

2019 Annual Report



New Mexico
COUNCIL
for Purchasing from
PERSONS
with Disabilities



6121 Indian School Rd. NE, Suite 102
Albuquerque, New Mexico 87110

January 1, 2020

New Mexico Legislative Council Service

Suite 411 State Capitol
490 Old Santa Fe Trail
Santa Fe, NM 87501

TO: New Mexico Legislative Council Service

FROM: Lisa Dignan, Chair, New Mexico Council for Purchasing from Persons with Disabilities

SUBJECT: FY 2019 Annual Report

Enclosed is the Fiscal Year 2019 Annual Report for the State Use Act. The Purpose of the State Use Act [13-1C-1 NMSA 1978] is to encourage and assist persons with disabilities to achieve maximum personal independence through useful and productive employment by ensuring an expanded and constant market for services delivered by persons with disabilities, thereby enhancing their dignity and capacity for self-support and minimizing their dependence on welfare and entitlements.

About the Council

Source: 13-1C-4 NMSA 1978, Status: Active

The New Mexico State Use Act, 13-1C-1 NMSA 1978, is an outgrowth of the state's continuing efforts to expand opportunities for its citizens with disabilities. The Act opens state service contracts to businesses owned by persons with disabilities and Community Rehabilitation Programs (CRPs) employing persons with disabilities, so long as the services are provided at fair market pricing.

In addition to offering fair pricing, a convenient and efficient procurement method, and outstanding customer service, every transaction made helps support employment opportunities for New Mexicans with disabilities.



Functions & Responsibilities

Paraphrasing 13-1C-2 NMSA 1978

The purpose of the State Use Act (and council) is to encourage and assist persons with disabilities to achieve maximum personal independence through useful and productive employment by ensuring an expanded and constant market for services delivered by persons with disabilities...

Appointment Process

13-1C-4 NMSA 1978

The Council shall be composed of the following nine members:

- (1) The state purchasing agent or the agent's designee;
- (2) two persons, appointed by the governor who represent state agencies that purchase significant amounts of goods and services from the private sector, or their designees;
- (3) a person, appointed by the governor, who is a state-employed vocational rehabilitation counselor and who is familiar with employment needs of persons with disabilities and with current pricing and marketing of goods and services, and
- (4) two persons with disabilities, a person who is familiar with employment needs of persons with disabilities and with current pricing and marketing of goods and services, and two persons who represent community rehabilitation programs that provide employment services to persons with disabilities, all selected by mutual agreement of the persons appointed in Paragraphs (1), (2), and (3) of this subsection.

Terms of Service

13-1C-4 NMSA 1978

Council members shall be appointed for three-year terms. Vacancies shall be filled in the same manner as for original appointments. A member appointed to fill a vacancy shall serve for the remainder of the term for that vacancy. Council members shall continue to serve beyond the expiration of their terms until new members are appointed.

High Quality Services

In April 2019, Doña Ana County was in need of a vendor to print the estimated 128,000 tax notices sent out by the County Treasurer's Office each year. The County worked with State Use Central Nonprofit Agency, Horizons of New Mexico, to determine if there was a member under the Program able to perform the work. Horizons presented the opportunity to Adelante Development Center, a nonprofit organization that hires people with mental, physical, and developmental disabilities and is a member of the State Use Program.

After making the introduction, Doña Ana County Treasurer Eric Rodriguez said, he "took one of our previous tax bills to compare and said, 'Can you guys do this?' (Adelante) produced one, and then we compared it to what we previously had, and the quality of work that showed on that tax bill was way better." Mr. Rodriguez was impressed with the quality but still wanted to visit Adelante's Bulk Printing and Mailing facility in Albuquerque before making a final decision.

"They certainly have the tools, resources and expertise to do their job, and I was able to see that firsthand by visiting their site," said Rodriguez. Starting in November 2019 and going through 2022, the treasurer's office will be contracting with Adelante through Horizons of New Mexico to print and distribute the thousands of the county's tax bills.

"I'm very excited to be working with this nonprofit primarily because of what they do," said Rodriguez.



According to Robin Johnson, the senior director of business operations for Adelante: "Only about 30% of people with disabilities are employed in our country, and when you factor in people with developmental disabilities, that drops to only 19%."

For this contract, the five workers with disabilities employed will be getting paid more than \$11 an hour.

