BEFORE THE NEW MEXICO DEPARTMENT OF INFORMATION TECHNOLOGY

IN THE MATTER OF A PROPOSED REPEAL	)
AND REPLACEMENT FOR 1.12.5 NMAC	)
OVERSIGHT OF INFORMATION TECHNOLOGY	)
PROJECTS, AND 1.12.9 NMAC PROJECT	)
CERTIFICATION OF TECHNOLOGY PROJECTS	)

HEARING OFFICER'S FINDINGS CONCLUSIONS AND RECOMMENDATIONS

THIS MATTER came before the New Mexico Department of Information Technology ("DoIT") following a public hearing for comment pursuant to the Notice of Public Rulemaking ("NOPR") published as required by law.

The Hearing Officers, having reviewed the NOPR and the proposed rule, having conducted a public hearing, having reviewed the written comments submitted to the docket, and being otherwise fully informed in the premises, makes the following findings, conclusions, and recommendations:

FINDINGS:

1. The Secretary of Information Technology ("Secretary") serves as the State's Chief Information Officer ("CIO"), pursuant to NMSA §9-27-5.
2. The Secretary has jurisdiction over the subject matter pursuant to NMSA §9-27-6(C).
3. The Secretary designed Cassandra Brulotte as Hearing Officer to preside over this matter.
4. DoIT issued a NOPR and published the NOPR in the New Mexico Register, Volume XXXVII, Issue 10, on the DoIT Website, and the New Mexico Sunshine Portal, on May 19, 2026.
5. The NOPR gave notice of a public hearing, scheduled for July 10, 2026, to accept oral comments on the proposed rule.
6. The NOPR informed the parties and the public of the process by which the Hearing Officer would conduct the hearing and how the public could make comments on the proposed rule for consideration.
7. The NOPR further advised that a copy of the full text of the proposed rule was available on the DoIT website or the New Mexico Sunshine Portal.
8. The purpose of the repeal and replacement is to update the rules governing information technology oversight and certification to reflect current practices and statutory authority.

9. Statutory authority for promulgation of the rule is found at NMSA §9-27-6(C).
10. On July 10, 2026, DoIT conduct the public hearing.
11. No oral comments were provided at the hearing.
12. Written comments on the proposed replacement rules were timely submitted to DoIT by the Legislative Finance Committee (LFC), the Health Care Authority (HCA), and the Office of Broadband Access and Expansion (OBAE).
13. The Hearing Officer provided ten (10) days for the submission of response comments.
14. Timely response comments were submitted by DoIT.
15. All comments have been made part of the record.
16. Although there appears to be no New Mexico case law addressing the issue, federal courts have recognized that administrative agencies may make changes in the proposed rule after the comment period without a new round of hearings, as long as the final rule is a "logical outgrowth" of the proposed rule. "A final rule qualifies as a logical outgrowth if interested parties should have anticipated that the change was possible, and thus reasonably should have filed their comments on the subject during the notice-and-comment period." *Market Synergy Group, Inc. v. U.S. Dep't of Labor*, 885 F.3d 676, 681 (10th Cir. 2018); *Zen Magnets, LLC v. Consumer Prod. Safety Comm'n*, 841 F.3d 1141, 1154 (10th Cir., 2016).
17. HCA submitted comments requesting the following changes:
    a. Definitions be updated for consistency and clarity;
    b. References to the Information Technology Commission (ITC) be removed;
    c. Consideration for a different oversight process when there is federal funding or other external oversight;
    d. Clarification as to what would trigger oversight for a project under $100,000.
    e. Using DoIT throughout the rule, instead of office;
    f. Establish guidelines regarding performance bonds;
    g. Create an expedited certification process;
    h. Clarify the appeals process;
    i. Clarification regarding roles and responsibilities between DoIT staff and agency staff;

j. Clarification regarding federal oversight standards and potential conflict between state and federal expectations; and
k. An acknowledgement that DoIT staff may not be able to access deliverables if they contain protected health information, personally identifiable information, or federal tax information.

