



STATE OF NEW MEXICO SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the State Purchasing Agent or, for Professional Services Agreements, the Secretary of the General Services Department. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

I. Name of Agency: Economic Development Department (EDD)

Agency Chief Procurement Officer: Chris Romero

Telephone Number: 505-412-7225

Agency Contact for this request: Isaac Romero

Email Address: isaac.romero@edd.nm.gov

II. Name of prospective Contractor: New Mexico Economic Development Corporation dba
New Mexico Economic Development Partnership (Corporation)

SHARE Vendor Number (must be active): 0000009014

Address of prospective Contractor: 500 Marquette Ave NW, Suite 710
Albuquerque, NM 87110

Contact Name, Telephone Number and Email Address: Melinda Allen, 505-247-8500,
mallen@nmpartnership.com

Amount of prospective contract before tax: \$2,500,000.00

Estimated tax amount (tax is subject to change):

Term of prospective contract: 7/1/2026 to 6/30/2027

Note: For terms longer than one year, Request for Policy Exemption from DFA MUST be included.

III. Agency is required to state purpose/need of purchase and thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract (if this is an amendment request to an existing contract, include current contract number issued by SPD):

1) Marketing, Attraction and Recruitment:

a) Recruit on behalf of the Agency economic-based jobs in all economic regions of the state of New Mexico.

b) Develop, and have approved by the Agency and the Contractor's Board of Directors, an updated FY26 Sales and Marketing Plan for attraction and

recruitment within 60 days from approval of the contract; to include plans for marketing directed both at creating a broad, general interest in considering New Mexico among business decision makers as well as more targeted, direct marketing and sales aimed at specific geographies, industries, and companies. The Sales and Marketing Plan will take into consideration specific industry/occupational clusters that have been deemed relevant by the State and its constituent communities but will also ensure that a broader communication strategy is pursued in order to not limit the opportunities to attract jobs and investment. The plan will identify specific roles to be performed by the Contractor and will be prepared in cooperation and collaboration of the Agency.

- c) Collaborate on an ongoing basis with the Agency's team in order to ensure alignment with policy priorities, ensure collaboration between the two organizations' teams, and provide market-derived insights from Contractor's activities that can inform future policy decisions.
 - d) Receive approval from the Agency in advance of spending or encumbering any funds received from the Agency for tradeshow, sales missions or any other marketing activities or products. This shall also include, but not be limited to, advertisements, website upgrades or redesign, paid marketing materials and tradeshow booth designs.
 - e) Provide support to the Agency with recruiting film studios.
- 2) Best Known Organizational Practices and Procedures:
- a) The Contractor will identify, through sound industry research, high growth market segments within the broader target industry sectors identified by the Agency and identify the competitive advantages New Mexico offers the companies in these market segments.
 - b) The Contractor will identify target companies in the high growth market segments and target industry sectors that can be contacted during sales missions and other strategic marketing and sales activities.
 - c) The Contractor will develop and produce all target industry and marketing materials used in sales and client events in collaboration with and upon approval by the Agency, using best available research and assets.
 - d) The Contractor will develop, and have approved by its board, an updated set of procurement policies and procedures.
 - e) The Contractor will work with the Agency to agree upon, and when necessary, establish new definitions for leads, Potential Recruitment Opportunities (PROs), community engagement projects, and competitive expansions and detail how they influence the requirements of the Sales and Marketing Plan and attainment of performance measures.
- 3) Reporting and Performance Indicators:
- a) Annually produce a cost benefit analysis of the various marketing and other recruitment tactics including the performance of contract recruiters to demonstrate the relative effectiveness of each tactic.
 - b) Quarterly provide written reports on attractions, marketing, recruitment outcomes, while ensuring required confidentiality requirements.

