

TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 24, 2025

Second Regular Session, 2025

H. B. 24-69

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A BILL FOR AN ACT

To amend Title 70, Subchapter 70-30.3 of the Northern Mariana Islands Administrative Code by adding a new section to authorize Indefinite-Delivery, Indefinite-Quantity Contracts; and for other purposes.

**BE IT ENACTED BY THE 24<sup>TH</sup> NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:**

1           **Section 1. Short Title.** This Act shall be known and may be cited as “The  
2 Indefinite-Delivery, Indefinite-Quantity (IDIQ) Contracting Act of 2025.”

3           **Section 2. Findings and Purpose.** The Legislature finds that in order to  
4 increase efficiency, flexibility, and cost-effectiveness in public procurement, the  
5 Commonwealth needs a contracting vehicle that allows for the acquisition of  
6 supplies and services when the exact timing and quantity of future needs cannot be  
7 precisely determined. The Legislature further finds that establishing a formal  
8 framework for Indefinite-Delivery, Indefinite-Quantity (IDIQ) contracts will  
9 provide government agencies with a powerful tool to streamline procurement  
10 processes, respond to evolving needs, and reduce administrative burdens by  
11 allowing for the issuance of multiple task and delivery orders under a single,  
12 competitively awarded contract. The purpose of this Act is to amend the Northern

1 Mariana Islands Administrative Code to provide such a framework.

2           **Section 3. Amendment.** NMIAC Title 70, Subchapter 70-30.3 is hereby  
3 amended by adding a new section, to be designated as § 70-30.3-237, to read as  
4 follows:

5           **“Part 200 Source Selection and Contract Formation**

6           **Subpart A Source Selection**

7           **§ 70-30.3-237 Indefinite-Delivery, Indefinite-Quantity Contracts**

8           (a) Definitions. For the purpose of this section, the following definitions  
9 shall apply:

10                   (1) "Delivery Order" means an order issued by the Commonwealth  
11 under an IDIQ contract for supplies.

12                   (2) "Indefinite-Delivery, Indefinite-Quantity (IDIQ) Contract"  
13 means a contract that provides for an indefinite quantity of services or  
14 supplies to be delivered during a fixed period, as required, and which sets  
15 forth a pre-negotiated or pre-established pricing structure. The  
16 government is obligated to order a stated minimum quantity of supplies  
17 or services, and the contractor is obligated to furnish all quantities ordered  
18 up to a stated maximum.

19                   (3) "Task Order" means an order issued by the Commonwealth  
20 under an IDIQ contract for services.

21           (b) General Policy. An IDIQ contract may be used to procure supplies or

1 services when the Commonwealth cannot predetermine, above a specified  
2 minimum, the precise quantities of supplies or services that will be  
3 required during the contract period.

4 (c) Contract Types and Limitations.

5 (1) An IDIQ contract may be awarded as a single-award contract or  
6 a multiple-award contract. The award of a single-award contract is subject  
7 to a written determination by the Chief Procurement Officer that a single  
8 award is in the best interest of the Commonwealth, considering factors  
9 such as market research, contract administration costs, and whether the  
10 nature of the requirements necessitates a single provider.

11 (2) Every IDIQ contract shall include a stated minimum and  
12 maximum quantity or dollar value of supplies or services that the  
13 Commonwealth may order. The minimum quantity or dollar value must  
14 be of a size that is more than a nominal amount but not so large that it is  
15 likely to exceed the Commonwealth's requirements.

16 (3) IDIQ contracts shall not be used to circumvent competition or to  
17 make indefinite or vague commitments.

18 (d) Ordering Procedures for Multiple-Award Contracts.

19 (1) When a multiple-award IDIQ contract is in place, all awardees  
20 must be afforded a fair opportunity to be considered for each task or  
21 delivery order that exceeds the simplified acquisition threshold, unless an

1 exception is documented and approved in writing.

2 (2) The determination of which awardee receives a particular task or  
3 delivery order shall be based on a documented evaluation of factors,  
4 including, but not limited to, price, past performance on similar orders,  
5 technical approach, and delivery schedule. The criteria for award shall be  
6 stated in the request for quote or task/delivery order request.

7 (3) Orders under the simplified acquisition threshold may be placed  
8 with any awardee without seeking further competition, provided the  
9 Procurement Officer maintains a record of the rationale for the selection.

10 (e) Period of Performance.

11 (1) The period of performance for an IDIQ contract shall not exceed  
12 five (5) years, including all options.

13 (2) The contract shall specify a base period and may include a series  
14 of option periods, not to exceed the total five-year limitation”

15 **Section 4. Severability.** If any provision of this Act or the application of  
16 any such provision to any person or circumstance should be held invalid by a court  
17 of competent jurisdiction, the remainder of this Act or the application of its  
18 provisions to persons or circumstances other than those to which it is held invalid  
19 shall not be affected thereby.

20 **Section 5. Savings Clause.** This Act and any repealer contained herein  
21 shall not be construed as affecting any existing right acquired under contract or

1 acquired under statutes repealed or under any rule, regulation, or order adopted  
2 under the statutes. Repealers contained in this Act shall not affect any proceeding  
3 instituted under or pursuant to prior law. The enactment of the Act shall not have  
4 the effect of terminating, or in any way modifying, any liability, civil or criminal,  
5 which shall already be in existence on the date this Act becomes effective.

6 **Section 6. Effective Date.** This Act shall take effect upon its approval by  
7 the Governor, or its becoming law without such approval.

Prefiled: 10/17/2025

Date: \_\_\_\_\_

Introduced by: \_\_\_\_\_

Rep. Marissa R. Flores

Reviewed for Legal Sufficiency by:

Joseph S. Day  
House Legal Counsel

Date: 10-17-25