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# **Solid Waste Facility Grant Application Instructions**

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New Mexico  
Environment Department  
**Solid Waste Bureau**

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**2013-2014**

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## Overview

### Competitive Grant Opportunity

Solid Waste Facility Grant funding assistance is available on a competitive basis to qualified municipalities and counties, individually or jointly as specified in the Solid Waste Act §74-9-40.C and in 20.9.3.200 NMAC. Joint applications will be allowed when two or more eligible municipalities and/or counties have a joint powers agreement, have established a solid waste authority or if the entities are located within reasonable proximity of each other and they propose to address a common solid waste problem.

### Purpose

To provide grant funding to support projects that will:

- Protect the health and welfare of the environment, groundwater, and current and future residents of New Mexico;
- Promote environmentally sound methods for solid waste facility construction and improvements, appropriate landfill closures, ground water monitoring program implementation, and management and collection of solid waste. Encourage collaboration that promotes the efficient and sustainable use of resources, sustainable solid waste management practices, and/or regional waste reduction and recycling efforts.

### Available Funding and Grant Priorities

The total pool of funding available for this grant opportunity is \$300,000. NMED, Solid Waste Bureau expects that in most cases a single grant award would not exceed \$100,000, unless exceptional need is demonstrated and the applicant clearly shows how funding of a project will return an entity to compliance. Any applicant may request funding of more than \$100,000, as long as an itemized budget with specific costs for various tasks is provided as part of the grant submittal. However, it must be noted that there are many solid waste facility owners/operators that need funding assistance, and it is hoped that as many qualified applicants can receive either full or partial funding, as possible. Please note that multiple grants will be awarded, no single applicant will receive the bulk of the available grant budget.

Priority for high awards will be considered for the following types of projects:

- final closure of registered unlined landfills
- completion of construction of collection centers or transfer stations to allow transition from unlined landfills
- installation of groundwater monitoring wells at old landfills with inadequate monitoring systems
- completion of groundwater monitoring system plans or requests for reduction in sampling frequency or list of testing parameters, if justified
- professional services for tasks associated with permitting new solid waste facilities in rural areas such as Construction and Demolition Debris landfills

Funding will be paid upon receipt of properly completed reimbursement request(s) including supporting detailed invoices by the Solid Waste Bureau as specified in the signed grant contract. The final payment will be dependent on the successful completion of all approved work plan items, timely submission of all required quarterly reports, and provision of a final report.

## **Grant Application Deadline and Submittal Information**

Grant applications will be accepted until **5 PM on Friday, April 5, 2013**. All applications must be typed and include all of the specified items, and on the forms as specified herein. Two copies of each application shall be mailed, or hand delivered to:

NMED Solid Waste Bureau Room S2050  
1190 St. Francis Drive  
P.O. Box 5469  
Santa Fe, NM 87502 -5469  
Attention: Tim Gray

Faxed and electronic applications will not be accepted. Grant applications received after the 5:00 PM will not be considered.

Incomplete applications will be removed from consideration by the committee or scored significantly lower than complete applications. If a question does not apply to your application, please note "Not Applicable" (N/A). Do not exceed the word limits listed. If attaching pages reference the Attachment pages in the appropriate section of the form, as "Attachment\_\_\_\_" by the number of your attachment.

## **Project Completion Requirement**

Successfully funded grant projects must be completed no later than June 30, 2014. Extensions will NOT be granted.

## **Eligibility**

Grants shall be made only to applicants that:

- Agree to complete the grant project in accordance with a signed agreement, on-time, on budget;
- Submit detailed written quarterly update and accomplishment reports within 30 days of the end of the last quarter, as well as an end of project report within 60 days of completion of the project. All quarterly reports must specify reasons for any delays, and a revised timeline must be submitted with the report;
- Operate and maintain any facility proposed for funding so that the facility will function properly over its structural and design life;
- Meet all of the applicable requirements of the Solid Waste Management Regulations, and the Solid Waste Act, and obtain the necessary Department permits, registration or other authorizations/approvals prior to the start of any construction or closure activities;
- Comply with all applicable federal, state and local laws and regulations, including but not limited to those, related to procurement practices, construction wage rates, use of small, minority and women's business enterprises, and the terms as specified herein;

