

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 16

Ordinance/Resolution# 10-11-332

Council District: 4

For Meeting of September 7, 2010

(Adoption Date)

TITLE:

A RESOLUTION AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF FEDERAL AIRPORT IMPROVEMENT PROGRAM GRANT NO. AIP-03-035-0024-24 IN THE AMOUNT OF \$213,648.00, AUTHORIZING THE ACCEPTANCE OF NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION GRANT LRU-10-002 IN THE AMOUNT OF \$5,622.00, AND APPROVING A BID AWARD TO BIXBY ELECTRIC, INC., ALBUQUERQUE, NEW MEXICO, IN THE AMOUNT OF \$153,061.80 PLUS NMGRT OF \$11,575.31 FOR A TOTAL PROJECT AWARD OF \$164,637.11 FOR THE AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) REPLACEMENT PROJECT AT THE LAS CRUCES INTERNATIONAL AIRPORT, AND ADJUSTING THE CITY OF LAS CRUCES FISCAL YEAR 2010-2011 BUDGET IN THE AMOUNT OF \$219,270.00.

PURPOSE(S) OF ACTION: To authorize staff to apply for and accept Federal and State grants for the AWOS Replacement Project and to enter into a contract with Bixby Electric, Inc., Albuquerque, New Mexico for project construction and installation work. This Resolution also includes a budget adjustment to include the FAA and State grant funds that will pay for this project in the City's FY 2010-2011 budget.

Drafter and Staff Contact: Lisa Murphy, Airport Administrator LM		Department: Facilities/Airport		Phone: 541-2471	
Department	Signature	Phone	Department	Signature	Phone
Facilities Director		541-2651	Budget		541-2107
Other			Assistant City Manager		541-2271
Legal		541-2128	City Manager		541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS: The existing Automated Weather Observation System (AWOS) at the Las Cruces International Airport was installed March of 1999, and its replacement has long been an Airport priority project due to its deteriorating condition and mounting maintenance costs. A reliable, functioning AWOS is critical to safe airport operations as it provides current wind, altimeter, visibility, precipitation, cloud cover and temperature information to pilots. Recently, the City was offered an FAA Airport Improvement Program Grant, as well as a New Mexico Department of Transportation Aviation Division Grant, to fund this AWOS Replacement Project. The City's portion will be 2.5% of the project costs.

The AWOS Replacement Project will include upgrade of the electrical system needed to support the system, site preparation, installation of the actual AWOS equipment and associated computer and communications infrastructure, as well as engineering fees, project administration and surveying and geotechnical fees. The project is expected to take approximately 30 calendar days after the AWOS equipment is ordered and arrives on site. The project was first advertised for bids pursuant to Bid # 10-11-305, but when bids were opened on July 7, 2010, only one bid was received. The project was re-bid pursuant to Bid No.10-11-332, but when bids were opened on August 3, 2010, again, only one bid was received, from Bixby Electric, Inc., of Albuquerque, New Mexico, the same original bidder, in the amount of \$153,061.80. It should be noted that the project was bid with two alternates. Bid Alternate One included the replacement of six airfield signs that are extremely faded and no longer meet Federal Aviation Regulations Part 139 certification requirements. Bid Alternate Two included only the AWOS work. FAA has authorized the acceptance of Bid Alternate One, so in addition to the AWOS replacement, the six airfield signs will be replaced as well.

The Purchasing Section has reviewed the bid, found it to be compliant, and as it is lower than the engineer's estimate of \$245,600.00, recommends approval even though there was only one bidder.

The AWOS Replacement Project will cost a total of \$224,893.00. The project total is larger than the bid amount, because in addition to the AWOS installation costs, there are associated engineering, surveying, geotechnical and project administration fees. Some of these fees were incurred several months ago in preparation of bidding the project and were paid out of the General Buildings Capital Outlay Fund, Account Number: 4001-40803020-852100. An additional Budget Adjustment Resolution will be brought to Council to reimburse the aforementioned Fund when FAA reimbursement is received.

This AWOS Replacement Project will be funded as follows: 95% (\$213,648.00) from FAA Airport Improvement Program (AIP) Grant AIP-03-035-0024-24; 2.5% (\$5,622.00) from the New Mexico Department of Transportation Aviation Division Grant LRU-10-002; and it will require a 2.5% (\$5,623.00) match from the City of Las Cruces. The State Aviation Department portion of the funding was already applied for pursuant to Resolution 10-258 on April 19, 2010, therefore, this Resolution will merely accept the State's funding. As FAA funding is dependent upon legislative appropriations and cannot be applied for until bids are received, which occurs well after the City's budget has been finalized, this Resolution includes a Budget Adjustment Request in the amount of \$219,270.00 to include these project costs in the City's Fiscal Year 2010-2011 Adopted Budget. The Budget Adjustment total is less than the project total, because the City's match will come from Airport Operations dollars from the existing Facilities Department Budget.

