

**State of New Mexico- Public School Facilities Authority  
Job Description**

<b>Employee Name</b>		<b>Employee ID</b>	
<b>Job Title</b>	<b>Staff Attorney</b>		
<b>SHARE Title</b>	<b>Attorney</b>	<b>Position No:</b>	
<b>Reports to</b>	<b>Executive Director</b>	<b>Position No:</b>	<b>00052626</b>
<b>Job Code</b>	<b>7085</b>	<b>Pay Grade</b>	<b>30</b>
<b>Revision Date</b>	<b>1.3.2018</b>	<b>Revised by</b>	<b>JC, CC, LS</b>

**Job Purpose:**

Works independently with minimum supervision, the staff attorney drafts, negotiates, and manages contracts for the State of New Mexico Public School Facilities Authority (PSFA). Applies a broad knowledge of law and agency programs, incumbent will draft, review, and evaluate legal documents and contracts, regulations, policies, and interpret laws and statutes. This position serves as the organization’s Chief Procurement Officer for procurement issues and procedures in accordance with New Mexico Procurement Code. Serves as the agency’s expert on negotiations, extensions, terminations, and renegotiations of contracts, as appropriate. Ensures consistency and compliance with applicable laws, regulations, internal contracting policies, and acceptable contract terms and conditions. The Staff Attorney will provide technical guidance, contract negotiation services, directly oversees work of the contract administrator, and will assist with any legal, statutory, or regulatory matter as needed.

**Duties and Responsibilities:**

- Serves as Chief Procurement Officer to carry out the duties as defined by the NM Procurement Code and state procurement regulation; obtains and maintains certification as required.
- Works closely with administration staff, vendors, and districts, and is expected to provide professional support to accomplish the procurement and contracting needs of the agency according to the guidelines established by the state procurement code and applicable agency procurement guidelines.
- Understands and can apply specific guidelines and E-rate funded procurement and contracts. Ensures procurements and contracts are solicited, awarded and administered in accordance with the NM Procurement Code, the New Mexico Administration Code (NMAC) , the Government Accountability Office (GAO), and applicable federal regulations.
- Reviews and evaluates requisitions and purchase requests for a variety of contracts which may require special handling provisions or other specialized terms and conditions.
- Demonstrates highest ethical standards understanding and performance – is able to prevent and/or resolve conflicts of interest to assure ethical policies are being followed for appropriate contracts or purchases, regardless of funding obligations.
- Ensures appropriate funding and required waivers, certifications, approvals, and compliance have been obtained for purchase requests.
- Provides guidance in the development of statements of work; trains, and assists, Contract Administrator in the monitoring, evaluation, and trouble-shooting of awarded contracts where needed.
- Serves as Chief Contracting Officer and displays and applies technical knowledge and skills of the varied markets coupled with sound, contracting methods to ensure timely compliance with state policies and regulations in the planning, solicitation and award of contracts.
- Recommends or issues changes and supplemental agreements to contracts, highlighting conditions which could jeopardize contract performance. Negotiates, manages and prepares contract modifications, proposal analysis, contractual agreements and decision documents to achieve most favorable terms.

- Establishes effective working relationships and provides accurate advice and assistance to staff, vendors, districts, and managers whenever information is needed or issues need to be resolved so that contractual actions are complete, effective, coordinated, and well-researched.
- Provide training for new staff in agency, State, and Federal protocols for procurement contracts.
- Ability to construct contracting clauses, terms, and conditions to follow lawful standards set by Federal and State guidelines to meet the needs of the agency.
- Participates in the formulation, development, implementation, and revision of contracting and procurement policies, procedures, and strategies for the agency, as appropriate.
- Performs risk analysis in selecting appropriate solicitation and contracting documents and approaches.
- Facilitates proposal evaluation teams, related report-writing, and contract negotiations.
- Prepares and delivers professional presentations as needed.
- Takes appropriate actions to meet contract closeout requirements.
- Processes terminations on defaulted contract efforts, providing justification documentation
- Expertise in state and federal laws with regards to contract terms, including the Federal Acquisition Regulations (FAR).
- Assist management with general employment law concerns, contracts, claims and creating employment policies.
- Advising the agency on legal matters involving a particular subject matter (e.g., procurement, legislation, employment/personnel issues, ethics).
- Performs miscellaneous job-related duties as assigned.

