CITY OF LAS CRUCES

City of Las Cruces

INVITATION TO BID

ITB TITLE: El Caldito Soup Kitchen

ITB NO.: 26-27-040

DUE DATE/TIME: Thursday, November 12, 2026 / 2:00 pm

1. BIDDING CONDITIONS

Unless otherwise stated in the bid document, the following conditions apply.

A. Bidders are advised that all bids are subject to the legal requirements as provided for in the City of Las Cruces (City) Procurement Code, Chapter 24 Las Cruces Municipal Code (LCMC), 1998 available on the City's website: https://www.municode.com/library/nm/las_cruces/codes/code_of_ordinances?nodeId=PTIIMUCO_CH24PRCO

1. Preference will be given to bidders residing within New Mexico and/or Las Cruces, NM, in accordance with §13-1-21 & §13-4-2, NMSA, 1978, of the State of New Mexico Statutes, and Section 24-100, LCMC, 1998, of the City Procurement Code.
2. Whenever bid specifications are for supplies or materials consisting of recycled content goods and non-recycled content goods, bids submitted for recycled content goods shall receive a 5% preference pursuant to §13-1-21, NMSA, 1978.
3. The application of multiple preferences shall be limited to ten percent (10%).
4. Whenever federal funds that are subject to the U.S. OMB "Common Rule" and involved in the purchase of goods/services by the City, the preferences stated within this section are not applicable.
5. DIRECT CONTACT WITH CITY ELECTED OFFICIALS OR CITY STAFF DURING THE BID PROCESS (from Public Notice through Award), OTHER THAN PURCHASING SECTION STAFF, WILL RENDER THE BID NON-COMPLIANT AND UNACCEPTABLE FOR AWARD.
6. Bidder agrees to comply with all City, State and Federal rules and regulations.
7. Bidder is responsible for complying with criminal laws prohibiting bribes, gratuities and kickbacks.

B. Bids must:

1. be submitted typed or in ink on **UNALTERED City bid forms** for bid to be considered.
2. be complete with required information.
3. be signed by an authorized representative.
4. state the manufacturer BRAND/MODEL NUMBER offered on all items along with brochures and specifications.
5. include samples at no cost for evaluation purposes when required by the bid specifications or otherwise requested by the City.
6. include a request for return of samples, by the supplier, otherwise samples shall become the property of the City after 60 days. (Bidders must arrange for and absorb the cost of any sample return.)
7. be submitted via the OpenGov Procurement Portal at https://procurement.opengov.com/portal/las-cruces

a. Responses must be submitted in the format required in each section of the solicitation: text entries (including supporting graphics and/or tables) in vendor questionnaire text boxes, or file uploads when and where a specific attachment is required.

b. Links to external websites or file sharing platforms are prohibited and may not be included in the response. Where a file upload is requested, the file must be uploaded directly through the OpenGov Procurement Portal.

8. be received in OpenGov Procurement by the specified due date and time. Late bids shall not be accepted.

9. All public facing deliverable(s) produced by the selected firm(s) must be accessible as required by the Americans with Disabilities Act (ADA). Accessibility of the content will be measured against the most current Web Content Accessibility Guidelines (WCAG) and Section 508 of the Rehabilitation Act Standards. These guidelines and standards provide a comprehensive framework for making the City's digital content more accessible by adhering to the regulations of Title II of the Americans with Disabilities Act. Accessibility considerations, including language access, readability, and compatibility with assistive technologies, should be integrated throughout the planning process and reflected in all relevant project outputs. The selected firm(s) will be required to conduct both automated and manual accessibility testing and furnish detailed reports proving their deliverable(s) fully conform to the above guidelines and standards, at a minimum. If the purchase of third-party software is included in the final deliverable(s), an Accessibility Conformance Report using a Vendor Product Accessibility Template is required for each proposed software product. Before final acceptance of any deliverable(s), including updates and replacements, if the firm(s) claims its deliverable(s) satisfy the applicable accessibility guidelines and standards specified above, and the City determines that any furnished deliverable(s) are not in compliance with such requirements, the City will promptly inform the firm(s) in writing of the noncompliance. The firm(s) shall, at no cost to the City, repair or replace the non-compliant deliverable(s) within 30 business days of written notification of noncompliance.

