MIDDLE RIO GRANDE CONSERVANCY DISTRICT



REQUEST FOR BID

FOR:

SLIDE GATES & PARTS

DEADLINE FOR RESPONSE:

Wednesday December 6, 2023 10:00 A.M.

COMMODITY CODES; 00262, 02049, 67017

PREPARED BY:

Ricardo Varela, Purchasing Agent Middle Rio Grande Conservancy District 1931 Second Street, S.W. Post Office Box 581 Albuquerque, New Mexico 87103 (505) 247-0234

SECTION I

GENERAL INFORMATION

The Middle Rio Grande Conservancy District (MRGCD) is seeking bids for a fixed price agreement from vendors for Slide Gates and Replacement Parts in accordance with specifications contained in this Request for Bid. The price agreement and term of the contract shall be one year with the option for three (3) additional successive one-year terms, with the same terms and conditions as stated on the original bid and shall not exceed four (4) years. Any price increases due to manufacture or supply increase can be submitted in writing to MRGCD for approval before renewal of yearly contract.

The District reserves the right to reject any and all bids, to waive any minor technicalities in bids and, unless otherwise specified by the bidder, to accept any item in the bid. In case of error in the extension of prices in the bid, the unit prices will govern. Bids will be awarded in whole not in part unless otherwise specified by the District.

The District will take advantage of payment discounts offered whenever possible; however, payment discounts will not be used as a means to determine the lowest responsible bidder. Time in connection with discounts offered will be computed from date of the delivery of the supplies and or service completions, or from the date a correct invoice certified by the contractor is received.

In case of default of the contractor, the District may procure the articles or services from other sources and hold the contractor responsible for any excess cost occasioned thereby.

No officer or employee of the District or public officer of the District shall be admitted to any share or part of this contract or to any benefit that may arise therefrom, directly, or indirectly.

I. INTRODUCTION

The Middle Rio Grande Conservancy District (hereafter referred to as District) will be accepting Sealed Bids for an **Annual Price Agreement for.**

A. SLIDE GATES & PARTS

One (1) original and (1) copy of the bid and supporting documentation must be submitted with your bid. Bids must be in the format specified. Bids must be signed, and the authority of the individual signing must be stated on the bid.

II. TIME – PLACE - AWARD

Bids must be submitted on the official bid form if space is not adequate on the please attach a separate sheet with additional information.

All bids shall be clearly marked in the lower left-hand corner of the sealed envelope "**SLIDE GATE & PARTS BID**". The filing date and time marked or stamped on the envelope by MRGCD shall be conclusive evidence of the date and time the bids were filed.

- 1. The deadline for receipt of bids shall be no later than 10:00 a.m. December 6, 2023.
- 2. Acknowledgement of Receipt forms deadline by C.O.B. November 29, 2023.

No Bid will be accepted by electronic transmission.

Middle Rio Grande Conservancy District Mr. Ricardo Varela, Purchasing Agent 1931 Second Street, S.W. P.O, Box 581 Albuquerque, New Mexico 87103

Bid Modifications: Only modifications received prior to the time specified for the closing will be accepted. No modifications will be accepted following the opening. Technical clarifications of the offer may be requested by the District following the opening. Withdrawal of Bids: Bids may be withdrawn by written notice of in person by a bidder or an authorized representative any time prior to the award.

Late Submission: Late submissions of bids will not be considered unless it is determined by the District that the late receipt was due solely to mishandling by the District or if the bid is the only one received. **All other late submissions will be returned unopened.** All bids received will remain sealed and unopened until the opening time specified.

Campaign Contributions: Bidders must complete and submit the NMSA Campaign Contribution Disclosure Form (See Appendix 1).

Debarment/Suspension: In performing services and/or furnishing the goods specified in this invitation, the vendor/contractor certifies that it is not suspended, debarred or declared ineligible from entering into contract with the Executive Branch of the Federal Government, and State agencies or local public boding, nor is in receipt of a notice of proposed debarment or suspension from the Executive Branch of the Federal Government and "Contracting Officer: shall mean "District" respectively. (See Appendix 2).

Resident Business or Resident Veterans / Native American Resident Business Certification (As required by Section 13-1-22 NMSA if applying for a preference under Section 13-1-21 NMSA) Resident Veterans Business Preference Certification (If applying for Resident Veteran / Native American Business preference; See Appendix 3.)

