

# OFFICIAL DRAFT

## NEW MEXICO COUNCIL FOR PURCHASING FROM PERSONS WITH DISABILITIES

### REGULAR MEETING

July 24, 2019, 12:30 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 12:35 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
Antoinette Holmes	Council member, Division of Vocational Rehabilitation Representative
Mike Kivitz	Council Member, Community Rehabilitation Program (CRP) Representative
Mark Hayden	Council Member, State Purchasing Director
Roger Newall	Council Member, Disabled Veteran Representative
Greg Trapp	Council Member, New Mexico Commission for the Blind Representative
Miranda Mascareñas	Council Member, Designee for Department of Finance and Administration (DFA) Secretary Olivia Padilla-Jackson (participated remotely via telephone)
Pam Lillibridge	Council Member, Community Rehabilitation Program (CRP) Representative (participated remotely via telephone)

#### MEMBERS NOT PRESENT

Phillip Bachicha	Council Member, Designee for Department of Information Technology (DoIT) Secretary Vincent Martinez
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With eight council members present or participating remotely via telephone, a full 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
Fred Weber	Horizons of New Mexico
Marie Richter	Horizons of New Mexico
Kyle Radford	Horizons of New Mexico (participated remotely via telephone)
Scott DeVetter	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
Christina Baca	New Mexico Department of Transportation
James Ortega	New Mexico Department of Transportation
Angela Martinez	New Mexico Department of Transportation
Cynthia Crist	New Mexico Department of Transportation
Kelly Burma	New Mexico Commission for the Blind
Walter Fain	Active Computer Solutions
Archie Garcia	Self – Interested Party
Secretary Ken Ortiz	New Mexico General Services Department

**AGENDA ITEM 4: APPROVAL OF AGENDA**

Council member Mark Hayden suggested the agenda be rearranged so that “Open Public Forum and Public Comment” would take place after the “Central Nonprofit Agency Update”.

Mr. Matt Loehman, Horizons of New Mexico (Horizons), informed the Council that the procuring agency listed for contract C3 on the agenda should be “New Mexico Workforce Solutions”.

Council member Hayden moved to approve the agenda for the July 24, 2019 council meeting, as amended. Council member Roger Newall seconded the motion, and the agenda was approved in a unanimous vote by the Council.

**AGENDA ITEM 5: APPROVAL OF COUNCIL MINUTES OF JUNE 26, 2019**

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

**AGENDA ITEM 6: CHAIR UPDATE, LISA DIGNAN**

Chair Dignan updated the Council about the ongoing situation surrounding the Council's representation request to the Office of the Attorney General. She announced that, while the office was still short staffed, they were working towards getting an interim representative to attend the regular council meetings until a time at which permanent legal counsel could be retained.

**AGENDA ITEM 7: CENTRAL NONPROFIT AGENCY UPDATE, MATT LOEHMAN**

Mr. Loehman informed the Council that work had begun on the additional service contract between Horizons and the City of Albuquerque he announced last week, and that Horizons was grateful to have that contract in place.

At this time, Cabinet Secretary Ken Ortiz joined the meeting.

**AGENDA ITEM 8: OPEN PUBLIC FORUM AND PUBLIC COMMENT:**

Ms. Christina Baca, New Mexico Department of Transportation (NMDOT), addressed the Council regarding its policy for reviewing and approving Adverse Impact Procedure submissions. She stated that NMDOT had submitted an Adverse Impact statement to Horizons for a contract which the agency found could be completed by an organization outside of State Use for a significant cost savings, and requested the official status of that submission.

After discussion, it was decided that once Horizons respond to the agency's request using declining verbiage the issue would be resolved, and the agency would be allowed to bid out that contract on the open market. It was also noted that, moving forward, the Council's intention would be for Adverse Impact Procedure resolutions to take place between Horizons and the procuring agency, and whenever possible, and only instruct the procuring agency to submit a written Statement of Adverse Impact to the State Purchasing Agent per the procedure if a resolution could not be reached between the purchasing agency and Horizons..

After additional discussion surrounding the contract proposal acceptance form and invoice cost itemization, it was decided that members of the Council, Horizons, and NMDOT would follow up with and resolve any lingering questions about those issues at a later date.