C. Pricing shall:

1. state the UNIT PRICE and EXTENDED AMOUNT for each item or service offered. UNIT PRICES GOVERN ANY ERRORS IN THE EXTENSION and shall be stated F.O.B. - Destination; Prepaid Full Freight Allowed

2. exclude any applicable taxes.

3. be effective for 45 days.

D. Questions:

1. MUST be submitted through the OpenGov Procurement Portal.

2. will be accepted only up to Tuesday, November 3, 2026/2:00 pm.

E. Addenda:

1. Any changes or clarifications to bid requirements will be made via addendum when required. Verbal understanding shall not be binding.

2. In the event an addendum is received by a bidder after a bid is submitted, the bidder must acknowledge receipt of the addendum by notice to the Bid Clerk via the OpenGov Procurement Portal.
3. If an addendum changes a bid already submitted, the bid can be unsubmitted and revised prior to the due date/time.
4. Failure to acknowledge receipt of an addendum may result in the bid being non-compliant.

F. The City reserves the right to:
1. determine responsible bidders and responsive bids.
2. accept and award compliant bids based on the lowest:
   a. Individual Unit Price, or
   b. Grouped Unit Price, or
   c. Lump Sum Unit Price; whichever is deemed most beneficial to the City.
3. determine and waive minor technicalities in the bid form or requirements not affecting price, quality, quantity, or delivery of items or services sought.
4. negotiate an extension of effective price dates.
5. change the quantity of bid items within their effective price date.
6. reject any or all bids partially or wholly.

G. It is the City's intent to award bids within 45 days of the bid due date.
1. Bidders may obtain bid results via the OpenGov Procurement Portal.
2. The contract terms/conditions resulting from this bid solicitation may be extended by the awarded contractor to other public entities in compliance with the laws and regulations of those public entities. The City is not subject to any obligation or responsibility regarding such extension.

2. BID SUBMITTAL CHECKLIST

DESCRIPTION	COMMENT
List of Subcontractors	List all subcontractors performing work or labor or rendering services.
Bid Bond	Bond must be for the amount specified that covers all alternates, and, from a surety that is authorized to do business in New Mexico
Proof of Insurance	Provide either a current insurance certificate for the project with all supporting endorsements or letter from authorized carrier certifying that the required proof coverage with supporting endorsements will be timely provided prior to contract execution.

Resident Preference	To receive a 5% resident preference, submit Resident Business / Contractor certificate issued by the NM Tax and Revenue Department.
Resident Veteran Preference	To receive a 10% resident veteran preference, submit Resident Veteran Business / Contractor certificate issued by the NM Tax and Revenue Department.
Local Preference	To receive a 5% local preference, submit a current Business Registration License issued by the City of Las Cruces Community Development Department.

3. INVITATION TO BID

PROJECT NAME	**El Caldito Soup Kitchen**
PROJECT NUMBER	**26-27-040**
BID DUE DATE/TIME	**2:00 pm on Thursday, November 12, 2026**

The City of Las Cruces ("City") is accepting bids until the above BID DUE DATE/TIME for the above-referenced project. All bids must be submitted through the OpenGov Procurement Portal at: https://procurement.opengov.com/portal/las-cruces. Bids received after the bid due date/time will be considered non-responsive and not acceptable for bid award.

Effective January 1, 2016, the City of Las Cruces will no longer provide hardcopy plans or specification books. Upon request, they will be issued electronically or on a USB flash drive at no cost to the contractor. Please contact bidclerk@lascruces.gov to coordinate the delivery of plans and specifications.

