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AN ACT

RELATING TO PROCUREMENT; PROVIDING AN EXCEPTION FROM THE
PROCUREMENT CODE FOR MULTI-TERM CONTRACTS FOR PROFESSIONAL
SERVICES THAT INVOLVE A REGIONAL WATER PROJECT WITH AN
ESTIMATED COST OF MORE THAN FIVE HUNDRED MILLION DOLLARS
(\$500,000,000).

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

SECTION 1. Section 13-1-150 NMSA 1978 (being Laws 1984,
Chapter 65, Section 123, as amended) is amended to read:

"13-1-150. MULTI-TERM CONTRACTS--SPECIFIED PERIOD.--

A. A multi-term contract for items of tangible
personal property, construction or services except for
professional services, in an amount under twenty-five
thousand dollars (\$25,000), may be entered into for any
period of time deemed to be in the best interests of the
state agency or a local public body not to exceed four years;
provided that the term of the contract and conditions of
renewal or extension, if any, are included in the
specifications and funds are available for the first fiscal
period at the time of contracting. If the amount of the
contract is twenty-five thousand dollars (\$25,000) or more,
the term shall not exceed ten years, including all extensions
and renewals, except that for a contract entered into
pursuant to the Public Facility Energy Efficiency and Water

1 Conservation Act, the term shall not exceed twenty-five
2 years, including all extensions and renewals. Payment and
3 performance obligations for succeeding fiscal periods shall
4 be subject to the availability and appropriation of funds
5 therefor.

6 B. A contract for professional services may not
7 exceed four years, including all extensions and renewals,
8 except for the following:

9 (1) services required to support or operate
10 federally certified medicaid, financial assistance and child
11 support enforcement management information or payment
12 systems;

13 (2) services to design, develop or implement
14 the taxation and revenue information management systems
15 project authorized by Laws 1997, Chapter 125;

16 (3) a multi-term contract for the services
17 of trustees, escrow agents, registrars, paying agents, letter
18 of credit issuers and other forms of credit enhancement and
19 other similar services, excluding bond attorneys,
20 underwriters and financial advisors with regard to the
21 issuance, sale and delivery of public securities, may be for
22 the life of the securities or as long as the securities
23 remain outstanding;

24 (4) services relating to the implementation,
25 operation and administration of the Education Trust Act;

1 (5) services relating to measurement and
2 verification of conservation-related cost savings and utility
3 cost savings pursuant to the Public Facility Energy
4 Efficiency and Water Conservation Act;

5 (6) services relating to the design and
6 engineering of a state public works project:

7 (a) for a period not to exceed the
8 requisite time for project completion and a subsequent
9 warranty period; and

10 (b) upon approval of the secretary of
11 finance and administration; and

12 (7) services relating to the design and
13 engineering of a regional water project with an estimated
14 cost of more than five hundred million dollars
15 (\$500,000,000):

16 (a) for a period not to exceed the
17 requisite time for project completion and a subsequent
18 warranty period; and

19 (b) upon approval of the secretary of
20 finance and administration."