

OFFICIAL MINUTES

NEW MEXICO COUNCIL FOR PURCHASING FROM PERSONS WITH DISABILITIES

MEETING MINUTES

REGULAR MEETING

April 6, 2022 1:30 PM

Zoom Call

AGENDA ITEM 1: CALL TO ORDER

Chair Antoinette Holmes called the meeting to order at 1:35 p.m. MDT.

AGENDA ITEM 2: ROLL CALL

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

MEMBERS PRESENT

Antoinette Holmes	Council Chair, Division of Vocational Rehabilitation (participating remotely via video)
Lisa Dignan	Council Chair, New Mexico Commission for Deaf and Hard of Hearing Representative (participating remotely via video)
Greg Trapp	Council Secretary, New Mexico Commission for the Blind Representative (participating remotely via video)
Mark Hayden	Council Vice-Chair, State Purchasing Director (participating remotely via video)
Roger Newall	Council Member, Disabled Veteran (participating remotely via video)
Pam Lillibridge	Council Member, Community Rehabilitation Program (CRP) Representative (participating remotely via video)
Mike Kivitz	Council Member, Community Rehabilitation Program (CRP) Representative (participating remotely via video; joined the meeting at 1:55 p.m.)
Kathleen Pinyan	Council Member, Designee for Department of Finance and Administration (DFA) Secretary Romero (participating remotely via video)

MEMBERS NOT PRESENT

Eli Fresquez	Council Member, Designee for New Mexico Children, Youth & Families Department (CYFD) Secretary Blalock
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With eight council members participating remotely via telephone or video at the time of the roll call, a quorum was established.

AGENDA ITEM 3: INTRODUCTION OF GUESTS AND STAFF

Chair Holmes asked all guests and staff members participating via telephone to introduce themselves at this time.

OTHER PARTICIPANTS

Matt Loehman	Horizons of New Mexico, participating remotely via video
Arturo Soliz	Horizons of New Mexico, participating remotely via video
Kyle Radford	Horizons of New Mexico, participating remotely via video
Marie Richter	Horizons of New Mexico, participating remotely via video
Scott DeVetter	Horizons of New Mexico, participating remotely via video
Taylor McBride	Horizons of New Mexico, participating remotely via video

GUESTS

Karla Solaria	New Mexico Office of the Attorney General, participating remotely via video
Kelly Burma	New Mexico Commission for the Blind, participating remotely via video
Brian Ammerman	Adelante Development Center, participating remotely via video
Greg Block	Tresco, participating remotely via video
Luis Rios	Tresco, participating remotely via video
Chris Boston	Tresco, participating remotely via video
Patricia Savage	New Mexico Commission for the Blind, participating remotely via video

AGENDA ITEM 4: APPROVAL OF POSSIBLE CHANGES TO THE ORDER OF THE AGENDA AND DELETION OF AGENDA ITEMS

There were no changes to or deletions from the agenda at this time, and the meeting continued as outlined on the published agenda.

AGENDA ITEM 5: APPROVAL OF THE MINUTES OF MARCH 2, 2022

Council member Lisa Dignan requested that the spelling be corrected for Casey Stone-Romero, New Mexico Department of Vocational Rehabilitation, who was listed as a guest who participated in the March 2 meeting.

Council member Kathleen Pinyan moved to approve the March 2, 2022 meeting minutes, inclusive of Council member Dignan's requested revision. Council member Mark Hayden seconded the motion and the Council voted unanimously to approve the minutes in a roll call vote, with members Dignan, Hayden, Holmes, Mike Kivitz, Pam Lillibridge, Roger Newall, Pinyan, and Trapp voting yes.

AGENDA ITEM 6: CHAIR UPDATE, ANTOINETTE HOLMES

There was no chair update at this time.

AGENDA ITEM 7: CENTRAL NONPROFIT AGENCY, MATT LOEHMAN

Mr. Matt Loehman, Horizons of New Mexico (Horizons), informed the Council that Mr. Arturo Soliz, Horizons, would be retiring at the end of the month. He thanked Mr. Soliz for his hard work and dedication to Horizons and the New Mexico State Use Program.

