



CITY OF GRANTS

INVITATION TO BID

ITB # 2025- One Menzi Muck M445x Excavator
(high-performance walking excavator)

BID DUE DATE: March 5, 2025 AT 3 P.M.

**Submit To: Gloria Pargas
Chief Procurement Officer
600 W. Santa Fe Ave.
Grants, NM 87020
(505-287-7927, Ext. 2010)**

INVITATION TO BID NO. 2025 -- One Menzi Muck M445x Excavator

TO BIDDERS:

BIDS DUE: Wednesday, March 5, 2025 AT 3:00 PM

**DELIVERED TO: OFFICE OF THE PURCHASING AGENT, CITY HALL
600 W. SANTA FE AVE., GRANTS, NEW MEXICO**

FACSIMILE AND ELECTRONIC BIDS ARE NOT ACCEPTABLE

Pursuant to the provisions of the New Mexico State Procurement Act, sealed bids, in single copy, subject to the conditions herein, will be received in the Office of Chief Procurement Officer at City Hall, 600 W. Santa Fe Ave., Grants, New Mexico until the date and time shown above, and thereafter immediately opened for furnishing the commodities and/or services listed in the attached specifications.

I. INTRODUCTION

Purpose: The City of Grants is seeking Bids from qualified vendors or suppliers for a high-performance walking excavator such as a The City of Grants is soliciting sealed bids for the purchase of one (1) Menzi Muck M445x high-performance walking excavator.

II. INSTRUCTIONS FOR SUBMISSION OF BID

1. All bids shall be delivered in a sealed express courier package and shall be sealed in a separate envelope within the courier package. Any proposal found ineligible or incomplete shall be considered non-responsive and will not be considered for selection. Bidders assume full responsibility for having their Bid delivered at the proper address and no later than the scheduled closing time. Faxed or emailed Bids or modifications will not be considered.

Bids will not be received after the closing date and time indicated below.

Labeling on the Exterior Packaging: **INVITATION TO BID FOR ITB # 2025- One Menzi Muck M445x Excavator, SEALED BID**

Submittal Closing/Deadline: Wednesday, March 5, 2025 at 3:00 p.m., MT (Grants local time)

2. **Bids must be delivered via the United States Postal Service, by courier service, or hand-delivered to:**

City of Grants

Attention: Gloria Pargas, Chief Procurement Officer
 600 W. Santa Fe Ave.
 Grants, NM 87020

3. Bids must be made out and signed in the corporate or other name of the Bidder and must be fully and properly executed by an authorized person.
4. Required Forms: Bidder must provide completed Required Forms. Bidder must provide completed Certification of Proposal Form (Please refer to Attachment A) and a Campaign Contribution Disclosure Form (Please Refer to Attachment B).
5. Procurement Information and Proposal Instructions: Any inquiries or requests regarding clarification of this procurement shall be submitted to the Chief Procurement Officer **ONLY** in writing via e-mail or regular mail. Bidders shall not contact any other City employees. Any prospective Bidder desiring an explanation or interpretation of the solicitation, specifications, etc., must request so in writing, and be received by the City no later than five (5) business days before Bid due date to allow a reply to reach prospective Bidder before the proposal submission date. The written request must be submitted to the individual identified below. Verbal explanations or instructions given during any phase of this solicitation will not be binding. Inquiries regarding this solicitation shall be directed to:

Gloria Pargas
 Chief Procurement Officer
 City of Grants
 600 W. Santa Fe Ave.
 Grants, NM 87020
 Phone: (505) 287-7927, Ext. 2010
 Email: gpargas@grantsnm.gov

Please reference "Invitation to Bid ITB #2025-One Menzi Muck M445x Excavator" when contacting the City regarding this solicitation. The City of Grants website, www.cityofgrants.net will contain a copy of this document as well as a summary of any/all applicable addenda, if any.

ACTION	RESPONSIBLE P ARTY	DUE DATE
Issue ITB	Procurement Officer	February 19, 2025
Deadline to Submit Questions	Potential Bidders	(5 days prior to Bid Opening)
Submission of Proposals	Prospective Bidders	March 5, 2025
Bid Opening and Evaluation	Evaluation Committee	March 5, 2025
Announcement of Selection	City Manager/City Council	March 19, 2025
Notice of Award	Procurement Officer	March 20, 2025

III. SPECIFICATIONS

The City of Grants is soliciting sealed bids for the purchase of one (1) Menzi Muck M445x high-performance walking excavator, or equipment of equal or better quality, for use in various operations in rough terrain including road construction and maintenance, and drainage projects. The use of the brand-name and model, a Menzi Muck M445X, or equal specification is used in this solicitation for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to limit or restrict competition.

