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Albuquerque, NM 87110

November 9, 2016

New Mexico Legislative Council Service

Suite 411 State Capitol
490 Old Santa Fe Trail
Santa Fe, NM 87501

TO: New Mexico Legislative Council Service

FROM: Lawrence O. Maxwell, Chair, New Mexico Council for Purchasing from Persons with Disabilities

SUBJECT: FY 2016 Annual Report

Enclosed is the Fiscal Year 2016 Annual Report for the State Use Act. The Purpose of the State Use Act [13-1C-1 NMSA 1978] is to encourage and assist persons with disabilities to achieve maximum personal independence through useful and productive employment by ensuring an expanded and constant market for services delivered by persons with disabilities, thereby enhancing their dignity and capacity for self-support and minimizing their dependence on welfare and entitlements.



2016 ANNUAL REPORT

Source: 13-1C-4 NMSA 1978

Status: Active

Functions & Responsibilities

Paraphrasing 13-1C-2 NMSA 1978

The purpose of the State Use Act (and council) is to encourage and assist persons with disabilities to achieve maximum personal independence through useful and productive employment by ensuring an expanded and constant market for services delivered by persons with disabilities...

Appointment Process

13-1C-4 NMSA 1978

The Council shall be composed of the following nine members:

- (1) The state purchasing agent or the agent's designee;
- (2) two persons, appointed by the governor who represent state agencies that purchase significant amounts of goods and services from the private sector, or their designees;
- (3) a person, appointed by the governor, who is a state-employed vocational rehabilitation counselor and who is familiar with employment needs of persons with disabilities and with current pricing and marketing of goods and services, and
- (4) two persons with disabilities, a person who is familiar with employment needs of persons with disabilities and with current pricing and marketing of goods and services, and two persons who represent community rehabilitation programs that provide employment services to persons with disabilities, all selected by mutual agreement of the persons appointed in Paragraphs (1), (2), and (3) of this subsection.

Terms of Services

13-1C-4 NMSA 1978

Council members shall be appointed for three-year terms. Vacancies shall be filled in the same manner as for original appointments. A member appointed to fill a vacancy shall serve for the remainder of the term for that vacancy. Council members shall continue to serve beyond the expiration of their terms until new members are appointed.

2016 Council Members

COUNCIL MEMBERS	TERM	APPOINTED BY
<p>Lawrence O. Maxwell, Chair NM General Services Department - State Purchasing Division PO Box 6850 Santa Fe, NM 87502 <i>Lawrence.maxwell@state.nm.us</i> 505.827.0472</p>	<p>No Term Limits</p> <p>Membership includes State Purchasing Agent or designee</p>	<p>Governor Appointed</p> <p>Required by State Use Act, 13-1C-4 A. (1)</p>
<p>Secretary Tom Clifford NM Department of Finance & Administration 407 Galisteo, Suite #180 Santa Fe, NM 87501 <i>Tom.clifford@state.nm.us</i> 505.827.4985</p>	<p>No Term Limits</p>	<p>Governor Appointed</p>
<p>Secretary Darryl Ackley NM Department of Information Technology PO Box 22550 Santa Fe, NM 87502-2550 <i>Darryl.ackley@state.nm.us</i> 505.827.0000</p>	<p>No Term Limits</p>	<p>Governor Appointed</p>
<p>Mike Kivitz President/CEO, Adelante Development Center 3900 Osuna NE Albuquerque, NM 87109 <i>mkivitz@goadelante.org</i> 505.341.7102</p>	<p>Community Rehabilitation Program (CRP) Representative</p> <p>3/1/2009 - 3/1/2012 Three Years</p>	<p>Appointed by Council</p> <p>Required by State Use Act</p>
<p>Pam Lillibridge 4534 Sandalwood Dr. Las Cruces, NM 88011 <i>Pam3717@comcast.net</i> 575.644.2107</p>	<p>Community Rehabilitation Program (CRP) Representative</p> <p>3/1/2009 - 3/1/2012 Three Years</p>	<p>Appointed by Council</p> <p>Required by State Use Act</p>
<p>Vacant*</p>	<p>No Term Limits</p> <p>Membership includes Vocational Rehabilitation Representative</p>	<p>Governor Appointed</p> <p>Required by State Use Act</p>

