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**HOUSE BILL 244**

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

**INTRODUCED BY**

**Rick Miera**

**AN ACT**

**RELATING TO PROCUREMENT; ALLOWING CERTAIN MULTI-TERM EDUCATION-RELATED TESTING SERVICES CONTRACTS TO EXTEND BEYOND FOUR YEARS.**

**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 by Laws 2001, Chapter 247, Section 11 and by Laws 2001, Chapter 270, Section 1) 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

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1 term of the contract and conditions of renewal or extension, if  
2 any, are included in the specifications and funds are available  
3 for the first fiscal period at the time of contracting. If the  
4 amount of the contract is twenty-five thousand dollars  
5 (\$25,000) or more, the term shall not exceed eight years,  
6 including all extensions and renewals, except that for any such  
7 contract entered into pursuant to the Public ~~[Building]~~  
8 Facility Energy Efficiency and Water Conservation Act, the term  
9 shall not exceed ten years, including all extensions and  
10 renewals. Payment and performance obligations for succeeding  
11 fiscal periods shall be subject to the availability and  
12 appropriation of funds therefor.

13 B. A contract for professional services may not  
14 exceed four years, including all extensions and renewals,  
15 except for the following:

16 (1) services required to support or operate  
17 federally certified medicaid, financial assistance and child  
18 support enforcement management information or payment systems;

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

22 (3) a multi-term contract for the services of  
23 trustees, escrow agents, registrars, paying agents, letter of  
24 credit issuers and other forms of credit enhancement and other  
25 similar services, excluding bond attorneys, underwriters and

1 financial advisors with regard to the issuance, sale and  
2 delivery of public securities, may be for the life of the  
3 securities or as long as the securities remain outstanding;  
4 [~~and~~]

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

7 (5) services relating to the development and  
8 implementation of standardized tests for students in grades  
9 kindergarten through the twelfth grade and services relating to  
10 the development and implementation of teacher tests required to  
11 obtain professional licensure, which contracts may be for  
12 periods up to twelve years. "

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