18. DoIT submitted the following responses to HCA comments:
    a. Acknowledging that some definitions were relics from the prior rule;
    b. Stating that definitions should be read consistently through code;
    c. Acknowledging that references to the historical ITC remained in the rule,
    d. Stating that the change in financial threshold was done to reflect current best practice, as DoIT has been providing certification for technology projects under $1,000,000 since 2021. DoIT further clarified that the overall changes to the process would decrease administrative burden on agencies, not increase them.
    e. Stating that statutory authority to provide certification held no dollar threshold, or limitation related to federal funding.
    f. Explaining that the removal of the committee-based process eliminated that need for an expedited or emergency process;
    g. Explaining that state security requirements either meet or exceed all federal requirements, ensuring no conflict with federally funded projects.
    h. Stating that the language regarding appeals had not been updated.
    i. Stating that DoIT adheres to agency policies with regards to information access.

19. Based on the comments and response, the hearing officer recommends the following changes to the proposed rule:
    a. The reference to the "chair of the ITC" in 1.12.9.11(D) should be removed, and replaced with "State CIO."
    b. The definition for "Agency" in 1.12.5.7(A) and 1.12.9.7(A) be removed due to conflict with the definition at NMSA §9-27-3(A).
    c. The definition for "validation" at 1.12.5.7 (Q) and 1.12.9.7(L) be removed.
    d. The definition for "verification" at 1.12.5.7(R) and 1.12.9.7 (M) be removed.

e. The typographical error in definition for “project development life cycle” at 1.12.5.7(H) be corrected to read “project development lifecycle” in accordance with the phrasing used throughout the rule.
f. The definition for “project lifecycle” at 1.12.9.7(F) be replaced with the definition for “project development lifecycle” found in 1.12.5.7(H) to ensure consistency throughout the rule.
g. The word “development” should be inserted before “lifecycle” at 1.12.9.10(B) to ensure consistent phrasing throughout the rule.
h. A definition for “office” mirroring that found in 1.12.5.7 should be added to 1.12.9.7 to reflect the use of the word “office” in the rule.

20. The DoIT addressed all other requests by the HCA for clarification in the responsive comment, and as neither agency proposed or requested textual changes, the hearing officer does not recommend changes to codify the stated clarifications.
21. OBAE submitted a comment in opposition to the proposed lowering of the threshold for review from $1,000,000 to $100,000, with no consideration for distinct treatment of federally funded projects.
22. The DoIT responded to the comment explaining that current practice already mandates review for information technology projects that are expected to cost over $100,000, and arguing that the statutory authority for oversight of these projects contains no financial threshold or distinct treatment for federally funded projects. The DoIT further explained that the state certification for federally funded projects would not be administratively burdensome because “much of the same information” would be required.
23. The hearing officer notes that the HCA comment included similar concerns about the duplication of efforts with federally funded information technology projects that are subject to significant federal oversight.
24. No comment provided details in the record regarding the federal certification or oversight process for information technology projects receiving federal funding.
25. No comment provided suggestions as to which steps in the proposed state certification process that may be appropriate to eliminate, truncate, or otherwise alter to avoid duplication of work or unnecessary administrative burden for federally funded projects.

26. The record contains insufficient information for the Hearing Officer to recommend any changes regarding oversight of federally funded information technology projects.
27. The LFC submitted a comment in opposition to the structural changes contemplated by the rule, specifically in the elimination of the committee structure in certification.
28. The LFC's comment highlighted the historical importance of LFC and Department of Finance Administration ("DFA") expertise in committee decisions that ensured proper utilization of state funding. The LFC highlighted the distinction between DoIT's technical and project expertise, and the financial expertise of LFC and DFA, and requested that DoIT consider alternative proposals to ensure the oversight maintained best practices.
29. DoIT responded to the LFC noting that DFA and LFC participation in the certification process has historically been at the discretion of the DoIT.
30. DoIT noted that the proposed rule changes do not preclude the DoIT Secretary from continuing to include DFA and LCF, and stated the intent to "establish criteria for project phasing, which involves DFA and LFC review and certification of the proper funding sources."
31. Neither comment identified a specific point to include DFA and LFC review and certification.
32. The hearing officer recommends that 1.12.9.9(C) be amended to reflect the aforementioned intent as follows:

    C. Verification. The office shall verify that the project has been reviewed for compliance:

        (1) By the Legislative Finance Committee or Department of Finance Administration; and

        (2) With architectural standards, when appropriate.