The City provides the bid documents on the website to assist interested bidders in preparing their bids. Any changes by addendum(a) are made available on the website as separate documents. It is advisable to ensure all addenda have been received by contacting the Purchasing Section (575-541-2525/ email: bidclerk@lascruces.gov).

The conduct of this bid solicitation is subject to the City of Las Cruces Procurement Code incorporated herein by reference. Due to limited funding for the project, the award of the contract shall be based on the lowest of the Base Bid Amount or the Base Bid Amount plus prioritization alternates from highest to lowest pending available funds at the discretion of the City of Las Cruces.

Attendance by prospective prime bidders is Non-Mandatory at a pre-bid meeting at 10:00 am on Tuesday, October 13, 2026. The pre-bid meeting will be held in-person, and electronically. Whenever attendance is mandatory, roll call will be taken prior to adjournment of the pre-bid meeting to document all present prospective bidders. Questions or clarifications related to the bid requirements will be addressed at this meeting and subsequent written addendum. The pre-bid meeting for this solicitation will be held via via Zoom through the following link: https://zoom.us/j/9972568333 on Zoom Meeting ID # 9972568333, and at City Hall Conference Room 3138, located at 700 N. Main Street, Las Cruces, NM, 88001.

Other than contact inherent between any prospective bidders and City staff/elected officials present at the pre-bid meeting, if held, or, after bid opening, any necessary communications initiated by City staff relative to bid confirmations/clarifications, direct contact with such persons relative to this bid invitation is prohibited. Bidders found not compliant to this condition will result in its bid being determined non-responsive and not acceptable for award consideration. Inquiries regarding the bid requirements must be submitted to the OpenGov Procurement Portal by 2:00 pm on Tuesday, November 3, 2026. As such, a two (2)-day time limit stated in the City's General Conditions is waived. Responses to minor, non-critical inquiries may be responded to verbally. Responses to inquiries deemed critical to the solicitation outcome will be made in the form of written addendum by the City Purchasing Section no later than two (2) working days prior to the bid due date/time. Any other understandings are not binding.

An acceptable bidder's bond payable to the City in an amount not less than five percent (5%) of the total for the bid submitted must accompany each bid as a guarantee that if awarded the contract, the bidder will promptly enter into a contract and execute such bonds as may be required.

Pursuant to Section 24-184 of the City Procurement Code, geographical preferences are applicable to bids from resident contractors, resident veteran contractors, and/or local contractors for use in evaluating bid prices. Bidders seeking such preference must provide, within their bid documents, a copy of the bidder's resident contractor certificate issued by the New Mexico Tax and Revenue Department and/or Business Certificate issued by the City of Las Cruces Community Development Department. Also, for bidders seeking a resident veteran preference must submit a certificate with the bid documents. The combined total of all preferences is limited to 10%. Geographical preferences, however, are not applicable whenever projects are federally funded and subject to U.S. Office of Management and Budget Circular A 102 "Common Rule" procurement stipulations.

Where the "no substitute", "brand name or equal", "brand name or approved equal", "brand name or pre-approved equal" specification is shown on the solicitation, the use of the brand name is for the purpose of describing the standard of quality, performance, and characteristics desired and is not intended to limit or restrict competition. Alternate products other than the brand name stated must be pre-approved prior to the bid opening. Requests for approval must be made in writing through the City Purchasing Manager. Response will be issued by written addendum not less than two (2) days prior to bid due date/time.

4. NEW MEXICO STATE LABOR ENFORCEMENT FUND REGISTRATION NUMBER OF CONTRACTORS & SUBCONTRACTORS

Except as otherwise provided in the Public Works Minimum Wage Act (ACT), a contractor or subcontractor that submits a bid valued at more than sixty thousand dollars ($60,000) for a public works project that is subject to the ACT must be registered with the New Mexico Department of Workforce Solutions, Labor Relations Division, before bid opening. All tiers of subcontractors shall be subject to the requirements of this subsection. Bids will not be accepted on public works projects subject to the public works minimum wage act amended by House Bill 471, from a contractor that does not provide proof of required registration for itself or its subcontractors at time of bid due date/time.

