What is the New Mexico Gross Receipts Tax (NMGRT)

The gross receipts tax is a tax on persons engaged in business in New Mexico for the Privilege of doing business in New Mexico.

Services includes **construction activities** and all **construction materials** that will become part of the construction project.

The business location for gross receipts from the performance or sale of the construction services and construction-related services performed for a construction project in New Mexico, shall be the location of the construction site.

The rate to use is determined by 7-1-14 NMSA 1978 and for construction is based on the LOCATION CODE of the Construction project. You can go to this location to verify the location code and rate for your address. Gross Receipts Location Code and Tax Rate Map:

Governments (newmexico.gov)



Determining Taxability of Gross Receipts

Every dollar that comes into the company, Receipts, is classified as

- Taxable most of our receipts
- Exempt receipts which are not taxable and do not have to be reported.
- Or Deductible A deduction from gross receipts, like an exemption, results in an amount not subject to tax but must be reported. The Department requires taxpayers to retain substantiation in their records when claiming a deduction for gross receipts. Areas related to our and our subcontract deductions are:
 - Nontaxable transaction certificates (NTTCs)
 - Solar energy deduction written statement a written statement declaring the equipment or services purchased are for the exclusive use in the install or operation of a solar energy system (use only for the solar energy system deduction under 7-9-112).
 - Alternative Evidence Other documents for other deductions

Unless verified by Cynthia, Amy or Andy – all of our construction services are taxable and should be charged as taxable regardless of what anyone else says!



Non Taxable Transaction Certificates (NTTCs)

- NTTCs are issued by Bradbury Stamm Construction to applicable subcontractors and suppliers.
- The buyer (In most of our cases Bradbury Stamm) obtains an NTTC from the NM Tax and Rev to give to a seller (our subs/suppliers).
- The NTTC entitles our subs/suppliers to deduct those receipts when determining taxable gross receipts. In practice, this means we can purchase good and services free of the gross receipts tax.
- Those that we issue an NTTC must accept it in "good faith", reasonably assured that the we will use the property or service in a nontaxable manner.
- A properly executed NTTC is the conclusive evidence that the receipts are deductible from the seller's gross receipts.
- We only need to issue ONE NTTC for each sub/supplier to cover ALL transactions of the same type with that sub/supplier. (I.e. these are not issued per project, but per company.)

Accounting will issue these (a Type 6) to new subs and suppliers as appropriate.

(PLEASE FLAG FOLKS YOU KNOW ARE NEW/MAY NOT ASK FOR, this paper is critical for them to not become liable for the tax.)

D-31052 SERIES 1992 - NONTAXABLE TRANSACTION CERTIFICATE - SERIES 1992

SELLER'S/LESSOR'S COPY

New Mexico Taxation and Revenue Department PO Box 5557, Santa Fe, New Mexico 87502-5557

B-1107415-06-01503

EXECUTED BY: Buyer's NM Business Ta	ax ID #·	01	107415-00-9	EXECUTED TO: Seller's NM Busines			YER's COPY below 7196-00-4	_
	ak 15 #1	01-	107413-00-9		3 TUX 10 #.	03-347	130-00-4	
Company Name: BRADBURY STAM	M CONS	TRUCTION	I, INC.	C&E PORTABLE	TOILETS &	SEPTIC LLC	:	
Address: PO BOX 10850				Address: PO BOX 4417				
City:	State:	Country:	ZIP:	City:	State:	Country:	ZIP:	
ALBUQUERQUE	NM	USA	87184-0850	GALLUP	NM	USA	87305	
Contract/Account Numb	er: 2313			Date Certificate I (Cannot be prior to		07/26/2021		

seller may not accept this nontaxable transaction certificate to support a deduction from gross receipts unless the seller has a good-faith belief that the buye will resell, lease or use the property or service sold or leased in the manner represented by the nontaxable transaction certificate.