- c) Submit quarterly project financial data sheets to the Agency research bureau to support the annual economic development ROI analysis report.
 - d) The Contractor shall endeavor to raise non-agency funding to support the organization's work with the aim to increase contributions on a year-over-year basis.
 - e) Annually re-evaluate and recommend for Board and Agency approval a protocol for trade and sales missions that focuses on the client's needs and putting the most compelling team before the client.
 - f) Quarterly performance and Economic Impact Analysis Intake sheets are due to the Agency on October 19, 2026, January 19, 2027, April 19, 2027, and July 19, 2027.
 - g) Provide the Agency with monthly company pipeline updates.
- 4) Performance Measures.
- a) Corporation shall substantially perform the following Performance Measures:
 - b) FY 27 Sales and Marketing Plan is completed and approved by November 1, 2027.
 - c) Generate 60 PROs by identifying prospective companies that have projects that reasonably could be located in New Mexico given the competitive location requirements for the project. A "prospective company" is an organization that has identified specific real estate (if applicable) and labor requirements, has expressed specific interest in a potential New Mexico site, and expects to conclude their site selection within twenty-four months. The measurement is based on 7 Potential Recruitment Opportunity's (PRO's) per month.
 - d) Arrange and/or conduct at least 36 new site visits to New Mexico communities by prospect companies with qualified projects. "Site visits" means the client has requested that the Contractor provide site location information and other assistance, and the client or its representative has toured buildings and site options in New Mexico. Only one (1) site visit per company will be counted. The measurement is based on three (3) new site visits per month.
 - e) Announce at least 12 new project locates in the state and demonstrate to the satisfaction of Agency that all due diligence has been completed prior to announcement.
- f) New project locates shall result in at least 2,250 new economic base jobs in New Mexico from successful out of state recruitments, or competitive expansions where New Mexico has competed among other geographies for the retention of the company and its expanded jobs, or community engagement projects other than Business Retention and Expansion activities when the community has a potential relocation opportunity and the Partnership provides the subject matter expertise to assist with the project. The number of jobs created shall be based on three-year employment estimates.
- g) Project announcements, unless agreed to by all parties, are made only when the client has leased a facility or purchased a building/land or established some other form of

commitment/investment in the state to support the project.

- IV. Provide a detailed explanation of the criteria developed and specified by the agency as necessary to perform and/or fulfill the contract and upon which the state agency reviewed available sources. (Do not use “technical jargon;” use plain English. Do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

The Economic Development Department is empowered by -15-1 et seq. NMSA 1978 (as amended through 1998) to stimulate economic development throughout the state. It has received an appropriation for recruiting and marketing new businesses and industries in fiscal year (FY) 2027.

The contract requirement mirror the statutory language in enacting legislation which is provided below.

The Economic Development Corporation (dba New Mexico Economic Development Partnership) is created in statue for the sole purpose (53-72-2 (a) and 53-7SA-3 (a), NMSA 1978) to promote, stimulate, develop and advance business, prosperity, employment and economic welfare in the state and among citizens, encourage and assist the location of new business and industry in the state and the rehabilitation and expansion of existing business and industry: cooperate and act in conjunction with other organizations, public or private in the promotion and advancement of industrial, commercial, agricultural and recreation development in the state; and provide the creation of a nonprofit corporation with responsibility of working with communities throughout New Mexico in effectuating these purposes in a manner that can be qualified and measured.

The funding for FY27 was appropriated to the Economic Development Department for use by Corporation to stimulate economic development throughout the state.

- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor ***the one source*** capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)
1. The contractor recruits in all economic regions outside of the state of New Mexico.
 2. Annually produces a cost benefit analysis of the marketing and recruitment tactics that represents the entire state.
 3. The Sales and Marketing Plan will take in consideration specific industry/occupational clusters that have been deemed relevant by the State.
 4. The contractor has its performance metrics incorporated into the New Mexico Economic Development Departments budge performance metrics.

The NM Economic Development Corporation, dba The New Mexico Economic

Development Partnership, is a non-profit entity. The majority of its funding comes from the Economic Development Department to attract high-quality, high-wage jobs to NM. It is focused on Aerospace, Aviation and Defense, Food Processing, Distribution, Logistics and Transportation, Advanced Manufacturing, Energy and Natural Resources, Digital and Emerging Media, Employment and Business Operations Centers among other industry sectors or clusters that are a strategic fit or for which New Mexico has a competitive advantage. The Corporation has very specific performance goals.

