

# OFFICIAL DRAFT

## NEW MEXICO COUNCIL FOR PURCHASING FROM PERSONS WITH DISABILITIES Regular Meeting

June 8, 2016, 1:30 P.M.

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 (participated remotely via telephone)
Paul Kippert	Designee, Council Member for Secretary Tom Clifford (DFA)
Mike Kivitz	Council Member, Community Rehabilitation Program (CRP) Representative (participated remotely via telephone)
Roger Newall	Council Member, City of Albuquerque Representative

### MEMBERS NOT PRESENT

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
Marie Richter	Horizons of New Mexico
Taylor McBride	Horizons of New Mexico (participated remotely via telephone)

### GUESTS

John Holland	C&S Company
Laura Banks	Public Observer
Dustin Berg	Western Wildlife Formulas
Brian Ammerman	Adelante
Anna Otero Hatnaka	TIBH

### 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**

Introduction of guests and staff was momentarily skipped in order for the council to vote on those agenda items that required action while a quorum was maintained.

After the Council concluded their executive session, Chair Maxwell asked all guest and staff members present at the meeting and participating via telephone to introduce themselves.

**AGENDA ITEM 4: APPROVAL OF AGENDA**

Council member Trapp moved to approve the June 8, 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 May 11, 2016 MEETING**

Council member Newall moved to approve the May 11, 2016 regular meeting minutes. Council member Lisa Dignan seconded the motion and the minutes were approved in a unanimous vote by the Council.

**AGENDA ITEM 6: CHAIR UPDATE, LARRY MAXWELL**

There was no chair update at this time.

**AGENDA ITEM 7: CENTRAL NONPROFIT AGENCY UPDATE, PAMELA JUNE**

There was no Central Nonprofit Agency update at this time.

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

The Executive Session pursuant to NMSA 10-15-1 (H) (6) was momentarily skipped in order for the council to vote on those agenda items that required action while a quorum was maintained.

After the Council concluded their vote on the approval of service contracts, Council member Trapp made the motion that the Council move into executive session for the purpose of discussing the contents of competitive sealed proposals made pursuant to the New Mexico Procurement Code, pursuant to NMSA 10-15-1 (H) (6). He also noted that the decision to move into executive session needed to be made by a roll call vote of the Council. Council member Kippert seconded the motion and the decision for the Council to move into an executive session was unanimously made by a roll call vote of the Council.

**A. DISCUSSION OF COMPETITIVE SEALED PROPOSALS SOLICITED PURSUANT TO THE PROCUREMENT CODE FOR A CENTRAL NONPROFIT AGENCY**

At the point in time when the Executive Session concluded, Council member Trapp made a motion for the Council to come out of Executive Session, held pursuant to NMSA 10-15-1 (H)(6), having discussed only in Executive Session those matters that were germane to the motion to move into Executive Session. He then went on to take a roll call vote to come out of Executive Session, which was unanimously approved by the full Council.

After coming out of Executive Session, the Council moved to act on agenda item 9.

**AGENDA ITEM 9: APPROVAL OF CENTRAL NONPROFIT AGENCY**

Council member Lisa Dignan moved for the selection of Santa Fe Business Incubators as the new Central Nonprofit Agency (CNA) for the New Mexico State Use Program, and that the Council authorize the Evaluation Team that conducted the procurement to enter into contract negotiations, including discussions and any approvals of the incumbent TIBH Industries, Inc., in transitioning to the new CNA. Council member Newall seconded the motion and the motion was approved in a unanimous vote by the Council.

**AGENDA ITEM 10: APPROVAL OF SERVICES CONTRACTS**

**A. NEW SERVICE CONTRACTS THAT RECEIVED TEMPORARY CHAIR APPROVAL**

1. *State Land Office & R2 Architectural Design and Consulting, Architectural Services, \$2,518.60*
2. *Town of Taos, Visitor Center & Greetings Etc!, Inc., Printing Services, \$1927.28*

Council member Trapp moved to ratify the temporary chair approval awarded to contracts A1 and A2 at the previous council meeting. Council member Dignan seconded the motion, Council member Paul Kippert abstained, and the contracts were ratified and approved in a 5-0-1 (Approved – Denied – Abstained) vote by the Council.