TYPE 6 CERTIFICATES MAY BE EXECUTED BY A CONSTRUCTION CONTRACTOR TO PURCHASE

*1. Construction materials that will become ingredients or components of a construction project that is either, subject to gross receipts tax upon completion, or that takes place on Indiar tribal territory, (Section 7-9-8) vi MISA 1978;

Construction services to be performed on a construction project that is either, subject to gross receipts tax upon completion or, that takes place on Indian tribal territory. (Section 7-9-52 NMSA 1978), formerly Type 7.

OTE: Proof that a construction contractor's license is not required when a detailed written statement from the Construction Industries Division of the Regulation and Licensing epartment explaining the circumstances that exclude the contractor from jurisdiction or application of New Mexico statutes that provide for construction contractor's license are unable to describe the circumstances.

'CAUTION: Fraudulent statements made to obtain certificates, or fraudulent use of certificates received pursuant to this application with intent to evade or defeat the tax may subject the person or business to a fine of not more than ten thousand dollars (10,000) or imprisonment for not more than the not make than five (5) years or both (Sections 7-1-72 NMSA 1978 and 7-1-73 NMSA 1978).

SERIES 1992 - NONTAXABLE TRANSACTION CERTIFICATE - SERIES 1992

CUT HERE-----CUT HERE-----CUT HERE------

BUYER'S COPY

The information below MUST be entered into the New Mexico Taxation and Revenue Department's TAP web-site: https://tap.state.nm.us/ or you can send a copy of this form to the Department at the address below.

03 Date Issued: 07/26/2021
EXECUTED TO:
Seller's NM Business Tax ID #: 03-547196-00-4
Company Name: C&E PORTABLE TOILETS & SEPTIC LLC
Address PO BOX 4417
City: State: Country: ZIP: GALLUP NM USA 87305
Date Certificate Executed (Cannot be prior to date issued) 07/26/2021

New Mexico Taxation and Revenue Department PO Box 5557, Santa Fe, New Mexico 87505-5557

BUYER'S COPY: NONTAXABLE TRANSACTION CERTIFICATE - SERIES 1992

Construction Deductions

- 1. Receipts from the sale of tangible personal property to a person in the construction business (7-9-51).
 - Requirement: the tangible personal property by design and intent must become part of a construction project (so that while receipts from the sale of nails are deductible, those from selling a hammer are not).
 - Requirement: upon its completion the construction project must be subject to the gross receipts tax.
 - **NOTE**: construction materials sold to a contractor for use in a construction project on the tribal territory of an Indian nation, tribe or pueblo are deductible.
 - **NOTE**: a contractor who is an accrual-basis taxpayer must pay the gross receipts tax on progress payments as they are received.
 - NTTC Requirement: Type 6.
- 2. Receipts from the sale of subcontracting services to a person in the construction business (7-9-52).
 - Exception: indirect services, such as accounting, architectural, engineering, drafting, bid depository services and plan room services are not construction services.
 - Requirement: upon its completion, the construction project must be subject to the gross receipts tax.
 - **NOTE**: construction services sold to a contractor for use in a construction project on the tribal territory of an Indian nation, tribe or pueblo are deductible.
 - NTTC Requirement: Type 6.
- 6. Receipts from the sale construction-related services to persons engaged in the construction business (7-9-52).
 - Exception: this deduction cannot be taken for general business services such as legal or accounting services, equipment maintenance and real estate sales commissions.
 - Requirement: upon its completion the construction project must be subject to gross receipts tax or located on the tribal territory of an Indian nation, tribe, or pueblo.
 - Requirement: services must be directly contracted for or billed to a specific construction project.
 - NTTC Requirement: Type 6.
- 7. Receipts from leasing construction equipment to persons engaged in the construction business (7-9-52.1).
 - Requirement: the leased equipment can only be used at the construction location of a construction project that is subject to gross receipts tax upon its completion or sale or that is located on the tribal territory of an Indian nation, tribe, or pueblo.
 - NTTC Requirement: Type 6.