* Position vacated 6/22/15

COUNCIL MEMBERS (<i>con't</i>)	TERM	APPOINTED BY
<p>Roger Newall Veteran's Affairs Liaison, Mayor's Office - City of Albuquerque PO Box 1293 Albuquerque, NM 87103 <i>rnewall@cabq.gov</i> 505.768.3000</p>	<p>9/19/2014 - 9/19/2017 Three Years</p>	<p>Appointed by Council</p>
<p>Greg Trapp Executive Director - NM Commission for the Blind 2200 Yale Blvd. SE Albuquerque, NM 87106 <i>Greg.trapp@state.nm.us</i> 505.841.8844</p>	<p>9/19/2014 - 9/19/2017 Three Years</p>	<p>Appointed by Council</p>
<p>Lisa Dignan Director of Community Engagement NM Commission for Deaf and Hard of Hearing 505 Marquette Ave NW, Suite 1550 Albuquerque, NM 87102 <i>Lisa.Dignan@state.nm.us</i> 505.383.6530</p>	<p>9/19/2014 - 9/19/2017 Three Years</p>	<p>Appointed by Council</p>

Scheduled FY 2016 Meetings

- July 8, 2015 - *Quorum*
- August 19, 2015 - *Quorum*
- September 9, 2015 - *Quorum*
- October 14, 2015 - *Quorum*
- November 10, 2015 - *Quorum*
- December 9, 2015 - *Quorum*
- January 20, 2016 - *Quorum*
- February 10, 2016 - *Quorum*
- March 16, 2016 - *Quorum*
- April 20, 2016 - *Quorum*
- May 11, 2016 - *Quorum*
- June 8, 2016 - *Quorum*



New Mexico Council Activity

- During its October 14, 2015 meeting the Council reviewed and ratified its Open Meeting Act Annual Resolution. (*attached*)
- The Council solicited a Request for Proposal for Central Non-profit Agency services on April 7, 2016 with a closing date of May 10, 2015.
- During FY 2016 the Council reviewed service provided by members for suitability of inclusion as part of the State Use Act. The Council approved 47 service categories, excluded 28 service categories, and approved 3 services categories as permissive for sale under the State Use Act. (*listed below*)

APPROVED SERVICES

- Bulk Mailing and Sorting
- Botanical Services
- Call Center Services
- Car Washing
- Clerical Data Entry
- Computer Refurbishing
- Corporate and Personal Background Checks
- Courier Services
- Debris Removal
- Dishwashing Services
- Document Imaging
- Document Imaging Services
- Document Shredding
- Door Greeting
- Employment Support Services
- Envelope Stuffing
- Event Planning
- General Labor
- Geo-Coding
- Hard Drive Destruction
- Independent Living Skills Training
- Irrigation
- IT – Web Training
- IT – Web Training Development
- Janitorial and Housekeeping Services
- Kit Assembling
- Landscaping

- Lobby Attendant
- Mailing Services
- Management of an Assistive Technology Reuse and Recycling Program
- Meeting Minute Preparation Services
- Pecan Processing
- Pest Control and Extermination Services
- Plan Production and Growing
- Plant Rental Services
- Printing Services
- Private Investigation Services
- Radon Testing Services
- Receptionist, Filing and Clerical Services
- Recycling Services
- Rest Area Maintenance
- Shelf Stocking and Restocking
- Snow Removal
- Transcription Services
- Transportation
- Wildlife Services Management
- Yard, Grounds, and Lawn Maintenance