- Require the contractor of any facility construction project to post a performance and payment bond in accordance with the current requirements of NMSA;
- Provide a written assurance, signed by an attorney, that an applicant has proper title, easements, leases and right-of-ways to the property upon which any facility proposed for funding is to be constructed, improved or closed;
- Meet the requirements for financial capability set by the Department to assure sufficient revenues to operate and maintain any facility proposed for funding for its useful life or post closure care period;
- Provide timely reimbursement requests with appropriate documentation.
- Agree to properly maintain and provide all necessary financial records, itemized invoices and expenditures, and to conduct an audit of the project's financial records;
- Have a bonded treasurer, clerk, secretary-treasurer or other financial officer or individual responsible for financial aspects of the project;
- If necessary, complete a RFP process to obtain the services of a registered professional engineer licensed in the State of New Mexico with experience with solid waste projects, and a history of successful, timely completion of similar projects. This qualified person shall be responsible for all engineering services for a funded project, as necessary;
- Agree to not include cost tables in Request For Professional Service Proposals as specified in New Mexico Procurement Code §13-1-120.B Competitive sealed qualifications-based proposals; architects; engineers, landscape architects; surveyors; selection process: "The appropriate selection committee shall select, ranked in the order of their qualifications, no less than three businesses deemed to be the most highly qualified to perform the required services, after considering the following criteria together with any criteria, except price, established by the using agency authorizing the project.";
- Consent to obtaining at least three quotes for any other services or purchases such as for well drillers, laboratory testing, equipment, construction materials, etc.;
- Purchase of equipment must be obtained through a solid waste bureau pre-approved bid process;
- Agree to provide all Request for Proposals (RFP), bid documents, and service contracts to the Solid Waste Bureau for review and comment prior to awarding and signing any contracts, and starting any work;
- Plans and specifications for a grant projects, where applicable, shall be approved by the Solid Waste Bureau before grant reimbursement and/or payments can be authorized;
- Prepare a detailed work-plan and time-line with all significant tasks for approval by the Solid Waste Bureau prior to the start of any work and submittal of any invoices for reimbursement; and
- Provide written notice to the Solid Waste Bureau of the start of operation of any grant project and final completion of the project.

### **Priorities: Types of Projects to be Funded**

The following are examples of the types of projects that would be considered eligible for funding:

## **Proposed Solid Waste Facilities**

- Fees for professional engineer, architect, surveyor, or firm with appropriate qualifications to prepare portions of a facility permit application to address siting requirements 20.9.2-10 NMAC;
- Development of engineering plans for transfer stations, collection centers, MSW or C & D landfills and other solid waste infrastructure;
- Adding a new solid waste collection center to improve access to services; and
- Preparation of permit modification packages.

## **Closure of Unpermitted and Unlined Landfills**

- Obtain the services of a professional engineer, surveyor, or firm with appropriate qualifications to prepare a well boring plan, groundwater monitoring plan; financial assurance cost estimate or other required plans;
- Prepare or finalize closure and post closure care plans;
- Obtain site survey for to determine elevations;
- Complete field investigations of existing intermediate or other in-place cover or “caps,” availability and physical properties of on-site or other location soils for final capping and closure;
- Improve or install fencing and vegetative cover;
- Install new or additional permanent methane monitoring wells; and
- Complete baseline sampling for new groundwater monitoring wells.

## **Existing Solid Waste Facility Improvements/Modifications**

- Facility upgrades/ improvements, repairs;
- Purchase scales; and
- Purchase waste compactor; and/or purchase additional equipment or roll off containers.

## **Protection of Groundwater**

- Install additional groundwater monitoring wells, or replace or abandon unusable wells as necessary;
- Install vadose zone monitoring wells, if appropriate for your site;
- Complete baseline sampling for new groundwater monitoring wells;
- Complete up to two rounds of groundwater sampling in one calendar year, if sampling has not been completed in the last two years, and applicant can demonstrate fiscal hardship, and inability to complete testing due to lack of other funding;
- Undertake investigation of corrective measures, or to implement corrective measures; and
- Contracting for and holding a one-day Household Hazardous Waste Collection event.

