

OFFICIAL DRAFT

NEW MEXICO COUNCIL FOR PURCHASING FROM PERSONS WITH DISABILITIES Special Meeting

January 20, 2016, 1:00 PM

Sheraton Albuquerque Uptown Hotel
2600 Louisiana Blvd., NE
Albuquerque, New Mexico 87110

MEMBERS PRESENT

Larry Maxwell	Council Chair, State Purchasing Director Representative
Greg Trapp	Council Member, New Mexico Commission for the Blind Representative
Lisa Dignan	Council Member, New Mexico Commission for the Deaf and Hard of Hearing Representative
Pam Lillibridge	Council Member, Community Rehabilitation Program (CRP) Representative
Paul Kippert	Designee, Council Member for Secretary Tom Clifford (DFA)
Mike Kivitz	Council Member, Community Rehabilitation Program (CRP) Representative
Roger Newall	Council Member, City of Albuquerque Representative

MEMBERS NOT PRESENT

Secretary Tom Clifford	Council Member, Department of Finance and Administration Representative
Secretary Darryl Ackley	Council Member, Department of Information Technology Representative

OTHER PARTICIPANTS

Pamela June	Horizons of New Mexico
Wendell Williams	Horizons of New Mexico (participated remotely via telephone)
Arturo Soliz	Horizons of New Mexico
Kyle Radford	Horizons of New Mexico
Marie Richter	Horizons of New Mexico (participated remotely via telephone)
Taylor McBride	Horizons of New Mexico (participated remotely via telephone)

GUESTS

Patricia Adams	New Mexico Commission for the Blind
Anna Silva	State Purchasing
Laura Banks	Public Observer
Brian Sanderoff	Research and Polling
Gerrie Becker	Department of Workforce Solutions
Brian Ammerman	Adelante Development Center

AGENDA ITEM 1: CALL TO ORDER

Chairman Larry Maxwell called the meeting to order.

AGENDA ITEM 2: ROLL CALL

Chair Maxwell asked Council member Greg Trapp to perform a roll call. With seven council members present, a quorum was established.

AGENDA ITEM 3: INTRODUCTION OF GUESTS AND STAFF

Chair Maxwell asked all guests and staff members present at the meeting and participating via telephone to introduce themselves at this time.

AGENDA ITEM 4: APPROVAL OF AGENDA

Council member Lisa Dignan moved to approve the January 20, 2016 special meeting agenda. Council member Roger Newall seconded the motion and the agenda was approved in a unanimous vote by the Council.

AGENDA ITEM 5: APPROVAL OF MINUTES OF DECEMBER 9, 2015

Council member Trapp noted that the December 9, 2015 meeting minutes did not correctly reflect that approval of the November 14, 2015 meeting minutes took place after Council member Newall had arrived at the meeting. He moved that the December 9, 2015 minutes be amended to reflect this information, as the Council had not achieved a quorum until Council member Newall arrived, thereby giving them the authority to approve the November 14, 2015 minutes.

Council member Pam Lillibridge moved to approve the December 9, 2015 council meeting minutes with the included amendment by Council member Trapp. Council member Trapp seconded the motion and the minutes were approved in a unanimous vote by the Council.

AGENDA ITEM 6: CHAIR UPDATE, LARRY MAXWELL

At this time, Chair Maxwell submitted copies of the Council's request for proposal (RFP) with the current central nonprofit agency (CNA), Horizons of New Mexico, to council members for review. He requested the CNA subcommittee review the previous RFP and submit any proposed changes to the Council for approval at a later meeting.

AGENDA ITEM 7: ELECTION OF OFFICERS

Council member Trapp noted that, pursuant to the Council's bylaws, officer elections are to be held at the first council meeting of each calendar year.

Council member Newall moved to re-elect Mr. Larry Maxwell as Chairman of the New Mexico Council on Purchasing from Persons with Disabilities. The motion was approved in a unanimous vote by the Council.

Council member Paul Kippert moved to re-elect Ms. Lisa Dignan as Vice-Chair of the New Mexico Council on Purchasing from Persons with Disabilities. The motion was approved in a unanimous vote by the Council.

Council member Newall moved to re-elect Mr. Greg Trapp as Secretary of the New Mexico Council on Purchasing from Persons with Disabilities. Council member Kippert seconded the motion and it was approved in a unanimous vote by the Council.

The approved 2016 New Mexico Council for Purchasing from Persons with Disabilities Officers are as follows: Mr. Larry Maxwell, Chairman; Ms. Lisa Dignan, Vice-Chair; and Mr. Greg Trapp, secretary, all to serve until the January 2017 council meeting.

AGENDA ITEM 8: CENTRAL NONPROFIT AGENCY UPDATE, PAMELA JUNE

There was no update at this time.

AGENDA ITEM 9: OPEN PUBLIC FORUM AND PUBLIC COMMENT

There was no public comment at this time.

Chair Maxwell noted that attendees would also be given the opportunity to speak later in the meeting, during Agenda Item 10, Review of Suitable Services.