Number of jobs created by business relocations – 2,250

Number of company relocations – 12

Number of Potential Recruitment Opportunities – 84

Performance targets for Economic Development Corporation are set in an annual contract negotiated with the Agency and approved by the Corporation Board. Much of the documentation pertaining to the measures, up until the projects and jobs are announced, are proprietary. However, the Corporation maintains documentation on all projects that collaborate the results reported on the above targets.

- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are *unique and how this uniqueness is substantially related to the intended purpose of the contract*.

The Economic Development Corporation is unique in that it was created in Statute 20 2003 for the express purpose to

- A. Promote stimulate, develop and advance business, prosperity, employment and economic welfare in the state and among its citizens.
- B. Encourage and assist the location of new business and industry in this state and the rehabilitation and expansion of existing business and industry.
- C. Cooperate and act in conjunction with other organizations, public or private, in the promotion and advancement of industrial, commercial, agricultural and recreational developments in the state;

History: Laws 2003, Ch. 183, Sec. 2

No other organization in the state is operating on a state-wide basis to locate businesses and to assist with expansion of industry in New Mexico. In order to meet the requirements of the contract, the entity would need to be able to assist other economic development organizations as well which is outside the charter of other existing economic development organizations.

In Laws of 2026, HB2 appropriated \$2,500,000.00 to the Economic Development Department in the contractual services category for the New Mexico Economic Development Corporation. In every year since its statutory creation, the appropriation has been earmarked for the New Mexico Economic Development Corporation.

The New Mexico Economic Development Corporation has the experience to market New Mexico as a prime location for doing business to companies across the country and around the world. The Corporation has proved its ability to assist the marketing efforts of NM's small communities that do not have the resources to promote themselves beyond New Mexico. The New Mexico Economic Development Partnership solely contracts with the Economic Development Department to stimulate economic development throughout the state. The New Mexico Economic Development Partnership has not explicit or implied contractual obligation to any other funder.

- VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property *cannot* meet the intended purpose of the contract.

In the Laws of 2026, HB2 appropriated \$2,500,000.00 to the Economic Development Department in the contractual services category for the New Mexico Economic Development Corporation.

All other economic development organizations currently operation in the state only offer Local or regional assistance. Due to the limited geographic focus of geographic focus of other recruitment organizations they may not have the span of expertise with regard to the vast array of industry sectors and potential recruitment opportunities as does the New Mexico Economic Development Partnership.

It is important that the contracting entity be able to limit work to that of assisting the State so the recruitment and expansion efforts are not diluted by region or local competitive positioning. All other economic development organizations in the state that are fund by local governments and local community donations and by their own charters would be limited in the ability to work statewide.

There is no other entity known to the Economic Development Department that has an experienced national site selection professional in its leadership. This quality offers unique positioning with regard to New Mexico being able to present it attributes to relocation and real estate professionals.

- VIII. Provide a narrative description of the agency's due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet;; contacting similar service providers; and reviewing the State Purchasing Divisions' Statewide Price Agreements. Include a list of businesses contacted (*do not state that no other businesses were contacted*), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

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All other economic development organizations currently operating in the state only offer local or regional assistance. Due to the limited geographic focus of other recruitment organizations they may not have the span expertise with regard to the vast array of industry sectors and potential recruitment opportunities as does the New Mexico Economic Development Partnership.

Certified by:

Date: 6/5/2026



Agency Chief Procurement Officer

Agency Approval by:

Date: 6/5/2026



Cabinet Secretary/Agency or Entity Head or Designee

APPROVED:

Date: _____

State Purchasing Agent

If this sole source is being submitted by a governmental agency or governmental entity not under the final authority of the State Purchasing Agent, the State Purchasing Agent's signature is not required. The signature line may be removed from this form or marked as N/A. Hard Copy Documentation for Courtesy Postings do not need to be submitted to SPD for approval.