This project is identified in the Airport's Capital Improvement Plan and is supported by Airport staff and the Airport Advisory Board. Approval of this Resolution will accept the FAA and State Aviation Division Grants and allow the Mayor to sign the Grant Agreements on behalf of the Airport, allow the City to award a contract to Bixby Electric, Inc., of Albuquerque, New Mexico, to perform the work, and will adjust the City's Fiscal Year 2010-2011 budget in the amount of \$219,270.00.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution
2. Purchasing Manager Request to Contract form, Exhibit "A"
3. Budget Adjustment Request, Exhibit "B"
4. Bid Tabulation
5. Engineer's Preliminary Project Budget Summary
6. FAA Grant Application for AIP-03-035-0024-24
7. New Mexico Department of Transportation Aviation Division Grant award letter for LRU-10-022
8. Grant Overview Worksheet
9. Map of proposed AWOS location

SOURCE OF FUNDING:

Is this action already budgeted?	Yes	<input type="checkbox"/>	See fund summary below
	No	<input checked="" type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
		<input checked="" type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____
	No	<input checked="" type="checkbox"/>	There is no new revenue generated by this action.

FUND SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Airport Improvement Fund Federal - AIP Grant	4300 852100-xxxxx	\$213,648	\$-0-	\$-0-	
Airport Improvement Fund State Grant	4300 852100-xxxxx	\$ 5,622	\$-0-	\$-0-	
Airport Operations Fund Local Match	1010 852100-xxxxx	\$ 5,623	\$22,302	\$16,679	General Airport Runway Maintenance

OPTIONS / ALTERNATIVES:

(Continue on additional sheets as required)

1. Vote "Yes"; this will allow the City to proceed with the Replace AWOS Project by applying for and accepting the Federal Aviation Administration Grant AIP-03-035-0024-24, accepting New Mexico Department of Transportation Aviation Division Grant LRU 10-002, awarding a contract to Bixby Electric, Inc., Albuquerque, New Mexico, in the amount of \$153,061.80, and adjusting the City's Fiscal Year 2010-2011 budget in the amount of \$219,270.00.
2. Vote "No"; this will not accept either the FAA or the State Grants, award a contract to Bixby Electric, Inc. to perform the work, or amend the City's Fiscal Year 2010-2011 budget, and will result in a loss of the project.
3. Vote to "Amend"; this would require direction from Council as to what actions staff should take.
4. Vote to "Table"; this could result in delays in submitting the FAA Grant Application and awarding the contract, causing the City to miss FAA deadlines and possibly resulting in the loss of the project.

REFERENCE INFORMATION

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. Resolution No. 10-258

RESOLUTION NO. 10-11-332

A RESOLUTION AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF FEDERAL AIRPORT IMPROVEMENT PROGRAM GRANT NO. AIP-03-035-0024-24 IN THE AMOUNT OF \$213,648.00, AUTHORIZING THE ACCEPTANCE OF NEW MEXICO DEPARTMENT OF TRANSPORTATION AVIATION DIVISION GRANT LRU-10-002 IN THE AMOUNT OF \$5,622.00, AND APPROVING A BID AWARD TO BIXBY ELECTRIC, INC., ALBUQUERQUE, NEW MEXICO, IN THE AMOUNT OF \$153,061.80 PLUS NMGRT OF \$11,575.31 FOR A TOTAL PROJECT AWARD OF \$164,637.11 FOR THE AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) REPLACEMENT PROJECT AT THE LAS CRUCES INTERNATIONAL AIRPORT, AND ADJUSTING THE CITY OF LAS CRUCES FISCAL YEAR 2010-2011 BUDGET IN THE AMOUNT OF \$219,270.00.

