

THE IMPLEMENTATION OF AN INTEGRITY POLICY WILL FAVOR COMPANIES IN PUBLIC PROCUREMENT PROCEDURES

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The new Government Procurement, Leasing and Services Law ("Procurement, Leasing and Services Law"), and reforms to the Public Works and Related Services Law ("Public Works and Related Services Law") include the express obligation of the competent government agencies and entities in public procurement procedures to consider and favor, those participants that have an Integrity Policy implemented within their organizations. Such provisions seek to guarantee that public procurement procedures are carried out with social responsibility.

- In the Statement of Legislative Intent of the new Procurement, Leasing and Services Law, and of the reform of the Public Works and Related Services Law, the interpretative scope attributed to the constitutional principle of guaranteeing the best conditions for the State in public procurement procedures, was reassessed, seeking to guarantee in such assimilation, a social aspect.
- Last April 16th, the new Procurement, Leasing and Services Law, and a series of reforms to the Public Works and Related Services Law, were published in the Federal Official Gazette, calling for government agencies and entities involved in public procurement procedures to verify whether the companies participating in such procedures had implemented an Integrity Policy, as a means to assure that such workings are carried out with social responsibility.
- Both laws include provisions calling for government agencies and entities, to score with bonus points, in the realm of public procurement calls, the proposals presented by companies to have implemented an Integrity Policy aligned to the Guidelines to be issued by the Ministry of Anticorruption and Good Government, within the following 12 months.
- The latter adds to the long list of benefits within the reach of companies resulting from the adequate implementation of an Integrity Policy.

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