

LEA COUNTY LANDFILL



Request for Proposals for Professional Engineering Services RFP-LCSWA 2010-1

DUE DATE: SEPTEMBER 28, 2010

**Lea County
100 N. Main, Suite 11
Lovington, New Mexico 88260
Contact: Ms. Kathy McLaughlin
Phone: (575) 396-8521
E-mail: kmclaughlin@leacounty.net**

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

TABLE OF CONTENTS

NOTICE.....	ii
A TERMS & CONDITIONS.....	iii
1.0 INSTRUCTIONS TO OFFERORS	1
2.0 GENERAL DESCRIPTION OF PROJECT	2
3.0 SCOPE OF WORK.....	2
4.0 GENERAL TERMS AND CONDITIONS OF THE CONTRACT	6
5.0 POPOSAL FORMAT	6
6.0 EVALUATION PROCESS AND SELECTION CRITERIA	6

LIST OF TABLES

Table No.	Title	
1	PROPOSAL FORMAT	7
2	PROPOSAL EVALUATION RANKING CRITERIA	8

LIST OF FIGURES

Figure No.	Title	
1	SITE PLAN – PHASE I.....	3

LIST OF ATTACHMENTS

Attachment	Title
A	CAMPAIGN CONTRIBUTION DISCLOSURE FORM

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

NOTICE

The Lea County Landfill is a 350-acre (±) solid waste facility operating pursuant to New Mexico Environment Department (NMED) Solid Waste Permit No. SWM-130302. The Landfill is a “Subtitle D” lined facility in operation since 1999; and receives approximately 270 tons/day at its location 5 miles east of Eunice, NM.

Lea County and the Lea County Solid Waste Authority (LCSWA) are issuing this Request for Proposals (RFP) to specialized environmental engineering firms for the following professional engineering services at the Landfill:

1. Update Landfill Management Plans
2. Cell 4 Development and Construction Support
3. Additional On-call Environmental Engineering Services

Professional engineering firms, in their Proposal, must demonstrate applicable experience and capabilities for landfill design, compliance, monitoring, and construction support. The Landfill intends to enter into a three-year contract with three optional one-year extensions with the most qualified firm.

The RFP, identifying the response schedule and requirements, is available electronically via Lea County’s website www.leacounty.net or by sending a written request to:

Kathy McLaughlin, Contracts Coordinator

Lea County

100 N. Main, Suite 11

Lovington, New Mexico 88260-4030

Phone: (575) 396-8521, Ext. 356

Fax: (575) 396-5684

E-mail: kmclaughlin@leacounty.net

Alternatively, the RFP can be mailed, faxed, or transmitted via express delivery (at Proposer’s expense).

Legal Ad published in:

1. Hobbs News-Sun Classified Ads

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

DUE DATE: SEPTEMBER 28, 2010 – 3:00 P.M.

TERMS AND CONDITIONS

1. Failure to comply with all of the Instructions and Conditions may subject the proposal to rejection. The Terms and Conditions, and the Specifications and Contractual Terms will form part of the contract between Lea County and the successful offeror.
2. All proposals shall be sealed, addressed and delivered to: The Administrative Services Department, 100 N Main, Suite 11, Lovington, New Mexico 88260-4030 by **September 28, 2010 at 3:00 p.m. (local time)**. Please **mark the outside of the envelope "PROPOSAL # LCSWA 2010-1 "**. It is the offeror's responsibility to see that the proposal arrives on time. Late proposals, e-mails, faxes, telegrams shall be returned unopened. Telephone proposals will not be accepted.
3. All firms submitting proposals will be notified by letter of the Board's award which will be conditioned upon entering into a formal written contract acceptable to the County.
4. The proposal specifications indicate the minimum standard of quality, performance or other pertinent characteristics required. All variations and exceptions from minimum specifications must be listed on or attached to the proposal.
5. All proposals will be valid until the Agreement is awarded. Contents of any proposal will not be disclosed upon opening so as to be available to competing offerors during the negotiation process.
6. Contents of any proposal shall not be disclosed upon opening so as to be available to competing offerors during the negotiation process.
7. Proposals shall be evaluated according to factors set forth in the Specifications. Each factor shall be given the weight indicated.
8. The County reserves the right to waive technical irregularities in the form of the proposal which do not alter the quality or quantity of the services, and the County may reject any or all proposals when it is the best interest of the County to do so.

