

Official Draft

NEW MEXICO COUNCIL FOR PURCHASING FROM PERSONS WITH DISABILITIES

REGULAR MEETING

November 26, 2019, 1:30 PM

New Mexico Commission for Deaf and Hard of Hearing
505 Marquette Ave NW, Suite 1550
Albuquerque, NM 87102

AGENDA ITEM 1: CALL TO ORDER

Chair Lisa Dignan called the meeting to order at 1:33 p.m. MDT.

AGENDA ITEM 2: ROLL CALL

Chair Dignan asked Council member Greg Trapp to perform a roll call.

MEMBERS PRESENT

Lisa Dignan	Council Chair, New Mexico Commission for Deaf and Hard of Hearing Representative
Mark Hayden	Council Vice-Chair, State Purchasing Director
Greg Trapp	Council Secretary, New Mexico Commission for the Blind Representative
Miranda Mascareñas	Council Member, Designee for Department of Finance and Administration (DFA) Secretary Padilla-Jackson (DFA)
Roger Newall	Council Member, Disabled Veteran
Antoinette Holmes	Council Member, Division of Vocational Rehabilitation Representative (participated remotely via telephone)
Mike Kivitz	Council Member, Community Rehabilitation Program (CRP) Representative
Phillip Bachicha	Council Member, Designee for Department of Information Technology (DoIT) Secretary Vincent Martinez (participated remotely via telephone)

MEMBERS NOT PRESENT

Pam Lillibridge	Council Member, Community Rehabilitation Program (CRP) Representative
-----------------	---

With eight council members present or participating remotely via telephone, a quorum was established.

AGENDA ITEM 3: INTRODUCTION OF GUESTS AND STAFF

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

OTHER PARTICIPANTS

Matt Loehman	Horizons of New Mexico
Arturo Soliz	Horizons of New Mexico
Kyle Radford	Horizons of New Mexico
Fred Weber	Horizons of New Mexico
Scott DeVetter	Horizons of New Mexico (participated remotely via telephone)
Marie Richter	Horizons of New Mexico (participated remotely via telephone)
Taylor McBride	Horizons of New Mexico (participated remotely via telephone)

GUESTS

Brian Ammerman	Adelante Development Center
Michael Davenport	Adelante Development Center
Kelly Burma	New Mexico Commission for the Blind
Matthew Molina	LifeROOTS
Chris Boston	Tresco
Luis Rios	Tresco
Greg Wop	Tresco
Brad Steward	Pulakos CPAs

AGENDA ITEM 4: APPROVAL OF AGENDA

Council member Mark Hayden moved to approve the agenda for the November 26, 2019 council meeting. 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 SEPTEMBER 26, 2019

Council member Hayden moved to approve the September 26, 2019 regular meeting minutes. Council member Phillip Bachicha seconded the motion and the minutes were approved in a unanimous vote by the Council.

AGENDA ITEM 6: CHAIR UPDATE, LISA DIGNAN

Chair Dignan announced to the Council that Ms. Carla Soloria, Assistant Attorney General, had been assigned to the Council. She reminded the Council that there were a few issues the Council was considering which required input from the Attorney General's office, and that she would reach out to Ms. Soloria in order to begin moving forward with those.

Chair Dignan then announced that the Executive Committee held a meeting via telephone on November 14, 2019, which was very productive and resulted in the inclusion of multiple items present on the current meeting agenda.

AGENDA ITEM 7: CENTRAL NONPROFIT AGENCY UPDATE, MATT LOEHMAN

Mr. Matt Loehman, Horizons of New Mexico (Horizons), updated the Council on the status of the City of Albuquerque printing contract, stating that multiple smaller contracts under that master contract had been approved under Central Nonprofit Agency (CNA) authority and were represented later on in the agenda.

Mr. Loehman then reported that Mr. Arturo Soliz, Horizons, continued to travel around New Mexico presenting about the State Use Program to prospective and current program customers, and that

multiple opportunities had already arisen because of his travels. He added that Horizons was planning to hold another member training seminar once the Council was ready to give guidance on some discussion points they were in the process of clarifying, such as the definition of administrative costs.

