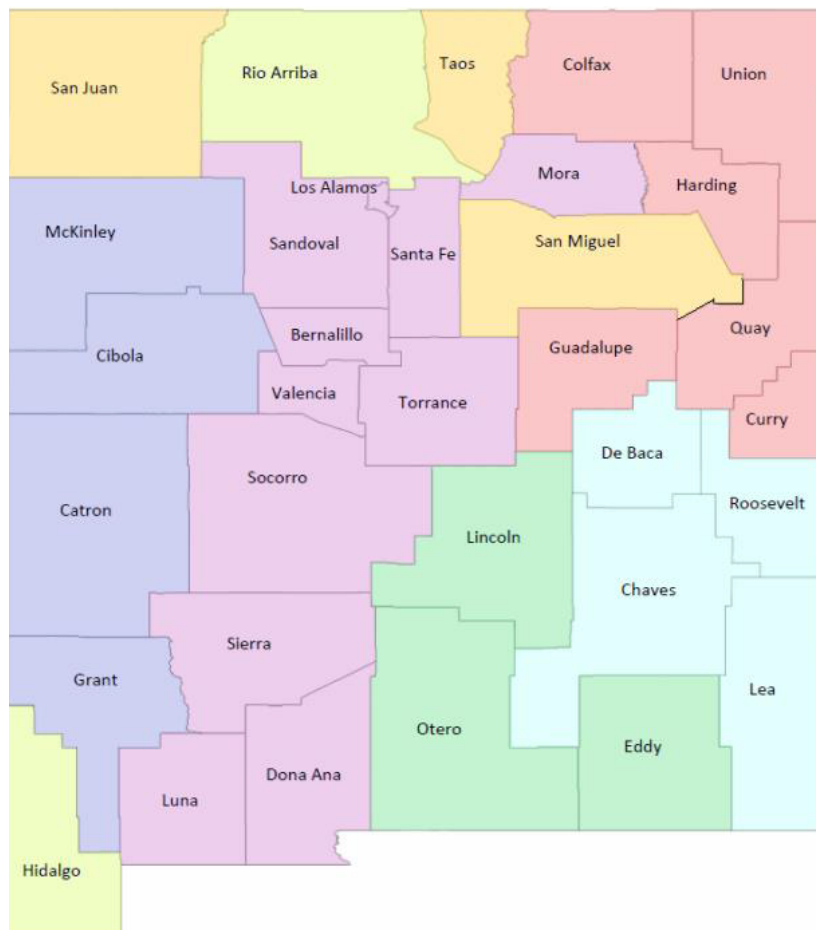


# ***Community Development Block Grant (CDBG)***

## ***2023 Application***

### **Infrastructure and Public Facilities Projects**



**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**

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## CDBG Application Exhibits

### Application Exhibits

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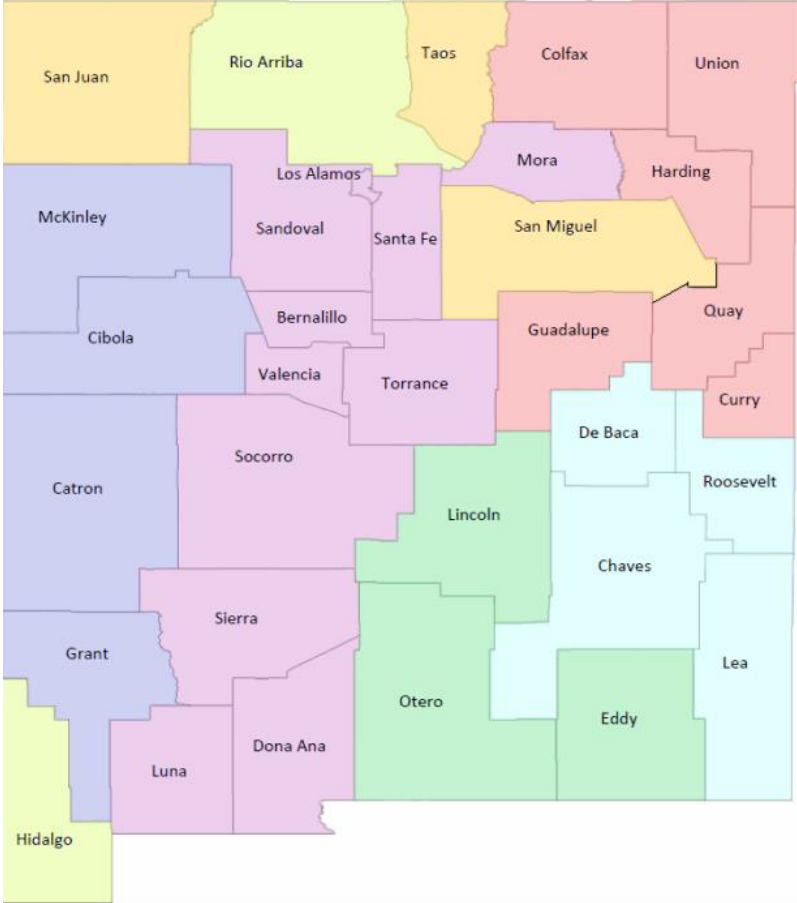
### Other Relevant Exhibits

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### Other Relevant Exhibits Available on DFA website (<https://www.nmdfa.state.nm.us/local-government/community-development-bureau/cdbg-implementation-manual/>)

- Exhibit 2-A: environmental review determination form
- Exhibit 2-A-1: certifying official designation for environmental review process
- Exhibit 2-F: consultation notice (for floodplain manager)
- Exhibit 2-I: consultation notice (for all entities except floodplain and SHPO)
- Exhibit 2-J: consultation notice [for State Historic Preservation Office (SHPO)]
- Exhibit 3-A: request for proposals (administrative services)
- Exhibit 3-B: contract (administrative services)
- Exhibit 3-C: request for proposals (professional services for architects and engineers)
- Exhibit 3-D: contract (engineering services)
- Exhibit 3-E: contract (architecture services)
- Exhibit 4-A: bidding documents and construction contract

# Transmittal Letter



**State of New Mexico**

**Department of Finance and Administration**

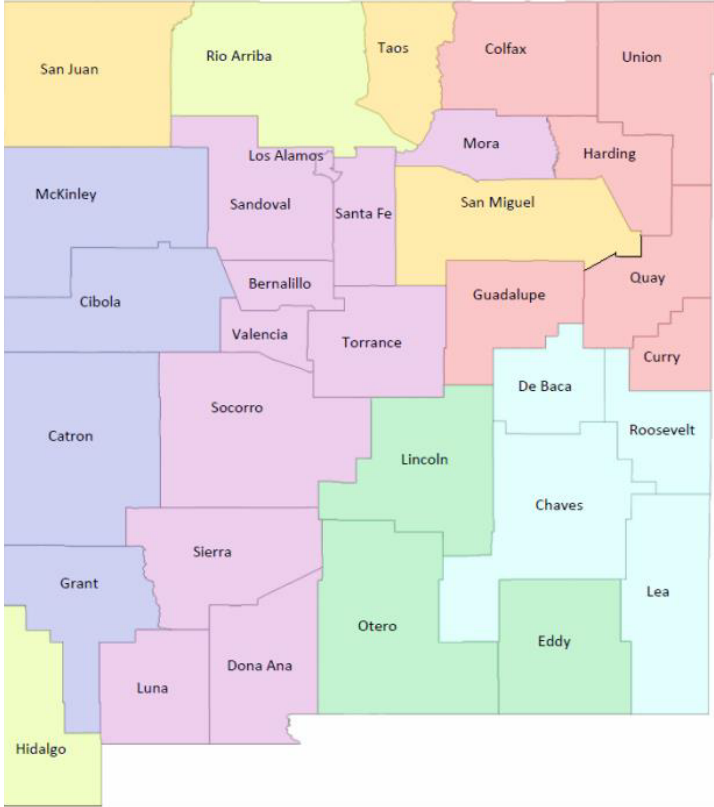
**Local Government Division**

## **CDBG Transmittal Letter**

The transmittal letter is official communication between the CDBG applicant and the Local Government Division (LGD) of the Department of Finance and Administration (DFA). This document is intended to be a brief and concise transfer of information. The letter should contain the following:

- Written on applicant entity letterhead (government to government)
- Addressed to Community Development Bureau Chief at the following address:
  - 407 Galisteo Rd  
Santa Fe, NM 87501
- Name/title of the proposed project
- 1 sentence description of the proposed project
- 1 sentence about the impact and beneficiaries of proposed project
- Funding request amounts
  - Full project (bid plus added alternates)
  - Phased project (base bid)
- Printed name, date and signature of Chief Elected Official or designee

# Certification and Assurances



**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**

## CDBG PROGRAM REQUIREMENTS

**All Program Requirements must be met to be eligible for CDBG funding.**

### **A. THRESHOLD (NMAC 2.110.2.17.E.)**

*Check all boxes that apply. Threshold requirements must be met by April 19, 2023.*

- Any open CDBG infrastructure project must be complete.
- Any previous CDBG project's monitoring findings and concerns must be resolved.
- The current operating budget for any local public body as defined in Section 6-6-1 NMSA 1978 (as amended) applying for CDBG funds must be certified by the division.
- The applicant's quarterly/monthly financial reports to the division must be current.
- An applicant must have submitted to the New Mexico State Auditor its most current audit(s) that were required to be conducted and submitted for review per the New Mexico State Auditor's required report due dates for the previous fiscal year(s) and an applicant must be in compliance with the budget certification rule, NMAC 2.2.3
- Applicant must be eligible under CDBG Uniform Grant Guidance (UGG).

### **B. PUBLIC PARTICIPATION (NMAC 2.110.2.15)**

*Check boxes as appropriate (provide supporting source documentation in "Public Participation" portion of the application.*

Number of public hearings held.

- Public hearings:

<u>Date</u>	<u>Time</u>	<u>Date</u>	<u>Time</u>
- Posted and/or published notice in English and Spanish.
- Minutes of public hearings with all CDBG required elements.
- Sign-in sheets for public hearings.
- Evidence of posting hearing notices. More than 10 days in advance of the hearing date is required.
- Describe actions that have been taken in addition to the public notices and hearings to encourage and foster community participation in the CDBG process.

## PROGRAM REQUIREMENTS (continued)

All Program Requirements must be met to be eligible for CDBG funding.

### C. NATIONAL OBJECTIVE: BENEFIT TO LOW AND MODERATE INCOME (LMI) PERSONS (NMAC 2.110.2.16.A)

Low and Moderate Income (LMI) persons that the proposed project will serve directly. From DFA/LGD approved Survey, American Community Survey (ACS), or Limited Clientele.

#### Source of LMI Information

*Provide DFA/LGD approval letter and other supporting documentation in "Survey/ACS" portion of the application.*

Proposed Project	Total Number of Persons	Number of Low/Moderate Income Persons	Percent Low/Moderate Income Persons
<b>FULL</b>			
<b>PHASED</b>			

### D. SITE CONTROL

The CDBG program requires evidence of clear title to necessary real property, easements, and rights-of way on which the proposed project will be constructed and/or operated and maintained. *Check all boxes that apply.*

*Provide the completed, signed, and notarized CDBG Site Certificate (Exhibit F) as well as all other supporting documentation in the "Site Control" tab of the application.*

- Deed of trust, or other legal document proving ownership, access, and/or right of way
- Map(s)
- CDBG Site Certificate signed and notarized by Chief Elected Official

# Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing and Urban Development

OMB Approval No. 2501-0112 (exp. 12/31/2024)

**Instructions.** (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

## Applicant/Recipient Information

Indicate whether this is an Initial Report  or an Update Report

1. Applicant/Recipient Name, Address, and Phone (include area code):	2. Social Security Number or Employer ID Number:
3. HUD Program Name	4. Amount of HUD Assistance Requested/Received
5. State the name and location (street address, City and State) of the project or activity:	

## Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3). <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9 <input type="checkbox"/> Yes <input type="checkbox"/> No.
---	--

If you answered “No” to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However**, you must sign the certification at the end of the report.

## Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds

(Note: Use Additional pages if necessary.)

## Part III Interested Parties. You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

(Note: Use Additional pages if necessary.)

## Certification

**Warning:** If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature:  X	Date: (mm/dd/yyyy)
---------------------	--------------------



**Public reporting burden** for this collection of information is estimated to average 2.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

**Privacy Act Statement.** Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is voluntary. HUD is authorized to collect this information under the Housing and Community Development Act of 1987 42 U.S.C.3543 (a). The SSN or EIN is used as a unique identifier. The information you provide will enable HUD to carry out its responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. They will also help ensure that HUD assistance for a specific housing project under Section 102(d) is not more than is necessary to make the project feasible after taking account of other government assistance. HUD will make available to the public all applicant disclosure reports for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15. HUD will use the information in evaluating individual assistance applications and in performing internal administrative analyses to assist in the management of specific HUD programs. The information will also be used in making the determination under Section 102(d) whether HUD assistance for a specific housing project is more than is necessary to make the project feasible after taking account of other government assistance. You must provide all the required information. Failure to provide any required information may delay the processing of your application, and may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §4.38.

**Note:** This form only covers assistance made available by the Department. States and units of general local government that carry out responsibilities under Sections 102(b) and (c) of the Reform Act must develop their own procedures for complying with the Act.

## Instructions

### Overview.

**A. Coverage.** You must complete this report if:

- (1) You are applying for assistance from HUD for a specific project or activity **and** you have received, or expect to receive, assistance from HUD in excess of \$200,000 during the during the fiscal year;
- (2) You are updating a prior report as discussed below; or
- (3) You are submitting an application for assistance to an entity other than HUD, a State or local government if the application is required by statute or regulation to be submitted to HUD for approval or for any other purpose.

**B. Update reports (filed by "Recipients" of HUD Assistance):**

**General.** All recipients of covered assistance must submit update reports to the Department to reflect substantial changes to the initial applicant disclosure reports.

### Line-by-Line Instructions.

#### Applicant/Recipient Information.

All applicants for HUD competitive assistance, must complete the information required in blocks 1-5 of form HUD-2880:

1. Enter the full name, address, city, State, zip code, and telephone number (including area code) of the applicant/recipient. Where the applicant/recipient is an individual, the last name, first name, and middle initial must be entered.
2. Entry of the applicant/recipient's SSN or EIN, as appropriate, is optional.
3. Applicants enter the HUD program name under which the assistance is being requested.
4. Applicants enter the amount of HUD assistance that is being requested. Recipients enter the amount of HUD assistance that has been provided and to which the update report relates. The amounts are those stated in the application or award documentation. NOTE: In the case of assistance that is provided pursuant to contract over a period of time (such as project-based assistance under section 8 of the United States Housing Act of 1937), the amount of assistance to be reported includes all amounts that are to be provided over the term of the contract, irrespective of when they are to be received.
5. Applicants enter the name and full address of the project or activity for which the HUD assistance is sought. Recipients enter the name and full address of the HUD-assisted project or activity to which the update report relates. The most appropriate government identifying number must be used (e.g., RFP No.; IFB No.; grant announcement No.; or contract, grant, or loan No.) Include prefixes.

#### Part I. Threshold Determinations - Applicants Only

Part I contains information to help the applicant determine whether the remainder of the form must be completed. **Recipients filing Update Reports should not complete this Part.**

If the answer to **either** questions 1 or 2 is No, the applicant need not complete Parts II and III of the report, but must sign the certification at the end of the form.

#### Part II. Other Government Assistance and Expected Sources and Uses of Funds.

**A. Other Government Assistance.** This Part is to be completed by both applicants and recipients for assistance and recipients filing update reports. Applicants and recipients must report any other government assistance involved in the project or activity for which assistance is sought. Applicants and recipients must report any other government assistance involved in the project or activity. Other government assistance is defined in note 4 on the last page. For purposes of this definition, other government assistance is expected to be made available if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the assistance will be forthcoming.

Both applicant and recipient disclosures must include all other government assistance involved with the HUD assistance, as well as any other government assistance that was made available before the request, but that has continuing vitality at the time of the request. Examples of this latter category include tax credits that provide for a number of years of tax benefits, and grant assistance that continues to benefit the project at the time of the assistance request.

The following information must be provided:

1. Enter the name and address, city, State, and zip code of the government agency making the assistance available.
2. State the type of other government assistance (e.g., loan, grant, loan insurance).
3. Enter the dollar amount of the other government assistance that is, or is expected to be, made available with respect to the project or activities for which the HUD assistance is sought (applicants) or has been provided (recipients).
4. Uses of funds. Each reportable use of funds must clearly identify the purpose to which they are to be put. Reasonable aggregations may be used, such as "total structure" to include a number of structural costs, such as roof, elevators, exterior masonry, etc.

**B. Non-Government Assistance.** Note that the applicant and recipient disclosure report must specify all expected sources and uses of funds - both from HUD **and any other source** - that have been or are to be, made available for the project or activity. Non-government sources of

funds typically include (but are not limited to) foundations and private contributors.

### **Part III. Interested Parties.**

This Part is to be completed by both applicants and recipients filing update reports. Applicants must provide information on:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

**Note:** A financial interest means any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residency of an individual in housing for which assistance is being sought is not, by itself, considered a covered financial interest.

The information required below must be provided.

1. Enter the full names and addresses. If the person is an entity, the listing must include the full name and address of the entity as well as the CEO. Please list all names alphabetically.
2. Entry of the Social Security Number (SSN) or Employee Identification Number (EIN), as appropriate, for each person listed is optional.
3. Enter the type of participation in the project or activity for each person listed: i.e., the person's specific role in the project (e.g., contractor, consultant, planner, investor).
4. Enter the financial interest in the project or activity for each person listed. The interest must be expressed both as a dollar amount and as a percentage of the amount of the HUD assistance involved.

**Note** that if any of the source/use information required by this report has been provided elsewhere in this application package, the applicant need

not repeat the information, but need only refer to the form and location to incorporate it into this report. (It is likely that some of the information required by this report has been provided on SF 424A, and on various budget forms accompanying the application.) If this report requires information beyond that provided elsewhere in the application package, the applicant must include in this report all the additional information required.

Recipients must submit an update report for any change in previously disclosed sources and uses of funds as provided in Section I.D.5., above.

#### **Notes:**

1. All citations are to 24 CFR Part 4, which was published in the Federal Register. [April 1, 1996, at 63 Fed. Reg. 14448.]
2. Assistance means any contract, grant, loan, cooperative agreement, or other form of assistance, including the insurance or guarantee of a loan or mortgage, that is provided with respect to a specific project or activity under a program administered by the Department. The term does not include contracts, such as procurements contracts, that are subject to the Fed. Acquisition Regulation (FAR) (48 CFR Chapter 1).
3. See 24 CFR §4.9 for detailed guidance on how the threshold is calculated.
4. "Other government assistance" is defined to include any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance from the Federal government (other than that requested from HUD in the application), a State, or a unit of general local government, or any agency or instrumentality thereof, that is, or is expected to be made, available with respect to the project or activities for which the assistance is sought.
5. For the purpose of this form and 24 CFR Part 4, "person" means an individual (including a consultant, lobbyist, or lawyer); corporation; company; association; authority; firm; partnership; society; State, unit of general local government, or other government entity, or agency thereof (including a public housing agency); Indian tribe; and any other organization or group of people.

## APPLICANT STATEMENT OF FEDERAL ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies that:

(a) It possesses:

(1) Legal authority to apply for the grant and to execute the proposed project, and its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the applicant's chief executive officer and/or other designated official representatives to act in connection with the application and to provide such additional information as may be required; and

(2) Has developed its application, including its projected use of funds, so as to give maximum feasible priority to activities that will benefit low and moderate income persons or aid in the prevention or elimination of slums or blight. (The requirement for this certification will not preclude the State from approving an application where the applicant certifies and the State determines, that all or part of the proposed project activities are designed to meet other community development needs that have arisen during the preceding twelve-month period and have particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and where other financial resources are not available to meet such needs.)  
Furthermore:

(A) With respect to activities it claims benefit low and moderate income persons, it has determined and documented that not less than fifty-one percent (51%) of the beneficiaries of the activity are low and moderate income persons.

(b) It is following a detailed citizen participation plan which:

(1) Provides for and encourages citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which Community Development Block Grant (CDBG) funds are proposed to be used;

(2) Provides citizens with reasonable and timely access to local meetings, information, and records relating to its proposed and actual use of CDBG funds;

(3) Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the applicant;

(4) Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice at times and locations

convenient to potential or actual beneficiaries, and with accommodation for the handicapped;

(5) Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and

(6) Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

(c) It has provided for and encouraged citizen participation, with particular emphasis on participation by persons of low and moderate income and of areas in which CDBG funds are proposed to be used, by:

(1) Furnishing citizens information concerning the amount of funds available for proposed community development activities and the range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income and its plans for minimizing displacement of persons as a result of activities assisted with CDBG funds and to assist persons actually displaced as a result of such activities;

(2) Publishing a proposed project plan/application in such a manner to afford citizens an opportunity to examine its content and to submit comments on the proposed project plan/application and on the community development performance of the jurisdiction(s);

(3) Holding one or more public hearings, as indicated below, to obtain citizen views and to respond to proposals and questions related to community development needs, proposed activities and past CDBG performance. All hearings were held more than ten (10) days after notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped and for the needs of non-English speaking residents where a significant number of such residents could have been reasonably expected to participate.

Applicant*	Date	Time	Location

\* In the case of a "joint" application, each participating municipality and county must hold at least one public hearing.

(4) As applicable, providing citizens with reasonable and timely access to local meetings, information and records regarding its proposed and past use of CDBG funds;

- (5) In preparing its project plan/application, considering any such comments and views and, if deemed appropriate, modifying the proposed project plan/application;
- (6) Making the final project plan/application available to the public;
- (7) Identifying its community development needs, including the needs of low and moderate income persons, and the activities to be undertaken to meet such needs.

