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SENATE BILL 215

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO PROCUREMENT; AMENDING THE PROCUREMENT CODE TO APPLY  
EXISTING DESIGN AND BUILD PROJECT DELIVERY AUTHORITY FOR ROAD  
AND HIGHWAY PROJECTS TO FEDERAL-AID HIGHWAYS.

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

**SECTION 1.** Section 13-1-119.2 NMSA 1978 (being Laws 2009,  
Chapter 207, Section 1) is amended to read:

"13-1-119.2. DESIGN AND BUILD PROCUREMENT FOR CERTAIN  
TRANSPORTATION PROJECTS.--Notwithstanding any prohibition on  
road and highway construction or reconstruction projects in  
Section 13-1-119.1 NMSA 1978, the department of transportation  
may use a design and build project delivery system pursuant to  
Section 13-1-119.1 NMSA 1978 for projects with a maximum  
allowable construction cost of more than fifty million dollars  
(\$50,000,000) funded in whole or in part by ~~the grants~~

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~~programs of the federal American Recovery and Reinvestment Act~~  
~~of 2009]~~ federal-aid highway funds."

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