Job Number	Date	Invoice #	Page
U20W3215A	10/8/2020	00036588	1

P.O. Box 907, Brigham City, UT 84302 Tel. (435) 919-3100 Fax (435) 919-3101

Sold To: Bradbury Stamm Construction

340 Highway 10 South

Saint Cloud, MN 56304

Wagner - RTU's

Ship To: 700 Wagner Court Southeast

Albuquerque, NM 87105

Contact: Mike Drye

Cust. P.O. Nbr	Currency	Credit Terms	Sales Re	Quote
	US - Dollars	1/2%-10 NET-30	Open	
Freight	Ship Via	Territory	Div.	Export Permit Number
FXW loaded		UW	W	

MATERIAL THIS SHIPMENT FOR COMPONENT ORDER

\$13,730.08

7.875% NM SALES TAX

\$1,081.24

** If you receive remittance directions that differ from the lockbox noted below or previously established electronic routings, please call (435)919-3100 and ask to speak to Accounts

Warranties will now be invoiced upon receipt of the Request for Warranties.

Deduct \$68.65 discount if paid by 10/18/2020

Discount not allowed on tax or freight.

***** A 1 1/2% monthly finance charge will *****

**** be assessed on all past due invoices. ****

Amount Due This Invoice \$14,811.32

PLEASE REMIT PAYMENT TO:

Nucor Building Systems

BOL#

Total Contract Amount(including Warranty) \$13,730.08 **Total Warranties** \$0.00 \$13,730.08 (-)Total Invoiced to Date:

P.O. BOX 511252

Remaining Balance \$0.00 Los Angeles, CA 90051-7807



Page 1 of 1 INVOICE

(505) 246-9848 FAX: (505) 248-9857 TOLL FREE: (855) 942-2662

INVOICE NUMBER	
14880826-00	
INVOICE DATE	
07/23/21	
PO NUMBER	
21104	П

3825 COMMERCIAL ST NE ALBUQUERQUE, NM 87107-2208

Border Construction Specialties

BILL TO: SHIP TO:

BRADBURY STAMM CONSTRUCTION PO BOX 10850 ALBUQUERQUE, NM 87184-0850

LAGUNA HEALTHCARE CORP K'AWAIKA CENTER PUEBLO OF LAGU LA LAGUNA, NM 87038

CUST	TOMER N	10	ORDI	ER NO		SHIP VIA		DUE DATE	TER	MS	
60	70315		148808	26-00	CUST 1	PICK UP		08/22/21	NET 30 DAYS		
ORDE	R DATE	SH	IP DATE	OR	DER BY	TAKEN BY	JOB#		JOB NAME		
07/2	23/21	07	/23/21			dmrt	2002	2002 LAGU	NA HEALTHCARE C		
ORDER QTY	SHIPD QTY	BKORD QTY	UNIT			ITEM # / DESC	RIPTION		PRICE	NET PRICE	Txb
1	1	0		1158683	mp Mobma	AR 50LB 63/P	. m		\$35.0000	\$35.00	
1	1	0	EA	10515910	0	SPEEDBOR FL		r	\$4.8500	\$4.85	
ty Sh:	ipped '	Total	2					Total			39.8
									ATE TAX UERQUE		\$0.2 \$0.1
								111401	ce Total	4	40.
W R	ONSTRU ÆLLS FA OUTING:	CTION S	UPPLY G 48	MATION ROUP (CSC	3)						

1.5% per month interest charged on all overdue accounts. A 20% RESTOCKING FEE APPLIES ON ALL RETURNS NO RETURNS ACCEPTED AFTER 30 DAYS OF INVOICE DATE U.S. FUNDS

REMIT TO **Border Construction Specialtie** PO Box 936666 Atlanta, GA 31193-6666



INVOICE

BRANCH ADDRESS 052 - ALBUQUERQUE (505) 872-2244

6707 A WASHINGTON ST. NE ALBUQUERQUE NM 87109 BERNALILLO



ENROLLMENT TOKEN: VPV XZT BZQ

SOLD TO: 12945000

TERRITORY:

SHIP TO: 10002984887

PLEASE REMIT PAYMENT TO:

White Cap, L.P. P.O. Box 6040 CYPRESS, CA 90630-0040

BRADBURY & STAMM CONST PO BOX 10850 ALBUQUERQUE NM 87184

VALDEUM ART MUSEUM 404 MONTEZUMA SANTA FE NM 87501

		ORDER NO.	ORDERED BY	ACCOUN	IT MANAGER			TAKEN BY		
BR	9/2021 4	3319354	BYRON GABALDON	FREY	FREY, SCOTT			FREY, SCOTT	Г	
	ANCH A	ACCT JOB NO. TERMS				CUSTOMER JO				
052 1		002984887	NET 30 DAYS		0. WILL	CALL		VALDEU	M ART	
LINE	PART NUMBER		DESCRIPTION	QTY ORD	UNIT PRICE	QTY ВКО	QTY SHP	EXTENDED PRICE	TAX	
0	HDRDESC		AG#: 18246503	1	0	0	1	0.00		
1	255CSWB5	5GAL WB CU	RE AND SEAL SPECCHEM	1	69.69	EA 0	1	69.69	0.0	
2	444BR12622		POXY COATED STEEL CONCRETE HAPIN BRIGADE	1	113.63 I	ĒΑ 0	1	113.63	8.9	
3	1969TU038	9" 3/8" NAP G MAGNOLIA E	SOOD VALUE ROLLER COVER BRUSH	2	1.99	EA 0	2	3.98	0.3	



Please verify that the remit to address you are using agrees to the address shown at the top of this invoice.



When there is solar on our Projects:

Solar Energy Systems Deduction

Receipts from the sale or installation of solar energy systems (7-9-112).

- ♦ Requirement: written statement that the equipment or services purchased are for the exclusive use in the installation or operation of the solar energy system. We have Form RPD-41341, *Solar Energy Systems Gross Receipts Tax Deduction Purchase and Use Statement* available on our website at http://www.tax.newmexico.gov/forms-publications.aspx.
- ♦ NOTE: construction contractors who intend to take the solar energy systems deduction should not execute a Type 6 NTTC for the purchase of the solar energy system.



Common Misinformation/Things to know

 Non-profits pay NMGRT on the whole construction contract!

Nonprofit Organization Exemption

The use of property by organizations that have been granted tax exemption under Section 501(c)(3) of the Internal Revenue Code as long as the property is used in the conduct of their exempt functions (7-9-15)

♦ Exception: property used in an unrelated trade or business as defined in Section 513 of the Internal Revenue Code and property used as an ingredient or component part of a construction project are not exempt.

Nonprofit Organization Deductions (Sale to)

- 1. Receipts from selling tangible personal property to 501(c)(3) organizations for use in their exempt functions (7-9-60).
 - ♦ Exception: materials included as part of a construction project and construction services provided by a construction contractor are not deductible unless the organization is providing homeownership opportunities to low-income families (Subsection B of 7-9-60).
 - ♦ Exception: leasing of tangible personal property or licenses or performance of construction or other services is not deductible.
 - ♦ NTTC Requirement: Type 9.
 - ♦ NOTE: this deduction can also be taken from governmental gross receipts tax.
- 2. Receipts from selling construction materials and metalliferous mineral ore to 501(c)(3) organizations (7-9-60).
 - ♦ Requirement: the 501(c)(3) organization must be organized for the purpose of providing homeownership opportunities to low-income families.
 - ♦ NTTC Requirement: Type 9.

 Government Entities pay NMGRT on the whole construction contract!

Governmental Entity Exemptions

- 1. The use of property by the United States Government or one of its agencies or the state of New Mexico or one of its agencies or political subdivisions (7-9-14).
 - ♦ Exception: the use of property by a New Mexico political subdivision that is or will be incorporated into a metropolitan redevelopment project created under the Metropolitan Redevelopment Code is not exempt.
 - ♦ Exception: the use of construction materials -- tangible personal property that becomes or is intended to become an ingredient or component part of a construction project -- is not exempt.

Government Deduction (Contribution to)

The value of tangible personal property that is removed from inventory and contributed to a United States or New Mexico government entity or the governing body of an Indian nation, tribe or pueblo for use on an Indian reservation or pueblo grant, may be deducted in computing the compensating tax due (7-9-91).

