

(Electronic Bids Only)
NOTICE OF BOND SALE

\$233,320,000*
STATE OF NEW MEXICO
CAPITAL PROJECTS
GENERAL OBLIGATION BONDS,
SERIES 2023

PUBLIC NOTICE IS HEREBY GIVEN that the State Board of Finance (the “Board”) of the State of New Mexico (the “State” or “Issuer”), on behalf of the Treasurer of the State, will receive electronic bids for the purchase of the State of New Mexico Capital Projects General Obligation Bonds, Series 2023 (the “Bonds”) in the aggregate principal amount of \$233,320,000* on Thursday, April 13, 2023 (the “Original Bid Date”), at 8:00 a.m., prevailing Mountain Time (the “Original Deadline”) in the Board Room at the offices of Rodey, Dickason, Sloan, Akin & Robb, P.A., 201 Third Street NW, Ste. 2200, Albuquerque, New Mexico, and will publicly examine such bids following the Original Deadline, at the address indicated above, or such other date and time to be designated as provided below (the “Rescheduled Bid Date” and “Rescheduled Deadline,” respectively, and together with the Original Bid Date and the Original Deadline, the “Bid Date” and “Deadline,” respectively) or at such other place to be designated as provided below.

Notice is hereby given that electronic proposals will be received via the facilities of Ipreo’s BiDCOMP™/PARITY® electronic bid system (the “Approved Provider”), in the manner described below, until the Original Deadline. Bids must be submitted electronically via the Approved Provider pursuant to this Notice of Bond Sale until the Original Deadline, but no bid will be received after the Original Deadline unless it is extended as provided below. Subscription to the Approved Provider is required in order to submit an electronic bid. No other method of submitting bids will be accepted.

The Approved Provider will act as agent of the bidder and not of the Issuer in connection with the submission of bids and the Issuer assumes no responsibility or liability for bids submitted through the Approved Provider. **None of the Issuer, Fiscal Strategies Group, Inc. and Public Resources Advisory Group (collectively, the “Municipal Advisors”) or Rodey, Dickason, Sloan, Akin & Robb, P.A. and Sherman & Howard, L.L.C. (collectively, “Co-Bond Counsel”) shall be responsible for, and each bidder expressly assumes the risk of, any incomplete, inaccurate, or untimely bid submitted through the Approved Provider by such bidder, including, without limitation, by reason of garbled transmissions, mechanical failure, slow or engaged telephone or telecommunications lines, viruses, ransomware, malware, computer system security breaches, or any other cause arising from delivery through the Approved Provider.** See “ELECTRONIC BIDDING” herein.

No written bids or facsimile bids will be accepted.

Pursuant to the authority delegated by the Board to certain of its officers (each, a “Designated Officer”), such Designated Officer will publicly examine electronic bids on the Bid

Date following the Deadline and such Designated Officer may accept the lowest true interest cost (“TIC”) bid, calculated as outlined in this Notice of Bond Sale, if within the parameters (the “Parameters”) established by the Board in the resolution of the Board authorizing the issuance of the Bonds (the “Bond Resolution”). For purposes of the bids received through the electronic bidding process, the time maintained by the Approved Provider will constitute the official time.

DESCRIPTION OF ISSUE: The Bonds will be issued in one series in the aggregate principal amount of \$233,320,000*, will be dated the date of delivery, and will mature on March 1, 2024*, and serially thereafter on March 1 of each year through 2033* in the following amounts:

<u>Date</u>	<u>Amount Maturing*</u>
March 1, 2024	\$20,140,000
March 1, 2025	\$19,335,000
March 1, 2026	\$20,300,000
March 1, 2027	\$21,315,000
March 1, 2028	\$22,380,000
March 1, 2029	\$23,500,000
March 1, 2030	\$24,675,000
March 1, 2031	\$25,905,000
March 1, 2032	\$27,205,000
March 1, 2033	\$28,565,000

*Preliminary; Subject to change.