"We do our best to make sure that people with disabilities get paid well," said Johnson.

Scheduled FY 2019 Council Meetings

- July 11, 2018 - *Quorum*
- August 8, 2018 - *Quorum*
- September 12, 2018 - *Quorum*
- November 13, 2018 - *Quorum*
- February 13, 2019 - *Quorum*
- March 13, 2019 - *No Quorum*
- April 10, 2019 - *Quorum*
- May 8, 2019 - *Quorum*
- June 12, 2019 - *Quorum*
- June 26, 2019 - *Quorum*

Council Membership

COUNCIL MEMBERS	TERM	APPOINTED BY
Lisa Dignan, Chair Director of Community Engagement NM Commission for Deaf and Hard of Hearing 505 Marquette Ave NW, Suite 1550, Albuquerque, NM 87102 <i>Lisa.Dignan@state.nm.us • 505.383.6530</i>	10/1/2018 - 10/1/2021	Appointed by Council
Mark R. Hayden, Vice-Chair Director, CPO and State Purchasing Agent State Purchasing Division 1100 S. St. Francis Drive, Room 2016, Santa Fe, NM 87505 <i>Mark.Hayden@state.nm.us • 505.827.2331</i>	No Term Limits Membership includes State Purchasing Agent or designee	Governor Appointed Required by State Use Act, 13-1C-4 A. (1)
Greg Trapp, Secretary Executive Director - NM Commission for the Blind 2200 Yale Blvd. SE, Albuquerque, NM 87106 <i>Greg.Trapp@state.nm.us • 505.841.8844</i>	10/1/2018 - 10/1/2021	Appointed by Council
Secretary Olivia Padilla-Jackson NM Department of Finance & Administration 407 Galisteo, Suite #180, Santa Fe, NM 87501 <i>Olivia.Padilla-Jackson@state.nm.us • 505.827.4985</i>	3/1/2019 to 2/28/2022	Governor Appointed
Secretary Vincent Martinez NM Department of Information Technology 715 Alta Vista St., Santa Fe, NM 87505 <i>Vincent.Martinez@state.nm.us • 505.827.0000</i>	3/1/2019 to 2/28/2022	Governor Appointed
Antoinette Holmes NM Division of Vocational Rehabilitation PO Box 15430, Rio Rancho, NM 87174 <i>AntoinetteF.Holmes@state.nm.us • 505.252.5533</i>	No Term Limits Membership includes Vocational Rehabilitation Representative	Governor Appointed Required by State Use Act
Pam Lillibridge 4534 Sandalwood Dr., Las Cruces, NM 88011 <i>Pam3717@comcast.net • 575.644.2107</i>	CRP Representative 10/1/2018 - 10/1/2021	Appointed by Council Required by State Use Act
Roger Newall Disabled Veteran 9712 Arvilla Ave NE, Albuquerque, NM 87111 <i>nmrefsch@msn.com • 505.610.1533</i>	10/1/2018 - 10/1/2021	Appointed by Council
Mike Kivitz President/CEO, Adelante Development Center 3900 Osuna NE, Albuquerque, NM 87109 <i>mkivitz@goadelante.org • 505.341.7102</i>	CRP Representative 10/1/2018 - 10/1/2021	Appointed by Council Required by State Use Act

Approved & Excluded Services

During the 2019 fiscal year, the Council reviewed and defined all acceptable, excluded, and permissible services under the State Use Act. Over several of its regular meetings, the Council approved 38 service categories, excluded 26 service categories, and determined 11 service categories were permissible for sale (*services listed below, definitions attached*).

APPROVED SERVICES

- ADA Accessibility Consulting Services
- Bulk Printing & Mailing
- Botanical Services
- Call Center Services
- Clerical Data Entry
- Computer Refurbishing
- Courier Services
- Debris Removal
- Dishwashing Services
- Document Imaging Services
- Document Destruction
- Greeting Services
- Envelope Stuffing
- Event Planning
- General Labor
- Hard Drive Destruction
- Landscape Irrigation
- Janitorial and Housekeeping Services
- Kit Assembling
- Landscaping
- Mailing Services
- Management of an Assistive Technology Reuse and Recycling Program
- Meeting Minute Preparation Services
- Moving Services
- Pest Control and Extermination Services
- Plant Rental Services
- Printing Services
- Receptionist, Filing and Clerical Services

