



NEW MEXICO MILITARY INSTITUTE

Office of the President/ Superintendent

101 West College Boulevard
Roswell, New Mexico 88201-5173



11 March 2022

TO: David Abbey and Conner Jorgensen

FROM: MG (Ret) Jerry W. Grizzle, PhD

Re: GO Bonds

David:

Thank you for the call and the opportunity to explain what has transpired with the GO Bond program.

As I stated on the call, this is not a new issue. In fact it has existed my entire tenure at NMMI. The problem is HED's refusal to abide by an NMAC (NMAC Title 5, Chapter 3, and Part 9 E). This NMAC, and the portion I have referenced, provides for two year institutions to ask for assistance in funding that is excluded for four year institutions. In fact the title of 9-E is, "Exceptions for two-year colleges: Space for certain functions that are ineligible for state funding at four-year institutions." This involves projects that HED as determined are "Auxiliary" projects and they refuse to support them.

Below is a chronological recap of what transpired this year:

1. In May of 2021, the NMMI Board of Regents approved the Five-Year Capital Expenditure Plan as required by the State of New Mexico and the Higher Education Department.
2. Prior to June 1, 2021, NMMI submitted the Board approved plan to HED.
3. The HED summer capital improvements committee hearings were scheduled for August 2021.
4. The week before the actual hearings, we received a call from Gerald Hoehne, HED Capital Projects Director, informing us that our priority

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- projects, per the NMMI Board approved five –year plan, were not acceptable because they violated the HED internal policy of not funding auxiliary projects. We needed to change our projects.
5. I immediately informed the President of the NMMI Board of Regents.
 6. David West and Gerald Hoehne, got on a telephone call and went through the five year plan and Gerald identified the projects that he said HED would support. With one week to go, we completely changed our presentation and presented the projects HED said they would support.
 7. On October 3, 2021, I sent a letter to the elected officials the either have direct responsibility for NMMI or, have shown significant support for NMMI. The letter is attached.
 8. In the month of October, 2021, HED submitted their GO Bond project list to the Legislature. The list is attached.
 9. On November 4, 2021, the Legislators that received my letter of 3 October, met at NMMI and went over the details of our situation. Our Board of Regents President also attended the meeting.
 10. On November 15, 2021, during the LFC hearing, I explained the situation to Representative Lundstrom. She had the HED Secretary and Gerald Hoehne attempt to explain their position. In my opinion, Hoehne talked himself and HED into a corner. Representative Lundstrom said she would take this situation and turn it over to the LFC Staff.
 11. During the week of November 15, 2021, Steve Olsen from the LFC staff contacted me and expressed his confusion. The projects we submitted were not the priority projects on our five year plan. I explained everything listed above and he understood the situation.
 12. On January 26, 2022, HB 153 was introduced (copy attached) with the change to our priority project listed, bathrooms for the barracks.
 13. On February 12, 2022, a revised HB 153, was changed back to the project we presented, Bates Hall, under duress, in August. That is what was approved in the final bill and signed by the Governor.
 14. In subsequent conversation, too numerous to mention, I have learned that a meeting took place, still do not know who was in the meeting,

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who called the meeting, etc., during this meeting the HB 153 language was changed to reflect the original project.

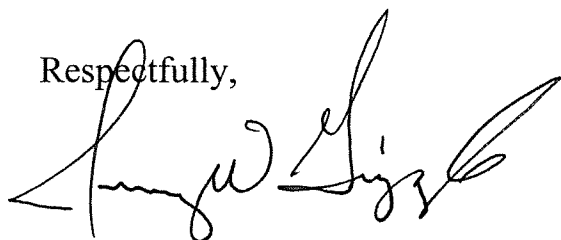
As I stated this memo, I have fought HED for six GO Bond cycles over this issue. They openly, blatantly, publicly, state that they do not agree with the language of the NMAC, and they have developed an internal policy not to support any auxiliary projects, regardless of the language of the NMAC.

My elected Legislative members are telling me to go to the Attorney General for a ruling. My position is simple, follow the law, or change the law. If HED disagrees with the language of the NMAC, find a Legislative sponsor and change the language. There 18 two-year institutions in this state that are negatively affected by their refusal to follow the language of the NMAC.

David, please let me know if I can provide any additional information or documentation.

Conner, welcome, I look forward to meeting you and working with you.

Respectfully,

A handwritten signature in black ink, appearing to read "Jerry W. Grizzle". The signature is fluid and cursive, with a large initial "J" and "G".

