Instructions for PREFERENCE CERTIFICATION FORMS
For Local, Small or Resident Business/Contractor or Resident Veteran Business/Contractor Preferences
(Goods & Services or Construction)

1. **ALL INFORMATION MUST BE PROVIDED.** A 5% small business preference, a 5% local preference or a resident business/contractor preference or a resident veteran business/contractor preference may be available for this procurement if applicable in accordance with the Public Purchases Ordinance and State Statutes. To qualify, an Offeror **MUST** complete and submit all require Forms **WITH ITS OFFER.** For a resident business/contractor or a resident veteran business/contractor preference the **State of New Mexico Taxation and Revenue Department certification of eligibility MUST be attached.** If an offer is received without a copy of the appropriate State of New Mexico Taxation and Revenue Department issued Certification attached, the preference will not be applied. **PREFERENCE CERTIFICATION(S) WILL NOT BE ACCEPTED AFTER THE DEADLINE FOR RECEIPT OF BIDS OR PROPOSALS.**

2. **PHYSICAL LOCATION MUST BE STATED.** To qualify for the small business or local preference, a business must have its principal office and place of business in the Greater Albuquerque Metropolitan Area. The business location inserted on the Form must be a physical location, street address or such. **DO NOT** use a post office box or other postal address.

3. **FORM(S) MUST BE COMPLETED BY PRINCIPAL OFFEROR.** Forms must be completed for the Principal Offeror, or one of the Principal Offerors if the Offeror is a joint venture or partnership, or by an individual authorized to sign for the Offeror. Subcontractors of the Offeror may not be used to qualify an offer for a preference and should not complete or submit the Form.

4. **APPLICATION OF PREFERENCES.** The small business preference and the local business preference will be applied to all offers submitted by eligible small businesses. The local preference only will be applied to all offers submitted by eligible local businesses which are not small businesses. If there are no offers submitted in response to a request for bids or proposals that are eligible for the local preference, then the Resident Business Preference or Resident Veteran Business Preference will be applied to any offers for requests for bids or proposals submitted which have provided a valid State of New Mexico Taxation and Revenue Department certification. (Resident Business and Veteran Preference not applicable to request for quotes.) The application of preferences for resident contractor or resident veteran contractor for construction of public works projects shall be in accordance with Section 13-4-2 NMSA 1978.

5. **DEFINITIONS.** The definitions of the Public Purchases Ordinance (Section 5-5-3 ROA 1994) apply including the following:
   - The Greater Albuquerque Metropolitan Area includes all locations within the City of Albuquerque and Bernalillo County.
   - A local business is a business with its principal office and place of business in the Greater Albuquerque Metropolitan Area.
   - A small business is a local business which employs an average of fewer than 50 full-time employees in a calendar year. The calendar year immediately prior to the request for the preference should be used.
   - A principal office is the main or home office of the business as identified in tax returns, business licenses and other official business documents.
   - A place of business is a location where the business conducts its daily operations, for the general public, if applicable.
   - A full-time employee is an employee of the business who is hired to work at least forty (40) hours per week, whether in a permanent, temporary or seasonal status. If all full-time employees of the business are hired to work a shorter work week, the Purchasing Officer may reduce this requirement, upon receipt of adequate documentation.

6. **ADDITIONAL DOCUMENTATION.** If requested, a business will be required to provide, within three (3) working days of receipt of the request, documentation to substantiate the information provided on the Form(s). The Purchasing Officer shall determine the sufficiency of such documentation.
<table>
<thead>
<tr>
<th>Preference Type: (Check applicable preference/s)</th>
<th>[ ] Local (GAMA) Business</th>
<th>[ ] Small Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Name of Firm:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contact Person:</td>
<td>Telephone:</td>
<td></td>
</tr>
<tr>
<td>E-mail Address:</td>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>Physical Address (if Different):</td>
<td></td>
</tr>
<tr>
<td>Number of full-time employees working in the Greater Albuquerque Metropolitan Area (GAMA):</td>
<td></td>
<td>Attach 941 Tax Form</td>
</tr>
</tbody>
</table>

☐ I certify my company meets the following qualifications to be eligible for local business preference:
Maintains its principal office and place of business within the Greater Albuquerque Metropolitan Area (City of Albuquerque or Bernalillo County)
1. Such location is staffed with full-time employees.
2. Such location is open to the public on a regular basis.
3. The vendor is operating or performing its business from this location.
4. Note: A post office box shall not be considered a physical business address.

☐ I certify my company meets the following qualifications to be eligible for Small business preference:
1. Meets the requirements for a Local Business Preference (see above).
2. Employs fewer than fifty (50) full-time employees in a calendar year as demonstrated by the attached 941 I.R.S. Tax Form.

☐ I certify that under the penalty of perjury, the foregoing statements are true and correct. I also acknowledge that any person, firm, corporation or entity intentionally submitting false information to the Water Authority in an attempt to qualify for a local or small preference shall be prohibited from bidding on Water Authority procurements for goods and/or services for a period of up to three (3) years.

Authorized Signature:__________________________________________________________
Date:________________________

Printed Name:_______________________________________________________________
Title:______________________________

ACKNOWLEDGMENT

State of New Mexico
County of _______________

Signed and sworn to before me on ____________ by _____________________________.