- Recycling Services
- Rest Area Maintenance
- Screen Printing
- Shelf Stocking and Restocking
- Snow Removal
- Transcription Services
- Transportation
- Vehicle Washing
- Wildlife Services Management
- Yard, Grounds, and Lawn Maintenance

EXCLUDED SERVICES

- Administrative Reports
- Architects
- Archeologists
- Certified Public Accountants
- Construction Managers
- Construction Services
- Demolition
- Engineers
- IT – Enterprise Application
- IT – IV & V
- IT – Project Management
- Landscape Architects
- Lawyers
- Management & Systems Analysts
- Medical Arts Practitioners
- Planners
- Psychologists
- Registered Public Accountants
- Remediation – Wall Repair
- Researchers
- Roof Repair and Maintenance
- Marketing

- Scientists
- Stair Replacement
- Survey Services
- Surveyors

PERMISSIVE SERVICES

- Corporate & Personal Background Checks
- Employment Support Services
- Graphic Design - Logo Design
- IT - Network & Database Management
- IT - Security Services
- IT Support
- IT – Web Design
- IT – Web Programmer
- Private Investigation Services
- Public Relations
- Training Services



Council Activity

- During its September 12, 2018 meeting the Council reviewed and adopted its Open Meeting Act Annual Resolution. (*attached*)
- During its April 10, 2019 meeting the Council voted on and passed 14(c) wage law verification procedures affirming the importance of active member businesses and CRPs in the provisions of Section 511 of the Workforce Innovations and Opportunities Act.
- During its May 8, 2019 meeting the Council voted on and passed a Central Nonprofit Agency procedure for reviewing member business and CRP compliance with applicable wage law.
- During its May 8, 2019 meeting the Council also amended its bylaws. The main amendment related to the Councils agreement to abide by the terms of the Governmental Conduct Act. (*attached*)

Exceeding Client Expectations

Martin Candelaria and his wife Jeanette started Greetings Etc.! in 1999, a full-service, design-to print-to mail processing company located in Albuquerque. Martin is a service-disabled Air Force Veteran who served with the 31st Tactical Fighter Squadron in Vietnam. Between 1968 and 1969, his unit flew over 6000 combat missions.

Before opening Greetings, Jeanette and Martin worked in marketing and advertising for major corporations with involvement in producing collateral advertising materials for their clients. With a deep understanding of the design and print production aspects of marketing materials, the progression towards opening a print shop was a natural transition.



Jeanette and Martin Candelaria

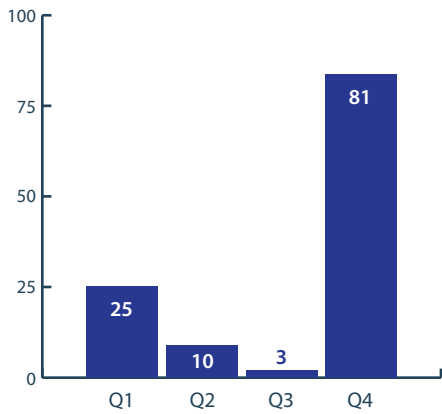
However, being a service-disabled owned business has been a challenge. As Martin puts it: “We not only have to convince clients our disability won’t get in the way of turning out a professional product, we also have to reassure them we can meet their timelines.”

As a State Use member business, Greetings has generated enough business to hire other staff with disabilities. Greetings currently employs four individuals with disabilities, all of whom are also veterans. With a reputation for turning out a high-quality product on time and within budget, Greetings has received contracts with state and local agencies located across New Mexico through the State Use Act. Martin said Greetings “strives to go beyond a client’s expectations and we hold ourselves to a very high standard to meet their needs.”