At this time, Council member Mike Kivitz announced that Mr. Brad Steward, Pulakos CPAs, would be joining the meeting to discuss the auditing process for State Use community rehabilitation programs (CRPs). He asked that agenda items 12 and 14 be moved to take place after the approval of service contracts in order to ensure that he would have adequate time to present to the Council, which the Council agreed to.

AGENDA ITEM 8: APPROVAL OF SERVICE CONTRACTS

*Note: Contracts may have minor adjustments up or down from the dollar amount listed.

**Note: Please contact Horizons of New Mexico for additional information about any contract listed on the agenda

a) New Contracts \$5,000 and Under

1. *New Mexico Department of Public Safety and member Tresco; Grounds Maintenance - \$2,724.20*

Council member Trapp moved to approve contract A1. Council member Kivitz seconded the motion and the contract was approved in a unanimous vote by the Council.

b) New Contracts Over \$5,000

1. *New Mexico Department of Game & Fish and member LifeROOTS; Janitorial Services - \$225,473.13*

Council member Kivitz moved to approve contract B1. Council member Newall seconded the motion and the contract was approved in a unanimous vote by the Council.

2. *New Mexico Department of Game & Fish and member Tresco; Janitorial Services - \$88,681.68*

After discussion about the difference between prevailing wages and 14(c) special wages and how they should be noted on the contract authorization form submitted by procuring agencies, Council member Bachicha made a motion to approve contract B2. Council member Newall seconded the motion and the contract was approved in a unanimous vote by the Council.

3. *New Mexico Department of Health and member Tresco; Grounds Maintenance - \$10,412.59*

Mr. Loehman informed the Council that contract B3 had been withdrawn from consideration by the procuring agency.

c) FY 20 Renewal Contracts \$5,000 and Under

(None)

d) FY 20 Renewal Contracts over \$5,000

(None)

**AGENDA ITEM 9: CONTRACTS DIRECTLY DISTRIBUTED UNDER CENTRAL
NONPROFIT AGENCY AUTHORITY**

a) New Service Contracts Directly Distributed Under CNA Authority

1. *First Judicial District Attorney and Adelante Development Center; Document Destruction Services - \$1,395.10*
2. *First Judicial District Attorney and Adelante Development Center; Document Destruction Services - \$1,632.72*
3. *Los Puentes Charter School and Adelante Development Center; Document Destruction Services - \$47.30*
4. *New Mexico Aging & Long-Term Services Department and Adelante Development Center; Document Destruction Services - \$1,079.19*
5. *New Mexico Human Services Department and Adelante Development Center; Printing Services - \$976.50*
6. *New Mexico Office of the Superintendent of Insurance and Adelante Development Center; Document Destruction Services - \$235.80*
7. *Tenth Judicial District Court and Adelante Development Center; Document Destruction Services - \$78.66*
8. *City of Albuquerque and member DigiPros; Printing Services - \$931.07*
9. *City of Albuquerque and member DigiPros; Printing Services - \$1,072.31*
10. *City of Portales and member DigiPros; Printing Services - \$225.73*
11. *Taos County and member DigiPros; Printing Services - \$1,953.17*
12. *City of Albuquerque and member Greetings, Etc.!.; Printing Services - \$297.99*
13. *City of Albuquerque and member Greetings, Etc.!.; Printing Services - \$253.97*
14. *City of Albuquerque and member Greetings, Etc.!.; Printing Services - \$1,967.29*
15. *City of Albuquerque and member Greetings, Etc.!.; Printing Services - \$1,093.83*
16. *City of Albuquerque and member Greetings, Etc.!.; Printing Services - \$72.18*
17. *City of Albuquerque and member Greetings, Etc.!.; Printing Services - \$33.31*
18. *New Mexico Department of Game & Fish and member Greetings, Etc.!.; Mailing Services - \$302.50*
19. *New Mexico Department of Homeland Security and member LifeROOTS; Landscape Irrigation - \$544.08*
20. *New Mexico Division of Vocational Rehabilitation and member Top Tier Movers; Moving Services - \$541.80*
21. *New Mexico Department of Health and member Unlimited Office Management Systems - \$665.39*

b) FY 20 Renewal Service Contracts Directly Distributed Under CNA Authority

(None)

c) Contracts Directly Distributed Under CNA Authority in Case of Urgent and Immediate Need

