

## **Business Manager or Procurement Officer Amendment Form**

The Charter Contract was entered into by and between the New Mexico Public Education Commission

[ Explore Academy ], hereafter "the School", effective [ 09 ] [ February ], [ 2022 ]

The School was approved for a [ 2019-2024 ] Charter Contract.

The School requests consideration from the Public Education Commission (PEC) to change the terms of its Contract as follows:

**CHANGE OF:** ☐ **BUSINESS MANAGER** ☒ **CPO** ☐ **BOTH**

Charter Contract currently states:

**CURRENT BUSINESS MANAGER OR PROCUREMENT OFFICER:** Michael Vigil

Requests the Public Education Commission approve Section Attachment I of the School's contract to read

**EFFECTIVE DATE OF CHANGE:** February 8, 2022


**REQUESTED CHANGE TO BUSINESS MANAGER OR PROCUREMENT OFFICER AND CONTACT INFORMATION :**  
Micheal Vigil II mike@vigilgroup.net 505-938-7702

**Submit this form and all supporting documents to charter.schools@state.nm.us**

The School's Business Manager or Procurement Officer Amendment is hereby submitted by

[ David Kulb, Governing Board President ] on [ 2/16/2022 ], and affirms the school meets the following eligibility criteria:

- ☒ Amendment must be submitted to the PEC within 30 days of the change being communicated or implemented; and
- ☒ The school's governing board is in compliance with all reporting requirements.

  
\_\_\_\_\_  
Charter School Representative Signature

2/16/2022  
\_\_\_\_\_  
Date

The School's Business Manager or Procurement Officer Amendment was:

☐ Approved ☐ Denied

\_\_\_\_\_  
Chair, Public Education Commission

\_\_\_\_\_  
Date



**NEW MEXICO**  
**GENERAL SERVICES DEPARTMENT**

*Michael Vigil J.I.*

*Who has satisfactorily pursued the certification training program and  
passed the required examination*

*in accordance with the requirements established pursuant to*

**NMSA 13-1-95.2**

*is hereby awarded on this 24th day of April 2024*

**Chief Procurement Officer Certification**

Certificate No. **CPO-2021-00000-03266**



*[Signature]*  
**State Purchasing Agent**



## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into on the 9<sup>th</sup> day of February, 2022 by and between the Cottonwood Classical Preparatory School, a public charter school located at 7801 Jefferson St. NE, Albuquerque, NM, and Explore Academy, a public charter school located at 5100 Masthead St. NE and 6600 Gulton Ct NE, Albuquerque, NM, for the purpose of sharing a certified chief procurement officer.

Under 1.4.1.94 NMAC, Subsection I, it is allowable for a certified chief procurement officer to be shared amongst state agencies or local public bodies, insofar as there is an agreement supporting the arrangement between the state agencies or local public bodies. This memorandum will serve as that agreement.

### 1.4.1.94 NMAC

... I. Delegation or sharing of certified chief procurement officer duties.

The sharing of a certified chief procurement officer through mutual execution of a memorandum of agreement by the state agency (agencies) or local public body (bodies) is allowed. A state agency or local public body wanting to delegate or share a certified chief procurement officer with another state agency or local public body shall: provide to the state purchasing agent for such sharing agreement, information identifying the state agency or local public body central purchasing office, the name of the state agency or local public body shared certified chief procurement officer and the intergovernmental agreement supporting the arrangement.

## GENERAL TERMS AND CONDITIONS

### 1) Scope of Work

- a) Cottonwood Classical Preparatory School will share its certified Chief Procurement Officer with Explore Academy.
- b) The certified Chief Procurement Officer of Cottonwood Classical Preparatory School is an employee of good-standing at the charter school.
- c) The certified Chief Procurement Officer for Cottonwood Classical Preparatory School is Michael Vigil, II who was awarded his recertification as a Chief Procurement Officer on April 21, 2021.
- d) Michael Vigil, II, certified Chief Procurement Officer, will perform all of the duties, responsibilities, and obligations of a Chief Procurement Officer for the consenting

parties in this agreement, including but not limited to:

- i) Making determinations, including determinations regarding exemptions to the Procurement Code;
  - ii) Issuing purchase orders and authorizing small purchases pursuant to the Procurement Code; and
  - iii) Approving procurement pursuant to the Procurement Code.
- 2) **Term of Agreement:** The term of this agreement shall begin on DATE and end at such time as an employee of Explore Academy becomes a certified CPO. This agreement is contingent on Cottonwood Classical Preparatory School's Chief Procurement Officer (CPO) maintaining his certification. Recertification is required every two (2) years. A new Memorandum of Understanding will be issued after the recertification of the CPO.
- 3) **Termination:** Cottonwood Classical Preparatory School may terminate this agreement with Explore Academy at any time provided a written notification is given to Explore Academy at least thirty (30) days in advance of the effective date of termination. Cottonwood Classical Preparatory School may terminate services for reasonable cause with (30) days advance written notification. The agreement will also be terminated if/when an employee of Explore Academy becomes a certified CPO.
- 4) **Integration Clause:** Cottonwood Classical Preparatory School agrees that this document is the full and complete agreement between the parties, and there are no terms and conditions, expressed or implied, other than set forth herein.
- 5) **Amendments:** This agreement is subject to amendment at such time when all parties agree to an amendment in writing.

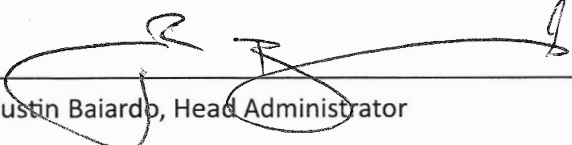
*I hereby agree to the above terms and conditions and will comply with all rules and regulations.*

**For Cottonwood Classical Preparatory School:**

  
 John Binnert, Executive Director

2/9/2022  
 Date

**For Explore Academy:**

  
 Justin Baiardo, Head Administrator

2/10/2022  
 Date