The City Council is informed that:

WHEREAS, the City of Las Cruces, New Mexico, a municipal corporation, is the owner of certain real property known as the Las Cruces International Airport; and

WHEREAS, the airport's Automated Weather Observation System (AWOS) is old, in failing condition and in need of replacement; and

WHEREAS, the City has been offered FAA Airport Improvement Program Grant AIP-03-35-0024-24 and New Mexico Department of Transportation Aviation Division Grant LRU-10-002 to fund the Replace AWOS Project; and

WHEREAS, the City solicited bids, Bid No. 10-11-305 from qualified contractors to perform the Replace AWOS work; only one bid was received; and

WHEREAS, in conformance with procurement code requirements, the project was rebid as Bid No. 10-11-332 and again, only one bid was received; and,

WHEREAS, the City has determined that this bid, in the amount of \$153,061.80 plus NMGRT in the amount of \$11,575.31 for a total of \$164,637.11 is compliant and meets all procurement requirements, and

WHEREAS, FAA grant approvals occur well after the City's budget process has been finalized; therefore, funds for this project were not included in the City's Fiscal year 2010-2011 adopted budget.

Resolution No. 10-11-332
Page 2

NOW, THEREFORE, be it resolved by the governing body of the City of Las Cruces:

(I)

THAT application for and acceptance of FAA Airport Improvement Program Grant AIP-03-35-0024-24 in the amount of \$213,648.00 is hereby approved.

(II)

THAT acceptance of NMDOT Aviation Division Grant LRU-10-002 in the amount of \$5,622.00 is hereby approved.

(III)

THAT a bid to perform the Replace AWOS Project is awarded to Bixby Electric, Inc., Albuquerque, New Mexico, in the amount of \$153,061.80 plus NMGRY of \$11,575.31 for a total project award of \$164,637.11.

(IV)

THAT the Purchasing Manager is authorized to contract with Bixby Electric, Inc., as outlined in the signed Purchasing Manager's Request to Contract, attached hereto as Exhibit "A".

(V)

THAT the City's Fiscal Year 2010-2011 Adopted Budget is hereby amended in the amount of \$219,270.00.

(VI)

THAT City staff and officials are directed to do all deeds necessary in the accomplishment of the herein above.

Resolution No. 10-11-332
Page 3

DONE AND APPROVED this _____ day of _____, 2010.

APPROVED:

Mayor

ATTEST:

City Clerk

VOTE:

(SEAL)

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Connor: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

Moved by: _____

Seconded by: _____

APPROVED TO FORM:

City Attorney

CITY OF LAS CRUCES

PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: September 7, 2010

Resolution No. 10-11-332

**Contract Purchase For
Replace AWOS (Re-bid)**

The Las Cruces City Council is provided the following information concerning this request:

BID SOLICITATION INFORMATION:

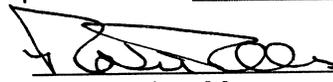
- 1. Bid Due Date: **August 3, 2010**
- 2. Description: **Replace AWOS (Re-bid)**
- 3. Using Department: **Facilities/Airport**
- 4. Number of Responses Accepted: **One (1)**
- 5. Recommended Award(s) To: **Bixby Electric Inc., of Albuquerque, NM**
- 6. Total Award Amount (includes any tax and contingency): **\$164,637.11**
- 7. Contract Duration: **30 calendar days**

LOCAL PREFERENCE FACTOR

Local Preference Factor Applied Per LCMC §24-100	No	<input checked="" type="checkbox"/>	LCMC §24-100 not applicable to this solicitation
	Yes	<input type="checkbox"/>	Made A Difference To Bid Awards(s)
		<input type="checkbox"/>	Made No Difference To Bid Award(s)

PROCUREMENT CODE COMPLIANCE:

The City of Las Cruces Procurement Code was administered in the conduct of this procurement and approval to purchase is hereby requested pursuant to **Section 24-91**.


 Purchasing Manager

1 8/14/2010
 Date

CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION or PURCHASE ORDER NUMBER:	TBD
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**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2010/2011**