- ♦ Exception: contributions of tangible personal property that will become an ingredient or component part of a construction project are <u>not</u> deductible.
- ♦ Exception: contributions of tangible personal property utilized or produced in the performance of a service are <u>not</u> deductible.
- Tribal projects ARE confusing and vary in taxability and how paid.
- always confirm everything with Amy, Cynthia or Andy as they may or may not have NMGRT, and it may be paid directly to the tribe, or may be to NM Tax and Revenue. – MUST HAVE PROOF FOR THE TRIBAL GOVERNMENT.

What is Compensating Tax? (Sometimes term is used in conjunction with NMGRT)

Compensating Tax (Section Compensating tax (Section 7-9-7 NMSA 1978) is an excise tax imposed on persons using property or services in New Mexico.

This tax is also called "use tax," or "buyer pays." Compensating tax helps to protect New Mexico businesses from unfair competition from out-of-state businesses that are not subject to gross receipts tax.

The compensating tax is imposed at a rate of 5.125% on certain property used in New Mexico and 5% on certain services used in New Mexico. Compensating tax is reported on a Combined Reporting System (CRS) form and is due on or before the 25th day of the month following the report period in which the taxable transaction occurs.



- New Vendors Send items listed below to Janetta for NM and Jan for MN for set up in Viewpoint, will then be ERP linked in Procore and used for Textura Invitation.
 - Need W-9
 - NM Sales Tax/Gross Receipts Tax number
 - Contact name, phone number and email address.
- When creating a commitment in Procore, please select "Subcontract" not "Purchase Order". Purchase Orders do not ERP link over to Viewpoint.



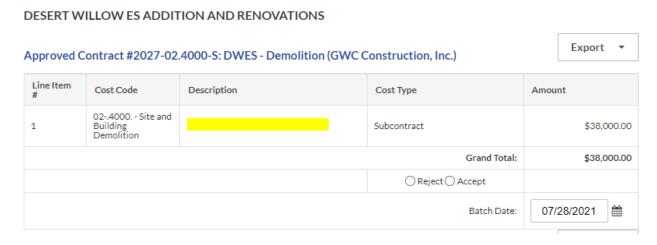
COMMITMENTS DEADY TO BE EXPORTED TO VIEW DOINT & VISTATI

- When creating commitments confirm the phases and cost types exist in Viewpoint. If errors still occur in Procore verify phases/cost types through Project>Admin>Cost Code Cost Type Assignments
- Rejected Subcontracts- titles should agree with the phase code.

,	COMMITTMEN	113-KEADI TOBE EXPO	OKTED TO VIEWFOINT® VISTA			
	CABQ BIOPAF	RK ASIA EXHIBIT				
	Approved Cont	ract #2104- <mark>07.2100</mark> -S:	Thermal Insulation (AMERICAN NATIONAL INS	SULATION INC)		Export *
	Line Item#	Cost Code	Description	Cost Type	Amount	
	1	092000 Framing/ Gypsum Board and/or Plaster	Thermal Insulation	Subcontract		\$2,498.00
				Grand Total:		\$2,498.00
				Reject	subcontract title should agree v cost code	Reject



- Rejected Subcontract- are either subcontracts or material contracts, which are indicated by the "-S or –M", this should also agree with cost type.
- Rejected Subcontract- titles should not contain any spaces, ex: 2104-07.2100-S, incorrect: 2014-07.2100-S
- Rejected Subcontract- the description field in the Header and SOV detail is blank, the error will prevent Viewpoint from transfer to Textura.