Jerry W. Grizzle, PhD

Major General, USA, Retired

President and Superintendent

Cc.

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New Mexico Department of Higher Education

2021 Summer Hearing - Five Year Capital Project Funding Plan

INSTITUTION:		NEW MEXICO MILITARY INSTITUTE										DATE: 5/15/2020							
Institution acronym	FY20 Funding Priority #	Overall Funding Priority #	Project Title	Description	Year Project Funding will be requested	Month/Year Project to be started	Month/Year Project to be completed	Full Project	Phase	Cost of Project or Phase	GOB	STB	Other	Percent of GOB or STB	Percent of Other Funding Source	Description of Other Funding Source	New Construction	Renovation	Square Footage (GSF)
NMMI			Barracks Sink Room Renovations Phase II	Design, Development, Demolition and Renovation of the Barracks Sink Rooms	2021	July 2022	July 2023	X		\$ 8,250,000	X			100%				X	17,000
NMMI			Womens Softball Field, Locker Room & Weight Room	Design, Development, and Construction of Softball Field and Locker Rooms	2021	July 2022	July 2023	X		\$ 5,250,000	X			100%			X	X	35,000
NMMI			Willson Hall Re-Roof	Design, Development, and Construction to Re-Roof Willson Hall	2022	July 2023	July 2024	X		\$ 250,000	X			100%			X		12,285
NMMI			Godfrey Athletic Center Re-Roof	Design, Development, and Construction to Re-Roof Godfrey Athletic Center	2022	July 2023	July 2024	X		\$ 650,000	X			100%				X	40,784
NMMI			Facilities Bldg	Design, Development, and Construction of a Facilities Building	2023	July 2024	July 2025	X		\$ 4,250,000	X			100%			X		10,500
NMMI			Addition to Bates Dining Hall	Design, Development, and Construction of addition to Bates Dining Hall	2023	July 2024	July 2025	X		\$ 3,500,000	X			100%			X		N/A
NMMI			Toles Library Renovation	Design, Development, Demolition and Renovation of the Toles Library	2024	July 2025	July 2026	X		\$ 5,000,000	X			100%				X	33,466
NMMI			IT Infrastructure	Acquisition and Commissioning of IT infrastructure components	2024	July 2025	July 2026	X		\$ 3,500,000		X		100%				X	N/A
NMMI			Godfrey Athletic Education Center	Design, Development, Demolition and Renovation of the Godfrey Athletic Education Center	2025	July 2026	July 2027	X		\$ 14,000,000	X			100%				X	52,500
NMMI			Class Rooms Renovation	Design, Development, Demolition and Renovation of the Class Rooms in Lea, Willson and McClure Hall	2025	July 2026	July 2027	X		\$ 8,500,000	X			100%				X	40,000

NMIMI's top two projects for this years funding cycle



Barracks Sink Rooms Phase II



Women's Softball Complex



**Duty Honor
Achievement**



Renovations to the Barracks Sink Rooms- Phase II

Project Overview

 # 1 Funding Priority as listed on the Institutions 5 Year Plan

 Renovate all Sink Rooms in Hagerman and Saunders Barracks (the sink rooms are the restrooms and showers for the barracks)

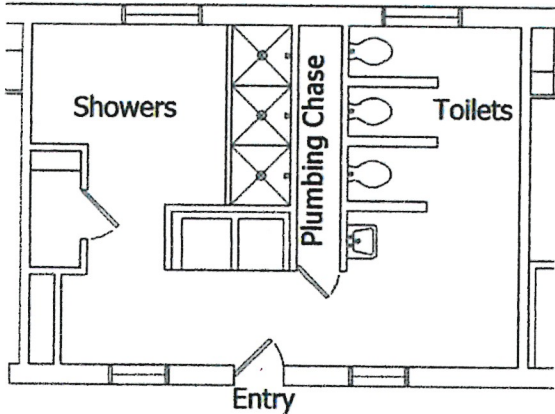
 Estimated Budget: \$8,250,000

 Schedule: Summer 2022 – Summer 2023

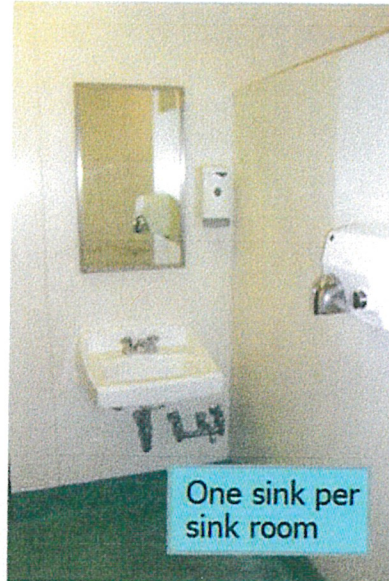
 **Duty Honor
Achievement** 








Renovations to the Barracks Sink Rooms



TYPICAL FLOOR PLAN



What needs to be addressed in this project:

-  Replace all interior finishes
-  Replace/rebuild shower stalls
-  Replace all plumbing fixtures with modern energy efficient models
-  Address HVAC deficiencies
-  Provide clean, sanitary, aesthetically pleasing Sink Rooms for the Cadets



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TO: Senators Stu Ingle, Bill Burt, Cliff Pirtle

Representatives Phelps Anderson, Greg Nibert, Candy Ezell

FROM: MG Jerry W. Grizzle

DATE: October 3, 2021

Re: Higher Education Department Capital Outlay Procedures

I am writing to ask for your support with an ongoing issue with the Higher Education Department (HED) and their internal policy regarding their refusal to consider projects for the General Obligation (GO) Bond program, that in their opinion, are for "auxiliary" projects.

I have argued a particular point with NMMI's submission to the HED for the thirteen years I've been the President/Superintendent around every GO Bond cycle. To date, HED has refused, in my opinion, to consider the provisions of NMAC Title 5 – Post Secondary Education, Chapter 3 – Post – Secondary Institution Finances, Part 9 – Capital Budgets – Planning and Funding Recommendations.

In particular is sub-section E. which states, "**Exceptions for two-year colleges: Space for certain functions that are ineligible for state funding at four-year institutions, such as bookstore operations, food services, community services, and student social, cultural, recreational activities, may be included as a portion of capital projects submitted by two-year colleges.** The rationale for this exception is that two-year colleges usually do not have large-scale auxiliary enterprises which can provide an adequate revenue stream for financing auxiliary facilities. These exceptions apply only if a two-year college has provided the required local match of 25 percent as described in the following Subsection F of 5.3.9.8 NMAC." As part of my argument, I have included an Excel spread sheet, attached (Tab 1), that reflects the participation of NMMI in all projects to be 52 percent of the total cost Stating it a different way, NMMI has provided \$.52 of every dollar for capital improvements during my tenure.

I am attaching the letter I wrote to Secretary Rodriguez concerning HED's internal policy of refusal to honor the NMAC (Tab 2) and our original proposal to present to the HED GO Bond Committee for the Latrine project and the Women's Softball project (Tab 3). Also, I am attaching the second presentation, which we gave on August 13, for the Maintenance building and the expansion of Bates Dining Hall (Tab 4). Our request would be for your help to make all of these projects happen on behalf of the Cadets. At the conclusion of this letter I have attached a summary that consolidates the four projects for your review (Tab 5).

I want to take a step back and walk you through what happened this year as we prepared to make our presentations for the 2022 GO Bond cycle.

As HED requires, any project we present for consideration must have approval by our Board of Regents.



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We are allowed to present two projects for consideration. Our Board approved two projects as part of the overall 5-year capital projects plan. The first project was funding for the third and final phase of the renovation of our latrine facilities for our Cadets. We received funding in the 2018 and 2022 GO Bond cycles, and this third phase was the final amount of money needed to complete the project. The second project was a Title IX issue, a request to add a women's softball program. The softball project included building a new weight room, taking the existing weight room and turn it into a lady's softball locker room, and funding to build a softball field.

The week before we were scheduled to make our presentations to the HED Capital Outlay Committee, we were contacted by HED and told our projects would not be heard by the committee because they were "auxiliary" projects and did not meet the standard of support as required under the NMAC Title 5. We presented the counterclaim that 2-year schools are provided a waiver under NMAC Title 5. HED acknowledged the language but stated their position not to allow such projects was a HED internal policy. We could change our projects on short notice or not have any projects considered by the GO bond committee.