FUND	DIVISION		FUND TYPE	
Airport Improvement Fund 4300	Facilities		Capital Project	
	FY 2009/10 Projected*	FY 2010/11 Adopted	Adjustment	FY 2010/11 Adjusted
RESOURCES				
Beginning Balance	\$ 717,248	737,787		737,787
REVENUES				
570010 - Interest Income	\$ 20,539	20,000		20,000
570015 Net Incr (Decr) Fair Value Investment	0	0		0
70B03 - FAA Grant - Airport Lights and Signs	0	0		0
70B03 - State Grant - Airport Lights and Signs	0	0		0
70B04 - State Grant - Master Plan	0	0		0
70C00 - FAA Grant - Air Traffic Control Tower Phase I	19,818	970,182		970,182
70C00 - State - Air Traffic Control Tower Phase I	0	0		0
70B00 - FAA Grant - West End Taxiway	0	0		0
70B00 - State Grant - West End Taxiway	0	0		0
70B08 - Rehab Runway 12-30	0	9,844		9,844
70B08 - State Grant - Rehab Runway 12-30	0	0		0
70B09 - Rehab Runway 12-30	1,918,240	1,207,594		1,207,594
70B09 - Rehab Runway 12-30	71,938	0		0
XXXXX - Automated Weather Observation System FAA	0	0	213,648	213,648
XXXXX - Automated Weather Observation System State	0	0	5,622	5,622
Total Revenues	\$ 2,030,535	2,207,620	219,270	2,426,890
Total Resources	\$ 2,747,783	2,945,407	219,270	3,164,677
EXPENDITURES				
Other Airport Improvement Projects				
70B00 - West End Taxiway	\$ 0	0		0
70C00 - Air Traffic Control Tower	19,818	970,182		970,182
70B08 - Rehab Runway 12-30	0	9,844		9,844
70B09 - Rehab Runway 12-30	1,990,178	1,207,594		1,207,594
70B09 - Rehab Runway 12-30	0	0		0
XXXXX - Automated Weather Observation System	0	0	219,270	219,270
Total Other Airport Improvement Projects	\$ 2,009,996	2,187,620	219,270	2,406,890
Total Expenditures	\$ 2,009,996	2,187,620	219,270	2,406,890
ENDING BALANCE	\$ 737,787	757,787	0	757,787

*Projected based on 8 months actual through February 28, 2010 and 4 months projected.

BID TABULATION

REPLACE AWOS

LAS CRUCES INTERNATIONAL
LAS CRUCES, NEW MEXICO

AIP PROJECT NO. 3-35-0024-PENDING
CITY OF LAS CRUCES BID NO. 09-10-551
DELTA PROJECT NO. 10048

BID OPENING DATE: AUGUST 3, 2010

ITEM SPEC NO.	DESCRIPTION	UNIT	BID QUANTITY	ENGINEERS ESTIMATE		BIXBY ELECTRIC INC.	
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	P-100 MOBILIZATION	LS	1	\$21,000.00	\$21,000.00	\$18,601.00	\$18,601.00
2	P-150 MISCELLANEOUS DEMOLITION	LS	1	\$15,000.00	\$15,000.00	\$4,008.00	\$4,008.00
3	M-103 CLOSED RUNWAY MARKER	EA	2	\$1,800.00	\$3,600.00	\$1,270.00	\$2,540.00
4	M-103 CLOSED TAXIWAY MARKER	EA	4	\$1,000.00	\$4,000.00	\$1,092.00	\$4,368.00
6	M-107 AVIATION BARRICADES	LF	700	\$30.00	\$21,000.00	\$1.79	\$1,253.00
7	M-107 BUCKET BARRICADES	EA	12	\$200.00	\$2,400.00	\$54.65	\$655.80
8	L-108 NO. 8 AWG L-824C CABLE	LF	800	\$2.00	\$1,600.00	\$1.99	\$1,592.00
9	L-108 2/0 AWG 600V TYPE USE CABLE	LF	700	\$2.00	\$1,400.00	\$5.83	\$4,081.00
10	L-108 NO. 6 AWG SOLID TINNED COPPER COUNTERPOISE WIRE	LF	600	\$1.00	\$600.00	\$1.16	\$696.00
11	L-110 ELECTRICAL CONDUIT, 1 WAY - 2" PVC	LF	600	\$5.00	\$3,000.00	\$4.39	\$2,634.00
12	L-115 ELECTRICAL PULLCAN, L-867	EA	1	\$1,000.00	\$1,000.00	\$853.00	\$853.00
13	L-125 L-858 AIRFIELD GUIDANCE SIGN (1 MODULE)	EA	5	\$3,000.00	\$15,000.00	\$2,295.00	\$11,475.00
14	L-115 L-858 AIRFIELD GUIDANCE SIGN (3 MODULE)	EA	1	\$5,000.00	\$5,000.00	\$4,021.00	\$4,021.00
15	L-125 REPLACE HIRL BASE CAN	EA	2	\$500.00	\$1,000.00	\$886.00	\$1,772.00
16	L-126 AWOS SYSTEM, LEVEL III P/T	LS	1	\$150,000.00	\$150,000.00	\$94,512.00	\$94,512.00