Bidders may combine any two or more sequential serial maturities into one or more term bonds with mandatory sinking fund installments reflecting the maturity schedule. The Bonds will be fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. Interest on the Bonds will be payable on September 1, 2023*, and semiannually thereafter on March 1 and September 1 of each year through the final maturity of the Bonds

NO OPTIONAL REDEMPTION: The Bonds will not be subject to optional redemption prior to maturity.

BOND INSURANCE: At the expense of the bidder, the bidder may procure bond insurance from a bond insurer of its choosing. The Board, acting by and through its Designated Officer, reserves the right in its sole discretion to agree or not agree to any insurance terms required by such bond insurer. Neither the failure of any bond insurer to issue its policy nor any change in the credit ratings of any bond insurer shall be grounds for the bidder to withdraw its bid or to fail or refuse to accept delivery of, or pay for, all of the Bonds.

ADJUSTMENT OF PRINCIPAL AMOUNTS, MODIFICATION OR CLARIFICATION PRIOR TO THE EXAMINATION OF BIDS: The Designated Officer may, after consultation with the Board’s financial and bond advisors, within the Parameters established in the Bond Resolution but otherwise in the Designated Officer’s sole discretion and prior to the examination of bids: (i) adjust the aggregate principal amounts set forth herein; (ii)

adjust individual maturities; and/or (iii) modify or clarify any other term hereof, by issuing a notification of the adjusted amounts, modification or clarification via the Approved Provider, The Municipal Market Monitor (www.tm3.com) (“TM3”), and/or Bloomberg Financial Services no later than 7:00 a.m., prevailing Mountain Time; on the Bid Date.

RESCHEDULING OF BID DATE AND DEADLINE: The Designated Officer may, after consultation with the Board’s financial and bond advisors, in the Designated Officer’s sole discretion on notice given at least twenty-four (24) hours prior to the Original Deadline (or any Rescheduled Deadline), reschedule the Bid Date or Deadline, and may, at that time or a subsequent time on at least twenty-four (24) hours prior notice, in each case via the Approved Provider, TM3 and/or Bloomberg Financial Services, establish a Rescheduled Bid Date and Rescheduled Deadline and a place where electronic bids will be publicly examined.

ADJUSTMENTS TO PRINCIPAL AMOUNTS AFTER DETERMINATION OF BEST BID: The aggregate principal amount of the Bonds is subject to increase or reduction, and each scheduled maturity thereof is subject to increase or reduction, by the Board acting by and through a Designated Officer, after the determination of the successful bidder. Such adjustments will be made within four (4) hours following the end of the time of bid examination and will be in the sole discretion of the Designated Officer; provided, however, that the Designated Officer will only make such adjustments in order to size the Bonds to provide enough funds to finance the Projects (as described in the Bond Resolution, as the same may be amended, or under the paragraph entitled GENERAL OBLIGATION INDEBTEDNESS, below), to pay costs of issuance (not including underwriter’s discount) in accordance with federal income tax laws, and to achieve substantially level or otherwise acceptable debt service or to establish a debt service structure that facilitates the State’s ability to issue General Obligation Bonds in the future. To cooperate with any adjustment in the principal amounts, the successful bidder is required to indicate by email notification to dpaul@fiscalstrategies.net and lchoi@pragadvisors.com or such other address as may be indicated by the Designated Officer within one-half (1/2) hour after the end of the time of bid examination, the amount of any original issue discount or premium on individual maturities of the Bonds (so long as the Bonds are sold, in the aggregate, at not less than par plus accrued interest to the date of delivery as provided in the 2022 Act), the initial offering price of each maturity, the cost of bond insurance, if any, and the amount received from the sale of the Bonds to the public that will be retained by the successful bidder as its compensation.