To be a responsive bid, the walking excavator must meet or exceed the specifications listed in this document. Each bidder must attach the specifications for a walking excavator and a breakdown sheet showing that all the specifications have been met or exceeded along with the quotation sheet as required by the Bid.

1. Criteria for Award: Award shall be based on the lowest responsible bid prices which meet specifications and deliverable requirements. The City of Grants reserves the right to reject any or all bids, to waive any technicalities and to accept the bid(s) which in its judgment is most advantageous to the City. Multiple bids may be awarded to achieve the lowest cost to the County.
2. Guaranteed Performance: The bidder, if awarded a contract as a result of this bid, guarantees that services will conform to the specifications in this bid. Failure of the bidder to comply with providing a service which meets minimum specifications may result in termination of the award of that item or termination of the contract.
3. The walking excavator must meet or exceed the following specifications:
 - Engine Power: 143+ hp
 - Drive System: Hydrostatic H-Drive all-wheel (4-wheel)
 - Stabilization: P-Vation parallel stabilizers by Menzi
 - Wheels: Four equally sized wheels up to a width of 710mm
 - Mountain Stabilizers: Optional front and/or rear
 - Machine Weight: Greater than 11,500 kg
 - Attachments:
 - 1500mm grading bucket
 - Hydraulic Mountain Claws
 - Powerline pump
 - Promac LDM 50 Brushcutter/mulcher
 - 2'8" 5-tooth digging bucket
 - Rototilt R4 attachment with preparation, 360-degree rotation, and tilt
 - Additional Features:
 - Air Conditioning (A/C) with reversible cooling fan
 - Leak line
 - Removable Lexan windshield protector

- Window tint
- Central lubrication for entire machine

Warranty & Training:

- **WARRANTY.** Bidder must provide a minimum warranty of Two (2) year or 1,500-hour warranty covering parts and labor for both machine and engine. There will be no travel time charges for repairs. All repairs shall be completed within a week after written notification (which includes e-mail), due to extreme situations; if not able to complete repairs the bidder must supply a service loaner while the unit is still under warranty. If field service is needed, bidder must supply field service options within 48 hours of notification. A warranty less than set above, must be listed as an exception to the bid and may, at the discretion of the City, not be considered.
- 4. **TRAINING AND MANUALS.** Bidder must provide a minimum of two (2) days of training included with machine purchase (maximum of three operators) on the safety, technical, maintenance, service and proper operation procedures by factory trained personnel. Training must be completed within thirty (30) days from date of delivery. Bidder must provide one (1) technical manual (CD ROM if available), one (1) parts book (CD ROM if available) and one (1) operators manual with each unit delivered.
- 5. **DELIVERY.** Dealer preparation, conditioning and full service is required prior to delivery. Fuel tank and fluid reservoirs must be filled to full capacity upon delivery. Deliver F.O.B. to City yard in Grants, New Mexico. The walking excavator must be delivered to the Grants, New Mexico within twelve weeks of notification of award to the successful bidder.
- 6. Pricing should detail whether shipping/trucking, New Mexico Gross Receipts Tax (NM GRT), and registration fees are included; if not included, provide pricing details on shipping/trucking costs.

IV. DEFINITIONS

"Agency" or "Purchasing Agency" means the City of Grants, Grants Fire and Rescue.

"City" means the City of Grants.

"Contract" or "Agreement" means a written agreement for the procurement construction services pursuant to this ITB.

"Contractor" or "Vendor" means a successful Bidder who enters into a binding Agreement pursuant to this ITB.

"Desirable" The terms "may", "can", "should", "preferably", or "prefers" identify a desirable or discretionary item or factor (as opposed to "mandatory").

"Evaluation Committee" means a body appointed by The City management and/or the Chief

Procurement Officer to perform the evaluation of Bids.

"Mandatory" The terms "must", "shall", "will", "is required", or "are required", identify a mandatory item or factor (as opposed to "desirable"). Failure to meet a mandatory item or factor will result in the rejection of the Bid.

"Bidder" is any person, corporation, or partnership who chooses to submit a Bid.

"Invitation to Bid" or "ITB" means all documents, including those attached or incorporated by reference, used for soliciting Bids.

"Responsible Bidder" means a Bidder who submits a responsive proposal and who has furnished, when required, information and data to prove that their financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services or items of tangible personal property described in the proposal.

"Responsive Bid" or "Responsive Proposal" means a Bid or proposal which conforms in all material respects to the requirements set forth in the ITB. Material respects of a request for Bids include, but are not limited to, price, quality, quantity or delivery requirements.

