

1 HOUSE BILL 391

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Linda M. Trujillo

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10 AN ACT

11 RELATING TO PROCUREMENT; CLARIFYING THE REQUIREMENT FOR POSTING
12 NOTICE OF SOLE SOURCE CONTRACTS ON THE INTERNET TO INCLUDE THE
13 STATE PURCHASING AGENT'S WEBSITE.

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

16 SECTION 1. Section 13-1-126.1 NMSA 1978 (being Laws 2013,
17 Chapter 40, Section 6) is amended to read:

18 "13-1-126.1. SOLE SOURCE CONTRACTS--NOTICE--PROTEST.--

19 A. At least thirty days before a sole source
20 contract is awarded, the state purchasing agent, a central
21 purchasing office, including a central purchasing office of a
22 local public body, or a designee of either shall post notice of
23 the intent to award a sole source contract on ~~[its web site]~~
24 the central purchasing office's website. A central purchasing
25 office in the executive, legislative or judicial branch of

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1 state government shall also post the notice, or a link to the
2 notice, on the state purchasing agent's website. If a central
3 purchasing office, including a central purchasing office of a
4 local public body, does not maintain a [~~web site~~] website, it
5 shall post the notice on the state purchasing agent's [~~web~~
6 ~~site~~] website. The notice shall identify at a minimum:

- 7 (1) the parties to the proposed contract;
8 (2) the nature and quantity of the service,
9 construction or item of tangible personal property being
10 contracted for; and
11 (3) the contract amount.

12 B. Any qualified potential contractor who was not
13 awarded a sole source contract may protest to the state
14 purchasing agent or a central purchasing office. The protest
15 shall be submitted in writing within fifteen calendar days of
16 the notice of intent to award a contract being posted by the
17 state purchasing agent or a central purchasing office."

18 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
19 provisions of this act is July 1, 2017.