CONCLUSIONS:

A. The Secretary has jurisdiction over this matter pursuant to the Department of Information Technology Act.
B. DoIT caused a NOPR to be published on May 19, 2026 in compliance with NMSA §14-4-5.2.
C. The NOPR provided interested persons and the public appropriate notice of the hearing and the opportunity to offer comments.

D. The Hearing Officer has considered all comments.

E. The proposed repeal and replacement rule should be adopted, with changes set forth above.

WHEREFORE, in light of the findings and conclusions above, the Hearing Officer **RECOMMENDS** that the Secretary should sign a Final Order that adopts the proposed repeal and replacement rule attached hereto as Exhibit A.

Issued at Albuquerque, New Mexico, the 9th Day of September, 2026.

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Cassandra Brulotte
Hearing Officer

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, 10/01/2026]

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, 10/01/2026]

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, 10/01/2026]

1.12.5.4 DURATION: Permanent.
[1.12.5.4 NMAC - Rp 1.12.5.4 NMAC, 10/01/2026]

1.12.5.5 EFFECTIVE DATE: October 1, 2026, unless a later date is cited at the end of a section.
[1.12.5.5 NMAC - Rp 1.12.5.5 NMAC, 10/01/2026]

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, 10/01/2026]

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.

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, 10/01/2026]

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, 10/01/2026]

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, 10/01/2026]

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, 10/01/2026]

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, 10/01/2026]

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 10/01/2026.

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 10/01/2026.

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 12 INFORMATION TECHNOLOGY
PART 9 PROJECT CERTIFICATION OF TECHNOLOGY PROJECTS

1.12.9.1 ISSUING AGENCY: Department of Information Technology.
[1.12.9.1 NMAC – Rp, 1.12.9.1 NMAC, 10/01/2026]

1.12.9.2 SCOPE: This rule applies to certification of all information technology projects or programs undertaken by executive agencies.
[1.12.9.2 NMAC – Rp, 1.12.9.2 NMAC, 10/01/2026]

1.12.9.3 STATUTORY AUTHORITY: Paragraph (5) of Subsection (B), Paragraphs (11)-(13) of Subsection (C), (J) and (K) of Section 9-27-6 NMSA 1978.
[1.12.9.3 NMAC – Rp, 1.12.9.3 NMAC, 10/01/2026]

1.12.9.4 DURATION: Permanent.
[1.12.9.4 NMAC – Rp, 1.12.9.4 NMAC, 10/01/2026]

1.12.9.5 EFFECTIVE DATE: October 1, 2026, unless a later date is cited at the end of a section.
[1.12.9.5 NMAC – Rp, 1.12.9.5 NMAC, 10/01/2026]

1.12.9.6 OBJECTIVE: The purpose of this rule is to set forth executive agency information technology project certification responsibilities.
[1.12.9.6 NMAC – Rp, 1.12.9.6 NMAC, 10/01/2026]

1.12.9.7 DEFINITIONS:

A. **"Certification"** means a process that releases project funds. The state CIO certifies projects except as otherwise provided for in Subsection C. of Section 9 below.

B. **"Information technology project"** means the development, purchase, replacement, or modification of a hardware or software system, including cloud-based assets such as software as a service (SaaS) and infrastructure as a service (IaaS).

C. **"Mission critical"** means a system (either hardware or software) that is pivotal to supporting the mission of the agency and without which the agency would have difficulty providing key business services.

D. **“Office”** means the office of the state chief information officer.

E. **"Project costs"** means all hardware, software, development, testing, training expenditures, and other IT Professional Services required to complete the project including project management costs, both planned and actual.

F. **“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.

G. **"Program"** means a group of related projects managed in a coordinated manner.

H. **"Qualified"** means demonstrated experience successfully managing information technology projects.

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

J. **"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.

K. **"Strategy"** means a plan of action for achieving a goal.
[1.12.9.7 NMAC – Rp, 1.12.9.7 NMAC, 10/01/2026]

1.12.9.8 RESPONSIBILITIES OF THE OFFICE: The office shall perform the following responsibilities.

A. Have the authority to recommend certification of information technology projects that meet one or more of the following:

(1) mission criticality;

(2) project cost equal to or exceeding $100,000;

(3) impact to customer on-line access; or

(4) projects the state CIO deems appropriate.

B. Develop procedural requirements on how to recommend certification or to recertify projects, including documentation requirements, meeting specifics, timelines and support services.