We asked HED to review our five-year plan, which is required to be on file with HED, and go over it to find projects that HED might support. Here is where logic goes out the window. For the last six GO Bond cycles or twelve years, we have had a new Maintenance building on our five-year plan. For years it was our number two project. NMMI rarely ever found support for the second project submitted. So, we left it on the five-year plan, always placing it behind projects we felt had a higher priority. Purely as a condition of sequence, HED proposed that we present our number three and four projects as elements they might support. The fourth project is to expand the size of our dining hall as the second project. So, with less than a week to our presentations, I contacted the President of the Board of Regents, explained what had happened, developed a new presentation, and submitted it to HED for consideration. On August 13, 2021, we made a virtual presentation of the projects as suggested.

In this short time period, I received a call from Senator Munoz. First, we talked about a young man from his hometown that was coming to NMMI to play Junior College baseball, and then he wanted to tell me what his approach to Capital Improvements was going to be for the upcoming session. It was great to hear his vision and advice. He advised me to request, "Big projects that we could start and finish." I told him we were presenting to HED the following week and the challenges we had with the committee. They always want to argue with you about what you present as if they know what your Institution needs, and then they want to argue with you about how much you request. Please remember that we are making presentations in August of 2021 for the 2022 GO Bond cycle, which if approved by the Legislature and the Governor, will go on the ballot in November of 2022. If approved by the citizens of New Mexico, the bonds will be sold in the spring of 2023 and the Institutions will have access to the funds in the late spring or early summer of 2023. Functionally two years after we are making a presentation, we receive the money. Obviously costs do not remain constant for two years. It is discouraging to go in front of the committee, knowing you are going to be criticized about the amount



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you ask for and badgered to reduce the amount, when the project you are presenting cannot start for two years into the future.

Senator Munoz was very optimistic and continued to say, "Request what you need; project and amount."

Being a good Staff Officer, I called all of our elected delegates to let each know the situation we were in. We did as HED suggested; we changed projects and presented something they told us they would support. They are projects we certainly need to be completed, but they were not our primary projects this cycle. The two projects we originally submitted and wanted fall in the category Senator Munoz was talking about, "big and can be completed," but we received no support from HED. Senator Ingle's advice was to consider an add-on to the HED legislation or a supplemental request.

I would appreciate the opportunity to meet with you collectively or individually to go over the information in this memo.

Respectfully,

A handwritten signature in black ink, appearing to read "Jerry W. Grizzle". The signature is written in a cursive, flowing style.

Jerry W. Grizzle, PhD

Major General, USA, Retired

President and Superintendent

FROM K. URBAN
1/26/2022

GO BOND ALLOCATIONS - HED RECOMMENDATION vs. HB153

		<u>HED rec</u>		<u>HB153</u>	
1	NMIMT Kelly Hall replacement	3,300.0	GOB	3,300.0	GOB
2	NMSU Thomas & Brown (Engineering) replacement	22,500.0	GOB	22,500.0	GOB
3	NMSU Nursing Expsn, Health & Educ renovations	13,500.0	GOB	13,500.0	GOB
4	UNM Ctr for Collaborative Art & Technology (CCAT)	45,000.0	GOB	45,000.0	GOB
5	UNMHSC Children's Psych Ctr expansion & replacemt	30,000.0	GOB	34,000.0	GOB
6	ENMU Construct new SAS (Stdtd Acdmc Svcs) Bldg	12,000.0	GOB	9,000.0	GOB
7	NMHU Infrastructure upgrades	3,000.0	GOB	4,500.0	GOB
8	NNMC Roofing & Structure improvements	3,000.0	GOB	4,000.0	GOB
9	WNMU Deming Learning Center	4,000.0	GOB	4,160.0	GOB
10	ENMU-ROS Fire Sprinklers: Occ Tech, Phys Ed, Arts/Sci Ctrs	2,475.0	GOB	2,475.0	GOB
11	NMSU-CA Vocational Trades Center	4,000.0	GOB	2,000.0	GOB
12	NMSU-DA Chiller/Cooling Tower replcmt (Espina Cmpus)	1,350.0	GOB	1,350.0	GOB
13	NMSU-GR Martinez Hall improvements & SBDC roof	1,250.0	GOB	1,250.0	GOB
14	UNM-GA Gurley Hall Student Experience Project	3,000.0	GOB	4,000.0	GOB
15	UNM-LA Campus-wide Infrastructure renovations	1,300.0	GOB	1,300.0	GOB
16	UNM-T Fred Peralta Hall Career Tech renovatn/add'n	3,000.0	GOB	3,000.0	GOB
17	UNM-V Lrng Resource Ctr re-roof/solar panel installtn	900.0	GOB	900.0	GOB
18	CCC Drainage Improvement Projects	1,685.0	GOB	1,685.0	GOB
19	CNM Trades/Applied Tech Facilities plan/construct	15,000.0	GOB	15,000.0	GOB
20	LCC HVAC Upgrades	750.0	GOB	1,500.0	GOB
21	NMJC Industrial Technology Building	2,100.0	GOB	2,100.0	GOB
22	SFCC Main+West Wing upgrades: HVAC,equip,infra	2,300.0	GOB	2,300.0	GOB
23	SJC Info Tech Master Plan upgrades & implemtn	3,000.0	GOB	3,000.0	GOB
24	DINE S.Campus Admin Ctr Arch/Engin (Shiprock)	5,000.0	GOB	5,000.0	GOB
25	NTU Interdisciplinary Building (Crownpoint)	4,000.0	GOB	4,000.0	GOB
26	NMMI Bates Dining Hall Addition	3,000.0	GOB	4,000.0	GOB
27	NMSBVI Residential Cottages for Ind Living Skills instr	4,500.0	GOB	3,700.0	GOB
28	NMSD Preschool Addition & Renovation	1,400.0	GOB	1,400.0	GOB
29	NMIMT Playas Research Ctr Infrastructure upgrades	-	-	5,000.0	GOB
30	NMSU Nursing Expansion, Health & Educ renovatns	-	-	2,000.0	GOB
		<u>196,310.0</u>	GOB	<u>206,920.0</u>	GOB
29	NMIMT Playas Research Ctr Infrastructure upgrades	5,000.0	OSF	These 2 projects were	
30	NMSU Nursing Expansion, Health & Educ renovatns	2,000.0	OSF	HED's first 2 OSF recs.	
		<u>7,000.0</u>	OSF		
		196,310.0	GOB		
		<u>7,000.0</u>	OSF		
		<u>203,310.0</u>	HED recs on 30 GOB projects		