AGENDA ITEM 10: REVIEW OF SUITABLE SERVICES

Because the Council expected to have an extensive discussion regarding the review of suitable services, Council member Kippert suggested that the Council first take action on Agenda Item 12, Approval of Service Contracts, and then return to Agenda Item 10 once that action was completed. Hearing no objections, the Council moved on to complete Agenda Item 12 before returning to the review of suitable services.

When the review of suitable services resumed the Council decided to combine agenda items 10 and 11, as they planned to review services and vote for their approval simultaneously.

AGENDA ITEM 11: APPROVAL OF ADDED AND REMOVED SUITABLE SERVICES

Council member Dignan took over as Chair during the discussion and action on the following services:

Council member Dignan reported that she and Council member Mike Kivitz, as indicative of their roles on the Services Committee, had categorized services currently offered under the State Use Act into the following three groups: 1.) those which could be recommended for immediate approval, 2.) those which would not be appropriate for a mandatory State Use Program, and 3.) those that required further discussion. She also mentioned that the list of services to be reviewed had either recently been provided by a Horizons member or had a Horizons member organization that can provide said services.

Council member Dignan began the discussion with services under category number one, those which could be recommended for immediate approval:

Management of "Back In Use" Program

Council member Kippert questioned if the Horizons member providing this service would adhere to the statute that outlines how state agencies are to correctly clean and dispose of unwanted computers. Ms. Pamela June responded that, generally speaking, the agencies have cleaned the computer's files before they reach the Horizons member, but if the instance arises where they have not been cleaned, the Horizons member performs that service and a certificate of compliance to the statute's rules for cleaning a hard drive is provided.

Council member Kippert moved to accept this service as suitable to offer under the State Use Act with the amendment that the title be changed to "Management of an Assistive Technology Re-use

and Recycling Program”. Council member Lillibridge seconded the motion, Council member Kivitz abstained, and the service was approved in a 6-0-1 (Approved – Denied – Abstained) vote by the Council.

Botanical Services

After discussion, Council member Lillibridge moved to accept this service as suitable to offer under the State Use Act with the amendment that landscaping architecture and pharmaceutical botanical services be excluded. Council member Kippert seconded the motion and the service was approved in a unanimous vote by the Council.

Irrigation

Council member Lillibridge moved to accept this service as suitable to offer under the Sate Use Act. Council member Roger Newall seconded the motion and the service was approved in a unanimous vote by the Council.

IT – Centralized Records Repository – Archives

Ms. Gerrie Becker, Department of Workforce Solutions, spoke to the necessity of ensuring that the Horizons member, and its employees, working on this contract has the appropriate clearance and qualifications to handle sensitive information. Council member Kivitz agreed, stating the Horizons would need to vet any Horizons member that could potentially work on a contract performing these services.

Council member Dignan noted that there seemed to be enough hesitation on this particular service to require further discussion at a later date. Ms. Becker suggested that the Council also hear from the New Mexico Commission on Records and Archives when making their decision.

Council member Kivitz moved to table this service. Chair Maxwell seconded the motion and the service was tabled in a unanimous vote by the Council.

IT – Geo-Coding

Council member Lillibridge moved to accept this service as suitable to offer under the State Use Act. Chair Maxwell seconded the motion, Council member Kippert abstained and the service was approved in a 6-0-1 vote by the Council.

IT – Imaging Plan Services

Ms. Becker requested that this service not include the IT Imaging Plans that are created every 5 years with the Department of Workforce Solutions.

Council member Newall moved to accept this service as suitable to offer under the State Use Act with the amendment that its title be changed to “Document Imaging Services”. Council member Lillibridge seconded the motion, Council member Kivitz abstained and the service was approved in a 6-0-1 vote by the Council.

IT Support

Council member Trapp stated that any service approved by the Council should be procured and provided by individuals in New Mexico.

Miss Becker stated her concern that specific support for specific hardware needs to go to specific vendors, and that inclusion of this service as suitable for offer under the State Use Act may interrupt that process.

Chair Maxwell moved to table this service due to the need for further information and discussion about its appropriateness for offer under the State Use Act. Council member Kippert seconded the motion and the service was tabled in a unanimous vote by the Council.

With the permission of Council member Dignan, Mr. Brian Sanderoff, Research and Polling, addressed the Council and commended their efforts regarding the administration and transparency of the program. He spoke in opposition of the Council approving Administrative Reports and Survey Services as suitable to offer under the State Use Act, due to the fact that they included aspects of professional services, especially regarding research tactics, that were adopted as not suitable for sale under the State Use Act at the October 14, 2015 meeting.

At this time, discussion returned to the approval of the remaining list of services offered under the State Use Act:

After discussion, Council member Kippert moved to deny Administrative Reports, Public Relations PR & Marketing, and Survey Services as appropriate to offer under the State Use Act. Council member Trapp seconded the motion and the services were denied in a unanimous vote by the Council.

