Docusign Envelope ID: 8CF1316A-B729-8A68-811A-52C99B7F246F

NMAC Transmittal Form

NEW MEXICO State Records Center and Archives
COMMISSION OF PUBLIC RECORDS
Your Access to Public Information

FILED WITH STATE [illegible]
2026 NOV -2 AM 11:51

Volume: XXXVII Issue: 23 Publication date: 12/8/2026 Number of pages: 1 (ALD Use Only) Sequence No.

Issuing agency name and address: Department of Information Technology, P.O. Box 22550, Santa Fe, 87502-2550

Agency DFA code: 361

Contact person's name: David Pardo

Phone number: 505-660-9714

E-mail address: david.pardo@doit.nm.gov

Type of rule action:

New ☐ Amendment ☐ Repeal ☑ Emergency ☐ Renumber ☐

(ALD Use) Recent filing date:

Title number: 1

Title name: General Government Administration

Chapter number: 12

Chapter name: Information Technology

Part number: 5

Part name: Oversight of Information Technology Projects

Amendment description (If filing an amendment):

Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference?

Yes ☐ No ☐

Please list attachments or Internet sites if applicable.

https://www.doit.nm.gov/newsroom/notice-of-proposed-rule making-100004459

If materials are attached, has copyright permission been received? Yes ☐ No ☐ Public domain X

Specific statutory or other authority authorizing rulemaking:

NMSA 1978, 9-27-6(C)

Notice date(s): 5/19/2026

Hearing date(s): 7/15/2026

Rule adoption date: 10/30/2026

Rule effective date: 12/8/2026

Docusign Envelope ID: 8CF1316A-B729-8A68-811A-52C99B7F246F

Concise Explanatory Statement For Rulemaking Adoption:

FILED WITH
STATE [illegible]
2026 NOV -2 AM 11:51

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;

- Reasons for any change between the published proposed rule and the final rule; and

- Reasons for not accepting substantive arguments made through public comment.

The Department of Information Technology (DoIT) adopts the repeal and replacement of 1.12.5 NMAC, Oversight of Information Technology Projects, and 1.12.9 NMAC, Project Certification of Technology Projects, pursuant to NMSA 1978, Section 9-27-6(C).

Reasons for Adoption and Agency Analysis

The rules were adopted to modernize and update the Department's project oversight and certification framework to reflect current statutory authority, organizational structure, and information technology project management practices. The previous rules contained outdated references, definitions, and certification processes that no longer reflected how DoIT performs its oversight and certification responsibilities.

DoIT conducted an internal review of existing project oversight and certification practices and compared those practices against the existing rules. That review demonstrated the need to clarify responsibilities, streamline certification procedures, remove obsolete provisions, update terminology, and align the rules with current operational processes. The adopted rules improve consistency between project oversight and certification requirements while continuing to ensure appropriate review of information technology projects undertaken by executive agencies.

Reasons for Changes Between the Published Proposed Rules and the Final Rules

Following review of written comments and the Hearing Officer's recommendations, DoIT made several revisions to the proposed rules prior to final adoption. These revisions were logical outgrowths of the proposed rules and were made to improve consistency, clarity, and statutory conformity.

The final rules:

-Removed definitions that conflicted with existing statutory definitions or were unnecessary, including definitions for "agency," "validation," and "verification."
-Added a definition for "office" in 1.12.9 NMAC and revised terminology to provide consistency between 1.12.5 NMAC and 1.12.9 NMAC.
-Corrected typographical and drafting inconsistencies regarding references to the project development lifecycle.
-Replaced certain lifecycle definitions to ensure consistent usage throughout both rules.
-Removed outdated references to the Information Technology Commission and replaced the remaining reference with "state CIO."
-Revised Section 1.12.9.8(C) to expressly require verification that projects have been reviewed by the Legislative Finance Committee or the Department of Finance and Administration, consistent with the Hearing Officer's recommendation and in recognition of comments regarding fiscal oversight.

These revisions responded to issues raised during the public comment process and improved clarity without altering the fundamental purpose or scope of the proposed rules.
Reasons for Not Accepting Substantive Arguments Made Through Public Comment

DoIT carefully considered all written comments submitted by the Legislative Finance Committee, the Health Care Authority, and the Office of Broadband Access and Expansion.

