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POLICY M E M O R A N D U M

Date: February 5, 2020
To: All State Agency CPOs and CFOs
From: Mark Hayden, State Purchasing Agent
Subject: Further Clarification for In-State/Out-of-State Reporting/Sole Sources/Emergencies

This policy memorandum is being issued to further clarify earlier memoranda.

Laws of 2019, Chapter 153 (compiled as Section 13-1-95.3 NMSA 1978) states:

“All state agencies shall report annually to the purchasing division of the general services department information on the amount of state agency contracts awarded to in-state contractors and the amount awarded to out-of-state contractors.” [emphasis added]

My memorandum of September 17, 2019 stated: “You may identify in-state and out-of-state contractors based on their certifications given by the Taxation and Revenue Department. This information should be posted on the portal made available on the State Purchasing Division’s website. Agencies can verify whether a vendor is an in-state vendor at the following link:

<https://www.generalservices.state.nm.us/statepurchasing/vendorpreferencelist.aspx>.”

This memorandum clarifies that **those businesses possessing a TRD certification** OR those businesses identified as **“Domestic”** businesses on the Secretary of State’s Corporations and Business Services Portal: <https://portal.sos.state.nm.us/BFS/online/corporationbusinesssearch> must be entered as **in-state contractors** on the GSD/SPD portal.

On the Secretary of State (“SOS”) website, enter the business name and the site will list the business as “Domestic” or “Foreign.” (Foreign would be listed on our portal as an out-of-state business.) If they are not listed on the SOS website, they are most likely a sole proprietorship. In this case, check their address in the SHARE vendor file and if it is a New Mexico address, enter them as an in-state vendor on the GSD/SPD portal; if the business address is not a New Mexico address, enter them as an out-of-state vendor on the SPD portal.

Thank you for your cooperation in this matter.