(d) In the event it is awarded CDBG funds by the State it will:

(1) Follow a residential anti-displacement and relocation assistance plan which shall:

(A) In the event of such displacement, provide that:

- (i) Governmental agencies or private developers shall provide within the same community comparable replacement dwellings for the same number of occupants as could have been housed in the occupied and vacant occupiable low and moderate income dwelling units demolished or converted to use other than for housing for low and moderate income persons, and provide that such replacement housing may include existing housing assisted with project based assistance provided under Section 8 of the United States Housing Act of 1937;
- (ii) Such comparable replacement dwellings shall be designed to remain affordable to persons of low and moderate income for 10 years from the time of initial occupancy;
- (iii) Relocation benefits shall be provided for all low or moderate income persons who occupied housing demolished or converted to a use other than for low or moderate income housing, including reimbursement for actual and reasonable moving expenses, security deposits, credit checks, and other moving-related expenses, including any interim living costs; and, in the case of displaced persons of low and moderate income, provide either:
  - (I) compensation sufficient to ensure that, for a 5-year period, the displaced families shall not bear, after relocation, a ratio of shelter costs to income that exceeds 30 percent; or,
  - (II) if elected by a family, a lump-sum payment equal to the capitalized value of the benefits available under sub clause (I) to permit the household to secure participation in a housing cooperative or mutual housing association.
- (iv) Persons displaced shall be relocated into comparable replacement housing that is:

- (I) decent, safe, and sanitary;
    - (II) adequate in size to accommodate the occupants;
    - (III) functionally equivalent; and,
    - (IV) in an area not subject to unreasonably adverse environmental conditions;
  - (B) persons displaced shall have the right to elect, as an alternative to the benefits under this subsection to receive benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 if such persons determine that it is in their best interest to do so; and,
  - (C) where a claim for assistance under subparagraph (A)(iv) is denied by grantee, the claimant may appeal to the State, and that the decision of the State shall be final unless a court determines the decision was arbitrary and capricious.
- (2) Comply with the provisions of the above paragraph (1) except that paragraphs (A)(i) and (A)(ii) shall not apply in any case in which the Secretary of the U.S. Department of Housing and Urban Development finds, on the basis of objective data, that there is available in the area an adequate supply of habitable affordable housing for low and moderate income persons. A determination under this paragraph is final and no reviewable.
- (3) Provide citizens with reasonable notice of, and opportunity to comment on, any substantial change proposed to be made in the use of CDBG funds from one eligible activity to another by following the same procedures required in paragraph (c) for the preparation and submission of the final project plan/application.
- (e) It will:
- (1) Minimize displacement of persons as a result of activities assisted with CDBG funds and provide for reasonable benefits to any person involuntarily and permanently displaced as a result of the use of CDBG funds to acquire or substantially rehabilitate property;
  - (2) Affirmatively further fair housing in addition to conducting and administering its project in conformity with Public Law 88-352 and Public Law 90-284 as certified in paragraph (h) hereinafter;
  - (3) Not attempt to recover any capital costs of public improvements assisted in whole or part with CDBG funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
    - (A) CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than the CDBG program, or

- (B) for purposes of assessing any amount against properties owned and occupied by persons of moderate income who are not persons of low income, it certifies that it lacks sufficient CDBG funds to comply with the requirements of subparagraph (A);
- (f) Its chief executive officer or other officer of the applicant approved by the State:
  - (1) Consents to assume the status of responsible Federal official under the National Environmental Policy Act of 1969 (NEPA) and other provisions of Federal law, as specified in 24 CFR Part 58, which further the purposes of NEPA, insofar as the provisions of such Federal law apply to the Colorado Community Development Block Grant (CDBG) Program;
  - (2) Is authorized and consents on behalf of the applicant and himself/herself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his/her responsibilities as such an official.
- (g) It will comply with the financial management regulations, policies, guidelines and requirements set forth in the CDBG Public Facilities and/or Housing Guidebook.
- (h) It will comply with:
  - (1) **Section 110 of the Housing and Community Development Act of 1974**, as amended, and any State regulations regarding the administration and enforcement of labor standards;
  - (2) **Davis-Bacon Fair Labor Standards Act (40 USC 276a - 276a-5)** requiring that, on all prime contracts which exceed \$2,000 for federally-assisted construction, alteration or rehabilitation, laborers and mechanics employed by contractors or subcontractors shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor. (This requirement applies to the rehabilitation of residential property only if such property is designed for use of eight or more families.)
  - (3) **Contract Work Hours and Safety Standards Act of 1962 (40 USC 327 et seq.)** requiring that mechanics and laborers employed on federally-assisted contracts which exceed \$2,000 be paid wages of not less than one and one-half times their basic wage rates for all hours worked in excess of forty in a work week.
  - (4) **Copeland "Anti-Kickback" Act of 1934 (40 USC 276 (c))** prohibiting and prescribing penalties for "kickbacks" of wages in federally- financed or assisted construction activities.
- (i) It will comply with:
  - (1) **Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 USC 2000 (d))** prohibiting discrimination on the basis of race, color, religion or religious affiliation, or national origin in any program or activity receiving federal financial assistance.

- (2) **The Fair Housing Act (42 USC 3601-20)**, as amended, prohibiting housing discrimination on the basis of race, color, religion, sex, national origin, handicap, and familial status.
  - (3) **Section 109 of the Housing and Community Development Act of 1974 (42 USC 5309)**, as amended, providing that no person shall be excluded from participation (including employment), denied program benefits or subjected to discrimination on the basis of race, color, national origin or sex under any program or activity funded in whole or in part under Title I (Community Development) of the Housing and Community Development Act.
  - (4) **Executive Order 11063 (1962)**, as amended by Executive Order 12259, requiring equal opportunity in housing by prohibiting discrimination on the basis of race, color, religion, sex or national origin in the sale or rental of housing built with federal assistance.
  - (5) **Executive Order 11246 (1965)**, as amended by Executive Orders 11375, prohibiting discrimination on the basis of race, color, religion, sex or national origin in any phase of employment during the performance of federal or federally-assisted contracts in excess of \$2,000.
  - (6) **Section 3 of the Housing and Community Development Act of 1968 (12 USC 1701 (u))**, as amended, providing that, to the greatest extent feasible, opportunities for training and employment that arise through HUD-financed projects, will be given to lower-income persons in the unit of the project area, and that contracts be awarded to businesses located in the project area or to businesses owned, in substantial part, by residents of the project area.
  - (7) **Section 504 of the Rehabilitation Act of 1973 (29 USC 793)**, as amended, providing that no otherwise qualified individual shall, solely by reason of a handicap, be excluded from participation (including employment), denied program benefits or subjected to discrimination under any program or activity receiving federal funds. Effective communication with persons of all types of disabilities must be ensured.
  - (8) **Age Discrimination Act of 1975, (42 USC 6101)**, as amended, providing that no person shall be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funds.
- (j) It will comply with:
- (1) **Section 104(d) of the Housing and Community Development Act of 1974, as amended (42 USC 5301)**, known as the "**Barney Frank Amendment**," and the **HUD implementing regulations at 29 CFR Part 570**, requiring that local grantees follow a residential anti-displacement and relocation assistance plan which provides for the replacement of all low/moderate-income dwelling units that are demolished or converted to another use as a direct result of the use of CDBG funds, and which



provides for relocation assistance for all low/moderate-income households so displaced.

- (2) **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended -- Title III, Real Property Acquisition (Pub. L. 91-646 and HUD implementing regulations at 49 CFR Part 24)**, providing for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal or Federally- assisted programs and establishing uniform and equitable land acquisition policies for federal assisted programs. Requirements include bona fide land appraisals as a basis for land acquisition, specific procedures for selecting contract appraisers and contract negotiations, furnishing to owners of property to be acquired a written summary statement of the acquisition price offer based on the fair market price, and specified procedures connected with condemnation.
  - (3) **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended -- Title II, Uniform Relocation Assistance (Pub. L. 91-646 and HUD implementing regulations at 49 CFR Part 24)**, providing for fair and equitable treatment of all persons displaced as a result of any federal or federally-assisted program. Relocation payments and assistance, last-resort housing replacement by displacing agency, and grievance procedures are covered under the Act. Payments and assistance will be made pursuant to state or local law, or the grant recipient must adopt a written policy available to the public describing the relocation payments and assistance that will be provided. Moving expenses and up to \$22,500 or more for each qualified homeowner or up to \$5,250 or more for each tenant are potential costs.
- (k) It will comply with:
- (1) **National Environmental Policy Act of 1969 (42 USC 4321 et seq.)**, as amended, and the implementing regulations of HUD (24 CFR Part 58) and of the Council on Environmental Quality (40 CFR Parts 1500 - 1508) providing for establishment of national policy, goals, and procedures for protecting, restoring and enhancing environmental quality.
  - (2) **National Historic Preservation Act of 1966 (16 USC 470 et seq.)**, as amended, requiring consideration of the effect of a project on any district, site, building, structure or object that is included in or eligible for inclusion in the National Register of Historic Places.
  - (3) **Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921 et seq.)** requiring that federally-funded projects contribute to the preservation and enhancement of sites, structures and objects of historical, architectural or archaeological significance.
  - (4) **The Archaeological and Historical Data Preservation Act of 1974, amending the Reservoir Salvage Act of 1960 (16 USC 469 et seq.)**, providing for the preservation of historic and archaeological data that would be lost due to federally-funded development and construction activities.

- (5) **Executive Order 11988, Floodplain Management, May 24, 1977 (42 FR 26951 et seq.)** prohibits undertaking certain activities in flood plains unless it has been determined that there is no practical alternative, in which case notice of the action must be provided and the action must be designed or modified to minimize potential damage.
  - (6) **Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 FR 26961 et seq.)** requiring review of all actions proposed to be located in or appreciably affecting a wetland. Undertaking or assisting new construction located in wetlands must be avoided unless it is determined that there is no practical alternative to such construction and that the proposed action includes all practical measures to minimize potential damage.
  - (7) **Safe Drinking Water Act of 1974 (42 USC 201, 300 f et seq., 7401 et seq.)**, as amended, prohibiting the commitment of federal financial assistance for any project which the Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal drinking water source for an area.
  - (8) **The Endangered Species Act of 1973 (16 USC 1531 et seq.)**, as amended, requiring that actions authorized, funded, or carried out by the federal government do not jeopardize the continued existence of endangered and threatened species or result in the destruction or modification of the habitat of such species which is determined by the Department of the Interior, after consultation with the State, to be critical.
  - (9) **The Wild and Scenic Rivers Act of 1968 (16 USC 1271 et seq.)**, as amended, prohibiting federal assistance in the construction of any water resources project that would have a direct and adverse effect on any river included in or designated for study or inclusion in the National Wild and Scenic Rivers System.
  - (10) **The Clean Air Act of 1970 (42 USC 1857 et seq.)**, as amended, requiring that federal assistance will not be given and that license or permit will not be issued to any activity not conforming to the State implementation plan for national primary and secondary ambient air quality standards.
  - (11) **HUD Environmental Criteria and Standards (24 CFR Part 51)** providing national standards for noise abatement and control, acceptable separation distances from explosive or fire prone substances, and suitable land uses for airport runway clear zones.
- (l) It will:
- (1) Comply with **The Lead-Based Paint Poisoning Prevention Act -- Title IV (42 USC 4831)** prohibiting the use of lead-based paint in residential structures constructed or rehabilitated with federal assistance, and requiring notification to purchasers and tenants of such housing of the hazards of lead-based paint and of the symptoms and treatment of lead-based paint poisoning.
  - (2) Comply with the **Armstrong/Walker "Excessive Force" Amendment, (P.L. 101-144) & Section 906 of Cranston-Gonzalez Affordable Housing Act of 1990**, which requires

that a recipient of HUD funds must certify that they have adopted or will adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within their jurisdiction against individuals engaged in nonviolent civil rights demonstrations; or fails to adopt and enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction.

- (3) Comply with the **"Government-wide Restriction on Lobbying, (P.L. 101-121)**, which prohibits spending CDBG funds to influence or attempt to influence federal officials; which requires the filing of a disclosure form when non-CDBG funds are used for such purposes; which requires certification of compliance by the state; and which requires the state to include the certification language in grant awards it makes to units of general local government at all tiers and that all subrecipients shall certify accordingly as imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.
  - (4) Comply with the **Department of Housing and Urban Development Reform Act of 1989 (24 CFR part 12)** requiring applicants for assistance for a specific project or activity from HUD, to make a number of disclosures if the applicant meets a dollar threshold for the receipt of covered assistance during the fiscal year in which an application is submitted. An applicant must also make the disclosures if it is requesting assistance from HUD for a specific housing project that involves assistance from other governmental sources.
  - (5) Give the State, the U.S. Department of Housing and Urban Development (HUD), and any authorized representatives access to and the rights to examine all records, books, papers or documents related to the application and grant; and
- (m) It will comply with all parts of Title 1 of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws and regulations.

\_\_\_\_\_  
Signature, Chief Elected Official

\_\_\_\_\_  
Signature, Chief Elected Official\*\*

\_\_\_\_\_  
Name (Typed or Printed)

\_\_\_\_\_  
Name (Typed or Printed)

\_\_\_\_\_  
Title Date

\_\_\_\_\_  
Title Date

\*\* Additional signatures are required only in the case of "joint" applications. If this is a joint application, the Chief Elected Official of each county and/or municipality participating in the application must sign.

**CERTIFICATIONS AND ASSURANCES**

I, the undersigned chief elected official of the applicant entity hereby certify that:

- The information contained herein is true, correct, and complete to the best of my knowledge and belief,
- The resolution adopted by the governing body of the applicant entity authorizes me to file this application for assistance from the State of New Mexico and commit a matching fund contribution toward this project,
- I will comply with the Code of Federal Requirements (CFR) Title 24 – Housing and Urban Development, which govern the Community Development Block Grant (CDBG) program.
- I have read and will comply with the CDBG Grant Agreement,
- I have read and will comply with NMAC 2.110.2,
- I have read, will comply with, and have signed and notarized on pages the Applicant Statement of Assurances and Certifications,
- I have read, completed, and signed the Applicant/Recipient Disclosure/Update Report,
- I have read and completed the Program Requirements,
- I have completed, signed, and notarized the CDBG Site Certificate,

I understand that should the project be awarded, CDBG funding will not increase. DFA/LGD is not financially responsible for any discrepancy between the cost estimates, budget and actual costs of construction. The scope of work will be completed as awarded.

I understand that all CDBG grant recipients must be actively registered in the System of Award Management (SAMs) in order to receive funding.

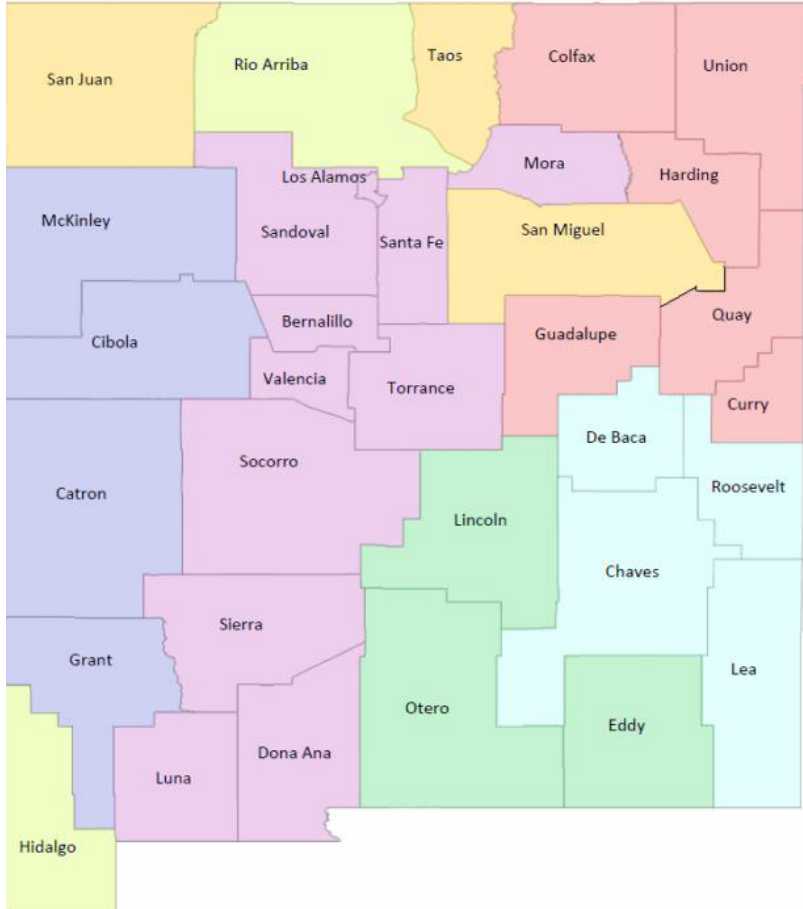
\_\_\_\_\_  
Signature, Chief Elected Official

\_\_\_\_\_  
Applicant Entity (County or Municipality)

\_\_\_\_\_  
Name (Typed or Printed)

\_\_\_\_\_  
Title Date

# Public Participation



**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**

## **CDBG Public Participation Overview**

Providing local citizens with the opportunity to be heard is not only a great way to generate project ideas, it is also a CDBG requirement. All CDBG applicants must hold a minimum of 2 public participation meetings to submit a CDBG infrastructure application. Applicants that conduct 4 (or more) meetings will receive maximum points for this portion of the application.

### **Public Notification Requirements**

- Applicants must notify the public of each meeting a minimum of ten (10) days prior to the meeting in accordance with the New Mexico Open Meetings Act.
- Use Exhibit 1-Q (CDBG public hearing notice with required elements) to notify the public.
- Notifications must be made in English and Spanish (Exhibit 1-Q contains both languages).
- Notifications must be either:
  - Published in a general circulation newspaper
  - Posted in a prominent and visible location

### **Conducting the Meetings**

- CDBG hearings must be stand-alone meetings, meaning they cannot be a part of a regularly scheduled meeting (meetings can take place before or after regularly scheduled Council/Commission meetings, however, each meeting must be closed separately prior to the commencement of the next meeting).
- Meeting types
  - “Pre-Project Selection” public meetings using Exhibit 1-Q-1
    - This meeting will cover the Community Development Block Grant (CDBG) Program. This meeting is designed to generate ideas about potential projects eligible for CDBG funding. At this time, neither the City/Town/Village/County nor the City Council/County Commission have determined a project to pursue (so as to avoid the element of pre-determination). This meeting serves to provide local citizens with the opportunity to propose project ideas.
  - “Post-Project Selection” public meetings using Exhibit 1-Q-2
    - This meeting will cover the Community Development Block Grant (CDBG) Program. This meeting is designed to inform the public about the proposed project selected by City/Town/Village/County and/or City Council/County Commission. Citizens directly impacted by the project will have the opportunity to voice opinions, suggestions and/or concerns.

## CDBG Public Participation Checklist

Public meeting notices in English and Spanish (Exhibit 1-Q)

If published:

affidavit of publication

If posted:

proof (pictures) that posting were made in prominent and visible locations  
posted at least 10 days prior to meeting(s) [Exhibit A]

Copy of meeting minutes

“Pre-Project Selection” (Exhibit 1-Q-1); total number of "Pre-Selection" meetings

“Post-Project Selection” (Exhibit 1-Q-2); total number of "Post-Selection" meetings

Sign-in sheets (1 sign-in sheet for each meeting conducted)

**EXHIBIT 1-Q**  
**CDBG PUBLIC HEARING NOTICE WITH REQUIRED ELEMENTS**

**NOTICE OF PUBLIC HEARING**

The \_\_\_\_\_ of \_\_\_\_\_, New Mexico, wishes to inform all interested parties that public hearing(s) will be held:

<b>Date</b>	<b>Time</b>	<b>Location</b>	<b>Address</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

The purpose of this public hearing will be to report on past The Community Development Block Grant (CDBG) program activities and to receive public input on community development needs and suggestions for future CDBG projects.

The CDBG Program was established under Title I of the Housing and Community Development Act of 1974, as amended, in order to assist communities in providing essential community facilities, providing decent housing for residents, promoting economic development and maintaining a suitable living environment. The State of New Mexico approximates an annual appropriation of \$11,000,000 to be distributed statewide on a competitive basis.

State and national objectives of the New Mexico CDBG Program requires that assistance be made available for activities that principally benefit persons of low and moderate income.

Applications are limited to a maximum of \$500,000 without certified cost estimates and \$750,000 with certified cost estimates by a licensed professional. Planning applications are limited to \$50,000.

Eligible activities and categories will be described. All interested parties are invited to attend, to submit project ideas, to provide supporting data and testimony, and other pertinent information.

With sufficient notice, a translator will be provided for non-English speaking residents.

Those unable to attend the public hearing may send written comments to:

**CDBG Grant Program Requests**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**EXHIBIT 1-Q**  
**JUNTA PÚBLICA CON ELEMENTOS REQUERIDOS DE CDBG**

**NOTICIA AL PÚBLICO**

\_\_\_\_\_ de \_\_\_\_\_, Nuevo Mexico, desea anunciar sobre las juntas publicas para informar a los interesados en le proceso de solitudine del program de CDBG. Las juntas serán los siguientes dias:

<b>Fecha</b>	<b>Tiempo</b>	<b>Localización</b>	<b>Dirección</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Estas juntas considerarán propuestas de proyectos para aplicación de fondos del Community Development Block grant (CDBG). Anualmente el estado de Nuevo Mexico debería recibir fondos en la cantidad de \$11,000,000 (compruebe con el encargado de proyecto para saber si hay la figura actualizada).

El programma de Community Development Block Grant fue establecido en 1974 bajo el Title I/ Housing & Community Development Act para asistir personas de bajos ingresos principalmente.

El programa esta administrado por el estado de Nuevo Mexico, Department of Finance and Administration, Local Government Division. El público esta invitado a hacer presentaciones, peticiones y recomendaciones al consejo acerca de los proyectors que se quieran aplicar para el proximo ciclo de CDBG fondos. El maximo total por cada aplicación es \$500,000 sin costos certificados o \$750,000 con costos certificados por un profesional licenciado. Los aplicaciones en la categoris de un plan de proyecto que tienen limite fijo de \$50,000.

Si usted o su organizacion tienen un proyecto que pueda ser elegible para coinsideración, usted esta invitado a hacer su presentación y petición en esta reunión pública. Para los residentes que no hablan ingles, y requierer un interprete, contacten a la oficina de administración, una semana antes de la reunión.

