

**MINUTES OF THE SPECIAL MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS OF  
SAN MIGUEL COUNTY, NEW MEXICO,  
HELD TUESDAY MAY 05, 2015, BEGINNING AT 2:30 P.M.**

**CALL TO ORDER AND ROLL CALL**

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Chairman Arthur Padilla called the meeting to order at 2:30 p.m., at the Commission chambers on the 2<sup>nd</sup> floor of the San Miguel County Courthouse. Upon a call of the roll by the Clerk, all five County Commissioners were present, and a quorum was duly established and noted as follows: Chairman Arthur Padilla, Vice-Chairman Gilbert Sena, and Commissioners Marcellino A. Ortiz, Rock Ulibarri, and Nicolas Leger.

**PLEDGE OF ALLEGIANCE AND SALUTATION OF THE NM FLAG**

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Joined by staff and all in attendance, the Commissioners pledged allegiance to the U.S. flag and offered their salutation to the NM state flag.

**ITEM 1: REVIEW AND DISCUSS RATINGS OF PROPOSALS FOR LEGAL SERVICES FOR THE COUNTY OF SAN MIGUEL**

County Manager Les Montoya advised the Commission the County advertised for legal services proposals for the purpose of contracting for legal services and representation of San Miguel County. Five proposals were received: 1) Holt, Mynatt and Martinez, 2) Anna M. Aragon, 3) Angela Arellanes, 4) Stetson Law Office, and, 5) Marc A. Grano. April 29, 2015 the Commissioners conducted a special meeting to listen to presentation of proposals, and asked questions to rate their criteria. Scores were tallied and drafted on a spreadsheet. Montoya presented the official score sheet that identified the top three offerers' scores.

Chairman Padilla advised to choose the top 3 and conduct a cost figure to budget.

Commission Ulibarri advised other outside factors to be considered and requested to open the floor for discussion.

2:38 Chairman Padilla opens the floor for discussion.

Commissioner Leger requested point of order requesting the Commissioners should comment on what was recommended.

Discussion ensued.

Commissioner Leger mentioned the process has been completed pursuant to ratings listed in the criteria. Legal challenges might occur if the Commission deviates from

criteria listed in the RFP. Mr. Leger advised the top rated firm was the most cost efficient and actually lowest of all offerers.

Commissioner Sena advised the Stetson Law Firm advised the Commission could terminate the agreement after three months if not satisfied.

County Manager Les Montoya explained the requirements of the procurement code as it applies to request for proposal for professional services.

Finance Supervisor Melinda Gonzales concurred with Mr. Montoya's comments and reminded the Commission procurements are subject to auditing.

Discussion regarding considering the top three firms for negotiations ensued.

Commissioner Leger reiterated his belief that the rating process had been completed, and we should negotiate with number one.

County Manager Les Montoya advised negotiating with the three firms on fees may be difficult based on the scoring results of the two other criteria rated.

County Manager Les Montoya recommended negotiating with the two top firms since their scores were very close as the high rated firm, then obtain the final cost/fee proposal, provide this information then decide on the top firm during the May 12<sup>th</sup>, 2015 meeting.

Commissioner Ulibarri advised that Grano should be placed on the list based on the firm scoring as the third highest and since he is local. Commissioner Ulibarri made a motion to go with the top three. No second motion was made. Motion died due to lack of second motion.

Motion made by Commissioner Leger to negotiate costs/fees with the top two scoring firms. Second by Commissioner Ortiz. Motion carried.

Motion made by Commissioner Sena to adjourn at 3:12 p.m.. Second by Commissioner Ulibarri. Motion carried.

**MOVED, SECONDED AND ADOPTED** this \_\_\_\_ day of May, 2015, by the Board of County Commissioners of San Miguel County, New Mexico, as the official minutes of its special meeting held May 5, 2015.

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Arthur Padilla, Chairman

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Gilbert Sena, Vice Chairman

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Marcellino A. Ortiz, Member

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Nicolas Leger, Member

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Rock Ulibarri, Member

ATTEST:

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Geraldine E. Gutierrez  
San Miguel County Clerk

( S E A L )

Minutes submitted by:  
Michelle J. Cordova