The Designated Officer, in consultation with the Board’s Municipal Advisors, may change the dollar amount bid by the successful bidder if the aggregate principal amount of the Bonds is adjusted as described above, but the interest rates specified by the successful bidder for all maturities will not change. The Designated Officer, in consultation with the Board’s Municipal Advisors, will make every effort to ensure that the percentage net compensation to the successful bidder (i.e., the percentage resulting from dividing (i) the aggregate difference between the offering price of the Bonds to the public and the price to be paid to the Board, less any bond insurance premium to be paid by the bidder, by (ii) the stated principal amount of the Bonds) does not increase or decrease from what it would have been if no adjustment was made to the principal amounts shown in the maturity schedule. The State shall notify the successful bidder of the final principal amounts and the resulting adjusted prices no later than four (4) hours

following the close of the auction, on the day of the sale and award of the Bonds. THE SUCCESSFUL BIDDER MAY NOT WITHDRAW OR MODIFY ITS BID ONCE SUBMITTED TO THE STATE FOR ANY REASON, INCLUDING, WITHOUT LIMITATION, AS A RESULT OF ANY INCREASE OR DECREASE IN THE FINAL PRINCIPAL AMOUNTS AND THE AGGREGATE PURCHASE PRICE OF THE BONDS.

DEPOSITORY PARTICIPATION: The Bonds will be issued initially in book-entry form as described in the Preliminary Official Statement. The Depository Trust Company, New York, New York (“DTC”), will act as securities depository for the Bonds. A single certificate for each bond maturity in the aggregate principal amount of such maturities will be issued to DTC or its nominee. The book-entry system maintained by DTC will evidence beneficial ownership of the Bonds in principal amounts of \$5,000 or integral multiples thereof with transfers of beneficial ownership effected on the records of DTC and its participants (the “Participants”). As a condition to delivery of the Bonds, the successful bidder for the Bonds will be required, immediately after acceptance of delivery of the Bonds, to deposit the bond certificates with DTC, registered in the name of DTC or its nominee. Principal and interest will be paid to DTC, or its nominee, as registered owner of the Bonds. The transfer of principal and interest payments to Participants will be the responsibility of DTC; the transfer of principal and interest payments to the beneficial owners of the Bonds (the “Beneficial Owners”) by Participants will be the responsibility of such Participants and other nominees of Beneficial Owners maintaining a relationship with such Participants. The Board will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, Participants or persons acting through Participants. If (i) the Bonds are not eligible for DTC services, (ii) DTC determines to discontinue providing its services with respect to the Bonds, or (iii) the Board determines that a continuation of the system of book-entry transfers through DTC is not in the best interest of the Board or the Beneficial Owners, the Board will either identify another qualified securities depository or bond certificates will be delivered to Beneficial Owners or their nominees. In any such event, the Board will mail an appropriate notice to DTC for notification to Participants and Beneficial Owners of the substitute depository or the issuance of any bond certificates to Beneficial Owners or their nominees, as applicable.

PAYMENT: The State Treasurer will act as transfer agent, paying agent and bond registrar (together with any successor or co-registrar, co-paying agent, and/or transfer agent, the “Registrar/Paying Agent”) and make required payments of principal and interest to the registered owners of the Bonds, as described in the Preliminary Official Statement. The Board may, in its discretion, appoint a successor or co-transfer agent, co-registrar and/or co-paying agent. The principal and redemption price, if any, of the Bonds will be payable upon presentation and surrender of the Bonds at the office of the Registrar/Paying Agent. Interest on the Bonds will be payable by check or draft mailed, or by Automated Clearing House or electronic payment sent, to the registered owners of the Bonds, as shown on the registration books for the Bonds maintained by the Registrar/Paying Agent at the addresses shown in such books at the close of business on the fifteenth (15th) day of the calendar month next preceding each interest payment date (the “Regular Record Date”) or in such other manner as may be agreed upon by the Registrar/Paying Agent and the registered owner. Interest that is not timely paid or duly provided for will cease to be payable to the owners of Bonds (or of one or more predecessor bonds) as of the Regular Record Date, but will be payable to the owners of Bonds (or of one or more

predecessor bonds) at the close of business on a special record date for the payment of that overdue interest to be fixed by the Registrar/Paying Agent. Both principal and interest are payable in lawful money of the United States of America.