Para la gente que no puede atender la reunión pública, sus comentarios se recibiran el la siguiente dirección:

**CDBG Grant Program Requests**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exhibit A

**Evidence of Posting Notices with Required Elements**

\_\_\_\_\_ has posted the CDBG public notice form(s) in the following prominent public place(s) which are accessible to the general public, at least ten (10) days prior to the scheduled meeting(s):

Date notice(s) were posted: \_\_\_\_\_

Number of days notice(s) were posted: \_\_\_\_\_ (10 day minimum)

**A copy of the Notice(s) is attached hereto.**

---

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

# EXHIBIT 1-Q-1

## CDBG PUBLIC MEETING AGENDA WITH REQUIRED ELEMENTS

### PRE-PROJECT SELECTION FOR CDBG PUBLIC MEETING

#### 1. Welcome

- This meeting will cover the Community Development Block Grant (CDBG) Program. It will cover the purpose of the program, eligible/ineligible applicants, eligible/ineligible activities and provide local citizens with the opportunity to propose project ideas.

#### 2. Purpose and History of CDBG

- Program Objectives
  - Benefit principally low and moderate income families.
  - Aid in the prevention of slum or blight.
  - Meet urgent community development needs where an existing condition poses a threat to the health and welfare of the community and other financial resources are not available.
  - New Mexico receives approximately \$11 million annually for this CDBG program.
- Eligible Applicants
  - Infrastructure grants: all counties, incorporated municipalities and New Mexico Mortgage Finance Authority
  - Planning grants: all counties, incorporated municipalities, New Mexico Mortgage Finance Authority, water associations, sanitation districts, land grants, public nonprofit groups, council of governments and mutual domestic water consumer associations
- Ineligible Applicants
  - Indian Pueblos and Tribes may receive funding directly from the U.S. Department of Housing and Urban Development (HUD).
  - Entitlement cities (Albuquerque, Farmington, Las Cruces, Rio Rancho and Santa Fe) receive funding directly from HUD.
- Eligible Activities
  - Community Infrastructure: water; sewer systems (including storm sewers); solid waste disposal systems; street improvements (roads, streets, curbs, gutters, sidewalks, traffic control devices, street lighting, parking facilities, municipal utilities).
  - Public Facility: real property acquisition; construction or improvement of structures (community centers, senior citizen centers, homeless shelters, domestic violence shelters, substance abuse facilities, nonresidential centers for the handicapped such as sheltered workshops); other community facilities designed to provide health, social, recreational or similar community services for residents.

- Housing: real property acquisition; rehabilitation; clearance; provision of public facilities to increase housing opportunities; code enforcement; historic preservation activities; a maximum of \$65,000 in CDBG funds per home can be used on rehab/repair activities.
- Economic Development: assists businesses in creating new jobs for low and moderate income persons; creation of businesses owned by community residents.
- Planning: grant assistance must be used for a comprehensive plan if there has not been a current or updated plan within the last five years; asset management plan; development of codes and ordinances; feasibility studies; base mapping, aerial photography, GIS systems; limit of \$50,000.
- Colonias: the State of New Mexico is obligated to allocate 10% of the total CDBG funding each year to eligible projects in designated Colonias.
  - Applicant must be:
    - Designated Colonia prior to November 1990; and
    - Located within 150 miles of the U.S./Mexico border
  - Project must address:
    - Lack of potable water supply; or
    - Inadequate sewage system; or
    - Lack of decent, safe and sanitary housing
- Ineligible Activities
  - Construction or rehabilitation of buildings used for the general conduct of government such as city halls or courthouses. The only exception is to make a public or government operating facility ADA-compliant.
  - General operation and maintenance expenses of public facilities.
  - Income maintenance programs.
  - Housing allowance payments and mortgage subsidies, including but not limited to expenditures for the use of equipment or premises for any political activities.
  - Costs involved in preparing applications and securing funding.
- Program Requirements
  - Applicants must conduct at least one public meeting prior to selecting a project to advise citizens of estimated CDBG funds available; types of projects available; obtain recommendations from citizens regarding community development and housing needs. A minimum of three meetings is recommended.
  - Citizen participation must be encouraged with emphasis on low and moderate income persons by publishing public meeting notices in English and Spanish, and using other means such as media or posting flyers in an effort to reach the public.
  - Recommendations from the public are to be considered and the project selected at an official meeting of the governing body.
  - Each CDBG application must address at least one of the three national objectives: benefit to low and moderate income persons, prevention of slum and blight, urgent or life threatening community development need.

- **Application Requirements**
  - All applications must include a full and phased scope of work, to include corresponding budgets.
  - Application requests are limited to a maximum of \$500,000 without certified cost estimates and \$750,000 with certified cost estimates.
  - Projects (both full and phased) must be fully functional on a stand-alone basis once awarded funds have been expended.
  - Projects must be completed within twenty-four (24) months of a fully executed grant agreement.
  - A previous year's unfunded CDBG application must be updated and resubmitted if the applicant, after conducting the required public hearings, determined that the project is still viable and a priority for the community.
  - Rural communities must provide a minimum 5% cash match
    - ❖ Municipalities: 3,000 residents or less
    - ❖ Counties: 25,000 residents or less
  - Non-Rural communities must provide a 10% cash match
    - ❖ Municipalities: more than 3,000 residents
    - ❖ Counties: more than 25,000 residents
  - Applications are scored by rating certain criteria such as description and need; benefit to low and moderate income persons; leveraging; citizen participation; planning; feasibility and readiness; user fees and revenues; and cost benefit. The Community Development Council (CDC) also will take into consideration current economic situations, if the entity was funded last year and application presentation.

### **3. Objective of this Meeting**

- The purpose of this meeting is to gather information from the local community about potential project ideas. Community members must keep in mind the parameters of the CDBG program in terms of eligibility and other required elements. At this time, it remains undetermined as to which project to pursue.

### **4. Current and Past CDBG Projects Discussion**

### **5. Questions**

### **6. Citizen Input**

- [In an effort to generate discussion, the entity conducting the meeting may include projects currently listed on the ICIP. The purpose of including ideas from ICIP is to let citizens know what ideas are currently on the table, and to help them think of other possible projects.]

### **7. Adjourn**

# EXHIBIT 1-Q-2

## CDBG PUBLIC MEETING AGENDA WITH REQUIRED ELEMENTS

### POST-PROJECT SELECTION FOR CDBG PUBLIC MEETING

#### 1. Welcome

- The City/Town/Village/County and/or City Council/County Commission has chosen to proceed with a CDBG application for this proposed project:
- [Enter proposed project description]
- This meeting will cover the Community Development Block Grant (CDBG) Program. It will cover the purpose of the program, eligible/ineligible applicants, eligible/ineligible activities and provide local citizens with the opportunity to provide feedback, commentary and pose questions about the project selected by the City/Town/Village/County and/or the City Council/County Commission.

#### 2. Purpose and History of CDBG

- Program Objectives
  - Benefit principally low and moderate income families.
  - Aid in the prevention of slum or blight.
  - Meet urgent community development needs where an existing condition poses a threat to the health and welfare of the community and other financial resources are not available.
  - New Mexico receives approximately \$11 million annually for this CDBG program.
- Eligible Applicants
  - Infrastructure grants: all counties, incorporated municipalities and New Mexico Mortgage Finance Authority
  - Planning grants: all counties, incorporated municipalities, New Mexico Mortgage Finance Authority, water associations, sanitation districts, land grants, public nonprofit groups, council of governments and mutual domestic water consumer associations
- Ineligible Applicants
  - Indian Pueblos and Tribes may receive funding directly from the U.S. Department of Housing and Urban Development (HUD).
  - Entitlement cities (Albuquerque, Farmington, Las Cruces, Rio Rancho and Santa Fe) receive funding directly from HUD.
- Eligible Activities
  - Community Infrastructure: water; sewer systems (including storm sewers); solid waste disposal systems; street improvements (roads, streets, curbs, gutters, sidewalks, traffic control devices, street lighting, parking facilities, municipal utilities).
  - Public Facility: real property acquisition; construction or improvement of structures (community centers, senior citizen centers, homeless shelters, domestic violence shelters, substance abuse facilities, nonresidential centers for the handicapped such as sheltered workshops); other community facilities designed to provide health, social, recreational or similar community services for residents.

- Housing: real property acquisition; rehabilitation; clearance; provision of public facilities to increase housing opportunities; code enforcement; historic preservation activities; a maximum of \$65,000 in CDBG funds per home can be used on rehab/repair activities.
- Economic Development: assists businesses in creating new jobs for low and moderate income persons; creation of businesses owned by community residents.
- Planning: grant assistance must be used for a comprehensive plan if there has not been a current or updated plan within the last five years; asset management plan; development of codes and ordinances; feasibility studies; base mapping, aerial photography, GIS systems; limit of \$50,000.
- Colonias: the State of New Mexico is obligated to allocate 10% of the total CDBG funding each year to eligible projects in designated Colonias.
  - Applicant must be:
    - Designated Colonia prior to November 1990; and
    - Located within 150 miles of the U.S./Mexico border
  - Project must address:
    - Lack of potable water supply; or
    - Inadequate sewage system; or
    - Lack of decent, safe and sanitary housing
- Ineligible Activities
  - Construction or rehabilitation of buildings used for the general conduct of government such as city halls or courthouses. The only exception is to make a public or government operating facility ADA-compliant.
  - General operation and maintenance expenses of public facilities.
  - Income maintenance programs.
  - Housing allowance payments and mortgage subsidies, including but not limited to expenditures for the use of equipment or premises for any political activities.
  - Costs involved in preparing applications and securing funding.
- Program Requirements
  - Applicants must conduct at least one public meeting prior to selecting a project to advise citizens of estimated CDBG funds available; types of projects available; obtain recommendations from citizens regarding community development and housing needs. A minimum of three meetings is recommended.
  - Citizen participation must be encouraged with emphasis on low and moderate income persons by publishing public meeting notices in English and Spanish, and using other means such as media or posting flyers in an effort to reach the public.
  - Recommendations from the public are to be considered and the project is selected at an official regularly scheduled meeting of the governing body.
  - Each CDBG application must address at least one of the three national objectives: 1) activities must benefit low and moderate income persons 2) prevention of slum and blight 3) must meet urgent or life threatening community development need.

- **Application Requirements**
  - All applications must include a full and phased scope of work, to include corresponding budgets.
  - Application requests are limited to a maximum of \$500,000 without certified cost estimates and \$750,000 with certified cost estimates.
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  - Non-Rural communities must provide a 10% cash match
    - ❖ Municipalities: more than 3,000 residents
    - ❖ Counties: more than 25,000 residents
  - Applications are scored by rating certain criteria such as description and need; benefit to low and moderate income persons; leveraging; citizen participation; planning; feasibility and readiness; user fees and revenues; and cost benefit. The Community Development Council (CDC) also will take into consideration current economic situations, if the entity was funded last year and application presentation.

### **3. Objective of this Meeting**

- The purpose of this meeting is to gather information from the local community about the proposed project. Community members must keep in mind the parameters of the CDBG program in terms of eligibility and other required elements. We will now discuss some of the current and/or previous CDBG projects that have impacted our community and then we will take questions from the audience as well as receive input regarding the proposed project.

### **4. Current and Past CDBG Projects Discussion**

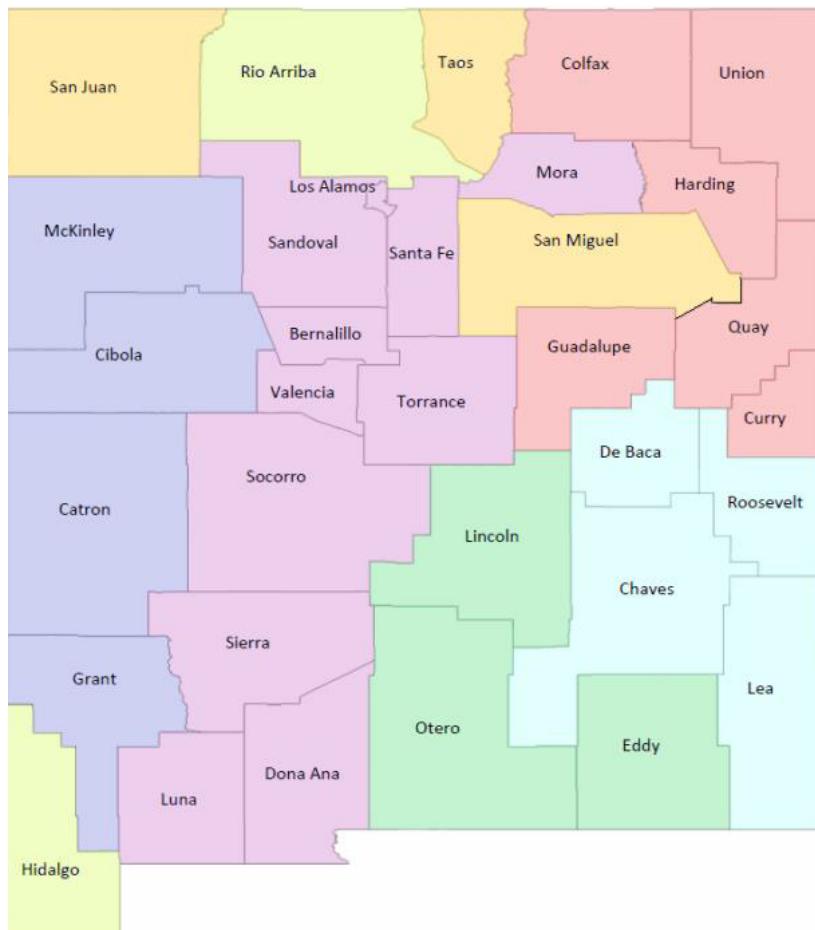
### **5. Questions**

### **6. Citizen Input**

### **7. Adjourn**



# Survey / American Community Survey / Limited Clientele

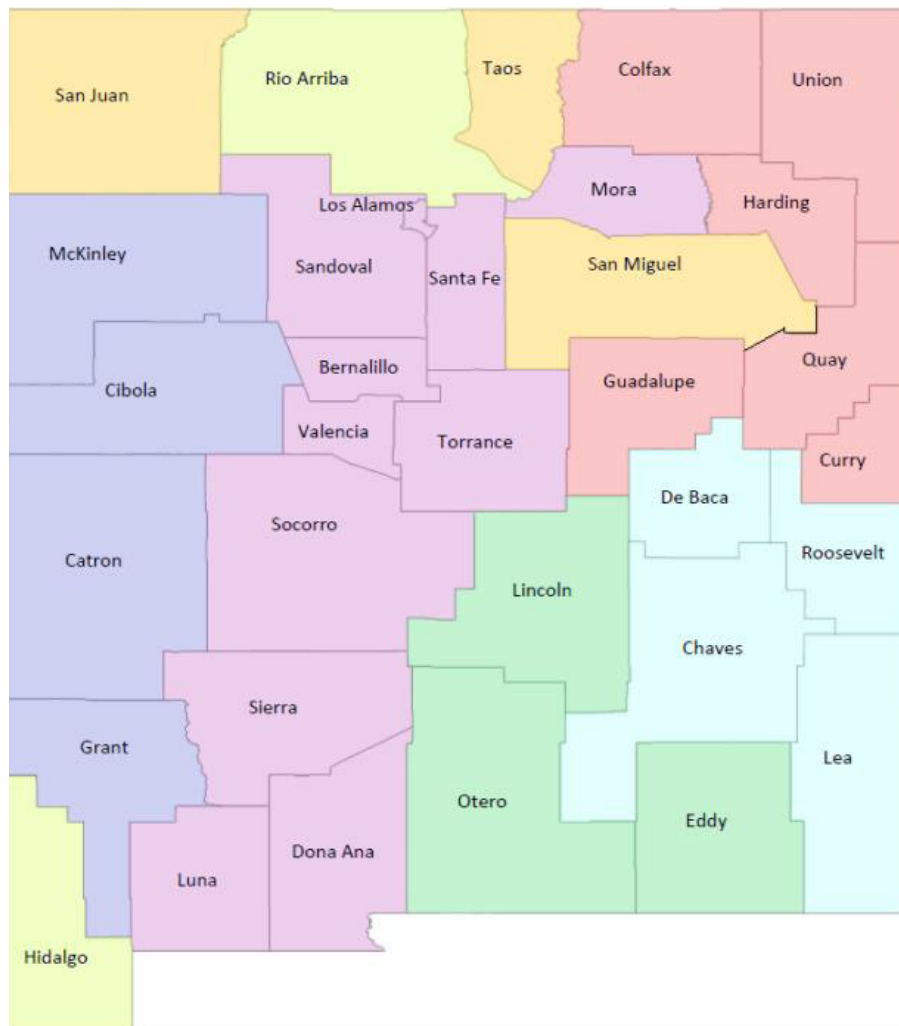


**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**

# Survey



## CDBG SURVEY METHODOLOGY OVERVIEW

Community Infrastructure and Public Facilities projects in the CDBG program must meet the U.S. Department of Housing and Urban Development (HUD) national objective benefiting at least 51% or more low and moderate income (LMI) persons. The following Survey Methodology was designed to assist local governments in determining whether most of the individuals in a proposed target area are of low and moderate income.

The New Mexico Department of Finance and Administration, Local Government Division recommends that the Survey Methodology be used when the community does not meet the 51% threshold under the American Community Survey (ACS) or if the project will only benefit a targeted area within a community

The purpose of a sample survey is to determine whether or not the 51% of persons living in the targeted area have low-to-moderate incomes. A sample survey, proportionate to the size of the survey universe, will be extrapolated to represent the entire population.

The procedures are divided into seven major sections, each of which discusses a different step in administering the survey. In order to obtain accurate results, it is necessary to complete each step properly.

### **STEP 1: REQUEST APPROVAL FROM CDB**

The applicant must request approval from CDB to conduct a survey. The applicant must include in the request the type of survey (step 2), a sample survey form with correct income limits (step 3) and the sample (step 4). This must be done prior to completing steps 5-7. Once CDB approval is obtained, proceed to step 5.

### **STEP 2: SELECT THE TYPE OF SURVEY**

Any type of survey that fulfills the criteria discussed below can be used to determine whether an area qualifies as low and moderate income. The most commonly used surveys are (a) telephone surveys, (b) door-to-door surveys, and (c) mail surveys.

(a) Telephone surveys - The interviewer must call and identify themselves, and request to speak to someone competent and knowledgeable enough to answer and respond to the survey questions. In a telephone survey, you must acquire numbers of all the households in your target area and devise a method of contacting households without telephones or those with unlisted numbers.

(b) Door-to-door surveys - A survey where the interviews are conducted in preselected areas involving knocking on the doors of homes to find qualified respondents.

(c) Mail surveys - Respondents are sent the questionnaire by mail, and asked to complete it independently and then return the questionnaire to the entity. Provisions must be made to provide non-English speaking residents with a questionnaire in their own language. Include a self-addressed stamped envelope in the mailing for best results.

### STEP 3: USE OF QUESTIONNAIRE

All entities must use the survey form provided in this section. Note: Income levels must be updated using HUD income limits by County, attached in Exhibit B. If your County is not identified, please contact your CDB project manager.

### STEP 4: SELECT THE SAMPLE

- A. Define the Sample Universe. Depending on the project, the universe may be as large as a municipality or county, or as small as the project impacted area.
- B. Identify Individual Households. Include a list of every household, vacant lot, and business in the target area and their telephone number, if available. Samples of identifying household sources include telephone directories, tax rolls, and utility company listing.
- C. Determine Sample Size: Refer to Table 1 and Table 2 on next page for information on determining how many households you need to interview.
- D. Determine the Sample: Devise a procedure to randomly select the households to be interviewed. For example, using the site <http://randomizer.org/form.htm> will generate a random numbers table for any sample size from any population size.
- E. Unreachable: Document how you will account for any unreachable families in your sample. A family that cannot be reached must be replaced randomly with the next household that appears on the randomized number table. If a sampled family cannot be reached after two or more tries, or an outright refusal, they should be replaced in the sample.

<b>Required Sample Sizes for Universes of Various Sizes</b>																	
<u>Numbers of Households in Universe</u>	<u>Sample Size</u>																
1 – 55	31	<b>Expected Response Rates For Different Types of Surveys</b> <table border="1" style="margin: auto;"> <thead> <tr> <th><u>Survey Type</u></th> <th><u>Expected Rate of Response</u></th> </tr> </thead> <tbody> <tr> <td>Mail</td> <td>25-50%</td> </tr> <tr> <td>Mail, with letter follow-up</td> <td>50-60%</td> </tr> <tr> <td>Mail, with telephone follow-up</td> <td>50-80%</td> </tr> <tr> <td>Telephone</td> <td>75-90%</td> </tr> <tr> <td>Door-to-door</td> <td>75-90%</td> </tr> <tr> <td>Internet</td> <td>75-90%</td> </tr> </tbody> </table>		<u>Survey Type</u>	<u>Expected Rate of Response</u>	Mail	25-50%	Mail, with letter follow-up	50-60%	Mail, with telephone follow-up	50-80%	Telephone	75-90%	Door-to-door	75-90%	Internet	75-90%
<u>Survey Type</u>	<u>Expected Rate of Response</u>																
Mail	25-50%																
Mail, with letter follow-up	50-60%																
Mail, with telephone follow-up	50-80%																
Telephone	75-90%																
Door-to-door	75-90%																
Internet	75-90%																
56 – 63	33																
64 – 70	35																
71 – 77	37																
78 – 87	39																
88 – 99	41																
100 - 115	43																
116 – 138	46																
139 – 153	48																
154 – 180	50																
181 – 238	54																
239 – 308	56																
309 – 398	58																
399 – 650	60																
651 – 1,200	62																
1,201 – 2,700	64																
2,501 or more	66																

## **STEP 5: CONDUCT SURVEY**

- A. Recruit and train interviewers
- B. Develop an interview schedule
- C. Conduct interview and review responses

## **STEP 6: DETERMINE ELIGIBILITY**

Once surveys are complete, enter data into Exhibit E - *Low and Moderate Income (LMI) Worksheet*. If the results of the worksheet are greater than 51% LMI, the project is eligible.

