



STATE OF NEW MEXICO
OFFICE OF THE TREASURER

THE HONORABLE TIM EICHENBERG
State Treasurer

SAMUEL K. COLLINS
Deputy State Treasurer

Attention:
**Broker-Dealers interested in conducting business with
The New Mexico State Treasurer's Office**

The NM State Treasurer's Office (STO) is requesting information updates and certifications from Broker-Dealers interested in potentially conducting trades for the STO Investment Division fixed income portfolios. From the applications received, a limited number of firms and their representatives will be selected for the STO Broker-Dealer List for Fiscal Years 2020-2021 which will be in effect from 7/1/2019 through 6/30/2021.

Please be advised that the New Mexico State Treasurer's Office **does** invest cash derived from bond proceeds and **does not** retain an Independent Registered Municipal Advisor (IRMA). If your firm requires the retention of an IRMA to conduct investment related transactions for accounts that contain bond proceeds, the New Mexico State Treasurer's Office will not be able to comply.

Application Package Contents

- (1) Application form
- (2) Campaign Contribution Disclosure Form
- (3) STO Investment Policy dated 12/19/2017 (reference only)
- (4) STO LGIP Investment Policy dated 12/19/2017 (reference only)

Responses and Deadlines

Responses can be submitted via email to Rick.Chavez4@state.nm.us and are due by 3/29/2019. Please note that incomplete responses and those received after 3/29/2019 may not be considered. Hardcopies of the response packages are not required.

Checklist for completion of the Application Package

Satisfactory responses will include the following documentation:

- A completed **Application Form** including the signatures of each representative listed on the application and also signed by an authorized signer of the firm
- One copy of the **Campaign Contribution Disclosure Form** for the firm signed by an authorized signer of the firm
- A signed copy of the **Campaign Contribution Disclosure Form** for each representative listed on the application

Notifications

All applicants will be notified of the selection decisions via email by 5/31/19, and the STO Broker- Dealer List for Fiscal Years 2020-2021 will go into effect on 7/1/2019.

Please contact me at 505-955-1125 or Charmaine.Cook@state.nm.us if you have any questions related to this application process.

Sincerely,

Charmaine Cook
State Cash Manager



STATE OF NEW MEXICO
OFFICE OF THE TREASURER

THE HONORABLE TIM EICHENBERG
State Treasurer

SAMUEL K. COLLINS
Deputy State Treasurer

February 11, 2019

Re: Disclosures Regarding the New Mexico State Treasurer Accounts with Broker/Dealer Accounts

Dear Sir or Madam:

Regarding Section 15B of the Securities Exchange Act of 1934 (the "ACT") (SEC Rule 15Ba1-1, et seq.) (the "Rule"), with respect to our accounts with (Broker/Dealer) (Accounts). As you are well aware, the Rule has affected states that manage their own municipal bond proceeds as well as state-sponsored local government investment pools. We are responding as follows:

Please be advised that one or more of the Accounts may be covered by the Municipal Advisor Rule in that they contain municipal derivatives, municipal escrow investment and/or the proceeds of municipal securities. Please refer to attached Investment Policies dated December 19, 2017 which outline each of the New Mexico State Treasurer's portfolios. The undersigned, a knowledgeable official representative of the State authorized to sign this letter, hereby represents that we are an institutional buyer and expect to execute principal transactions with you for our account in arm's length commercial transactions (the "Transactions"). In effecting such Transactions, we acknowledge that (i) in providing information regarding currently available investment, price quotes for investments available for purchase or sale in the market that meet our investment criteria, offers, bids and general market and financial information to us, you are neither providing us with advice or investment strategies nor recommending any action by us, (ii) you are acting in your own interest and not as our advisor and (iii) you do not owe a fiduciary duty to us pursuant to Section 15B of the Act with respect to such Transactions.

We will discuss any information or material provided to us by you in connection with trading, investing or other activity in the Account(s) with any and all of our external advisors and experts that we deem appropriate before acting on any such information or material. Should you have any questions, please call me at 505-955-1125.