DBE % 1.90%

*Denotes extension error

DOES NOT INCLUDE NEW MEXICO GROSS RECEIPTS TAX

TOTALS: \$245,600.00 \$153,061.80

PROJECT COST SUMMARY

**RELOCATE AWOS & AIRFIELD GUIDANCE SIGN REPLACEMENT/INSTALLATION
ALTERNATE 1**

Las Cruces International Airport
Las Cruces, New Mexico

AIP PROJECT NO. 3-35-0024-024-2010
CITY OF LAS CRUCES BID NO. 09-10-551
DELTA PROJECT NO. NM 10048

SPONSOR: City of Las Cruces

Date: August 4, 2010

GRANT AMOUNTS	
FAA (95%)	\$213,648.00
STATE (2.5%)	\$5,622.00
LOCAL (2.5%)	\$5,623.00
TOTAL	\$224,893.00

LINE	CLASSIFICATION	BUDGET AMOUNT	COST THIS REQUEST	TOTAL COST TO DATE	% COMP
a.	ADMINISTRATION				
	DBE Plan	\$3,306.00	\$0.00	\$0.00	
	ICE - (estimate)	\$2,500.00	\$0.00	\$0.00	
	Owner Administration	\$5,000.00	\$0.00	\$0.00	
	Subtotal:	\$10,806.00	\$0.00	\$0.00	0%
d.	ARCHITECTURAL ENGINEERING FEES				
	Design - Delta TO 5-1, Art 7.12	\$21,318.00	\$0.00	\$0.00	
	Design Reimbursables - Delta AMD 5-1, Art 7.13	\$4,313.00	\$0.00	\$0.00	
	New Mexico Gross Receipts Tax (Estimated)	\$2,000.00			
	Subtotal:	\$27,631.00	\$0.00	\$0.00	0%
f.	PROJECT INSPECTION FEES				
	Construction Phase Services - Delta AMD 5-3, Art 7.14	\$19,894.00	\$0.00	\$0.00	
	New Mexico Gross Receipts Tax (Estimated)	\$1,500.00			
	Subtotal:	\$21,394.00	\$0.00	\$0.00	0%
k.	CONSTRUCTION AND PROJECT IMPROVEMENT COST				
	Bixby Electric - Alternate 1	\$153,062.00	\$0.00	\$0.00	
	New Mexico Gross Receipts Tax (Estimated)	\$12,000.00			
	Subtotal:	\$165,062.00	\$0.00	\$0.00	0%

TOTALS: \$224,893.00 \$0.00 \$0.00 0%

FAA	\$213,648.00	\$0.00	
STATE:	\$5,622.00	\$0.00	
LOCAL	\$5,623.00	\$0.00	
TOTAL:	\$224,893.00	\$0.00	0%

**APPLICATION FOR
FEDERAL ASSISTANCE**

2. DATE SUBMITTED See 18e	Applicant Identifier LRU
3. DATE RECEIVED BY STATE	State Application Identifier
4. DATE RECEIVED BY AGENCY	Federal Identifier 3-35-0024-024-2010

1. TYPE OF SUBMISSION	<table border="0"> <tr> <td><i>Application</i></td> <td><i>Pre-application</i></td> </tr> <tr> <td><input checked="" type="checkbox"/> Construction</td> <td><input type="checkbox"/> Construction</td> </tr> <tr> <td><input type="checkbox"/> Non-Construction</td> <td><input type="checkbox"/> Non-Construction</td> </tr> </table>	<i>Application</i>	<i>Pre-application</i>	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Construction	<input type="checkbox"/> Non-Construction	<input type="checkbox"/> Non-Construction
<i>Application</i>	<i>Pre-application</i>						
<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Construction						
<input type="checkbox"/> Non-Construction	<input type="checkbox"/> Non-Construction						

5. APPLICANT INFORMATION

Legal Name: Las Cruces International Airport	Organizational Unit: City of Las Cruces
Organizational DUNS: 077609279	Department: Facilities
Address: Street: P.O. Box 20000	Division: Airport
City: Las Cruces	Name and telephone of person to be contacted on matters involving this application (give area code)
County: Dona Ana	Prefix: Mrs. First Name: Lisa
State: New Mexico Zip Code: 88004	Middle Name: L
Country: United States	Last Name: Murphy
	Suffix:
	Email: lmurphy@las-cruces.org

6. EMPLOYER IDENTIFICATION NUMBER (EIN):	Phone Number (give area code) (575) 541 - 2471	Fax Number (give area code) (575) 527 - 6470
8 5 - 0 6 0 0 0 1 4 7		

