



NEW MEXICO CORRECTIONS DEPARTMENT

Cabinet Secretary
Alisha Tafoya Lucero

4337 State Road 14, Santa Fe, NM 87508 - PO Box 27116, Santa Fe, NM 87502-0116
Phone: 505.827.8645 Fax: 505.827.8533 cd.nm.gov

December 28, 2021

Raja Sambandam
Acting Cabinet Secretary and State CIO
Department of Information Technology
715 Alta Vista
Santa Fe, NM 87505

RE: Repeal/Replacement of NMAC 1.12.9

Dear Secretary Sambandam,

This purpose of this letter is to provide written comment to the proposed repeal and replacement of NMAC 1.12.9 – Project Certification of Technology Projects.

As the current rule has not been updated since 2005, replacing it to be more in alignment with the times should certainly occur; however, the New Mexico Corrections Department (NMCD) has concerns with the proposed new language. Our concerns are based on how a project is defined, what constitutes a project, and the cost threshold requiring certification associated with that proposed definition. Should the proposed new language remain as-is, we believe it will lead to unnecessarily higher costs and longer timeframes for routine matters as they may inadvertently and inappropriately require review of the Project Certification Committee.

The language included in 1.12.9.8.B of the proposed rule, requiring the certification when “the cost of the project is equal to or exceeding \$100,000”, is particularly concerning due to the size of our agency. Under the proposed new language items as basic as yearly PC refreshes could require certification, IV&V, etc., at a significant increase in cost and administrative overhead to the State of New Mexico. As there is currently a mechanism for DoIT oversight of IT purchases over \$100,000 (PO approval process in SHARE), this language is unnecessarily restrictive.

Additionally, the Project Management Institute (PMI) defines a project as a temporary endeavor that is unique and differs from routine operations. (PMI, n.d.) A project by this accepted definition carries a measure of risk and opportunity and often is transformational and warrants management separate from daily operations. The currently proposed definition in 1.12.9.7.F to include any hardware or software system purchase is overly broad and does not conform to the definition established by the worldwide authority on project management.

To address these concerns, NMCD recommends the following language modifications in the proposed replacement rule and strongly supports retention of the existing cost threshold of \$1 million for required project review.

Replace 1.12.9.7.F. with the following:

F. "Information technology project" or "project" means a temporary information technology endeavor with an established beginning and end time that has a set of defined tasks and assigned resources, undertaken to develop a unique product, service or result that:

- (1) establishes a new technology-based system or service;
- (2) facilitates a significant business process transformation using technology; or
- (3) includes a major change in technology architecture or a system migration beyond that considered as general maintenance, enhancement, or refresh activity.

Replace 1.12.9.8.B. with the following:

B. Certify information technology projects that meet one or more of the following:

- (1) the project is funded through the C2 Computer System Enhancement Fund (CSEF); or
- (2) the cost of the project is equal to or exceeding \$1,000,000.

The State of New Mexico has made considerable improvements to the management of information technology projects since 2005. The mechanism to define rules and a process for oversight has been a big part of that improvement and is certainly still needed today and it should be value-driven.

We sincerely appreciate the public hearing held to discuss the proposed changes, the ability to submit comments and for consideration of the above recommendations.

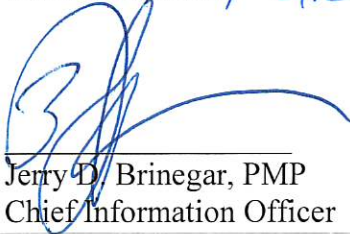
Thank you,



Alisha Tafoya Lucero
Cabinet Secretary



Brianne Bigej
General Counsel



Jerry D. Brinegar, PMP
Chief Information Officer