

HOUSE BILL 456

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

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AN ACT

RELATING TO PROCUREMENT; INCREASING THE LIMIT ON THE TOTAL AMOUNT ON CONTRACTS FOR PROCUREMENT OF ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION THAT STATE AGENCIES AND LOCAL PUBLIC BODIES MAY ENTER INTO AND FOR PURCHASE ORDERS UNDER THE 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 or local public body may procure multiple architectural or engineering services contracts for multiple projects under a single qualifications-based request

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1 for proposals; provided that the total amount of multiple
2 contracts and all renewals for a single contractor does not
3 exceed seven million five hundred thousand dollars (\$7,500,000)
4 over four years and that a single contract, including any
5 renewals, does not exceed [~~six hundred fifty thousand dollars~~
6 ~~(\$650,000)~~] two million dollars (\$2,000,000).

7 B. A state agency or local public body may procure
8 multiple indefinite quantity construction contracts pursuant to
9 a price agreement for multiple projects under a single request
10 for proposals; provided that the total amount of [~~a contract~~]
11 all contracts and all renewals does not exceed [~~twelve million~~
12 ~~five hundred thousand dollars (\$12,500,000) over three~~] thirty
13 million dollars (\$30,000,000) in a period of no more than ten
14 years and the contract provides that any one purchase order
15 under the contract may not exceed [~~four million dollars~~
16 ~~(\$4,000,000)~~] seven million dollars (\$7,000,000).

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

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

25 (2) there is a single selection process for

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1 all of the multiple contracts, except that for each contract
2 there may be a separate final list and a separate negotiation
3 of contract terms; and

4 (3) each of the multiple contracts for
5 architectural or engineering services has a term not exceeding
6 four years, or for construction, has a term not exceeding three
7 years, each including all extensions and renewals.

8 D. A contract to be awarded pursuant to this
9 section to a firm that is currently performing under a contract
10 issued pursuant to this section shall not cause the total
11 amount of all contracts issued pursuant to this section to that
12 firm to exceed:

13 (1) [~~seven million five hundred thousand~~
14 ~~dollars (\$7,500,000)~~] fifteen million dollars (\$15,000,000) in
15 any four-year period for architectural or engineering services;
16 or

17 (2) [~~twelve million five hundred thousand~~
18 ~~dollars (\$12,500,000)~~] thirty million dollars (\$30,000,000) in
19 any [~~three-year~~] ten-year period for construction.

20 E. Procurement pursuant to this section is subject
21 to the limitations of Sections 13-1-150 through 13-1-154 NMSA
22 1978.

23 F. A state agency and a local public body, not
24 including an agency of the legislative or judicial branch of
25 state government, shall report to the legislative finance

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1 committee on an annual basis and to the purchasing division of
2 the general services department on, at minimum, a quarterly
3 basis the aggregate amount of contracts for each contractor and
4 the corresponding amounts to be spent under each multiple
5 source contract pursuant to this section. The general services
6 department may promulgate rules regarding reporting to the
7 department pursuant to this subsection."

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