

1 HOUSE BILL 369

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 David M. Gallegos and Sheryl Williams Stapleton and Pete Campos

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10 AN ACT

11 RELATING TO PROCUREMENT; STRIKING LOCAL PUBLIC BODIES FROM  
12 PROVISIONS RELATING TO MULTIPLE SOURCE CONTRACTS.

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

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

17 "13-1-154.1. MULTIPLE SOURCE CONTRACTS--ARCHITECTURAL AND  
18 ENGINEERING SERVICES CONTRACTS--INDEFINITE QUANTITY  
19 CONSTRUCTION CONTRACTS.--

20 A. A state agency [~~or local public body~~] may  
21 procure multiple architectural or engineering services  
22 contracts for multiple projects under a single qualifications-  
23 based request for proposals; provided that the total amount of  
24 multiple contracts and all renewals for a single contractor  
25 does not exceed six million dollars (\$6,000,000) over four

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

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

11 C. A state agency [~~or local public body~~] may make  
12 procurements in accordance with the provisions of Subsection A  
13 or B of this section if:

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

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

23 (3) each of the multiple contracts for  
24 architectural or engineering services has a term not exceeding  
25 four years, or for construction, has a term not exceeding three

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1 years, each including all extensions and renewals;

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

7 (a) six million dollars (\$6,000,000) in  
8 any four-year period for architectural or engineering services;  
9 or

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

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

14 SECTION 2. EFFECTIVE DATE.--The effective date of the  
15 provisions of this act is July 1, 2019.

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