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

9. The Lea County Procurement Policy and the New Mexico Procurement Code 13-1-28 through 199, NMSA, 1978 shall apply to this procurement and prevail over any inconsistent terms and govern all interpretations of contract documentation.
10. The procurement codes, Section 13-1-28 through 13-1-199, impose civil and criminal penalties for its violation. In addition, the New Mexico Criminal Statutes impose felony penalties for illegal bribes, gratuities and kick-backs.
11. In submitting this proposal, the offeror represents the offeror has familiarized himself with the nature and extent of the Request for Proposals dealing with Federal, State and local requirements which are a part of this Request for Proposals.
12. This agreement is subject to New Mexico law, including but not limited to, the Procurement Code, the New Mexico Public Works Minimum Wage Act and all federal and state laws, rules and regulations pertaining to equal employment opportunity. The rights and obligations set forth herein are to be construed and interpreted according to said laws, regardless of whether they are expressly set forth herein. Should any provision herein be found to be legally unenforceable, it will not affect the legality or enforceability of the remainder of this contract, so long as the basic intent and object of this agreement is not undermined by the elimination of the objectionable provision(s).

The offeror agrees to comply with state laws and rules applicable to workers' compensation benefits for its employees. If the offeror fails to comply with the Workers' Compensation Act and applicable rules when required to do so, this agreement may be terminated immediately by the contracting agency.

13. In signing this proposal, the Offeror certifies that there has been no direct or indirect action in restraint of free competitive bidding in connection with this proposal submitted to Lea County.
14. The County shall negotiate a contract with the highest qualified business as selected by the selection committee for the services contemplated under this RFP at compensation determined in writing to be fair and reasonable.
15. The offeror will be required to carry professional liability insurance in the amount of \$1,000,000.00. Proof of coverage must be provided **BEFORE work begins**.
16. The Contractor agrees to comply with state laws and rules applicable to workers' compensation benefits for its employees. If the Contractor fails to comply with the Workers' Compensation Act and applicable rules when required to do so, this agreement may be terminated by the contracting agency.

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

17. The Contractor will save and hold the County harmless from all suits, actions, claims, losses and expenses, including attorney's fees brought on account of any injuries or damages sustained by any employee or person, including wrongful death, or damage to property as a result of any negligence, mis-conduct or omission by the Contractor or employee or agent thereof connected in any way with Contractor's performance under this contract.
18. It is expressly agreed and understood that the offeror is not authorized to act as an agent of the County or to enter into any contract on behalf of the County. It is also acknowledged that the offeror, its agents and employees, by virtue of award of this proposal, are not entitled to any fringe benefits available to the employees of Lea County.
19. The County may prematurely terminate this Contract if the Finance Director judges that the offeror has inadequately or unsatisfactorily met its obligation under this Contract. This agreement may be terminated by any party for cause upon 30-days written notice to the other participants in the contract. As used herein, the term "cause" will mean a material breach of the Agreement by a non-terminating party, or acts or conduct by a non-terminating party that substantially alters the terminating party's ability to benefit from this Agreement, which breach, acts, or conduct are not cured or remedied within the 30-day period following the giving of notice by the terminating party (which notice will detail the nature of the breach, acts, or conduct constituting the case for termination and specify the effective date of termination in the event such breach, acts, or conduct are not cured or remedied within 30 days following the giving of such notice).
20. The offeror agrees not to assign this Contract, or any part thereof, to any other person or business entity, without first receiving prior written consent of the County. The offeror is forbidden from using non-employees.
21. Award of the proposal will not be altered, changed or amended except by an instrument in writing executed by the parties hereto.
22. Upon award, the agreement between offeror and the County will be governed by the laws of the State of New Mexico and enforced in the District Court of Lea County.
23. **After award, proposals are subject to public inspection.** Any confidential or proprietary information should be marked as such with a **brief explanation as to why**. **Entire proposals MAY NOT be considered proprietary.** All material submitted will become the property of Lea County and will not be returned.