The worksheet is available in Excel format online at <https://www.nmdfa.state.nm.us/local-government/community-development-bureau/cdbg-information/>

## **STEP 7: SURVEY CHECKLIST**

If conducting a survey, the following items must be included in the "Survey/ACS" section of the application:

- A. Request for survey methodology approval
- B. CDB approval of survey methodology
- C. Data supporting the sample universe
- D. Completed survey interview sheets
- E. Income survey certification
- F. LMI worksheet

	PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Albuquerque, NM MSA FY 2022 MFI: \$77,100	EXTR LOW INCOME	15900	18310	23030	27750	32470	37190	41910	46630
	VERY LOW INCOME	26450	30200	34000	37750	40800	43800	46850	49850
	LOW-INCOME	42300	48350	54400	60400	65250	70100	74900	79750
Farmington, NM MSA FY 2022 MFI: \$54,200	EXTR LOW INCOME	13590	18310	23030	27750	32470	37050	39600	42150
	VERY LOW INCOME	22350	25550	28750	31900	34500	37050	39600	42150
	LOW-INCOME	35750	40850	45950	51050	55150	59250	63350	67400
Las Cruces, NM MSA FY 2022 MFI: \$56,800	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Santa Fe, NM MSA FY 2022 MFI: \$80,600	EXTR LOW INCOME	16950	19400	23030	27750	32470	37190	41910	46630
	VERY LOW INCOME	28250	32250	36300	40300	43550	46750	50000	53200
	LOW-INCOME	45150	51600	58050	64500	69700	74850	80000	85150
Catron County, NM FY 2022 MFI: \$58,600	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Chaves County, NM FY 2022 MFI: \$55,500	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Cibola County, NM FY 2022 MFI: \$56,600	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Colfax County, NM FY 2022 MFI: \$56,900	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Curry County, NM FY 2022 MFI: \$56,700	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
De Baca County, NM FY 2022 MFI: \$66,000	EXTR LOW INCOME	13590	18310	23030	27750	32470	37190	39950	42550
	VERY LOW INCOME	22550	25800	29000	32200	34800	37400	39950	42550
	LOW-INCOME	36050	41200	46350	51500	55650	59750	63900	68000
Eddy County, NM FY 2022 MFI: \$82,800	EXTR LOW INCOME	17150	19600	23030	27750	32470	37190	41910	46630
	VERY LOW INCOME	28550	32600	36700	40750	44050	47300	50550	53800
	LOW-INCOME	45650	52200	58700	65200	70450	75650	80850	86100
Grant County, NM FY 2022 MFI: \$57,300	EXTR LOW INCOME	13590	18310	23030	27750	32470	35750	38200	40700
	VERY LOW INCOME	21600	24650	27750	30800	33300	35750	38200	40700
	LOW-INCOME	34550	39450	44400	49300	53250	57200	61150	65100

	PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Guadalupe County, NM FY 2022 MFI: \$46,800	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Harding County, NM FY 2022 MFI: \$53,900	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Hidalgo County, NM FY 2022 MFI: \$58,800	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Lea County, NM FY 2022 MFI: \$86,800	EXTR LOW INCOME	14500	18310	23030	27750	32470	37190	41910	45500
	VERY LOW INCOME	24150	27600	31050	34450	37250	40000	42750	45500
	LOW-INCOME	38600	44100	49600	55100	59550	63950	68350	72750
Lincoln County, NM FY 2022 MFI: \$66,300	EXTR LOW INCOME	13950	18310	23030	27750	32470	37190	41150	43800
	VERY LOW INCOME	23250	26550	29850	33150	35850	38500	41150	43800
	LOW-INCOME	37150	42450	47750	53050	57300	61550	65800	70050
Los Alamos County, NM FY 2022 MFI: \$167,100	EXTR LOW INCOME	30000	34300	38600	42850	46300	49750	53150	56600
	VERY LOW INCOME	50050	57200	64350	71450	77200	82900	88600	94350
	LOW-INCOME	62600	71550	80500	89400	96600	103750	110900	118050
Luna County, NM FY 2022 MFI: \$48,100	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
McKinley County, NM FY 2022 MFI: \$46,900	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Mora County, NM FY 2022 MFI: \$39,200	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Otero County, NM FY 2022 MFI: \$52,000	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Quay County, NM FY 2022 MFI: \$51,400	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Rio Arriba County, NM FY 2022 MFI: \$57,000	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450

	PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Roosevelt County, NM FY 2022 MFI: \$59,800	EXTR LOW INCOME	13590	18310	23030	27750	32470	35950	38400	40900
	VERY LOW INCOME	21700	24800	27900	30950	33450	35950	38400	40900
	LOW-INCOME	34650	39600	44550	49500	53500	57450	61400	65350
San Miguel County, NM FY 2022 MFI: \$46,200	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Sierra County, NM FY 2022 MFI: \$47,000	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Socorro County, NM FY 2022 MFI: \$54,900	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Taos County, NM FY 2022 MFI: \$55,600	EXTR LOW INCOME	13590	18310	23030	27750	32470	35400	37850	40300
	VERY LOW INCOME	21350	24400	27450	30500	32950	35400	37850	40300
	LOW-INCOME	34200	39050	43950	48800	52750	56650	60550	64450
Union County, NM FY 2022 MFI: \$50,100	EXTR LOW INCOME	13590	18310	23030	27750	32470	35850	38350	40800
	VERY LOW INCOME	21650	24750	27850	30900	33400	35850	38350	40800
	LOW-INCOME	34650	39600	44550	49450	53450	57400	61350	65300



# Exhibit C

## COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Attempted  Completed

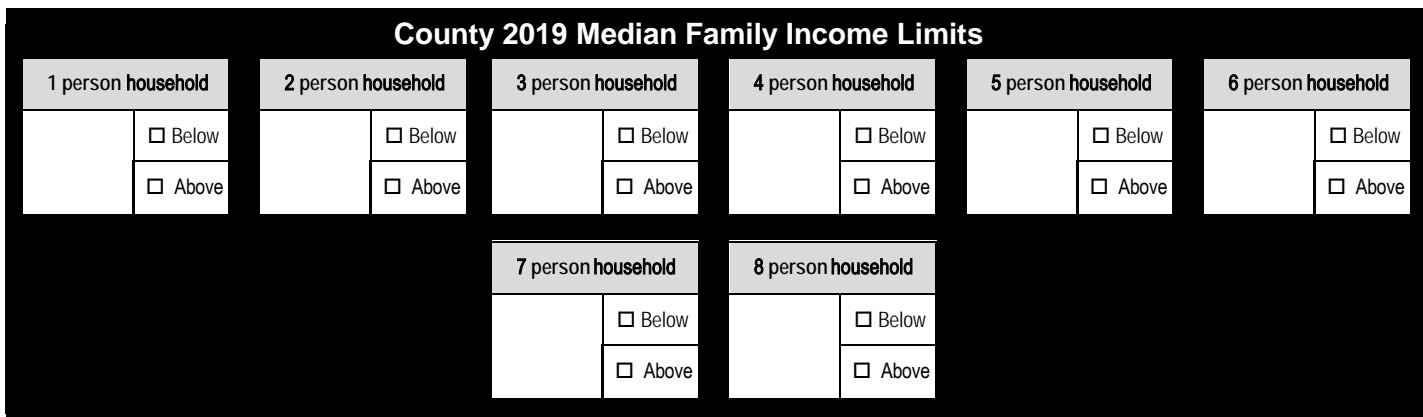
INCOME SURVEY # \_\_\_\_\_ DATE: \_\_\_\_\_ INTERVIEWER NAME : \_\_\_\_\_

The City or County, New Mexico is considering applying for a Community Development Block Grant for Project Type Description (Refer to map)

This information will be kept **CONFIDENTIAL**. In order to consider applying for funds, we need your help in answering a few questions about the number of people living in your household and your income for the past 12 months.

- (1) How many people live in this household? \_\_\_\_\_ (4) Contact Attempts: \_\_\_\_\_ (Circle)
- First Attempt: Date: \_\_\_\_\_ Time: \_\_\_\_\_ A.M. P.M.
- Second Attempt: Date: \_\_\_\_\_ Time: \_\_\_\_\_ A.M. P.M.
- (2) Female Head of Household? Yes  No
- (3) Number of Handicapped? \_\_\_\_\_ (5) (Circle One)
- (Please refer to definitions of handicapped on the form provided.)
- Response          Non-Response          Vacancy

(6) Was the total combined family income for the last 12 months above or below: (Please refer to the chart below.)



(7) Gender, Ethnicity and Race of each household member. **Note: Ethnicity and Race must be checked.** (Please refer to definitions on the form provided.)

Household Member		1	2	3	4	5	6	7	8	9	10	TOTAL
<b>GENDER</b>	Male											
	Female											

<b>ETHNICITY</b>	Hispanic or Latino											
	Non Hispanic or Latino											

<b>RACE</b>	White											
	Black or African American											
	Asian											
	American Indian or Alaskan Native											
	Native Hawaiian or Other Pacific Islander											
	American Indian or Alaskan Native AND White											
	Asian AND White											
	Black or African American AND White											
	American Indian or Alaskan Native AND Black or African American											
	Other Multi-Race											

## Exhibit C

### COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

#### DEFINITIONS

##### Ethnic

The two ethnic categories as defined by federal Office of Management and Budget are:

- a) **Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish Origin" can be used in addition to "Hispanic" or Latino."
- b) **Not Hispanic or Latino.** A person not of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

##### Race

The five racial categories as defined by the federal Office of Management and Budget are:

- a) **American Indian or Alaskan Native.** A person having origins in any of the original people of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- b) **Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- c) **Black or African American.** A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black" or "African American."
- d) **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- e) **White.** A person having origins in any of the original peoples of Europe, the Middle East or North Africa.

##### Disability

Disability is defined as:

- a) a mental or physical impairment that substantially limits one or more major life activities (sometimes called an actual, or present, disability);
- b) a record of a mental or physical impairment that substantially limits one or more major life activities (sometimes referred to as a history of a disability); or
- c) being "regarded as" having a mental or physical impairment that substantially limits one or more major life activities (also called a perceived disability).

# Exhibit C

## PROGRAMA DE DESARROLLO DE LA COMUNIDAD (CDBG)

Tratado  Completo

REVISTA DE INGRESOS # \_\_\_\_\_ FECHA: \_\_\_\_\_ NOMBRE DE REVISADOR: \_\_\_\_\_

La ciudad o condado, New México está considerando aplicar para un desarrollo comunitario Block Grant para la descripción del tipo de proyecto (vea mapa).

Esta información será guardada **CONFIDENCIAL**. Al fin de pensar solicitar fondos, necesitamos su ayuda en contestación de unas preguntas sobre el número de personas que viven en su hogar y de sus ingresos durante los 12 meses pasados.

- (1) Cuantas personas viven en este hogar? \_\_\_\_\_ (4) Contactos: \_\_\_\_\_ (Indique)  
 Primera Vez: Fecha: \_\_\_\_\_ Hora: \_\_\_\_\_ A.M. P.M.  
 Segunda Vez: Fecha: \_\_\_\_\_ Hora: \_\_\_\_\_ A.M. P.M.
- (2) Mujer como Cabeza de Hogar? Si  No
- (3) Numero de Incapacitados? \_\_\_\_\_ (5) \_\_\_\_\_ (Indique)  
 (Refierase a definiciones de incapacitados en la forma añadida.)  
 Responsivo No Contesta Vacante

(6) Fueron los ingresos por el ano pasado mas o menos que lo demostrado abajo: (Refiérase a los limites abajo.)

Condado de 2019 Limites de Ingresos Familiares											
1 persona del hogar		2 personas del hogar		3 personas del hogar		4 personas del hogar		5 personas del hogar		6 personas del hogar	
<input type="checkbox"/> Below	<input type="checkbox"/> Above	<input type="checkbox"/> Below	<input type="checkbox"/> Above	<input type="checkbox"/> Below	<input type="checkbox"/> Above	<input type="checkbox"/> Below	<input type="checkbox"/> Above	<input type="checkbox"/> Below	<input type="checkbox"/> Above	<input type="checkbox"/> Below	<input type="checkbox"/> Above
				7 personas del hogar		8 personas del hogar					
				<input type="checkbox"/> Below	<input type="checkbox"/> Above	<input type="checkbox"/> Below	<input type="checkbox"/> Above				

(7) Sexo, pertenencia étnica y raza de cada miembro del hogar. **Note: Pertenencia étnica y raza deben ser marcados . (Refiérase a definiciones en la forma añadida.)**

		Miembros de Hogar										TOTAL	
		1	2	3	4	5	6	7	8	9	10		
SEXO	Masculino												
	Femenino												
ETNICIDAD	Hispano o Latino												
	No Hispano o Latino												
RAZA	Blanco												
	Americano Negro o Africano												
	Asiático												
	Amerindio o Natural de Alaska												
	Hawaiano Natal u otro Isleño Pacifico												
	Amerindio o Natural de Alaska y Blanco												
	Asiático y Blanco												
	Americano Negro o Africano y Blanco												
	Amerindio o Natural de Alaska y Americano Negro o Africano												
	Otra Multi-Raza												

**Exhibit C**  
**PROGRAMA DE DESARROLLO DE LA COMUNIDAD (CDBG)**

**Definiciones:**

Las dos categorías étnicas revisadas por OMB son definidas abajo:

- a. **Hispano o Latino.** Una persona cubana, mejicana, puertorriqueña, sur o centroamericana u otra cultura española u origen, sin contar con raza. El termino “Origen Español” puede ser usado además del “hispano” o “Latino.”
- b. **No hispano o Latino.** Una persona que no es cubana, mejicana, puertorriqueña, sur o centroamericana, u otra cultura española u origen, sin contar con raza.

Las cinco categorías raciales revisadas por OMB son definidas abajo:

- a) **Amerindio o Natural de Alaska.** Una persona que tiene orígenes en cualquiera de las gentes original del Norte o Sudamérica (incluso América Central), y que mantiene la afiliación tribal o el accesorio de comunidad.
- b) **Asiático.** Una persona que tiene orígenes en cualquiera de las gentes original del Oriente Lejano, Asia del Sudeste, o el subcontinente indio incluso, por ejemplo, Camboya, China, India, Japón, Corea, Malasia, Paquistaní, las Islas Phillipine, Tailandia, y Vietnam.
- c) **Americano negro o africano.** Una persona que tiene orígenes en cualquiera de los grupos raciales negros de África. Los términos como “haitiano” o “Negro” pueden ser usados además de “Negro” o “Americano Africano.”
- d) **Hawaiano Natal u otro Isleño Pacífico.** Una persona que tiene orígenes en cualquiera de las gentes de Hawai, Guam, Samoa, u otras Islas Pacificas.
- e) **Blanco.** Una persona que tiene orígenes en cualquiera de las gentes de Europa, el Oriente Medio, o el África del Norte.

La discapacidad es definida como: (1) un daño mental o físico que considerablemente limita uno o varias actividades principales de vida (a veces llamada una discapacidad actual o presente); o (2) un registro de un daño mental o físico que considerablemente limita una o varias actividades principales de vida (a veces referida como una historia de discapacidad); o (3) ser “considerado como” tener un daño mental o físico que considerablemente limita uno o varias actividades principales de vida (también llamada una percibida discapacidad). (42 U.S.C. Sección 1210292) (ADA); 29 U.S.C. Secciones 705(9) (B) y 705(20)(B) (Acta de Rehabilitación).

**El mapa del área de proyecto:**

**EXHIBIT D  
INCOME SURVEY CERTIFICATION**

I hereby certify that, to the best of my knowledge, all information found in all grant survey forms pertaining thereto, are correct and has been gathered in an appropriate and ethical manner. I also understand that the intentional falsification of any survey information associated with this grant application shall immediately result in the disqualification of the applicant's immediate eligibility and possible future eligibility as determined appropriate by the Local Government Division, Community Development Bureau. Additionally, I understand that any person intentionally falsifying survey information in connection with this or any other grant application shall be subject to the denial of participation in the CDBG Program and/or fined and/or imprisoned in accordance with state and federal statutes and regulations.

I hereby acknowledge that I have read and understand the above paragraph:

Surveyor 1:

\_\_\_\_\_ Signature: \_\_\_\_\_  
(Please Type) Date: \_\_\_\_\_

Surveyor 2:

\_\_\_\_\_ Signature: \_\_\_\_\_  
(Please Type) Date: \_\_\_\_\_

Surveyor 3:

\_\_\_\_\_ Signature: \_\_\_\_\_  
(Please Type) Date: \_\_\_\_\_

Chief Elected Official:

\_\_\_\_\_ Signature: \_\_\_\_\_  
(Please Print) Date: \_\_\_\_\_

## Low-to-Moderate Income Worksheet

### Exhibit E

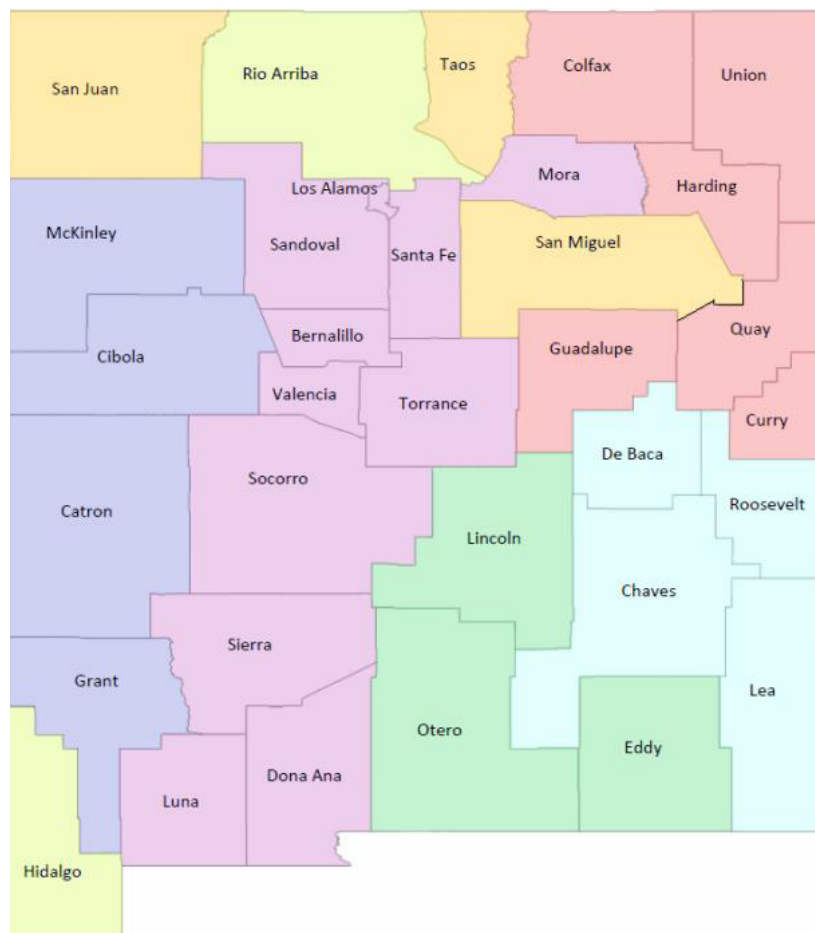
#### Part A: Data Collected from Survey Results

1	Enter the number of households in the target area	0
2	Enter the number of households interviewed	0
3	Enter the number of <u>households below</u> the Median Family Income (MFI)	0
4	Enter the number of <u>households above</u> the MFI	0
5	Enter the number of <u>persons below</u> the MFI	0
6	Enter the number of <u>persons above</u> the MFI	0
*	LMI Percentage	#DIV/0!

#### Part B: Automatic Calculations Based on Part A

7	Average household size below MFI	#DIV/0!
8	Average household size above MFI	#DIV/0!
9	Percentage of households below MFI	#DIV/0!
10	Percentage of households above MFI	#DIV/0!
11	Estimated number of households below MFI	#DIV/0!
12	Estimated number of households above MFI	#DIV/0!
13	Estimated number of persons below MFI	#DIV/0!
14	Estimated number of persons above MFI	#DIV/0!
15	Estimated number of persons in target area	#DIV/0!
*	Percentage of LMI	#DIV/0!

# American Community Survey



## AMERICAN COMMUNITY SURVEY (ACS) METHODOLOGY OVERVIEW

While the Survey Methodology (see Exhibit A) is used to calculate the low and moderate income (LMI) beneficiary percentage for projects in a **target area within a community**, the American Community Survey (ACS) methodology is used to calculate LMI for **community-wide** projects.

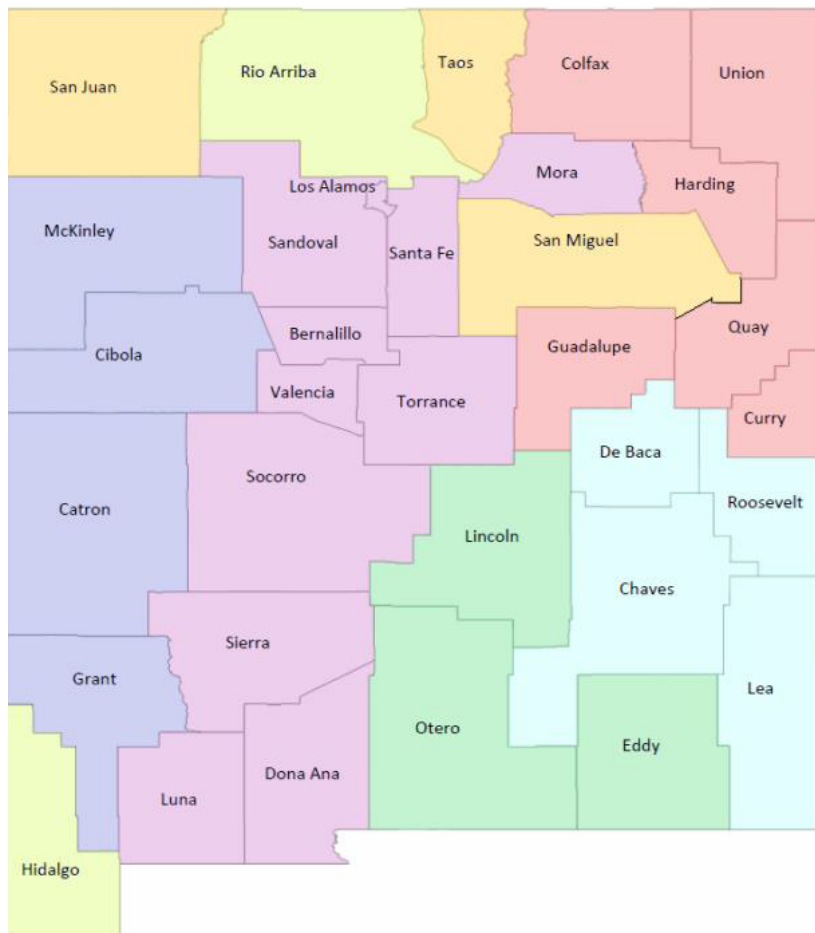
ACS is a nationwide survey conducted by the U.S. Census Bureau that collects and produces information on demographic, social, economic, and housing characteristics every year. In contrast, the Census is conducted every ten years.