**AGENDA ITEM 9: APPROVAL OF SERVICE CONTRACTS**

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

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

***a) Tentative Chair Approval Granted June 24, 2019***

- 1. New Mexico Department of Health and member Crystal Clear Maintenance; Janitorial Services - \$6,306.90*

Council member Hayden moved to ratify contract A1. Council member Mike Kivitz seconded the motion and the contract was ratified and approved in a unanimous vote by the Council.

**b) New Contracts \$5,000 and Under**

1. *New Mexico Department of Finance & Administration and member Adelante Development Center; Document Destruction Services - \$1,972.62*
2. *New Mexico Homeland Security & Emergency Management and member Adelante Development Center; Document Destruction Services - \$2,366.26*

Council member Mike Hayden moved to approve contracts B1 and B2. Council member Trapp seconded the motion, Council members Miranda Mascareñas and Kivitz abstained, and the contracts were approved in a 6-0-2 (Approve – Deny – Abstain) vote by the Council.

3. *City of Albuquerque and member Crystal Clear Maintenance; Janitorial Services - \$4,346.26*

Council member Kivitz moved to approve contract B3. Council member Newall seconded the motion and the contract was approved in a unanimous vote by the Council.

**c) New Contracts Over \$5,000**

1. *Bernalillo County and member Adelante Development Center; Document Destruction Services - \$16,782.41*

Council member Newall moved to approve contract C1. Council member Hayden seconded the motion, Council member Kivitz abstained, and the contract was approved in a 7-0-1 vote by the Council.

2. *New Mexico Department of Cultural Affairs and member Tresco; Janitorial Services - \$39,876.00*

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

3. *New Mexico Workforce Solutions and member Tresco; Janitorial Services - \$11,103.74*

Council member Newall moved to approve contract C3. Council member Kivitz seconded the motion, Council member Trapp abstained, and the contract was approved in a 7-0-1 vote by the Council.

4. *New Mexico Energy, Minerals & Natural Resources Department and member Top Tier Movers, LLC; Moving Services - \$5,309.64*

Council member Pam Lillibridge moved to approve contract C4. Council member Newall seconded the motion and the contract was approved in a unanimous vote by the Council.

5. *New Mexico Department of Military Affairs and member Unlimited Office Management Systems; Janitorial Services - \$109,432.80*

Council member Newall moved to approve contract C5. Council member Mascareñas seconded the motion and the contract was approved in a unanimous vote by the Council.

***d) FY20 Renewal Contracts \$5,000 and Under***

1. *New Mexico Department of Health and member Adelante Development Center; Document Destruction Services – FY 19 - \$1,230.84, FY 20 - \$1,704.06*

Council member Hayden moved to approve contract ci1. Council member Holmes seconded the motion, Council member Kivitz abstained, and the contract was approved in a 7-0-1 vote by the Council.

2. *New Mexico Department of Workforce Solutions and member Adelante Development Center; Document Destruction Services – FY 19 - \$4,095.00, FY 20 - \$4,095.00*

Council member Lillibridge moved to approve contract ci2. Council member Hayden seconded the motion, Council members Kivitz and Trapp abstained, and the contract was approved in a 6-0-2 vote by the Council.

3. *New Mexico Division of Vocational Rehabilitation and member Adelante Development Center; Document Destruction Services – FY 19 - \$2,589.86, FY 20 - \$2,651.74*

Council member Hayden moved to approve contract ci3. Council member Newall seconded the motion and the contract was approved in a unanimous vote by the Council.

4. *Mid-Region Council of Governments and member Crystal Clear Maintenance; Janitorial Services – FY 19 - \$5,000.00, FY 20 – same*

Council member Hayden moved to approve contract ci4. Council member Newall seconded the motion and the contract was approved in a unanimous vote by the Council.

***e) FY20 Renewal Contracts over \$5,000***

1. *Governor's Commission on Disability and member Adelante Development Center; Computer Refurbishing – FY 19 - \$40,897.50, FY 20 - \$42,750.00*

Council member Hayden moved to approve contract cii1. Council member Holmes seconded the motion, Council member Kivitz abstained, and the contract was approved in a 7-0-1 vote by the Council.

2. *New Mexico Department of Cultural Affairs and member Adelante Development Center; Janitorial Services – FY 19 - \$30,961.32, FY 20 - \$20,722.08*

Council member Hayden moved to approve contract cii2. Council member Newall seconded the motion, Council member Kivitz abstained, and the contract was approved in a 7-0-1 vote by the Council.