Contractors and subcontractors may register with the New Mexico Department of Workforce Solutions, Labor Relations Division on a form provided by the Division and in accordance with Department rules.

The Department charges a two-year registration fee of four hundred dollars ($400). The Division shall issue to the applicant a certificate or registration within fifteen days after receiving from the applicant the completed registration form and the registration fee.

Contractors and subcontractors may register at:

https://www.dws.state.nm.us/public-works

Additional information may be obtained by contacting the Department at 505-841-4405

5. CONTRACTOR LICENSE

This project is subject to the applicable requirements of Title 14 of the New Mexico Administrative Code (NMAC). The City will reference such requirements in evaluating bids for determining bidder responsibility as related to possession of appropriate licensing to perform the work. However, the City is not the authority for determining license requirements for this project and, as such, may require any bidder to obtain written confirmation from the New Mexico Construction Industries Division stating that the bidder and/or any of its subcontractors, at any tier, are appropriately licensed to perform the required work. Written confirmation required by the City shall be provided by the bidder timely within three (3) work days from date of request.

Bid results will not be given over the telephone. For apparent bid results please contact bidclerk@lascruces.gov. After the project is awarded, the results will be posted on the OpenGov Procurement Portal.

6. DESCRIPTION AND SCOPE OF WORK

6.1. Project Description

A. The City of Las Cruces requires general construction services for the El Caldito Soup Kitchen, the facility located in the Mesilla Valley Community of Hope, at 991 West Amador Ave., Las Cruces, New Mexico 88005 as shown in the project's bid documents. The City of Las Cruces owns the lot.

B. The new El Caldito Soup Kitchen aims to replace the existing El Caldito Soup Kitchen with a larger, modern facility. The building will include up-to-date kitchen and dining facilities to provide meals for more of our food insecure citizens.

C. El Caldito Soup Kitchen and Cocinas de Peregrinos, the user organizations, worked with the Public Works Architectural Management Program in developing this project.

D. The intent of this Request for Bid (RFB) is to solicit bids for authorization of a single Contract for general construction services for the project. The City of Las Cruces has appropriated funds to undertake the construction of the El Caldito Soup Kitchen shell building.

6.2. Project Owner and Management

A. The City of Las Cruces is the Owner and fiscal agent for the project, charged with procuring the services necessary for its construction.

B. The City's Public Works Department, through the Architectural Management Program, is the contract administrator for the owner-contractor Contract and the contact for coordination of the delivery of construction services.

6.3. Scope of Work

A. Furnish all labor, materials, services, and equipment to construct the El Caldito Soup Kitchen and attain Leadership in Energy and Environmental Design (LEED) Silver certification, per plans and specifications.

B. The contractor shall work closely with the project team, understand all design, LEED, access and schedule requirements for the work, including dust and noise control.

C. Contractor shall obtain all permits required by the City, State, or other jurisdictions.

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6.4. Quick Facts

- Project size is 9,745 square feet.
- Construction Type IIA- fully sprinklered
- Primary Occupancy Classification is A-2 – Consumption of food and drink.
- Material Descriptions: Concrete, Concrete Masonry Unit, and Steel construction with glass-mat faced gypsum board typical sheathing. Typical exterior finishes include Burnished Concrete Masonry Units (CMU), Exterior Insulation and Finish System (EIFS), and Thin Brick Veneer. Typical interior finishes include painted gypsum wall board, ceramic and porcelain tile, luxury vinyl tile, epoxy, and fiberglass-reinforced plastic (FRP) wall paneling.
- Site work includes site grading, removal of some existing pavement and curb, removal of some existing fence, removal of one light pole, new landscaping, new base course and new site fencing.
- Other work indicated in the Contract Documents.