**B. STATE FISCAL YEAR 2017 CONTRACT RENEWALS**

1. *DCA, NM History Museum Resources & Adelante, Janitorial Services, \$30,579.28, FY2016 Pricing: \$30,508.29*
2. *NMDOT & Adelante, General Office Complex, State Buildings 1-5, Trailers 1, 2 & 3 and Geo Tech Lab, Janitorial Services, \$314,365.92 FY2016 Pricing: \$313,145.03*
3. *NM Education Retirement Board (NMERB) & Adelante, 701*

- Camino De Los Marquez, Janitorial Services, \$24,520.56, FY2016 Pricing: \$24,397.08*
4. *Worker's Compensation Administration & Adelante, Janitorial Services, \$40,859.76, FY2016 Pricing: \$40,859.76*
  5. *NMDOT, Manuelito Rest Area/Visitor Center & Adelante, Janitorial & Grounds Maintenance Services, \$227,115.13, FY2016 Pricing: \$227,115.13*
  6. *Department of Information Technology, Law Enforcement Complex, Radio Communications, Santa Fe & Adelante, Janitorial Services, \$16,627.92 FY2016 Pricing: \$16,627.92*
  7. *Department of Workforce Solutions (DWS) & Adelante, TIWA Building Janitorial Services, \$99,059.56, FY2016 Pricing: \$99,059.56*
  8. *Department of Information Technology, Radio Communications, Las Cruces & Tresco, Janitorial Services, \$1,010.94, FY2016 Pricing: \$1,010.94*
  9. *DOH Sunland Park & Tresco, Janitorial Services, \$15,057.58 FY2016 Pricing: \$15,057.58*
  10. *DOH East Mesa & Tresco, Janitorial Services, \$8,975.98 FY2016 Pricing: \$8,731.70*
  11. *DOH Alamogordo Public Health Office & Tresco, Janitorial Services, \$14,184.94, FY2016 Pricing: \$14,051.40*
  12. *DOH, Socorro Public Health Office & Tresco, Janitorial Services, \$16,013.61, FY2016 Pricing: \$15,873.84*
  13. *NMDOT District 1 Complex & Tresco, Rest Area Maintenance Services, \$1,968,591.53, FY2016 Pricing: \$1,990,584.79*
  14. *NMDOT Solano Yard & Tresco, Rest Area Maintenance Services, \$28,367.53, FY2016 Pricing: \$27,458.64*
  15. *NMDOT District 4 Rest Area and ENMRSH \$1,386,775.40, FY2016 Pricing: \$1,366,135.40*
  16. *NMDOT District 6 Complex & Crystal Clear Maintenance, Rest Area Maintenance Services, \$40,406.40, FY2016 Pricing: \$40,406.40*
  17. *Department of Military Affairs & Crystal Clear Maintenance, Janitorial Services, \$71,615.96, FY2016 Pricing: \$71,615.96*
  18. *Worker's Compensation Administration & Crystal Clear Maintenance, Grounds Maintenance Services, \$15,097.08, FY2016 Pricing: \$15,097.08*
  19. *DOH Santa Fe Public Health Office & Crystal Clear Maintenance, Janitorial Services, \$15,481.92, FY2016 Pricing: \$15,481.92*
  20. *Department of Workforce Solutions (DWS) Espanola Office & Crystal Clear Maintenance, Janitorial Services, \$12,096.00, FY2016 Pricing: \$12,096.00*
  21. *NMDOT District 2, Poquita, Malaya & Waldrop Rest Areas & Tobosa, Rest Area Maintenance Services, \$334,800.98, FY2016 Pricing: \$318,857.64*
  22. *CYFD JJS: YDDC, CYNC & JPSAB Facilities & ARCA, Janitorial Services, \$23,914.82, FY2016 Pricing: \$23,914.82*

23. *DOH Scientific Laboratories & ARCA, Janitorial Services, \$289,916.85 FY2016 Pricing: \$280,324.20*

Council member Pam Lillibridge moved to approve contracts B1 through B23 as a group for renewal for the 2017 fiscal year, with the exception of any contract involving Tresco, for which she would abstain to vote. Council member Mike Kivitz also noted that he would be abstaining for any contract involving Adelante. Council member Trapp seconded the motion, Council member Kippert abstained, Chair Maxwell voted in the affirmative and the contracts were approved for renewal in a 4-0-3 vote by the Council.