Several commenters requested modifications related to separate certification processes for federally funded projects, expedited certification procedures, performance bond requirements, and additional codification of agency-specific operational practices. DoIT did not adopt these suggestions because the Department determined that its statutory authority does not provide different certification standards based on funding source and that the proposed rules already provide sufficient flexibility to administer project oversight and certification. DoIT further determined that many of the requested clarifications concerned operational procedures that are more appropriately addressed through guidance, standards, or administrative practices rather than rule text.

Commenters also raised concerns regarding the reduction of the certification review threshold from $1,000,000 to $100,000 and the elimination of the prior committee-based certification process. DoIT determined that these changes appropriately reflect the Department's current practices and statutory responsibilities. The Department explained that certification review of projects exceeding $100,000 has been conducted as a matter of practice since 2021 and that the revised certification process is intended to reduce administrative burden while maintaining appropriate oversight. With respect to committee participation, DoIT concluded that the rule should preserve flexibility while retaining fiscal review through verification of review by the Legislative Finance Committee or Department of Finance and Administration as reflected in the final rule.

After considering all comments, the Department concluded that the adopted revisions adequately addressed warranted concerns and that no additional changes were necessary to accomplish the purposes of the rulemaking.

Issuing authority (If delegated, authority letter must be on file with ALD):
Name:

Manny Barreras

Check if authority has been delegated ☐

Title:

Cabinet Secretary

Signature: (BLACK ink only OR Digital Signature)

Signed by:
Manny Barreras
[illegible]

Date signed:

10/30/2026

FILED WITH
STATE [illegible]
2026 NOV -2 AM 11:52

The New Mexico Department of Information Technology approved a repeal of its rule 1.12.5 NMAC - Oversight of Information Technology Projects, filed 9/30/2005, and replace it with 1.12.5 NMAC - Oversight of Information Technology Projects, rule effective December 8, 2026.

Docusign Envelope ID: 8CF1316A-B729-8A68-811A-52C99B7F246F

FILED WITH STATE [illegible]
2026 NOV -2 AM 11:52

NMAC Transmittal Form

NEW MEXICO State Records Center and Archives
COMMISSION OF PUBLIC RECORDS
Your Access to Public Information

Volume: XXXVII **Issue:** 23 **Publication date:** 12/8/2026 **Number of pages:** 3 **(ALD Use Only) Sequence No.**

Issuing agency name and address: Department of Information Technology, P.O. Box 22550, Santa Fe, 87502-2550

Agency DFA code: 361

Contact person's name: David Pardo

Phone number: 505-660-9714

E-mail address: david.pardo@doit.nm.gov

Type of rule action:

New ✓ **Amendment** ☐ **Repeal** ☐ **Emergency** ☐ **Renumber** ☐

(ALD Use) Recent filing date:

Title number: 1

Title name: General Government Administration

Chapter number: 12

Chapter name: Information Technology

Part number: 5

Part name: Oversight of Information Technology Projects

Amendment description (If filing an amendment):

Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference?

Yes ☐ **No** ☐

Please list attachments or Internet sites if applicable.

https://www.doit.nm.gov/newsroom/notice-of-proposed-rule making-100004459

If materials are attached, has copyright permission been received? **Yes** ☐ **No** ☐ **Public domain** X

Specific statutory or other authority authorizing rulemaking:

NMSA 1978, 9-27-6(C)

Notice date(s): 5/19/2026

Hearing date(s): 7/15/2026

Rule adoption date: 10/30/2026

Rule effective date: 12/8/2026

Docusign Envelope ID: 8CF1316A-B729-8A68-811A-52C99B7F246F

Concise Explanatory Statement For Rulemaking Adoption:

FILED WITH
STATE [illegible]
2026 NOV -2 AM 11:52

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;

- Reasons for any change between the published proposed rule and the final rule; and

- Reasons for not accepting substantive arguments made through public comment.

The Department of Information Technology (DoIT) adopts the repeal and replacement of 1.12.5 NMAC, Oversight of Information Technology Projects, and 1.12.9 NMAC, Project Certification of Technology Projects, pursuant to NMSA 1978, Section 9-27-6(C).

Reasons for Adoption and Agency Analysis

The rules were adopted to modernize and update the Department's project oversight and certification framework to reflect current statutory authority, organizational structure, and information technology project management practices. The previous rules contained outdated references, definitions, and certification processes that no longer reflected how DoIT performs its oversight and certification responsibilities.