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

24. A multi-term proposal may be awarded. The County's payment and performance obligations for succeeding fiscal periods shall be subject to the availability and appropriation of funds. Multi-term proposals must have a provision allowing the County to terminate the agreement at will at any time, or at least to the end of each fiscal year, without penalty. There must be no "equitable or moral" duty to continue to make payments under the proposal.
25. The County's policy on requests for copies of proposal information is as follows:
- a) Terms and Specifications are available at no charge to vendors who will be responding directly to bids or proposals.
 - b) Submit a written request detailing what information you would like to receive.
 - c) There will be a charge of \$1.00 per page by check / money order made payable to Lea County at the following address:

Lea County
Administrative Services Dept.
100 North Main, Suite 11
Lovington, NM 88260

The fee must be paid before the information is released.
 - d) **Charges will apply to any sub-contractors requesting our mailing list. The sub-contractor may then contact vendors directly regarding information on the specifications.**
26. **According to state procurement regulations, any protest of the award must be submitted in writing within fifteen (15) days of written notice of award to:**

**Finance Director
Lea County Courthouse
100 N. Main, Suite 11
Lovington, NM 88260**

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

1.0 INSTRUCTIONS TO OFFERORS

Pursuant to the New Mexico Procurement Code [13-1-111 NMSA 1978], Lea County and the Lea County Solid Waste Authority (LCSWA) are issuing this Request for Proposals (RFP) to specialized environmental engineering firms for the following professional engineering services at the Lea County Landfill located near Eunice, New Mexico:

1. Update Landfill Management Plans
2. Cell 4 Development and Construction Support
3. Additional On-call Environmental Engineering Services

Qualified firms interested in being selected shall submit one (1) original and four (4) identical copies of the Proposal to LCSWA for consideration. The Proposals shall remain the property of LCSWA, and shall be limited to no more than ten (10) pages. The page limit does not include the cover sheet or dividers, Transmittal Letter, Table of Contents, resumé, Certificate of Liability Insurance, and Campaign Contribution Disclosure Form. Electronic or facsimile submittals will not be accepted.

Firms shall submit the required five (5) copies of their Proposal in a sealed envelope by **3:00 pm local time on September 28, 2010** labeled with "Lea County Landfill: Proposal for Professional Engineering Services RFP-LCSWA 2010-1"; the date; and the firm's name, address, and phone number to:

Kathy McLaughlin, Contracts Coordinator
Lea County
100 N. Main, Suite 11
Lovington, New Mexico 88260-4030

LCSWA will establish a Selection Committee to review, evaluate, and score qualified submittals. Interviews may be requested of the three (3) top-ranked firms, and the Selection Committee may reserve the right to contact client references listed in the Proposals. The Selection Committee may make its recommendation to LCSWA by November 10, 2010, which may enter into negotiations with the top-ranked firm. LCSWA reserves the right to waive any and all informalities or technicalities to select the respondent deemed most advantageous to the project, decline to select any of the responding firms, or reject all Proposals and enter into a new selection process.

Firms are to structure their Proposal consistent with the order and format shown in **Table 1**. Proposals not submitted in the format and order shown on **Table 1** may be rejected. **Table 2** is the Evaluation Sheet that will be used by the Selection Committee to score the Proposal. The Proposal shall include a current certificate of insurance demonstrating minimum professional liability coverage of one (1) million dollars per occurrence and two (2) million dollars annual aggregate. The selected firm shall maintain said coverage for a period of three (3) years following project completion. **Attachment A** is the Campaign Contribution Disclosure Form which must be completed by the Offeror and included with Offeror's Proposal.

