

LFC Requester:	Anne Hanika-Ortiz
-----------------------	--------------------------

**AGENCY BILL ANALYSIS
2015 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original	<input checked="" type="checkbox"/>	Amendment	<input type="checkbox"/>	Date	<u>2/25/2015</u>
Correction	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Bill No:	<u>SB661</u>

Sponsor:	<u>Senator Joseph Cervantes</u>	Agency Code:	<u>Attorney General's Office</u>
Short	<u>Ed. Facility & Construction</u>	Person Writing	<u>Carla C. Martinez</u>
Title:	<u>Manager At Risk</u>	Phone:	<u>827-6776</u>
		Email	<u>cmartinez@nmag.gov</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
n/a	n/a		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		
n/a	n/a	n/a		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	n/a	n/a	n/a	n/a		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

BILL SUMMARY

Synopsis:

Senate Bill 661 would remove the educational facility restrictions from the Educational Facility Construction Manager At Risk Act and would rename the Act Construction Manager At Risk Act. The bill proposes that the Act may be used for contracts for the construction of state facilities (rather than educational facilities) if the governing authority chooses to use the services of a construction manager at risk. The bill would also require governing authorities and state agencies to place in the request for competitive sealed proposals that “(1) a proposal’s price shall be assigned a weight of at least fifty percent but no more than seventy percent for purposes of evaluating all competitive sealed proposals; and (2) when a proposal’s price exceeds by more than seven percent the average price of all competitive sealed proposals received pursuant to the request, the price shall be deemed to be outside of the competitive range and the proposal shall be eliminated from consideration.”

Further, the bill would require the secretary of general services to promulgate rules for the implementation of the Construction Manager At Risk Act.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

Unknown fiscal implications to the General Services Department to implement the contents of this bill.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS

Status quo