8. TYPE OF APPLICATION
<input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision
If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.)
Other (specify)

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NO.
2 0 - 1 0 6

TITLE: **Airport Improvement Program**

12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Las Cruces, Dona Ana County, New Mexico
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13. PROPOSED PROJECT	
Start Date Grant	Ending Date March 2011

15. ESTIMATED FUNDING:	
a. Federal	\$ 213,648.00
b. Applicant	\$.00
c. State	\$ 5,622.00
d. Local	\$ 5,623.00
e. Other	\$.00
f. Program Income	\$.00
g. TOTAL	\$ 224,893.00

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
 Yes, If "Yes", attach an explanation No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.		
a. Authorized Representative		
Prefix Mrs.	First Name: Lisa	Middle Name: L
Last Name: Murphy	Suffix:	
b. Title: Airport Manager	c. Telephone: 575-541-2471	
d. Signature of Authorized Representative:	e. Date Signed:	

PART II
PROJECT APPROVAL INFORMATION
SECTION A

Item 1.
Does this assistance request require State, local, regional, or other priority rating?

Yes No

Name of Governing Body:
Priority:

Item 2.
Does this assistance request require State, or local advisory, educational or health clearances?

Yes No

Name of Agency or Board:
(Attach Documentation)

Item 3.
Does this assistance request require clearinghouse review in accordance with OMB Circular A-95?

Yes No

(Attach Comments)

Item 4.
Does this assistance request require State, local, regional or other planning approval?

Yes No

Name of Approving Agency: NMDOT- Aviation Division

Date: / /

Item 5.
Is the proposal project covered by an approved comprehensive plan?

Yes No

Check one:

State	<input type="checkbox"/>
Local	<input checked="" type="checkbox"/>
Regional	<input type="checkbox"/>

Location of Plan:

Airport Office

Item 6.
Will the assistance requested serve a Federal installation?

Yes No

Name of Federal Installation:

Federal Population benefiting from Project:

Item 7.
Will the assistance requested be on Federal land or installation?

Yes No

Name of Federal Installation:

Location of Federal Land:

Percent of Project:

Item 8.
Will the assistance requested have an impact or effect on the environment?

Yes No

See instruction for additional information to be provided

Item 9.
Will the assistance requested cause the displacement of individuals, families, businesses, or farms?

Yes No

Number of:
Individuals:
Families:
Businesses:
Farms:

Item 10.
Is there other related Federal assistance on this project previous, pending, or anticipated?

Yes No

See instructions for additional information to be provided.

PART II - SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use. - The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

Airspace Zoning

2. Defaults. - The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

None

3. Possible Disabilities. - There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of Part V of this Application, either by limiting its legal or financial ability or otherwise, except as follows:

None

4. Consistency with Local Plans. - The project is reasonably consistent with plans existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

The project is consistent with the Airport Layout Plan and narrative report both of which are being coordinated with the state and local agencies to ensure they coincide with local planning.

5. Consideration of Local Interest - It has given fair consideration to the interest of communities in or near where the project may be located.

True

6. Consultation with Users. In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport which project is proposed.

True

7. Public Hearings. - In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

N/A

8. Air and Water Quality Standards. - In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.

N/A

PART II - SECTION C (Continued)

9. Exclusive Rights – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

None

10. Land. – (a) The sponsor holds the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

An Exhibit "A" is on file with the FAA.

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land* on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

None

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit "A"

None

**State character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.*

PART III - BUDGET INFORMATION - CONSTRUCTION

SECTION A - GENERAL

1. Federal Domestic Assistance Catalog No. 20.106

2. Functional or Other Breakout.....

SECTION B - CALCULATION OF FEDERAL GRANT

Cost Classification	Use only for revisions		Total Amount Required
	Latest Approved Amount	Adjustment + or (-)	
1. Administration expense	\$	\$	\$10,806.00
2. Preliminary expense			
3. Land, structures, right-of-way			
4. Architectural engineering basic fees			\$27,631.00
5. Other Architectural engineering fees			
6. Project inspection fees			\$21,394.00
7. Land development			
8. Relocation Expenses			
9. Relocation payments to Individuals and Businesses			
10. Demolition and removal			
11. Construction and project improvement			\$165,062.00
12. Equipment			
13. Miscellaneous			
14. Total (Lines 1 through 13)			\$ 224,893.00
15. Estimated Income (if applicable)			
16. Net Project Amount (Line 14 minus 15)			\$224,893.00
17. Less: Ineligible Exclusions			
18. Add: Contingencies			
19. Total Project Amt. (Excluding Rehabilitation Grants)			\$224,893.00
20. Federal Share requested of Line 19			\$213,648.00
21. Add Rehabilitation Grants Requested (100 Percent)			
22. Total Federal grant requested (lines 20 & 21)			\$213,648.00
23. Grantee share			\$5,623.00
24. Other shares			\$5,622.00
25. Total Project (Lines 22, 23 & 24)	\$	\$	\$224,893.00

