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SENATE BILL 240

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO PROCUREMENT; REMOVING THE TOTAL AMOUNT LIMIT ON
MULTIPLE SOURCE CONTRACTS FOR PROCUREMENT OF ARCHITECTURAL AND
ENGINEERING SERVICES AND CONSTRUCTION THAT LOCAL PUBLIC BODIES
MAY ENTER INTO AND FOR PURCHASE ORDERS UNDER THOSE CONTRACTS;
DECLARING AN EMERGENCY.

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 for a state agency the total
2 amount of multiple contracts and all renewals for a single
3 contractor does not exceed six million dollars (\$6,000,000)
4 over four years and that a single contract, including any
5 renewals, does not exceed five hundred thousand dollars
6 (\$500,000).

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 for a state agency the total
11 amount of a contract and all renewals does not exceed ten
12 million dollars (\$10,000,000) over three years and the contract
13 provides that any one purchase order under the contract may not
14 exceed one million dollars (\$1,000,000).

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

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

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

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1 of contract terms; and

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

6 [~~4~~] D. A state agency may make procurements in
7 accordance with the provisions of Subsection A or B of this
8 section if a contract to be awarded pursuant to this section to
9 a firm that is currently performing under a contract issued
10 pursuant to this section will not cause the total amount of all
11 contracts issued pursuant to this section to that firm to
12 exceed:

13 [~~a~~] (1) six million dollars (\$6,000,000) in
14 any four-year period for architectural or engineering services;
15 or

16 [~~b~~] (2) ten million dollars (\$10,000,000) in
17 any three-year period for construction. [~~and~~

18 ~~5~~] E. The procurement is subject to the
19 limitations of Sections 13-1-150 through 13-1-154 NMSA 1978."

20 SECTION 2. EMERGENCY.--It is necessary for the public
21 peace, health and safety that this act take effect immediately.