

1 SENATE BILL 69

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO PROCUREMENT; AMENDING A SECTION OF THE PROCUREMENT
12 CODE; REQUIRING REASONS FOR CERTAIN CANCELLATIONS OF
13 INVITATIONS FOR BIDS OR REQUESTS FOR PROPOSALS.

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

16 SECTION 1. Section 13-1-131 NMSA 1978 (being Laws 1984,
17 Chapter 65, Section 104, as amended) is amended to read:

18 "13-1-131. REJECTION OR CANCELLATION OF BIDS OR REQUESTS
19 FOR PROPOSALS--NEGOTIATIONS.--

20 A. An invitation for bids, a request for proposals
21 or any other solicitation may be canceled or any or all bids or
22 proposals may be rejected in whole or in part when it is in the
23 best interest of the state agency or a local public body. A
24 determination containing the reasons for cancellation shall be
25 made part of the procurement file. If no bids or proposals are

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underscoring material = new
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1 received or if all bids or proposals received are rejected and
2 if the invitation for ~~[bid]~~ bids or request for proposals was
3 for any tangible personal property, construction or service,
4 then a new ~~[invitations]~~ invitation for bids ~~[shall]~~ or request
5 for proposals may be [requested] issued.

6 B. If upon ~~[rebidding]~~ resoliciting for the
7 tangible personal property, construction or services the bids
8 or proposals received are unacceptable or if no bids or
9 proposals are secured, the central purchasing office may
10 purchase the tangible personal property, construction or
11 services in the open market at the best obtainable price;
12 provided that a determination containing the reasons for the
13 second cancellation shall also be made a part of the
14 procurement file; and provided further that the previous two
15 invitations for bids or requests for proposals were each posted
16 for at least thirty days before being canceled."

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