

OFFICIAL DRAFT

NEW MEXICO COUNCIL FOR PURCHASING FROM PERSONS WITH DISABILITIES Regular Meeting

July 13, 2016, 1:30 P.M.

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

MEMBERS PRESENT

Larry Maxwell	Council Chair, State Purchasing Director Representative
Greg Trapp	Council Member, New Mexico Commission for the Blind Representative
Estevan Lujan	Designee, Council Member for Secretary Darryl Ackley (DoIT) (participated remotely via telephone)
Richard Blair	Designee, Council Member for Secretary Rodrigues (DFA) (participated remotely via telephone)
Pam Lillibridge	Council Member, Community Rehabilitation Program (CRP) Representative (participated remotely via telephone)
Mike Kivitz	Council Member, Community Rehabilitation Program (CRP) Representative (participated remotely via telephone)
Roger Newall	Council Member, City of Albuquerque Representative

MEMBERS NOT PRESENT

Lisa Dignan	Council Member, New Mexico Commission for the Deaf and Hard of Hearing Representative
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OTHER PARTICIPANTS

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

GUESTS

Laura Banks	Public Observer
Brian Ammerman	Adelante

AGENDA ITEM 1: CALL TO ORDER

Chairman Larry Maxwell called the meeting to order.

AGENDA ITEM 2: ROLL CALL

Chair Maxwell performed a roll call and, with seven council members present, a quorum was established.

AGENDA ITEM 3: INTRODUCTION OF GUESTS AND STAFF

Chair Maxwell asked all guest 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 Mike Kivitz moved to approve the July 13, 2016 regular 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 JUNE 8, 2016 MEETING

Council member Pam Lillibridge moved to approve the June 8, 2016 regular meeting minutes. Council member Newall seconded the motion and the minutes were approved in a unanimous vote by the Council.

AGENDA ITEM 6: CHAIR UPDATE, LARRY MAXWELL

Chair Maxwell informed the Council that the third-party nonprofit that was the successful offeror on the request for proposal (RFP) to become the new Central Nonprofit Agency (CNA) for the New Mexico State Use Program had indicated that they would not be able to move forward with the contract at this time. He noted that their decision was based on their belief that they did not have the financial capability to move forward with carrying the full amount of month-to-month debt that was required in order to be able to pay vendors in a timely fashion.

Chair Maxwell stated that a one-month extension had been agreed to with the current CNA, Horizons of New Mexico, through the end of July 2016, and that Council member Lisa Dignan was in the process of drafting a new RFP which would include revised criteria and requirements for any potential new CNA.

AGENDA ITEM 7: CENTRAL NONPROFIT AGENCY UPDATE, PAMELA JUNE

Ms. Pamela June reported that Horizons of New Mexico had been in the process of obtaining FY 2017 contract renewals from New Mexico state agencies and that many of those contract renewals would be presented later in the meeting for the Council's approval.

AGENDA ITEM 8: EXECUTIVE SESSION PURSUANT TO NMSA 10-15-1(H)(6)

- a) **Discussion of Competitive Sealed Proposals Solicited Pursuant to the Procurement Code for a Central Nonprofit Agency**

There was no executive session or discussion at this time.

AGENDA ITEM 9: APPROVAL OF CENTRAL NONPROFIT AGENCY

No action was taken at this time.

AGENDA ITEM 10: APPROVAL OF SERVICES CONTRACTS

A. FY17 CONTRACT RENEWALS

1. *Department of Cultural Affairs, National Hispanic Cultural Center & Adelante, Janitorial Services, FY17 \$174,091.04, FY16 \$156,210.72*

Mr. Brian Ammerman informed the Council that the Department of Cultural Affairs would only be able to fund this contract for a one-month period of time, so the actual contract amount would be 1/12th of the amount listed on the agenda. After the initial one-month period concluded, the Department of Cultural Affairs would handle the contract internally and utilize Adelante in emergency or special event situations, to be disposed of at the time in which those situations might arise.

Council member Richard Blair moved to approve contract A1 for a one-month time period. Council member Newall seconded the motion, Council member Mike Kivitz abstained, and the contract was approved in a 6-0-1 (Approved – Denied – Abstained) vote by the Council.