III. RFB MANDATORY REQUIREMENTS:

- 1. Bidder must provide documentation as an established business for a minimum of 5 years.
- Bidder will accept that MRGCD reserves the right to order the quantity that is bid, in increments that are acceptable to our needs at that time, over a 12-month period and not to exceed four (4) years. MRGCD may go over or under the amount bid with no price increase or penalty.
- Documentation, paperwork, brochures of product(s) being offered must be presented with bid.
- 4. All paperwork, Invoices are due on delivery and before payment will be made.

IV. EVALUATION OF BIDS:

Bids will be evaluated by the District office using the criteria as listed in this Request for Bid. During the evaluation process, the District may seek additional clarification from offerors.

All bids received by the deadline will be evaluated by the District. Evaluation made by District staff will not be made public until after the selection process is complete.

Evaluation criteria as follows:

1.	Bid Amount	40%
2.	Compliance to Bid Specifications and ALL" Mandatory Requirements in RFB	40%
3.	Mandatory Forms	20%

V. SELECTION OF OFFEROR

The Contractor selected to provide the materials will be notified along with those not selected in writing.

DELIVERY OF MATERIAL

At minimum 24 hours, preferably 72 hours' notice is required prior to any deliveries to District yards. Failure to comply may result in rejection of shipment. The following is the contact information and telephone numbers for each shipping location:

Albuquerque Division Warehouse 1930 Second Street, S.W. Albuquerque, New Mexico (505) 247-0234 Ricardo Varela - Direct line 505-337-0564

INSTRUCTION TO BIDDERS

1.

MRGCD reserves the right to refuse any shipment that is deemed unacceptable due to product concerns, changes or workmanship of Gates and attaching items. If an order is deemed unacceptable, MRGCD will notify Bidder within 24 hours. At that time, Bidder will have 72 hours to pick up shipment that is unacceptable to return to the Bidders facility for correction. Bidder will be responsible for freight cost to their facility and for the freight cost back to our facility for corrected product.

- **2.** Samples of items, when required, must be furnished, free of expense, prior to the opening of bids, and upon request, will be returned at the bidder's expense.
- **3.** Prices should be stated in units of quantity specified with packaging included.
- **4.** Time of proposed delivery must be stated in definite terms. If time varies for different items, the bidder shall state.
- 5. If item bid had a trade name or brand, such trade name and brand must be stated in the bid.
- 6. To ensure prompt payment, bills should be certified as follows: I certify that this bill is correct and just, and that payment therefore has not been received.

NOTICE

THE PROCUREMENT CODE, SECTIONS 13-1-29 THROUGH 13-1-199 NMSA 1978 IMPOSES CIVIL AND CRIMINAL PENALTIES FOR ITS VIOLATION. IN ADDITION, THE NEW MEXICO CRIMINAL STATUTES IMPOSE FELONY PENALTIES FOR ILLEGAL BRIBES, GRATUITIES AND KICKBACKS.

MINIMUM SPECIFICATIONS

SLIDE GATES

SLIDE GATES: Spigot back or Flat back (will be specified) with 6-foot frame height, (except where specified), right hand stem thread and 6 foot tall. Slide gates shall be Fresno 101C Gates. Gate designed for use on low head system. Hand Wheels on gates should be largest size available for the gate.

STEMS

Right hand thread, fully threaded with lip.

REPLACEMENT PARTS

Replacement parts requiring right hand thread unless otherwise specified.

ACCEPTANCE OF GOODS CONDITION

MRGCD reserves the right to reject the shipment of gates and (or) replacement parts. Please refer to line 1 in "Instruction to Bidder" section.

SCHEDULE I

THE FOLLOWING ITEMS TO BE DELIVERED ALBUQUERQUE DIVISION F.O.B. DESIGNATED DESTINATION 1930 SECOND ST SW. ALBUQUERQUE, NM

ITEM NO.	SLIDE GATES W/ FLAT BACK MOUNT	UNIT PRICE	TOTAL AMOUNT
1.	12"	\$	\$
2.	15"	\$	\$
3.	18"	\$	\$
4.	24"	\$	\$
5.	30"	\$	\$
6.	36"	\$	\$

ITEM NO.	SLIDE GATES W/ SPIGOT BACK MOUNT	UNIT PRICE	TOTAL AMOUNT
1.	12"	\$	\$
2.	15"	\$	\$
3.	18"	\$	\$
4.	24"	\$	\$
5.	30"	\$	\$
6.	36"	\$	\$