AGENDA ITEM 8: ACCEPTANCE OF CENTRAL NONPROFIT AGENCY ANNUAL AUDIT, MATT LOEHMAN

Mr. Loehman introduced Mr. Scott DeVetter, Horizons, to review the organization’s consolidated audit which was provided to the Council prior to the beginning of the meeting. Mr. DeVetter noted that, while the audit reflected a breakout of Horizons financial information, the audit included financial information for both Horizons of New Mexico and its parent organization, WorkQuest.

Mr. DeVetter outlined that Horizons increased their accounts receivable by \$1.1 million over the prior fiscal year, which was a direct result of the organization’s increased sales from FY20 to FY21. He added that the organization’s net assets for FY21 were \$536,000, which was an increase in over \$150,000 from the previous fiscal year, and that net income for the fiscal year was \$15.4 million.

Council member Dignan moved to accept the audit as presented to the Council. Council member Pinyan seconded the motion and the Council voted unanimously to accept the audit in a roll call vote, with members Dignan, Hayden, Holmes, Kivitz, Lillibridge, Newall, Pinyan, and Trapp voting yes.

AGENDA ITEM 9: APPROVAL OF REVISED PROPOSED INCREASE FOR FY23 MEMBER DOCUMENT DESTRUCTION RATES

Mr. Loehman and Mr. Brian Ammerman, Adelante Development Center, reviewed the reasons that necessitated the proposed increase to document destruction rates for FY 23 with the Council – citing the most influential reason as being the significant increase in wages paid to employees.

Council member Lillibridge asked if the state agency customers understood the reasoning behind the increase in wages paid to employees was due to the increase in the minimum wage and attempts to maintain employee retention. Mr. Loehman responded that customers did seem to understand and accept that as the reason for the increase.

Council member Newall moved to approve the proposed increase, contingent upon the performance of a review of those prices six months after they were implemented. Council member Pinyan seconded the motion, Council member Kivitz abstained, and the Council voted to approve the increase in a 7-0-1 (Approved – Denied – Abstained) roll call vote, with members Dignan, Hayden, Holmes, Lillibridge, Newall, Pinyan, and Trapp voting yes.

AGENDA ITEM 10: 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 contracts listed on the agenda.

a) New Contracts \$5,000 and Under

(None)

b) New Contracts Over \$5,000

1. *New Mexico Governor's Commission on Disability and ADA Accessibility Consultant; ADA Accessibility Consulting, Santa Fe -- \$5,671.88*

Council member Lillibridge moved to approve contract B1. Council member Hayden seconded the motion and the Council voted unanimously to approve the contract in a roll call vote, with members Dignan, Hayden, Holmes, Kivitz, Lillibridge, Newall, Pinyan and Trapp voting yes.

c) FY23 Renewal Contracts \$5,000 and Under

(None)

d) FY23 Renewal Contracts Over \$5,000

(None)

AGENDA ITEM 11: SERVICE CONTRACTS DIRECTLY DISTRIBUTED UNDER CENTRAL NONPROFIT AGENCY AUTHORITY

a) New Service Contracts Directly Distributed Under CNA Authority

1. *13th Judicial Court and member Adelante Development Center; Document Destruction, Los Lunas ---\$178.32*
2. *City of Belen and member Adelante Development Center; Document Destruction, Police Department ---\$178.32*
3. *Los Alamos Public Schools and member Adelante Development Center; Document Destruction -- \$186.55*
4. *New Mexico Administrative Office of the Courts and member Adelante Development Center; Document Destruction, Santa Fe -- \$83.56*
5. *New Mexico Compilation Commission and member Adelante Development Center; Document Destruction, Santa Fe---\$50.83*
6. *New Mexico Department of Cultural Affairs and member Adelante Development Center; Document Destruction, Santa Fe -- \$305.89*
7. *New Mexico Department of Health and member Adelante Development Center; Document Destruction, Administrative Services Division, Santa Fe -- \$95.19*
8. *New Mexico Department of Health and member Adelante Development Center; Document Destruction, Epidemiology and Response Division, Santa Fe--- \$1,794.86*
9. *New Mexico Early Childhood Education and Care Department and member Adelante Development Center; Document Destruction, Santa Fe---\$196.98*
10. *New Mexico Human Services Department and member Adelante Development Center; Document Destruction, Hobbs -- \$83.56*
11. *New Mexico Human Services Department and member Adelante Development Center; Document Destruction, Roswell – \$369.60*

