



ALBUQUERQUE  
PUBLIC SCHOOLS

*Accelerate Progress for Students*

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RFP 18-027 RA Disposing of technology equipment/miscellaneous equipment with memory

## **ADDENDUM #1**

November 10, 2017

### RFP Clarifications

Proposer Instructions – Page 3

- No Addendum will be issue no later than 3 days prior to the date of receipt of proposals.
- State of New Mexico PED requirements – Supplement 12- Capital Assets (attached)
- State of New Mexico statutes regarding disposal of equipment (attached)
- Awarded vendor must provide APS in writing a record of the proper erasure or destruction of the hard drive.
- Web site for Public Surplus : <http://www.publicsurplus.com>
- Web site for Gov.deal: <https://www.govdeals.com>

### Please note the following responses to questions regarding RFP

1) What does it specifically mean to prepare computers and other miscellaneous equipment for public auction?

Response: Palletizing, taking photos, uploading pictures to online public auction, entering information on the site regarding the items for auction

2) How much equipment is allocated at a time?

Response: Varies; we do not have a definite list

3) Are you mandated to destroy the hard drives?

Response: Yes, either destroy or erase

4) Is there a list of items that need to be recycled under this contract? The 6 line items that require pricing seem to be a bit redundant or repetitive. Can you clarify the differences?

Response:

We do not have a list of items. It is on an as needed basis. It will primarily be computers, laptops, monitors, printers, cameras, promethean boards, televisions, etc.

Line 1 is to pick up the equipment and take to your facility for additional service that is described in line 2,3,4, 5, and 6.

Line 2 is to remove the hard drives from computers and destroy the hard drives and recycle the hard drives.

Line 3 is to prepare the computers with no hard drives for online auction (palletize, photograph and data entry)

Line 4 is to erase or scrub all data from computer hard drives

Line 5 is to prepare the computer with erased or scrubbed hard drives for auction (photograph and data entry).

Line 6 is to prepare miscellaneous items for auction (non-computer). This would be monitors, cameras, tv's etc).

Line 6 is non computers that is the difference.

5) Do you have any lists of equipment available? I.e. make, models, etc.? Also, will you be willing to take a complete sale bid? We pay you for your equipment and send you data destruction/sanitation certificates for destroyed units (No auction after)? Any information you can provide would be greatly appreciated.

Response: No we do not have an equipment list.

The equipment must be disposed of by state statute which requires public auction.

Thank you for your interest in doing business with Albuquerque Public Schools.

**ACKNOWLEDGE ADDENDUM WITH SUBMITTED PROPOSAL: Addenda not signed and returned may consider the RFP non-responsive and may be rejected.**

\_\_\_\_\_  
COMPANY/FIRM NAME

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

- ❖ The governing authority shall dispose of the item by negotiated sale to other state agencies, local public bodies, school districts, state educational institutions or municipalities or through the central purchasing office by means of competitive sealed bid or public auction or through the federal property assistance bureau of the general services department.

**Supplement 12 - Capital Assets Page 20 Rev 7/11**

*SPECIAL RULES FOR DISPOSITION*

*In the event a computer is included in the planned disposition, the agency shall "sanitize" or effectively make "inaccessible," all licensed software and any electronic media pertaining to the agency.*

*There are three basic approaches*

- Purchasing and using a commercial degaussing product to erase magnetic disks*
- Overwriting stored data a minimum of five times*
- Reformatting the drives (F disk)*

*The agency will certify in writing the proper erasure or destruction of the hard drive and submit the certification along with the notification of the proposed disposition of property to the state auditor at least thirty days prior to taking action. The IPA shall test for compliance with this requirement. This is a special requirement of the state auditor and it applies even if the original purchase price of the computer was less than \$5,000.*

**13-5-2. Repealed.**

**Repeals.** — Laws 1978, ch. 166, § 17, repealed 6-1-4.1, 1953 Comp. (13-5-2 NMSA 1978), relating to insurance and reserves for losses as to public property

of institutions of higher education, effective March 31, 1978.

**13-5-3. Public property; local public bodies; insurance; reserves for losses.**

A. Local public bodies shall purchase insurance for public buildings under their control against loss or damage by fire, windstorm, hail, smoke, explosion, riot or civil commotion in an amount not less than eighty percent of the replacement cost or actual cash value of the building.

B. Local public bodies may purchase insurance, establish reserves or provide a combination of insurance and reserves to:

(1) repair or replace their buildings if damaged by any peril other than a peril set forth in Subsection A of this section;

(2) repair or replace any personal property which is destroyed or damaged by any peril; or

(3) replace any personal property which is stolen.

C. Any insurance purchased pursuant to Subsections A and B of this section may be purchased with such deductible provisions as may be deemed desirable.

D. For purposes of this section, "local public body" means all political subdivisions of the state and their agencies, instrumentalities and institutions.

**History:** 1953 Comp., § 6-1-4.2, enacted by Laws 1977, ch. 385, § 13.

**13-5-3.1. Public buildings; compliance with the national flood insurance program.**

A building that receives state appropriations for its construction or that is repaired or improved with state appropriations in an amount greater than fifty percent of the building's value before the repair or improvement shall comply with standards of the national flood insurance program and Section 3-18-7 NMSA 1978.

**History:** Laws 2003, ch. 310, § 2.

**Effective dates.** — Laws 2003, ch. 310 contained no effective date provision, but, pursuant to N.M.

Const., art. IV, § 23, was effective June 20, 2003, 90 days after adjournment of the legislature.

**ARTICLE 6****Sale of Public Property**

Sec.

