

1 AN ACT
2 RELATING TO PROCUREMENT; INCREASING THE LIMIT ON THE TOTAL
3 AMOUNT ON CONTRACTS FOR PROCUREMENT OF ARCHITECTURAL AND
4 ENGINEERING SERVICES AND CONSTRUCTION THAT STATE AGENCIES AND
5 LOCAL PUBLIC BODIES MAY ENTER INTO AND FOR PURCHASE ORDERS
6 UNDER THE CONTRACTS.
7

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

9 SECTION 1. Section 13-1-154.1 NMSA 1978 (being Laws
10 2007, Chapter 312, Section 1, as amended) is amended to read:

11 "13-1-154.1. MULTIPLE SOURCE CONTRACTS--ARCHITECTURAL
12 AND ENGINEERING SERVICES CONTRACTS--INDEFINITE QUANTITY
13 CONSTRUCTION CONTRACTS.--

14 A. A state agency or local public body may procure
15 multiple architectural or engineering services contracts for
16 multiple projects under a single qualifications-based request
17 for proposals; provided that the total amount of multiple
18 contracts and all renewals for a single contractor does not
19 exceed seven million five hundred thousand dollars
20 (\$7,500,000) over four years and that a single contract,
21 including any renewals, does not exceed two million dollars
22 (\$2,000,000).

23 B. A state agency or local public body may procure
24 multiple indefinite quantity construction contracts pursuant
25 to a price agreement for multiple projects under a single

1 request for proposals; provided that the total amount of all
2 contracts and all renewals does not exceed thirty million
3 dollars (\$30,000,000) in a period of no more than ten years
4 and the contract provides that any one purchase order under
5 the contract may not exceed seven million dollars
6 (\$7,000,000).

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) fifteen million dollars (\$15,000,000) in
5 any four-year period for architectural or engineering
6 services; or

7 (2) thirty million dollars (\$30,000,000) in
8 any ten-year period for construction.

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

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