

SECTION 00618

NOTICE OF AWARD

**New Mexico Spaceport Authority
901 E. University, Bldg 3, Suite C
Las Cruces, NM 88001
Telephone:575-373-6110, Fax: 575-373-6120**

To: David Montoya Construction, Inc.
P.O. Box 10254

Alameda, NM 87184

Date: June 18, 2009
Project: Spaceport America -
Airfield

Project N°. SP-003

Attn: David Montoya

ITB Ref N°. 904950000082

Re: NOTICE OF AWARD, SP-003 Airfield

Ladies and Gentlemen:

This letter is to advise you that the Spaceport Authority Board of Directors, at its meeting of June 18, 2009, approved award of the construction contract to your firm for the project noted above.

The Contract Price is as follows:

<u>Base Bid</u>	\$ 27,855,000.00
<u>Alternate Deduct</u>	\$ (120,000.00)
<u>Gross Receipts</u>	1,716,104.00
<u>Total</u>	\$ 29,451,104.00

Six counterparts of each of the proposed Contract Documents (except Drawings) will be provided to you by the New Mexico Spaceport Authority for execution. Three sets of the Drawings will be delivered separately or otherwise made available to you by the Architect/ Engineer of Record.

You must comply with the following conditions within fifteen (15) calendar days of the date of this Notice of Award, that is, by

1. You must deliver to the Owner six fully executed counterparts of the Agreement, including all Contract Documents. Each of the Contract Documents must bear your signature on the appropriate page. Provide both your state and federal tax identification number on the signature page.
2. You must deliver with the executed Agreement the Performance Bond, Labor and Material Payment Bond, Agent's Affidavit, Subcontractors List, and Assignment of Antitrust Claims (required for the Contractor, all Subcontractors, and all Suppliers), Certificate of Insurance, and other bonds as specified in the Bidding Documents.

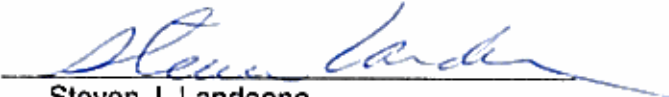
3. OTHER CONDITIONS PRECEDENT (if none, write none)
None

Please be advised that no contract with the state is legal and binding upon the state until it is executed by the Director of the Property Control Division and the Secretary of the General Services Department.

Failure to comply with these conditions within the time specified will entitle the Owner to consider your bid abandoned, to annul this Notice of Award, and to declare your bid security forfeited.

Within thirty (30) days after you comply with these conditions, the Owner will return to you one fully signed counterpart of the Agreement with the Contract Documents attached.

State of New Mexico
New Mexico Spaceport Authority

By: 
Steven J. Landeene
Executive Director

XC: Construction Manager, Gerald Martin, Ltd.
Risk Management Division, GSD
State Purchasing Agent, GSD
Architect/Engineer of Record

END OF SECTION