**C. NEW SERVICE CONTRACTS – Less than \$5000**

1. *Department of Game & Fish & Greetings Etc! Inc., Printing Services for Migratory Birds Information Booklet, \$3,298.31*
2. *San Juan College & Greetings Etc! Inc., Printing Services for Automotive Technology Program Brochure, \$267.75*
3. *San Juan College & Greetings Etc! Inc., Printing Services for Alternative Licensure Program Brochures, \$267.75*
4. *Department of Game & Fish & Greetings Etc! Inc., Printing Services for Bear Paw Stickers, \$1396.73*
5. *Department of Game & Fish & My Bug Guy, Exterminator Services \$4,375.22*
6. *HSD/ISD Central Office & My Bug Guy, Exterminator Services, \$1,629.96*

Council member Dignan moved to approve contract C1 through C6 as a group. Council member Newall seconded the motion and the contracts were approved in a unanimous vote by the Council

**D. NEW SERVICE CONTRACTS – More than \$5000**

1. *NM Mid-Region Council of Government & Crystal Clear, Janitorial Services, \$16,828.08*
2. *DOH Clovis Public Health Office & ENMRSH, Janitorial Services, \$34,286.91*
3. *DOH, Portales Public Health Office & ENMRSH, Janitorial Services, \$28,277.36*
4. *DOH Dexter Public Health Office & Tobosa, Grounds Maintenance Services, \$7,732.77*
5. *DOH Scientific Laboratories & My Bug Guy, Exterminator Services, \$6,102.96*

Council member Newall moved to approve contracts D1 through D5 as a group. Council member Lillibridge seconded the motion and the contracts were approved in a unanimous vote by the Council.

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

At this time agenda item 11 was moved for discussion during the next council meeting.

**AGENDA ITEM 12: SUBCOMMITTEE UPDATES**

There were no subcommittee updates at this time.

**AGENDA ITEM 13: REVIEW OF SUITABLE SERVICES**

Mr. Dustin Berg informed the Council about his company Western Wildlife Formulas. He stated that they provide wildlife management for Western Region animals (i.e. raccoons, mountain lions, bear, deer etc.) via permit from the Game & Fish Department. Mr. Berg requested that the council consider “Wildlife Service Management” as a suitable service to be offered under the State Use Act.

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

Council member Kippert moved to approve “Wildlife Management Services” as a mandatory service to be offered under the State Use Act. Council member Dignan seconded the motion.

Council member Trapp noted that “Wildlife Management” seemed too broad of a term for approval and, after council discussion, suggested the service be changed to “Western Wildlife Population Management and Census”. Council member Kippert accepted the amendment to his original motion and Council member Dignan seconded it. In a unanimous vote by the Council, the service was approved as suitable for sale under the State Use Act.

**AGENDA ITEM 15: OPEN PUBLIC FORUM AND PUBLIC COMMENTS**

Mr. John Holland spoke to the Council about how three of his current contracts, each with three-year extensions left on them and totaling roughly 10% of his business, had been re-awarded to different member organizations of the State Use Program. He explained that he had called multiple state offices, including the Governor’s Office, the Office of the Attorney General and the State Purchasing Agency, and has been unable to figure out how these contracts were able to have been taken away from him. He asked that the Council explain to him why he had lost the contracts.

Chair Maxwell asked Mr. Holland to stay after the council meeting concluded so that they could discuss the contracts in more detail.

**AGENDA ITEM 16: COUNCIL DISCUSSION**

There was no council discussion at this time.

**AGENDA ITEM 17: SUGGESTED AGENDA ITEMS FOR FUTURE MEETINGS**

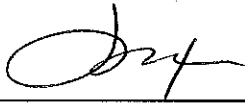
There were no suggested agenda items at this time.

**AGENDA ITEM 18: DATE AND LOCATION OF NEXT MEETING:**

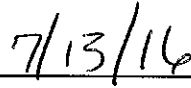
The next council meeting was scheduled for Wednesday, July 13, 2016 at 1:30 p.m. at the Commission for Deaf and Hard of Hearing.

**AGENDA ITEM 19: ADJOURN**

With no further business, the meeting was adjourned.



\_\_\_\_\_  
Larry Maxwell, Chairman



\_\_\_\_\_  
Date