GENERAL OBLIGATION INDEBTEDNESS: The Bonds will constitute the general obligation of the State payable from ad valorem taxes levied on all property in the State subject to taxation for State purposes without limit as to rate or amount, and the full faith and credit of the State are pledged for the payment of the Bonds. The Bonds will be issued pursuant to an enactment of the Legislature of the State, being Chapter 55 of New Mexico Laws of 2022, known as the 2022 Capital Projects General Obligation Bond Act (the “2022 Act”). The questions of whether to issue bonds for specified capital projects within the State and to impose a tax pursuant to the 2022 Act were submitted to the qualified electors of the State at the November 8, 2022 General Election (the “Election”) and the questions relating to the issuance of general obligation bonds (i) in an amount not to exceed \$24,470,000 to make capital expenditures for certain senior citizen facility improvement, construction and equipment acquisition projects, (ii) in an amount not to exceed \$19,266,000 to make capital expenditures for certain academic, public school, tribal and public library resource acquisitions, and (iii) in an amount not to exceed \$215,986,000 to make capital expenditures for certain higher education, special schools and tribal schools capital improvements and acquisitions received a majority of all the votes cast thereon at the Election. Proceeds of the Bonds in the maximum aggregate principal amount of \$259,722,000, will be used to provide funds for capital expenditures for (i) certain senior citizen facility improvements, construction and equipment acquisition projects; (ii) for certain academic, public school, tribal and public library resource acquisitions; and, (iii) for certain higher education, special schools and tribal schools capital improvements acquisition projects. Proceeds of the Bonds in the approximate amount of \$466,264* will be used to pay costs of issuance of the Bonds other than underwriter’s discount and insurance premium, if any.

FORM OF BID: The Bonds will be sold in one block on an “all or none” basis and at a price of not less than 100% of their par amount plus premium, if any (the “Bid Price”). The Bonds must be reoffered to the public as part of the initial offering at an aggregate price not less than the Bid Price less 1.00% of their par amount; in other words, the underwriter’s discount may not exceed 1.00% of the par amount. Each bidder shall state in its bid the total interest cost in dollars, the premium, if any, to be paid to the State, and the TIC expressed as a per annum percentage.

ELECTRONIC BIDDING: Any prospective bidder that intends to submit a bid must submit a bid electronically through the Approved Provider. Subscription to the Approved Provider is required in order to submit an electronic bid. The Board will neither confirm any subscription nor be responsible for failure of any prospective bidder to subscribe. No other form of electronic bid or provider of electronic bidding services will be accepted and no non-electronic bid will be accepted.

The Issuer, the Board, the Municipal Advisors and Co-Bond Counsel are not responsible for the proper operation of, and shall not have any liability for any delays or interruptions of or any damages caused by, the Approved Provider. Each bidder expressly assumes the risk of any incomplete, inaccurate, or untimely bid submitted through the Approved Provider, including,

without limitation, by reason of garbled transmissions, mechanical failure, slow or engaged telephone or telecommunications lines, viruses, ransomware, malware, computer system security breaches or any other cause arising from delivery through the Approved Provider. The Board is using the Approved Provider as a communications mechanism and not as the Board's agent to conduct electronic bidding for the Bonds. The Issuer and the Board are not bound by any advice and determination of the Approved Provider to the effect that any particular bid complies with the terms of this Notice of Bond Sale. All costs and expenses incurred by prospective bidders in connection with their submission of bids through the Approved Provider are the sole responsibility of the bidders and the Board is not responsible for any of such costs or expenses.

An electronic bid made through the facilities of the Approved Provider (including information about the purchase price for the Bonds and interest rates to be represented by the various maturities of the Bonds and any other information included in such transmission) shall be deemed an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Bond Sale, and the bid shall be binding upon the bidder as if made by a signed bid delivered to the Board. For information purposes only, bidders are requested to state in their electronic bids the TIC to the Board and to identify the amount of underwriter's discount. All electronic bids shall be deemed to incorporate the provisions of this Notice of Bond Sale and the Required Bid Form. In the event that the State receives fewer than three (3) bids that fit the requirements of this Notice of Bond Sale, the State shall reject all bids and cancel the sale.