DoIT conducted an internal review of existing project oversight and certification practices and compared those practices against the existing rules. That review demonstrated the need to clarify responsibilities, streamline certification procedures, remove obsolete provisions, update terminology, and align the rules with current operational processes. The adopted rules improve consistency between project oversight and certification requirements while continuing to ensure appropriate review of information technology projects undertaken by executive agencies.

Reasons for Changes Between the Published Proposed Rules and the Final Rules

Following review of written comments and the Hearing Officer's recommendations, DoIT made several revisions to the proposed rules prior to final adoption. These revisions were logical outgrowths of the proposed rules and were made to improve consistency, clarity, and statutory conformity.

The final rules:

-Removed definitions that conflicted with existing statutory definitions or were unnecessary, including definitions for "agency," "validation," and "verification."
-Added a definition for "office" in 1.12.9 NMAC and revised terminology to provide consistency between 1.12.5 NMAC and 1.12.9 NMAC.
-Corrected typographical and drafting inconsistencies regarding references to the project development lifecycle.
-Replaced certain lifecycle definitions to ensure consistent usage throughout both rules.
-Removed outdated references to the Information Technology Commission and replaced the remaining reference with "state CIO."
-Revised Section 1.12.9.9(C) to expressly require verification that projects have been reviewed by the Legislative Finance Committee or the Department of Finance and Administration, consistent with the Hearing Officer's recommendation and in recognition of comments regarding fiscal oversight.

These revisions responded to issues raised during the public comment process and improved clarity without altering the fundamental purpose or scope of the proposed rules.

Reasons for Not Accepting Substantive Arguments Made Through Public Comment

DoIT carefully considered all written comments submitted by the Legislative Finance Committee, the Health Care Authority, and the Office of Broadband Access and Expansion.

Several commenters requested modifications related to separate certification processes for federally funded projects, expedited certification procedures, performance bond requirements, and additional codification of agency-specific operational practices. DoIT did not adopt these suggestions because the Department determined that its statutory authority does not provide different certification standards based on funding source and that the proposed rules already provide sufficient flexibility to administer project oversight and certification. DoIT further determined that many of the requested clarifications concerned operational procedures that are more appropriately addressed through guidance, standards, or administrative practices rather than rule text.

Commenters also raised concerns regarding the reduction of the certification review threshold from $1,000,000 to $100,000 and the elimination of the prior committee-based certification process. DoIT determined that these changes appropriately reflect the Department's current practices and statutory responsibilities. The Department explained that certification review of projects exceeding $100,000 has been conducted as a matter of practice since 2021 and that the revised certification process is intended to reduce administrative burden while maintaining appropriate oversight. With respect to committee participation, DoIT concluded that the rule should preserve flexibility while retaining fiscal review through verification of review by the Legislative Finance Committee or Department of Finance and Administration as reflected in the final rule.

After considering all comments, the Department concluded that the adopted revisions adequately addressed warranted concerns and that no additional changes were necessary to accomplish the purposes of the rulemaking.

Issuing authority (If delegated, authority letter must be on file with ALD):
Name:

Manny Barreras

Check if authority has been delegated ☐

Title:

Cabinet Secretary

Signature: (BLACK ink only OR Digital Signature)

Signed by:
Manny Barreras
32A0D0593DCTC493...

Date signed:

10/30/2026

FILED WITH
STATE
2026 NOV -2 AM 11:52

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 12 INFORMATION TECHNOLOGY
PART 5 OVERSIGHT OF INFORMATION TECHNOLOGY PROJECTS

1.12.5.1 ISSUING AGENCY: Department of Information Technology.
[1.12.5.1 NMAC - Rp 1.12.5.1 NMAC, 12/08/2026]

1.12.5.2 SCOPE: This rule applies to the oversight of all information technology projects undertaken by executive agencies.
[1.12.5.2 NMAC - Rp 1.12.5.2 NMAC, 12/08/2026]

1.12.5.3 STATUTORY AUTHORITY: Paragraph (5) of Subsection B, Paragraphs (11)-(13) of Subsection C, J and K of Section 9-27-6 NMSA 1978.
[1.12.5.3 NMAC - Rp 1.12.5.3 NMAC, 12/08/2026]

1.12.5.4 DURATION: Permanent.
[1.12.5.4 NMAC - Rp 1.12.5.4 NMAC, 12/08/2026]

1.12.5.5 EFFECTIVE DATE: December 8, 2026, unless a later date is cited at the end of a section.
[1.12.5.5 NMAC - Rp 1.12.5.5 NMAC, 12/08/2026]

