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AN ACT

RELATING TO PROCUREMENT; INCREASING THE TOTAL AMOUNT LIMIT ON
MULTIPLE SOURCE 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 THOSE CONTRACTS; REQUIRING REPORTING; 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
for proposals; provided that the total amount of multiple
contracts and all renewals for a single contractor does not
exceed seven million five hundred thousand dollars
(\$7,500,000) over four years and that a single contract,
including any renewals, does not exceed six hundred fifty
thousand dollars (\$650,000).

B. A state agency or local public body may procure
multiple indefinite quantity construction contracts pursuant

1 to a price agreement for multiple projects under a single
2 request for proposals; provided that the total amount of a
3 contract and all renewals does not exceed twelve million five
4 hundred thousand dollars (\$12,500,000) over three years and
5 the contract provides that any one purchase order under the
6 contract may not exceed four million dollars (\$4,000,000).

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

10 (1) the advertisement and request for
11 proposals states that multiple contracts may or will be
12 awarded, states the number of contracts that may or will be
13 awarded and describes the services or construction to be
14 performed under each contract;

15 (2) there is a single selection process for
16 all of the multiple contracts, except that for each contract
17 there may be a separate final list and a separate negotiation
18 of contract terms; and

19 (3) each of the multiple contracts for
20 architectural or engineering services has a term not
21 exceeding four years, or for construction, has a term not
22 exceeding three years, each including all extensions and
23 renewals.

24 D. A contract to be awarded pursuant to this
25 section to a firm that is currently performing under a

1 contract issued pursuant to this section shall not cause the
2 total amount of all contracts issued pursuant to this section
3 to that firm to exceed:

4 (1) seven million five hundred thousand
5 dollars (\$7,500,000) in any four-year period for
6 architectural or engineering services; or

7 (2) twelve million five hundred thousand
8 dollars (\$12,500,000) in any three-year period for
9 construction.

10 E. Procurement pursuant to this section is subject
11 to the limitations of Sections 13-1-150 through 13-1-154 NMSA
12 1978.

13 F. A state agency and a local public body, not
14 including an agency of the legislative or judicial branch of
15 state government, shall report to the legislative finance
16 committee on an annual basis and to the purchasing division
17 of the general services department on, at minimum, a
18 quarterly basis the aggregate amount of contracts for each
19 contractor and the corresponding amounts to be spent under
20 each multiple source contract pursuant to this section. The
21 general services department may promulgate rules regarding
22 reporting to the department pursuant to this subsection."

23 SECTION 2. EMERGENCY.--It is necessary for the public
24 peace, health and safety that this act take effect
25 immediately. _____