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

2.0 GENERAL DESCRIPTION OF PROJECT

The Lea County Landfill (LCLF) is a 350-acre ($\pm$) solid waste facility operating pursuant to New Mexico Environment Department (NMED) Solid Waste Permit No. SWM-130302. LCLF is a "Subtitle D" lined facility in operation since 1999; receives approximately 270 tons/day; and is located approximately 5 miles east of Eunice, NM. LCLF was originally permitted in December 1998 under the 1995 New Mexico Solid Waste Management Regulations (20 NMAC 9.1) for a period of 20 years. The facility is permitted to accept municipal solid waste (MSW), construction and demolition (C&D) debris, and the following six (6) special wastes:

- Treated formerly characteristic hazardous wastes (TFCH)
- Packing house and killing plant offal
- Sludge
- Industrial solid waste
- Spill of a chemical substance or commercial product
- Petroleum contaminated soils (PCS)

LCLF is owned by LCSWA and operated under contract by Camino Real Environmental Center, Inc. (CREC). The landfill has constructed three cells to-date: Cell 1, Cell 2 and Cell 3 (**Figure 1**). Operations are currently being conducted in Cell 3 ($11.9 \pm$ acres), which was constructed in 2008, and has a remaining longevity of approximately 30 months. The Lea County Solid Waste Authority is seeking a qualified environmental engineering firm specializing in landfill services for ongoing work.

3.0 SCOPE OF WORK

3.1 UPDATE LANDFILL MANAGEMENT PLANS

In May 2009, LCLF submitted to the New Mexico Environment Department (NMED) Solid Waste Bureau (SWB) the Mid-term Review Report for the site. Pursuant to approval of the Report, SWB recommended that the Landfill Management Plans developed for the original Permit Application be updated to accommodate the new NMED Solid Waste Rules ("the Rules") promulgated on August 2, 2007. Therefore, at a minimum, the selected firm will be required to update the following Landfill Management Plans:

- Plan of Operations
- Contingency Plan
- Construction Quality Assurance (CQA) Plan
- Landfill Gas Management Plan
- Special Waste Management Plan

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

Insert Figure 1 – Site Plan – Phase I -- SEE NEXT PAGE

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

Each updated Plan will address the specific requirements of the Rules (20.9.2 – 20.9.10 NMAC); will be recodified consistent with the new Rules; and will incorporate applicable changes to site operations, C/PC costs, equipment, facility layout, facility contact information, etc. since the 1998 Permit. Each Plan will be prepared and submitted to LCSWA and CREC for review and comment prior to formal submittal to NMED SWB. Depending on the success of submitted Plans (e.g., NMED approval/disapproval), LCSWA may elect to update the remainder of the Plans [i.e., Closure/Post-closure (C/PC) Plan and Leachate Management Plan].

3.2 CELL 4 DEVELOPMENT AND CONSTRUCTION SUPPORT

Cell 4 (9.1 ± acres) is the next cell scheduled for development and is located west of Cell 3 and south of Cell 2. Cell 4 will be constructed with a composite liner placed over a prepared subgrade and a leachate collection system consisting of a leachate collection pipe and a double-lined leachate collection sump.

3.2.1 CELL 4 DESIGN AND BID PHASE SERVICES

The scope of work for this Task will include, but not be limited to, supporting LCSWA with the following:

- Project management, coordination, and project meetings.
- Cell 4 design, including mass excavation; subgrade preparation; liner installation (including tie-in to liner in Cells 2 and 3); leachate collection system installation; and protective soil layer placement.
- Preparation of Cell 4 Construction Plans that include the components identified above and sealed by a registered Professional Engineer in the state of New Mexico specializing in landfill and geosynthetics engineering.
- Preparation of Contract Documents (bid documents and technical specifications) and procurement assistance for a public project that will include, but not be limited to, advertisement; distribution to interested contractors; attendance at a pre-bid meeting; evaluation of received bids; and recommendation of award.