1. *City of Albuquerque and member Crystal Clear Maintenance; Janitorial Services - \$3,725.44*
2. *New Mexico Department of Public Safety and member Crystal Clear Maintenance; Janitorial Services - \$4,640.13*
3. *New Mexico Department of Public Safety and member Tresco; Grounds Maintenance - \$5,730.84*
4. *New Mexico Department of Public Safety and member Tresco; Grounds Maintenance - \$5,940.60*

Council member Hayden and Trapp both stressed the need for the contract authorization check lists to include more detail about the specific services being performed and supplies being used on contracts, especially in regard to those contract that are directly distributed under CNA authority moving forward.

At this time, the Council moved to discuss agenda item 12.

AGENDA ITEM 10: CENTRAL NONPROFIT AGENCY QUARTERLY REPORT, MATT LOEHMAN

Mr. Loehman reported to the Council that 37 contracts totaling almost \$2 million and creating 136 jobs for individuals with disabilities had been approved during the reporting quarter. Of those approved contracts, 20, totaling almost \$800,000 and providing 74 jobs for individuals with disabilities, were awarded to CRPs, and 17, totaling more than \$1 million and creating jobs for 62 individuals with disabilities, were awarded to small business members. Mr. Loehman added that 69 contracts totaling almost \$40,000 had been approved under CNA authority during the reporting period.

AGENDA ITEM 11: DISCUSSION OF PILOT PROGRAM ALLOWING MEMBER BUSINESSES ACCESS TO STATEWIDE PRICING

Mr. Loehman announced that he had worked with Mr. Brian Ammerman, Adelante Development Center, to take a closer look at the cost of supplies on the statewide price agreement in comparison to costs associated with using commercial suppliers. Mr. Ammerman announced that the pricing comparison between the two entities fluctuates based on the type of supply, with the statewide pricing agreement price being more competitive in some instances and the commercial price being more competitive in others.

Council member Hayden added that, in cases where the statewide pricing agreement price was lower, it would be reasonable for the member business to ask a commercial supplier to honor the lower price.

Chair Dignan announced that this agenda item would remain on the agenda to be reported on at future meetings as the issue evolved.

AGENDA ITEM 12: DISCUSSION OF ESTABLISHING A PROCEDURE TO REQUIRE HORIZONS MEMBERS TO PROVIDE THE COUNCIL A COPY OF THEIR ANNUAL AUDITS, OR TO AGREE TO BE AUDITED SHOULD THE MEMBER CURRENTLY NOT BE SUBJECT TO AN AUDIT REQUIREMENT

Mr. Brad Steward, Pulakos CPAs, introduced himself to the Council and lengthy discussion took place regarding how to potentially implement auditing practices for State Use Program CRPs, the categorization of costs and how those may vary from entity to entity, and establishing a threshold for administrative costs in relation to total costs for a CRP performing state use services on individual contracts.

After said discussion, the Council decided to create a declaration that would ensure the individual filling it out has provided the information to the best of their ability and in compliance with state use program rules and procedures, and would also recognize that the Council has a right to perform an audit if they find anything out of the ordinary in submitted documents for contract approval. The Council added that the declaration would need to be filled out annually, preferably when an organization is certified.

Council members Trapp, Hayden, Kivitz and Miranda Mascareñas agreed to work on putting together that declaration to be brought back for Council review at the January 2020 council meeting. Chair Dignan added that once completed, the declaration should be incorporated into the next member training to be set up by Horizons.