1.12.5.6 OBJECTIVE: The purpose of this rule is to set forth agency and DoIT project management oversight responsibilities.
[1.12.5.6 NMAC - Rp 1.12.5.6 NMAC, 12/08/2026]

1.12.5.7 DEFINITIONS:

A. "Agency project manager" means a qualified person from the lead agency responsible for all aspects of the project over the entire project management lifecycle (initiate, plan, execute, control, close). Must be familiar with project scope and objectives, as well as effectively coordinate the activities of the team. In addition, responsible for developing the project plan and project schedule with the project team to ensure timely completion of the project. Interfaces with all areas affected by the project including end users, distributors, and vendors. Ensures adherence to the best practices and standards of the office.

B. "Executive sponsor" is the person or group that provides the financial resources, in cash or kind, for the project.

C. "Lead agency" of a multi-agency project is the agency that is indicated as lead agency in the General Appropriations Act or as designated by the office. In the case that a single agency sponsors a project then that agency shall be known as the lead agency.

D. "Office" means the office of the state chief information officer.

E. "Office project manager" means a qualified person from the office responsible for working with the agency project manager on all aspects of the project over the entire project management lifecycle (initiate, plan, execute, control, close). Must be familiar with project scope and objectives, as well as effectively coordinate the activities of the team. In addition, provides oversight of the project plan and project schedule with the agency project manager, to ensure timely completion of the project. Interfaces with all areas affected by the project including end users, distributors, and vendors. Ensures adherence to the best practices and standards of the office.

F. "Oversight" means a continuous process of project review and evaluation to ensure that project objectives are achieved in accordance with an approved project plan and project schedule and that IT projects are in scope, on time and within budget.

G. "Product development lifecycle" is a series of sequential, non-overlapping phases comprised of iterative disciplines such as requirements, analysis and design, implementation, test, and deployment implemented to build a product or develop a service.

H. "Project" means a temporary process undertaken to solve a well-defined goal or objective with clearly defined start and end times, a set of clearly defined tasks, and a budget. The project terminates once the project scope is achieved and project approval is given by the project executive sponsor and verified by the office.

I. "Project director" means a qualified person from the lead agency whose responsibility is to manage a series of related projects.

FILED WITH
STATE [illegible]
2026 NOV -2 AM 11:52

J. **"Project management plan"** is a formal document approved by the executive sponsor and the office and developed in the plan phase used to manage both project execution, control, and project close. The primary uses of the project plan are to document planning assumptions and decisions, facilitate communication among stakeholders, and documents approved scope, cost, and schedule baselines. A project plan includes at least other plans for issue escalation, change control, communications, deliverable review and acceptance, staff acquisition, and risk management.

K. **"Project product"** means the final project deliverable as defined in the project plan meeting all agreed and approved acceptance criteria.

L. **"Project schedule"** is a tool used to indicate the planned dates, dependencies, and assigned resources for performing activities and for meeting milestones.

M. **"Qualified"** means demonstrated experience managing IT projects. Demonstrated experience includes exhibiting the ability to apply project management methodology to maintain projects on time, on budget, and on schedule. Qualified also includes those employees who have the demonstrated ability to manage resources, lead people to accomplishing project objectives and who possess a working knowledge of the project scope.

N. **"Quality"** means the degree to which a system, system component, or process meets specified requirements, customer needs, and user expectations.

O. **"Quality assurance"** means a planned and systematic pattern of all actions necessary to provide adequate confidence that a product or system component conforms to established requirements.

[1.12.5.7 NMAC - Rp 1.12.5.7 NMAC, 12/08/2026]

1.12.5.8 PROJECT MANAGEMENT METHODOLOGY:

A. All IT projects shall be managed:

(1) using a qualified agency project manager in coordination with an office project manager;

(2) using a formal project management methodology, processes, and techniques approved by the office; and

(3) by analyzing and monitoring risk at periodic intervals during the project management lifecycle, and mitigating risks before they negatively impact the IT project schedule, scope, or budget.

B. During the project management lifecycle, agencies shall select and implement a phase product development lifecycle methodology approved by the office.

C. The project budget must be documented in the project management plan by the phases and by deliverable.

[1.12.5.8 NMAC - Rp 1.12.5.8 NMAC, 12/08/2026]

1.12.5.9 LEAD AGENCY RESPONSIBILITIES:

A. A lead agency shall perform the following functions.

(1) Manage its own information technology (IT) projects and project resources, in coordination with an office project manager, and use the state project management methodology for planning, executing, and controlling the project.

