

**REQUEST FOR CITY OF LAS CRUCES FISCAL AGENT SPONSORSHIP
FOR STATE OF NEW MEXICO LEGISLATIVE FUNDING
(CAPITAL OUTLAY APPROPRIATION)**

NOTICE:

Before applying to the City of Las Cruces (the "City") to serve as fiscal agent on any New Mexico Capital Outlay Program appropriation, the applicant must understand and acknowledge that any real property, improvements, furniture, furnishings, fixtures, or equipment funded wholly or in part by any Capital Outlay appropriation for which the City serves as Fiscal Agent will be the property of the City in perpetuity.

THE APPLICANT ACKNOWLEDGES AND CONSENTS THAT ANY PHYSICAL, TECHNICAL, OR OTHER OUTPUTS/IMPROVEMENTS RESULTING FROM THE CAPITAL OUTLAY APPROPRIATION WILL BE EXCLUSIVELY OWNED BY THE CITY.

Applicant Organization Name: _____

Signature of Authorized Official of Applicant

Date

Printed Name of Authorized Official

Title of Authorized Official

**DO NOT WRITE BELOW THIS LINE
FOR CITY OF LAS CRUCES USE ONLY**

APPLICATION

This form, along with all required attachments, shall serve to document the organization's (the "applicant") intent to request the City Council of the City of Las Cruces (the "City") to consider authorizing the City to act as fiscal agent for capital outlay appropriation(s) being sought from the New Mexico State Legislature. Submission of the completed form is not a confirmation of acceptance. City Council reserves the right to determine the City's capacity, length of time, and terms under which it may act as a fiscal agent for any state legislative appropriation. This process is necessary to meet specific grant requirements or for collaborative fiscal services for state funding.

- The City evaluates requests from local organizations, including non-profits and quasi-governmental bodies, that seek the City's fiscal sponsorship for capital outlay, grant funding, or enhancements to capital projects.
- Requests must comply with the established procedures, including documentation of organizational standing, financial stability, project goals, adhere to pertinent regulations, and fulfillment of all defined requirements.
- Applicants must renew their Fiscal Agent Agreements every 5 years. The process for renewing the agreement begins with the completion of this application form.

Capital Outlay Appropriations:

- Applicants seeking funding from New Mexico State Legislative Capital Outlay Appropriations must adhere to specific terms outlined in relevant regulations.
- Requests for Capital Outlay Appropriations must align with the City's Capital Improvements Plan process and be approved as part of the City's Capital Improvements Plan to be eligible for sponsorship.
- Request for Capital Outlay Appropriations must align with guidance provided by the Grants Administration Program and the Capital Improvements Plan.
- The applicant acknowledges and consents that any physical, technical, or other outputs resulting from the Capital Outlay Appropriation will be exclusively on City-owned property and owned by the City.

Submission Procedures:

- Documentation regarding organizational structure, financial stability, and compliance with local, state, and/or federal regulations must be provided.
- Refer to the "Fiscal Agent Application Checklist" document for a detailed list of required documents.
- The Fiscal Agent Sponsorship request process will take a minimum of 60 days. Agencies are encouraged to apply for sponsorship as soon as possible

to be able to have an agreement in place prior to the deadline for Capital Outlay funding requests due to the State Legislature in December of each year. Certifications of sponsorship for non-profit applicants will be submitted to the State Legislature in January of each year.

- The submission deadline for Capital Outlay requests is September 15th of each year (the preceding business day if the 15th falls on a weekend or holiday).
- Packets are to be submitted via US Mail, express delivery service, or hand delivery to the following address:

City of Las Cruces
Attn: Grants Administration Program
700 N. Main St.
Las Cruces, NM 88001

Review Process:

- A comprehensive review process, including meetings with the applicant, are conducted by the Financial Services Department.
- Recommendations for approval or denial, with detailed justification, are provided to the Fiscal Agency Review Team, consisting of the Finance Director and a representative from the Legal Department, and City Management.
- Approved requests proceed to the Legal Department for agreement negotiations, while denied requests prompt further review and direction from the City Manager's Office.
- Allow 60 days for review process from the day a complete submission is received from the applicant.

Approval, Compliance and Termination:

- The Grants Administration Program will prepare a resolution for the proposed agreement to be presented to City Council for approval.
- Applicant will be notified in writing at least 14 days prior to the City Council meeting at which the resolution will be presented for the approval of the Fiscal Agent Agreement. Applicant must be present at the City Council meeting.
- The Fiscal Agent Agreement shall be approved by City Council prior to any funding being accepted by the City as Fiscal Agent.
- Approved applicants must adhere to all City rules and regulations. Non-compliance may result in the termination of the Fiscal Agent Agreement.
- Unauthorized attempts to use the City as a fiscal agent may result in refusal of services and associated funding.
- Both parties have the option to terminate the Fiscal Agent Agreement in compliance with City and State policies. Intent to terminate shall be submitted by either party to the other, in writing, at least 60 days prior to

the proposed termination date.

- The Applicant agrees to complete a required financial training session provided by the City's Finance Department as part of compliance with the Fiscal Agency Agreement.

ACKNOWLEDGEMENT

Each of the following items require the applicant’s representative to initial as an acknowledgement of future or potential conditions under which the role of fiscal agency may be governed and controlled by the City of Las Cruces. Failure to initial each item and submit a completed and signed form may result in disqualification. Determination of completeness resides wholly with the City of Las Cruces.

- _____ The Applicant agrees in principle with and freely will enter into a formal Agreement to be culminated upon receipt of legislative appropriation by the City on the Applicant’s behalf, incorporating, but not limited to these items:
- _____ The City will enter into a Memorandum of Agreement for each appropriation on behalf of the agency or individual project;
- _____ The City will expend all state funds in compliance with the City’s Procurement Ordinance;
- _____ The City will engage in project management activities as it would for any other City facility or operation;
- _____ The City will be the owner of the property (facility, equipment, land, etc.) as appropriate, as required by the State and such property shall be made available to the City for inspection and inventory with proper notice to the agency; and
- _____ Applicant agrees that the City Council may establish a reasonable fee where the applicant requires excessive administrative assistance be provided by the City. Further, the Applicant understands that the fee may not be permitted to be paid from the State appropriation, and if that is the case, is prepared to pay the fee from another funding source.

I, the authorized official for the Applicant, hereby acknowledge the conditions outlined above, along with the completed form and all required attachments, that the information submitted is true and correct to the best of my knowledge. Furthermore, I understand that the City of Las Cruces is under no obligation to serve as the Fiscal Agent for any project or Applicant and submit this information at my own cost and risk.

Printed Name of Agency (Applicant)

Signature of Authorized Official of Applicant

Date

Printed Name of Authorized Official

Title of Authorized Official