HB 153 As INTRODUCED On 1/26/2022

1 demolition, at New Mexico highlands university in Las Vegas in
2 San Miguel county;

3 (5) to the board of regents of the New Mexico
4 institute of mining and technology:

5 (a) five million dollars (\$5,000,000) to
6 plan, design, construct, renovate and equip infrastructure
7 improvements to the Playas training and research center at the
8 New Mexico institute of mining and technology in Playas in
9 Hidalgo county; and

10 (b) three million three hundred thousand
11 dollars (\$3,300,000) to plan, design, construct, furnish and
12 equip Kelly hall at the New Mexico institute of mining and
13 technology in Socorro in Socorro county;

14 (6) to the board of regents of New Mexico
15 military institute, four million dollars (\$4,000,000) to plan,
16 design, construct, furnish and equip renovations of barracks
17 bathrooms, including demolition and abatement of hazardous
18 materials, at New Mexico military institute in Roswell in
19 Chaves county;

20 (7) to the board of regents of the New Mexico
21 school for the deaf, one million four hundred thousand dollars
22 (\$1,400,000) to plan, design, construct, renovate, furnish and
23 equip improvements and an addition to the Albuquerque preschool
24 facility for the New Mexico school for the deaf in Albuquerque
25 in Bernalillo county;

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HB 153 REVISED

2/12/22

HTRC/HB 153

1 San Miguel county;

2 (5) to the board of regents of the New Mexico
3 institute of mining and technology:

4 (a) five million dollars (\$5,000,000) to
5 plan, design, construct, renovate and equip infrastructure
6 improvements to the Playas training and research center at the
7 New Mexico institute of mining and technology in Playas in
8 Hidalgo county; and

9 (b) three million three hundred thousand
10 dollars (\$3,300,000) to plan, design, construct, furnish and
11 equip Kelly hall at the New Mexico institute of mining and
12 technology in Socorro in Socorro county;

13 (6) to the board of regents of New Mexico
14 military institute, four million dollars (\$4,000,000) to plan,
15 design, construct, demolish, furnish and equip an expansion to
16 Bates hall at the New Mexico military institute in Roswell in
17 Chaves county;

18 (7) to the board of regents of the New Mexico
19 school for the deaf, one million four hundred thousand dollars
20 (\$1,400,000) to plan, design, construct, renovate, furnish and
21 equip improvements and an addition to the Albuquerque preschool
22 facility for the New Mexico school for the deaf in Albuquerque
23 in Bernalillo county;

24 (8) to the board of regents of New Mexico
25 state university:

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