1. **Question:** Appendix A-Acknowledgment of Receipt Form references Appendix G. We did not receive and Appendix G. Please advise as to whether an Appendix G exists, and if so, send a copy to us.

Answer: The reference to Appendix G in the Acknowledgement of Receipt Form is in error. It should instead refer to Appendix F (see attached). You can find the amended Appendix at <https://www.env.nm.gov/requests-for-proposals/>.

2. **Question:** Section IV.B.1-Technical Specifications-

Subsection a. of this section requires an Offeror to “describe how the Offeror has supplied expertise for similar contracts and must include the extent of their experience, expertise and knowledge as a provider of services in accordance with the proposed scope of work. All prior experience provided to private sector clients will also be considered and should be provided”.

Subsection b. requires an Offeror to “indicate how many administrative or judicial hearings the Offeror has presided over in the last ten years”.

Subsection c. requires an Offeror to “describe at least two successes and at least two failures the Offeror has had while presiding over administrative or judicial hearings”.

Are these subsections of Section IV.B.1 intended to require that an Offeror have prior experience serving as a hearing officer, as opposed to representing private or public clients as counsel in administrative hearings before NMED, WQCC and EIB?

Answer: Offerors should provide the information requested in the referenced subsections.

3. **Question:** Section IV.C.3 of the RFP at p. 25 states that "Offerors must complete the Cost Response Form in Appendix D. However, the Appendix D form appears to be designed for provision of tangible goods rather than professional services and is stated to be a mere sample.

May offerors simply submit hourly rate proposals for all four years of the contract term for services specified in the scope of work?

Answer: The Cost Response Form provides sample costs not related to the RFP in question. Please provide costs specific to the scope of work for this RFP, which may include, but are not limited to, hourly rate for services and travel.

4. **Question:** Related to question 1, above, it is unclear how Section 13-1-150 NMSA 1978 relates to this RFP for professional services.  Clarification is needed on what constitutes compliance with the multi-term contract limits of section 13-1-150 in connection with responses to this RFP.  What are the maximum annual limits applicable under that statute to multi-year contracts for professional services?

Answer: As this will be a professional services contract, NMSA 1978, Section 13-1- 150(B) restricts the contractual term to four years, including all extensions and renewals.

5. **Question:** Reference Submittal Deadline

The deadline for submission of proposal is July 16, 2018 (Section II.A.5). The Organization Reference Questionnaire (Appx F) indicates that references should be returned no later than July 25, 2018. Please confirm that this date is correct.

Answer: Both dates are correct.

6. **Question:** Hourly Rate Inclusive of Travel

Section I.E defines “Hourly Rate” as “the proposed fully loaded maximum hourly rates that include travel, per diem, fringe benefits and any overhead costs for contractor personnel, as well as subcontractor personnel if appropriate. “The RFP indicates that hearings are held throughout the state and require travel (Section I.B) and can range from a few hours to multiple weeks. Is it proposed that travel time to hearings should not be billed in addition to the hourly rate for the actual time conducting the hearing, or rather that no travel time would be billed for work done from the vendor’s office but that travel time to and from hearings will be billed? Similarly, is it expected that per diem will be billed for actual hearing days located throughout the state, but not for work done from the vendor’s office?

Answer: As stated, “**Hourly Rate**” means the proposed fully loaded maximum hourly rates that include travel, per diem, fringe benefits and any overhead costs for contractor personnel, as well as subcontractor personnel if appropriate. NMED cannot provide further guidance on the contents of an Offeror’s cost proposal.

7. **Question:** Cost Proposal Evaluation Section V.A.C.3 states that the cost factor is on a pass/fail basis and it is not calculated in the 1,000-point total of Section V.A.B.1,2 and 3.

Section B.6 indicates that cost is evaluated using a formula relating the offeror’s cost to

the lowest responsive cost. Additionally, Section B.7.A states that there will be a New Mexico preference of 5%. It is not clear how these sections correspond. Please explain the process used to evaluate the cost proposal.

Answer: If an Offeror does not submit a cost proposal, that will be a fail and that proposal will no longer be evaluated. It is not calculated in the 1,000 points.

Once all cost proposals are received and pass, the formula provided in the RFP (and provided below) is used to score all passing cost proposals.

The evaluation of each Offeror’s cost proposal will be conducted using the following formula:

Lowest Responsive Offer Bid

------------------------------------------------------- X Available Award Points

This Offeror’s Bid

If an Offeror submits a New Mexico preference certificate with its proposal, a 5% (50 pts.) preference will be added to the total score of that proposer. The New Mexico Preferences does not apply if funds for an RFP include federal funds.