



**Nonprofit Organization  
State Capital Outlay Request Packet  
2023 Legislative Session  
Required by City of Albuquerque**

**City of Albuquerque Capital Outlay Initial Request Form**

This application packet is required if your organization intends to pursue capital outlay funding from the 2023 New Mexico State Legislature involving the City of Albuquerque (City) as the fiscal agent.

If the City of Albuquerque accepts your application, your organization will need to complete a legislative capital outlay request form that is due at the beginning of the 2023 legislative session.

(<https://www.nmlegis.gov/CapitalOutlayWeb/>).

Please note: The New Mexico Constitution “anti-donation” clause (Article IX, Section 14) prohibits governments from donating to private parties. To read this legislation, [click here](#).

***Complete this packet and submit it by December 28, 2022 by 5:00pm MST to:***

Shawn Maden, Department of Municipal Development, City of Albuquerque

P.O. Box 1293, One Civic Plaza NW, Room 7057 Albuquerque, NM 87103

or by email: [smaden@cabq.gov](mailto:smaden@cabq.gov). Please use Subject Line: 2023-1 FA (*your org name*)

**Basic Information**

Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Primary Contact Name & Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mission/Purpose/Service Provided: \_\_\_\_\_

\_\_\_\_\_  
Clientele Served: \_\_\_\_\_

Does the Organization have a current Contract/Agreement(s) with City of Albuquerque? Yes  No

If you have answered yes, attach a copy of the executed agreement for submittal.

**Note that no funds will be disbursed until Organization has a valid City Contract/Agreement.**

Does the City of Albuquerque own the property the funds are requested for? Yes  No

Per State Law, Capital funds cannot be used on/in/for any facility not owned by the City of Albuquerque

(Very rare exceptions exist for artwork or loaned/rented exhibits, email [smarten@cabq.gov](mailto:smarten@cabq.gov) if you believe these exceptions apply)

Does this request meet the Anti-Donation Clause for Capital Funds? Yes  No  Unsure

For information regarding this clause, [click here](#).

For COA use ONLY:

Department Director Approval for Fiscal Agency request:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Has the organization received State of New Mexico Capital Outlay from any of the last three Legislative Sessions (FY 2020, 2021 and/or 2022?) Yes  No

If you have answered yes, please use the [Previous Capital Outlay Identification Form \(p4\)](#) to complete the required information and attach to this project information form for submittal. Please identify if the capital outlay was a re-appropriation of an earlier grant.

Continued on next Page

**Project Information Form**

**2023 Capital Outlay Request**

For information regarding Legislative Language, [click here](#).

Amount: \$ \_\_\_\_\_

Project Description and Purpose (legislative language request): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Does capital project have a master plan or cost estimate? Yes  No

**The State Board of Finance is currently only approving severable equipment, furnishings, and vehicles for non-profits**

**Please attach all supporting documentation**

Organization's Leadership Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**For COA Use Only**

Department/Division to manage DFA Grant/Project:

\_\_\_\_\_

Department/Division Project Manager:

\_\_\_\_\_

Revised or new agreement needed: \_\_\_\_\_

COA ICIP Project No. (Project must be included on the COA ICIP): \_\_\_\_\_

### Previous Capital Outlay Identification Form

*Please use this Capital Outlay Identification Form to identify all previous Capital Outlay funding requests that have been signed into law by the Governor AND are still in process of being expended or approved. Please do not include any information on projects that are completed. This form must accompany the 2023 State Capital Outlay Request form being submitted to the City of Albuquerque for consideration.*

<b>Capital Outlay Item and Fiscal Year of Appropriation</b>	<b>Capital Outlay Value</b>	<b>Has approval by State of NM been received to start the purchase/project implementation? If yes, fill out the next two columns. If no, explain reason and still complete the last column.</b>	<b>Expiration Date of Appropriation</b>	<b>Amount expended to date</b>
<i>EX: E2402 – Explora STEM Phase 2</i>	<i>895,000</i>	<i>No, nonprofit is required to meet conditions as set by DFA/Attorney General’s Office prior to receiving approval for funds to be dispersed to City.</i>	<i>6/30/2023</i>	<i>150,000</i>

**I understand that this form must be submitted with all other required forms for the City of Albuquerque’s review process of my organization’s request for 2023 New Mexico State Legislative Session - State Capital Outlay funds to be administered by City of Albuquerque where the City will act as the fiscal agent in anticipation of full reimbursement by the State of New Mexico.**

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**PRINT: Name and Title and Organization**

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**Signature** **Date Submitted**

### Previous Contract Agreement Form

*Please use this previous Contract Agreement Form to identify all current contract/agreement(s) your organization has with the City of Albuquerque. This form must accompany the 2023 State Capital Outlay Request form being submitted to The City of Albuquerque for consideration. Types of agreements/contracts: Services in Lieu of Rent; FY X State Capital Outlay Agreement; Social Services Grant Agreement; Neighborhood Grant Agreement; Facility Use Agreement, Program Services Agreement, etc.)*

Contract/Agreement Title	Contract/Agreement Value	Expiration Date
<i>EX: Social Service Grant for FY 2021 to provide services to homeless youth.</i>	<i>\$10,000</i>	<i>6/30/2023</i>

**I understand that this form must be submitted with all other required forms for The City of Albuquerque review process of my organization’s request for 2023 New Mexico State Legislative Session - State Capital Outlay funds to be administered by the City of Albuquerque where the City will act as the fiscal agent in anticipation of full reimbursement by the State of New Mexico.**

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**PRINT: Name and Title and Organization**

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**Signature** **Date Submitted**

## Critical Information:

Even if the bill passes permitting your Organization to receive Capital funding, those funds WILL NOT be released until DFA ensures the project meets State Law.

City Fiscal Agent approval DOES NOT mean that the project is guaranteed, or even necessarily likely, to clear DFA. It is ONLY permission to utilize the City to request such funds. Likewise, being permitted State Capital funding through passage of the funding bill does not obligate the City or its Departments to form a Use Agreement/Contract with your Organization to meet DFA requirements in any way.

Your project MUST follow the purchasing rules, including Vendor choice, of the Department with which you have, or are seeking, a Use Agreement/Contract. *Each Department has their own Purchasing rules!* For more information, speak with your Department Contact. Remember that the City, not the Organization, makes ALL purchases with the Capital Outlay funds!

Using Capital funds for anything outside of the language in the final bill, as signed by the Governor, is a violation of State Law. Note that the scope language of your project MAY change between your entry online and the final bill with neither your approval nor notification.

Your Organization is responsible for understanding the scope the funds may be utilized for, as well as determining and fulfilling all DFA requirements for approval.