Discussion then took place amongst the Council concerning whether or not services that require licensed general contractors, had already been included as not suitable for sale through the State Use Act. Mr. Radford informed General Labor had already been approved. Ms. Lillibridge suggested "General Repair" as a category. Chair Maxwell moved to table Demolition, Remediation – Wall Repair, Roof Repair & Maintenance, and Stair Replacement. Council member Kippert seconded the motion and the services were tabled in a unanimous vote by the Council.

Due to the fact that the Service Subcommittee felt they were unsuitable for sale under the State Use Act, Chair Maxwell then moved to exclude IT – Web Design and IT – Web Programmer from the list of approved services. Council member Kippert seconded the motion and the services were denied in a unanimous vote by the Council.

Council member Trapp moved to approve Transportation as suitable for sale under the State Use Act, with the amendment that any transportation services provided through Vocational Rehabilitation. is exempt under statute. Council member Lillibridge seconded the motion and the service was approved in a unanimous vote by the Council.

Due to time constraints, the approval of the remaining services was moved to a later date considering extensive discussion was necessary for their approval.

AGENDA ITEM 12: APPROVAL OF SERVICE CONTRACTS

a) New Service Contracts - \$5,000 or Less

1. *New Mexico Department of Information Technologies/Radio Communications Bureau and Tresco, Inc., Janitorial Services, \$2,021.87.*

Council member Newall made a motion to approve contract A1. Council member Dignan seconded the motion, Council member Lillibridge abstained, and the contract was approved in a 6-0-1 vote by the Council.

2. Contract A2 was withdrawn prior to the council meeting and therefore no action was taken at this time.

b) New Service Contracts – More than \$5,000

1. *New Mexico Environmental Department, Solid Waste Bureau & Adelante, Document Imaging Services, \$9,996.21.*

Council member Lillibridge noted what appeared to be an abnormally high hourly wage for contract B1 and asked for clarification on that figure.

Brian Ammerman, Adelante Development Center, spoke to the Council about how the total number of hours worked was divided amongst three separate categories of workers, which are all paid different wages for the work that they do. He also explained that the total wages paid to workers on the contract was computed using those differentiating wages in combination with the rate per image produced for each of those workers.

Council member Lillibridge moved to approve contract B1. Council member Dignan seconded the motion, Council member Mike Kivitz abstained, and the contract was approved in a 6-0-1 vote by the Council.

At this time the Council moved back to discussion of Agenda Item 10, the Review of Suitable Services.

AGENDA ITEM 13: APPROVAL OF APPLICATION OF GOVERNMENTAL CONDUCT ACT PROVISIONS FOR STATE CONTRACTS WHEN A FAMILY MEMBER IS A STATE EMPLOYEE

Council member Kippert moved that Chair Maxwell direct Horizons to put a process in place to ensure compliance with the Governmental Conduct Act regarding provisions for state contracts when a family member is a state employee. Council member Newall seconded the motion and it was approved in a unanimous vote by the Council.

AGENDA ITEM 14: APPROVAL OF PROCESS FOR REQUEST FOR PROPOSALS FOR CENTRAL NONPROFIT AGENCY CONTRACT

Council member Trapp informed that the Council was at a point in their current contract with Horizons where the option for renewal of the third-party CNA contract would only be possible if the

Council went out for an additional RFP as well. With that in mind, Council member Trapp made a motion for the Council to authorize the Chair and Executive Committee, made up of Council members Trapp, Dignan and Kivitz, to put together a process for submission of a request for proposal for a Central Nonprofit Agency to administer the State use Act Program in New Mexico. The motion was unanimously approved in a vote by the Council.

AGENDA ITEM 15: STATE OF ANNUAL REPORT PURSUANT TO 13-1C-5(B) NMSA 1978

There was no discussion on this agenda item at this time.

AGENDA ITEM 16: DISCUSSION OF APPLICATION OF ADVERSE IMPACT PROCEDURE

Council member Trapp stated that the Adverse Impact Procedure should be reviewed to ensure that the process is working. Council Dignan agreed, and stated that a review was necessary, especially in regards to how Horizons is involved in the process and how to create more seamless communication when the procedure is invoked.

Chair Maxwell then advised the Executive Committee to review of any changes to be made to the Adverse Impact Procedure.

AGENDA ITEM 17: SUBCOMMITTEE UPDATES

There were no subcommittee updates at this time.

AGENDA ITEM 18: COUNCIL DISCUSSION

There was no council discussion at this time.

AGENDA ITEM 19: SUGGESTED AGENDA ITEMS FOR FUTURE MEETINGS


Council member Trapp suggested that discussion take place concerning whether or not a list of available services provided by Horizons members, not necessarily approved by the Council as mandatory for procurement under the State Use Act, should be available to the public through the Horizons website.

AGENDA ITEM 20: DATE AND LOCATION OF NEXT MEETING

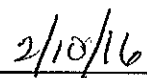
The next council meeting was determined to be held on Wednesday, February 10, 2016. Chair Maxwell requested that Ms. Pamela June communicate the location and time to the Council.

AGENDA ITEM 21: ADJOURN

With no further business, the meeting was adjourned.



Larry Maxwell, Chairman



Date