



## SOUTHWEST REGIONAL EDUCATION COOPERATIVE #10

1321 E. Poplar  
Deming, NM 88030

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### **-NOTICE-**

Request for Proposal: 21-02

**TITLE:** Diesel & Gasoline

**COMMODITY CODE:** 40515, 40509

**PURPOSE:** Southwest Regional Education Cooperative (SWREC) is requesting multi-year proposals for the purchase of diesel and gasoline fuel on behalf of Hatch Valley Public Schools. The result of this procurement will be a multi-term agreement for one year with the option to renew annually upon approval by all parties and shall not to exceed ten (10) years.

**GENERAL INFORMATION:** All questions about the RFP may be directed to:

Priscilla Cabral, CPO  
Phone: 575-894-7589  
Email: [pcabral@swrecnm.org](mailto:pcabral@swrecnm.org)

**ISSUANCE:** Published September 11, 2020

**PROPOSAL DUE DATE:** Proposals must be electronically submitted no later than September 22, 2020 @ 3:00 P.M. MST to:

Southwest Regional Education Cooperative  
ATTN: Priscilla Cabral  
[pcabral@swrecnm.org](mailto:pcabral@swrecnm.org)

**\*Cost Proposal must be submitted as its own document separately attached.  
Failure to send proposals as separate attachments may be grounds for  
disqualification and proposal not being scored.**

**PROPOSALS RECEIVED AFTER THE DUE DATE WILL NOT BE ACCEPTED**



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### **REQUEST FOR PROPOSAL: # 21-02**

#### **Diesel & Gasoline**

**Commodity Code:  
40515, 40509**

#### Scope of Work:

Hatch Valley Public Schools currently has two (2) housing tanks located on District property owned by the current vendor of fuel for the District.

1. Offeror will provide price per gallon for diesel fuel
2. Offeror will provide price per gallon for unleaded gasoline
3. Offer will include prices for a housing tank for diesel fuel on District property and maintenance fees.
4. Offer will include prices for a housing tank for unleaded gasoline on District property and maintenance fees.
5. Pricing must include freight and delivery charges to deliver to the District's Transportation yard located at 201 Foster Street Hatch, NM 87937.
6. Fueling nozzle used to re-fuel vehicles must have a digital or analog meter to record units used for each use
7. Will monitor fuel levels and re-fill only on as needed basis only after approved by the District
8. Offer must include references for services/goods provided within the last three (3) years
9. References must include: the name of reference, name of the entity, a working phone number, and the services/goods provided to the reference. The evaluation committee may contact each reference.



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**Sequence of Events:** The procurement officer will make every effort to adhere to the following schedule:

Action	Responsible Party	Due Dates
Issue RFP	SWREC for HVPS	September 11, 2020
Intent to Respond to RFP	Potential Offerors	September 17, 2020 4:00 PM
Deadline to Submit Questions	Potential Offerors	September 17, 2020 4:00 PM
Response to Written Questions	Procurement Officer	September 18, 2020 12:00 PM
Submission of Proposal	Potential Offerors	September 22, 2020 by 3 P.M.
Proposal Evaluation	Evaluation Committee	September 24, 2020
Selection of Finalists	Evaluation Committee	September 24, 2020
Recommendation for Award to HVPS School Board	HVPS	October 14, 2020
Protest Deadline	Offeror(s)	15 calendar days after date of notice

\*The Evaluation Committee reserves the right to adjust the schedule if the committee deems it necessary to provide adequate time for the evaluation of proposals.



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### General Conditions

NOTICE TO OFFERORS: This RFP is subject to the following terms and conditions:

Contract Qualifications: Contractor must remain compliant with all statutory and regulatory requirements. Contractor must meet the specifications in this RFP for the proposal to be deemed 'responsive'. Only responsive proposals will be considered for award. Proposals deemed 'unresponsive' will not be scored or considered for award and will be returned to the originator after the procurement officer has written a determination explaining the factors leading to the 'unresponsive' determination.

Contract Terms: This is an indefinite quantity contract. Hatch Valley Public Schools does not guarantee the purchase of any specific minimum quantities, nor may material be shipped or delivered without a valid purchase order number issued by the District.

Contract Length: Services will be provided for the 2020-2021 school year with the option to renew annually not to exceed a total of ten (10) years and will be aligned with the Hatch Valley Public Schools calendar.

Billing: All goods or services must be billed to HVPS and at prices not exceeding those stated on the purchase order. If prices or terms do not agree with your quotation, notify the procurement officer immediately.

Right to Protest: Any offeror or contractor who is aggrieved in connection with a procurement may protest to the procurement officer. The protest shall be submitted in writing within 15 calendar days after the facts of the occurrences giving rise *NM Procurement Code 13-1-172*.

Purchase Order Required: Material listed or service requested in this RFP will be ordered on an as needed basis. No material may be shipped or service rendered without a valid HVPS purchase order.

Cancellation for Convenience: HVPS reserves the right to cancel any contract resulting from this request for convenience by giving thirty (30) days written notice to the vendor. The District shall be liable to the vendor for any services provided or material ordered and accepted prior to termination.

Cancellation for Cause: If the vendor fails to fulfill any obligation resulting from this contract in a timely and responsive manner, or if the vendor violates any of the terms of this contract, HVPS shall have the right to cancel the contract by giving written notice of cancellation to the vendor.



