



**INVITATION TO BID**  
**FY 22 HEARING OFFICER**

The New Mexico Racing Commission is accepting bids for a Hearing Officer for July 1, 2021 through June 30, 2022.

If interested in bidding on this position, please submit your bid, letter of interest, and resume.

**Deadline to submit a bid for these services is Friday, May 7, 2021 by 5:00 p.m.**

All bids **MUST** be sealed and either mailed, hand delivered, or sent via email to:

**Attn: Ms. Anna Vigil**  
**New Mexico Racing Commission**  
**4900 Alameda Blvd. NE, Suite A**  
**Albuquerque, NM 87113**  
[anna.vigil1@state.nm.us](mailto:anna.vigil1@state.nm.us)

If you have questions regarding this position, please contact the New Mexico Racing Commission at (505) 222-8971.

**Brief Overview of Duties and Responsibilities:**

- A. This is a FY 22 single-year contract with the New Mexico Racing Commission. Services will be performed from July 1, 2021 through June 30, 2022. Although services are to start July 1, 2021, services will not begin until the execution of this contract.
- B. The Contractor shall provide the services of a Hearing Officer, in all matters relating to administrative and disciplinary hearings held primarily at the New Mexico Racing Commission Albuquerque office.

- C. The Contractor shall have the power to:
1. Receive motions, hear and rule on such;
  2. Issue subpoenas, for purposes of discovery and the hearing, and for witnesses and reproduction of books, records, papers correspondence, documents and other evidence;
  3. Authorize the taking of depositions
  4. Administer oaths or affirmations to witnesses called to testify;
  5. Take testimony;
  6. Examine witnesses;
  7. Direct a continuance; and
  8. Conduct hearings in accordance with all provisions of 15.2.1.9 NMAC.
- D. The Contractor shall, within thirty (30) business days from the close of record, prepare a report containing his or her Findings of Fact, Conclusions of Laws and Recommendations for the Racing Commission's consideration and action.
- E. The Contractor shall serve a copy of each parties proposed Findings of Fact, Conclusions of Law and Recommendations within thirty (30) business days from the close of the record by close of the business day. All exhibits must be attached to the copy of the proposal submitted by the Hearing Officer to the Racing Commission.
- F. The Contractor may impose any appropriate evidentiary sanction against a party who fails to provide discovery or comply with a subpoena.
- G. The Contractor may:
1. On written notice, either on his or her own the motion or on a motion of any party direct each party to appear at a specified time and, place for a pre-hearing conference;
  2. Give probative weight and effect to evidence that is of a kind commonly relied on by reasonably prudent people in the conduct of serious affairs;
  3. In his or her discretion exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence;
  4. Admit documentary evidence received in the form of copies or excerpts;
  5. Take notice of judicially cognizable facts;
- H. Services will be performed at the NM Racing Commission office located at 4900 Alameda Blvd., NE, Suite A, Albuquerque, NM 87113 or as determined by the Commission Director.
- I. All invoices for payment will be submitted to the NM Racing Commission no later than 10 days after receipt of the Hearing Officer's Report.

**Performance Measures:**

Contractor shall substantially perform the following Performance Measures:

1. Hold hearings to ensure rules and regulations pertaining to horse racing are enforced and applied equally to all participants.
2. Ensure the highest of quality and communication in all investigative cases; and
3. Ensure his or her written work product is of the highest quality.

The receipt of the deliverables contemplated under this Agreement shall assist the Racing Commission in meeting its goal(s) as set forth in its Strategic Plan.