

1 SENATE CORPORATIONS AND TRANSPORTATION COMMITTEE SUBSTITUTE FOR
2 SENATE BILLS 339 & 419

3
4 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**
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10 AN ACT

11 RELATING TO PROCUREMENT; INCREASING THE DOLLAR AMOUNT LIMITS
12 FOR MULTIPLE SOURCE CONTRACTS FOR PROCUREMENT OF ARCHITECTURAL
13 AND ENGINEERING SERVICES AND CONSTRUCTION AND FOR PURCHASE
14 ORDERS UNDER THOSE CONTRACTS.
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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

19 "13-1-154.1. MULTIPLE SOURCE CONTRACTS--ARCHITECTURAL AND
20 ENGINEERING SERVICES CONTRACTS--INDEFINITE QUANTITY
21 CONSTRUCTION CONTRACTS.--

22 A. A state agency or local public body may procure
23 multiple architectural or engineering services contracts for
24 multiple projects under a single qualifications-based request
25 for proposals; provided that the total amount of multiple

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1 contracts and all renewals for a single contractor does not
2 exceed [~~two million dollars (\$2,000,000)~~] six million dollars
3 (\$6,000,000) over four years and that a single contract,
4 including any renewals, does not exceed five hundred thousand
5 dollars (\$500,000).

6 B. A state agency or local public body may procure
7 multiple indefinite quantity construction contracts pursuant to
8 a price agreement for multiple projects under a single request
9 for proposals; provided that the total amount of a contract and
10 all renewals does not exceed [~~two million dollars (\$2,000,000)~~]
11 ten million dollars (\$10,000,000) over [~~four~~] three years and
12 the contract provides that any one purchase order under the
13 contract may not exceed [~~five hundred thousand dollars~~
14 ~~(\$500,000)~~] one million dollars (\$1,000,000).

15 C. A state agency or local public body may make
16 procurements in accordance with the provisions of Subsection A
17 or B of this section if:

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

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

1 of contract terms;

2 (3) each of the multiple contracts for
3 architectural or engineering services has a term not exceeding
4 four years, or for construction, [~~shall have~~] has a term not
5 exceeding [~~four~~] three years, each including all extensions and
6 renewals;

7 (4) a contract to be awarded pursuant to this
8 section to a firm that is currently performing under a contract
9 issued pursuant to this section will not cause the total amount
10 of all contracts issued pursuant to this section to that firm
11 to exceed [~~two million dollars (\$2,000,000)~~]:

12 (a) six million dollars (\$6,000,000) in
13 any four-year period for architectural or engineering [~~or~~
14 ~~construction~~] services; [~~and~~] or

15 (b) ten million dollars (\$10,000,000) in
16 any three-year period for construction; and

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

19 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
20 provisions of this act is July 1, 2017.