

NOTICE OF PROPOSED RULEMAKING

PROPOSED REVISIONS TO 18.27.5 NMAC

The New Mexico Department of Transportation (NMDOT) is proposing to revise 18.27.5 NMAC, Transportation and Highways, Highway Construction General Provisions, Contractor Prequalification Rule.

AMEND

18.27.5.3	Statutory Authority
18.27.5.7	Definitions
18.27.5.8	Prequalification Procedure
18.27.5.11	Prequalification Calculation
18.27.5.12	Posting, Review and Application of Prequalification Factor
18.27.5.13	Appeal Procedure
18.27.5.15	Prequalification for Consolidated Corporations, Merged Corporations, and Joint Ventures

SYNOPSIS:

The proposed amendment of 18.27.5.3 NMAC consists of the following modification: Additional legal citations.

The proposed amendment of 18.27.5.7 NMAC consists of the following modification: Modification of definition and addition of definition.

The proposed amendment of 18.27.5.8 NMAC consists of the following modification: Language modifications for clarity.

The proposed amendment of 18.27.5.11 NMAC consists of the following modification: Modifications for rule requirements and language modifications for clarity.

The proposed amendment of 18.27.5.12 NMAC consists of the following modification: Additional language for reposting of Pqfra.

The proposed amendment of 18.27.5.13 NMAC consists of the following modification: Updating language for clarity.

The proposed amendment of 18.27.5.15 NMAC consists of the following modification: Updating language for organizational flow.

Approval of the initial rulemaking action for the proposed rule revisions was granted to NMDOT by the New Mexico State Transportation Commission on March 16, 2017 pursuant to Sections 9-5-1, 67-3-8 and 67-3-11, NMSA 1978. The legal authority authorizing this rulemaking is Section 13-1-82 NMSA 1978 (1984, as amended through 2012) and Section 13-1-133 to 134 NMSA 1978 (1984, as amended through 2012) Sections 67-3-2 (2003), 67-3-11 (2003), 67-3-14 (2003), and 67-3-43 (1983) NMSA 1978, 23 USC Section 112(b), 23 CFR Sections 635.110 and 635.114.

Copy of the full text of the proposed revised rule may be found on the NMDOT website at the following internet link: <http://dot.state.nm.us/content/nmdot/en/prequalification.html>. To obtain a printed copy of the proposed revised rule, you may visit the NMDOT Office of the Inspector General, 1570 Pacheco Street, Suite B1, Santa Fe, New Mexico 87505 or contact Jeff Canney at: Telephone (505) 476-0921 or e-mail: Jeff.Canney@state.nm.us. A reasonable fee may be charged for printed copies.

NMDOT will hold a public hearing for the purpose of receiving oral and written public comment from interested parties on the proposed revised rule revisions for, 18.27.5 NMAC. The hearing is scheduled on February 23, 2018 from 9:00 a.m. to 12:00 p.m. at the New Mexico Department of Transportation, 1120 Cerrillos Road, Training Rooms 1 and 2, in Santa Fe, New Mexico.

To submit written views and comments on or before the date of the hearing, please send to: Armando Armendariz, New Mexico Department of Transportation, P.O. Box 1149, Santa Fe, New Mexico 87504, Telephone (505) 490-

2740; e-mail: Armando.Armendariz@state.nm.us. Written and oral comments will be accepted from the date this notice is published in the New Mexico Register, before and at the scheduled hearing, and until the close of the final hearing scheduled in this rulemaking. If you plan to submit written comments, argument or data at the hearing, please make sure any documentation contains your name, phone number and e-mail address, and please bring (3) copies of any documents to the hearing. If submitting written comments by e-mail, please indicate the rule number in the subject line. Oral comments will be accepted at the rule hearing subject to time limitations. After the close of the final hearing scheduled in this rulemaking, no other comments will be accepted.

Any individual with a disability who is in need of an auxiliary aid or service to attend or participate in the hearing, or who needs copies of the proposed rule revisions in an accessible form may contact Armando Armendariz at (505) 490-2740 at least ten days before the hearing.