12. *New Mexico Office of the Superintendent and member Adelante Development Center; Document Destruction, Santa Fe -- \$137.82*
13. *New Mexico Tax and Revenue Department and member Adelante Development Center; Document Destruction, Santa Fe -- \$221.00*
14. *San Juan College and member Adelante Development Center; Document Destruction, Farmington ---\$122.33*
15. *Sierra County and member Adelante Development Center; Document Destruction, Truth or Consequences ---\$208.27*
16. *Torrance County Sheriff's Office and member Adelante Development Center; Document Destruction, Estancia-- \$311.92*
17. *City of Albuquerque and member Buddy Check II; Printing Services, Department of Senior Affairs --- \$93.86*
18. *City of Albuquerque and member Buddy Check II; Printing Services, Transit Center----\$312.05*
19. *City of Rio Rancho and Clearly Clean Janitorial Service; Janitorial Services, Memorial Library -- \$1,055.88*
20. *City of Rio Rancho and Clearly Clean Janitorial Service; Janitorial Services, Main Library -- \$1,487.48*
21. *City of Albuquerque and Crystal Clear Maintenance; Janitorial Services, Department of Solid Waste -- \$165.99*
22. *City of Albuquerque and member Greetings, Etc.!.; Printing Services, Parks and Recreation Department -- \$316.05*
23. *City of Albuquerque and member Greetings, Etc.!.; Printing Services, Family and Community Services Department -- \$507.68*
24. *City of Albuquerque and member Greetings, Etc.!.; Printing Services, Family and Community Services Department -- \$532.22*
25. *San Juan College and member Greetings, Etc.!.; Printing Services, Farmington -- \$282.50*
26. *New Mexico General Services Department and My Bug Guyz; Pest Control Services, Santa Fe -- \$119.20*

b) FY22 Renewal Service Contracts Directly Distributed Under CNA Authority

1. *New Mexico Commission for the Blind and member Buddy Check II; Printing Services, Albuquerque: FY 21 -- \$2,252.99, FY 22 --- \$1,542.64*

c) Contracts Directly Distributed Under CNA Authority in Cases of Urgent and Immediate Need, or in Cases of State or National Emergency

1. *City of Albuquerque and member DigiPros; Printing Services, Parks and Recreation Department -- \$4,571.44*

AGENDA ITEM 12: APPROVAL OF ADDED AND REMOVED SUITABLE SERVICES

There were no added or removed services to approve at this time.

AGENDA ITEM 13: CENTRAL NONPROFIT AGENCY QUARTERLY REPORT

Mr. Loehman reported that the Council had approved a total of 15 contracts for the reporting quarter,

worth over \$2 million, and providing job opportunities for 44 individuals. He added that the central nonprofit agency (CNA) approved 41 contracts during that period, totaling more than \$19,000, and 3 renewal contracts, totaling more than \$2,000.

AGENDA ITEM 14: RESPONSE FROM TRESKO REGARDING STOP CONCERNS RAISED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

In response to the request from the New Mexico Department of Transportation (NMDOT) to go outside of the State Use Program to bid for services for their District 1 rest area maintenance contracts due to their perceived lack of service being received at those areas, Mr. Luis Rios, Tresko, reviewed the contract scope and responsibilities, pricing history, NMDOT requests for data and contract performance on District 1 contracts with the Council.