2. *Department of Transportation Aviation Division & Adelante, Janitorial Services, FY17 \$3,024.00, FY16 \$3,024.00*

Council member Lillibridge moved to approve contract 2A. Council member Blair seconded the motion, Council member Kivitz abstained, and the contract was approved in a 6-0-1 vote by the Council.

3. *Governor's Commission on Disability & Adelante, "Back In Use" Recycling & Refurbishing Services, FY17 \$38,950.00, FY16 \$38,950.00*

Council member Blair moved to approve contract 3A. Council member Newall seconded the motion, Council member Kivitz abstained and the contract was approved in a 6-0-1 vote by the Council.

4. *Department of Cultural Affairs, New Mexico History Museum & Palace of the Governors & Adelante, Janitorial Services, FY17 \$96,193.29, FY16 \$92,280.12*

Council member Lillibridge moved to approve contract 4A. Council member Greg Trapp seconded the motion, Council member Kivitz abstained, and the contract was approved in a 6-0-1 vote by the Council.

5. *District 5 Rest Areas & Adelante, Rest Area Maintenance Services, (4 Year Contract), FY17 \$450,026.11, FY16 \$436,918.55*

Council member Blair moved to approve contract 5A. Council member Newall seconded the motion, Council member Kivitz abstained, and the contract was approved in a 6-0-1 vote by the Council.

6. *Department of Administration, General Services Division & My Bug Guy FY17 \$190.73, FY16 \$190.72*

Council member Blair moved to approve contract 6A. Council member Newall seconded the motion, Chair Maxwell abstained, and the contract was approved in a 6-0-1 vote by the Council.

7. *Department of Corrections, NM Women's Recovery Academy & My Bug Guy, Extermination Services, FY17 \$2,021.67, FY16 \$2,019.42*

Council member Newall moved to approve contract 7A. Council member Lillibridge seconded the motion and the contract was approved in a unanimous vote by the Council.

8. *NM Probation & Parole, Charles Gara Building & My Bug Guy, Exterminator Services (615 1st St. Albuquerque), FY17 \$4,043.24, FY16 \$4,846.56*

Council member Lillibridge moved to approve contract 8A. Council member Blair seconded the motion and the contract was approved in a unanimous vote by the Council.

9. *Department of Information Technology & Tobosa, Janitorial & Grounds Maintenance Services, \$4,305.00*

Council member Blair moved to approve contract 9A. Council member Newall seconded the motion, Council member Estevan Lujan abstained, and the contract was approved in a 6-0-1 vote by the Council.

B. NEW FY17 PROCUREMENTS \$5,000 AND UNDER

1. *Human Services Department, Income Support Division & My Bug Guy, Extermination Services, \$1,631.76 Page 11*
2. *Department of Health, Turquoise Lodge & My Bug Guy, Extermination Services, \$2,695.56 Page 17*
3. *City of Albuquerque & Crystal Clear Maintenance, Carpet Cleaning, \$26.25 per hour (as needed) Page 23*
4. *Department of Corrections, Don Pasqual & My Bug Guy \$1,566.72 Page 29*
5. *Department of Health, Mid-Region Public Health Office & My Bug Guy, Extermination Services, \$673.92 Page 37*

6. *NM Mid-Region Council of Governments & Crystal Clear, Janitorial Services, \$2,246.30 Page 42*
7. *Worker's Compensation Administration & My Bug Guy \$2,695.56 Page 48*

Council member Pam Lillibridge moved to approve contracts B1 through B7 as a group. Council member Trapp seconded the motion and Council member Newall abstained on contract B3. Therefore, contracts B1, B2, B4, B5, B6 and B7 were approved in a unanimous vote by the Council and contract B3 was approved in a 6-0-1 vote by the Council.

C. NEW FY17 PROCUREMENTS OVER \$5,000

1. *Department of Health, Public Health Office & Crystal Clear, 605 Letrado, Santa Fe, Janitorial Services, \$41,241.12 Page 54*

Council member Blair moved to approve contract C1. Council member Kivitz seconded the motion and the contract was approved in a unanimous vote by the Council.

