

# New Mexico Regulation and Licensing Department

## CONSTRUCTION INDUSTRIES DIVISION

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Counsel

Date: March 24, 2020

To: All licensed contractors and Qualifying Parties

From: Clay Bailey, Director of the Construction Industries Division

Re: Essential Businesses – Construction

On March 23, 2020, the New Mexico Department of Health issued a public health order closing all businesses and non-profit entities that were deemed non-essential and ordering additional restrictions on mass gatherings due to the COVID-19 outbreak. The order requires that all businesses except those entities identified as “essential businesses” are required to reduce the in-person workforce at each business or business location by 100%. Furthermore, the order provided guidance on what business are considered essential businesses.

Today, I received further guidance on types of businesses considered to conduct “essential business.” For the purposes of the current public health order, all commercial and residential construction and maintenance including public works construction are considered “essential businesses” and may remain open. Any “essential businesses” that remain open should minimize their operations and staff to the greatest extent possible, adhere to social distancing protocols, maintain at least six-foot social distancing from other individuals, avoid person-to-person contact, and direct employees to wash their hands frequently. Further, all essential businesses shall ensure that all surfaces are cleaned frequently. It is acceptable to restrict access to business lobbies to an “appointment only” basis to facilitate the social distancing recommendations.

In fulfilling its responsibilities, the division seeks to move all construction forward positively and not delayed such as to hinder a citizen’s project or overall economic development in New Mexico. The division has taken steps and continues to take every safety precaution while also continuing the completion of licensing applications for contractors taking into account that our third party vendor, PSI, is subject to both Department of Health limitations as well as their own internal procedures. We will continue to conduct plan review, permitting and the inspection process for all constructions of buildings and other structures over which CID has jurisdiction. Prior to this latest public health order, CID, along with other state government agencies had already implemented telework policies and health related practices to ensure that this vital industry to our state did not suffer catastrophic shutdowns while at the same time, working to ensure

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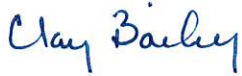
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the health and safety of not only state employees but all persons involved in the construction industry.

New Mexico consumers need to know that CID will do everything within its resources to remain available to them throughout the duration of this pandemic. Many citizens and contractors of our great state depend on the division to provide evidence of proper licensing of contractors, certification of their qualifying parties and journeymen as well as continuing permitting and inspections to ensure the competence of construction on a daily basis.

If the division can assist in anyway, please let us know. Thank you for working with us for the betterment of New Mexico.

Best Regards,



Clay Bailey  
Construction Industries Division Director  
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