13-6-1. Disposition of obsolete, worn-out or unusable tangible personal property.

13-6-2. Sale of property by state agencies or local public bodies; authority to sell or dispose of property; approval of appropriate approval authority.

13-6-2.1. Sales, trades or leases; state board of finance approval.

Sec.

13-6-3. Sale, trade or lease of real property by state agencies; approval of legislature; exceptions.

13-6-4. Definitions.

13-6-5. Sale of real property by state agencies; land grant right of first refusal.

13-6-6. Surplus property bureau created; duties; powers.

13-6-7. Surplus property fund; created; expenditures.

13-6-8. Disposition of state property.

**13-6-1. Disposition of obsolete, worn-out or unusable tangible personal property.**

A. The governing authority of each state agency, local public body, school district and state educational institution may dispose of any item of tangible personal property belonging to that authority and delete the item from its public inventory upon a specific finding by the authority that the item of property is:

(1) of a current resale value of five thousand dollars (\$5,000) or less; and

(2) worn-out, unusable or obsolete to the extent that the item is no longer economical or safe for continued use by the body.

B. The governing authority shall, as a prerequisite to the disposition of any items of tangible personal property:

(1) designate a committee of at least three officials of the governing authority to approve and oversee the disposition; and

(2) give notification at least thirty days prior to its action making the deletion by sending a copy of its official finding and the proposed disposition of the property to the state auditor and the appropriate approval authority designated in Section 13-6-2 NMSA 1978, duly sworn and subscribed under oath by each member of the authority approving the action.

C. A copy of the official finding and proposed disposition of the property sought to be disposed of shall be made a permanent part of the official minutes of the governing authority and maintained as a public record subject to the Inspection of Public Records Act [Chapter 14, Article 2 NMSA 1978].

D. The governing authority shall dispose of the tangible personal property by negotiated sale to any governmental unit of an Indian nation, tribe or pueblo in New Mexico or by negotiated sale or donation to other state agencies, local public bodies, school districts, state educational institutions or municipalities or through the central purchasing office of the governing authority by means of competitive sealed bid or public auction or, if a state agency, through the surplus property bureau of the transportation services division of the general services department.

E. A state agency shall give the surplus property bureau of the transportation services division of the general services department the right of first refusal when disposing of obsolete, worn-out or unusable tangible personal property of the state agency.

F. If the governing authority is unable to dispose of the tangible personal property pursuant to Subsection D or E of this section, the governing authority may sell or, if the property has no value, donate the property to any organization described in Section 501(c)(3) of the Internal Revenue Code of 1986.

G. If the governing authority is unable to dispose of the tangible personal property pursuant to Subsection D, E or F of this section, it may order that the property be destroyed or otherwise permanently disposed of in accordance with applicable laws.

H. If the governing authority determines that the tangible personal property is hazardous or contains hazardous materials and may not be used safely under any circumstances, the property shall be destroyed and disposed of pursuant to Subsection G of this section.

I. No tangible personal property shall be donated to an employee or relative of an employee of a state agency, local public body, school district or state educational institution; provided that nothing in this subsection precludes an employee from participating and bidding for public property at a public auction.

J. This section shall not apply to any property acquired by a museum through abandonment procedures pursuant to the Abandoned Cultural Properties Act [18-10-1 to 18-10-5 NMSA 1978].

K. Notwithstanding the provisions of Subsection A of this section, the department of transportation may sell through public auction or dispose of surplus tangible personal property used to manage, maintain or build roads that exceeds five thousand dollars (\$5,000) in value. Proceeds from sales shall be credited to the state road fund. The department of transportation shall notify the department of finance and administration regarding the disposition of all property.

**History:** 1953 Comp., § 6-1-7.1, enacted by Laws 1961, ch. 100, § 1; 1979, ch. 195, § 2; 1984, ch. 47, § 1; 1987, ch. 15, § 1; 1989, ch. 211, § 6; 1995, ch. 181, § 1; 1998, ch. 16, § 1; 2001, ch. 317, § 1; 2007, ch. 57, § 4; 2012, ch. 10, § 1.

**Cross references.** — For managing surplus properties, see 15-4-2 and 15-4-3 NMSA 1978.

For Section 501(c)(3) of the Internal Revenue Code of 1986, see 26 U.S.C.S. § 501(c)(3).

**The 2012 amendment,** effective May 16, 2012, authorized the department of transportation to dispose of surplus tangible personal property that exceeds five thousand dollars in value, and added Subsection K.

**The 2007 amendment,** effective July 1, 2007, required state agencies to give the surplus property bureau the right of first refusal when disposing of surplus property.

**The 2001 amendment,** effective June 15, 2001, inserted current Subsection E; redesignated the subsequent subsections; inserted "or E" to current Subsection F; inserted "or F" to current Subsection G; and

updated the subsection reference in current Subsection H.

**The 1998 amendment,** effective May 20, 1998, substituted "or unusable tangible personal property" for "and unusable personal property" in the section heading; inserted "tangible" preceding "personal" in Subsection A; rewrote Subsection B; at the end of Subsection C, inserted "and maintained as a public record subject to the Inspection of Public Records Act"; in Subsection D, substituted "tangible personal property" for "item" following "the", inserted "to any governmental unit of an Indian nation, tribe or pueblo in New Mexico or by negotiated sale" preceding "or donation", inserted "of the governing authority" following "office" and "if a state agency" at the end of the subsection; and added Subsections E through H, and redesignated former Subsection E as Subsection I.

**The 1995 amendment,** effective June 16, 1995, inserted "or donation" in Subsection D.