Sincerely,

Charmaine Cook, AAP
State Cash Manager
Charmaine.Cook@state.nm.us



New Mexico State Treasurer's Office (STO) Broker-Dealer Application FY – 20/21

This application is to be completed by an authorized signer of the firm.

Contact Information:

Please provide the following information:

Name of Firm:	
Address of Firm:	
Main Phone #:	

Manager/Partner in-charge:

Name :	
Title:	
Phone #:	
Email:	

Compliance Officer or equivalent:

Name:	
Title:	
Phone #:	
Email:	

Authorized Signer (If this application and the Campaign Contribution Disclosure Form for the firm will be signed by an authorized signer other than the individuals listed above, please provide the following):

Name:	
Title:	
Phone #:	
Email:	

Identify all personnel who will be executing trades with or providing quotes for investment security sales and purchases to STO employee. Please include a minimum of 2 broker-dealers representatives:

Name	CRD Registration #	Phone #	E-mail Address
1.			
2.			
3.			
4.			



New Mexico State Treasurer's Office (STO) Broker-Dealer Application FY – 20/21

Representative Disclosure:

1. Have your firm's representatives read STO's investment policy and do they fully understand the implications of STO's risk objectives concerning safety, liquidity and yield, in that order? If additional space is needed, please attach a supplemental document.

Yes

No

2. Please outline any security related violations with regard to specific personnel at your organization who will be directly involved with STO's business activity. If additional space is needed, please attach a supplemental document.

3. If your firm is selected all representatives or supporting staff must registered pursuant to the New Mexico Uniform Securities Act or will be registered within thirty (30) days.
4. The New Mexico State Treasurer's Office does invest cash derived from bond proceeds and does not retain an Independent Registered Municipal Advisor (IRMA). If your firm requires the retention of an IRMA to conduct investment related transactions for accounts that contain bond proceeds, the New Mexico State Treasurer's Office will not be able to comply.

Agreement and Acknowledgement of Information:

Pursuant to the New Mexico State Treasurer's Investment Policy dated December 21, 2017 all firms and assigned representatives must meet the following minimum qualifications:

- The Firm and assigned representatives must be registered pursuant to NMSA 1978§58-13C-101 through 58-13C-701(2009).
- The Firm must be registered as a dealer under the Securities Exchange Act of 1934;
- The Firm must be registered with the Financial Industry Regulatory Authority (FINRA);
- The Firm must have been engaged in the fixed income securities business for at least the past five (5) consecutive years;
- All representatives listed must have a current FINRA Series 7 License;
- Copies of the Campaign Contribution Disclosure form must be signed by an authorized signer on behalf of the firm and by each representative;



New Mexico State Treasurer's Office (STO) Broker-Dealer Application FY – 20/21

Certification & Signatures:

I hereby certify that the above information is true and correct to the best of my knowledge and that the firm and the representatives meet the minimum qualifications set forth under the New Mexico State Treasurer's Investment Policy and will comply with Federal and State law.

Name of Firm: _____

Firm CRD #: _____

Print Name/Title: _____

Authorized Signature: _____ Date: _____

As representative(s) the firm I (we) hereby certify that the above information is true and correct to the best of my (our) knowledge and that I (we) meet the minimum qualifications set forth under the New Mexico State Treasurer's Investment Policy and New Mexico Law.

Name	Signature	Date

Responses and Deadline

Completed Application Packages can be submitted via email to Rick.Chavez4@state.nm.us and are due by **3/29/2019**. Please note that incomplete packages and those received after 3/29/2019 may not be considered.

Checklist for completion of the Application Package

- A completed **Application Form** including the signatures of each representative listed on the application and also signed by an authorized signer of the firm
- One copy of the **Campaign Contribution Disclosure Form** for the firm signed by an authorized signer of the firm
- Separate copies of the **Campaign Contribution Disclosure Form** signed by *each* representative listed on the application

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

“Pendency of the procurement process” means the time period commencing with the

public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Prospective contractor” means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: _____
(Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature Date

Title (Position)