SECTION C - EXCLUSIONS

Classification	Ineligible for Participation (1)	Excluded From Contingency Provision (2)
a.	\$	\$
b.		
c.		
d.		
e.		
f.		
g. Totals	\$	\$

SECTION D - PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE

27. Grantee Share	
a. Securities	
b. Mortgages	
c. Appropriations (By Applicant)	\$5,623.00
d. Bonds	
e. Tax Levies	
f. Non Cash	
g. Other (Explain)	
h. TOTAL - Grantee share	\$5,623.00
28. Other Shares	
a. State	\$5,622.00
b. Other	
c. Total Other Shares	\$5,622.00
29. TOTAL	\$11,245.00

SECTION E - REMARKS

PART IV PROGRAM NARRATIVE (Attach - See Instructions)

PART IV
PROGRAM NARRATIVE
(Suggested Format)

DEPARTMENT OF TRANSPORTATION - FEDERAL AVIATION ADMINISTRATION

OMB NO. 2120-0569

PROJECT : Replace AWOS

AIRPORT : Las Cruces International Airport

1. Objective:

Replace AWOS.

2. Benefits Anticipated:

The existing AWOS has been experiencing failures and requires frequent maintenance. A replacement AWOS will allow for a more reliable system and the addition of a thunderstorm sensor will allow for the reporting of dangerous storms in the area.

3. Approach : *(See approved Scope of Work in Final Application)*

Replace the AWOS in accordance with FAA standards.

4. Geographic Location:

The approximate location of the AWOS is adjacent to the location of the existing system.

5. If Applicable, Provide Additional Information:

6. Sponsor's Representative: *(include address & telephone number)*

Mrs. Lisa L. Murphy

Airport Manager

Las Cruces International Airport

8990 Zia Blvd.

Las Cruces, New Mexico 88007 (575) 541-2471

**ASSURANCES
Airport Sponsors**

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of the grant offer by the sponsor, these assurances are incorporated in and become part of the grant agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.** The terms, conditions and assurances of the grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.
2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.** The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.
3. **Airport Planning Undertaken by a Sponsor.** Unless otherwise specified in the grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 30, 32, 33, and 34 in section C apply to planning projects. The terms, conditions, and assurances of the grant agreement shall remain in full force and effect during the life of the project.

C. Sponsor Certification. The sponsor hereby assures and certifies, with respect to this grant that:

1. **General Federal Requirements.** It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

Federal Legislation

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), *et seq.*¹
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, *et seq.*
- d. Hatch Act - 5 U.S.C. 1501, *et seq.*²

- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.^{1 2}
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).¹
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.¹
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.¹
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Civil Rights Act of 1964 - Title VI - 42 U.S.C. 2000d through d-4.
- o. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- p. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- q. Architectural Barriers Act of 1968 - 42 U.S.C. 4151, et seq.¹
- r. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.¹
- s. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.¹
- t. Copeland Anti kickback Act - 18 U.S.C. 874.¹
- u. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.¹
- v. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- w. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.²
- x. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

Executive Orders

- Executive Order 11246 - Equal Employment Opportunity¹
- Executive Order 11990 - Protection of Wetlands
- Executive Order 11988 - Flood Plain Management
- Executive Order 12372 - Intergovernmental Review of Federal Programs.
- Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction¹
- Executive Order 12898 - Environmental Justice

Federal Regulations

- a. 14 CFR Part 13 - Investigative and Enforcement Procedures.
- b. 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- c. 14 CFR Part 150 - Airport noise compatibility planning.
- d. 29 CFR Part 1 - Procedures for predetermination of wage rates.¹
- e. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
- f. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- g. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).¹

- h. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.³
- i. 49 CFR Part 20 - New restrictions on lobbying.
- j. 49 CFR Part 21 - Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- k. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.
- l. 49 CFR Part 24 - Uniform relocation assistance and real property acquisition for Federal and federally assisted programs.^{1 2}
- m. 49 CFR Part 26 - Participation By Disadvantaged Business Enterprises in Department of Transportation Programs.
- n. 49 CFR Part 27 - Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from Federal financial assistance.¹
- o. 49 CFR Part 29 - Government wide debarment and suspension (non-procurement) and government wide requirements for drug-free workplace (grants).
- p. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- q. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.¹

Office of Management and Budget Circulars

- a. A-87 - Cost Principles Applicable to Grants and Contracts with State and Local Governments.
- b. A-133 - Audits of States, Local Governments, and Non-Profit Organizations

¹ These laws do not apply to airport planning sponsors.

