



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
SPECIAL MEETING
September 2, 2020 at 11:00am**

Due to the public health emergency issued by the Governor, the meeting will take place via online meeting and Webcast at the following address:
<http://panopto.nmsu.edu/bor/>

Regents of New Mexico State University

Chair Dina Chacón-Reitzel, Vice Chair Ammu Devasthali, Secretary/Treasurer Luke Sanchez, Debra Hicks, Arsenio Romero

Non-Voting Advisory Members - ASNMSU President Mathew Madrid, Faculty Senate Chair Julia Parra, Employee Council Chair Letty Gallegos

University Officials - Chancellor Dan E. Arvizu, Ph.D., President John D. Floros, Ph.D., Provost Carol Parker, J.D., Vice Chancellor Ruth A. Johnston, Ph.D., Senior Vice President Andrew Burke, Ed.D., General Counsel Roy Collins III, J.D.

MINUTES

The Board of Regents meeting is available by webcast through the link at <http://panopto.nmsu.edu/bor/>

A. **Call to Order**, Chairwoman Dina Chacón-Reitzel

The meeting was called to order by Chairwoman Chacón-Reitzel at 11:09 AM.

1. **Pledge of Allegiance**, *Chairwoman Dina Chacón-Reitzel*
2. **Confirmation of Quorum**, *Chairwoman Dina Chacón-Reitzel*

Role was called with the following Regents present: Regent Arsenio Romero, Regent Debra Hicks, Regent Luke Sanchez, Regent Devasthali, and Regent Chacón-Reitzel.

The following university officials were noting as being present: Chancellor Dan Arvizu, President John Floros, Provost Carol Parker, Vice Chancellor Ruth Johnston, Senior Vice President Andrew Burke, General Counsel Roy Collins

The following advisory members were present: Faculty Senate Chair Julia Para, Employee Council Chair Letty Gallegos. Scott Field and D'Anne Stuart were also present.

Chancellor Arvizu introduced Ken Van Winkle in his new role as Executive Director for Branch Campuses. Chancellor Arvizu noted that Dr. Van Winkle will be working to transition the community colleges into a new governance model. Chancellor Arvizu further note that Dr. Van Winkle has had a long and distinguished career at NMSU and he is pleased to welcome him to the executive team. Dr. Van Winkle noted he is excited by the daunting challenge of the transition that is to come and supports the individual missions of each of the community colleges while bringing together the entire system.

B. Closed (Executive) Session, Chairwoman Dina Chacón-Reitzel

1. Close meeting to consider the contents of the competitive sealed proposal solicited pursuant to the Procurement Code during the contract negotiation process. NMSA 1978, Sec 10-15-1 (H) (6)
 - a. Auxiliary Services – Comprehensive Hospitality and Facilities Services P3 (RFP #: 2020-RFP-1883)

Chairwoman Chacón-Reitzel moved to approve that the board go into closed session for discussion of the contents of a competitive sealed proposal solicited pursuant to the procurement code during the contract negotiation process in accordance with NMSA 1978 section 10-15-1 (H6) is of New Mexico Open Meetings Act with a second by Regent Devasthali.

A roll call vote was taken, and the votes cast were:

Regent Romero Yes

Regent Hicks Yes

Regent Sanchez Yes

Regent Devasthali Yes

Regent Chacón-Reitzel Yes

Motion passed.

The board went into closed executive session at 11:19 AM.

2. Reconvene in open session and take final action, if any, on such contractual matters which shall be acted upon in open session following conclusion of the closed session

The open session was called back to order by Chairwoman Chacón-Reitzel at 11:40 AM.

Board of Regents Chief of Staff Adam Cavotta read the following resolution aloud:

WHEREAS, the authority and responsibility of the Board of Regents to control and manage the New Mexico State University is prescribed by the Constitution of the State of New Mexico, the New Mexico legislature and in state statutes; and

WHEREAS, the board delegates to the chancellor its authority for the internal management of the university, and all decisions and actions related thereto, including the authorization to sign contracts for the university on behalf of the board of regents; and

WHEREAS, the mission of the New Mexico State University system is to serve the diverse needs of the state through comprehensive programs of education, research, extension and outreach, and public service. As the state's land-grant and space-grant university, and as a Hispanic-Serving Institution, NMSU fosters learning, inquiry, diversity and inclusion, social mobility, and service to the broader community; and

WHEREAS, the board of regents has been periodically and thoroughly briefed on the terms and conditions of the Master Collaboration Agreement with Sodexo America, LLC;

NOW THEREFORE, BE IT RESOLVED in official session that the Board of Regents of New Mexico State University supports Chancellor Dan E. Arvizu in his desire to enter into a Master Collaboration Agreement with Sodexo America, LLC to provide Comprehensive Hospitality and Facility Services on behalf of the Board of Regents.

RESOLVED, this 2nd day of September 2020, in Las Cruces, New Mexico

A motion to adopt the resolution was made by Regent Romero with a second by Regent Devasthali.

A roll call vote was taken, and the votes cast were:

Regent Romero Yes

Regent Hicks Yes

Regent Sanchez Yes

Regent Devasthali Yes

Regent Chacón-Reitzel Yes

Motion passed.

D'Anne Stuart and Scott Field presented some background information regarding the Master Collaboration Agreement. Ms. Stuart noted that private public partnerships have been used in higher education for several years, but mostly in response to funding shortfalls and related to specific areas such as housing and construction projects. In the present case, NMSU started working toward an innovative approach in seeking a third-party collaborator who will realize significant synergies across multiple service lines in alignment with the university's strategic drivers. The process that we entered last year was a very diligent and phased solicitation process and key to that selection process was identifying a party that could drive value to the institution.

