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NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Ground Water Quality Bureau*

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Secretary

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Deputy Secretary

**AMENDMENT # 3**

June 8, 2011

STATE OF NEW MEXICO  
ENVIRONMENT DEPARTMENT  
GROUND WATER QUALITY BUREAU

**REQUEST FOR PROPOSALS**

**PROFESSIONAL ENVIRONMENTAL SERVICES**  
**For Environmental Assessment and Remediation Consulting Services**  
RFP No. 11-667-00-00005  
Amendment #3

Dear Proponents,

This is to notify all potential Offerors that the New Mexico Environment Department (NMED) is issuing the following amendment with regards to RFP No.11-667-00-00005. NMED is extending the time for the **submission of proposals to June 20, 2011** and all the subsequent deadlines in the Sequence of Events in Section III.A and Explanation of Events in Section III.B in the above referenced RFP. This change is being made in order to allow questions to be received up to but no longer than 10 calendar days prior to the deadline for submission of proposals.

AMEND:

Section III.A, Sequence of Events and Section III.B, Explanation of Events to reflect the highlighted date changes for events 5 through 14 in the respective sections as follows:

### III. CONDITIONS GOVERNING THE PROCUREMENT

This section of the RFP contains the schedule for the procurement, describes the major procurement events and the conditions governing the procurement.

#### A. SEQUENCE OF EVENTS

The Procurement Manager will make every effort to adhere to the following schedule. All deadlines indicated below are referenced to Close of Business (“COB”) for the date shown unless otherwise indicated.

	<u>Action</u>	<u>Responsibility</u>	<u>Date</u>
1.	Issue of RFP	Agency, Purchasing Bureau	05/16/2011
2.	Pre-Proposal Conference	Agency/Potential Offerors	05/25/11
3.	Distribution List Response	Potential Offerors	05/25/11
4.	Deadline to Submit Questions	Potential Offerors	05/31/11
5.	Response to Written Questions/RFP Amendments	Agency	<b>06/06/11</b>
6.	<b>Submission of Proposal No later than 4:00 PM MDT</b>	Offeror	<b>06/20/11</b>
7.	Proposal Evaluation	Evaluation Committee	<b>07/01/11</b>
8.	Selection of Finalists	Evaluation Committee	<b>07/07/11</b>
9.	Oral Presentation by Finalists <b>(if needed)</b>	Offeror	<b>07/19/11 (if needed)</b>
10.	Best and Final Offers from Finalists (if needed)	Offeror	<b>07/26/11</b>
11.	Notify Finalists and Negotiate/Finalize Contract	Agency/Offeror	Approximately <b>07/27/11-08/05/11</b>
12.	EPA Region 6 Review/Approval	US EPA	<b>08/10/11</b>
13.	Contract Award(s)	State Auditor	Approximately <b>08/15/11</b>

14.	Protest Deadline <b>No later than 4:00 PM MDT</b>	Offerors	<b>15 days after award date</b>
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B. EXPLANATION OF EVENTS

The following paragraphs describe the activities listed in the sequence of events shown in Section III, Paragraph A.

1. Issue of RFP

This RFP is being issued by the Department. An advertisement will be placed in the NMED website <http://www.nmenv.state.nm.us/NMED/RFP/> and a local newspaper. Copies of the RFP are available for download at the above website.

2. Pre-Proposal Conference

A pre-proposal conference will be held on Wednesday, **May 25, 2011 at 10:00 am, MDT in the Runnels Auditorium** at the NMED Harold Runnels Building, 1190 St. Francis Dr, Santa Fe, New Mexico. Potential Offerors are encouraged to submit written questions in advance of the conference to the Procurement Manager (See Section II.D). The identity of the organization submitting the question(s) will not be revealed. Additional written questions may be submitted at the conference. All written questions will be addressed at the conference. A public log will be kept of the names of potential Offerors that attended the pre-proposal conference. Attendance at the pre-proposal conference is not a prerequisite for submission of a proposal.

3. Distribution List Response Deadline

Potential Offerors should hand deliver or return by facsimile or by registered or certified mail the "**Acknowledgement of Receipt of Request For Proposals Form**" that accompanies this document (See Appendix A) to have their organization placed on the procurement distribution list. The form should be signed by an authorized representative of the organization, dated and returned by close of business on **May 25, 2011**. The procurement distribution list will be used for the distribution of written responses to questions and any RFP amendments.

Failure to return this form shall constitute a presumption of receipt and rejection of the RFP, and the potential offeror's organization name shall not appear on the distribution list.

4. Deadline to Submit Written Questions

Potential Offerors may submit additional written questions as to the intent or clarity of this RFP until close of business on **May 31, 2011**. All written questions must be submitted via e-mail to the Procurement Manager (See Section II, Paragraph D).

5. Response to Written Questions/RFP Amendments

Written responses to written questions and any RFP amendments will be distributed on **June 6, 2011** via email to all potential Offerors whose organization name appears on the procurement distribution list. An Acknowledgement of Receipt Form will accompany the distribution package. The form should be signed by the offeror's representative, dated, and hand-delivered or returned by facsimile or by registered or certified mail by the date indicated thereon. Failure to return this form shall constitute a presumption of receipt and withdrawal from the procurement process. Therefore, the offeror's organization name shall be deleted from the procurement distribution list.

Additional written requests for clarification of distributed answers and/or amendments must be received by the Procurement Manager no later than three (3) days after the answers and/or amendments were issued.

