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## FISCAL IMPACT REPORT

**SPONSOR** Campos **ORIGINAL DATE** 03/11/15  
**LAST UPDATED** \_\_\_\_\_ **HB** \_\_\_\_\_

**SHORT TITLE** Competitive Sealed Bid Electronic Initiation **SB** 624

**ANALYST** Dunbar

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

Responses Received From

Attorney General Office (AGO)

Responses Not Received From

General Services Department (GSD) a/o 1:30 Mar 11, 2015

### SUMMARY

#### Synopsis of Bill

Senate Bill 624 amends Section 13-1-104 of the Procurement Code, which governs the requirements for providing public notice of competitive sealed bids. Under Subsection A of Section 1, a central purchasing office would be required to electronically publish notice of an invitation for bid on the central purchasing office’s website. The term “central purchasing office” is defined in the Procurement Code as the “office within a state agency or a local public body responsible for the control of procurement of items of tangible personal property, services or construction.” NMSA 1978, § 13-1-37.

Subsection E of Section 1 deletes language that currently prohibits a central purchasing office from requiring that prospective bidders receive a notice of invitation for bids through electronic media.

**SIGNIFICANT ISSUES**

The AG indicates that it is unclear whether a central purchasing office is permitted to satisfy the notice requirements referenced in Section 13-1-104 through electronic means alone. If this is the intent, this change would potentially narrow the number of prospective bidders since it would effectively eliminate notice to prospective bidders who either didn't have an email address or who don't have reliable internet access.

BD/aml/je