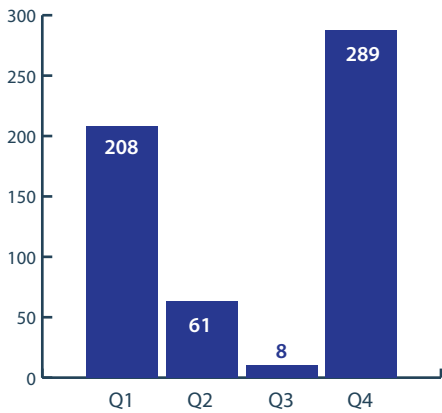
State Use Program Success

280 New Mexicans with disabilities earned over \$2.2 million in wages through State Use contracts in 2019.

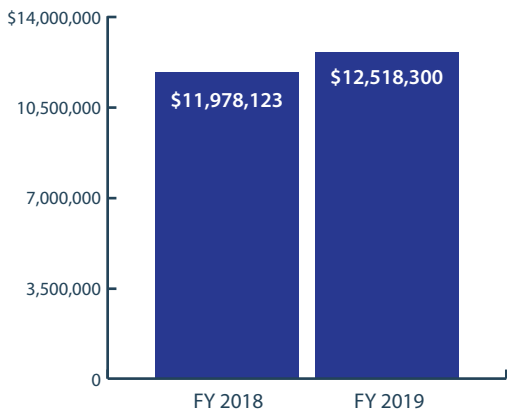
Contracts Approved
July '18 - June '19



Added Employment Opportunities
July '18 - June '19



Program Sales
July - June



During the 2019 fiscal year, the New Mexico Council for Purchasing from Persons with Disabilities approved 119 contracts creating 566 employment opportunities for New Mexicans with disabilities working at 18 Community Rehabilitation Programs (CRPs) and member businesses. Through meaningful employment opportunities like these, New Mexicans with disabilities are empowered to become productive, tax-paying citizens which positively impacts the state of New Mexico and its local communities. Employment through these contracts provided over \$2.2 million in wages for 280 New Mexicans with disabilities.

The New Mexico Council for Purchasing from Persons with Disabilities will continue providing useful and productive employment opportunities for New Mexicans with Disabilities in the 2020 fiscal year.

Top Ten Customers

July 2018 - June 2019

1. New Mexico Department of Transportation
2. New Mexico Human Services Department
3. City of Albuquerque
4. New Mexico Children, Youth and Families Department
5. New Mexico Department of Health
6. New Mexico Department of Military Affairs
7. Doña Ana County
8. Albuquerque Bernalillo County Water Utility Authority
9. New Mexico Department of Workforce Solutions
10. New Mexico Game and Fish Department

Approved Services

The service categories below have been approved by the New Mexico Council for Purchasing from Persons with Disabilities and are available through Horizons of New Mexico.