2. *Department of Health, Las Lunas Community Program & My Bug Guy, Extermination Services, \$13,140.60 Page 62*

Council member Blair moved to approve contract C2. Council member Lillibridge seconded the motion and the contract was approved in a unanimous vote by the Council.

3. *Human Services Department, Customer Service Center, Bernalillo & Crystal Clear, Janitorial Services, \$23,991.08 Page 68*

Council member Blair moved to approve contract C3. Council member Kivitz seconded the motion, Council member Newall abstained and the contract was approved in a 6-0-1 vote by the Council.

4. *DoIT Radio Communications, Albuquerque Office & Crystal Clear, Janitorial Services \$5,391.00 Page 73*

Council member Kivitz moved to approve contract C4. Council member Lillibridge seconded the motion, Council member Lujan abstained and the contract was approved in a 6-0-1 vote by the council.

5. *Human Services Department, USDA Food Storage Warehouse & My Bug Guy, Extermination Services, \$5,054.04 **Withdrawn***

No action was taken to approve contract C5 due to the contract being withdrawn prior to the meeting.

6. *DoIT Radio Communications, Las Cruces & Tresco Inc., Janitorial Services, \$5,605.80 Withdrawn*

No action was taken to approve contract C6 due to the contract being withdrawn prior to the meeting.

AGENDA ITEM 11: APPROVAL OF PROCEDURE FOR DETERMINING AND RESPONDING TO SIGNIFICANT ADVERSE IMPACT AND VERIFICATION OF FAIR MARKET PRICE

Council member Trapp informed the Council that the newly amended Adverse Impact Procedure included policies that would better align with the procurement code's language as well as additional language regarding Penalty of Perjury, 28 US Section 1746, which incorporated the State's statute dealing with statements made during the course of work and sworn statements on official documents. He added that the document had already been solicited for public comment and that any concerns that were received during that time period had been adequately addressed in the amended version of the procedure.

Council member Kivitz moved to approve the newly amended Adverse Impact Procedure. Council member Newall seconded the motion and the Adverse Impact Procedure was approved and adopted in a unanimous vote by the Council.

AGENDA ITEM 12: SUBCOMMITTEE UPDATES

There were no subcommittee updates at this time.

AGENDA ITEM 13: REVIEW OF SUITABLE SERVICES

There was no review of suitable services at this time.

AGENDA ITEM 14: APPROVAL OF ADDED AND/OR REMOVED SUITABLE SERVICES

There was no approval of added or removed suitable services at this time.

AGENDA ITEM 15: OPEN PUBLIC FORUM AND PUBLIC COMMENTS

There was no public comment at this time.

AGENDA ITEM 16: COUNCIL DISCUSSION

There was no council discussion at this time.

AGENDA ITEM 17: SUGGESTED AGENDA ITEMS FOR FUTURE MEETINGS

Council member Kivitz asked if, with the current contract with Horizons of New Mexico expiring at the end of July 2016, the Council might need to think about scheduling a special meeting to discuss how to proceed with administering the program should Horizons decide not to continue with another extension. Chair Maxwell agreed and suggested the Council could extend him the authority to request and approve any extensions on the same terms and conditions for

additional one-month periods through the end of the potential time period that might be necessary.

Council member Kivitz moved to extend Chair Maxwell approval authority on one-month extensions of the current contract with Horizons of New Mexico, under the same terms and conditions, throughout the time period that any potential extensions might be necessary. Council member Trapp seconded the motion, Chair Maxwell abstained, and the motion was approved in a 6-0-1 vote by the Council.

AGENDA ITEM 18: DATE AND LOCATION OF NEXT MEETING:

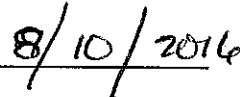
The next council meeting was scheduled for Wednesday, August 10, 2016 at 1:30 p.m. at the Commission for Deaf and Hard of Hearing.

AGENDA ITEM 19: ADJOURN

With no further business, the meeting was adjourned.



Larry Maxwell, Chairman



Date