- Certified Public Accountants
- Construction Managers
- Construction Services
- Demolition
- Engineers
- IT – Enterprise Application
- IT – IV & V
- IT – Project Management
- IT – Web Design
- IT – Web Programmer
- Landscape Architects
- Lawyers
- Management and Systems Analysts
- Medical Arts Practitioners
- Planners
- Psychologists
- Registered Public Accountants
- Remediation – Wall Repair
- Researchers
- Roof Repair and Maintenance
- Public Relations PR & Marketing
- Scientists
- Stair Replacement
- Survey Services
- Surveyors

EXCLUDED SERVICES

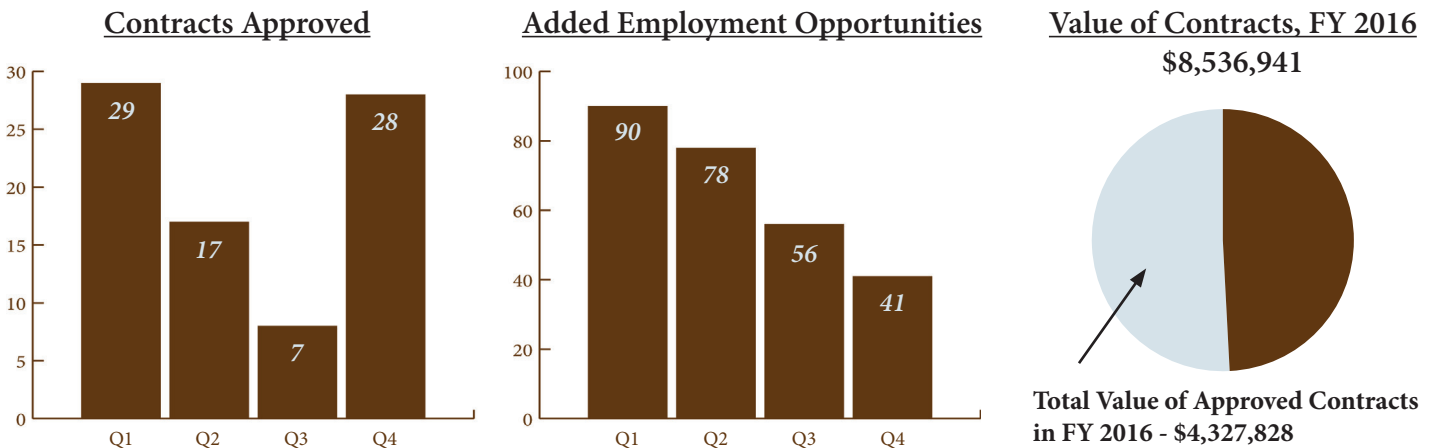
- Administrative Reports
- Architects
- Archeologists

PERMISSIVE SERVICES

- Graphic Design - Logo Design
- IT Support
- Training Services

State Use Program Success

During the 2016 fiscal year, the New Mexico Council for Purchasing from Persons with Disabilities approved 78 new contracts creating new employment opportunities for 265 New Mexicans with disabilities working at 15 Community Rehabilitation Programs (CRP) and member businesses. Through meaningful employment opportunities like these, New Mexicans with disabilities are empowered to become productive, tax-paying citizens which positively impacts the state of New Mexico and its local communities. Below is a summary of the State Use Program success during that time period.



The New Mexico Council for Purchasing from Persons with Disabilities will continue providing useful and productive employment opportunities for New Mexicans with Disabilities in the 2017 fiscal year.