The professional engineering services to be provided in support of Cell 4 Design and Bid Phase Services will document compliance with:

- NMED Solid Waste Rules (20.9.2 – 20.9.10 NMAC).
- NMED-approved Updated Construction Quality Assurance (CQA) Plan.
- Industry standards, ASTM methods (as applicable), New Mexico Procurement Code, etc.

3.2.2 CELL 4 CONSTRUCTION QUALITY ASSURANCE AND CERTIFICATION

The scope of work for this Task is to provide construction quality assurance (CQA) and engineering certification for the construction of Cell 4, including subgrade preparation; liner installation; leachate collection system installation; and protective soil layer placement. The Tasks to be performed by the selected professional firm will include, but not be limited to:

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

- Project management, coordination, and project meetings.
- Review and approval of contractor submittals for components of the liner system and leachate collection system.
- Continual construction observation and recordkeeping of key elements.
- Collection of conformance samples and review/approval of test results.
- Collection of destructive samples, laboratory testing, and review/approval of test results.
- Preparation of as-built documentation and compilations of CQA data.
- Preparation and submittal of an Engineering Certification Report to LCSWA and NMED. The Report is to be sealed by a registered Professional Engineer in New Mexico specializing in landfill and geosynthetics engineering.

The professional engineering services to be provided in support of Cell 4 Construction Quality Assurance and Certification Services will document compliance with:

- NMED Solid Waste Rules (20.9.2 – 20.9.10 NMAC).
- NMED-approved Cell 4 Construction Drawings and Updated CQA Plan.
- Industry standards and ASTM methods (as applicable).

3.3 ADDITIONAL ON-CALL ENVIRONMENTAL ENGINEERING SERVICES

Due to the dynamic nature of solid waste facility operations; Solid Waste Rules; and NMED policies, it is likely that additional, on-call professional engineering and environmental services would be required for this project. Therefore, the selected firm may be requested to provide such additional services for LCLF; various solid waste facilities managed by LCSWA; and other environmental services requested by Lea County. Requested services may include, but are not limited to:

- Solid waste design and permitting with NMED.
- Stormwater management design and permitting (i.e., NPDES), as administered by EPA.
- Air quality permitting (as applicable), as administered by NMED.
- Construction quality assurance (CQA) in compliance with NMED standards.
- Engineering certification of completed construction as required by NMED.
- Landfill gas monitoring and reporting in compliance with NMED standards.
- Closure/post-closure care planning and financial assurance cost estimating/compliance.
- Landfill masterplanning and cell design.
- Construction cost estimating.
- Surveying (if not conducted by a third party retained directly by LCSWA).
- Volumetrics calculations regarding airspace, waste density, cover usage, etc.
- Contractor procurement (i.e., bid documents, construction plans, and specifications).
- Technology recommendations, (i.e., waste diversion, alternative covers, etc.).
- Landfill planning, site development sequence, feasibility analyses, etc.
- Siting investigations and characterization for potential landfill expansion.

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

4.0 GENERAL TERMS AND CONDITIONS OF THE CONTRACT

The Contract awarded as a result of this solicitation shall remain in effect for a period of three (3) years following award. The Contract may be renewed or extended for three (3) additional years, in one-year increments, at the discretion of LCSWA. LCSWA reserves the right to revise, cancel, or eliminate any or all portions of the established scope of work at any time. The firm selected shall negotiate a Contract that is acceptable to LCSWA, and be capable of demonstrating minimum professional liability coverage of one (1) million dollars per occurrence and two (2) million dollars annual aggregate, listing LCSWA as an additional insured. The selected firm shall be required to maintain said professional liability for a period of three (3) years following the date of Contract completion. The Proposer will be responsible for any and all costs associated with responding to this solicitation.

