



SPONSOR:

BILL: _____

INTRODUCE MEMORIAL THAT AMENDS THE NEW MEXICO PROCURMENT CODE NMSA 1978, § 13-1-21, et seq. (2012) TO REQUIRE BIDS INCLUDE PAY EQUITY DISCLOSURES AND BEST PRACTICES.

On December 18, 2009, then Governor Bill Richardson signed Executive Order 2009-049, "Fair and Equal Pay for all New Mexicans." The Order required that a working group consisting of certain cabinet secretaries or designees develop definitions and reporting format requirements for contractors responding to request for proposals. These definitions and requirements were to be used to create a system of scoring pay equity in the evaluation of requests for proposals. Governor Susana Martinez has not implemented this Order as written.

The Board of County Commissioners of the County of Bernalillo has passed Administrative Resolution No. AR-2013-62. In the Resolution the Commission expressed its desire to establish a policy to collect and disclose pay equity documentation for all vendors awarded a contract through the formal solicitation process, the sole source procurement process, and all professional service contracts.

The Implementation of Resolution No. AR-2013-62 would be facilitated by this amendment to the State Procurement Code. The County follows the State Procurement Code for the procurement of items of tangible personal property, services and construction. NMSA 1978, § 13-1-30 (2005). Currently, the State Procurement Code does not require bidders to provide information regarding pay equity in their responses to requests for proposals.

The County seeks an amendment of the State Procurement Code that would complement its policy to collect and disclose pay equity documentation from all vendors awarded a contract under the Code. Moreover, the County would like an amendment to supplement its authority to create procurement guidelines to address its contractors' gender pay gaps not due to job-related factors. These amendments would allow the County to implement its Resolution AR 2013-62.

Fifty First Legislature, Second Session, 2014

AR 2014-2, #11.Legal.Pay Equity Disclosure
House #
Senate #
Commission #