

REQUEST FOR PROPOSALS
FOR
ON-CALL ENGINEERING SERVICES
RFP NO. 020921
FOR
CITY OF SOCORRO, NEW MEXICO



City of Socorro
111 School of Mines Rd.
Socorro, New Mexico 87801

ISSUE DATE: January 21, 2021

DUE DATE: February 9, 2021

**REQUEST FOR PROPOSALS
FOR
PROFESSIONAL ON-CALL ENGINEERING SERVICES**

RFP No. 020921

Project Name: On- Call Engineering Services

Contracting Agency: City of Socorro

Address: 111 School of Mines Road

Socorro, New Mexico 87801

Telephone: [575] 835-0240

Date: January 21, 2021

Funding Type:

CDBG, USDA, EPA, NMED, NMFA, WTB, NMDOT, Local and other funding as secured under the term of the agreement.

Chief Procurement Officer: Leopoldo (Polo) Pineda

NOTICE OF REQUEST FOR PROPOSALS

On-Call Engineering Services

RFP No. 020921.

The City of Socorro, New Mexico is requesting proposals to provide Professional Engineering Services to include Grants Consulting and Management, Planning, Design Services, and Engineering for the City of Socorro, under an On-Call Service Agreement. Applicants must be licensed professional engineers in the State of New Mexico.

Sealed proposals will be received until 3:00 pm, February 9, 2021 at 111 School of Mines Road, Socorro, New Mexico 87801. At that time proposals will be opened publicly and recorded.

The envelope shall be addressed to:

**City of Socorro
Leopoldo (Polo) Pineda, Jr.
Chief Procurement Officer
111 School of Mines Road
Socorro, New Mexico 87801**

Any proposals received after the above date and/or time will be returned unopened. All proposals must be clearly marked "On-Call Engineering Services, RFP No. 020921, February 9, 2021, 3:00 pm" on the lower left corner of the envelope. The proposer shall assume full responsibility for the timely delivery of the Proposal. Any Proposal not clearly marked "On-Call Engineering Services, RFP No. 020921, February 9, 2021, 3:00 pm" will be disqualified.

Copies of the Request for Proposals can be obtained from Leopoldo (Polo) Pineda, Jr. at 575-835-0240 or email ppineda@socorronm.gov.

A Pre-Proposal Conference will not be held.

Any questions should be addressed to Lloyd Martinez, Utilities Director at 575-650-0545.

(for Contracting Agency's Use Only)

Newspaper: _____ Publish: _____ P.O. No. _____

Newspaper: _____ Publish: _____ P.O. No. _____

Newspaper: _____ Publish: _____ P.O. No. _____

1. **PROJECT DESCRIPTION**

The City of Socorro, New Mexico is requesting proposals to provide Professional Engineering Services to include Grants Consulting, Planning, Design Services, and Engineering for the City of Socorro, under an On-Call Service Agreement. Applicants must be licensed professional engineers in the State of New Mexico.

2. **SCOPE OF WORK**

The Offeror shall perform the following professional services:

Consulting Services Shall Include but not be Limited to the Following:

- 1) Identification of a project manager, who will serve as a contact person to the City of Socorro, New Mexico.
- 2) Provide day-to-day consultation as requested by the Mayor, City Administrator, City Clerk, Division Director and other staff, as requested. Attend necessary staff and/or Council meetings.
- 3) Assist in reviewing design standards for municipal utilities, public works improvements, subdivisions and commercial developments.
- 4) Provide engineering assistance on various City projects being performed in-house.
- 5) Prepare reports on community development planning, facilities planning, environmental and subdivision drainage reviews and analysis to include soils and traffic, for public works improvements and utility systems expansion and improvements to include: water, wastewater, and other municipal projects, as needed.
- 6) Provide customary civil and engineering design services on a work order basis.
- 7) Provide specialty construction engineering observations as requested by the Division Director or other staff.
- 8) Assist and advise the City of Socorro in locating grant sources, and assist with the supporting documents for government grants, loans, or advances, as requested by the City.
- 9) Provide technical information concerning specific projects to other professionals upon request by the City, and request technical information from other professionals when authorized to do so by the City.
- 10) Additional services as may be specified by the City.