ITEM NO.	CARBON STEEL STUB	UNIT PRICE	TOTAL AMOUNT
1.	12"	\$	\$
2.	15"	\$	\$
3.	18"	\$	\$
4.	24"	\$	\$
5.	30"	\$	\$
6.	36"	\$	\$

ITEM NO.		UNIT PRICE	TOTAL AMOUNT
1.	7/8" DIAMETER x 76" LONG CARBON STEEL WITH RIGHT HAND ROLLED, THREADS A FOR 12" And 15"	\$	\$
2.	LIFT NUT WITH 7/8' DIAMETER RIGHT HAND THREADS FOR 12" AND 15"	\$	\$
3.	1 1/8" DIAMETER x 74" LONG CARBON STEEL STEM WITH RIGHT HAND ROLLED	\$	\$
4.	LIFTNUT WITH 1 1/8" DIAMETER RIGHT HAND THREADS FOR 18" AND 24"	\$	\$
5.	1 ½" DIAMETER x 71" LONG CARBON STEEL STEM WITH RIGHT HAND ROLLED THREADS FOR 30" AND 36"	\$	\$
6.	LIFT NUT WITH 1 ½" DIAMETER RIGHTHAND THREADS FOR 30" AND 36"	\$	\$

SPECIFICATION COMPLIANCE

IN THE INTEREST OF FAIRNESS AND SOUND BUSINESS PRACTICES, IT IS MANDATORY THAT YOU STATE ANY EXCEPTIONS TO THE ENCLOSED SPECIFICATIONS.

IT IS NOT THE RESPONSIBILITY OF THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT TO FERRET OUT INFORMATION CONCERNING THE MATERIALS WHICH YOU INTEND TO FURNISH.

IF YOUR BID OR BID DOES NOT MEET OR EXCEED ALL THE STATED SPECIFICATIONS, YOU MUST SO STATE IN THE SPACE PROVIDED BELOW:

BIDS ON GOODS OR SERVICES, NOT SPECIFICALLY MEETING THE STATED SPECIFICATIONS, ARE WELCOMED AND WILL BE CONSIDERED BY THE DISTRICT AS LONG AS THE ITEMS BID EQUAL OR EQUIVALENT TO OUR SPECIFICATIONS. HOWEVER, ANY DEVIATIONS MUST BE LISTED ABOVE.

I MEET SPECIFICATIONS_____ I DON'T MEET SPECIFICATIONS_____ (Must Check One)

NAME ______ TITLE_____

NOTICE

TO ALL BIDDERS

THIS IS A REMINDER THAT THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT IS NOT RESPONSIBLE FOR RECEIPT OF UNTIMELY BIDS OR BIDS WHETHER THE DELAYS ARE DUE TO UNTIMELY DELIVERY BY PUBLIC OR PRIVATE (POSTAL OR PERSONAL) DELIVERY SERVICE. THEREFORE, WE ASK YOU TO PLEASE MAKE APPROPRIATE ARRANGEMENTS TO HAVE YOUR BIDS OR BIDS IN BY THE DEADLINE DATE AND TIME AS DESIGNATED ON THE BID OR BID.

THANK YOU

VENDOR INFORMATION

COMPANY NAME:	
ADDRESS:	
ADDRESS.	
TELEPHONE #	
E-MAIL ADDRESS:	
CONTACT:	
	PLEASE PRINT
	Date:
SI	GNATURE

APPENDIX NO. 1

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 bid 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, a family member or a representative of the prospective contractor signs the contract, if the aggregate total of contributions given by 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, which has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed bid or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive bid.
- "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 Contributions Page 1 of 3

"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.

- "Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughterin-law or son-in-law.
- "Pendency of the procurement process" means the time period commencing with the public notice of the request for bids and ending with the award of the contract or the cancellation of the request for bids.
- "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 bid process set forth in the Procurement Code or is not required to submit a competitive sealed bid 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.