Top Ten Customers

July 2015 - June 2016

1. New Mexico Department of Transportation
2. City of Albuquerque
3. New Mexico Human Services Department
4. New Mexico Department of Health
5. New Mexico Department of Cultural Affairs
6. New Mexico Children, Youth, & Family Department
7. New Mexico Department of Military Affairs
8. New Mexico Governor's Commission on Disability
9. New Mexico Department of Workforce Solutions
10. Albuquerque Bernalillo County Water Utility Authority

NEW MEXICO COUNCIL FOR PURCHASING FROM PERSONS WITH DISABILITIES

OPEN MEETINGS RESOLUTION

October 14, 2015

WHEREAS, the Open Meetings Act, Section 10-15-1 NMSA 1978, states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, the Open Meetings Act requires the New Mexico Council for Purchasing from Persons with Disabilities to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, be it resolved by the New Mexico Council for Purchasing from Persons with Disabilities gathered in regular meeting this 14th day of October, 2015, that:

1. All meetings shall be held as indicated in the meeting notice, except that meetings may be canceled due to a lack of a quorum, due to inclement weather, or for other appropriate reasons.
2. Regular Meetings: Notice of regular meetings shall be given at least ten days in advance of the meeting.
3. Special Meetings: Notice shall be given at least 72 hours in advance of any special meeting.
4. Emergency Meetings: Emergency meetings may be called by the Chair upon at least twenty-four hours' notice, or by the Vice Chair should the Chair be unavailable, or by a majority request of at least 7 members, unless threat of personal injury or property damage requires less notice. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Council will avoid emergency meetings whenever possible.
5. Rule Hearings: Notice of rulemaking proceedings shall be given at least thirty days prior to the hearing date.

6. For purposes of regular meetings described in paragraph 2, notice requirements are met if notice of the date, time, place, and how to obtain a copy of the agenda is published in a newspaper of general circulation at least 10 days prior to the meeting. Notice shall also be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. The meeting agenda shall also be made available and placed on the web page of the New Mexico State Purchasing Division or the web page of Horizons of New Mexico at least 72 hours prior to the meeting.

7. For purposes of special meetings described in paragraph 3, notice shall be placed on the web page of Horizons of New Mexico or of the New Mexico State Purchasing Division, and notice shall also be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. The meeting agenda shall be made available and placed on the web page of Horizons of New Mexico or the New Mexico State Purchasing Division at least seventy-two (72) hours prior to the meeting.

8. For purposes of emergency meetings described in paragraph 4, notice requirements are met if notice of the date, time, place, and a copy of the agenda is made reasonably available under the circumstances, which may include posting at the office of Horizons of New Mexico or the New Mexico State Purchasing Division, placement on the web page of Horizons of New Mexico or the New Mexico State Purchasing Division, and using other appropriate methods. Notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

9. For the purpose of rule hearings described in paragraph 5 of this resolution, notice requirements shall be met if notice of the date, time, place, subject of the hearing, the manner in which interested persons may present their views, and where copies of the proposed regulations may be obtained, is published in a newspaper of general circulation and the New Mexico Register. In addition, the notice of hearing shall be posted at the office of Horizons of New Mexico and the New Mexico State Purchasing Division, posted on the web page of Horizons of New Mexico or the web page of the New Mexico State Purchasing Division, and placed using other appropriate methods. Notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

10. The New Mexico Council for Purchasing from Persons with Disabilities may also place notice on the web page of Horizons of New Mexico or on the web page of the New Mexico State Purchasing Division.

11. All notices shall include information on how persons with disabilities may request a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service as may be required by the Americans with Disabilities Act.

12. A member of the New Mexico Council for Purchasing from Persons with Disabilities may attend by conference telephone or other similar communications equipment, including Internet-based technologies. However, such attendance is allowed only when it is otherwise difficult or impossible for the member to attend in person. Such attendance is allowed at the discretion of the Chair, or of the Vice-Chair in the absence of the Chair. In addition, each member thus participating must be identified when speaking, all participants must be able to hear each other at the same time, and the public must be able to hear any member who speaks during the meeting.

13. The Council may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close. The vote of each member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If a closed meeting is to be conducted when the Council is not in an open meeting, the closed meeting shall not be held until appropriate public notice is given.

(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(d) Except as provided in the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Council in an open public meeting.

Passed by the New Mexico Council for Purchasing from Persons with Disabilities this 14th day of October, 2015.

Larry Maxwell
Chairman