Planning and Design Consulting Services Shall Include but not be Limited to the Following:

- 1) The Offeror will be required, at the request of the City, to formulate and/or update a comprehensive plan (with 5 to 20 year projections) on land use, utilities, recreation, traffic analysis, facilities planning, and additional long range planning services, as dictated by the City.
- 2) The Offeror will be required to prepare reports and studies, in the area of public works improvements to include drainage, roadways, traffic, water, wastewater, rodeo facility, park systems, and landscaping.
- 3) Prepare documentation for public works improvements for submittal to State and Federal agencies.

Grants Consulting Services Shall Include but not be Limited to the Following:

- 1) Search and identify sources for governmental grants that will assist the City in meeting its needs.
- 2) Preparation of Grant Application/ Proposal for all departments within the City of Socorro on an as needed basis.
- 3) Assist in the administration and financial management of grants received and utilized in accomplishing projects.
- 4) Coordination of projects utilizing grants funding.
- 5) Serving as expert witness.
- 6) Presentations to and attendance at necessary staff and/ or City Council meetings.

INSTRUCTIONS TO OFFERORS

1. DEFINITIONS AND TERMS

- 1.1 Addendum:** a written or graphic instrument issued prior to the opening of Proposals, which clarifies, corrects, or changes the Request for Proposals. Plural: addenda.
- 1.2 Consultant:** means the Successful Offeror awarded the Agreement/Contract.
- 1.3 Determination:** means the written documentation of a decision of the procurement officer including findings of fact required to support a decision. A determination becomes part of the procurement to which it pertains (§ 13-1-52 NMSA 1978).
- 1.4 Offeror:** any person, corporation, or partnership legally licensed to provide design professional services in this state, who chooses to submit a proposal in response to this Request for Proposals.
- 1.5 Procurement Manager:** means the person or designee authorized by the Contracting Agency to manage or administer a procurement requiring the evaluation of proposals.
- 1.6 Request for Proposals:** or "RFP" means all documents, including those attached or incorporated by reference, used for soliciting proposals (§ 13-1-52 NMSA 1978).
- 1.7 Responsible Offeror of Proposer:** means an offeror or proposer who submits a responsive proposal and who has furnished, when required, information and data to prove that his or her financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services described in the proposal (§ 13-1-52 NMSA 1978).
- 1.8 Responsive Offer or Proposal:** means an offer or proposal which conforms in all material respects to the requirements set forth in the request for proposals. Material respects of a request for proposals include, but are not limited to, price, quality, quantity or delivery requirements (§ 13-1-52 NMSA 1978).
- 1.9** The terms **must, shall, will, is required, or are required**, identify a mandatory item or

factor will result in the rejection of the offeror's proposal.

- 1.10** The terms **can, may, should, preferably, or prefers** identify a desirable or discretionary item or factor.

2. REQUEST FOR PROPOSAL DOCUMENTS

2.1 COPIES OF REQUEST FOR PROPOSALS

- A. A complete set of the Request for Proposals may be obtained from the Contracting Agent (unless another issuing office is designated the RFP).
- B. A complete set of the Request for Proposals shall be used in preparing proposals; the Contracting Agency assumes no responsibility for errors or misinterpretations resulting from the use of an incomplete set of the request for Proposals.
- C. The Contracting Agency in making copies of Request for Proposals available on the above terms, does so only for the purpose of obtaining proposals on the Project and does not confer a license or grant for any other use.
- D. A copy of the RFP shall be made available for public inspection and shall be posted at the Administration Building of the Contracting Agency.

2.2 INTERPRETATIONS

- A. All questions about the meaning or intent of the Request for Proposals shall be submitted to the Procurement Manager of the Contracting Agency in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded by the Contracting Agency as having received the Request for Proposals. Questions received less than five days prior to the date for opening of proposals will not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
- B. Offerors should promptly notify the Contracting Agency of any ambiguity, inconsistency, or error, which they may discover upon examination of the Request for Proposals.

