



State of New Mexico  
First Judicial District Court

KATHLEEN VIGIL  
COURT EXECUTIVE OFFICER

LOS ALAMOS COUNTY  
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SANTA FE COUNTY

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**April 23, 2025**

Recipient: Joshua Davis  
Via Email: Jaydavis1873@yahoo.com  
Re: Protest Determination FY25 RFP-FJDC-0001, Dismissal of Protest

On April 16, 2025 the Protest Manager for RFP-FJDC-0001 received the following email with the subject line "Protest Manager."

*FY25 RFP-FJDC-2025-001  
Substance Abuse Treatment Services  
Kathleen Vigil*

*My name is Joshua Davis and I am reaching out concerning myself seeking substance abuse treatment.*

The Procurement Code, NMSA 1978, §§ 13-1-28 to -199 (1984, as amended through 2021), provides the following:

Any bidder or offeror who is aggrieved in connection with a solicitation or award of a contract may protest to the state purchasing agent or a central purchasing office. The protest shall be submitted in writing within fifteen calendar days after knowledge of the facts or occurrences giving rise to the protest.

§ 13-1-172. It does not appear that you have submitted an offer, and therefore it does not appear that you have standing to protest the administration of this request for proposals ("RFP"). *See id.* ("Any bidder or offeror who is aggrieved in connection with a solicitation or award of a contract may protest to the state purchasing agent or a central purchasing office.") (emphasis added). The sequence of events included in the RFP indicates that the Evaluation Committee has not yet

evaluated the submissions it has received, and has not made any offers in connection with this RFP. The protest window for this RFP does not start until the contract award and continues until June 4, 2025 at 3:00 PM Mountain Time. Additionally, in order for the Protest Manager to consider the merits of your protest, the protest must include a statement of the grounds for the protest, any supporting evidence, and a requested ruling or determination. *Id.*

The Protest Manager is dismissing your protest. Because you are not a bidder or offeror you do not have standing to protest. Further, because the Evaluation Committee has not evaluated any submissions or made an award, your protest is premature. Finally, if you were an offeror or bidder and the protest was timely, because you have failed to include any grounds for your protest, or to provide any evidence to support those grounds, your protest is dismissed on the merits.

Sincerely,

Kateri Eisenberg/s/  
Protest Manager