After Mr. Rios completed his presentation, Mr. Chris Boston, Tresko outlined that Tresko had offered multiple options for resolution to NMDOT's submitted grievances, and that they had all been declined or ignored. At that time, Tresko then requested a third party mediator be included in discussions with NMDOT. Mr. Boston invited Horizons and members of the Council to participate in that discussion if and when it was scheduled.

Council member Hayden requested that Tresko send the presentation to Horizons to include as a supplemental material to the meeting minutes.

Ms. Karla Soloria informed the Council that, while no motion could be made at the current meeting due to the fact that the current topic of discussion was not an action item on the agenda, Horizons would be within their authority to inform NMDOT that they have other corrective action options available to them before they move forward with opting not to renew the contract. She also added that it would be appropriate for the Council to request advice from the Attorney General's Office on how to proceed with the issue and that she could submit that in the form of a memo, which the Council could then submit to NMDOT.

Chair Holmes stated that the Executive Committee would draft an inquiry to Ms. Soloria, requesting guidance from the Attorney General's Office about how to proceed with the issue, and that Horizons would include a copy of the contract in question along with that request.

After discussion, it was decided that – depending on the availability of necessary council members and when the guidance from Ms. Soloria and the Attorney General's Office was received – the Council could decide whether or not to hold a special meeting before the May 2022 regular council meeting to further discuss the issue.

AGENDA ITEM 15: DISCUSSION OF ELECTRONIC VEHICLE CHARGING STATIONS AND THE STATE USE PROGRAM

Council member Trapp outlined the potential of incorporating electric vehicle charging stations in State Use contracts and as a service provided by State Use vendors, as they could soon be incorporated at safety rest areas and other State Use locations along high ways. He added that it could be an interesting point of ongoing discussion for the Council.

AGENDA ITEM 16: SUBCOMMITTEE UPDATES

There were no subcommittee updates at this time.

AGENDA ITEM 17: OPEN PUBLIC FORUM AND PUBLIC COMMENTS

There was no public forum or public comment at this time.

AGENDA ITEM 18: COUNCIL DISCUSSION

Council member Trapp informed the Council that the New Mexico Department of Corrections was utilizing an out of state entity to provide imaging services for mail sent to inmates in an attempt to reduce the amount of illicit substances entering jails through that correspondence. He added that the State Use Act might be able to accommodate that service for the department, and that the Council should continue to look into the issue.

AGENDA ITEM 19: SUGGESTED AGENDA ITEMS FOR FUTURE MEETINGS

Further discussion about incorporating electric vehicle charging station maintenance into the State Use Program, providing document imaging services for the New Mexico Department of Corrections, and alternate means of conducting business in the absence of a full quorum, were all added as future agenda items.

AGENDA ITEM 20: DATE AND LOCATION OF NEXT MEETING

The date of the next council meeting was scheduled for Wednesday, May 4, 2022, at 1:30 p.m. MDT, to take place remotely via video conference.

AGENDA ITEM 21: ADJOURN

With no further business, the meeting was adjourned at 3:52 p.m.