V. CONDITIONS AND BID OPENING PROCEDURES

1. **Right to Reject Bids, Waive Technical Irregularities:** The City of Grants reserves the right to reject any and all bids, to waive any technical irregularities or informalities in Bids that do not alter price, quality or quantity of the tangible personal property, services, or construction bid, and unless otherwise specified by the Bidder, to accept any item on the BID.
2. **Unit Price Governs:** In case of error in the extension of prices in the bid, the unit price will govern.
3. **Discounts:** Any discount offered, will be computed from the date of delivery or from the date a correct bill rendered on a proper voucher form and certified by the contractor, is received, whichever date is latest.
4. **Procurement Code:** The Procurement Code (NMSA §13-1-28 through §13-1-199), imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.
5. **Minimum Requirements:** It is the intent of these specifications to describe the minimum requirements, for any equipment bids. All parts not specifically mentioned which are required for a complete unit, shall conform in design, strength, quality of material and workmanship to the highest standards of engineering practice. It shall be equipped with the manufacturer's equipment and accessories which are included as standard in the advertised and published literature for the unit. No such items of equipment or accessories shall be removed or omitted for the reason that it was not specified in the bid.

6. **Equivalency:** The County hereby reserves the right to approve as equivalent, or to reject as not being equivalent, any item the bidder proposes to furnish which contains variations from specification requirements but may comply substantially therewith. Such decisions are strictly at the discretion of the County.
7. **Brand Name, equal to or better than the specifications:** The similarity to any brand name is for the purpose of describing a standard of quality, performance and characteristics desired and not intended to limit or restrict competition, as required in NMSA 1978 § 13-1-167 and § 13-1-168. Bidders must state the brand name being proposed and provide proof that the merchandise bid is equal to or better than the specifications.
8. **Labeling of Bid Package:** All bids must be clearly marked on the outside of the envelope with the bid number and opening date. Should a bid be opened prior to the official opening date due to the lack of a proper marking, it will be rejected.
9. **Bid Opening:** All interested parties are invited to attend bid openings of the City of Grants.
10. **Bid Opening:** Bids will be opened and Bidder's names disclosed aloud in front of whosoever is present at precisely the time, the date and the place stipulated in the Invitation to Bid and in the legal notice published in the newspaper.
11. **Bid Evaluation:** Each bid will be evaluated by the Purchasing Agent and the appropriate department or evaluation committee. The Bidder is to provide complete specifications. Acceptable exceptions to specifications will be determined by the Purchasing Agent with the aid of the appropriate department or evaluation committee.
12. **Payment.** Payment will be made **after receipt of an invoice and approval from the City, with net thirty (30) terms.** The vendor will not be an employee or agent of the county. The vendor will be responsible for their own payroll, gross receipts and all other taxes. The City is exempt from all Federal Excise Taxes.
13. The Purchasing Agent and the department or evaluation committee will rule on any point needing clarification.
14. The apparent Best Bid, meeting specifications, will be determined by the Purchasing Agent and the department or evaluation committee.
15. Following determination of the Best Bid, the Purchasing Agent will recommend to the City Council that the City Manager be authorized to negotiate a contract with the Bidder of the Best Bid.
16. Bidders are advised to bear in mind that the low bid obtained at the date of opening mentioned on page 1 may not be the bid ultimately selected for the award.
17. A Bidder's request for Resident Preference will be honored only when the provisions of Sections 13-1-21 and 13-1-22 of the State Purchasing Act have been met.
18. Unless otherwise instructed, alternate bids shall not be submitted and will not be considered.