To the extent any instruction or direction set forth by the Approved Provider conflict with this Notice of Bond Sale, the terms of this Notice of Bond Sale will control. For further information about the Approved Provider, including any fee charged, potential bidders may contact BiDCOMP™/PARITY® at www.newissuehome.i-deal.com, or by calling (212) 849-5021.

RATINGS: The Board has applied or will apply to Moody's Investors Service and S&P Global Ratings for ratings on the Bonds. The Board will pay the costs of obtaining these ratings.

INTEREST RATE: Bidders must specify the rate or rates of interest to be borne by each maturity of the Bonds, provided that each rate bid must be in a multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%) per annum. All Bonds of one maturity must bear only one stated rate. A zero (0) rate of interest may not be specified for the Bonds. No interest rate above six percent (6%) may be specified for any maturity of the Bonds.

BASIS OF AWARD: Subject to the right to reject any and all bids, the Bonds will be awarded to the bidder offering to purchase all of the Bonds at the lowest TIC, which shall mean that rate which, as of the dated date of the Bonds, discounts semiannually all future payments on account of principal and interest to the Bid Price, but not including interest accrued to the date of delivery. If there are two or more bids with equal TIC rates which are the best bids (lowest TIC bids) received, the Designated Officer will determine by lot which bid to accept. In the event of any error in TIC calculation, the TIC rate determined from the annual interest rates set forth in the electronic bid will be considered the correct bid. The Board, by and through its Designated Officer, reserves the right to waive any irregularity or informality in any bid, to reject any and all bids, and to reoffer the Bonds for sale. The Designated Officer will take action on the Bonds by

awarding the Bonds, or rejecting all bids on the Bonds, not later than twenty-four (24) hours after the Original Deadline or Rescheduled Deadline, as applicable.

GOOD FAITH DEPOSIT: All bids, except for the bid of the State, if one is received, must be accompanied by a deposit of \$4,666,000 for the Bonds, (which amount is equal to two percent (2%) of the preliminary issue size) (the “Good Faith Deposit”), in the form of (i) either a cashier’s or treasurer’s check of, or certified check drawn on, a solvent commercial bank or trust company in the United States, payable to the order of the State of New Mexico, (ii) a financial surety bond or (iii) a wire transfer. No interest will be credited to the successful bidder on any Good Faith Deposit.

Checks. Any Good Faith Deposit in the form of a check must be delivered to the Board by the close of business on the day prior to the deadline for the examination of the bids, addressed to the State Board of Finance, State of New Mexico, 407 Galisteo Street, 181 Bataan Memorial Building, Santa Fe, New Mexico 87501, along with instructions for the return of the check should the bidder be unsuccessful. The bidder accepts responsibility for non-timely delivery of the check. The check of the successful bidder will be deposited with the New Mexico State Treasurer and held in a suspense account until the Bonds are delivered. The checks of unsuccessful bidders will be returned promptly after examination of the bids.

Financial Surety Bonds. Any Good Faith Deposit in the form of a financial surety bond must be submitted (and may be submitted by facsimile transmission to (505) 827-3985, Attention: Ashley Leach, Director) prior to the Deadline. The financial surety bond or the long-term debt obligations of the Issuer or the person guarantying the obligations of the Issuer of the financial surety bond will be rated in one of the top two rating categories of a nationally recognized rating agency, without regard to any modification of the rating, and the financial surety bond must be issued by an insurance company licensed to issue such bond in the State. If the successful bidder uses a financial surety bond, then the successful bidder is required to submit its deposit to the Board in the form of a cashier’s check (or wire transfer such amount as instructed by the Designated Officer) not later than 9:00 a.m. prevailing Mountain Time, on the next business day following the award. If the Good Faith Deposit is not received by that time, the financial surety bond may be drawn by the Board to satisfy the deposit requirement.