## **Post Closure Care of Landfills**

- Install new or additional permanent methane monitoring wells;
- Install and active methane venting system to help remedy a site by reducing groundwater contamination from Volatile Organic Compounds (VOCs); and
- Undertake investigation to determine reasons for exceedances of groundwater standards;

## **Solid Waste Planning**

- Complete a cost benefit analysis based on annual solid waste tonnage to determine the most cost effective solid waste management method in your area (i.e. comparison of a landfill and a transfer station or collection center) or compare cost of Construction and Demolition Debris landfill in conjunction with MSW collection center and transport to an existing landfill, with local landfill); and
- Prepare a solid waste management plan to determine a future schedule of costs and if a joint powers agreement with other municipalities or adjoining counties would be more cost effective to reach economies of scale.

## **Eligible Funding Items**

The following items may be included for reimbursement, but are not necessarily limited to:

- Preparation engineering plans, designs, specifications, construction quality
- assurance reports and bid documents for collection centers, transfer stations, registered and permitted landfills, or other solid waste facilities;
- Closure plans and post-closure care plans (including: final cap designs, final
- elevation contours and slopes and storm water management plans, field investigations to determine depth of cover, and obtaining and undertaking laboratory testing to determine on-site or off-site borrow soil properties);
- Professional oversight of closure activities for landfill closures and quality control quality assurance plans;
- Costs for closure of landfills, purchase of suitable soil for caps/final cover that meets specifications, rental of equipment, fencing and seeding;
- Land or air surveys and/or obtaining air photos of facilities to create facility surveys and base maps, for closure or remaining landfill capacity calculations;
- Installation of new or replacement groundwater monitoring wells (detection or assessment wells), preparation of groundwater monitoring system plans and reports, up to three rounds of baseline (background) assessment monitoring for new wells,
- Preparation of groundwater monitoring reports, establishment of groundwater Assessment Monitoring Levels (AMLs), groundwater statistical evaluations and determination of Assessment Monitoring Levels (AMLs) or UTLVs to summarize groundwater sampling results;
- Completion of groundwater boring/investigations for siting of Construction and Demolition Debris landfills;
- Design, supervision and installation of methane monitoring wells or ports, purchase of methane monitoring equipment, and preparation of methane monitoring reports;
- Use of a professional engineer to prepare updated financial assurance cost estimates;
- For engineering design of facility upgrades, purchase of supplies, construction costs, professional oversight of construction, and creation of "As Built" drawings;

- Building contractors or other contractors for facility construction, (i.e., concrete pads, retaining walls, structures, access ramps, equipment rental, buildings, installation of landfill final cover, new waste collection centers or transfer stations);
- One round of non-baseline testing/monitoring of existing groundwater wells, if an applicant includes a demonstration signed and notarized by a chief fiscal officer regarding inability to pay for such services; and
- Purchase of equipment or items directly related to the operation or improvement of operations of a solid waste facility. (i.e., scales, waste compactors, 40-yard collection boxes, trailers, bin ramps, etc.); and
- Gross Receipt Tax for higher cost construction projects, or significant engineering services. Contingency fees of between 5- 10 percent may be included. 10 percent contingencies will be considered for construction projects costing more than \$100K.

### **Items Not Eligible for Funding**

- Cost of purchase of land, water rights, easements, rights-of-way, legal costs, fiscal agents' fees;
- Remediation costs for which an organization is already liable or required to complete as part of a settlement agreement;
- Administrative expenses (including grant application preparation, management of grant, and costs associated with preparation of the grant work-plans, copying, photography, quarterly reports, invoicing, or a final report, if deemed necessary);
- Operating costs associated with normal waste management activities or compliance unless specified herein in the eligible expenses list;
- On-going operational costs such as fuel, vehicle maintenance or repair, equipment repair, hauling and transportation of waste, tipping fees;
- Any activity or equipment associated with management of tires;
- Any activity or purchase of equipment, bins, balers or other items associated with recycling or construction of a recycling facility (Recycling grants are awarded via funded provided by the RAID Act) ;
- Utilities (electricity, water, telephone, etc.);
- Hiring staff or reimbursement of existing staff salaries;
- Any activity or equipment associated with management of tires;
- Expenditures that do not directly relate to the approved work-plan or that were not specified in the grant application and shown on the budget sheet;
- Any work, consulting or other tasks undertaken prior to the finalization of a signed contract, and the applicant's receipt of a State Purchase Order for the amount of the grant award;
- Costs that exceed the grant award amount; and
- Any other item as deemed ineligible by NMED, SWB.
- Gross Receipts Tax unless codified in the contract agreement.