19. Notice is hereby given that as the governing body of the City of Grants, the City Council reserves the right to reject any and all bids received. In the case of ambiguity or lack of clarity, the City reserves the right to determine the best bid or to reject same or to waive irregularities and technicalities.
20. One complete copy of the Bid, including Invitation to Bid, specifications and any other requested literature, must be submitted with the bid.
21. Information pertaining to Bids will not be released until the City Council has acted upon them and after the final execution of the contract document.
22. All Bids must be valid for a minimum of **120 days** after Bid opening, unless otherwise stated on the Bid Sheet by the individual Bidder or the City of Grants.
23. All Bidders who are engaged in business within the municipal limits of the City shall be licensed to do business by the City of Grants.
24. This Bid is available for use by all City of Grants departments and other agencies, as provided for by law, at the discretion of the contracted vendor(s).
25. **Cost of Preparing Bid:** The City is not responsible for any cost associated with preparing the Proposal.
26. **Warranty:** The bidder warrants that items offered will conform to the specifications requested, to be fit and sufficient for the purpose manufactured, of good material and workmanship and free from defect. Items offered must be new and unused and of the latest model or manufacture, unless otherwise specified herein by the County.
27. **Compliance:** Successful bidder must, in performance of work on this project, agree to fully comply with all applicable federal, state and local laws, rules and regulations.
28. **Wage Rates:** Pursuant to NMSA 1978 §13-4-11 (A), state wage rates shall apply to any bid or bid on construction or public works projects in excess of \$60,000.00. In addition, all bidders and Bidders shall comply with federal wage rates on applicable projects.
29. **Bid Security:** Pursuant to NMSA 1978 §13-1-146, a bid security or bond shall be required of Bidders for construction contracts in excess of twenty-five thousand dollars (\$25,000). Bid security or bond in an amount equal to at least five percent (5%) of the amount bid shall be a bond provided by a surety company authorized to do business in the state of New Mexico, or the equivalent in cash.
30. **Non-discrimination:** Bidders, during the performance of this contract, will not discriminate against any employee or applicant for employment because of race, color, religion, creed, political ideas, sex, national origin, age, marital status or physical or mental disability except where such is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. By signing and submitting a bid, bidder agrees to comply with this paragraph.

31. All Bidders must complete the **CAMPAIGN CONTRIBUTION DISCLOSURE FORM** attached to this Invitation to Bid. Failure to do so will result in rejection of said bid.
32. **Non-collusion:** Bidders, by submitting a signed bid, certify that the accompanying bid or proposal is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under New Mexico or United States law.
33. Pursuant to NMSA 1978 §13-1-115, Bidders submitting bids may be afforded an opportunity for discussion and revision of bids. Revisions may be permitted after submissions of bids and prior to award for the purpose of obtaining best and final offers. Negotiations may be conducted with responsible Bidders who submit bids found to be reasonably likely to be selected for award. This section shall not apply to architects, engineers, landscape architects and surveyors who submit bids pursuant to [Sections 13-1-120 through 13-1-124 NMSA 1978](#).

**CITY OF GRANTS
BID FORM AND CERTIFICATION OF BID**

BID #: ITB-2025--- **One Menzi Muck M445x Excavator**
DEPARTMENT: Street Department
DATE OF BID OPENING: March 5, 2025
TIME OF BID OPENING: 3:00 p.m.

TO (Air Freight Address):
City of Grants
Attention: Gloria Pargas, Chief Procurement Officer
600 W. Santa Fe Ave.
Grants, NM 87020
505-287-7927, Ext. 2010

The undersigned, doing business in the City of Grants, submits herewith, in conformity with the instructions, conditions and specifications for the above listed bid:

Equipment	#1
Make and Model	
Price Per Unit	
Delivery Date FOB City of Grants	

Additional Comments

Please attach the specifications for each piece of equipment and a breakdown sheet showing that all the specifications have been met or exceeded along with the quotation sheets.

Amount on Quotation Sheet must include Delivery Costs and Required Warranty as outlined on the “Warranty and Repairs” paragraph on of this Invitation to Bid.

NOTE: The bid will be awarded on the lowest cost to the County.

New Mexico Resident Business or Contractor Preference No. _____
Pursuant to Sections 13-1-21 and 13-4-2 NMSA 1978.

Delivery or completion date: _____ FOB, GRANTS, NM Bid must remain valid 90 days after bid opening unless otherwise stated herein.

TERMS:

Cash Discount _____% _____ days
Net Cash \$ _____ days

Certification of Bid

The undersigned hereby submits its Bid and, by so doing, agrees to furnish all items to the City in accordance with this Invitation to Bid and to be bound by the terms and conditions of the ITB. I hereby certify that I have read all items of the ITB and fully understand the requirements listed herein. I further certify that I am an authorized agent of the Firm and may be held liable for any and all remedies that may become due to the City of Grants due to nonperformance under the contract. This firm agrees to all of the requirements of the ITB.

Date: _____
Name of Firm: _____
Authorized Signature: _____
Print Name: _____
Title: _____
Address: _____
Telephone: _____
Fax: _____
Email: _____

ATTACHMENT B

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 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 contribution 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 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 Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or un-reimbursed 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 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 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.

DISCLOSURE OF CONTRIBUTIONS:

Contributions made by: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) made: _____

Amount(s) of Contribution(s): _____

Purpose of Contribution(s): _____

(If additional space is needed, please continue on the back of this form or on a separate page)

Signature

Date

Title

-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/Title Position

Date