**Community-wide** CDBG projects require New Mexico-specific ACS population data in combination with New Mexico-specific HUD income data to determine the percentage of LMI beneficiaries. This data is made available by CDBG staff to CDBG applicants upon concurrence that the project can indeed be considered a community-wide benefit.

Please contact your CDB Project Manager to discuss your proposed project and what source of LMI information (Survey, ACS, or Limited Clientele) and LMI methodology is most appropriate to use. DFA/LGD approval is required regardless of LMI source of information and methodology.



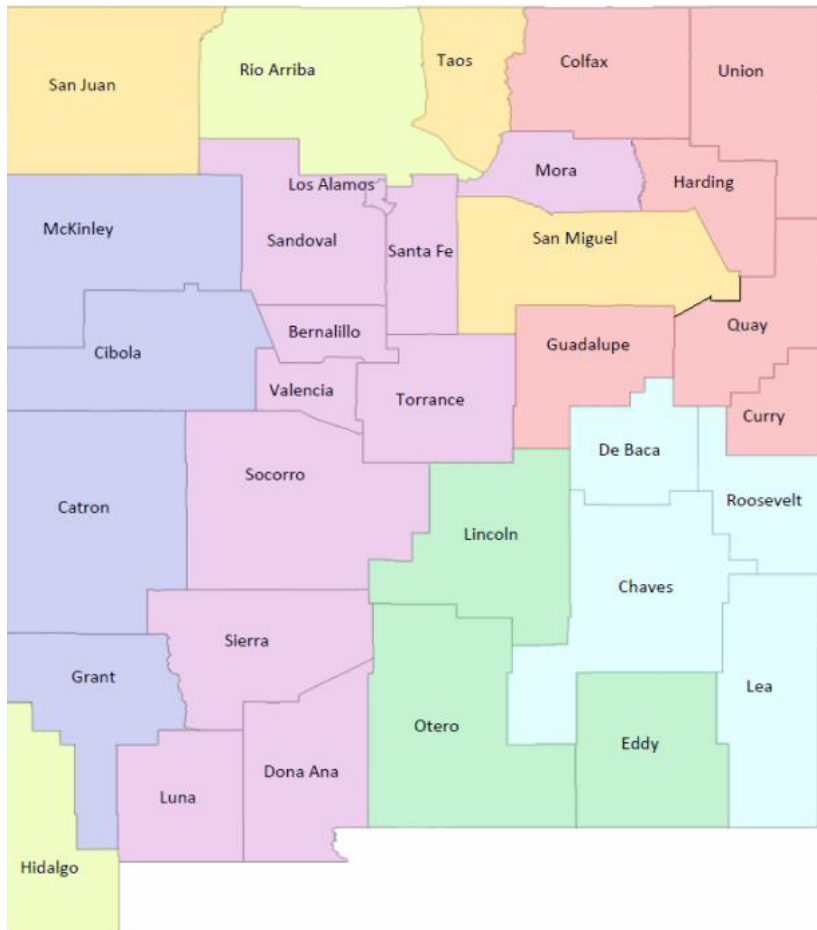
# Limited Clientele



## **CDBG Limited Clientele Overview**

- 570.208 (a) (2) Limited clientele activities. (i) An activity which benefits a limited clientele, at least 51 percent of whom are low and moderate-income persons. (The following kinds of activities may not qualify under this paragraph: activities, the benefits of which are available to all the residents of an area; activities involving the acquisition, construction or rehabilitation of property for housing; or activities where the benefit to low and moderate income persons to be considered is the creation or retention of jobs.)
  
- To qualify under this paragraph, the activity must meet one of the following tests:
  - (A) It must benefit a clientele who are generally presumed to be principally low and moderate-income persons. The following groups are presumed by HUD to meet this criterion: abused children, battered spouses, elderly persons, adults meeting the Bureau of the Census' Population Reports definition of "Severely disabled", homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers; or
  
  - (B) It must require information on family size and income so that it is evident that at least 51 percent of the clientele are persons whose family income does not exceed the low and moderate-income limit; or
  
  - (C) It must have income eligibility requirements which limit the activity exclusively to low and moderate income persons; or
  
  - (D) It must be of such a nature, and be in such a location, that it may be concluded that the activity's clientele will primarily be low and moderate-income persons.

# Site Control



**Department of Finance and Administration**

**Local Government Division**

Exhibit F

**CDBG SITE CERTIFICATE**

This is to certify that the \_\_\_\_\_  
Applicant Entity (Municipality, County)

has legally acquired all property, including sites, easements, rights-of-way, or specific use permits, necessary for the construction of and/or the permanent operation and maintenance of the water, wastewater, street and/or drainage improvements, and /or public facilities described as

\_\_\_\_\_  
(Brief description of Proposed Project)

In the event of conflicts with existing easements, rights-of-way, and/or underground utilities and other unknown obstructions, the

\_\_\_\_\_  
Applicant Entity (Municipality, County)

has exercised eminent domain and taken condemnation action, if necessary, to acquire any sites, easements, or rights-of-way prior to submittal of application for CDBG funds.

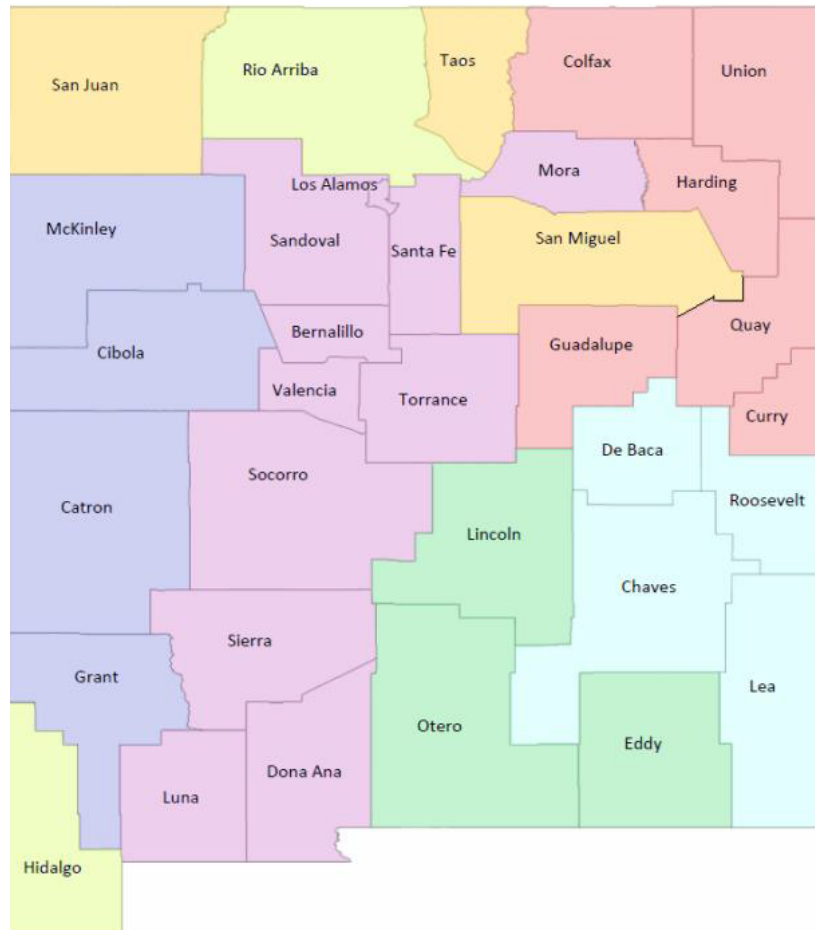
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_

\_\_\_\_\_  
Chief Elected Official

# Application Form



**Department of Finance and Administration**

**Local Government Division**

Exhibit G

**INFRASTRUCTURE PROJECTS  
APPLICATION FORM**

<b>1. PROJECT NAME/TITLE</b>			
<b>2. APPLICANT ENTITY</b> (County or Municipality)			
Unique Entity Identifier ID Number (UEI) _____			
SAM Expiration Date _____			
<b>3. CHIEF ELECTED OFFICIAL</b>			
Name	_____	Title	_____
Address	_____	Phone	_____
Email	_____		
<b>4. DESIGNATED CONTACT PERSON FOR THE APPLICATION</b>			
Name	_____	Title	_____
Address	_____	Phone	_____
Email	_____		
<b>5. CDBG FUNDING REQUEST</b>	Full \$ _____	Phased \$ _____	
<b>6. PROJECT LOCATION</b>			
Street Address	_____		
City / Zip / County	_____		
Latitude	_____ (for example, 35.180833)		
Longitude	_____ (for example, -103.722222)		
<b>7. PROJECT TYPE</b>			
<b>8. RURAL / NON-RURAL STATUS</b>			
<b>9. PERFORMANCE OUTCOME MEASURES</b>			
(a) <i>Select appropriate Project Objective:</i>			
(b) <i>Select appropriate Outcome to be achieved:</i>			

**10. COMMUNITY IMPACT OF PROPOSED PROJECT**

(a) How is this project a priority based on the health, safety, or welfare of the community??

(b) Who are the beneficiaries of the potential project?

(c) How will this project enhance the lives of these beneficiaries?

**11. MOST RECENTLY RECEIVED CDBG FUNDING**

- Year CDBG project was awarded
- Grant execution date
- Grant completion date

**12. CDBG GRANT ADMINISTRATION**

For all applicants,

- Describe CDBG grant administration experience.
- Describe how the grant administrator will balance a new CDBG project along with their current/ existing workload.

# FULL PROJECT

**13. Beneficiaries: Calculating Low and Moderate Income (LMI)**

*Total Beneficiaries	Total LMI Beneficiaries	Percentage of LMI beneficiaries

**14. Beneficiary Race/Ethnicity**

Racial / Ethnic Group	Total Persons	# with Hispanic Ethnicity
White		
Black/African American		
Asian		
American Indian/Alaska Native		
Native Hawaiian/Pacific Islander		
American Indian/Alaska Native & White		
Asian & White		
Black/African American & White		
American Indian/Alaska Native & Black/African American		
Other Multi-Race		
<b>*TOTAL PERSONS SERVED</b>		

*\* Number of Total Persons Served in Tables 13 and 14 must match.*

**15. Demographic Information**

Male	Female	# Female Headed Household	# Disabled Persons**

*\*\* 2010 HUD Census Data must be used to determine the number of Disabled persons.*

**16. Source of LMI Information**

**17. BUDGET & COST ANALYSIS**

Cost Analysis

Project Activities	CDBG	Cash Match	Leverage
Administration (contractual)			
Architect / Engineer			
Other Professional			
Inspection (testing)			
Construction*			
Other:			
<b>TOTALS</b>			

*\*Must use Davis-Bacon wage rates to prepare Construction budget and cost estimates.*



# PHASED PROJECT

**18. Beneficiaries: Calculating Low and Moderate Income (LMI)**

*Total Beneficiaries	Total LMI Beneficiaries	Percentage of LMI beneficiaries

**19. Beneficiary Race/Ethnicity**

Racial / Ethnic Group	Total Persons	# with Hispanic Ethnicity
White		
Black/African American		
Asian		
American Indian/Alaska Native		
Native Hawaiian/Pacific Islander		
American Indian/Alaska Native & White		
Asian & White		
Black/African American & White		
American Indian/Alaska Native & Black/African American		
Other Multi-Race		
<b>*TOTAL PERSONS SERVED</b>		

*\* Number of Total Persons Served in Tables 13 and 14 must match.*

**20. Demographic Information**

Male	Female	# Female Headed Household	# Disabled Persons**

*\*\* 2010 HUD Census Data must be used to determine the number of Disabled persons.*

**21. Source of LMI Information**

**22. BUDGET & COST ANALYSIS**

Cost Analysis

Project Activities	CDBG	Cash Match	Leverage
Administration (contractual)			
Architect / Engineer			
Other Professional			
Inspection (testing)			
Construction*			
Other:			
<b>TOTALS</b>			

*\*Must use Davis-Bacon wage rates to prepare Construction budget and cost estimates.*

## CDBG Application Instructions

CDBG applicants must complete the CDBG Infrastructure application form (Exhibit G).

1. Project name/title: enter project name and title
2. Applicant entity; enter:
  - a. Name of the applicant
  - b. Unique Entity Identifier ID Number
  - c. SAM expiration date
3. Chief elected official: enter:
  - a. Name
  - b. Address
  - c. Email
  - d. Title
  - e. Phone number
4. Designated contact person for the application; enter:
  - a. Name
  - b. Address
  - c. Email
  - d. Title
  - e. Phone number
5. CDBG funding request: enter the full amount requested and the phased amount requested. Both amounts are required for infrastructure projects. Keep in mind that phased projects must be “stand alone” projects. For example, a phased project cannot be constructing half of the building, it must be fully functional upon conclusion of the project or the project will not meet a national objective.
6. Project location: enter street address, city, zip, county, latitude and longitude. If the proposed project does not have a street address, provide an approximate vicinity of the location.
7. Project type: select the appropriate option (if your project includes multiple project types, select the option that is most appropriate)
  - a. Water
  - b. Wastewater
  - c. Street and/or drainage
  - d. Public facility
8. Rural/non-rural status: select the appropriate option
  - a. Rural municipality
  - b. Rural county
  - c. Non-rural municipality
  - d. Non-rural county
9. Performance outcome measures: select the appropriate objective and measure from the dropdown boxes
  - a. **Objective**
    - i. Create suitable living environment
    - ii. Provide decent affordable housing
    - iii. Create economic opportunity
  - b. **Outcome**
    - i. Availability/accessibility
    - ii. Affordability
    - iii. Sustainability

## Exhibit G

10. Community impact of proposed project: describe why this project is a priority for the community, describe the potential beneficiaries and how the project will enhance their lives.

11. Most recently received CDBG funding: enter the following information for the most recently completed CDBG project:

- a. Year CDBG project was awarded (first 2 numbers in project #)
- b. Grant execution date
- c. Grant completion date (date of the final closeout letter from DFA)

12. CDBG grant administration:

- a. Describe CDBG grant management experience
- b. Describe how the grant administrator will balance a new CDBG project along with their current/existing workload. Successful CDBG projects are largely successful when management/supervisors provide grant administrators with the necessary time and resources to complete the CDBG project.

### FULL PROJECT

13. Beneficiaries: calculating low and moderate income (LMI)

- a. Enter total beneficiaries and total LMI beneficiaries (LMI percentage calculates automatically)

14. Beneficiary race/ethnicity

- a. Total persons: enter the total number of persons served by race (note: "total beneficiaries" from question 13 must match "total persons" in this question).
- b. # persons with Hispanic ethnicity: of the total persons for each race, enter in how many persons in each race group are of Hispanic origin.  
Ex: Suppose the total "Black/African American" beneficiaries is 10, 5 of which identify as Hispanic. Therefore "10" would be entered for the total persons by race (Black/African American) and "5" would be entered as the number Black/African Americans with Hispanic Ethnicity.

15. Demographic information; enter the following information:

- a. Number of male beneficiaries
- b. Number of female beneficiaries
- c. Number of female headed households
- d. Number of disabled beneficiaries (2010 HUD Census Data must be used to determine number of Disabled persons)

16. Source of LMI information; select from the following:

- a. Survey methodology
- b. American community survey (ACS) methodology
- c. Limited clientele

17. Budget and cost analysis; enter the following:

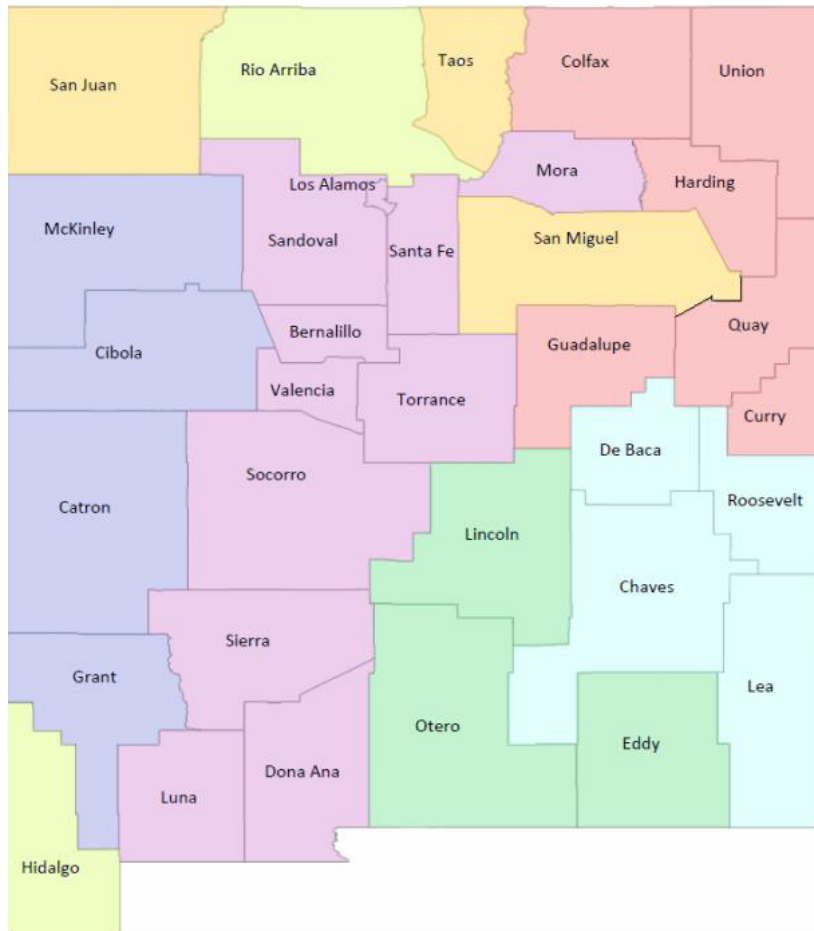
- a. CDBG: enter project budget amounts to the appropriate project activity
- b. Cash match: enter project budget amounts to the appropriate project activity (should equal 5% of the CDBG amount for rural applicants or 10% of the CDBG amount for non-rural applicants, regardless of funding source)
- c. Leverage: enter project budget amounts to the appropriate project activity (if applicable, any additional funds in excess of cash match, regardless of funding source)
- d. Note: Total amounts for CDBG, cash match and leverage will automatically calculate, as will the cost analysis.

## Exhibit G

### PHASED PROJECT

18. Beneficiaries: calculating low and moderate income (LMI)
  - a. This will auto-populate. If the number of beneficiaries will change with the phased project, contact DFA staff to make the necessary cell changes.
19. Beneficiary race/ethnicity
  - a. This will auto-populate. If the number of beneficiaries will change with the phased project, contact DFA staff to make the necessary cell changes.
20. Demographic information:
  - a. This will auto-populate. If the number of beneficiaries will change with the phased project, contact DFA staff to make the necessary cell changes.
21. Source of LMI information:
  - a. This will auto-populate. If the number of beneficiaries will change with the phased project, contact DFA staff to make the necessary cell changes.
22. Budget and cost analysis; enter the following:
  - a. CDBG: enter project budget amounts to the appropriate project activity
  - b. Cash match: enter project budget amounts to the appropriate project activity (should equal 5% of the CDBG amount for rural applicants or 10% of the CDBG amount for non-rural applicants, regardless of funding source)
  - c. Leverage: enter project budget amounts to the appropriate project activity (if applicable, any additional funds in excess of cash match, regardless of funding source)
  - d. Note: Total amounts for CDBG, cash match and leverage will automatically calculate, as will the cost analysis.

# Cash Match / Leveraging



**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**

## CDBG Matching Funds Overview

Matching funds are an important aspect of the application and are reflective of the applicant's commitment to the project. Matching funds are rated and ranked according to the percentage of cash match and leverage funds as compared to the CDBG funding request amount.

### Cash Match Requirement

- Each CDBG applicant is required to contribute a minimum percentage toward each project. The cash match funding is a specific percentage of the CDBG request amount (full and phased) and based on the size of the community. Rural communities are required to contribute 5% of the CDBG request amount and non-rural communities are required to contribute 10% of the CDBG request amount.
  - **5%:** cash match requirement for rural communities
    - ❖ Municipalities: 3,000 residents or less
    - ❖ Counties: 25,000 residents or less
  - **10%:** cash match requirement for non-rural communities
    - ❖ Municipalities: more than 3,000 residents
    - ❖ Counties: more than 25,000 residents
- The cash match requirement is traditionally met using local dollars from the general fund and adopted using the CDBG Resolution (Exhibit H). For resolutions committing dollars from the local fund, a copy of that resolution will be included in this section and should include the contribution amount(s), resolution number(s) and resolution date(s).
- The cash match requirement can also be met using additional funding sources. For grant contributions or other non-CDBG dollars, copies of applicable grant agreements will be included in this section and should include the grant number(s), amount(s), date(s) secured and expiration date(s). Below are some very important items to remember when using other grants as cash match:
  - Grant appropriation language is critical when deciding how to budget for the CDBG project. Carefully read the “authorizing language” of the grant agreement to ensure that those funds can be used for their budgeted activities.

Example - authorizing language is “to plan, design and construct a senior center”. It would be inappropriate to budget a portion of this grant to “furnishing” the senior center.
  - Grant types
    - Grants appropriated but not yet executed – these grants are not considered “secured” until they have been executed. Executing these agreements require that a number of processes and procedures take place which are outside the control of the applicant. It is for this reason that grants appropriated but not yet executed are

not given full points in the rating and ranking process. The exception to this rule is if the appropriation is being administered through the Local Government Division (LGD) of the Department of Finance and Administration (DFA).

- Executed grant agreements – these grants will receive full points so long as the authorizing language of the grant agreement is consistent with scope of work in the CDBG application and budgeted accordingly. It is important to note the expiration date of the grant agreement.

Example - authorizing language is “to plan, design and construct a senior center” with an expiration date in 10 months. It would be inappropriate to budget the entire grant into construction of the senior center given the relatively close expiration date. That grant would likely be more useful for planning and designing given the project timeline.