2.3 ADDENDA

- A. Addenda will be mailed by certified mail with return receipt requested, by facsimile or hand delivered to all who are known by the Contracting Agency to have received a complete set of Request for Proposals.
- B. Copies of Addenda will be made available for inspection wherever Request for Proposals are on file for that purpose.
- C. No Addenda will be issued later than 5 days prior to the date for receipt of Proposals, except an Addendum withdrawing the Request for Proposals or one, which include postponement of the date for receipt of Proposals.
- D. Each Offeror shall ascertain, prior to submitting the Proposal, that the Offeror has received all Addenda issued, and shall acknowledge their receipt in the Proposal transmittal letter.
- E. Any proposal that does not adhere to this format, and which does not address each specification and requirement within the RFP may be deemed non-responsive and rejected on that basis.
- F. Offerors may request in writing nondisclosure of confidential data. Such data should accompany the proposal and should be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. A request that states that the entire proposal is kept confidential will not be acceptable. Only matters, which clearly are of a confidential nature, will be considered.
- G. Any cost incurred by the Offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror.

3. PROPOSAL SUBMITTAL PROCEDURES

3.1 NUMBER, FORM AND STYLE OF PROPOSALS

- A. Offerors shall provide five (5) copies of their proposal to the location specified on the cover page on or before the closing date and time for receipt of proposals.
- B. All proposals must be typewritten on standard 8 1/2" x 11" paper and bound on the left-hand margin;
- C. A maximum of ten (10) pages (single-sided), including title, index, etc., not including front and back covers, utilizing a minimum 11-point font. Proposals exceeding the page limitation will be rejected and will not be evaluated.
- D. The proposal must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated:
 - 1) Letter of Transmittal, if any;
 - 2) Response to Specialized Design and Technical Competence;
 - 3) Response to Capacity and Capability;
 - 4) Response to Past Record of Performance;
 - 5) Response to Familiarity with the Contracting Agencies;
 - 6) Response to Current Volume of Work with the Contracting Agency not 75% Complete;
 - 7) List of Sub-consultants; and
 - 8) Other supporting or resource material:

3.2 SUBCONSULTANTS

- A. The Offeror shall list and state the qualifications for each Sub-consultant the Offeror proposes to use for all subcontracted Work.
- B. The Offeror is specifically advised that any person or other party, to whom it is proposed to award a subcontract under this proposal, must be acceptable to the Contracting Agency after verification by the Contracting Agency of the current eligibility status, including but not limited to suspension or debarment by the Contracting Agency.

3.3 PREQUALIFICATION PROCESS

A business may be pre-qualified by the Purchasing Agent as an Offeror for particular types of service. Mailing lists of potential Offerors shall include but shall not be limited to such pre-qualified businesses (§ 13-1-134 NMSA 1978). For purposes of this RFP, if pre-qualification is utilized, special instructions will be attached as an exhibit to this RFP.

3.4 DEBARRED OR SUSPENDED CONTRACTORS

A business (contractor, subcontractor or supplier) that has either been debarred or suspended pursuant to the requirements of § 13-1-177 through § 13-1-180, and § 13-3-11 through § 13-4-17 NMSA 1978 as amended, shall not be permitted to do business with the Contracting Agency and shall not be considered for award of the contract during the period for which it is debarred or suspended with the Contracting Agency.