3. *New Mexico Law Office of the Public Defenders and member Adelante Development Center; Document Destruction Services – FY 19 - \$7,834.83, FY 20 - \$8,698.03*

Council member Hayden moved to approve contract cii3. Council member Holmes seconded the motion, Council member Kivitz abstained, and the contract was approved in a 7-0-1 vote by the Council.

4. *New Mexico Department of Health and member Clearly Clean Janitorial Service; Janitorial Services – FY 19 - \$7,898.52, FY 20 - \$12,976.11*

Council member Hayden moved to approve contract cii4. Council member Kivitz seconded the motion and the contract was approved in a unanimous vote by the Council.

5. *San Juan College and member Discount Printing & Mailing; Printing Services – FY 19 - \$18,322.50, FY 20 - same*

Council member Hayden moved to approve contract cii5. Council member Newall seconded the motion and the contract was approved in a unanimous vote by the Council.

6. *Albuquerque Bernalillo County Water Utility Authority and member LifeROOTS; Janitorial Services – FY 19 - \$21,402.36, FY 20 - \$29,751.36*

Council member Trapp moved to approve contract cii6. Council member Hayden seconded the motion and the contract was approved in a unanimous vote by the Council.

7. *New Mexico Department of Military Affairs and member Unlimited Office Management Systems; Janitorial Services – FY 19 - \$103,436.46, FY 20 - \$157,739.28*

After discussion, Council member Hayden moved to table contract cii7 until the next regularly scheduled council meeting. Council member Trapp seconded the motion and the contract was tabled in a unanimous vote by the Council.

## **AGENDA ITEM 10: SERVICE CONTRACTS DIRECTLY DISTRIBUTED UNDER CENTRAL NONPROFIT AGENCY AUTHORITY**

### **a) New Service Contracts Directly Distributed Under CNA Authority**

1. *Jicarilla Apache Housing Authority and member Adelante Development Center; Document Destruction Services - \$184.45*
2. *New Mexico Aging & Long-Term Services Department and member Adelante Development Center; Document Destruction Services - \$34.43*
3. *New Mexico Children, Youth, and Families Department and member Adelante Development Center; Document Destruction Services - \$181.06*
4. *New Mexico Children, Youth, and Families Department and member Adelante Development Center; Document Destruction Services - \$589.10*
5. *New Mexico Department of Cultural Affairs and member Adelante Development Center; Document Destruction Services - \$305.60*
6. *New Mexico Department of Game & Fish and member Adelante Development Center; Printing Services - \$903.00*
7. *New Mexico Department of Health and member Adelante Development Center; Document Destruction Services - \$559.02*
8. *New Mexico Department of Health and member Adelante Development Center; Document Destruction Services - \$735.60*
9. *New Mexico Division of Vocational Rehabilitation and member Adelante Development Center; Document Destruction Services - \$485.10*
10. *New Mexico Human Services Department and member Adelante Development Center; Document Destruction Services - \$567.60*
11. *New Mexico Public Education Department and member Adelante Development Center; Document Destruction Services - \$267.93*
12. *San Juan College and member Adelante Development Center; Document Destruction Services - \$145.64*

### **b) FY20 Renewal Service Contracts Directly Distributed Under CNA Authority**

1. *New Mexico Children, Youth & Families Department and member Adelante Development Center; Document Destruction Services – FY 19 - \$170.76, FY 20 - \$174.84*
2. *New Mexico Children, Youth & Families Department and member Adelante Development Center; Document Destruction Services – FY 19 - \$170.76, FY 20 - \$174.84*
3. *New Mexico Children, Youth & Families Department and member Adelante Development Center; Document Destruction Services – FY 19 - \$413.49, FY 20 - \$425.49*

4. *New Mexico Department of Health and member Adelante Development Center; Document Destruction Services – FY 19 - \$369.82, FY 20 - \$378.82*
5. *New Mexico Department of Health and member Adelante Development Center; Document Destruction Services – FY 19 - \$1,379.52, FY 20 - \$1,420.26*
6. *New Mexico Division of Vocational Rehabilitation and member Adelante Development Center; Document Destruction Services – FY 19 - \$367.90, FY 20 - \$174.84*
7. *New Mexico Division of Vocational Rehabilitation and member Adelante Development Center; Document Destruction Services – FY 19 - \$1,103.70, FY 20 - \$1,136.46*
8. *New Mexico Human Services Department and member Adelante Development Center; Document Destruction Services – FY 19 - \$413.72, FY 20 - \$567.60*
9. *New Mexico Human Services Department and member Adelante Development Center; Document Destruction Services – FY 19 - \$413.72, FY 20 - \$567.60*
10. *New Mexico Law Office of the Public Defenders and member Adelante Development Center; Document Destruction Services – FY 19 - \$652.90, FY 20 - \$738.74*
11. *New Mexico Tech and member Adelante Development Center; Document Destruction Services – FY 19 - \$381.84, FY 20 - \$392.76*