"Name(s) of Applicable MRGCD Public Official(s)"

(Karen Dunning, John Kelly, Joaquin Baca, Glen Duggins, Brian Jiron, Stephanie Russo Baca, and Michael T. Sandoval) Campaign Contributions Page 2 of 3

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By:	
Relation to Prospective Contractor:	
Name of Applicable MRGCD 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)	
NO CONTRIBUTIONS IN THE AGGREGATE	-OR— TOTAL OVER TWO HUNDRED FIFTY DOLLARS official by me, a family member or representative.
Signature	Date
Title (position)	
Campaign Contributions Page 3 of 3	

APPENDIX NO. 2

SUSPENSION AND DEBARMENT REQUIREMENT

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT AND OTHER RESPONSIBILITY MATTERS

The entering of a contract between Middle Rio Grande Conservancy District (MRGCD) and the successful Bidder pursuant to this RFP is a "covered transaction," as defined by 45 C.F.R. Part 76. MRGCD's contract with the successor Bidder shall contain a provision relating to debarment, suspension, and responsibility substantially in the form contained in Article 39 of Attachment D. All Bidders must provide as a part of their bids a certification to MRGCD in the form provided below. Failure of a Bidder to furnish a certification or provide such additional information as requested by the Procurement Manager for this RFP will render the Bidder non-responsible. Furthermore, the Bidder shall provide immediate written notice to the Procurement Manager for this RFP if, at any time prior to contract award, the Bidder learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

Although MRGCD may review the veracity of the certification through the use of the federal Excluded Parties Listing System or by other means, the certification provided by the Bidder in paragraph (a), below, is a material representation of fact upon which MRGCD will rely when making a contract award. If it is later determined that the Bidder knowingly rendered an erroneous certification, in addition to other remedies available to MRGCD, MRGCD may terminate the contract resulting from this request for bids for default.

The certification provided by the Bidder in paragraph (a), below, will be considered in connection with a determination of the Bidder's responsibility. A certification that any of the items in paragraph (a), below, exists may result in rejection of the Bidder's bid for no responsibility and the withholding of an award under this RFP. If the Bidder's certification indicates that that any of the items in paragraph (a), below, exists, the Bidder shall provide with its bid a full written explanation of the specific basis for, and circumstances connected to, the item; the Bidder's failure to provide such explanation will result in rejection of the Bidder's bid. If the Bidder's certification indicates that that any of the items in paragraph (a), below, exists, MRGCD, in its sole discretion, may request, that the U.S. Department of Health and Human Services grant an exception under 45 C.F.R. §§ 76.120 and 76.305 if MRGCD believes that the procurement schedule so permits and an exception is applicable and warranted under the circumstances. In no event will MRGCD award a contract to a Bidder if the requested exception is not granted for the Bidder.

(a)(1) By signing and submitting a bid, the Bidder certifies, to the best of his/her knowledge and belief, that:

(i) The Bidder and/or any of its Principals-

- (A) Are are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal department or agency; (B) Have have not , within a three-year period preceding the date of the Bidder's bid, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property;
- (C) Are □ are not □ presently indicted for, or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with, commission of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this certification;
- (D) Have
 have not
 within a three-year period preceding the date of Bidder's bid, had one or more public agreements or transactions (Federal, State or local) terminated for cause or default; and
- (E) Have □ have not □ been excluded from participation from Medicare, Medicaid or other federal health care programs pursuant to Title XI of the Social Security Act, 42 U.S.C. §1320a-7.
- (ii) "Principal," for the purposes of this certification, shall have the meaning set forth in 45 C.F.R. §76.995 and shall include an officer, director; owner, partner, principal investigator, or other person having management or supervisory responsibilities related to a covered transaction. "Principal" also includes a consultant or other person, whether or not employed by the participant or paid with Federal funds, who: is in a position to handle Federal funds; is in a position to influence or control the use of those funds; or occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction.
- (iii) For the purposes of this certification, the terms used in the certification, such as *covered transaction, debarred, excluded, exclusion, ineligible, ineligibility, participant,* and *person* have the meanings set forth in the definitions and coverage rules of 45 C.F.R. Part 76.
- (iv) Nothing contained in the foregoing certification shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of a Bidder is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

BIDDER:			
-			

SIGNED BY: _____

TITLE: _____

DATE:	
DATE:	

APPENDIX NO. 3

APPENDIX 3

RESIDENT BUSINESS AND/OR RESIDENT VETERANS / NATIVE AMERICAN RESIDENT BUSINESS CERTIFICATION

To ensure adequate consideration and application of 13-1-21 NMSA (as amended), Consultant must include a copy of their preference certificate in this section. In addition, for resident Veterans Preference / Native American Resident Business to receive a resident business, Native American resident business, resident veteran business or Native American resident veteran business preference pursuant to Section 13-1-21 NMSA 1978 or a resident contractor, Native American resident contractor, resident veteran contractor or Native American resident veteran contractor preference pursuant to Section 13-4-2 NMSA 1978, a business or contractor shall submit with its bid or proposal a copy of a valid resident business, issued by the taxation and revenue department. Qualifications for preference stated in 13-1-22.

