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# Approval of new legislative amendments on public procurement

On April 16, 2025, amendments to the legal framework applicable to public procurement in Mexico were published in the Official Gazette of the Federation.

These amendments include reforms to the Law on Public Works and Related Services (*la Ley de Obras Públicas y Servicios Relacionados con las Mismas*) (“**LOPSRM**”) and the enactment of a new Law on Acquisitions, Leases and Services of the Public Sector (*la Ley de Adquisiciones, Arrendamientos y Servicios del Sector Público*) (“**LAASSP**”). In parallel, various amendments, additions, and repeals have been introduced to the Federal Law on Republican Austerity (*la Ley Federal de Austeridad Republicana*) (“**LFAR**”), the Law on the Social and Solidarity Economy (*la Ley de la Economía Social y Solidaria*) (“**LESS**”), and the General Law on Cooperative Societies (*la Ley General de Sociedades Cooperativas*) (“**LGSC**”).

The amendments have several key objectives: the incorporation of technology into public procurement processes, including the creation of the Digital Public Procurement Platform as the official transactional tool; the adoption of subsequent discount offers as a mechanism to improve contractual conditions; the incorporation of new administrative measures such as strategic dialogues and competitive dialogue, and the enhancement of civic participation through the social witness mechanism.

Below is a summary of the most relevant aspects of these legislative updates.

## I. Amendments to the Law on Public Works and Related Services (LOPSRM)

One of the key amendments to the LOPSRM provides that contracts between public entities (federal, state, or municipal) are excluded from the LOPSRM when the work or service in question is performed directly by the entity itself. However, the LOPSRM will apply if a third party is subcontracted or if subcontracting exceeds 49% of the total value of the contract. Projects executed by the Armed Forces under strategic agreements between public entities have been explicitly excluded.

The Ministry for Anti-Corruption and Good Governance has been designated as the competent authority to interpret the LOPSRM, issue binding guidelines, participate *ex officio* in procedures, order corrective measures, and impose sanctions such as fines or arrests to ensure compliance.

Market research has been included as a mandatory prerequisite for any procurement procedure, requiring the collection of evidence on pricing, availability, quality, and the timely delivery of the goods or services offered. The LOPSRM also introduces strategic dialogues as a preliminary mechanism that allows the procuring entity to present the project to potential stakeholders and receive technical feedback before issuing the call for tenders.

The use of the Digital Public Procurement Platform (the “**Platform**”), which replaces CompraNet, is mandatory at all stages of the procurement process. The Platform will also operate the Electronic Registry of Natural and Legal Persons, which will be a prerequisite for participation in any public procurement.

Regarding public bidding, the scope of international open bidding has been broadened to allow foreign companies to participate even without a trade agreement with Mexico, provided that market research demonstrates a lack of qualified domestic suppliers.

Calls for tender must include new obligations for the participants, such as sworn declarations, restrictions on subcontracting between bidders, and statements of business integrity. Similarly, restrictions have been tightened to exclude individuals or legal entities with professional, personal, or family ties (up to the fourth degree) to public officials, or those linked to disqualified entities, sanctioned for anti-competitive practices, or in breach of tax obligations.

All amendments to contracts, even those that do not alter the price or term, must be formalized through an amendment agreement. If the amendment exceeds 50% of the original amount or term of the contract, an adjustment for indirect and financing costs may be requested, subject to prior authorization by the Ministry for Anti-Corruption and Good Governance.

The LOPSRM entered into force the day after its publication. However, implementation of the Platform will be gradual: core modules must be operational within 18 months, and the full system must be operational within 30 months. In the meantime, CompraNet will remain active, and the current regulations will apply as long as they do not contravene the new framework.

## **II. Law on Acquisitions, Leases and Services of the Public Sector (LAASSP)**

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Two central elements of the new LAASSP are the launch of the Federal Government’s Digital Store and the creation of the Digital Public Procurement Platform, which will be the sole and mandatory system for managing every stage of the procurement process, from planning to the formalization of contracts. This Platform will support electronic catalogs, subsequent discount offers, and automated orders via the Digital Store, which is specifically designed to streamline low-value and recurring contracts. The LAASSP also establishes the Strategic Works and Procurement Committee (*Comité de Obras y Compras Estratégicas*), a collegiate body responsible for overseeing high-priority procurements.

Another major change is the replacement of traditional “framework contracts” with “framework agreements”, which standardize technical, legal, and commercial conditions for multiple future acquisitions. Successful bidders under such agreements will be able to receive supply orders directly without further tendering. This will entail a substantial reorganization of the way that companies structure their commercial participation with the public sector.

The planning of acquisitions has also been reinforced through new requirements. Annual procurement programs must follow the technical guidelines issued by the Ministry for Anti-Corruption and Good Governance and be published no later than December 31 of each year. This measure seeks greater transparency and predictability for suppliers, but also requires advance preparation and continuous monitoring of budget schedules.

Additionally, the consolidated procurement model has been formalized through the establishment of the Strategic Procurement Committee (*Comité de Contrataciones Estratégicas*) and the Consolidated Purchasing Committee (*Comité de Compras Consolidadas*), both of which are tasked with approving strategies and lists of goods and services to be jointly procured. These committees will be chaired by the Ministry for Anti-Corruption and Good Governance, which has been granted broad powers to regulate, supervise, and coordinate the procurement system.

In terms of the evaluation of proposals, the LAASP also redefines technical and economic criteria. Thresholds have been established to identify unacceptable prices (10% above the median) and unsuitable prices (40% below the average), to prevent predatory or unviable offers.

The new regime encourages social and environmental responsibility in procurement. Incentives are available for companies that include MSMEs, cooperatives, or vulnerable groups in their supply chains, or that hold environmental self-regulation certifications or gender equality accreditations. The existence of business integrity policies is also considered in technical scoring.

Although the LAASP entered into force the day after its publication, its implementation will be phased. As with the transitional provisions of the LOPSRM, the Platform will be deployed in modules, with full functionality required within 30 months. CompraNet will continue to be used during the transition.

The new Regulation must be issued within 90 business days, and technical guidelines must be published within 8 to 12 months of its entry into force.

The Strategic Procurement Committee must be established within 30 business days, and within 60 business days of its establishment, it must publish the first list of goods and services subject to consolidated procurement. In parallel, the National Institute of Social Economy (*el Instituto Nacional de la Economía Social*) (“**INAES**”) must implement a certification and electronic registration system for cooperatives and social economy entities within 6 months.

Close monitoring of regulatory developments will be essential for all participants and prospective investors.

For further guidance or support, please contact **Pérez-Llorca’s** Projects, Energy, and Infrastructure team.

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