6.5. Deliverables

A. The selected contractor shall deliver general construction services as described in the Contract Documents, which are comprised of:

1. Construction Contract,
2. General Conditions,
3. Drawings, and
4. Specifications.

7. BID

City Council:

Gross receipts taxes are not included in the bid pricing herein, however, it is understood the City will make payment for such taxes applicable to this project. Pay requests relating to this project shall, therefore, include applicable gross receipts taxes as separate line item.

The undersigned bidder agrees to furnish the required contract performance and payment bonds and to enter into contract for the work within ten (10) days from date of contract award notice issued by the City.

By submitting a bid for this project, I (we) certify that this company has not been debarred, suspended, or otherwise made ineligible for participation in City, State or Federal Assistance programs under Executive Order 12549 “Debarment and Suspension” as described in the Federal Register Rules and Regulations. No

contractor or subcontractor may perform services in this project if such entity has been suspended or debarred from bidding on City of Las Cruces, State or Federal projects during the time such debarment is in effect.

The undersigned bidder, having carefully examined the site of proposed work and having informed itself fully in regard to the conditions to be met in the execution of the work, and having read and examined the Plans, General and Special Conditions, Technical Specifications, Standard Specifications, Contract and Bid Forms, all pertaining to this work, and being fully advised as to the extent and character of the work, materials, and equipment required, and as to the method of payment for the work, proposes to furnish all materials (except as otherwise specified), power, transportation, equipment and labor, and to perform all of the work and labor necessary for the satisfactory construction of:

EL CALDITO SOUP KITCHEN

PROJECT NO. 26-27-040

in full accordance with the Specifications and Contract Documents for the prices stated herein.

8. REFERENCED SPECIFICATIONS

The following documents, as applicable, are hereby incorporated into these Contract Documents by reference. If any referenced specification is in conflict with a City of Las Cruces specification, the City specification shall govern.

CITY OF LAS CRUCES STANDARD GENERAL CONDITIONS FOR CONSTRUCTION CONTRACTS – REV.8/22

CITY OF LAS CRUCES UTILITY STANDARDS SPECIFICATIONS FOR CONSTRUCTION OF WATER, SEWER, AND GAS UTILITIES -Latest edition

MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES - Latest edition

ASTM - Latest edition

INTERNATIONAL BUILDING CODE – 2021 edition

9. LOCAL PREFERENCE NOTICE

To receive five (5) points for local preference, submit a current copy of the respondent's Business Certificate issued by the City of Las Cruces Community Development Department.

10. NEW MEXICO RESIDENT PREFERENCE NOTICE

Pursuant to §13-1-21 & §13-4-2, NMSA, 1978, of the State of New Mexico Statutes, as amended, a respondent who submits, within its bid or proposal documents, a copy of its resident business or resident contractor certificate issued by the New Mexico Tax and Revenue Department will qualify for preference as authorized by the statutes.

Bids or proposals submitted without the certificate issued by the New Mexico Tax and Revenue Department will not qualify for this preference.

Firms seeking this preference are encouraged to apply with the New Mexico Tax and Revenue Department to receive certification as a "resident business" or "resident contractor". Firms may obtain application forms by contacting the New Mexico Tax and Revenue Department at 575-524-6225 or may apply online at the following web address:

https://www.tax.newmexico.gov/businesses/business-preference-certification/

11. NEW MEXICO RESIDENT VETERAN BUSINESS NOTICE

To receive a ten (10) point veteran preference, submit a Resident Veteran Business / Contractor certificate issued by the NM Tax & Revenue Department. **Effective July 1, 2016 per New Mexico House Bill 93, certificates issued under previous legislation are no longer valid.**

Firms may obtain application forms by contacting the New Mexico Tax and Revenue Department at 575-524-6225 or may apply online at the following web address:

https://www.tax.newmexico.gov/businesses/business-preference-certification/

12. PREFERENCE FOR RECYCLED CONTENT GOODS

Whenever specifications for supplies or materials provide bidders opportunity to offer items made with recycled content good, and, when bids are received for both recycled content goods and non-recycled content goods, bids submitted for recycled content goods shall be deemed five percent (5%) lower that the bids actually submitted provided that the recycled materials content meets or exceeds the minimum content standards required by bid specifications. “Recycled content goods” means supplies and materials composed of a minimum of twenty-five percent (25%) of recycled materials or more as specified herein.