________________________________________
Notary
My Commission expires on
RESIDENT BUSINESS/CONTRACTOR PREFERENCE FORM

For a resident business/contractor preference the State of New Mexico Taxation and Revenue Department certification of eligibility MUST be attached. If an offer is received without a copy of the appropriate State of New Mexico Taxation and Revenue Department issued Certification attached, the preference will not be applied. PREFERENCE CERTIFICATION(S) WILL NOT BE ACCEPTED AFTER THE DEADLINE FOR RECEIPT OF BIDS OR PROPOSALS.

(IMPORTANT: State of New Mexico Taxation and Revenue Department issued certification MUST be attached to this form to receive preference)

Instruction for Resident Business/Contractor Preference: The resident business preference shall be applied to a request for bid or request for proposal for the purchases of goods and services, but only if no offers have been received in response to the solicitation from Offerors eligible for the local preference. (Resident Business Preference not applicable to request for quotes.) The resident contractor preference shall be applied to a request for bid or request for proposal for construction. To obtain the resident business/contractor preference, an Offeror must submit a copy of a valid preference certificate issued by the New Mexico Taxation and Revenue Department along with this completed and signed "Resident Business/Contractor Preference Certification" form.

The Offeror must submit the certificate; the number of the certificate is insufficient. Therefore, the Offeror shall upload the certificate each time an offer is submitted. (Resident business/contractor preference is not applicable for those projects which are federally funded.)

An Offeror may not receive both the resident business/contractor preference and the resident veteran business/contractor preference.

This preference will increase the Offeror’s score for a request for proposals by five percent (5%) of the actual Ad Hoc Committee’s score or for a request for bids reduce the bid by five percent (5%) for award purposes.

_________________________________ (NAME OF BUSINESS) hereby certifies the following in regard to application of the resident business/contractor preference to this procurement:

Offeror has submitted a copy of a valid resident business/contractor certificate with its proposal to receive a resident business/contractor preference pursuant to Sections 13-1-21 or 13-4-2 NMSA 1978, allowing the five percent (5%) preference on this solicitation.

Offeror declares under penalty of perjury that this statement is true to the best of its knowledge and understands that giving false or misleading statements about material fact regarding this matter constitutes a crime.

Resident Business/Contractor Date

(Must be signature of authorized signatory for the business.)
RESIDENT VETERAN BUSINESS/CONTRACTOR PREFERENCE FORM

For a resident veteran business/contractor preference the State of New Mexico Taxation and Revenue Department certification of eligibility MUST be attached. If an offer is received without a copy of the appropriate State of New Mexico Taxation and Revenue Department issued Certification attached, the preference will not be applied. PREFERENCE CERTIFICATION(S) WILL NOT BE ACCEPTED AFTER THE DEADLINE FOR RECEIPT OF BIDS OR PROPOSALS.

(IMPORTANT: State of New Mexico Taxation and Revenue Department issued certification MUST be attached to this form to receive preference)

Instructions for Resident Veteran Business/Contractor Preference: This preference shall be applied to a request for bid or request for proposal for the purchases of goods and services or construction. (Resident Veteran Preference not applicable to request for quotes.) To obtain the resident veteran business/contractor preference, an Offeror must submit a copy of a valid resident veteran business/contractor certificate issued by the New Mexico Taxation and Revenue Department along with this completed and signed “Resident Veteran Business/Contractor Preference Certification” form.

The Offeror must submit the certificate; the number of the certificate is insufficient. Therefore, the Offeror shall upload the certificate each time an offer is submitted. (Resident veteran business/contractor preference is not applicable for those projects which are federally funded.)

An Offeror may receive the resident veteran business/contractor preference but the aggregate for a single award may not exceed 10% of the Ad Hoc Committee’s score for a request for proposal, or 10% of the total amount offered for a request for bid.

An Offeror may not receive both the resident business/contractor preference and the resident veteran business/contractor preference.

__________________________ (NAME OF BUSINESS) hereby certifies the following in regard to application of the resident veteran business/contractor preference to this procurement:

Please check one box only:

☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than one million dollars ($1,000,000) allowing me the ten percent (10%) preference on this solicitation.

☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than one million dollars ($1,000,000) but less than five million dollars ($5,000,000) allowing me the eight percent (8%) preference on this solicitation.

☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than five million dollars ($5,000,000) allowing me the seven percent (7%) preference on this solicitation. (In this scenario, if the offeror also meets the criteria for Small or Local, it will receive three (3) percent of the balance of the Small and Local preference amounts for an aggregate of ten (10) percent.)

“In conjunction this with procurement and the requirements of this business’ application for a resident veteran business/contractor preference under Sections 13-1-21 or 13-4-2 NMSA 1978, when awarded a contract which was on the basis of having such veteran preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.”

Offeror declares under penalty of perjury that this statement is true to the best of its knowledge and understands that giving false or misleading statements about material fact regarding this matter constitutes a crime.

Resident Veteran Business/Contractor        Date
(Must be signatures of authorized signatory for the business.)

Revised 4-10-14