## Grant Submittal and Evaluation Process

### Grant Contact Information

Please contact the following person if you have questions about grant preparation:

Tim Gray  
Solid Waste Bureau Room S2050  
1190 St. Francis Drive  
P.O. Box 5469  
Santa Fe, NM 87502-5469  
505 827-0129  
[tim.gray@state.nm.us](mailto:tim.gray@state.nm.us)

### Grant Eligibility Checklist

Note: A “no” answer in any box in the chart below indicates that your project is not eligible for this grant.

| Grant Application Eligibility Checklist   | Response       |
|---|----------------|
| Grant awards are issued based on a competitive basis to qualified municipalities and counties, individually or jointly, solid waste authorities, and educational institutions for solid waste facilities. | N/A            |
| Is your organization a municipality, county, cooperative association, or solid waste authority?   | Yes____ No____ |
| Have you checked to ensure that the project you are applying for is not on the “Items/projects no to be funded” list?   | Yes____ No____ |

### Grant Evaluation Process

The New Mexico Environment Department will receive grant applications and will conduct a committee review based on the assessment criteria specified in 20.9.300 (B) (2) NMAC. All applications will be reviewed for completeness, eligibility, technical merits, and financial capability, based on the priority ranking criteria. Incomplete or improperly completed applications will be eliminated from further consideration.

The ranking matrix is attached for consideration in Section 2.5. A review committee from the Solid Waste Bureau and potentially other bureau representatives, and possibly other outside persons without conflicts of interest will review all properly completed applications and develop ranking scores based on the matrix. Recommendations will be given to the Secretary of the Environment Department for final approval.

Highest priority is based on greatest need without ability to fund the proposed activity by other sources. Procedures have been established to ensure equitable and reasonable allocation of funds where there are not sufficient funds available to provide grants to all eligible projects for which applications have been receive

Applications will be ranked for each listed criteria with a value from 0 to 10, 10 being the highest value. The sum of the awarded value shall be multiplied by the weight of each criterion, and totaled for the score of the application. The total score will determine its rank when compared to other applications. The maximum attainable score is 1,100.

### **Submittal Requirements for the New Mexico Solid Waste Facility Grant Fund**

Ensure that all of the following documents are completed and included when submitting the Solid Waste Facility Grant Application:

| <b>Grant Application Document Checklist</b>                        | <b>Attached</b>          |
|--|--------------------------|
| Application Form   | <input type="checkbox"/> |
| Budget Details   | <input type="checkbox"/> |
| Budget Justifications  | <input type="checkbox"/> |
| Litigation, Liabilities, and Land Information                      | <input type="checkbox"/> |
| Certifications: Authorized Agent and Responsible Financial Officer | <input type="checkbox"/> |

## Ranking Criteria Summary

| Rating factors   | Award Value     | Weight | Maximum Points Possible |
|--|-----------------|--------|-------------------------|
| <p><b>Fiscal capacity/self-funding capability</b></p> <p>Points awarded relative to extent that local resources, bonding capacity, gross receipts taxing are unavailable or inadequate. The greater the absence of local funding capacity the higher the score.</p>  | Up to 10 Points | x 25   | 250                     |
| <p><b>Ability to sustain operation - sustainability</b> (Inclusion of information as to why this project succeed and continue?)</p> <p>The greater the ability to sustain operation without additional grant funding the higher the score.</p>   | Up to 10 Points | x 10   | 100                     |
| <p><b>Length of time project will provide beneficial use</b> (up to 25 years)</p> <p>Greater length of time and longer-term benefits to a community, the higher the score. Points will be awarded based on the length of time which any facility or improvement will satisfy the requirements of geographical area.</p>  | Up to 10 Points | x 10   | 100                     |
| <p><b>Size of target area/population served</b></p> <p>One point will be awarded for each 1,000 population increment served up to 10 points.</p>   | Up to 10 Points | x 10   | 100                     |
| <p><b>Ability to operate and maintain facility/system and successfully complete grant</b></p> <p>The greater the demonstrated ability of the applicant to demonstrate operational competency the higher the score. Applications will be awarded points based on the extent that the applicant can demonstrate ability by past facility/system operation, professional qualifications of key personnel. Previous success in completing grants on time, complying with reporting requirements, and providing reimbursement requests.</p> | Up to 10 Points | x 10   | 100                     |