3.5 SUBMITTAL OF PROPOSALS

- A. Proposals shall be submitted at the time and place indicated in the Notice of Request for Proposals and shall be included in an opaque sealed envelope marked with the Project title and name and address of the Offeror and accompanied by the documents listed in the Request for Proposal.
- B. The envelope shall be addressed to the Purchasing Agent/ Procurement Officer of the Contracting Agency. The following information shall be provided on the front lower left corner of the Bid envelope: Project Title, Request for Proposal number, date of opening, and time of opening. If the Proposal is sent by mail, the sealed envelope shall have the notation **"SEALED PROPOSAL ENCLOSED"** on the face thereof.
- C. Proposals received after the date and time for receipt of Proposals will be returned unopened.
- D. The Offeror shall assume full responsibility for timely delivery of proposals at the Purchasing Agent's office, including those proposals submitted by mail. Hand-delivered proposals shall be submitted to the Purchasing Agent or his designee and will be clocked in/time stamped at the time received, which must be prior to the time specified.
- E. After the date established for receipt of proposals, a register of proposals will be prepared which includes the name of each Offeror, a description sufficient to identify the service, the names and addresses of the required witnesses, and such other information as may be specified by the Purchasing Agent.
- F. Oral, telephonic, or telegraphic proposals are invalid and will not receive consideration.

3.6 CORRECTION OR WITHDRAWAL OF PROPOSALS

- A. A Proposal containing a mistake discovered before proposal opening may be modified or withdrawn by an Offeror prior to the time set for proposal opening by delivering written or telegraphic notice to the location designated in the Request for Proposals as the place where Proposals are to be received.
- B. Withdrawn Proposals may be resubmitted up to the time and date designated for the receipt of Proposals, provided they are then fully in conformance with the Request for Proposals.

3.7 NOTICE OF CONTRACT REQUIREMENTS BINDING ON OFFEROR

- A. In submitting this proposal, the Offeror represents that the Offeror has familiarized himself or herself with the nature and extent of the Request for Proposal dealing with federal, state, and local requirements, which are a part of this Request for Proposal.
- B. Laws and Regulations: The Offeror's attention is directed to all applicable federal, state, local and tribal laws, ordinances and regulations and the rules and regulations of all authorities having jurisdiction over the services of the Project.

3.9 REJECTION OR CANCELLATION OF PROPOSALS

This Request for Proposals may be canceled, or any or all proposals may be rejected in whole or in part, when it is in the best interest of the Contracting Agency. A determination containing the reasons therefore shall be made part of the project file (§ 13-1-131 NMSA 1978).

4. CONSIDERATION OF PROPOSALS

4.1 RECEIPT, OPENING AND RECORDING

- A. Proposals received on time will be opened publicly or in the presence of one or more witnesses and the name of the Offeror and address will be read aloud.
- B. The names of all businesses submitting proposals and the names of all businesses, if any, selected for interview shall be public information. After an award has been made, final ranking and evaluation scores for all proposals shall become public information (§ 13-1-120 NMSA 1978). The contents of any proposal shall not be disclosed so as to be available to competing Offerors during the negotiation process (§ 13-1-116 NMSA 1978).

4.2 PROPOSAL EVALUATION

- A. Proposals shall be evaluated on the basis of demonstrated competence and qualifications for the type of service required, and shall be based on the evaluation factors set forth in this RFP. For the purpose of conducting discussions, proposals may initially be classified as:
 - 1) acceptable,
 - 2) potentially acceptable, that is, reasonably assured of being made acceptable, or
 - 3) unacceptable (Offerors whose proposals are unacceptable shall be notified promptly).

- B. The Contracting Agency shall have the right to waive technical irregularities in the form of the Proposal of the Offeror, which do not alter the quality or quantity of the services (§ 13-1-132 NMSA 1978).
- C. If an Offeror who otherwise would have been awarded a contract is found not to be a responsible Offeror; a Determination that the Offeror is not a responsible Offeror, setting forth the basis of the finding, shall be prepared by the Purchasing Agent/Procurement Manager. The unreasonable failure of the Offeror to promptly supply information in connection with an inquiry with respect to responsibility is grounds for a determination that the Offeror is not a responsible Offeror (§ 13-1-133 NMSA 1978). Businesses, which have not been selected, shall be so notified in writing within twenty-one days after an award is made (§ 13-1-12 NMSA 1978).
- D. Selection Process (§ 13-1-120 NMSA 1978):
 - 1) The evaluation of proposals will be performed by an evaluation committee composed of representatives selected by the Contracting Agency. The committee shall evaluate statements of qualifications and performance data submitted by at least three businesses in regard to the particular project and may conduct interviews with and may require public presentation by all businesses applying for selection regarding their qualifications, their approach to the project and their ability to furnish the required services.
 - 2) If fewer than three businesses have submitted a statement of qualifications for a particular project, the committee may:
 - a) rank in order of qualifications and submit to the local governing body for award those businesses which have submitted a statement of qualifications; or
 - b) recommend termination of the selection process and sending out of new notices of the proposed procurement pursuant to § 13-1-104 NMSA 1978.