- 1. ADA Accessibility Consulting Services** - *Training on accessibility history, laws, regulations, standards, guidelines and building codes. Includes site inspections, plan reviews, and ADA transition plans.*
- 2. Bulk Printing and Mailing** - *Full service facility that processes, folds, inserts, prints, and mails large quantity mailing jobs. The service can include form design, printing both color and black/white duplex prints, additional inserts or remit envelopes, and mail presort.*
- 3. Botanical Services** - *Service includes: planning and managing nursery operations; conducting research and development of native tree and shrub species; determining species germination and propagation needs; acquiring necessary seed, soil, and containers to germinate and grow seedlings; seedling distribution. Does not include cannabis or medical marijuana, inclusive of any Department of Health growing program.*
- 4. Call Center Services** - *Centralized office used for receiving or transmitting a large volume of requests by telephone.*
- 5. Clerical Data Entry** - *Entering or updating data into a computer system. Data is often entered into a computer from paper documents using a keyboard.*
- 6. Computer Refurbishing** - *Used computer equipment that has been restored to like-new working condition and/or appearance. Typically refers to the hardware components of a computer that have been either replaced with similar components or updated with newer technology than the device originally came with.*
- 7. Courier Services** - *Fast, door to door pickup and delivery service for high-value goods or urgently required documents.*
- 8. Debris Removal** - *Removal of various types of debris from a property.*
- 9. Dishwashing Services** - *The process of cleaning cooking utensils, dishes, cutlery.*
- 10. Document Imaging Services** - *The digital storage, retrieval and management of electronic images of documents. The main methods of capturing images are by scanning paper documents or microfilm/fiche.*
- 11. Document Destruction** - *On-site or plant-based destruction of private, confidential, or possibly sensitive documents.*
- 12. Greeting Services** - *Welcoming visitors and customers as they arrive at a location. Also may provide customers and other visitors with information regarding hours of operation, merchandise locations, nearby businesses or public restroom facilities.*
- 13. Envelope Stuffing** - *Preparing documents and envelopes for mail-out.*
- 14. Event Planning** - *The process of managing a project such as a meeting, convention, tradeshow, ceremony, team building activity, or party. Services can include budgeting, establishing timelines, selecting and reserving the event sites, acquiring permits, planning food, coordinating transportation, developing a theme, arranging for activities, selecting speakers and keynotes, arranging for equipment and facilities, managing risk, and developing contingency plans.*
- 15. General Labor** - *Non-specialized physical labor performed in or outside an office setting.*
- 16. Hard Drive Destruction** - *Destruction of data on electronic media so that it is completely unreadable and cannot be accessed or used for unauthorized purposes.*
- 17. Landscape Irrigation** - *Services include the installation and/or maintenance of landscaping irrigation/sprinkler and drip systems.*
- 18. Janitorial and Housekeeping Services** - *Commercial property cleaning, including professional offices, educational, medical and industrial business cleaning.*
- 19. Kit Assembling** - *Taking individual parts of a product and putting them together or preparing for sale. Can include consolidated bagging or boxing of individual items.*
- 20. Landscaping** - *Management of property vegetation and grounds, including mowing, edging, planting, fertilizing, weed control, watering, pruning, and trimming.*
- 21. Mailing Services** - *Third-party coordination and mailing of documents as instructed by customer.*
- 22. Management of an Assistive Technology Reuse and Recycling Program** - *Program management includes accepting, receiving and documenting donations of computers, durable medical equipment, assistive technology software and/or assistive technology devices that can be cleaned, refurbished, and put back in use for people with disabilities living in the community.*
- 23. Meeting Minute Preparation Services** - *Preparation of verbatim or non-verbatim meeting minutes, including topics discussed and vote outcome.*
- 24. Moving Services** - *Inclusive of the transportation of goods from one location to another, moving services may include packing, loading, moving, unloading, unpacking, arranging of items to be shifted.*
- 25. Pest Control and Extermination Services** - *The reduction or regulation of the population of noxious, destructive, or dangerous insects or other animals through chemical treatment or other methods.*
- 26. Plant Rental Services** - *Leasing and maintenance of (typically) indoor vegetation.*
- 27. Printing Services** - *Preparation and printing of documents or other media. Can include layout, design, color correction, packaging and other related services.*
- 28. Receptionist, Filing and Clerical Services** - *Performing of day-to-day office tasks, such as answering phones, filing and entering data into spreadsheets.*
- 29. Recycling Services** - *Collection and separation of materials for recycling.*
- 30. Rest Area Maintenance** - *Full-service maintenance of roadside rest areas, including janitorial services, landscape maintenance, & repair services.*

Approved Services *(continued)*

31. Screen Printing - Creation of custom printed apparel items using a screen-printing press.

32. Shelf Stocking and Restocking - Can include receiving merchandise, unloading or unpacking it, marking it with codes to be identified, stocking shelves.

33. Snow Removal - Removal of existing snow, ice or frost from a roadway or other surface. It includes both mechanical means, such as plowing or scraping, and chemical means, such as application of salt or other ice-melting chemicals.

34. Transcription Services - Conversion of speech (either live or recorded) into a written or electronic text document.

35. Transportation - Personal transportation services for individuals or groups to appointments, events, or specific locations.

36. Vehicle Washing - Cleaning of exterior and interior of fleet or individual passenger vehicles, excluding airplanes.

37. Wildlife Services Management - Wildlife control through hunting, trapping, and fishing. Also includes study of wildlife population, location and depredation.

38. Yard, Grounds, and Lawn Maintenance - Management of property vegetation and grounds, including mowing, edging, planting, fertilizing, weed control, watering, pruning, and trimming.

Excluded Services

The service categories below have been deemed unsuitable under the State Use Act by the New Mexico Council for Purchasing from Persons with Disabilities, not because they can't be performed by individuals with disabilities, but because of the mandatory nature of the program or specific licensure limitations.

1. Administrative Reports - Developing reports on state or federal programs, plans, or other topics using and compiling demographic data, focus groups, stakeholder responses and other sources.

2. Architects - Individuals who design buildings and, in many cases, also supervise their construction.

3. Archeologists - A person who studies human history and prehistory through the excavation of sites and the analysis of artifacts and other physical remains.

