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SENATE BILL

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

David M. Gallegos and Pete Campos

AN ACT

RELATING TO PROCUREMENT; INCREASING THE TOTAL AMOUNT LIMIT ON
CONTRACTS FOR PROCUREMENT OF ARCHITECTURAL AND ENGINEERING
SERVICES AND CONSTRUCTION THAT STATE AGENCIES AND LOCAL PUBLIC
BODIES MAY ENTER INTO 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 or local public body may procure
multiple architectural or engineering services contracts for
multiple projects under a single qualifications-based request

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1 for proposals; provided that the total amount of multiple
2 contracts and all renewals for a single contractor does not
3 exceed [~~seven million five hundred thousand dollars~~
4 ~~(\$7,500,000)~~] fifteen million dollars (\$15,000,000) over four
5 years and that a single contract, including any renewals, does
6 not exceed [~~six hundred fifty thousand dollars (\$650,000)~~] two
7 million dollars (\$2,000,000).

8 B. A state agency or local public body may procure
9 multiple indefinite quantity construction contracts pursuant to
10 a price agreement for multiple projects under a single request
11 for proposals; provided that the total amount of a contract and
12 all renewals does not exceed [~~twelve million five hundred~~
13 ~~thousand dollars (\$12,500,000)~~] thirty million dollars
14 (\$30,000,000) over three years and the contract provides that
15 any one purchase order under the contract may not exceed [~~four~~
16 ~~million dollars (\$4,000,000)~~] ten million dollars
17 (\$10,000,000).

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

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

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

5 (3) each of the multiple contracts for
6 architectural or engineering services has a term not exceeding
7 four years, or for construction, has a term not exceeding three
8 years, each including all extensions and renewals.

9 D. A contract to be awarded pursuant to this
10 section to a firm that is currently performing under a contract
11 issued pursuant to this section shall not cause the total
12 amount of all contracts issued pursuant to this section to that
13 firm to exceed:

14 (1) [~~seven million five hundred thousand~~
15 ~~dollars (\$7,500,000)] fifteen million dollars (\$15,000,000) in
16 any four-year period for architectural or engineering services;
17 or~~

18 (2) [~~twelve million five hundred thousand~~
19 ~~dollars (\$12,500,000)] thirty million dollars (\$30,000,000) in
20 any three-year period for construction.~~

21 E. Procurement pursuant to this section is subject
22 to the limitations of Sections 13-1-150 through 13-1-154 NMSA
23 1978.

24 F. A state agency and a local public body, not
25 including an agency of the legislative or judicial branch of

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1 state government, shall report to the legislative finance
2 committee on an annual basis and to the purchasing division of
3 the general services department on, at minimum, a quarterly
4 basis the aggregate amount of contracts for each contractor and
5 the corresponding amounts to be spent under each multiple
6 source contract pursuant to this section. The general services
7 department may promulgate rules regarding reporting to the
8 department pursuant to this subsection."

9 SECTION 2. EFFECTIVE DATE.--The effective date of the
10 provisions of this act is July 1, 2024.