4.3 NEGOTIATIONS (§ 13-1-122 NMSA 1978)

- A. The Contracting Agency's designee shall negotiate a contract with the highest qualified business for the services contemplated under this RFP at compensation determined in writing to be fair and reasonable. In making this decision, the designee shall take into account the estimated value of the services to be

rendered and the scope, complexity and professional nature of the services.

- B. Should the designee be unable to negotiate a satisfactory contract with the business considered to be the most qualified at a price determined to be fair and reasonable, negotiations with that business shall be formally terminated. The designee shall then undertake negotiations with the second most qualified business. Failing accord with the second most qualified business, the designee shall formally terminate negotiations with that business.
- C. The designee shall then undertake negotiations with the third most qualified business.
- D. Should the designee be unable to negotiate a contract with any of the businesses selected by the committee, additional businesses shall be ranked in order of their qualifications and the designee shall continue negotiations in accordance with this section until a contract is signed with a qualified business or the procurement process is terminated and a new request for proposals is initiated.
- E. The Contracting Agency shall publicly announce the business selected for award.

4.4 NOTICE OF AWARD

After award by the local governing body, a written notice of award shall be issued by the Contracting Agency after review and approval of the Proposal and related documents by the Contracting Agency with reasonable promptness (§ 13-1-100 and § 13-1-108 NMSA 1978).

5. POST-PROPOSAL INFORMATION

5.1 PROTESTS

- A. Any Offeror who is aggrieved in connection with a solicitation or award of an Agreement may protest to the Contracting Agency's Purchasing Agent and the Chief Administrator/Clerk in accordance with the requirements of the Contracting Agency's Procurement Regulations. The protest should be made in writing within 24 hours after the facts or occurrences giving rise thereto, but in no case later than 15 calendar days after the facts or occurrences giving rise thereto (§ 13-1-172 NMSA 1978).

- B. In the event of a timely protest under this section, the Purchasing Agent and the Contracting Agency shall not proceed further with the procurement unless the Purchasing Agent makes a determination that the award of Agreement is necessary to protect substantial interests of the Contracting Agency (§ 13-1-173 NMSA 1978).
- C. The Purchasing Agent or his designee shall have the authority to take any action reasonably necessary to resolve a protest of an aggrieved Offeror concerning a procurement. This authority shall be exercised in accordance with adopted regulations, but shall not include the authority to award money damages or attorneys' fees (§ 13-1-174 NMSA 1978).
- D. The Purchasing Agent or his designee shall promptly issue a determination relating to the protest. The determination shall:
 - 1) state the reasons for the action taken; and
 - 2) inform the protestant of the right to judicial review of the determination pursuant to (§ 13-1-183 NMSA 1978).
- E. A copy of the determination issued under § 13-1-175 NMSA 1978 shall immediately be mailed to the protestant and other Offerors involved in the procurement (§ 13-1-175 NMSA 1978).

6. OTHER INSTRUCTIONS TO OFFERORS (If None, write None)

Structure proposal to match evaluation criteria for ease of review and scoring.

This request for proposal is for general services and other projects that develop over the term of the agreement (not to exceed 4-years) with the offerer that is selected under this request for proposal.

The term of this agreement shall be for a period of one (1) year. Due to the need for a continuity of the contractual services, the term may be extended from year to year for a maximum of four (4) years. Sixty (60) days prior to the end of each agreement the City may, without stating cause, give notice of its intention to terminate the Contract.

