

1 SENATE BILL 266

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Phil A. Griego

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10 AN ACT

11 RELATING TO PROCUREMENT; INCREASING THE DOLLAR AMOUNT LIMIT OF
12 MULTIPLE SOURCE CONTRACTS FOR PROCUREMENT OF ARCHITECTURAL OR
13 ENGINEERING SERVICES.

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

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

18 "13-1-154.1. MULTIPLE SOURCE CONTRACTS--ARCHITECTURAL AND
19 [~~DESIGN SERVICE~~] ENGINEERING SERVICES CONTRACTS--INDEFINITE
20 QUANTITY CONSTRUCTION CONTRACTS.--

21 A. A state agency may procure multiple
22 architectural or engineering [~~design service~~] services
23 contracts for multiple projects under a single qualifications-
24 based request for proposals; provided that the total amount of
25 [~~a contract~~] multiple contracts and all renewals for a single

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1 contractor does not exceed [~~two hundred thousand dollars~~
2 ~~(\$200,000)] two million dollars (\$2,000,000) over four years
3 and that a single contract, including any renewals, does not
4 exceed five hundred thousand dollars (\$500,000).~~

5 B. A state agency may procure multiple indefinite
6 quantity construction contracts pursuant to a price agreement
7 for multiple projects under a single request for proposals,
8 provided that the total amount of a contract and all renewals
9 does not exceed two million dollars (\$2,000,000) over four
10 years and the contract provides that any one purchase order
11 under the contract may not exceed five hundred thousand dollars
12 (\$500,000).

13 C. A state agency may make procurements in
14 accordance with the [~~provision~~] provisions of Subsection A or B
15 of this section if:

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

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

25 (3) each of the multiple contracts for

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1 ~~[professional design]~~ architectural or engineering services or
2 construction shall have a term not exceeding four years,
3 including all extensions and renewals;

4 (4) a contract ~~[shall not]~~ to be awarded
5 pursuant to this section to a firm that is currently performing
6 under a contract issued pursuant to this section ~~[if]~~ will not
7 cause the total amount of all contracts issued pursuant to this
8 section to that firm ~~[would]~~ to exceed

9 ~~[(a) two hundred thousand dollars~~
10 ~~(\$200,000) in any four-year period, for architectural or~~
11 ~~engineering design services; or~~

12 ~~(b)]~~ two million dollars (\$2,000,000) in
13 any four-year period for architectural, engineering or
14 construction services; and

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

17 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
18 provisions of this section is July 1, 2013.