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SENATE BILL 109

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

INTRODUCED BY

John C. Ryan

AN ACT

RELATING TO PROCUREMENT; INCREASING THE DOLLAR AMOUNT LIMITS  
FOR MULTIPLE SOURCE CONTRACTS FOR PROCUREMENT OF CONSTRUCTION  
SERVICES AND FOR PURCHASE ORDERS UNDER THOSE CONTRACTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** Section 13-1-154.1 NMSA 1978 (being Laws 2007,  
Chapter 312, Section 1, as amended) is amended to read:

"13-1-154.1. MULTIPLE SOURCE CONTRACTS--ARCHITECTURAL AND  
ENGINEERING SERVICES CONTRACTS--INDEFINITE QUANTITY  
CONSTRUCTION CONTRACTS.--

A. A state agency may procure multiple  
architectural or engineering services contracts for multiple  
projects under a single qualifications-based request for  
proposals; provided that the total amount of multiple contracts  
and all renewals for a single contractor does not exceed two

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1 million dollars (\$2,000,000) over four years and that a single  
2 contract, including any renewals, does not exceed five hundred  
3 thousand dollars (\$500,000).

4 B. A state agency may procure multiple indefinite  
5 quantity construction contracts pursuant to a price agreement  
6 for multiple projects under a single request for proposals;  
7 provided that the total amount of a contract and all renewals  
8 does not exceed [~~two million dollars (\$2,000,000)~~] twenty  
9 million dollars (\$20,000,000) over four years and the contract  
10 provides that any one purchase order under the contract may not  
11 exceed [~~five hundred thousand dollars (\$500,000)~~] two million  
12 dollars (\$2,000,000).

13 C. A state agency may make procurements in  
14 accordance with the provisions of Subsection A or B of this  
15 section if:

16 (1) the advertisement and request for  
17 proposals states that multiple contracts may or will be  
18 awarded, states the number of contracts that may or will be  
19 awarded and describes the services or construction to be  
20 performed under each contract;

21 (2) there is a single selection process for  
22 all of the multiple contracts, except that for each contract  
23 there may be a separate final list and a separate negotiation  
24 of contract terms;

25 (3) each of the multiple contracts for

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1 architectural or engineering services or construction shall  
2 have a term not exceeding four years, including all extensions  
3 and renewals;

4 (4) a contract to be awarded pursuant to this  
5 section to a firm that is currently performing under a contract  
6 issued pursuant to this section will not cause the total amount  
7 of all contracts issued pursuant to this section to that firm  
8 to exceed:

9 (a) two million dollars (\$2,000,000) in  
10 any four-year period for architectural or engineering [~~or~~  
11 ~~construction~~] services; [~~and~~] or

12 (b) twenty million dollars (\$20,000,000)  
13 in any four-year period for construction services; and

14 (5) the procurement is subject to the  
15 limitations of Sections 13-1-150 through 13-1-154 NMSA 1978."

16 SECTION 2. EFFECTIVE DATE.--The effective date of the  
17 provisions of this act is July 1, 2016.