| Rating factors  | Award Value     | Weight | Maximum Points Possible |
|---|-----------------|--------|-------------------------|
| <p><b>Demonstration of compliance with local and state procurement codes</b></p> <p>Demonstration of compliance via questionnaire with all applicable procurement requirements.</p>   | Up to 10 Points | x 10   | 100                     |
| <p><b>Demonstration of project need</b></p> <p>Points will be awarded based on extent to which any project is necessary. The greater the project need; the higher the point award value.</p>  | Up to 10 Points | x 20   | 200                     |
| <p><b>Regulatory non-compliance and nature of violations</b></p> <p>The greater the significance of correction of violation(s) in terms of protecting public health and environment, the higher the score. Point awards will be based on the extent an applicant's request remedies underlying causes of regulatory non-compliance and affects facility improvements.</p> | Up to 10 Points | x 10   | 100                     |
| <p><b>Project urgency</b></p> <p>Up to 10 points will be awarded based on the urgency of need for the project. The greater the urgency, the higher the score.</p>   | Up to 10 Points | x 5    | 50                      |
| <p><b>Regionalization effort</b></p> <p>Points will be awarded as follows: 10 points for projects that service the entirety of at least 3 counties; five(5) points for at least two (2) counties; and two (2) points for the entirety of one (1) county.</p>  | Up to 10 Points | x 10   | 100                     |
| <b>Maximum Possible Total Score</b>   |                 |        | 1200                    |

## Application Format

It is essential that all successful applications correctly and completely fill out the application form available as an electronic version on the SWB website [www.nmenv.state.nm.us/](http://www.nmenv.state.nm.us/); select solid waste from program menu, click on grant and loan tab on the left side menu. Incomplete applications may be removed from consideration by the committee or scored significantly lower than complete applications. If a question does not apply to your application, please note not applicable (N/A). Do not exceed the word limits listed.

## Contracts

Successful applicants will be required to have an authorized agent sign a contract prior to the initiation of any activities associated with the grant. Any expenditure made prior to finalization of the contract by all parties is ineligible for inclusion for reimbursement.

## Financial Officers

Successful applicants will be required to have a “Financial Officer” sign a contract prior to the initiation of any activities associated with the grant. Any expenditure made prior to finalization of the contract by all parties is ineligible for inclusion for reimbursement.

## Mandatory Grant Training Session for Successful Applicants

Selected applicants will be required to have the designated “Project Manager” and “Financial Officer” and if possible, the professional consultant, if retained at the time of the contract award must attend a grant training session. **Mandatory** full-day training on the procurement code and grant administration, located at the New Mexico Environment Department, District I Office, 5500 San Antonio Dr NE, Albuquerque NM 87109 (Sandia Room).

Selected applicants that do not attend the required training will automatically have the grant revoked.

## Project Implementation

Successful applicants may not start any activity associated with the grant until a contract is fully executed (signed by NMED and the authorized applicant’s representatives) and issuance and receipt of by the applicant of a State Purchase Order. Any work started prior to both of these requirements will not be eligible for reimbursement, and must be paid by the applicant.

## Required Quarterly Progress Reports

Applicants awarded grants will be required to submit written quarterly reports including but not limited to: up-dated time lines, a short narrative progress summary (including information about any delays, and the reasons for such delays), photos (if available), submission of itemized payment and reimbursement requests including supporting documentation with reimbursement request(s).

Those applicants selected for grant awards that do not submit the first two quarterly reports or will have the grant award withdrawn, and the funds allotted to other grantees. Grantees that do not submit at least one reimbursement requests by December 31, 2013 may have the grant revoked.

## Definitions

**“Solid Waste Facility Grant Fund”** means the fund established for the purpose of making grants to counties, municipalities and post-secondary educational institutions for solid waste facilities.

**“Applicant”** means qualified municipalities and counties, individually or jointly, educational institutions.

**“Solid Waste Facility”** means any public or private system, facility location, improvements on the land, structures or other appurtenance or methods used for processing, transformation, or disposal of solid waste, including landfill disposal facilities, transfer station and other similar facilities not specified.

**“Participating organization”** (as defined by the New Mexico Solid Waste Plan) means the grant applicant.