4. Certified Public Accountants - Licensed individual who provides accounting services including preparation, review, and auditing of the clients' financial statements. tax work including the preparation of income tax returns, and estate and tax planning.

5. Construction Managers - A professional service that uses specialized, project management techniques to oversee the planning, design, and construction of a project, from its beginning to its end.

6. Construction Services - The process of constructing a building or infrastructure.

7. Demolition - Construction services involving the tearing down of buildings or other structures by a licensed general contractor.

8. Engineers - Individuals who design, build, or maintain engines, machines, or public works.

9. IT – Enterprise Application - Developing and/or instituting enterprise application plans relating to the display, manipulation, and storage of large amounts of often complex data and the support or automation of business processes with that data.

10. IT – IV & V - Independent verification and validation (IV&V) involves verification and validation done by a third party organization not involved in the development of the product. Thus, the product, such as software, gets examined by third party. The main check performed is whether user requirements are met alongside ensuring that the product is structurally sound and built to the required specifications.

11. IT – Project Management - Services include planning, organizing and delineating responsibility for the completion of specific IT goals.

12. Landscape Architects - Licensed professionals that analyze, plan, design, manage, and nurture the built and natural environments.

13. Lawyers - Licensed professionals who are qualified to offer advice about the law or represent others in legal matters.

14. Management and Systems Analysts - Defines application problem by conferring with clients; evaluating procedures and processes. Develops solution by preparing and evaluating alternative workflow solutions. Controls solution by establishing specifications; coordinating production with programmers.

15. Medical Arts Practitioners - Licensed professionals assisting in the health and wellness of other individuals. May include diagnosis and treatment of others.

16. Planners - Individuals who develop plans and programs for the use of land. They use planning to create communities, accommodate growth, or revitalize physical facilities in towns, cities, counties, and metropolitan areas.

17. Psychologists - Licensed professional who studies the human mind and human emotions and behavior, and how different situations have an effect on people.

18. Registered Public Accountants - Individual who provides public accountancy services such as audit and reporting on financial statements, and such other activities (e.g. judicial management) as required by law.

19. Remediation – Wall Repair - Construction services involving the repair of a wall or walls by a licensed general contractor.

20. Researchers - Individuals who carry out academic or scientific research.

21. Roof Repair and Maintenance - Construction services involving the repair or maintenance of a structure's roof by a licensed general contractor.

Excluded Services (continued)

22. Marketing - The activity, set of institutions, and processes for creating, communicating, delivering, and exchanging offerings that have value for customers, clients, partners, and society at large.

23. Scientists - A person who has expert knowledge of one or more of the natural or physical sciences.

24. Stair Replacement - Construction services involving the replacement or renovation of stairs by a licensed general contractor.

25. Survey Services - Conducting surveys via focus groups, sample grouping, or other methods.

26. Surveyors - Individual who makes exact measurements and determine property boundaries. Provides data relevant to the shape, contour, gravitation, location, elevation, or dimension of land or land features on or near the earth's surface for engineering, mapmaking, mining, land evaluation, construction, and other purposes.

Permissive Services

The service categories below have been approved by the New Mexico Council for Purchasing from Persons with Disabilities as permissible for sale under the State Use Act through Horizons of New Mexico. While the Council recognizes that certain Horizons of New Mexico members are capable of performing the services listed below, said services are considered permissive and excluded from the mandatory aspect of the State Use Program. Any procurement of the below services through Horizons of New Mexico is at the discretion of the purchasing agency and will be considered by the Council on a case-by-case basis.

1. Corporate and Personal Background Checks - The process of looking up and compiling criminal records, commercial records, and financial records of an individual or an organization.

2. Employment Support Services - Assisting people with disabilities in obtaining and maintaining employment.

3. Graphic Design - Logo Design - Providers either create a unique logo or edit an existing logo for use in both print and web materials.

4. IT Network and Database Management - Network management refers to the broad subject of managing computer networks. There exists a wide variety of software and hardware products that help network system administrators manage a network. Network management covers a wide area, including:

- Security: Ensuring that the network is protected from unauthorized users.
- Performance: Eliminating bottlenecks in the network.
- Reliability: Making sure the network is available to users and responding to hardware and software malfunctions.

Database services include the creation and maintenance of data systems to organize and process information.