5.0 PROPOSAL FORMAT

Proposals are requested to be submitted in the format identified on **Table 1**. The Proposal is limited to ten (10) pages (excluding the cover sheet or dividers, Transmittal Letter, Table of Contents, resumé, Certificate of Liability Insurance, and Campaign Contribution Disclosure Form), with a minimum 10-point font size. All 8 ½" x 11" pages shall be considered as one page, and any 11" x 17" pages shall be counted as two pages.

6.0 EVALUATION PROCESS AND SELECTION CRITERIA

The Selection Committee reviewing conforming Proposals is planning to select the most qualified firm and initiate contract negotiations by October 1, 2010. The evaluation ranking criteria and scoring form to be used for the selection process is provided as **Table 2**. LCSWA reserves the right to reject any and/or all Proposals; to waive any or all informalities or technicalities; to select the respondent deemed most advantageous to LCSWA; or initiate new procurement proceedings if the initial responses are deemed unacceptable.

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

**Table 1
Proposal Format**

- A. Cover Page
- B. Transmittal Letter
- C. Table of Contents
- D. Specialized Design and Technical Competence
 - a. Identify firm name, address, and New Mexico business registration
 - b. Provide brief history of firm
 - c. List professional registrations, affiliations, and awards
 - d. Document ability to provide adequate resources to meet project requirements
- E. Capacity and Capability
 - a. Provide project staffing chart
 - b. Identify all subconsultants to be used on the project
 - c. Identify a project manager, design engineer, and CQA officer who is a registered New Mexico Professional Engineer with at least ten (10) years of applicable landfill and geosynthetics engineering experience
 - d. Provide summary qualifications of key project team members shown in staffing chart; including registrations and memberships in professional organizations
 - e. Provide any unique knowledge of key team members relevant to the project
 - f. Provide detailed resumés (limited to two pages, each) of key personnel assigned to this project
- F. Past Record of Performance
 - a. Provide summaries for at least three previous projects of a similar nature. Include services provided and narrative description of how they relate to this project. Provide references for each project, including name, title, company name, address, and phone number.
 - b. Track record in meeting project schedule and budget
 - c. Describe cost savings to Client as a result of innovative design and construction techniques.
- G. Proximity to and Familiarity With the Area in Which the Project Is located
 - a. Demonstrate familiarity with LCLF, Lea County, LCSWA, NMED-Permitted Landfills, USEPA Subtitle D, etc.
- H. The Proportion of Work That Will be Produced Within New Mexico
- I. The Volume of Work Done Previously for LCSWA Which is Not 75% Complete
- J. Key Project Team Members Resumés (limited to two pages, each)
- K. Certificate of Liability Insurance
- L. Campaign Contribution Disclosure Form

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

**Table 2
Proposal Evaluation Ranking Criteria**

Name of Submitting Firm: _____

Name of Person Evaluating RFP: _____

Signature _____ Date: _____

The following criteria will be used to rate and select proposals:

	Points	Earned
1. Specialized Design and Technical Competence	15 pts.	_____
2. Capacity and Capability	15 pts.	_____
3. Past Record of Performance	30 pts.	_____
4. Proximity to and Familiarity With the Area in Which the Project is Located	20 pts.	_____
5. The Proportion of Work That Will be Produced in New Mexico	5 pts.	_____
6. The Volume of Work Done Previously for Lea County and LCSWA Which is Not 75% Complete	5 pts.	_____
7. Clarity of the RFP	10 pts.	_____
TOTALS	100 pts	_____

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

Attachment A

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 that 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 a 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 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 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 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.

"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.

**LEA COUNTY LANDFILL REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES (RFP-LCSWA 2010-1)**

"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:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(The above fields are unlimited in size)

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)