Wire Transfers. Any Good Faith Deposit in the form of a wire transfer must be received in federal funds prior to the deadline for the examination of the bids, and should be directed as follows:

New Mexico State Treasurer
Wells Fargo Bank
ABA No. 121000248
Account No. 4940482904
RE: Bid for NM Capital Projects General Obligation Bonds, Series 2023 from

Each bidder submitting the Good Faith Deposit by wire transfer must also send an email to dpaul@fiscalstrategies.net and lchoi@pragadvisors.com referencing “State of New

Mexico Capital Projects General Obligation Bonds, Series 2023” and providing the name of the bidder and instructions for the return of the wire transfer should the bidder be unsuccessful. The State will endeavor to promptly return the wire transfers of unsuccessful bidders. The wire transfer of the successful bidder will be retained by the Board until the Bonds are delivered. The State disclaims any liability for funds sent by wire transfer, except for any willful misconduct or reckless disregard for its duties.

PURCHASE OF BONDS: The check or wire transfer representing the Good Faith Deposit of the successful bidder will be cashed by the Board and the proceeds thereof will be applied against the payment of the Bid Price of the successful bidder (the “Purchase Price”) on the date of the delivery of the Bonds. No interest will be credited to the successful bidder on any Good Faith Deposit. If the successful bidder fails or neglects to complete the purchase of the Bonds in accordance with its bid, the Good Faith Deposit will be forfeited to the State, and the Board, acting through its Designated Officer, may accept the bid of the bidder making the next best bid for the Bonds should such bidder elect to purchase the Bonds on that basis, or if all bids are rejected, the State may re-advertise the Bonds for sale or sell them as otherwise permitted by State law.

DELIVERY: The State anticipates delivering the Bonds to DTC on or about April 27, 2023. The successful bidder will pay the Purchase Price on the date of delivery of the Bonds, without right of offset, except for the Good Faith Deposit. Payment of the Purchase Price must be made by wire transfer in federal funds, or other immediately available funds acceptable to the Designated Officer, for immediate and unconditional credit to the State or as otherwise directed by the State.

UNFORESEEN EVENTS: The successful bidder will be given no less than five (5) business days’ notice of the time and place fixed for delivery of the Bonds. The State anticipates that delivery will be made on or about April 27, 2023. If for any reason the State is unable to make delivery on or before May 5, 2023, the successful bidder will have the right to withdraw its bid, in which event its Good Faith Deposit will be returned and both the State and the successful bidder will be relieved of further obligation.

CUSIP NUMBERS: It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print any such number nor any error with respect to any such number will constitute cause for a failure or refusal by the successful bidder to accept delivery of and pay for the Bonds. The Board will be responsible for subscribing for the CUSIP numbers and will pay all charges by the CUSIP Service Bureau for the assignment of such numbers.

LEGAL OPINION AND TRANSCRIPT: The validity and legality of the Bonds will be approved by Rodey, Dickason, Sloan, Akin & Robb, P.A. and Sherman & Howard L.L.C., co-bond counsel to the State (“Bond Counsel”), whose approving opinions, together with a complete transcript of the legal proceedings, will be furnished to the purchaser without charge.

Gilmore & Bell, P.C., Tax Counsel to the State (“Tax Counsel”), will include an opinion, based upon and assuming compliance with covenants and the accuracy of representations and

certifications of the Board and agencies of the State (the “Agencies”) to be contained in the transcript of proceedings, that under existing law, the interest on the Bonds: (i) is excludable from gross income for federal income tax purposes under the Internal Revenue Code of 1986 (the “Code”), and (ii) is not treated as an item of tax preference for purposes of the alternative minimum tax under the Code. Tax Counsel will also render an opinion that the interest on the Bonds is exempt from income taxation by the State of New Mexico.

