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AN ACT

RELATING TO PROCUREMENT; EXTENDING THE TERM OF CERTAIN MULTI-TERM CONTRACTS.

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) 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 term of the contract and conditions of renewal or extension, if any, are included in the specifications and funds are available for the first fiscal period at the time of contracting. If the amount of the contract is twenty-five thousand dollars (\$25,000) or more, the term shall not exceed ten years, including all extensions and renewals, except that for a contract entered into pursuant to the Public Facility Energy Efficiency and Water Conservation Act, the term shall not exceed twenty-five years, including all extensions and renewals. Payment and performance obligations for succeeding fiscal periods shall

1 be subject to the availability and appropriation of funds
2 therefor.

3 B. A contract for professional services may not
4 exceed four years, including all extensions and renewals,
5 except for the following:

6 (1) services required to support or operate
7 federally certified medicaid, financial assistance and child
8 support enforcement management information or payment
9 systems;

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

13 (3) a multi-term contract for the services
14 of trustees, escrow agents, registrars, paying agents, letter
15 of credit issuers and other forms of credit enhancement and
16 other similar services, excluding bond attorneys,
17 underwriters and financial advisors with regard to the
18 issuance, sale and delivery of public securities, may be for
19 the life of the securities or as long as the securities
20 remain outstanding;

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

23 (5) services relating to measurement and
24 verification of conservation-related cost savings and utility
25 cost savings pursuant to the Public Facility Energy

1 Efficiency and Water Conservation Act; and

2 (6) services relating to the design and
3 engineering of a state public works project:

4 (a) for a period not to exceed the
5 requisite time for project completion and a subsequent
6 warranty period; and

7 (b) upon approval of the secretary of
8 finance and administration."

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