

HOUSE LOCAL GOVERNMENT, LAND GRANTS AND CULTURAL AFFAIRS
COMMITTEE SUBSTITUTE FOR
HOUSE BILL 369

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

AN ACT

RELATING TO PROCUREMENT; RAISING THE DOLLAR LIMIT FOR CERTAIN
PURCHASE ORDERS FOR CONSTRUCTION PROJECTS.

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
exceed six million dollars (\$6,000,000) over four years and

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1 that a single contract, including any renewals, does not exceed
2 five hundred thousand dollars (\$500,000).

3 B. A state agency or local public body may procure
4 multiple indefinite quantity construction contracts pursuant to
5 a price agreement for multiple projects under a single request
6 for proposals; provided that the total amount of a contract and
7 all renewals does not exceed ten million dollars (\$10,000,000)
8 over three years and the contract provides that any one
9 purchase order under the contract may not exceed [~~one million~~
10 ~~dollars (\$1,000,000)~~] three million dollars (\$3,000,000).

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

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

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

23 (3) each of the multiple contracts for
24 architectural or engineering services has a term not exceeding
25 four years, or for construction, has a term not exceeding three

1 years, each including all extensions and renewals;

2 (4) a contract to be awarded pursuant to this
3 section to a firm that is currently performing under a contract
4 issued pursuant to this section will not cause the total amount
5 of all contracts issued pursuant to this section to that firm
6 to exceed:

7 (a) six million dollars (\$6,000,000) in
8 any four-year period for architectural or engineering services;
9 or

10 (b) ten million dollars (\$10,000,000) in
11 any three-year period for construction; and

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

14 SECTION 2. EFFECTIVE DATE.--The effective date of the
15 provisions of this act is July 1, 2019.

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