5. IT Security Services - Comprehensive analysis of network risks and determining the best method to manage and mitigate them; either by patching the vulnerabilities or adding countermeasures, such as access control lists to block access to the vulnerability.

6. IT Support - In-person, phone, or web-based assistance by experts on computer software, hardware, internet, applications, and other IT-related topics.

7. IT – Web Design - Services involving the production and maintenance of websites, including: web graphic design; interface design; authoring, including standardized code and proprietary software; user experience design; and search engine optimization.

8. IT – Web Programmer - The writing, markup and coding involved in web development, which includes web content, web client and server scripting and network security.

9. Private Investigation Services - Gathering of information on a subject or situation by licensed professionals using a number of surveillance and investigative techniques.

10. Public Relations - Utilization of a wide range of media to build and sustain a good image for a company, organization or brand through planned publicity campaigns and PR activity.

11. Training Services - Personnel training in a variety of disciplines by consultants, trainers, or content experts.

NEW MEXICO COUNCIL FOR PURCHASING FROM PERSONS WITH DISABILITIES

OPEN MEETINGS RESOLUTION

September 12, 2018

WHEREAS, the Open Meetings Act, Section 10-15-1 NMSA 1978, states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, the Open Meetings Act requires the New Mexico Council for Purchasing from Persons with Disabilities to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, be it resolved by New Mexico Council for Purchasing from Persons with Disabilities gathered in regular meeting this 12th day of September, 2018, that:

1. All meetings shall be held as indicated in the meeting notice, except that meetings may be canceled due to a lack of a quorum, due to inclement weather, or for other appropriate reasons.
2. Regular Meetings: Notice of regular meetings shall be given at least ten days in advance of the meeting
3. Special Meetings: Notice shall be given at least 72 hours in advance of any special meeting.
4. Emergency Meetings: Emergency meetings may be called by the Chair upon at least twenty-four hours' notice, or by the Vice Chair should the Chair be unavailable, or by a majority request of at least 7 members, unless threat of personal injury or property damage requires less notice. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens, or of the State of New Mexico, or of local public bodies from substantial financial loss.
5. Rule Hearings: Notice of rulemaking proceedings shall be given at least thirty days prior to the hearing date.
6. For purposes of regular meetings described in paragraph 2, notice requirements are met if notice of the date, time, place, and how to obtain a copy of the agenda is published in a newspaper of general circulation at least 10 days prior to the meeting. Notice shall also be given

to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. The meeting agenda shall also be made available and placed on the web page of the New Mexico State Purchasing Division or the web page of the designated central nonprofit agency at least 72 hours prior to the meeting.

7. For purposes of special meetings described in paragraph 3, notice shall be placed on the web page of the designated central nonprofit agency or of the New Mexico State Purchasing Division, and notice shall also be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. The meeting agenda shall be made available and placed on the web page of the designated central nonprofit agency or the New Mexico State Purchasing Division at least seventy-two (72) hours prior to the meeting.

8. For purposes of emergency meetings described in paragraph 4, notice requirements are met if notice of the date, time, place, and a copy of the agenda is made reasonably available under the circumstances, which may include posting at the office of the designated central nonprofit agency or the New Mexico State Purchasing Division, placement on the web page of the designated central nonprofit agency or the New Mexico State Purchasing Division, and using other appropriate methods. Notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

9. For the purpose of rule hearings described in paragraph 5 of this resolution, notice requirements shall be met if notice of the date, time, place, subject of the hearing, the manner in which interested persons may present their views, and where copies of the proposed regulations may be obtained, is published in a newspaper of general circulation and the New Mexico Register. In addition, the notice of hearing shall be posted at the office of the designated central nonprofit agency and the New Mexico State Purchasing Division, posted on the web page of the designated central nonprofit agency or the web page of the New Mexico State Purchasing Division, and placed using other appropriate methods. Notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

10. The New Mexico Council for Purchasing from Persons with Disabilities may also place notice on the web page of the designated central nonprofit agency or on the web page of the New Mexico State Purchasing Division.

11. All notices shall include information on how persons with disabilities may request a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service as may be required by the Americans with Disabilities Act.

