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AN ACT

RELATING TO MUNICIPAL PROCUREMENT; ENACTING A NEW SECTION OF
THE PROCUREMENT CODE THAT AUTHORIZES MUNICIPALITIES TO
CONTRACT DIRECTLY WITH WATER STORAGE TANK SERVICE PROVIDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Procurement Code is
enacted to read:

"WATER STORAGE TANK SERVICE CONTRACTS.--A municipality
may, by direct negotiation subsequent to receiving responses
to requests for proposals, enter into a multiyear service
contract for the engineering, repair and maintenance of a
water storage tank and the appurtenant facilities owned,
controlled or operated by the municipality; provided that the
contract for services includes provisions that:

A. provide that the municipality is not required
to make total payments in a single year that exceed the water
utility charges received by the municipality for that year;

B. require that the work be performed under the
review of a professional engineer licensed in New Mexico who
certifies that the work will be performed in compliance with
all applicable codes and engineering standards; and

C. provide that if, on the date of commencement of
the contract, the water storage tank or appurtenant
facilities require engineering, repair or service in order to