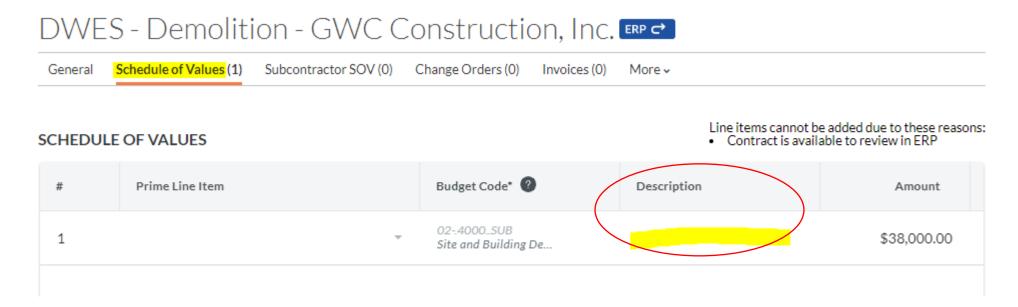


• Edit the Commitment in the General Information-

GENERAL INFORMA	TION		Edit
#	2027-02.4000-S	Title:	DWES - Demolition
Contract Company:	GWC Construction, Inc. P.O. Box 249 Lovington, New Mexico 88260 United States External ID: 848	Invoice Contacts:	Lonnie Goff
Status:	Approved	Executed:	Yes
Private:	Yes, visible to Admins and: Lonnie Goff	Created By:	Horger, Jordan (Bradbury Stamm Construction, Inc.)
Default Retainage:			
Description:)		
Attachments:			

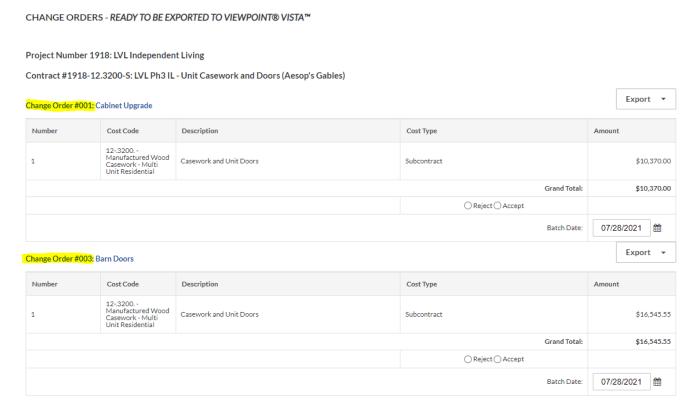


Edit the Commitment and the Schedule of Value tab





Change Orders – Do not send change orders to ERP out of sequence,
 Viewpoint will add them as it receives them and moves them to Textura as CO #1 & #3 as CO#1 and #2.





- If issuing a negative change order and it is nearing the end of the subcontract, please verify that there are not any pending final pay applications in Textura that could potentially be released. This results in tracking down the sub to send us a check for the negative change order and could delay the closing of the job.
- Also creates an accounting nightmare with Viewpoint.



ComData Expense Track

- EVERYONE (not just PM's) needs to approve credit card transactions on Monday for the prior week <u>AT A MINIMUM</u>, hopefully you can go into expense track and approve more than once a week.
- Also, please verify you do not have any expense reports pending approval, from prior weeks or your superintendents expense reports awaiting your approval.
- Waiting to approve all at one time hold up every other PM's cost to their projects not just yours.
- Also this put Janetta in a time crunch, to review and prepare 1200+ transactions a month in a couple of days.



Viewpoint

- Approve Invoices on a weekly basis <u>AT A MINIMUM</u>
- Do not rely on reminder emails to approve prior month invoices
- Do not approve invoices that should be subcontract in Unapproved invoices, send to Sara separately.
- Do not apply ANY invoices to cost type 4 in "AP unapproved invoice review"
- When rejecting an invoice please provide an explanation
- When purchasing for 0088/0099 jobs please provide phase code and/or jobsite address.



Textura

- Do NOT reopen draws unless you have discussed with accounting:
 Only reopen to reject a pay application that has been approved but on hold for payment and the subcontractor needs to resubmit. Then the sub will need to reissue in a current draw
- If a pay app does get rejected, please let Sara or Sandra know we need to manually remove the pay application in Viewpoint.
- When opening a Draw be aware of who you are inviting to submit a pay application. Some subs will submit a zero dollar pay app, the PM will approve the application and authorize for payment "Zero Dollars".
- When a sub is coming to the end of their subcontract, do not let leave a small balance on the contract. Some subs do submit closing compliance items and are not worried about the small balance due to them.



Textura

 When viewing change orders in Textura do not select save when you are done, please select cancel. If save is selected it disables the options to edit or delete the change order and re-import from Viewpoint.