6. Submission of Proposal

ALL OFFEROR PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT MANAGER OR DESIGNEE **NO LATER THAN 4:00 PM MOUNTAIN DAYLIGHT TIME ON MONDAY JUNE 20, 2011**. 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 Procurement Manager at the address listed in Section II, Paragraph D, which is as follows:

Randy Herrera, Procurement Manager  
New Mexico Environment Department  
Administrative Services Division, Purchasing & Contracts Bureau  
1190 St. Francis Dr., Room S-4051  
PO Box 5469  
Santa Fe, NM 87505-5469  
Phone: (505) 827-2615

Proposals must be sealed and labeled on the outside of the package to clearly indicate that they are in response to the **NEW MEXICO ENVIRONMENT DEPARTMENT, ENVIRONMENTAL ASSESSMENT AND REMEDIATION CONSULTING SERVICES REQUEST FOR PROPOSALS**. Proposals submitted by facsimile or other electronic means will not be accepted.

A public log will be kept of the names of all offeror organizations that submitted proposals. Pursuant to Section 13-1-116 NMSA 1978, the contents of any proposal shall not be disclosed to competing Offerors prior to contract award.

7. Proposal Evaluation

The evaluation of proposals will be performed by an evaluation committee appointed by Department management. The evaluation committee will identify responsive offers and evaluate responsive proposals between **June 21, 2011 and July 1, 2011**. During this time, the Procurement Manager may initiate discussions with Offerors who submit responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposals, but proposals may be accepted and evaluated without such discussion. Discussions **SHALL NOT** be initiated by the Offerors.

The initial evaluations will be based solely on the technical merits of the proposals and firms qualifications. Based on the initial evaluation, Finalists will be selected for further consideration.

8. Selection of Finalists

The Department plans multiple contract awards. The actual number will be dependent upon NMED's discretion and the quality and competitiveness of the proposals received. The Evaluation Committee will select, and the Procurement Manager will notify, finalists and the non-finalists after all proposals have been evaluated. Selection of Finalists will occur no later than **July 7, 2011**. Only finalists will be invited to participate in the subsequent steps of the procurement. The schedule for the oral presentations will be determined at this time.

9. Oral Presentation by Finalists (if needed)

Finalist Offerors may be required to present their proposals to the Evaluation Committee on **July 19, 2011**. The Procurement Manager will schedule the time for each offeror presentation. All offeror presentations will be held in Albuquerque or Santa Fe, New Mexico at a location to be determined. Each presentation will be limited to one (1) hour in duration including questions and answers.

10. Best and Final Offers From Finalists (if needed)

Finalist Offerors may be asked to submit revisions to their proposals for the purpose of obtaining best and final offers by **July 26, 2011**. Best and final offers may be clarified and amended at the finalist offeror's oral presentation.

11. Notify Finalists / Negotiate and Finalize Contracts

The Evaluation Committee will select and the Procurement Manager will notify the selected finalists on **approximately July 27, 2011**.

Because this RFP is for professional environmental consulting and engineering services, costs of services shall be submitted in a separate Sealed Envelope for budgetary consideration upon selection of Finalists. The Agency may negotiate the fees, rates (hourly or by flat rate) and other expenses with the finalist, as necessary.

The contract(s) will be finalized **approximately by August 5, 2011** with the Offerors whose proposal is most advantageous to the Agency and submitted to the Office of the State Auditor. In the event that mutually agreeable terms cannot be reached within the time specified, the Agency reserves the right to finalize a contract with the next most advantageous offeror without undertaking a new procurement process.

12. US EPA Region 6 Approval

In accordance with 40 CFR 35.6550 (3), NMED must allow EPA a pre-award review and to approve the proposed procurement using CERCLA (Superfund) funds. Following final negotiations with the winning offeror, NMED shall seek EPA Region 6 review and approval by **August 10, 2011**.

13. Contract Award

After review of the Evaluation Committee Report, the recommendation of the Department and the signed contract(s), the Agency will award the contract(s) on **approximately August 15, 2011**. The contract award date is subject to change at the discretion of the Agency.

The contract(s) shall be awarded to the Offeror(s) whose proposal is most advantageous, taking into consideration the evaluation factors set forth in the RFP. The most advantageous proposal(s) may or may not have received the most points.

14. Protest Deadline

Any protest by an offeror must be timely and in conformance with Section 13-1-172 NMSA 1978 and applicable procurement regulations. **The protest period for responsive Offerors shall begin on the day following the contract award date and will end at of close of business fifteen (15) days thereafter.** Protests must be written and must include the name and address of the protestor and the request for proposals number. It must also contain a statement of grounds for protest including appropriate

supporting exhibits, and it must specify the ruling requested from the State Purchasing Agent. The protest must be delivered to the Protest Manager listed below:

Margaret S. Trujillo, Protest Manager  
New Mexico Environment Department  
Operations and Infrastructure Division, Purchasing & Contracts Bureau  
1190 St. Francis Dr., Room S-4051  
PO Box 5469  
Santa Fe, NM 87505-5469

**Protests received after the deadline will not be accepted**

Please add this Amendment #3 to the original proposal documents and refer to RFP documents, hereto as such. This and all subsequent amendments will become part of any resulting contract documents and have effects as if original issued. All other unaffected sections will have their original interpretation and remain in full force and effect.

If there are any questions or inquiries in relation to this Amendment No. 1 interested Offerors may contact Randy Herrera, Procurement Manager at (505) 827-2615 or by email at [randy.herrera@state.nm.us](mailto:randy.herrera@state.nm.us)