12. A member of the New Mexico Council for Purchasing from Persons with Disabilities may attend by conference telephone or other similar communications equipment, including Internet-based technologies. However, such attendance is allowed only when it is otherwise difficult or impossible for the member to attend in person. Such attendance is allowed at the discretion of

the Chair, or of the Vice-Chair in the absence of the Chair. In addition, each member thus participating must be identified when speaking, all participants must be able to hear each other at the same time, and the public must be able to hear any member who speaks during the meeting.

13. The Council may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close. The vote of each member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If a closed meeting is to be conducted when the Council is not in an open meeting, the closed meeting shall not be held until appropriate public notice is given.

(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

Passed by the New Mexico Council for Purchasing from Persons with Disabilities this 12th day of September, 2018.



Larry Maxwell
Chairman

NEW MEXICO Council for Purchasing from Persons with Disabilities

BYLAWS

Adopted: May 8, 2019

ARTICLE I

PURPOSE

The purpose of these bylaws is to provide for the proper and efficient administration of the New Mexico Council for Purchasing from Persons with Disabilities, hereafter “Council,” and to further the purposes set forth in the State Use Act.

ARTICLE II

MEMBERSHIP

The membership of the Council shall be comprised of persons appointed as set forth in the State Use Act.

ARTICLE III

OFFICERS AND EXECUTIVE COMMITTEE

Officers shall be elected at the first meeting of each calendar year, or as may otherwise be necessary to fill vacant positions. The officers shall consist of a Chairperson, a Vice-Chairperson, and a Secretary. The officers shall constitute an executive committee.

As allowed by the Open Meetings Act, the Chairperson or the Executive Committee may be authorized to make decisions pending action by the full Council, or be delegated certain duties and responsibilities.

ARTICLE IV

COMMITTEES

The chair may appoint such standing and ad hoc committees as may be necessary to further the business of the council, provided that no committee shall constitute a quorum as set forth in the State Use Act. The committees may also include persons who are not Council members, but who have subject-matter or other expertise.

ARTICLE V

MEETINGS

The Council shall meet at least four times annually, and all meetings shall be conducted in accordance with the Open Meetings Act. A quorum for conducting business shall consist of a minimum of seven members as set forth in the State Use Act. Should a quorum not be established, the members present may dissolve into a committee, provided that no vote or action may be taken that would require a quorum.

ARTICLE VI

PARLIAMENTARY PROCEDURE

The current edition of Robert's Rules of Order shall serve as a general guide for the conducting of meetings. However, the failure to act in accord with Robert's Rules of Order shall not negate or nullify any action of the Council.

ARTICLE VII

ATTENDING BY PHONE OR OTHER SIMILAR COMMUNICATIONS EQUIPMENT

As allowed by the Open Meetings Act, a member of the Council may attend by conference telephone or other similar communications equipment, including Internet-based technologies. However, such attendance is allowed only when it is otherwise difficult or impossible for the member to attend, and only at the discretion of the Chairperson. In addition, each member thus participating must be identified when speaking, all participants must be able to hear each other at the same time, and the public must be able to hear any member who speaks during the meeting.

ARTICLE VIII

CONDUCT

The members of the Council agree to abide by the terms and provisions of the Governmental Conduct Act, including but not limited to the following provisions of the Governmental Conduct Act:

- A. Council members shall treat Council membership as a public trust, using the powers and resources of membership only to advance the public interest and not to obtain personal benefits or pursue private interests incompatible with the public interest.
- B. Council members shall conduct themselves in a manner that justifies the confidence placed in him by the people, at all times maintaining the integrity and discharging ethically the high responsibilities of public service.
- C. Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times reasonable efforts shall be made to avoid undue influence and abuse of office in public service.

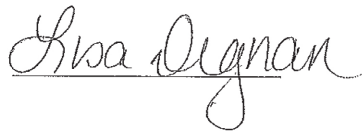
D. No Council member may request or receive, and no person may offer a Council member, any money, thing of value or promise thereof that is conditioned upon or given in exchange for promised performance of an official act.

E. A Council member shall disqualify himself from engaging in any official act directly affecting his financial interest.

ARTICLE IX

AMENDMENTS

These by laws may be amended by a majority vote of the Council members present at any regular or special meeting at which a quorum is present, provided a written notice of the proposed change has been provided to each member of the Council at least five days prior to the meeting.

A handwritten signature in cursive script that reads "Lisa Dignan". The signature is written in black ink and is positioned above the printed name and title.

LISA DIGNAN
CHAIR