At this time, the Council moved back to discuss agenda item 10.

AGENDA ITEM 13: REPORT ON STATUS OF LETTER REGARDING CONSISTENT HANDLING OF CONTRACT ACCEPTANCE FORMS BY PURCHASING AGENCIES

Mr. Loehman reported that a letter regarding the consistent handling of contract acceptance forms by purchasing agencies had been drafted and submitted to Council member Hayden for distribution. He added that, since the issue was last discussed, all proposal acceptance forms that had been requested had been received.

AGENDA ITEM 14: DISCUSSION OF ESTABLISHING A THRESHOLD FOR THE AMOUNT OF ADMINISTRATIVE CHARGES THAT WOULD REQUIRE PROVISIONS OF DETAILED COSTS WHEN CONTRACTS ARE PRESENTED FOR COUNCIL APPROVAL

Discussion for agenda item 14 took place during agenda item 12.

AGENDA ITEM 15: DISCUSSION OF CHANGING THE PERCENTAGE OF DISABILITY DETERMINATION FROM THE VA FOR PARTICIPATION IN STATE USE

After discussion, the Council agreed that before moving forward with a change in the percentage specific to disabled veteran-owned businesses, further research was needed about how the employees of member businesses are certified as being individuals with disabilities to count toward the 75% ratio that is required to participate in the State Use Program.

AGENDA ITEM 16: DISCUSSION OF POSSIBLE LEGISLATIVE RECOMMENDATIONS

There were no legislative recommendations to discuss at this time.

AGENDA ITEM 17: APPROVAL OF ADDED AND REMOVED SUITABLE SERVICES

a. Graphic Design

Council member Hayden moved to approve Graphic Design as a permissive service offered under the State Use Program. Council member Kivitz seconded the motion and the service was approved as permissive in a unanimous vote by the Council.

AGENDA ITEM 18: APPROVAL OF 2019 NEW MEXICO COUNCIL FOR PURCHASING FROM PERSONS WITH DISABILITIES ANNUAL REPORT

Council member Hayden moved conditional approval of the 2019 New Mexico Council for Purchasing from Persons with Disabilities Annual Report, authorizing the Executive Subcommittee to make any technical formatting, proofing or other minor wording changes that might be necessary in order to give final approval for distribution. Council member Newall seconded the motion and the Annual Report was conditionally approved in a unanimous vote by the Council.

AGENDA ITEM 19: SUBCOMMITTEE UPDATES:

There were no subcommittee updates at this time.

AGENDA ITEM 20: OPEN PUBLIC FORUM AND PUBLIC COMMENT

Mr. Chris Boston, Tresco, addressed the Council and thanked them for the work that they do in creating job opportunities for individuals with disabilities across the State of New Mexico. He added that Tresco was particularly interested in making sure that the discussion surrounding the possible auditing process of CRPs and the definition of administrative costs was tailored to fairly represent all state use member business, big and small, and he offered the organization's assistance should the Council ever need it.

AGENDA ITEM 21: COUNCIL DISCUSSION

There was no council discussion at this time.

AGENDA ITEM 22: SUGGESTED AGENDA ITEMS FOR FUTURE MEETINGS

Discussion regarding the statewide pricing agreement, auditing requirements, administrative costs, and the percentage of disability determination for VA participation in the State Use Program were all included as suggested agenda items for future meetings.

AGENDA ITEM 23: SCHEDULED MEETING DATES FOR 2020

After discussion, the following dates were agreed upon:

January 8

February 12

March 11

April 15

May 13

June 10

June 24


July 8
August 19
September 9
October 14
November 4
December 9

AGENDA ITEM 24: DATE AND LOCATION OF NEXT MEETING

The next council meeting was scheduled for Wednesday, January 8, 2020 at 1:30 p.m. MDT, at the New Mexico Commission for Deaf and Hard of Hearing.

AGENDA ITEM 25: ADJOURN

With no further business, the meeting was adjourned at 3:44 p.m.


Lisa Dignan, Chair


Date