13. BID PROPOSAL

PRICE INCREASES:
All prices quoted shall be firm and fixed as bid for one year of the agreement. Pass-through price adjustments will be accepted after one year and on an annual basis thereafter provided said adjustments(s) are submitted in writing with thirty (30) calendar days’ advance notice and are accompanied by written documentation of the manufacturer’s price increase. Price adjustment requests shall be sent to the named buyer.

PRICE DECREASES:
If the offeror receives any cost decrease from the supplier of the goods sold to the City through a contract resulting from this request, the offeror shall notify the City within 24 hours of such decrease and pass such decreases to the City immediately.

“OR APPROVED EQUAL” CLARIFICATIONS:
Brand names are used for the purpose of describing the standard quality, performance, and characteristics required and are not intended to limit or restrict competition. Requests for approved equals, including detailed technical specifications, are to be submitted with bid by bid due date.

“Equals” or “Equivalents” to these specifications may be considered; provided bidder furnishes sufficient proof that their offer meets or exceeds the intent of these specifications. The acceptance or rejection of equals or equivalents shall be determined solely by the City of Las Cruces.

Line Item	Description	Unit of Measure	Unit Cost
1	Base Bid Proposal: Demolition as indicated on plans. Construction of new Soup Kitchen Building shell per plans and specifications.	Total	

14. VENDOR QUESTIONNAIRE

1. Bid Compliance Confirmation*

In compliance with the Bid Specifications, Bidding Conditions, and Purchase Order Terms and Conditions, I, the undersigned, offer and agree to furnish any or all items upon which prices are offered at the price set opposite each item, to the City within the time specified.

I (we) further certify that this company has not been debarred, suspended, or otherwise made ineligible for participation in Federal Assistance programs under Executive Order 12549 “Debarment and Suspension” as described in the Federal Register Rules and Regulations.

☐ Please confirm

*Response required

2. Bonds*

I, the undersigned, acknowledge that if awarded the contract for this project, I (we) will be required to provide the below detailed bonds.

A. The selected contractor shall be required to provide a Labor and Materials Payment Bond in the amount of 100% of their contract amount. See Attachment for bond document.

B. The selected contractor shall be required to provide a Performance Bond in the amount of 100% of their contract amount. See Attachment for bond document.

☐ Please confirm

*Response required

3. Payment Terms*

By clicking 'Please confirm' below, you acknowledge that the Payment Terms are Net 30 Days

☐ Please confirm

*Response required

4. NM Tax & Revenue Department Combined Reporting System (CRS) #

Enter NM CRS # if registered with Taxation & Revenue

5. Current NM Secretary of State Business ID #

Corporations Only

6. Current CLC Business Registration #

For businesses residing within Las Cruces city limits

7. City of Las Cruces Business Certificate

8. Contractor's License Information*

Please include the following information in your response:

- License Number
- License Classification
- License Expiration Date
- License Qualifying Party

*Response required

9. State Labor Enforcement Fund Registration Number*
*Response required

10. NM Resident Certificate from NM Tax and Revenue Department
11. NM Resident Veteran Certificate from NM Tax and Revenue Department
12. Federal Employer / Tax Identification # *
*Response required

13. List of Subcontractors*
Please download the below documents, complete, and upload.

- LIST_OF_SUBCONTRACTORS.pdf

*Response required

14. Bid Bond*
Please download the below documents, complete, and upload.

- BID_BOND.pdf

*Response required

15. Proof of Insurance*
Provide either a current insurance certificate for the project with all supporting endorsements or letter from authorized carrier certifying that the required proof coverage with supporting endorsements will be timely provided prior to contract execution.

*Response required