

COPY

GRANT COUNTY

Resolution No. 2005-07

**A RESOLUTION AUTHORIZING THE COUNTY TO SUBMIT AN APPLICATION TO THE
DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT
DIVISION, TO PARTICIPATE IN THE LOCAL DWI GRANT AND DISTRIBUTION
PROGRAM**

WHEREAS, The New Mexico Legislature enacted NMSA 1978, Sections 11-6A-1 through 11-6A-6 to address the serious problems caused by Driving While Intoxicated ("DWI") in the State;

WHEREAS, a program is established by the State of New Mexico to make grant and distribution funding available to counties and municipalities for new, innovative or model programs, services or activities to prevent or reduce the incidence of DWI, alcoholism and alcohol abuse;

WHEREAS, approval of Grant County's DWI Planning Council and other governmental entities must be received in order to apply for grant and distribution funding; and

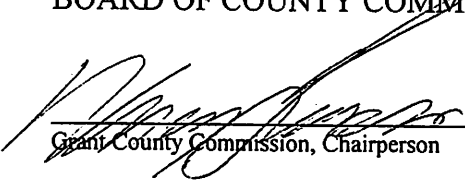
WHEREAS, the County, along with participating agencies, will apply to the Department of Finance and Administration, Local Government Division for program funding,


NOW THEREFORE, be it resolved by the Board of County Commissioners of Grant County that the County Chairperson, on behalf of the County is authorized to submit an application for grant and distribution program funding under the regulations established by the Local Government Division.

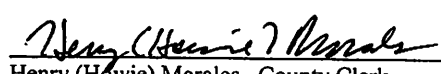
PASSED, APPROVED AND ADOPTED THIS 3 day of February, 2005

BOARD OF COUNTY COMMISSIONERS

DWI PLANNING COUNCIL


Grant County Commission, Chairperson


Mike Rowse, Chairperson


Henry (Howie) Morales, County Clerk

STATE OF NM, GRANT COUNTY
200501529

I hereby certify that this instrument was filed for record on 05/18/2005 at 09:04:37 AM & duly recorded in book 267 page 1529
Pages 1 of 4
Witness my hand & seal of office
HOWIE MORALES, COUNTY CLERK
DEPUTY- CONNIE

**LOCAL DWI GRANT AND DISTRIBUTION PROGRAM
APPLICATION
STATEMENT OF ASSURANCES**

The applicant hereby assures and certifies compliance with the following statutes, rules, regulations, and guidelines associated with the acceptance and use of funds under the New Mexico Local DWI Grant and Distribution Program:

1. Compliance with the provisions of the New Mexico Local DWI Grant Program Act, Section 11-6A-1 NMSA (1978) as amended, the regulations and guidelines in the Administrative Handbook.
2. The applicant has the responsibility and legal authority to receive and expend funds as described in the grant and distribution project description, as well as to finance the grantee share (if any) of costs of the project, including all project overruns.
3. Compliance with the State Procurement Code, with the exception of Home Ruled Governments, and submission of all related procurement documents to the Local Government Division for administrative review and approval, prior to execution, including, but not limited to: requests for professional services (RFPs); advertisements; minutes of pertinent meetings; contract selection and award criteria. All project-related services, activities or programs done through a service provider must be implemented through a professional services contract. Any project-related contract, subcontract or agreement and related amendments, providing services to the grant or distribution program, must be submitted for administrative review by the Division prior to execution.
4. Adherence to all financial and accounting requirements of the Department of Finance and Administration. Distribution programs will include with each quarterly narrative progress report the Grant Fund Agreement Exhibit F, The Local DWI Distribution Program Financial Status Report. Grant programs will include with each quarterly narrative progress report the Local DWI Program Request for Payment/Financial Status Report, Exhibit D.
5. Compliance with the requirement to not budget, nor expend, the grant amount awarded or the amount distributed to **indirect administrative costs** incurred during the grant or distribution fiscal period. Requests for payment or financial status reports shall document all direct program administrative expenditures and in-kind/match administrative expenditures.
6. Compliance with the requirement to not budget, nor expend, greater than **ten percent** of the grant amount awarded or the amount distributed for **capital outlay** incurred

during the grant or distribution fiscal period. Requests for payment or financial status reports shall specify all capital outlay expenditures. **The ten percent cap for capital outlay does not exist with detoxification/treatment grants.**