- A cash match requirement is required for both the full and phased project. If an applicant fails to differentiate the cash match contribution between the full and phased project, the cash match dollar amount will be equal regardless of which project (full or phased) is awarded.
  - Example - a rural county is applying for \$600,000 in CDBG funding for their full project and \$500,000 for their phased project. The county would adopt the resolution (Exhibit H) committing:
    - \$30,000 ( $\$600,000 \times 5\%$  match requirement) for a full project; and
    - \$25,000 ( $\$500,000 \times 5\%$  match requirement) for a phased project
  - Example - a non-rural municipality is applying for \$600,000 in CDBG funding for their full project and \$500,000 for their phased project. The municipality adopted the resolution (Exhibit H) committing:
    - 10% match of \$60,000The municipality has now committed \$60,000 towards the project, regardless of whether the full project or phased project is funded.

### **Leverage dollars**

- Any and all financial commitments from the local level in excess of the cash match requirement are considered leverage dollars. Local contributions can be from the general fund, state grants, federal grants or any combination of these sources. The total amount of cash match and leverage dollars (for full and phased projects) is divided by the CDBG request amount (for full and phased) to evaluate the level of financial commitment at the local level. Higher percentages result in higher rating and ranking scores.
  - General fund contributions: A copy of that resolution will be included in this section and should include the contribution amount(s), resolution number(s) and resolution date(s).

- Grant contributions or other non-CDBG dollars: copies of applicable grant agreements will be included in this section and should include the grant number(s), amount(s), date(s) secured and expiration date(s).
- If an applicant elects to utilize only a portion of a grant, it must be budgeted accordingly in both the full project budget and phased project budget in the “Application” form (Exhibit G).



Example with Required Elements

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE (Council/Commission) OF (Municipality/County), NEW MEXICO, AUTHORIZING THE SUBMISSION OF A NEW MEXICO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION/LOCAL GOVERNMENT DIVISION; AND AUTHORIZING THE (Mayor/Commission Chair) TO ACT AS THE (Municipality's/County's) CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE (Municipality's/County's) PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

**WHEREAS**, the need exists within (Municipality/County) for neighborhood improvement projects in several low and moderate income neighborhoods, and the (Municipality/County) desires to apply to the Housing and Urban Development's Community Development Block Grant Program to obtain funding for neighborhood improvement projects; and

**WHEREAS**, the (Council/Commission) has held (# of meetings) public hearings for public input and comment on ( \_\_\_\_\_ Date(s) ) during the 2020 application process; and

**WHEREAS**, the (Council/Commission) finds that there is a significant need to undertake the (Project) to provide adequate services to the community; and

**WHEREAS**, the (Council/Commission) determines that the (Project) meets the requirements of the Community Development Block Grant Program.

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE (Municipality/County), NEW MEXICO, that**

1. The (Municipality/County) is hereby authorized to prepare and submit a Community Development Block Grant application to the New Mexico Department of Finance and Administration/Local Government Division for the (Project);
2. That the (Council/Commission) directs and designates the (Mayor/Commission Chair) as the (Municipality's/County's) Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the (Municipality's/County's) participation in the New Mexico Community Development Block Grant Program.
3. The (Municipality/County) officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

Exhibit H

- 4. Per the CDBG program, (Municipality/County) is required to submit an application for a full and phased version of the project.
  - a. That the Full project grant application request amount is \$(Dollar Amount) and the (Municipality/County) will commit the required cash match of \$(Dollar Amount) for the (Project);
  - b. That the Phased project grant application request amount is \$(Dollar Amount) and the (Municipality/County) will commit the required cash match of \$(Dollar Amount) for the (Project);

**PASSED, ADOPTED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ .

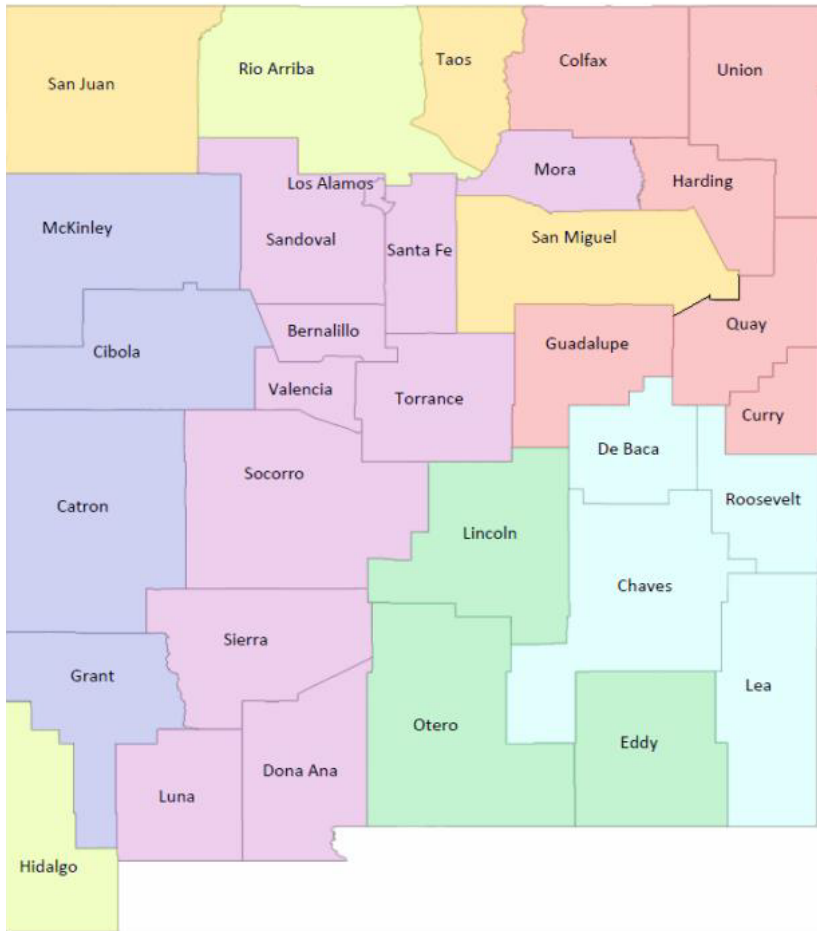
\_\_\_\_\_  
Signature, Chief Elected Official

\_\_\_\_\_  
Applicant Entity (County or Municipality)

\_\_\_\_\_  
Name (Typed or Printed)

\_\_\_\_\_                  \_\_\_\_\_  
Title                                  Date

# Project Narrative / Scope of Work

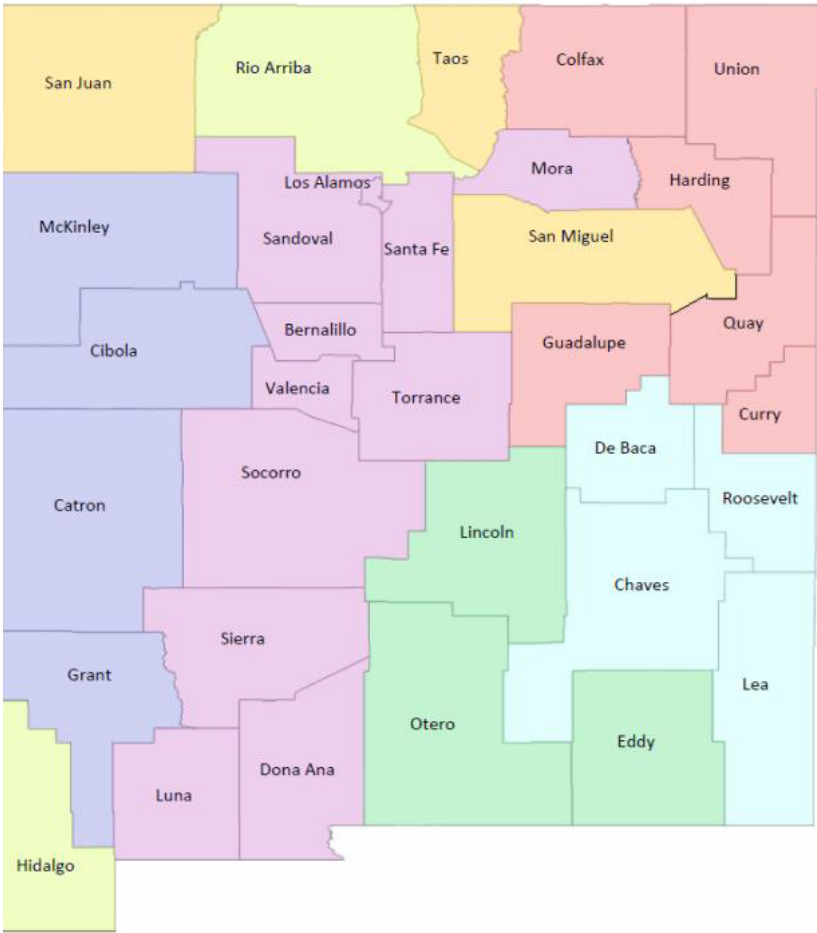


**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**

# Water Projects



## WATER PROJECT

*Instructions: Complete a narrative describing your Water Project by answering the questions posed below. Questions must be answered in the order listed. Repeat the questions, and provide clear and complete answers. Provide supporting documentation, as needed or requested.*

### NEED AND DESCRIPTION

1. Where will the water system project be located?
2. What community needs will this project address?
3. What work is required to address the problem? Please be specific.
4. What specific outcomes will result from completion of this project?
5. What is the current condition of the water system? Provide detail with your explanation.
6. What is the age of the current water system?
7. How many repairs have been made to the system within the last 24 months? Include documentation of repairs, pictures or any other supporting documents.

### IMPACT

1. Identify planned efforts to encourage small, minority, and women's businesses for the project.
2. Is this a regional system? If yes, how many communities will benefit from the system and what cooperative approaches have been initiated with other communities?
3. Is the project appropriate for any anticipated population fluctuations?

### READINESS AND REASONABLENESS

1. Has a Preliminary Engineering Report been completed?
2. What plans, specifications, and bid documents have been completed?
3. Has an Environmental Review been completed?
4. Based on the three previous questions, how soon can the project be underway?
5. How long is the anticipated construction cycle?
6. How many acre feet of water do you use annually?
7. How many acre feet of water rights have been approved for use by the Office of the State Engineer?
8. What is the community's capacity to operate and maintain the project?:
  - a. number of residential and non-residential users
  - b. certification level of your current water operator
  - c. monthly charge for water use
9. If this project is funded, how will you pay for the annual operating costs? Include in your response what the annual operation and maintenance costs (O&M) are projected to be for the water system and how these costs are to be handled.

### ASSET MANAGEMENT AND RATE ANALYSIS

The State of New Mexico believes that an Asset Management Program is a critical piece of a community's plan to support its long term operation, maintenance, repair and replacement of system facilities, infrastructure, and public facilities. A complete Asset Management Program not only captures data required to determine the expenses needed for ongoing repair, replacement or maintenance of assets; it also provides potential sources of revenues or funds to support ongoing use of that asset. *Even if the CDBG Project you are applying for does not allow for direct user fees or revenues; in this section please explain how Asset Management is used in your community and how it relates to any user fees and revenues charged for water, wastewater/sewer services, electricity, or other support costs.*

1. Do you have an Asset Management Plan in place? If yes, describe which of the five core components are covered by your plan. If no, what plans have been taken by your community to begin this process?
2. Is an asset management program the basis for rate analysis in your community? If yes, provide copies of the rate schedule(s) and Level of Service agreement(s). If no, please explain the method used to determine user rates and/or fees.
3. When was the last time your rate structures were analyzed? Provide copies of all rate analysis.

**Scope of Work  
FULL WATER PROJECT**

The Scope of Work is the primary identifying statement for a CDBG project and is a summary description of the work proposed. The Scope of Work must include, but is not limited to the following:

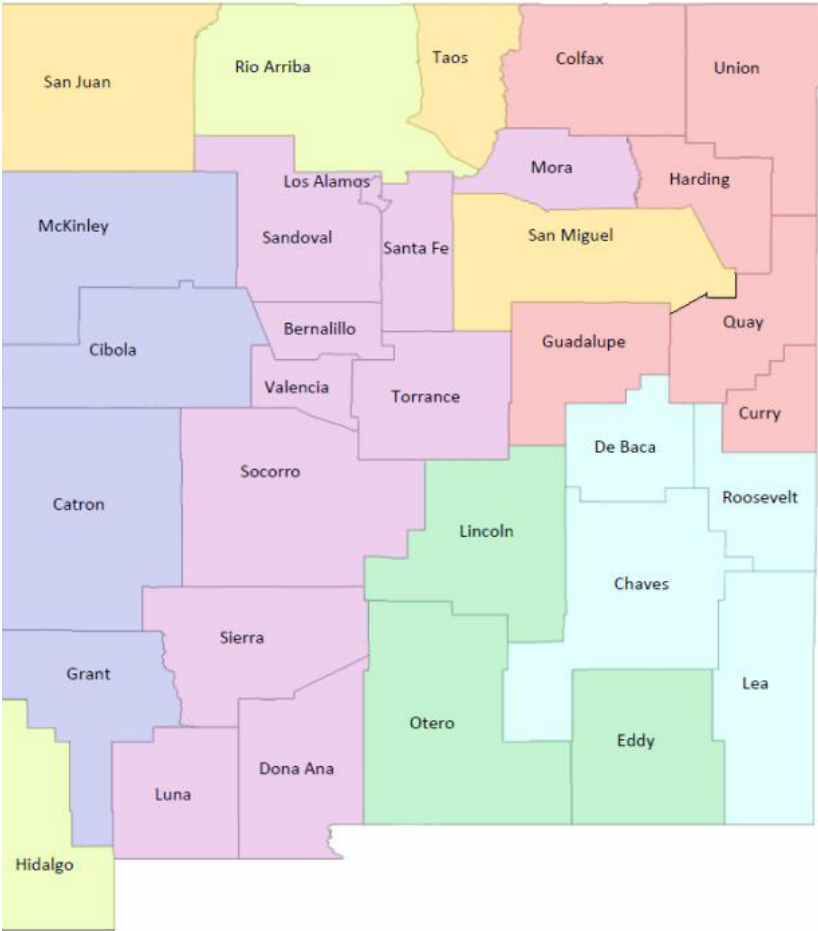
- Detailed summarization of the cost estimate of the proposed infrastructure improvements
- How does this project differ from the Phased scope of work?
- What elements of the scope of work should be included in a best case scenario"?
- What elements of the scope of work should be omitted in a worst case scenario"?

**Scope of Work  
PHASED WATER PROJECT**

The Scope of Work is the primary identifying statement for a CDBG project and is a summary description of the work proposed. The Scope of Work must include but is not limited to the following:

- Detailed summarization of the cost estimate of the proposed infrastructure improvements
- How does this project differ from the Full scope of work?
- What elements of the scope of work should be included in a "best case scenario"?
- What elements of the scope of work should be omitted in a "worst case scenario"?

# Wastewater Projects



## WASTEWATER PROJECT

*Instructions: Complete a narrative describing your Wastewater Project by answering the questions posed below. Questions must be answered in the order listed. Repeat the questions, and provide clear and complete answers. Provide supporting documentation, as needed or requested.*

### NEED AND DESCRIPTION

1. Where will the wastewater system project be located?
2. What community needs will this project address?
3. What work is required to address the problem? Please be specific.
4. What specific outcomes will result from completion of this project?
5. What is the current condition of the wastewater system? Provide detail with your explanation.
6. What is the age of the current wastewater system?
7. How many repairs have been made to the wastewater system within the last 24 months? Include documentation of repairs.

### IMPACT

1. Identify planned efforts to encourage small, minority, and women's businesses for the project.
2. Is this a regional system? If yes, how many communities will benefit from the system and have cooperative approaches been initiated with other communities?
3. Is the project appropriate for any anticipated population fluctuations?

### READINESS AND REASONABLENESS

1. Has a Preliminary Engineering Report been completed?
2. What plans, specifications, and bid documents have been completed?
3. Has an Environmental Review been completed?
4. Based on the three previous questions, how soon can the project be underway?
5. How long is the anticipated construction cycle?
6. What is the community's capacity to operate and maintain the project? Include in your description the following details
  - a. number of residential and non-residential users
  - b. certification level of your certified wastewater operator
  - c. monthly charge for wastewater/sewer use.
7. If this project is funded, how will you pay for the annual operating costs? Include in your response what the annual operation and maintenance costs (O&M) are projected to be for the wastewater system and how these costs are to be handled.

### ASSET MANAGEMENT AND RATE ANALYSIS

The State of New Mexico believes that an Asset Management Program is a critical piece of a community's plan to support its long term operation, maintenance, repair and replacement of system facilities, infrastructure, and public facilities. A complete Asset Management Program not only captures data required to determine the expenses needed for ongoing repair, replacement or maintenance of assets; it also provides potential sources of revenues or funds to support ongoing use of that asset. *Even if the CDBG Project you are applying for does not allow for direct user fees or revenues; in this section please explain how Asset Management is used in your community and how it relates to any user fees and revenues charged for water, wastewater/sewer services, electricity, or other support costs.*

1. Do you have an Asset Management Plan in place? If yes, describe which of the five core components are covered by your plan. If no, what plans have been taken by your community to begin this process?
2. Is an asset management program the basis for rate analysis in your community? If yes, provide copies of the rate schedule(s) and Level of Service agreement(s). If no, please explain the method used to determine user rates and/or fees.
3. When was the last time your rate structures were analyzed? Provide copies of all rate analysis.



**Scope of Work**  
**FULL WASTEWATER PROJECT**

The Scope of Work is the primary identifying statement for a CDBG project and is a summary description of the work proposed. The Scope of Work must include but is not limited to the following:

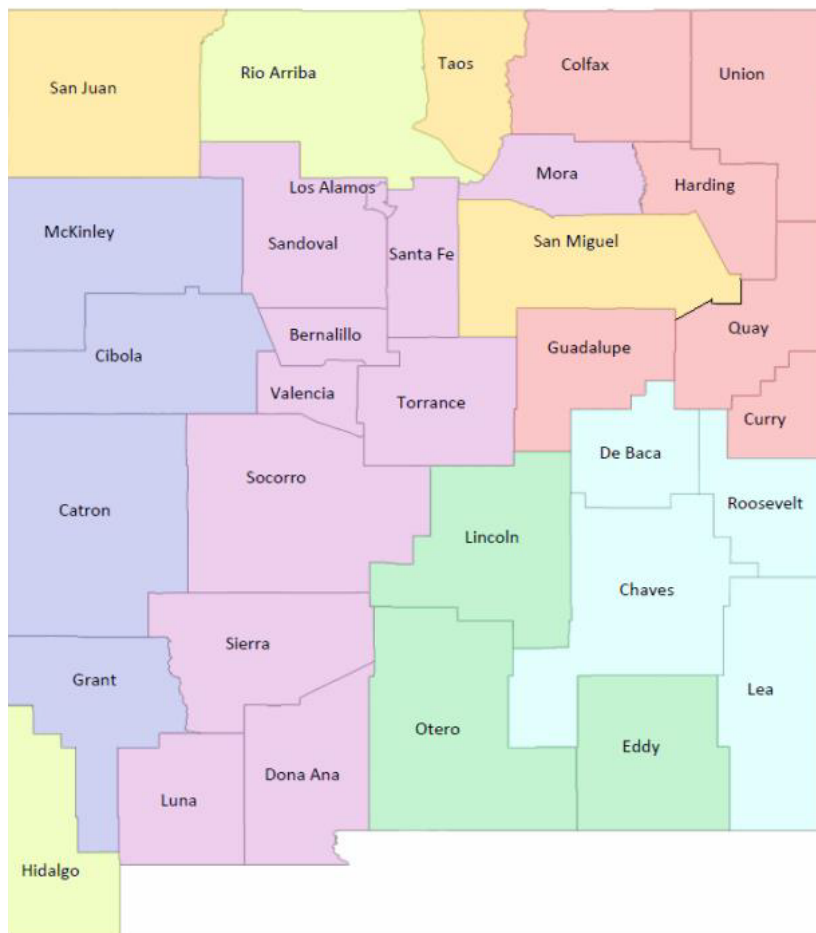
- Detailed summarization of the cost estimate of the proposed infrastructure improvements
- How does this project differ from the Phased scope of work?
- What elements of the scope of work should be included in a "best case scenario"?
- What elements of the scope of work should be omitted in a "worst case scenario"?

**Scope of Work**  
**PHASED WASTEWATER PROJECT**

The Scope of Work is the primary identifying statement for a CDBG project and is a summary description of the work proposed. The Scope of Work must include but is not limited to the following:

- Detailed summarization of the cost estimate of the proposed infrastructure improvements
- How does this project differ from the Full scope of work?
- What elements of the scope of work should be included in a "best case scenario"?
- What elements of the scope of work should be omitted in a "worst case scenario"?

# Public Facility Projects



## PUBLIC FACILITY

*Instructions: Complete a narrative describing your Public Facility by answering the questions posed below. Questions must be answered in the order listed. Repeat the questions, and provide clear and complete answers. Provide supporting documentation, as needed or requested.*

### NEED AND DESCRIPTION

1. Where will the public facility be located?
2. What community needs will this project address?
3. What work is required to address the problem?
4. What specific outcomes will result from the completion of this project?
5. Specify the type of clientele that will be served by this facility and the method used to make the determination?

### IMPACT

1. Identify planned efforts to encourage small, minority, and women's businesses for the project.
2. Is the project appropriate for any anticipated population trends?
3. Will this facility be compliant with current Americans with Disabilities Act (ADA) regulations?

### READINESS AND REASONABLENESS

1. Has a Preliminary Engineering Report been completed?
2. What plans, specifications, and bid documents have been completed?
3. Has an Environmental Review been completed?
4. Based on the three previous questions, how soon can the project be underway?
5. How long is the anticipated construction cycle?
6. How long will the project take to complete?
7. If this project is funded, how will you pay for the annual operating costs? Include in your response what the annual operation and maintenance costs (O&M) are for the facility and how these costs will be handled. What user fees are in place or are planned?

### ASSET MANAGEMENT AND RATE ANALYSIS

The State of New Mexico believes that an Asset Management Program is a critical piece of a community's plan to support its long term operation, maintenance, repair and replacement of system facilities, infrastructure, and public facilities. A complete Asset Management Program not only captures data required to determine the expenses needed for ongoing repair, replacement or maintenance of assets; it also provides potential sources of revenues or funds to support ongoing use of that asset. *Even if the CDBG Project you are applying for does not allow for direct user fees or revenues; in this section please explain how Asset Management is used in your community and how it relates to any user fees and revenues charged for water, wastewater/sewer services, electricity, or other support costs.*

1. Do you have an Asset Management Plan in place? If yes, describe which of the five core components are covered by your plan. If no, what plans have been taken by your community to begin this process?
2. Is an asset management program the basis for rate analysis in your community? If yes, provide copies of the rate schedule(s) and Level of Service agreement(s). If no, please explain the method used to determine user rates and/or fees.
3. When was the last time your rate structures were analyzed? Provide copies of all rate analysis.