Antoinette Holmes

Antoinette Holmes, Chair

8/3/2022

Date

NM DOT REST AREAS CONTRACT - DISTRICT I

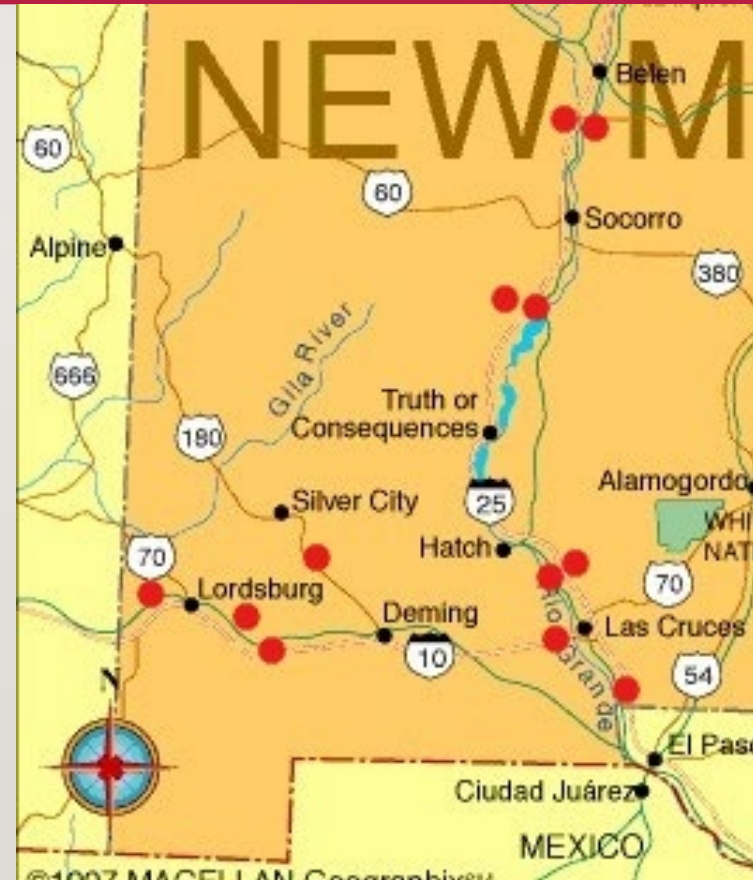
TRESCO, INC. RESPONSES TO RECENT ISSUES

POINTS TO COVER

- Contract Scope and Responsibilities
- Pricing History
- NM DOT Requests for Data
- Contract Performance

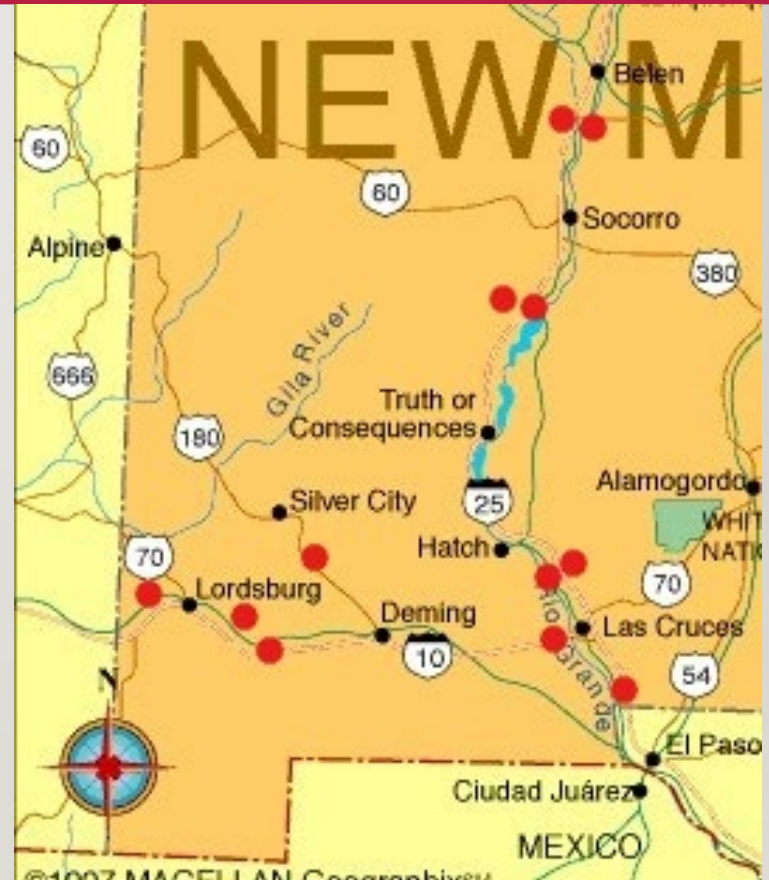
I-10 GEOGRAPHICAL SCOPE

- Anthony – 2-person crew
- Las Cruces Overlook – 2-person crew
- Butterfield – 1-person crew
- Gage – 2-person crew
- Yucca – 2-person crew
- Lordsburg – 2-person crew