C. Report certification recommendations to the state CIO.

D. Review and comment on agency information technology project's consolidation efforts and opportunities.

[1.12.9.8 NMAC – Rp, 1.12.9.8 NMAC, 10/01/2026]

1.12.9.9 CERTIFICATION PROCESS:

A. C**ertification generally.** At a minimum, project certification shall be required prior to a project's initiation, during its implementation and closeout. The office may require additional certification phases, events or deliverables based on the progress, complexity, risk or size of the project. Project certification shall be required before funds can be released for any of the above certification phases. Regarding phased release of funds, project managers shall present the distinct components of a phased approach, with approval of what constitutes appropriate phases for a particular project to then be approved or modified by the office.

B. Agency request. A report by the agency requesting approval of a project requiring certification must be submitted in writing for all certification phases specified by the office. The office shall determine the components of the reports and criteria for issuing certification.

C. Verification. The office shall verify that the project has been reviewed for compliance:

(1) By the Legislative Finance Committee or Department of Finance Administration; and

(2) With architectural standards, as appropriate.

D. Recommendation. The office shall make a recommendation to the state CIO to issue or deny project certification or may provide contingent certification subject to the agency providing specific information. The office shall notify the agency submitting the project in writing of its decision. In the case of recommendation for denial of the project for certification, the office will cite the reasons for its decision and the recommended actions needed to be taken by the agency for resubmission of the project for certification.

E. Office pre-certification. The office may release "phase zero" pre-certification planning phase funds to develop project phasing or an overall project plan.

[1.12.9.9 NMAC – Rp, 1.12.9.9 NMAC, 10/01/2026]

1.12.9.10 AGENCY RESPONSIBILITIES:

A. An executive agency shall:

(1) prepare a written project certification report prior to certification for large projects that are equal to or exceeding $100,000, high-risk projects or at the request of the office;

(2) provide documentation in a timely manner to the office;

(3) prepare a written risk assessment report at the concept phase of the project, at the end of each project phase, and following the culmination of each development lifecycle phase, or more frequently for large and high-risk projects;

(4) be prepared to identify the value of the information technology project, as well as, relationship in support and consolidation with other information technology projects and agencies; and

(5) keep a copy of each risk assessment report on file.

B. The agency project manager, the contract project manager, if appropriate, and the project team shall regularly review the status and progress of an information technology project throughout its development lifecycle.

[1.12.9.10 NMAC – Rp, 1.12.9.10 NMAC, 10/01/2026]

1.12.9.11 PROJECT PLANS:

A. Plan required. An agency shall prepare, in accordance with instructions contained in the project management guidelines and best practices document prepared by the office, a project plan for every IT project regardless of its scope or cost. The agency project manager shall document the plan and all revisions to the plan, and shall keep it on file until the system is removed from operation.

B. Plan contents. The plan shall contain at a minimum:

(1) a description of the project;

(2) a description of the functions the system will provide;

(3) a description of the development lifecycle methodology;

(4) an initial risk assessment;
(5) risk management strategies, including mitigation actions;
(6) quality assurance strategies or plan;
(7) human and financial resource requirements and allocation;
(8) a project review schedule;
(9) project deliverables;
(10) a project schedule; and
(11) appropriate security planning for at least data, disaster recovery, statewide cybersecurity standards, and system back-up.

C. Plan approval. For projects meeting the selection criteria, the agency shall submit the plan to the office prior to initiation of the project or release of funding by the department of finance and administration. The office shall review the internal plan for sufficiency, and shall make recommendations to the state CIO for certification. The office will review the documentation and provide the agency an opportunity to present the information technology project for certification, if required. The office will identify areas of improvement to the agency if the plan does not meet initial approval. The office shall make their recommendation to the state CIO.

D. Right to appeal. If an agency requesting certification for any phase is denied certification, the agency may appeal the decision by submitting a written intent to appeal within five business days of receipt of denial. The written intent to appeal shall be submitted to the state CIO.

[1.12.9.11 NMAC – Rp, 1.12.9.11 NMAC, 10/01/2026]

HISTORY OF 1.12.9 NMAC:

1.12.9 NMAC - Project Certification of Technology Projects, filed 10/17/2005, was repealed and replaced by 1.12.9 NMAC - Project Certification of Technology Projects, effective 10/01/2026.