**Knowledge, Skills, and Abilities:**

- High level of confidentiality.
- Fully understands New Mexico Administrative Code (NMAC) applicable to a wide range of complex contract types.
- Expertise in state and federal laws with regards to contract terms, employment law, including the Federal Acquisition Regulations (FAR).
- Documents clear, concise, and technically accurate memoranda, letters, decisions, and documents minutes of meetings or reports that support contractual actions or recommendations and distributes in a timely manner.
- Knowledge of the methods and techniques of fact-finding, analysis, and resolution of complex problems, and the ability to develop concrete action plans to solve problems.
- Ability to exercise a high degree of independent judgment to make complex operating, administrative, and procedural decisions
- Pursues designated internal training to maximize contracting proficiency.
- Ability to apply precedents found in government contracting case law to specific contracting situations to assure that legally binding contracting officer decisions are legally binding, consistent, justifiable and will be upheld if protested or appealed.
- Knowledge of the legal requirements and principles of government purchasing, budgeting, accounting, finance and contract administration.
- Knowledge of project management principles, practices, techniques, and tools.
- Knowledge of the operating practices of construction, architectural, and building firms.
- Knowledge of construction contract documents, specifications, and related professional services.
- Ability to communicate effectively, both verbally and in writing as demonstrated through effective negotiations and comprehensive documentation.
- Ability to work independently with minimal supervision
- Ability to collaborate with various external parties to meet contract requirements and outcomes
- Experience supervising support staff in an agency.

- Ability to provide legal advice, counsel, and/or representation to agency on legal matters with employment law, legal, statutory, or regulatory matter
- Skill in organizing resources and establishing priorities.
- Skills in workflow analysis and management.
- Ability to assess contract compliance and product/service quality.
- Ability to foster a cooperative work environment.
- Ability to identify measures or indicators of system performance and the actions needed to improve or correct performance, relative to the goals of the system.
- Strong interpersonal and communication skills and the ability to work effectively with a wide range of constituencies in a diverse state.

**Minimum Education and Experience:**

A Juris Doctorate and active member of the New Mexico State Bar Association. Five to seven years' experience directly related to government or construction contracting contracts or the duties and responsibilities specified. Experience or education may be substituted for one another at the discretion of the Director.

**Licenses/Certifications Required:**

Must maintain active membership in the American Bar Association/NM State Bar Association. Must obtain/maintain a Chief Procurement Officer certification. Professional certifications such as CPPO, CPPB, CPM or CPCM are beneficial, but not necessary at this time. Must maintain a valid Driver's License.

**Working Conditions**

Work is normally performed in a typical interior/office work environment. Work involves minimal exposure to unusual elements, such as extreme temperatures, dirt, dust, fumes, unpleasant odors, and/or loud noises. Some potential exists for exposure to hazards or physical risks which require following basic safety precautions.

**Physical Effort**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. While performing the duties of this job, the employee is regularly required to talk or hear. The employee is frequently required to stand; walk; use hands to finger, handle or feel; and reach with hands and arms. The work is primarily performed in a typical office environment with periods of time at work-sites, off-site work may be required for pre-bid conferences and to resolve contract administrative matters. The employee is regularly required to stand or sit and move about the facility.

**Supplemental Information**

Other Requirements: State travel is required occasionally. Must possess and maintain a valid New Mexico driver's license.

Job Type: Full Time

Base of Operations: Albuquerque, NM

Closing Date: February 28, 2018

**Disclaimer**

This job description is intended to describe the general nature and level of work being performed by the employee assigned to this position. The description is not to be construed as an extensive list of all responsibilities, duties, and skills required of the employee. The agency director reserves the rights to add, modify, change or rescind the work assignments and to make reasonable accommodations so that

qualified employees can perform the essential functions of the job. This job description does not change the “at-will” employment relationship as indicated in the Policies for Governor Exempt Employees and the Exempt Position Statement. All personnel may be required to perform duties outside of their normal responsibilities at the discretion of the director.

Public School Facilities Authority is a state agency that offers excellent benefits, including membership in the Public Employees Retirement Association of NM. Send resume to: HR at PSFA, 1312 Basehart Rd. SE, Suite #200, Albuquerque, NM 87106-4365 or e-mail to [HR@nmopsfa.org](mailto:HR@nmopsfa.org) Website: [www.nmopsfa.org](http://www.nmopsfa.org)

**Signatures**

This job description has been approved by all levels of management:

Manager \_\_\_\_\_ Date \_\_\_\_\_

HR \_\_\_\_\_ Date \_\_\_\_\_

Employee signature below constitutes employee's understanding of the requirements, essential functions and duties of the position.

Employee \_\_\_\_\_ Date \_\_\_\_\_