I-25 GEOGRAPHICAL SCOPE

- Ft. Selden, 2 locations, 2-person crew
- Ft. Craig, 2 locations, 2-person crew
- Walking Sands, 2 locations, 2-person crew
- Total Distance from Tresco Headquarters
 - I-25, Las Cruces to WS: 165 miles
 - I-10, Las Cruces to Lordsburg: 118 miles



SCOPE OF RESPONSIBILITIES

- Custodial Service of Buildings and Restrooms
- Maintenance Repairs
- Well Water and Septic Systems
- Grounds Maintenance
- Includes
 - All Labor
 - All Transportation
 - All Cleaning Chemicals & Materials
 - All Consumable Products
 - All Necessary Certifications

QUESTIONS / COMMENTS



PRICING HISTORY

YEAR	COST	DOLLAR INCREASE	% INCREASE
FY 16	\$ 1,928,434.15		
FY17	\$ 1,968,591.53	\$ 40,157.38	2.1%
FY18	\$ 1,988,446.56	\$ 19,855.03	1.0%
FY19	\$ 2,035,220.64	\$ 46,774.08	2.4%
FY20	\$ 2,095,937.05	\$ 60,716.41	3.0%
FY21	\$ 2,197,142.64	\$ 101,205.59	4.8%
FY22	\$ 2,257,461.24	\$ 60,318.60	2.7%
		AVERAGE ANNUAL INCREASE	2.7%

QUESTIONS / COMMENTS



NM DOT REQUESTS FOR DATA - I

- January 5 and February 1, verbal requests to provide average monthly breakdown of cleaning supplies
- Tresco's verbal response: On a monthly basis, Tresco emails records of daily use of supplies. If data is needed in tabulated format, additional time would be necessary

NM DOT REQUESTS FOR DATA - 2

- February 4 email to Tresco requests 3-yr. data of cleaning supplies
- February 4 email to Horizons asserting Tresco has not provided data requested. Adds request for labor costs, other costs including overhead, and analysis of fair market value

NM DOT REQUESTS FOR DATA - 3

- Requests cite Section 10. Records and Audit of contract
- *Contractor agrees to maintain all books, documents, papers, accounting records, and other evidence pertaining to costs incurred and to make such materials available at their respective offices at all reasonable times...for inspection by the State.*

NM DOT REQUESTS FOR DATA - 4

- February 10, 3-year costs of supplies provided via Horizons
- February 14, 3-year costs of labor was provided via Horizons
- February 16, DOT letter canceling contract citing breach of contract for failure to provide data and poor performance

NM DOT REQUESTS FOR DATA - 5

- March 4, Zoom 2-hour meeting with DOT to discuss data & pricing methodology
- March 14, NM DOT letter canceling for breach of contract citing “...*due to the subcontractor not being able to satisfactory maintain the rest areas.*”

QUESTIONS / COMMENTS



CONTRACT PERFORMANCE - I

- “...20+ pages of complaints...”
 - 11 total complaints from October 2020 to January 2022
 - 2 of those were deficiencies encountered during DOT inspections, remaining 9 were customer generated
 - All deficiencies were corrected quickly, most on same day

CONTRACT PERFORMANCE - 2

- Push button satisfaction indicators

REPORT PERIODS	NUMBER VISITORS WHO PROVIDED FEEDBACK	PERCENT SATISFIED	
OCT-DEC 2020	30179	97.5	
JAN-MAR 2021	36026	97.9	
APR-JUNE 2021	37127	97.4	
JUL-SEP 2021	41313	97.3	
OCT-DEC 2021	38229	96.5	
JAN-FEB 2022	21341	97.3	
	TOTAL 204,215	AVG. SATISFIED	97.3 %

CONTRACT PERFORMANCE - 3

- To date, Tresco has not received formal notification that poor performance is or has been an issue
- No performance improvement plan has been issued

QUESTIONS / COMMENTS

