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SENATE BILL 339

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

William H. Payne

AN ACT

RELATING TO PROCUREMENT; INCREASING THE DOLLAR AMOUNT LIMITS
FOR MULTIPLE SOURCE CONTRACTS FOR PROCUREMENT OF CONSTRUCTION
SERVICES 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 may procure multiple
architectural or engineering services contracts for multiple
projects under a single qualifications-based request for
proposals; provided that the total amount of multiple contracts
and all renewals for a single contractor does not exceed two

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

4 B. A state agency may procure multiple indefinite
5 quantity construction contracts pursuant to a price agreement
6 for multiple projects under a single request for proposals;
7 provided that the total amount of a contract and all renewals
8 does not exceed [~~two million dollars (\$2,000,000)~~] ten million
9 dollars (\$10,000,000) over [~~four~~] three years and the contract
10 provides that any one purchase order under the contract may not
11 exceed [~~five hundred thousand dollars (\$500,000)~~] one million
12 dollars (\$1,000,000).

13 C. A state agency may make procurements in
14 accordance with the provisions of Subsection A or B of this
15 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 architectural or engineering services or construction shall
2 have a term not exceeding four years, including all extensions
3 and renewals;

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

9 (a) two million dollars (\$2,000,000) in
10 any four-year period for architectural or engineering [~~or~~
11 ~~construction~~] services; [~~and~~] or

12 (b) ten million dollars (\$10,000,000) in
13 any three-year period for construction services; and

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

16 SECTION 2. EFFECTIVE DATE.--The effective date of the
17 provisions of this act is July 1, 2017.