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SENATE BILL 419

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

INTRODUCED BY
Joseph Cervantes

AN ACT

RELATING TO PUBLIC PURCHASES; AMENDING THE PROCUREMENT CODE TO
INCREASE CONTRACT LIMITS FOR MULTIPLE SOURCE CONTRACTS FOR
ARCHITECTURAL AND ENGINEERING SERVICES.

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
for proposals; provided that the total amount of multiple
contracts and all renewals for a single contractor does not

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1 exceed [~~two million dollars (\$2,000,000) over four years~~] six
2 million dollars (\$6,000,000) at any point in time and that a
3 single contract, including any renewals, does not exceed five
4 hundred thousand dollars (\$500,000).

5 B. A state agency or local public body may procure
6 multiple indefinite quantity construction contracts pursuant to
7 a price agreement for multiple projects under a single request
8 for proposals; provided that the total amount of a contract and
9 all renewals does not exceed [~~two million dollars (\$2,000,000)~~
10 ~~over four years~~] six million dollars (\$6,000,000) at any point
11 in time and the contract provides that any one purchase order
12 under the contract may not exceed five hundred thousand dollars
13 (\$500,000).

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

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

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

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1 (3) each of the multiple contracts for
2 architectural or engineering services or construction shall
3 have a term not exceeding four years, including all extensions
4 and renewals;

5 (4) a contract to be awarded pursuant to this
6 section to a firm that is currently performing under a contract
7 issued pursuant to this section will not cause the total amount
8 of all contracts issued pursuant to this section to that firm
9 to exceed [~~two million dollars (\$2,000,000) in any four-year~~
10 ~~period]~~ six million dollars (\$6,000,000) at any point in time
11 for architectural, engineering or construction services; and

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