As the Chancellor has stated in alignment with our LEADS 2025 and today we're pleased to conclude the RFP process by finalizing the master collaboration agreement with our selected partner Sodexo.

Through this process it's become very apparent that NMSU and Sodexo share similar values and vision. Sodexo will bring global expertise and innovation to the collaboration and help drive a best in class solutions that will address today's needs, especially as we all try to recover from COVID and help equip NMSU for a sustainable tomorrow.

Mr. Field further noted that the MCA is an overarching umbrella agreement and which NMSU and Sodexo agreed to work together to find innovative solutions to achieve NMSU's strategic goals.

There are two key aspects to the MCA, the first key aspect of the of the MCA is collaboration. The MCA was designed to align NMSU and Sodexo interests in achieving NMSU's strategic goals as set forth in LEADS 2025. This is accomplished by measuring the success of the MCA on the achievement of the LEADS 2025 goals.

NMSU and Sodexo have agreed to a set of key performance indicators (KPIs) based on LEADS 2025, which will be used to measure the success of the overall collaboration. The second key aspect of the MCA is scope. The mission of the NMSU system is to serve the diverse needs of the state of New Mexico through comprehensive programs of education, research, extension and outreach, and public service. The MCA covers University operations that fall outside those key functions. Each of the covered University operations will be examined to determine whether it fits within the scope of the collaboration.

Separate implementation agreements under the umbrella of the MCA will be negotiated for each university operation that NMSU and Sodexo agree could benefit from the collaboration.

Each implementation agreement will also include KPIs. The implementation level KPIs will be more operational in nature than the MCA level KPIs. But these KPIs will also be designed to help achieve NMSU's LEADS 2025 goals.

Chancellor Arvizu thanked the board of regents for their support of this project. Chancellor Arvizu noted that the project has tremendous potential and every stakeholder that he's talked to has given an enthusiastic reception to the concept and to the idea that we're trying to be innovative and creative. The board's support is extremely valuable and very important. Every one of the projects will be subjected to a due diligence process and when necessary will come back to the board of regents for either leasing arrangements or for other matters.

Ms. Stuart continued and noted that this collaboration structure is the key to success of this relationship. It's unique to this agreement, in that it establishes the commitment by both parties at all levels of the organization. This structure will break down silos within our own organization and drives integrated solutions and ensures effective decision making.

The MCA serves as the foundation for all future initiatives as the Chancellor just mentioned. Upon signing the agreement we roll up our sleeves and get to work. Together, we will determine the path forward by reevaluating our priorities based on COVID and our budget situation. Each initiative will be evaluated following a process that is outlined in the MCA. As we decide to implement any initiative those changes will be approved and communicated through the collaboration structure or will come forward to the board as needed. This approach and model have the potential to be transformative, not only to NMSU you but to the P3 industry. NMSU, in collaboration with Sodexo, look forward to leading such an effort together. We will be bold and together we will shape the future.

Chairwoman Chacón-Reitzel thanked those that presented and commended the approach as the university faces new challenges.

Regent Hicks noted that as we move forward, each one of these projects will be evaluated for KPIs, noting that there's nearly 20 different key KPIs. This is a solution that members of the board have been looking forward to for a few years now. Regent Hicks expressed her excitement about the opportunities that it presents to the students of New Mexico State University as well as our faculty and staff that are working on our campus. It's a huge opportunity, it's a collaboration between us and obviously a very large company and we have big ideas and many of them are going to come to fruition in the next few years. It's a very exciting time as we work with Sodexo in a collaborative way in order to find solutions to what we need to have to meet our students needs in this world as we move forward.

Regent Romero thanked everyone that had a part in making this a reality, from the Regents to the President's office, to the to the Chancellor's office to everyone that was part of this. It is groundbreaking, first of its kind. The potential that this could have as a result to how it's going to improve the NMSU community, the solutions that it's going to be able to create to help us move forward.

Regent Romero noted that the reason that he believes this is how it is going to positively affect the students, our faculty and our staff in the future, including both short term and long-term benefits.

Regent Devasthali added her appreciation to all the hard work that has gone into the agreement and is particularly excited that we have decided to have this partnership with Sodexo because it's a known entity and they have served us well in the past. Regent Devasthali noted that many people have worked very hard on this agreement, but specifically thanked Ruth. Scott, and D'Anne, noting that they have been putting a lot of work and a lot of due diligence into the process.

Regent Sanchez noted is excitement at the potential of this collaboration to provide and continue to provide high quality education for students and he reflected on his own experience and sees some of the research

opportunities and experiential learning opportunities he had in the classroom to develop and this collaboration can enable NMSU to continue to provide those for students and provide more experiences in and out of the classroom.

C. **Comments and Announcements**, Chairwoman Dina Chacón-Reitzel

1. **Upcoming Board of Regents Meetings**

September 18, 2020

December 2, 2020

Chairwoman Chacón-Reitzel announced the upcoming Board of Regents meetings that are on the agenda and noted a change to the board of regents meeting that was scheduled for September 11, which was moved to September 18. The other Board of Regents meeting is scheduled on December 2, but realizing that it's a very dynamic situation at this point considering budgets and COVID-19, the board recognizes that we may need to get back together for some special sessions and all are willing to do that to in order to take care of the business.

D. **Adjournment**, Chairwoman Dina Chacón-Reitzel

Regent Hicks moved and Regent Devasthali seconded a motion to adjourn. The meeting was adjourned at 12:03 PM.

Meeting Minutes Approved on September 18, 2020 by the New Mexico State University Board of Regents.



Dina Chacón-Reitzel
Board of Regents Chair



Luke Sanchez
Board of Regents Secretary/Treasurer