**Scope of Work**  
**FULL PUBLIC FACILITY PROJECT**

The Scope of Work is the primary identifying statement for a CDBG project and is a summary description of the work proposed. The Scope of Work must include but is not limited to the following:

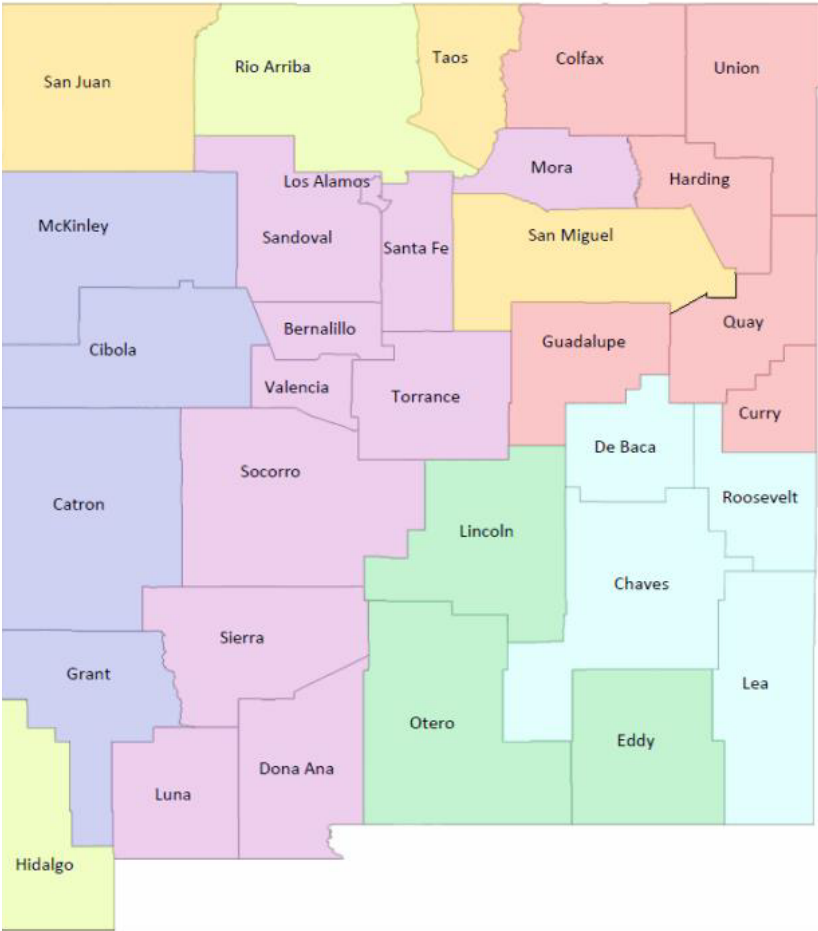
- Detailed summarization of the cost estimate of the proposed infrastructure improvements
- How does this project differ from the Phased scope of work?
- What elements of the scope of work should be included in a "best case scenario"?
- What elements of the scope of work should be omitted in a "worst case scenario"?

**Scope of Work**  
**PHASED PUBLIC FACILITY PROJECT**

The Scope of Work is the primary identifying statement for a CDBG project and is a summary description of the work proposed. The Scope of Work must include but is not limited to the following:

- Detailed summarization of the cost estimate of the proposed infrastructure improvements
- How does this project differ from the Full scope of work?
- What elements of the scope of work should be included in a "best case scenario"?
- What elements of the scope of work should be omitted in a "worst case scenario"?

# Street and/or Drainage Projects



## STREET AND/OR DRAINAGE PROJECTS

**Instructions:** Complete a narrative describing your Street and/or Drainage Project by answering the questions below. Questions must be answered in the order listed. Repeat the questions, and provide clear and complete answers. Provide supporting documentation, as needed or requested.

### NEED AND DESCRIPTION

1. Where will the street and/or drainage project be located?
2. What community needs will this project address?
3. What work is required to address the problem?
4. What specific outcomes will result from the completion of this project?
5. When was the last time the roads were repaired? Were they patched or resurfaced?
6. What is the current condition of the drainage/flood system?
7. How will the project increase access and/or improve the current road/street?

### IMPACT

1. What is the potential economic impact of the project in the area? Include and identify planned efforts to encourage small, minority, and women's businesses for the project.
2. Is the project appropriate for any anticipated population fluctuations?
3. How will this project be compliant with Americans with Disabilities Act (ADA) regulations?

### READINESS AND REASONABLENESS

1. Has a Preliminary Engineering Report been completed?
2. What plans, specifications, and bid documents have been completed?
3. Has an Environmental Review been completed?
4. Based on the three previous questions, how soon can the project be underway?
5. How long is the anticipated construction cycle?
6. If this project is funded, how will you pay for the annual operating costs? Include in your response what the annual operation and maintenance costs (O&M) are projected to be for the street and/or drainage project and how these costs are to be handled.

### ASSET MANAGEMENT AND RATE ANALYSIS

The State of New Mexico believes that an Asset Management Program is a critical piece of a community's plan to support its long term operation, maintenance, repair and replacement of system facilities, infrastructure, and public facilities. A complete Asset Management Program not only captures data required to determine the expenses needed for ongoing repair, replacement or maintenance of assets; it also provides potential sources of revenues or funds to support ongoing use of that asset. *Even if the CDBG Project you are applying for does not allow for direct user fees or revenues; in this section please explain how Asset Management is used in your community and how it relates to any user fees and revenues charged for water, wastewater/sewer services, electricity, or other support costs.*

1. Do you have an Asset Management Plan in place? If yes, describe which of the five core components are covered by your plan. If no, what plans have been taken by your community to begin this process?
2. Is an asset management program the basis for rate analysis in your community? If yes, provide copies of the rate schedule(s) and Level of Service agreement(s). If no, please explain the method used to determine user rates and/or fees.
3. When was the last time your rate structures were analyzed? Provide copies of all rate analysis.

**Scope of Work**  
**FULL STREET AND/OR DRAINAGE PROJECT**

The Scope of Work is the primary identifying statement for a CDBG project and is a summary description of the work proposed. The Scope of Work must include but is not limited to the following:

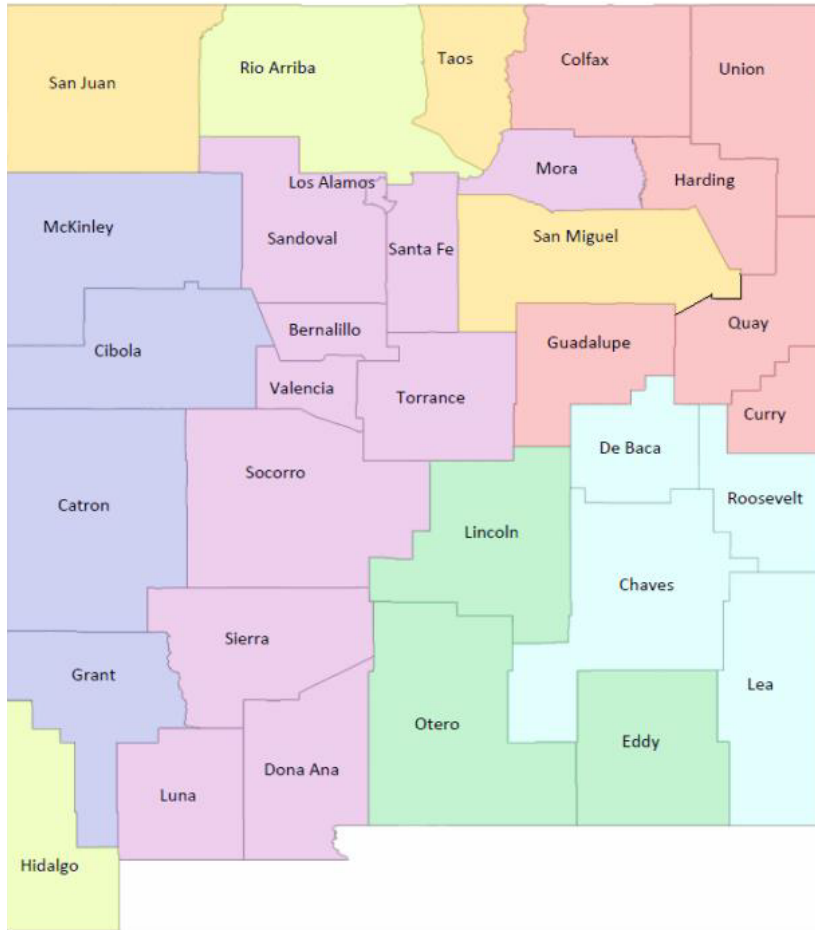
- Detailed summarization of the cost estimate of the proposed infrastructure improvements
- How does this project differ from the Full scope of work?
- What elements of the scope of work should be included in a "best case scenario"?
- What elements of the scope of work should be omitted in a "worst case scenario"?

**Scope of Work**  
**PHASED STREET AND/OR DRAINAGE PROJECT**

The Scope of Work is the primary identifying statement for a CDBG project and is a summary description of the work proposed. The Scope of Work must include but is not limited to the following:

- Detailed summarization of the cost estimate of the proposed infrastructure improvements
- How does this project differ from the Full scope of work?
- What elements of the scope of work should be included in a "best case scenario"?
- What elements of the scope of work should be omitted in a "worst case scenario"?

# Cost Estimates



**Department of Finance and Administration**

**Local Government Division**



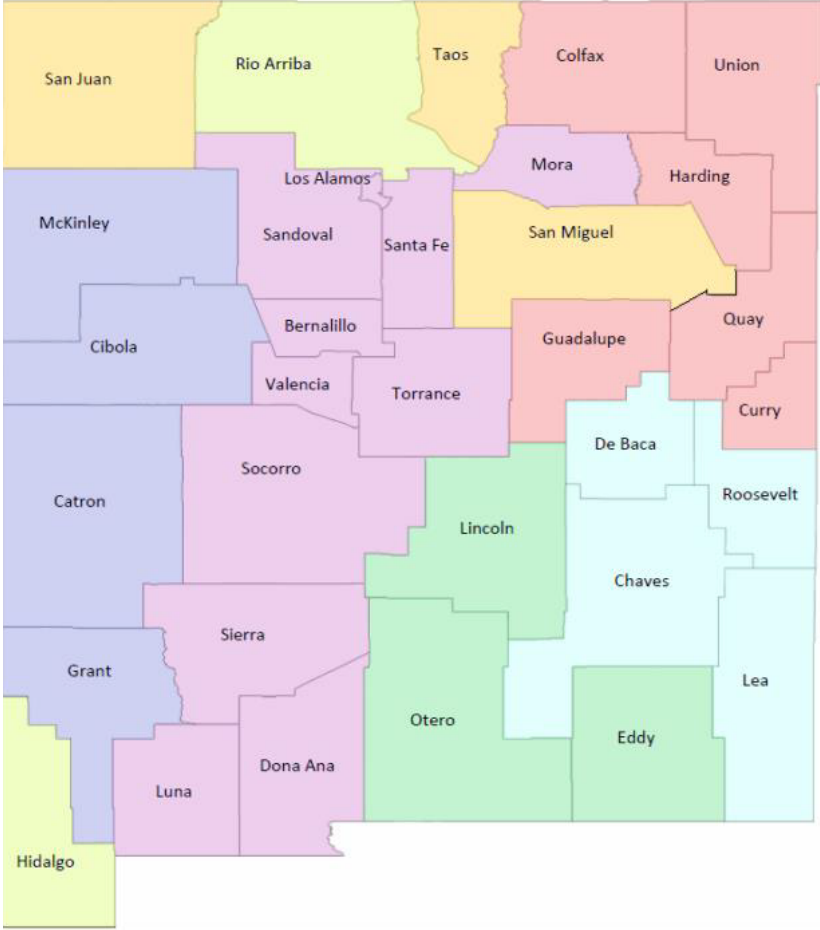
## CDBG Cost Estimates Overview

### General Requirements

- **Project cost estimates**
  - Cost estimates should be submitted for both the **full** project as well as the **phased** project. The full and phased projects will differ in the size/scope of work, funding amount and matching fund requirements. Cost estimates should directly reflect the scope of work in the previous section.
    - Full project will be everything that can be completed given the amount of requested funding combined with matching funds.
    - Phased project will be everything that can be completed given a smaller funding allocation with a relative/proportionate reduction in matching funds. The phased project will be a scaled-down version of the full project.
  - Cost estimates must reflect stand-alone projects, whether they are full or phased projects. Essentially this means that if funded, the project will be fully functional regardless of whether the full amount or phased amount is awarded. In other words, phased projects cannot be to construct a building with no roof, tear up the road but only pave half or install waterlines that do not connect to existing infrastructure.
  - Construction contractors and subcontractors will be required to pay the prevailing wage rate as required by the Davis-Bacon Act. Simply put, each job classification (carpenter, stone mason, etc.) has a state minimum wage and a federal minimum wage. Contractors and subcontractors will be required to pay the higher of the two wages, which can, in some cases, increase bid amounts and overall project costs.
  - Cost estimates should match the project scope of work and the respective budget. The scope of work should be written once cost estimates have been completed and the applicant has ensured that the cost estimates fall within the construction budget. The cost estimates, budgets and scopes of work should all be consistent. For phased projects, the cost estimate, budget and scope of work should all be proportionately reduced.
- **Certified vs. non-certified estimates**
  - **Certified** cost estimates allow CDBG applicants to apply for up to \$750,000 for their CDBG infrastructure project. Certified cost estimates are anticipated or projected costs of the project by an engineer, architect or landscape architect licensed to do business in the State of New Mexico. These estimates are to be stamped and/or certified by the engineer or architect. Cost estimates should list all of the required construction activities to complete the project as well as their respective units of measurement, quantities, unit price and overall activity cost. It is important to incorporate local gross receipt tax into all cost estimates. It is reasonable to project and incorporate costs relating to inflation, fluctuations in cost of materials and/or fluctuations in labor costs (so long as they are objective and made in good faith) based on current market conditions. The sum of all activity costs will total the “construction” budget line item included in the “Application” form (Exhibit G).

- **Non-certified** cost estimates allow CDBG applicants to apply for up to \$500,000 for their infrastructure CDBG project. Non-certified cost estimates are anticipated or projected costs of the project can be completed at the local level by an individual or team not licensed to do architect or engineering work. With that being said, it is ***highly recommended*** that a licensed architect or engineer make cost estimates (regardless of the CDBG request amount) to ensure that cost estimates are as precise as possible.
- Cost estimates should list all of the required construction activities to complete the project as well as their respective units of measurement, quantities, unit price and overall activity cost. It is important to incorporate local gross receipt tax into all cost estimates. It is reasonable to project and incorporate costs relating to inflation, fluctuations in cost of materials and/or fluctuations in labor costs (so long as they are objective and made in good faith) based on current market conditions. The sum of all activity costs will total the “construction” budget line item included in the “Application” form (Exhibit G).

# Asset Management



**Department of Finance and Administration**

**Local Government Division**

## CDBG Asset Management Overview

CDBG funded projects are considered investments into the local community. Sound asset management at the local level is representative of communities that are capable of maintaining these "investments" to the greatest extent possible. Communities that implement and maintain an asset management program will be credited in the application process for their achievement. To support the long term operation, maintenance, repair and replacement of system facilities, infrastructure, public facilities, or other eligible activities the following will be required to be submitted at the time of application. The model for the asset management program is the international infrastructure asset management model. This approach includes five core components:

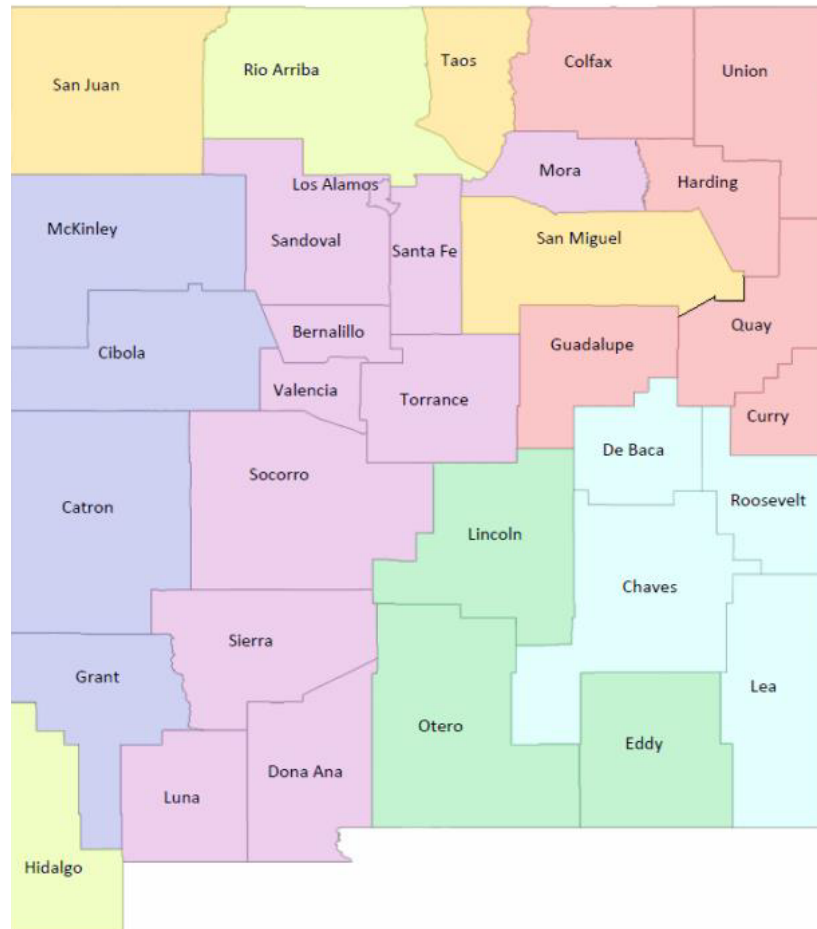
- (1)** Current state of the assets: an asset inventory that includes at a minimum: asset name, asset location, asset condition, useful life, and an estimate of replacement value;
- (2)** Level of service: a description of type and level of service provided;
- (3)** Criticality: an evaluation of which assets are critical to sustaining the operation;
- (4)** Life cycle costing: at a minimum, a capital improvement plan that describes the replacement of assets and some consideration of operation and maintenance of the assets;
- (5)** Financing plan: a description of the funding sources that will be used to pay for capital and operational needs.

### **Asset Management Ranking Criteria**

CDBG applications are rated up to ten (10) points for asset management in the evaluation process. This means that 10% of the application score results from this section of the application. The asset management ranking criteria is listed below:

- **(10 points)** development of a complete asset management plan with all five core components;
- **(2 points)** development of an asset management plan that includes some, but not all, of the five core components;
- **(1 point)** attendance within the last three years at an asset management training that includes the five core components as described in the international infrastructure asset management model.

# Planning



**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**

## CDBG Planning Overview

Communities that are successful in CDBG typically have projects planned well in advance, as it not only demonstrates commitment to the project, it puts the project in a better position to be successful.

### Infrastructure Capital Improvement Plan (ICIP)

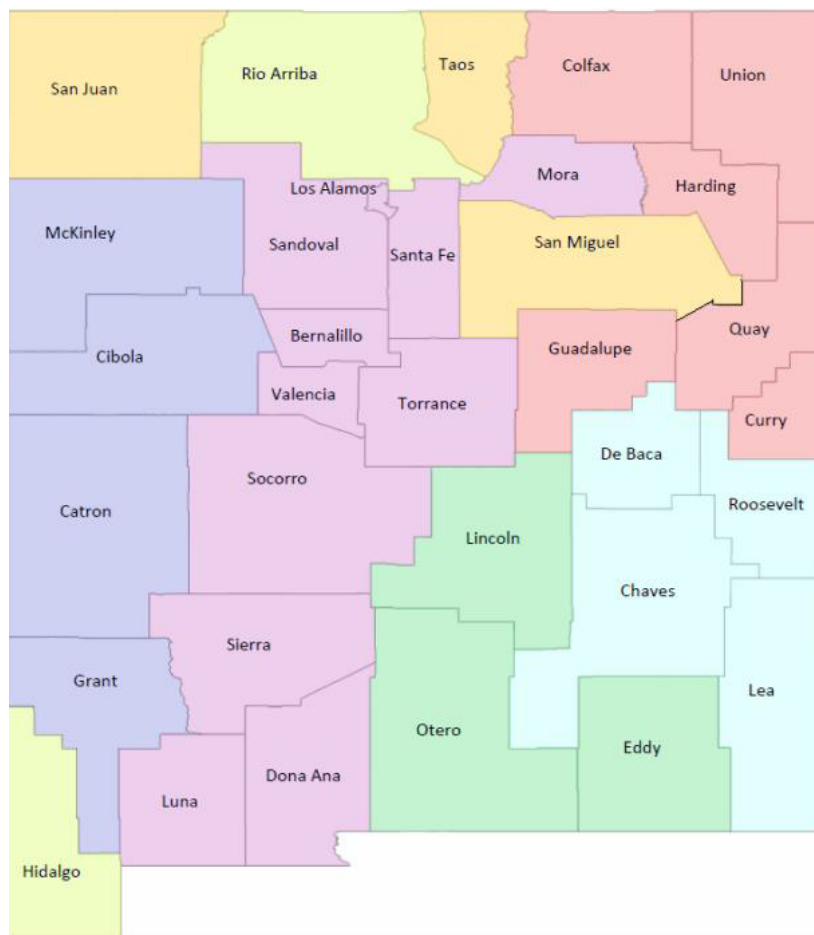
- An ICIP is a planning document developed by a unit of local government, water association, or land grant/merced that includes capital improvement priorities over a five year period and is developed and updated annually. An ICIP includes policy direction, funding time frames, estimated costs, justifications, and details of each specific infrastructure capital improvement project proposed, by year, over the five year period.

