

**DONA ANA COUNTY RESOLUTION NO. 2021- 42****3<sup>rd</sup> AMENDMENT TO RESOLUTION NO. 2006-111  
PURCHASING POLICIES AND PROCEDURES**

**WHEREAS**, the Board of Commissioners of Ana County approved and adopted Resolution No. 2006-111 establishing Purchasing Policies and Procedures to be utilized in the procurement of goods, services, and construction by County elected officials, departments, agencies, employees and other users authorized to make purchases from public funds budgeted, administered or controlled by, or otherwise under the supervision of Dona Ana County government at the October 11, 2006 meeting; and

**WHEREAS**, the policies and procedures contained within Resolution No. 2006-111 were intended to compliment and be consistent with the provisions of the New Mexico constitution and statutes, including the State Procurement Code, §13-1-28 et seq. NMSA 1978; and

**WHEREAS**, the New Mexico State Procurement Code NMSA 1978 was amended increasing small purchase limits effective July 1, 2013; and

**WHEREAS**, the Board of County Commissioners of Dona Ana County "the Board" desires to amend the County's Purchasing Policies and Procedures to increase the County's small purchase limits to the same amounts as the New Mexico State Procurement Code NMSA 1978; and

**NOW, THEREFORE, THE BOARD HEREBY RESOLVES** to amend Resolution No. 2006-111 as follows:

**2.6 Competitive Purchases**

Purchases shall be made at the best possible prices and in accordance with the following procedures:

**A. Purchases Not Exceeding \$20,000, plus Applicable Gross Receipts Tax (GRT)**

Requests involving dollar amounts not exceeding \$20,000, plus applicable GRT, may be processed without formal written quotations. These purchases should be procured at the best obtainable price, considering time, cost and effort of obtaining the purchase. Quotations are normally solicited by telephone. The department for auditor's inspection shall maintain records of such purchases. Purchases shall not be artificially divided for the purpose of qualifying as a purchase under this section.

**B. Purchases Exceeding \$20,000 But Less Than \$60,000, plus Applicable Gross Receipts Tax (GRT)**

Requests involving dollar amounts exceeding \$20,000 but not exceeding \$60,000, plus applicable GRT, may be processed with three (3) formal written quotations. Written quotations obtained from a vendor must be written on vendor letterhead, vendor invoice, vendor web site, vendor catalogue or vendor e-mail. Such quotations as "does not carry" or "did not return my phone call" do not qualify as a valid written quotation. In the case where three (3) obtainable quotes are not obtainable, the department shall contact Purchasing to assist in locating another source for a written quote. Written quotations received will be submitted to the Purchasing Department. These purchases should be procured at the best obtainable price. Purchases shall not be artificially divided for the purpose of qualifying as a purchase under this section.

If a vendor has an agreement or contract with the County to provide tangible personal property or service, multiple quotations are not required.

**C. Purchases Exceeding \$60,000, plus Applicable Gross Receipts Tax (GRT)**

All purchases exceeding \$60,000 require competitive sealed bids or requests for proposal. The procedures for competitive sealed bids or requests for proposal are specified by the State of New Mexico Procurement Code and shall be processed and executed by the Purchasing Department.

As provided for in Doña Ana County Board Resolution 2021-42, the County Manager shall have the authority to award Bids/Requests for Proposal not exceeding \$100,000, provided sufficient funds have been approved in the current fiscal year budget and the purchase will be completed in the current fiscal year.

The Board of County Commissioners shall award Bids/Requests for Proposal exceeding \$100,000.

**E. State or Federal Purchasing Contracts and Cooperative Bid Exceptions**

The bidding process may be waived in cases where a vendor has a current State Purchasing Contract, General Services Agency (GSA) Contract, or Contract with another Government entity ("piggy backing"). Also, the County may purchase items cooperatively through another public body's bid process consistent with State Statutes.

As provided for in Doña Ana County Board Resolution 2021-42, the County Manager will have signature authority to enter into short-term contracts (current fiscal year) for purchase of goods and services \$100,000 or less per project/purchase order procured through these existing contracts. Funding for these purchases must have been approved in current budget.

The Board of County Commissioners shall approve purchases exceeding \$100,000 utilizing an existing contract.

**2.8 Professional Services**

“Professional Services” means the services of architects, archeologist, engineers, surveyors, landscape architects, medical arts practitioners, scientists, management and systems analysts, certified public accountants, registered public accountants, lawyers, psychologists, planners, researchers, construction managers and other persons or businesses providing similar professional services, which may be designated as such by a determination issued by the state purchasing agent or a central purchasing office (NMSA 1978 § 13-1-76). In order for the Purchasing Department to make a determination as to whether or not a service qualifies as “professional”, a potential provider may be requested to provide credentials such as proof of an advanced degree, specialized certification and/or training, and a list of references.

**A. Professional Services Not Exceeding \$60,000, plus Applicable Gross Receipts Tax (GRT)**

User departments are encouraged to contact at least three businesses for written or verbal offers before selecting a contractor. The Purchasing Department shall negotiate a contract for the required services at a fair and reasonable price (NMAC 1.4.1.52).

As provided for in Doña Ana County Board Resolution 2021-42, the County Manager has contract signature authority for \$100,000 or less.

**B. Professional Services Exceeding \$60,000, plus Applicable Gross Receipts Tax (GRT)**

All Professional Services purchases exceeding \$60,000, plus applicable GRT require a competitive request for proposal. The procedures for competitive requests for proposal are specified by the State of New Mexico Procurement Code and shall be processed and executed by the Purchasing Department.

As provided for in Doña Ana County Board Resolution 2021-42 the County Manager shall have the authority to award Bid/Request for Proposal not exceeding \$100,000, provided funds have been approved in the current fiscal year budget and the purchase will be completed in the current fiscal year. The Board of County Commissioners shall award Bids/Requests for Proposal Exceeding \$100,000.



**BOARD OF COUNTY COMMISSIONERS OF  
DOÑA ANA COUNTY, NEW MEXICO**

*[Signature]*  
\_\_\_\_\_  
Manuel A. Sanchez, District 5, Chairperson For/Against

*[Signature]*  
\_\_\_\_\_  
Diana Murillo-Trujillo, District 2, Vice Chairperson  For/Against

*[Signature]*  
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Lynn J. Ellins, District 1  For/Against

*[Handwritten Signature]*  
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 Shannon Reynolds, District 3 For/Against

*[Handwritten Signature]*  
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 Susana Chaparro, District 4 For/Against

ATTEST:

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Amanda Lopez Asst. Ph. Clerk  
 County Clerk

*[Handwritten Signature]*  
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 BY, Brandi B Delgado  
 Deputy Clerk