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

1. *New Mexico Energy, Minerals and Natural Resources Department and member Top Tier Movers, LLC.; Moving Services - \$1,648.55*

**AGENDA ITEM 11: CENTRAL NONPROFIT AGENCY QUARTERLY REPORT, MATT LOEHMAN**

Mr. Loehman informed the Council that over \$5 million worth of contracts had been approved throughout the last quarter’s reporting period, providing employment for 290 individuals with disabilities. He added that the CNA had directly distributed 57 new contracts, totaling \$30,000, and 84 renewal contracts, totaling \$38,000, for that same period.

**AGENDA ITEM 12: FOLLOW UP ON DISCUSSION OF ALLOWING OR REQUIRING STATE USE PROGRAM MEMBER BUSINESSES AND CRPs TO PURCHASE JANITORIAL SUPPLIES UNDER STATEWIDE PRICE AGREEMENTS**

Council member Hayden outlined the process by which supplies are purchased under statewide price agreements, either by performing vendors or procuring agencies, and solicited advice from the Council on how that process could be made more uniform.

Council member Kivitz noted that, in cases where performing vendors were required to purchase supplies, larger member organizations with more resources would be able to get more favorable pricing than a smaller member organization that doesn’t have as many resources. He suggested that a pilot program could be tested where Adelante, a larger member, could partner with a smaller organization in an attempt to extend that favorable pricing down to them. The Council was amenable to this idea and decided to do further research and bring it back up for discussion at another meeting.



**AGENDA ITEM 13: DISCUSSION ON AN ELECTRONIC DELIVERY SYSTEM FOR MEETING PACKETS**

The Council discussed the process for utilizing electronic delivery systems for dispersing meeting packets, and how effective the process had been for the current meeting. It was decided that the current system was suitable for the Council's needs, with the note that discussion about adopting file management system software could be entertained in the future.

**ADGENDA ITEM 14: INCREASE THRESHOLDS FOR DIRECT DISTRIBUTION OF CONTRACTS**

No discussion took place at this time.

**AGENDA ITEM 15: REQUIRE CRPs TO PROVIDE THE CNA A COPY OF THEIR ANNUAL AUDITS**

No discussion took place at this time.

**AGENDA ITEM 16: ADOPTION OF DEFINITION OF ADMINISTRATIVE COSTS**

After discussion, the Council voted to approve the following working definition of administrative costs:

The necessary costs required to maintain the company's daily operations which are not directly attributable to the fulfillment of a service. Examples would include: rent, utilities, professional services, office supplies, and the wages and benefits of administrative and managerial staff.

**AGENDA ITEM 17: APPROVAL OF ADDED AND REMOVED SUITABLE SERVICES**

There were no services to be added or removed at this time

**AGENDA ITEM 18: SUBCOMMITTEE UPDATES**

There were no subcommittee updates at this time.

**AGENDA ITEM 19: COUNCIL DISCUSSION**

There was no further council discussion at this time.

**AGENDA ITEM 20: SUGGESTED AGENDA ITEMS FOR FUTURE MEETINGS**

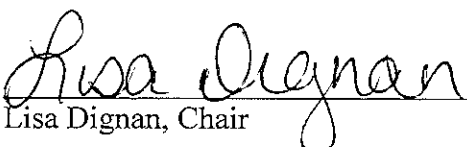
The Council did not outline any additional suggested future agenda items at this time.

**AGENDA ITEM 21: DATE AND LOCATION OF NEXT MEETING**

The next council meeting was scheduled for Wednesday, August 14, 2019 at 1:30 p.m. MDT, at the New Mexico Commission for Deaf and Hard of Hearing.

**AGENDA ITEM 22: ADJOURN**

With no further business, the meeting was adjourned at 2:44 p.m.

  
Lisa Dignan, Chair

15 Aug 2019  
Date