Applicants receive "planning" points for selecting projects listed on their ICIP, which indicates the priority of each project at the local level. Points are also assigned for listing "CDBG" as a potential funding source. Applicants are encouraged to review their ICIP, determine which projects are eligible for CDBG funding and list "CDBG" as a potential funding source. One point is assigned if the project is consistent with the applicant's comprehensive plan, which is an element of planning. Because water conservation is an important component of life in New Mexico, communities receive points for drought contingency plans and water conservation ordinances (or equivalent) to preserve potable water.

### Planning Ranking Criteria

- CDBG applications are rated up to ten (10) points for planning in the evaluation process. This means that 10% of the application score results from this section of the application. The planning ranking criteria is listed below:
  - **(3 points)** applicant has adopted a local ICIP, which has qualified for publication in the most recent state published prior to the CDBG application deadline. Evidence of the adopted ICIP for the current year must be provided as part of the application;
  - **(3 points)** project has qualified for publication in the most recent state ICIP prior to the CDBG application deadline and applicant has selected CDBG as one of its possible funding sources. Evidence of such publication identifying the project and selecting CDBG funds as a possible funding source must be provided with application;
  - **(1 point)** project shows consistency with applicant's comprehensive plan;
  - **(1 point)** applicant has adopted a drought contingency plan, setting in place various drought management stages and accompanying restrictions on water use;
  - **(1 point)** applicant has adopted a water conservation ordinance (or equivalent), setting in place various methods for conserving potable water;
  - **(1 point)** applicant has implemented a water conservation ordinance (or equivalent), accompanied by evidence of exercising at least two various methods for conserving potable water.

# Professional Services



**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**

## CDBG Professional Services Overview

Professional service providers are a very important component of the implementation of a CDBG project and can impact the feasibility and readiness of a prospective application. Having professional services procured at the time of application greatly enhances the feasibility and readiness of the project.

### Architect/Engineering Services

- Procurement
  - Project-specific: the request for proposals (RFP) in Exhibit 3-C must be used and submitted by prospective service providers during the procurement process. This ensures that all CDBG rules and regulations are incorporated into the procurement process and protects the Owner (applicant) as well as the funding source (DFA/LGD and HUD).
    - Note: although that State's boilerplate RFP and CDBG's RFP (Exhibit 3-C) are nearly identical in most respects, they differ in geographical and veterans preference. Whereas the State prefers to reward local resident and resident veteran businesses, the federal government does not allow this preferential point structure. That is why Exhibit 3-C must be used if CDBG dollars will be paying toward any portion of the contract.
  - On-call: if an applicant is funding the architect/engineering service provider and CDBG funds are not budgeted toward the contract, a state-compliant procurement may be acceptable if certain requirements are met. Applicant must contact project manager for verification that the following requirements have been met:
    1. Contract term must not exceed 4 years including all extensions and renewals
    2. The Request for Proposal (RFP) included that the proposed project was identified in the Project Description
    3. The Grantee submits the General Services Agreement to the LGD Project Manager for concurrence
    4. The RFP did not contain geographical preferences in the evaluation process (i.e. work to be done in New Mexico, New Mexico resident business preference, New Mexico resident-veteran preference, etc.)



- **Executed agreement:**

- Project-specific: all engineering and architect contracts (to include on-call agreements) must be completed and executed using Exhibit 3-D and 3-E respectively. For on-call agreements, this entails adding the Exhibit 3-D or 3-E as an addenda to the existing contract. These contracts (Exhibit 3-D and 3-E) incorporate the rules and regulations of the CDBG program as well as protect the interests of the local government.

Note: architects, engineers or local governments can make modifications to these documents so long as they are done explicitly and transparently by including a “modifications” section to the agreement detailing with specificity the proposed modifications. It is considered unacceptable to modify boilerplate language.

- On-call: every on-call agreement must be amended to incorporate Exhibit 3-D or 3-E. These contracts outline the rules and regulations of the CDBG program as well as protect the interests of the local government.

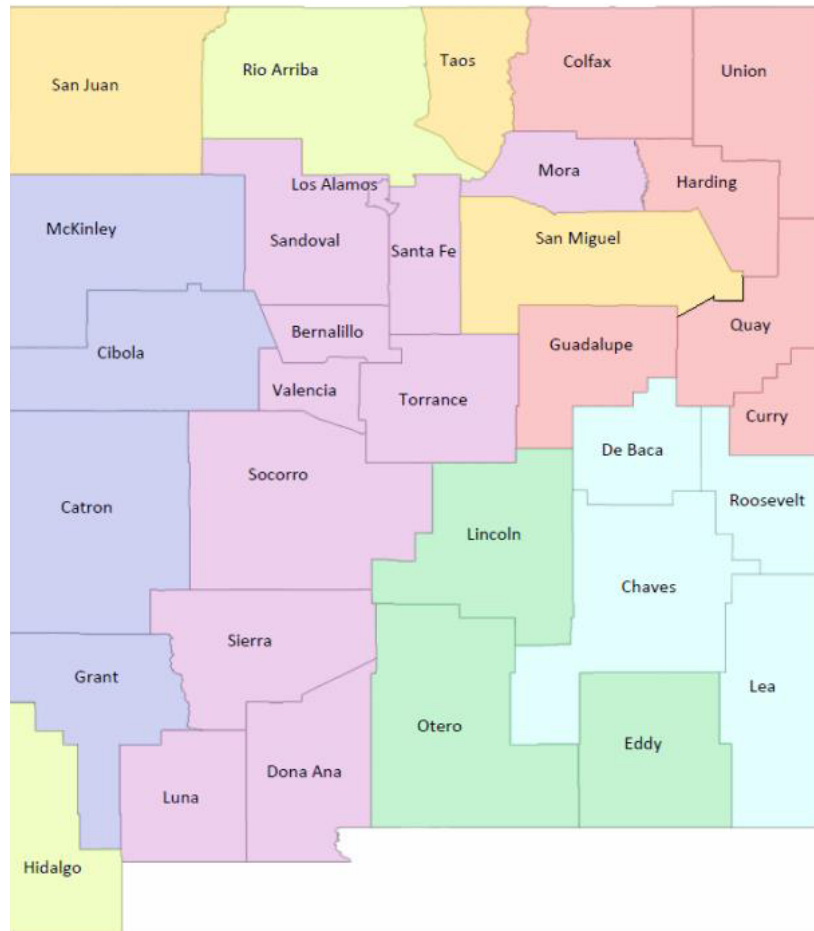
**Administrative Services:** this type of professional service is used primarily for grant administration. For those applicants unwilling or unable to oversee the day-to-day management of these projects, utilizing an administrative service provider is a viable option. There is typically a cost associated with these services, CDBG can pay up to 3% of the CDBG funds requested (full and phased respectively), and any remaining balance is the responsibility of the applicant. Procurement of these services is similar to architect/engineering using Exhibit 3-A. Councils of Government can be utilized without conducting procurement. All administrative service providers must use the CDBG approved contract (Exhibit 3-B).

**Professional Services Ranking Criteria**

- CDBG applications are rated up to five (5) points for professional services in the evaluation process. This means that 5% of the application score results from this section of the application. The professional service ranking criteria is detailed below:
  - **(High)** Exhibit 3-D or 3-E has been executed and proof of procurement was submitted with the application and compliant with state and federal procurement;
  - **(Medium)** Exhibit 3-D or 3-E has been executed, but no proof of procurement was submitted; or the applicant conducted a CDBG compliant procurement;
  - **(Low)** Exhibit 3-B or 3-E has been executed.

It is important to note that “executed” agreements are defined as having been signed by the “owner” (local government) and the architect or engineer. A contract is considered executed once both parties have signed. “Concurred” means that DFA/LGD has also signed the contract, thereby committing CDBG funds toward this contract.

# Environmental Review



**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**

## **CDBG Environmental Review Overview**

The environmental review is a very important aspect of the implementation of a CDBG project and significantly impacts the feasibility and readiness of an application. By conducting an environmental review, an applicant can ensure that both the environment and the funding source are protected. For the purposes of the application, the environmental review can be broken down into 3 stages:

### **Certifying Official and Environmental Determination (Step 1)**

- Designate Certifying Official: using Exhibit 2-A-1, the applicant will designate the individual responsible for the environmental review process
- Environmental Determination: applicants will complete the checklist in Exhibit 2-A based on the proposed project. Exhibit 2-A will be sent to DFA/LGD for an environmental review determination and returned to the applicant.

### **Agency Consultations (Step 2)**

- Agency consultation notices (Exhibit 2-I) on applicant letterhead are sent to the appropriate agencies for review of the proposed project
  - Federal, state and local consultations as identified on Exhibit 2-E
  - Tribal consultations as identified here: <https://egis.hud.gov/tadat/Query.aspx?state=New Mexico>
  - State Historic Preservation Office (SHPO) using Exhibit 2-J
- Agency consultations should be sent to all entities listed above
  - When describing the scope of work for the environmental review in the agency/Tribal consultations, it is best to be broad when describing the potential project area.
    - Example a) plan, design, construct, equip and furnish 2,200 square foot domestic violence shelter on the corner of 3rd St. and Edmonton Ave in Canon, NM.
    - Example b) plan, design, construct, equip and furnish 2,200 square foot domestic violence shelter in the Sunlit Hills neighborhood in Canon, NM.
    - Contrary to the scope of work in the project description and cost estimates, the scope of work in the environmental review should be broad enough to incorporate unforeseen circumstances (to a reasonable extent). In the examples above, if it was determined that the shelter needed to be moved across the street, example b) is broad enough to accommodate that change while if example a) was used, a new environmental review could be required.
  - Some agencies/Tribes will respond on the first attempt. Save those responses, those agencies/Tribes do not need to be contacted again (unless their response indicates otherwise).
  - Some agencies/Tribes will not respond to the initial consultation. Those non-responsive entities must be contacted a second time after a reasonable time has elapsed (2-3 weeks). If an entity does not respond after the second attempt, the entity is considered “non-responsive” and no further action is necessary.

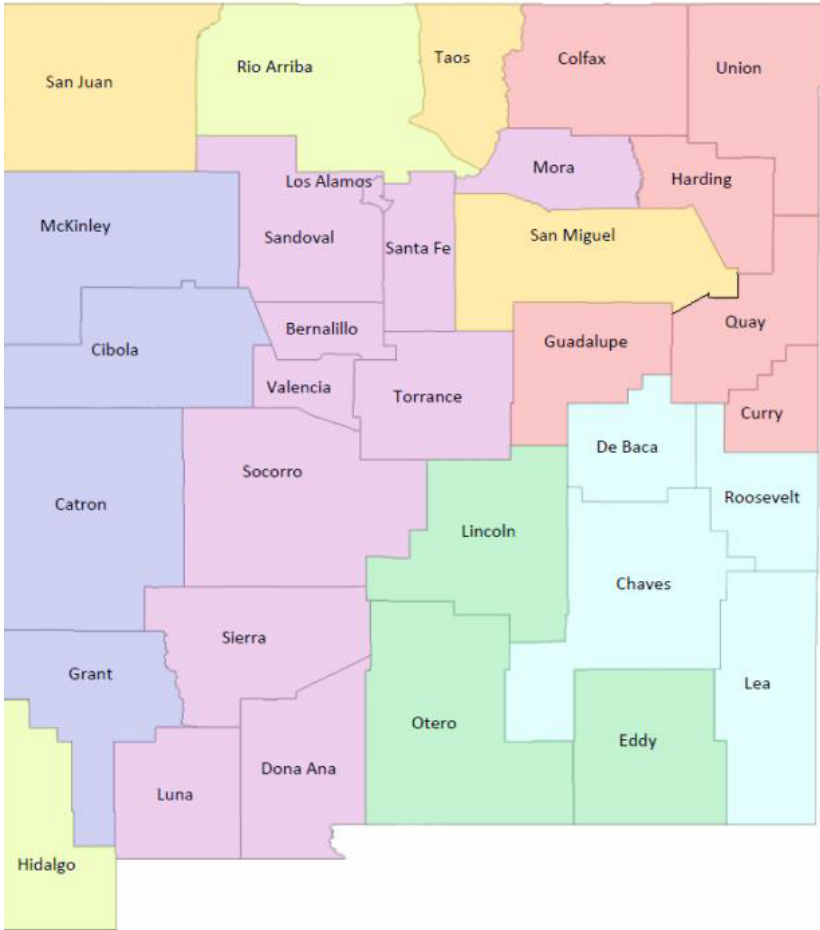
### **Summarizing Agency Consultations (Step 3)**

- Agency consultations should be consolidated summarized using Exhibit 2-N and Exhibit 2-O as appropriate. These documents should address each of the criteria listed in the exhibit(s) and summarize entity responses, environmental impact, dates and respondent information.

### **Environmental Review Ranking Criteria**

- CDBG applications are rated up to five (5) points for environmental review in the evaluation process. This means that 5% of the application score results from this section of the application. The environmental review ranking criteria is detailed below:
  - **(High)** Summarizing Agency Consultations (Step 3)
  - **(Medium)** Agency Consultations (Step 2)
  - **(Low)** Certifying Official and Environmental Determination (Step 1)

# Plans, Bid Docs, PER



**Department of Finance and Administration**

**Local Government Division**

## **CDBG Plans, Bid Docs & PER Overview**

Complete plans, specifications, bidding documents and preliminary engineering reports are all indicative of projects that are “shovel-ready”. They represent a high level of planning and preparation that went into this proposed project and demonstrate a local commitment to completing the project. Communities that are successful in CDBG typically have projects planned well in advance. On the surface, conducting public participation meetings to generate project ideas and planning ahead may not appear to coincide, however an important distinction must be made about the goals of planning and public participation:

- Public participation goals: afford members of the community with the opportunity to offer project ideas, suggestions and other comments about how funding is used in the community. As a result this may cause the local government to reevaluate or re-prioritize projects either now or in the future.
- Planning goals: continuously evaluating, reevaluating, prioritizing and re-prioritizing projects to address problems or other issues as they arise in the community.

In summary, public participation gives the community the opportunity to offer ideas and suggestions. Then it is the Council/Commission's responsibility is to select the best project for the community. If a project is selected where the preliminary design work has been completed, the application will receive additional points as detailed below.

### **Plans and Specs**

Plans are drawings and diagrams that describe the proposed project and highly technical in nature from an architect or engineering perspective. Specifications (specs) are also highly technical standards and activities that are required to complete the project. Having plans and specs are indicative of a project that has been vetted with careful consideration and greatly enhance the feasibility and readiness of the project.

### **Bid Docs**

Bidding documents (bid docs) are documents that prospective bidders on the construction portion of the project will use to approximate the costs of completing the project. Bid docs include bidding information, instructions, rules, regulations, contractual agreements and outline the conditions of the contracts.

### **PERs**

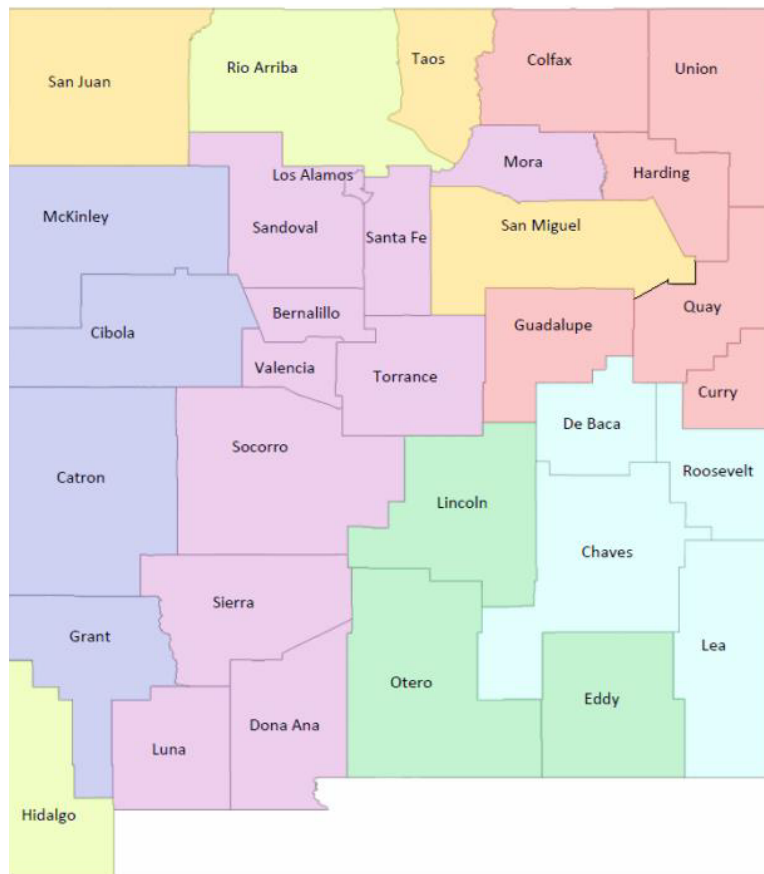
Preliminary engineering reports (PERs) are reports that are specific to the proposed project. They cover the project in great detail in terms of addressing the problem to be solved by the project and solutions. Having plans and specs are indicative of a project that has been vetted with careful consideration and greatly enhance the feasibility and readiness of the project.

✓ **Plans, Bid Docs and PER Ranking Criteria**

CDBG applications are rated up to five (5) points for plans, specs, bid docs and PER in the evaluation process. This means that 5% of the application score results from this section of the application. The plans, specs, bid docs and PER ranking criteria is detailed below:

- **(High)** Complete plans, specs and bid docs (Exhibit 4-A)
- **(Medium)** Complete PER
- **(Low)** Partially complete plans, specs and bid docs (Exhibit 4-A)

# CDBG General Information



**State of New Mexico**

**Department of Finance and Administration**

**Local Government Division**



## CDBG Application Requirements

- Eligible applicants may submit one (1) application for CDBG infrastructure funding.
- Applicants must use the electronic fillable form. (No handwritten applications will be accepted.)
- Application for CDBG funding must be limited to a project-specific activity or set of activities that addresses a particular need.
- Eligible applicants must meet the following minimum requirements:
  - All applications must include a full and phased scope of work, to include corresponding budgets.
  - Application requests are limited to a maximum of \$500,000 without certified cost estimates and \$750,000 with certified cost estimates.
  - Projects (both full and phased) must be fully functional on a stand-alone basis once awarded funds have been expended.
  - Projects must be completed within twenty-four (24) months of a fully executed grant agreement.
  - A previous year's unfunded CDBG application must be updated and resubmitted if the applicant, after conducting the required public hearings, determined that the project is still viable and a priority for the community.
  - Application must include a determination of rural or non-rural status.
    - Rural:
      - ❖ Municipalities: 3,000 residents or less
      - ❖ Counties: 25,000 residents or less
    - Non-Rural:
      - ❖ Municipalities: more than 3,000 residents
      - ❖ Counties: more than 25,000 residents
  - Upon receipt of an application, division staff will review for:
    - ✓ Eligibility
    - ✓ Completeness
    - ✓ Feasibility
    - ✓ Compliance
    - ✓ Matching funds (cash match and leverage) are secured
  - Applications not meeting the criteria will be returned to the applicant and will not be considered for funding.
- Threshold requirements must be met by Wednesday, April 19, 2023.
- Specifically:
  - ✓ CDBG infrastructure projects must be completed and closed consistent with federal requirements, with all findings and concerns resolved and cleared.
  - ✓ Audits must be current and will be examined for fiscal capacity and capability.
  - ✓ Budgets and quarterly and monthly financial reports must be current.
  - ✓ Grantee's historical performance must be within tolerance of Uniform Grant Guidance (UGG)

## **CDBG Eligibility**

### **Compliance with federal requirements**

All entities associated with CDBG (State, county, municipality) must adhere to the federal rules and regulations, specifically those contained in the Code of Federal Regulations (CFR) Title 24 – Housing and Urban Development (HUD). Some of the most utilized parts of 24 CFR are:

- Environmental review (24 CFR part 58) [https://www.hud.gov/sites/documents/DOC\\_8699.PDF](https://www.hud.gov/sites/documents/DOC_8699.PDF)
- Procurement (24 CFR part 85.36) <https://www.hud.gov/sites/documents/24CFR85-36PROC.PDF>
- Community Development Block Grants (24 CFR part 570) <https://www.hudexchange.info/resource/3689/24-cfr-part-570-cdbg/>

### **Compliance with state requirements**

All entities associated with CDBG (state, county, municipality) must adhere to the state rules and regulations, contained in the New Mexico Administrative Code:

- Small cities community development block grant (NMAC 2.110.2) <http://164.64.110.134/parts/title02/02.110.0002.html>

### **National Objective**

The national objective for the State of New Mexico is to benefit principally low and moderate income individuals and families.

### **Eligibility**

#### Eligible Applicants

- Infrastructure grants: all counties, incorporated municipalities and New Mexico Mortgage Finance Authority
- Planning grants: all counties, incorporated municipalities, New Mexico Mortgage Finance Authority, water associations, sanitation districts, land grants, public nonprofit groups, council of governments and mutual domestic water consumer associations

#### Ineligible Applicants

- Indian Pueblos and Tribes may receive funding directly from the U.S. Department of Housing and Urban Development (HUD).
- Entitlement cities (Albuquerque, Farmington, Las Cruces, Rio Rancho and Santa Fe) receive funding directly from HUD.

## Eligibility

### Eligible Project Activities

- Community Infrastructure: water; sewer systems (including storm sewers); solid waste disposal systems; street improvements (roads, streets, curbs, gutters, sidewalks, traffic control devices, street lighting, parking facilities, municipal utilities).
- Public Facility: real property acquisition; construction or improvement of structures (community centers, senior citizen centers, homeless shelters, domestic violence shelters, substance abuse facilities, nonresidential centers for the handicapped such as sheltered workshops); other community facilities designed to provide health, social, recreational or similar community services for residents.
- Colonias: the State of New Mexico is obligated to allocate 10% of the total CDBG funding each year to eligible projects in designated Colonias.
  - Applicant must be:
    - Designated Colonia prior to November 1990; and
    - Located within 150 miles of the U.S./Mexico border
  - Project must address:
    - Lack of potable water supply; or
    - Inadequate sewage system; or
    - Lack of decent, safe and sanitary housing

### Ineligible Project Activities

- Construction or rehabilitation of buildings used for the general conduct of government such as city halls or courthouses. The only exception is to make a public or government operating facility ADA-compliant.
- General operation and maintenance expenses of public facilities.
- Income maintenance programs.
- Housing allowance payments and mortgage subsidies, including but not limited to expenditures for the use of equipment or premises for any political activities.
- Costs involved in preparing applications and securing funding.