order to obtain a certificate or that a business or contractor used a certificate to obtain a **resident** business or **resident** contractor **preference** for a bid or proposal and the **resident** business or contractor did not perform the percentage of the contract specified in the bid or proposal, the business or contractor:

(1) is not eligible to receive a certificate or a **preference** pursuant to Section 13-1-21 or 13-4-2 NMSA 1978 for a period of five years from the date on which the taxation and revenue department became aware of the submission of the false information or the failure to perform the contract as specified in the bid or proposal; and

(2) is subject to an administrative penalty of up to fifty thousand dollars ($50,000) for each violation.

G. In a decision issued pursuant to Subsection E or F of this section, the taxation and revenue department shall state the reasons for the action taken and inform an aggrieved business or contractor of the right to judicial review of the determination pursuant to the provisions of Section 39-3-1.1 NMSA 1978.

H. The taxation and revenue department may assess a reasonable fee for the issuance of a certificate not to exceed the actual cost of administering the taxation and revenue department's duties pursuant to this section.

I. The state auditor may audit or review the issuance or validity of certificates.

J. For purposes of this section:

(1) "new business" means a person that did not exist as a business in any form and that has been in existence for less than three years;

(2) "new contractor" means a person that did not exist as a business in any form and that has been in existence for less than five years;

(3) "legacy contractor" means a construction business that has been licensed in this state for ten consecutive years; and

(4) "relocated business" means a business that moved eighty percent of its total domestic personnel from another state to New Mexico in the past five years.

History: 1953 Comp., § 6-5-32.1, enacted by Laws 1969, ch. 184, § 1; 1979, ch. 72, § 2; 2011 (1st S.S.), ch. 3, § 2.

Application of Preference

A. For the purposes of this section:

(1) "business" means a commercial enterprise carried on for the purpose of selling goods or services, including growing, producing, processing or distributing agricultural products;

(2) "formal bid process" means a competitive sealed bid process;

(3) "formal request for proposals process" means a competitive sealed proposal process, including a competitive sealed qualifications-based proposal process;

(4) "public body" means a department, commission, council, board, committee, institution, legislative body, agency, government corporation, educational institution or official of the executive, legislative or judicial branch of the government of the state or a political subdivision of the state and the agencies, instrumentalities and institutions thereof, including two-year post-secondary educational institutions, school districts, local school boards and all municipalities, including home-rule municipalities;

(5) "**resident** business" means a business that has a valid **resident** business certificate issued by the taxation and revenue department pursuant to Section 13-1-22 NMSA 1978; and

(6) "recycled content goods" means supplies and materials composed twenty-five percent or more of recycled materials; provided that the recycled materials content meets or exceeds the minimum content standards required by bid specifications.

B. When a public body makes a purchase using a formal bid process, the public body shall deem a bid submitted by a **resident** business to be five percent lower than the bid actually submitted.

C. When a public body makes a purchase using a formal request for proposals process:

(1) five percent of the total weight of all the factors used in evaluating the proposals shall be awarded to a **resident** business based on the **resident** business possessing a valid **resident** business certificate; or

(2) if the contract is awarded based on a point-based system, a **resident** business shall be awarded the equivalent of five percent of the total possible points to be awarded based on the **resident** business possessing a valid **resident** business certificate.

D. When a joint bid or joint proposal is submitted by both **resident** and nonresident businesses, the **resident** business **preference** provided pursuant to Subsection B or C of this section shall be reduced in proportion to the percentage of the contract, based on the dollar amount of the goods or services provided under the contract, that will be performed by a nonresident business as specified in the joint bid or proposal.

E. When bids are received for both recycled content goods and non-recycled content goods, the public body shall deem the bids submitted for recycled content goods of equal quality to be five percent lower than the bids actually submitted. A bid calculation pursuant to this subsection for a **resident** business shall not also receive the bid calculation **preference** pursuant to Subsection B of this section.

F. The procedures provided in Sections 13-1-172 through 13-1-183 NMSA 1978 or in an applicable purchasing ordinance apply to a protest to a public body concerning the awarding of a contract in violation of this section.

G. This section shall not apply when the expenditure includes federal funds for a specific purchase.

History: 1978 Comp., § 13-1-21, enacted by Laws 1979, ch. 72, § 1; 1981, ch. 104, § 1; 1988, ch. 84, § 1; 1989, ch. 310, § 1; 1995, ch. 60, § 1; 1997, ch. 1, § 2; 1997, ch. 2, § 2; 1997, ch. 3, § 1; 2000, ch. 41, § 1; 2011 (1st S.S.), ch. 3, § 1.

Resident Veterans Preference Certification

_____ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement:

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 $1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than $1M but less than $5M allowing me the 8% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than $5M allowing me the 7% 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 and ending on 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 understand that knowingly giving false or misleading information on this report constitutes a crime."

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 representations made in 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 to be incorrect.

_____