7. Compliance with the submission of all required reports, including but not limited to: the first quarter narrative and fiscal reports due on the last working day of October; the second quarter narrative and fiscal reports due on the last working day of January; and the third quarter narrative and fiscal reports due on the last working day of April; the fourth and the final quarter narrative and fiscal reports for the fiscal year due the 15th of August; required screening and treatment protocols; required evaluation plans; required fiscal reports; and screening and tracking data reports.
8. Compliance with the Local DWI Grant Program Screening Guidelines, dated September 12, 2000. Screening programs shall not be provided by an alcoholism treatment program serving the judicial districts involved in order to avoid conflict of interest or screening bias. (Section 43-3-11, Part G, NMSA (1978) as amended).
9. Compliance with the Comprehensive Behavioral Health Standards, NMAC 7.20.2, as issued by the New Mexico Department of Health.
10. Adoption by July 1, 2003, of the taxonomy provided in the *NM SA Needs Assessment, Chapter 3. Service Definitions* for alcohol treatment and detoxification services. Alcohol treatment and detoxifications programs and protocols shall conform to these definitions and descriptions of services. Patient placement criteria shall conform by July 1, 2003 to the *ASAM Patient Placement Criteria, Second Edition*.
11. If applicable to the applicant, compliance with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Department of Health and Human Services regulation entitled "Standards for Privacy of Individually Identifiable Health Information", 45 CFR Parts 160 and 164, applicable to entities covered by HIPAA; (the HIPAA Regulations).
12. Any distribution program under run amount for the fiscal year must be returned to the Local DWI Grant Fund by August 30 of the following fiscal year. Failure to remit an under run to the Local DWI Grant Fund will cause suspension of future distributions until the remittance is made.
13. Grant program under runs revert to the Local DWI Grant Fund. Multi-year grant program under runs revert in the last fiscal year of the grant period.
14. Compliance with all applicable conditions and requirements prescribed by the Division in relation to receipt/accountability of state General Funds.

STATE OF NM, GRANT COUNTY
200501529
I hereby certify that this instrument was filed for record on 05/18/2005 at 09:04:37 AM & duly recorded in book 267 page 1531
Pages 3 of 4
Witness my hand & seal of office
HOWIE MORALES, COUNTY CLERK
DEPUTY- CONNIE

15. The grant applicant will follow the scope of work for the grant program, as negotiated with the Local Government Division, and in accordance with the local planning council's approved plan. The applicant will submit any proposed modifications/amendments to the scope of work to the Division for its approval, prior to execution.
16. The distribution program applicant will follow the local planning council's application as approved by DWI Grant Council in the application review process. The applicant will submit any proposed modifications/amendments to this proposal to the Division for its written approval, prior to execution of changes to programs.
17. Compliance with conflict of interest prohibitions whereby no member, officer, or employee of the grant or the distribution program, or its designee or agents, no voting member of the local planning council or of the governing body of the locality in which the program is situated, and no other public official of such locality who exercises any functions or responsibilities with respect to the program during his/her tenure (or for one year thereafter) shall have any interest, direct or indirect, in any contract or subcontract for work to be performed in the program. The grant and/or the distribution program shall incorporate, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purposes of these stated provisions.
18. Compliance with the maintenance of records as will fully disclose the amount and disposition of the total funds from all sources budgeted for the grant or distribution agreement period, the purpose of undertaking for which such funds were used and the amount and nature of all contributions from other sources, and such other records as the Division shall prescribe. Such records shall be preserved for a period of not less than six (6) years following completion of all the conditions of the grant agreement and the distribution program administrative guidelines.
19. The applicant will provide access to authorized State officials and representatives of all books, accounts, records, reports, files, and other papers, things, or property pertaining to the project in order to make audits, examinations, excerpts and transcripts.
20. The applicant will provide DFA's evaluator timely access to all program records and information. Additionally, the applicant will assure that records of subcontractors working for the applicant are retained and made available to DFA's evaluator.

Henry Torres
County Commission Chairperson (or Municipal Mayor) (Please Type)

[Signature] 2/17/05
Signature Date