

SENATE BILL 69

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

INTRODUCED BY

Daniel A. Ivey-Soto

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO PROCUREMENT; AMENDING A SECTION OF THE PROCUREMENT CODE; REQUIRING REASONS FOR CERTAIN CANCELLATIONS OF INVITATIONS FOR BIDS OR REQUESTS FOR PROPOSALS.

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

SECTION 1. Section 13-1-131 NMSA 1978 (being Laws 1984, Chapter 65, Section 104, as amended) is amended to read:

"13-1-131. REJECTION OR CANCELLATION OF BIDS OR REQUESTS FOR PROPOSALS--NEGOTIATIONS.--

A. An invitation for bids, a request for proposals

.209339.2

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or any other solicitation may be canceled or any or all bids or proposals may be rejected in whole or in part when it is in the best interest of the state agency or a local public body. A determination containing the reasons for cancellation shall be made part of the procurement file. If no bids or proposals are received or if all bids or proposals received are rejected and if the invitation for ~~[bid]~~ bids or request for proposals was for any tangible personal property, construction or service, then a new ~~[invitations]~~ invitation for bids ~~[shall]~~ or request for proposals may be ~~[requested]~~ issued.

B. If upon ~~[rebidding]~~ resoliciting for the tangible personal property, construction or services the bids or proposals received are unacceptable or if no bids or proposals are secured, the central purchasing office may purchase the tangible personal property, construction or services in the open market at the best obtainable price; provided that a determination containing the reasons for the second cancellation shall also be made a part of the procurement file; and provided further that the SCORC ~~two invitations for bids or requests for proposals were each posted~~ second invitation for bids or request for proposals was posted ~~←~~ SCORC for at least thirty days before being canceled."