5.2 EXECUTION AND APPROVAL OF AGREEMENT

The Agreement shall be signed by the Successful Offeror and returned within an agreed time frame after the date of the Notice of Award. No Agreement shall be effective until it has been fully executed by all of the parties thereto.

5.3 NOTICE TO PROCEED

The Contracting Agency will issue a written Notice to Proceed to the Consultant.

5.4 OFFEROR'S QUALIFICATION STATEMENT

Offeror to whom award of an Agreement is under consideration shall submit, upon request, information and data to prove that their financial resources, production or service facilities, personnel, and service reputation and experience are adequate to make satisfactory delivery of the services described in the Request for Proposals (§ 13-1-82 NMSA 1978).

GENERAL TERMS AND CONDITIONS

1. GOVERNING LAW

The Agreement shall be governed exclusively by the laws of the State of New Mexico as the same from time to time exists.

2. INDEPENDENT CONTRACTORS

The Consultant (design professionals) and his agents and employees are independent Contractors and are not employees of the Contracting Agency. The Consultant and his agents and employees shall not accrue leave, retirement, insurance, bonding, use of Contracting Agency vehicles or any other benefits afforded to employees of the Contracting Agency as a result of the Agreement.

3 BRIBES, GRATUITIES AND KICK-BACKS

Pursuant to § 13-1-191 NMSA 1978, reference is hereby made to the criminal laws of New Mexico (including (§ 30-14-1, § 30-24-2 and § 30-41-1 through § 30-41-3 NMSA 1978) which prohibit bribes, kickbacks and gratuities, violation of which constitutes a felony. Further, the Procurement Code (§ 13-1-20 through § 13-1-199 NMSA 1978) imposes civil and criminal penalties for its violation.

4 STANDARD FORM OF AGREEMENT BETWEEN CONTRACTING AGENCY AND CONSULTANT (Design Professional)

The form of agreement required by the funding agency or issued by the Contracting Agency will be used for this project. Copies are available and may be reviewed upon request.

5 FEES

A lump sum fixed fee for Basic Services will be negotiated with the Offeror selected. Construction Observation will be calculated on a Payroll cost times a multiplier.³

[Note: ³ or as appropriate or agreed upon.]

6 FUNDING

This solicitation is subject to the availability of funds to accomplish the work.

7 DESIGN PROFESSIONAL REGISTRATION

All work shall be under the direction of the applicable design professional legally licensed and registered by the state.

8. CONTACT WITH CONTRACTING AGENCY OFFICIALS OR STAFF MEMBERS

Prior to, and after submittal of proposal, prospective Offerors shall not make contact with any official or staff member regarding this RFP, other than contact to obtain a copy of this RFP.

9. PROFESSIONAL LIABILITY INSURANCE

The Offeror **will** be required to carry professional liability (errors and omissions) insurance in the amount of \$1,000,000.

EVALUATION CRITERIA

CRITERIA AND POINT VALUES

Proposal must address each of the following criteria. Each proposal may be awarded points up to the amount listed in parentheses.

	<u>Points this RFP</u>
1. Specialized Design and Technical Competence Specialized design and technical competence of the business, Including a joint venture or association, regarding the type of services required.	<u>25</u>
2. Capacity and Capability Capacity and capability of the business to perform the work, including any specialized services, within the time limitations.	<u>25</u>
3. Past Record of Performance Past record of performance on contracts with government agencies or private industry with respect to such factors as control of costs, quality of work and ability to meet schedules.	<u>25</u>
4. Familiarity with the Contracting Agency Proximity to or familiarity with the area in which the project is located.	<u>15</u>
5. Work to be Done in New Mexico The amount of design work that will be produced by a New Mexico business within the state.	<u>0</u>
<u>or</u> <input checked="" type="checkbox"/> This criteria is not allowed for federally funded projects	<u>0</u>
6. Current Volume of Work with the Contracting Agency not 75% Complete	<u>5</u>
7. Other Contracting Agency Criteria {Note: Price cannot be a factor] NONE	

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.

“Person” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