The transcript of legal proceedings will include a certificate signed by the State and a letter from Kutak Rock, LLP, disclosure counsel to the State (“Disclosure Counsel”), which letter will be subject to typical qualifications, including the fact that Disclosure Counsel does not represent the successful bidder, that no information came to the attention of Disclosure Counsel in connection with the preparation of the Official Statement which causes Disclosure Counsel to believe that the Official Statement relating to the Bonds, as of its date, contained or contains any untrue statement of a material fact or omitted or omits to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

Neither the State, nor Bond Counsel, nor Tax Counsel, nor Disclosure Counsel, has taken, or will take, any action to qualify the Bonds for sale under any state securities laws.

FEDERAL INCOME TAX MATTERS: The Board and the Agencies will covenant to take all actions which may be required of it for the interest on the Bonds to be and remain excludable from gross income for federal income tax purposes, and not to take any action that would adversely affect that excludability, under the provisions of the Code. Tax Counsel will express no opinion regarding federal income tax consequences other than as stated above under “Legal Opinion and Transcript” resulting from the receipt or accrual of interest on the Bonds. Tax Counsel will not independently verify the accuracy of the certifications and representations made by the Board or any of the Agencies. Additional information relating to the tax status of the Bonds can be found in the Preliminary Official Statement.

INITIAL OFFERING PRICES: The successful bidder or bidders (or manager of the purchasing account or accounts) shall notify the Designated Officer, by email transmission to Ashley.Leach@dfa.nm.gov, and the State’s Municipal Advisors, dpaul@fiscalstrategies.net and lchoi@pragadvisors.com within one-half (½) hour of the bid opening, of the initial offering prices of such Bonds to the public. The notification must be confirmed in writing in form and substance satisfactory to Tax Counsel prior to the delivery of the Bonds. The confirmation will be part of the “Purchaser’s Certificate” which will be in form and substance acceptable to Tax Counsel. In the event that the State receives fewer than three (3) bids that fit the requirements of this Notice of Bond Sale, the State shall reject all bids and cancel the sale.

CONTINUING DISCLOSURE: The Board will agree, by means of a continuing disclosure undertaking to be delivered to the purchaser of the Bonds at closing, for the benefit of owners of the Bonds, to provide certain annual financial information relating to the State by not later than two hundred ten (210) days after the end of each fiscal year of the State, commencing with the fiscal year ending June 30, 2023, and to provide notices of occurrence of certain

enumerated events. The form of the continuing disclosure undertaking is included as an appendix to the Preliminary Official Statement.

INFORMATION: The Board has prepared a Preliminary Official Statement for each bidder to review in connection with the sale of the Bonds. The Board has deemed final as of its date the Preliminary Official Statement for purposes of the Rule (except for certain omissions permitted and as described by the Rule). The Preliminary Official Statement is subject to revision, amendment and completion in a Final Official Statement. The Preliminary Official Statement is available for viewing in electronic format at www.i-Dealprospectus.com and on the Board's website at <https://www.nmdfa.state.nm.us/board-of-finance/>. All bidders must review the Preliminary Official Statement and, by submitting a bid for the Bonds, each bidder certifies that such bidder has done so prior to participating in the bidding.

A copy of this Notice of Bond Sale is also available for viewing in electronic format at www.i-Dealprospectus.com and on the Board's website at <https://www.nmdfa.state.nm.us/board-of-finance/>. The Preliminary Official Statement, this Notice of Bond Sale and other information may also be obtained from the offices of the State Board of Finance, 407 Galisteo Street, 181 Bataan Memorial Building, Santa Fe, New Mexico 87501, (505) 629-9745 or ashley.leach@dfa.nm.gov, or from Fiscal Strategies Group, Inc., 2913 6th Street, Boulder, CO 80304, (732) 804-0860 or dpaul@fiscalstrategies.net. Electronic copies of the Final Official Statement will be provided to the successful bidder within seven (7) business days of the acceptance of the bid by the Designated Officer and additional printed copies of the Final Official Statement may be obtained at the successful bidder's expense.

DATED at Santa Fe, New Mexico, this 29th day of March, 2023.

STATE BOARD OF FINANCE OF THE
STATE OF NEW MEXICO

By: /s/ Michelle Lujan Grisham
Its President

*Preliminary; subject to change.