□ Resident Business Certificate

□ Resident Veterans / Native American Resident Certificate

RESIDENT BUSINESS CERTIFICATION

(Copy of Certificate to be included)

Consultant's Company Name:	
Resident Business Certificate Number: _	
Expiration Date:	

RESIDENT VETERAN'S / NATIVE AMERICAN BUSINESS CERTIFICATION

A business eligible for a New Mexico/Native American Resident Preference (Preference) must obtain a Preference certificate from the NM Taxation & Revenue Department. In order for the appropriate Preference to be applied to this solicitation, the expenditure for this solicitation cannot involve federal funds, and Bidder must submit a copy of its Preference certificate along with its response to the solicitation. Applicable Preferences will be applied to monetary values only, in accordance with §13-1-21 NMSA 1978, not percentage discounts or other non-monetary values. Additionally, only one submitted Preference will be applied per solicitation, not multiple. Applications are available for download at: http://www.tax.newmexico.gov/Businesses/in-state-veteran-preference-certification.aspx

APPENDIX 4

CONFLICT OF INTEREST AFFIDAVIT AND DISCLOSURE

A. "Conflict of Interest Disclosure" A disclosure of clients represented and a formal statement of whether there is any real or perceived conflict of interest in representing the issues and advocacy for the MRGCD, addressing whether or not any conflict of interest exists between this project and other past or on-going projects, including any projects currently being conducted with another client...

B. "Person" includes a bidder, offeror, contractor, consultant, or subcontractor or sub-consultant at any tier, and also includes an employee or agent of any of them if the employee or agent has or will have the authority to control or supervise all or a portion of the work for which a bid or offer is made.

C. The Consultant or Sub consultant warrants that, except as disclosed in §D, below, there are no relevant facts or circumstances now giving rise or which could, in the future, give rise to a conflict of interest.

D. The following facts or circumstances give rise or could in the future give rise to a conflict of interest (explain in detail):

E. The Consultant or Sub consultant agrees that if an actual or potential conflict of interest arises after the date of this affidavit, the consultant or sub consultant shall immediately make a full disclosure in writing to the chief procurement officer of all relevant facts and circumstances. This disclosure shall include a description of actions which the consultant or sub consultant has taken and proposes to take to avoid, mitigate, or neutralize the actual or potential conflict of interest.

The undersigned further states that the firm or individual submitting a proposal is not in violation of any applicable Conflict of Interest laws or regulations, etc.

Date: _____

By: _____

(Authorized Representative and Affiant)

APPENDIX 5

NEW MEXICO EMPLOYEES HEALTH COVERAGE

- A. If Contractor has, or grows to, six (6) or more employees who work, or who are expected to work, an average of at least 20 hours per week over a six (6) month period during the term of the contract, Contractor certifies, by signing this agreement, to have in place, and agree to maintain for the term of the contract, health insurance for those employees and offer that health insurance to those employees if the expected annual value in the aggregate of any and all contracts between Contractor and the State exceed \$250,000 dollars.
- B. Contractor agrees to maintain a record of the number of employees who have (a) accepted health insurance; (b) declined health insurance due to other health insurance coverage already in place; or (c) declined health insurance for other reasons. These records are subject to review and audit by a representative of the state.
- C. Contractor agrees to advise all employees of the availability of State publicly financed health care coverage programs by providing each employee with, as a minimum, the following web site link to additional information: http://insurenewmexico.state.nm.us/.
- D. For Indefinite Quantity, Indefinite Delivery contracts (state price agreements without specific limitations on quantity and providing for an indeterminate number of orders to be placed against it); Contractor agrees these requirements shall apply the first day of the second month after the Contractor reports combined sales (from state and, if applicable, from local public bodies if from a state price agreement) of \$250,000.

By signing below, Bidder agrees to be bound by the terms stated in this form:

Signature of Bidder: _____ Date: _____