(2) Appoint a qualified state employee as the lead project manager and if applicable a project director. If the agency hires a contract project manager, the lead project manager/director shall be responsible for ensuring that the consulting firm or contract project manager is managed to the best interests of the state.

(3) Provide to the office all project management and product deliverables. Deliverables shall include but not limited to the project plan, project schedule, initial and periodic risk assessments, quality strategies and plan, periodic project status reports, requirement and design documents for all projects. The lead agency must make available all deliverables for office review.

(4) Prepare and submit a written project status report at least monthly to the office, and more frequently at the request of the office.

(5) Prepare a written risk assessment report at the inception of a project and at the end of each product development lifecycle phase or more frequently for large and high-risk projects. Each risk assessment shall be included as a project activity in the project schedule.

(6) Develop and provide quality strategies in compliance with the office best practices and standards.

B. The lead agency shall fully cooperate and seek the assistance of the office regarding the planning and execution of IT projects.

[1.12.5.9 NMAC - Rp 1.12.5.9 NMAC, 12/08/2026]

FILED WITH
STATE
2026 NOV -2 AM 11:52

1.12.5.10 RESPONSIBILITIES OF THE OFFICE: The office shall:

A. provide oversight of all IT projects;

B. review agency IT plans;

C. make recommendations to state CIO regarding prudent allocation of IT resources, reduction of redundant data, hardware, and software, and improve interoperability and data accessibility between agencies;

D. approve agency RFPs, contract vendor requests and IT contracts including amendments, emergency procurements, sole source contracts and price agreements;

E. recommend procedure and rules to the state CIO to improve oversight of IT procurement;

F. monitor agency compliance and report to the governor, state CIO and agency management on noncompliance;

G. review IT cost recovery mechanisms and rate structures and make recommendations to the state CIO;

H. provide technical support to agencies for IT plan development;

I. review appropriation requests to ensure compliance with agency plans and the strategic plan;

J. monitor the progress of agency IT projects, including ensuring adequate project management, risk management and disaster recovery practices;

K. submit project portfolio status reports to the state CIO; and

L. recommend IT project funding as required by law.

[1.12.5.10 NMAC - Rp 1.12.5.10 NMAC, 12/08/2026]

1.12.5.11 REPORTING REQUIREMENTS:

A. Project status reports. For all projects that require office oversight, the lead agency project manager shall submit an agency approved project status report on a monthly basis to the office.

B. The office requires all projects subject to oversight to engage with an office project manager. In conjunction with an office project manager, the agency project manager shall ensure that the following activities are performed.

(1) Prepare an initial risk assessment report at project inception. This assessment will include recommended mitigation activity to reduce the impact and probability of the identified risk.

(2) Prepare initial status report at project inception to disclose the effectiveness of project management and whether the documented project activities are meeting the objectives set forth by project.

(3) Prepare interim reports based on the phases as indicated within the project schedule. Included in the report will be an evaluation on whether product development requirements are being met, project management is effective, continuing risk analysis, and how the project is implementing previous recommended risk mitigation strategies.

(4) Prepare a post implementation assessment at project close to indicate whether project objectives were met based on the project's scope and acceptance criteria.

(5) Submit each risk assessment report, status report, interim report, and post-implementation assessment report to the office within five business days of each deliverable due date as indicated on the project schedule. All reports must be submitted to the agency heads and the office.

[1.12.5.11 NMAC - Rp 1.12.5.11 NMAC, 12/08/2026]

HISTORY OF 1.12.5 NMAC:

History of Repealed Material:

1.12.5 NMAC, Oversight of Project and Program Management and Certification (filed 8/30/2000) and amendment (filed 4/30/2004) is repealed effective 9/30/2005.

1.12.5 NMAC, Oversight of Information Technology Projects (filed 9/30/2005) is replaced with 1.12.5 NMAC, Oversight of Information Technology Projects, effective 12/08/2026.

NMAC History:

1.12.5 NMAC, Oversight of Project and Program Management and Certification (filed 8/30/2000) and amendment (filed 4/30/2004) is replaced with 1.12.5 NMAC, Oversight of Information Technology Projects, effective 9/30/2005.

1.12.5 NMAC, Oversight of Information Technology Projects (filed 9/30/2005) is replaced with 1.12.5 NMAC, Oversight of Information Technology Projects, effective 12/08/2026.