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### Special Conditions

Delivery Requirements: All deliveries shall be made utilizing a metered truck bearing a current New Mexico Department of Agriculture approval seal. Quantity shall be measured by the gross gallon.

F.O.B. Destination: Contractor shall retain title and control of all goods until they are delivered and the contract coverage has been completed. All risk of transportation and all related charges shall be the responsibility of the Contractor.

Spillage: Vendor shall be responsible for all spillage which may occur during transit and unloading operations. The vendor shall immediately report spillage to the ordering office and clean up the spillage according to EPA and state guidelines and requirements.

Contamination: After contamination is discovered the vendor shall be responsible for removal of the fuel(s) from HVPS property within twenty-four (24) hours. The vendor shall also be responsible for all cleanup required to all HVPS property, storage facilities, and equipment as a result of noncompliance with specification. Furthermore, the vendor shall be fully responsible for any and all costs incurred by user agency for any equipment sustaining damage, which is attributed to a contaminated fuel(s), which the vendor has delivered.



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Proposal Submission: Contractor must complete and submit RFP pages 6-10 in order for the proposal to be deemed responsive. Contractor must submit a proposal for services and a separate cost proposal, as separate files, via email to SWREC Certified Purchasing Officer as identified below. All proposals must be received no later than 3:00 p.m. MST, Tuesday September 22, 2020.

Priscilla Cabral  
[pcabral@swrecnm.org](mailto:pcabral@swrecnm.org)  
Phone: 575-894-7589

Cost Proposal Response: Responses to cost for this RFP must be entered in the response format found in Appendix C.

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

$$\frac{\text{LOWEST RESPONSIVE BID}}{\text{THIS OFFEROR'S BID}} \times \text{AVAILABLE AWARD POINTS}$$

Selection Process: Proposals will be evaluated on a 100-point basis utilizing the following rating factors:

**Reliability of the Firm: 35 pts**

- (15) Describe ability to provide fuel types at District site
- (10) Describe ability and approach to providing services/goods when dispensing and storage equipment is out of service
- (10) Describe ability to conduct on-site routine & preventative maintenance

**Knowledge of Firm: 30 pts**

- (10 pts) Include brief history/background of firm
- (10 pts) Describe knowledge of safety procedures for spills, contamination, etc.
- (10 pts) Describe ability and approach for urgent fuel requests

**Assurance of Compliance: 15 pts**

- (3 pts/ea) Three (3) references for services provided within last three (3) years

**Price/Cost Proposal MUST be attached and marked as a separate file**

**Cost: 20 pts**

**Campaign Contribution Disclosure Form:** PASS/FAIL

**Acceptance of Terms & Conditions:** PASS/FAIL

**TOTAL** **100 pts**



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## APPENDIX A: Intent to Respond to RFP & Acceptance of Conditions

**Request for Proposals Title** \_\_\_\_\_ Diesel & Gasoline **RFP#** 21-02

This acknowledgement of receipt shall be signed and submitted to the procurement officer no later than **4:00 PM MST September 17, 2020**. Failure to return this form may jeopardize the Offeror's access to written questions, the District's written responses to those questions, as well as RFP amendments if any are issued.

FIRM: \_\_\_\_\_

REPRESENTED BY: \_\_\_\_\_

TITLE: \_\_\_\_\_ PHONE #: (\_\_\_\_) \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX #: (\_\_\_\_) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

### ALTERNATE CONTACT INFO

NAME: \_\_\_\_\_

EMAIL: \_\_\_\_\_ PHONE#: (\_\_\_\_) \_\_\_\_\_

This name and address will be used for all correspondence related to the RFP. Place an 'X' on the appropriate statements below:

\_\_\_\_\_ Firm **DOES INTEND** to respond to this RFP

\_\_\_\_\_ Firm **DOES NOT INTEND** to respond to this RFP

\_\_\_\_\_ Firm **ACCEPTS** the terms and conditions for the RFP

\_\_\_\_\_ Firm **DOES NOT ACCEPT** the terms and conditions for this RFP (vendor may submit a document with their terms and conditions for consideration but HVPS will not guarantee acceptance of those terms and conditions.

### Procurement Officer:

Priscilla Cabral, Southwest Regional Education Cooperative #10

[pcabral@swrecnm.org](mailto:pcabral@swrecnm.org)

575-894-7589



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### **APPENDIX B: CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person 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 shall void an executed contract or cancel a solicitation or proposed award for a proposed contract 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.

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





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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.

“**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.



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## 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) \_\_\_\_\_

(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)



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### APPENDIX C: Cost Response Form

<b>Item #</b>	<b>Description</b>	<b>Unit</b>	<b>Offeror Price Response</b>
<b>1</b>	Diesel Fuel	Price per Gallon	
<b>2</b>	Unleaded Gasoline	Price per Gallon	
<b>3</b>	Diesel Storage Tank	Per Year	
<b>4</b>	Unleaded Gasoline Tank	Per Year	
<b>5</b>	Delivery to Transportation Yard	Price per Trip	
<b>6</b>	Maintenance of Tanks	Per Year	

The vendor must complete this form to submit with their proposal. Any item left blank will be interpreted by the District as the offeror not bidding on that particular item. This form will be attached as a separate file when submitting the proposal to the CPO and will be clearly named 'COST RESPONSE FORM' so as to separate it from the rest of the proposal submission.