² These laws do not apply to private sponsors.

³ 49 CFR Part 18 and OMB Circular A-87 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in the grant agreement.

2. Responsibility and Authority of the Sponsor.

- a. **Public Agency Sponsor:** It has legal authority to apply for the grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- b. **Private Sponsor:** It has legal authority to apply for the grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person

to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability. It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under the grant agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in the grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in the grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of the grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that

property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.

- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
 - f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in the grant agreement and shall insure that such arrangement also requires compliance therewith.
6. **Consistency with Local Plans.** The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.
 7. **Consideration of Local Interest.** It has given fair consideration to the interest of communities in or near where the project may be located.
 8. **Consultation with Users.** In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.
 9. **Public Hearings.** In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.
 10. **Air and Water Quality Standards.** In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.
 11. **Pavement Preventive Maintenance.** With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such

reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. **Terminal Development Prerequisites.** For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.
13. **Accounting System, Audit, and Record Keeping Requirements.**
 - a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of the grant, the total cost of the project in connection with which the grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
 - b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to the grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which the grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.
14. **Minimum Wage Rates.** It shall include, in all contracts in excess of \$2,000 for work on any projects funded under the grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.
15. **Veteran's Preference.** It shall include in all contracts for work on any project funded under the grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Veterans of the Vietnam era and disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.
16. **Conformity to Plans and Specifications.** It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved

plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into the grant agreement.

17. **Construction Inspection and Approval.** It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.
18. **Planning Projects.** In carrying out planning projects:
- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
 - b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
 - c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
 - d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
 - e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
 - f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
 - g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
 - h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.
19. **Operation and Maintenance.**
- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably

operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary.

In furtherance of this assurance, the sponsor will have in effect arrangements for-

- (1) Operating the airport's aeronautical facilities whenever required;
- (2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
- (3) Promptly notifying airmen of any condition affecting aeronautical use of the airport.

Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.

- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation. It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use. It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-
 - (1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 - (2) charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
 - d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
 - e. Each air carrier using such airport (whether as a tenant, non tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non tenants and signatory carriers and non signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
 - f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
 - g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
 - h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
 - i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.
23. **Exclusive Rights.** It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:
- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
 - b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport.
- It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations,

aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure. It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. Provided, however, that if covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
- c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

26. Reports and Inspections. It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use

agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;

- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of the grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
 - d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - (i) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - (ii) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.
27. **Use by Government Aircraft.** It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that-
- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
 - b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.
28. **Land for Federal Facilities.** It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.
29. **Airport Layout Plan.**
- a. It will keep up to date at all times an airport layout plan of the airport showing (1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto; (2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities; and (3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon. Such airport layout plans and each amendment, revision, or modification thereof, shall

be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

- b. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities.
30. **Civil Rights.** It will comply with such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap be excluded from participating in any activity conducted with or benefiting from funds received from this grant. This assurance obligates the sponsor for the period during which Federal financial assistance is extended to the program, except where Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon in which case the assurance obligates the sponsor or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits, or (b) the period during which the sponsor retains ownership or possession of the property.
31. **Disposal of Land.**
- a. For land purchased under a grant for airport noise compatibility purposes, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will, at the discretion of the Secretary, (1) be paid to the Secretary for deposit in the Trust Fund, or (2) be reinvested in an approved noise compatibility project as prescribed by the Secretary, including the purchase of nonresidential buildings or property in the vicinity of residential buildings or property previously purchased by the airport as part of a noise compatibility program.
 - b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested in another eligible airport improvement project or projects approved by the Secretary at that airport or within the national airport system, or (2) be paid to the Secretary for deposit in the Trust Fund if no eligible project exists.

- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

- 32. **Engineering and Design Services.** It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement **prescribed** for or by the sponsor of the airport.
- 33. **Foreign Market Restrictions.** It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.
- 34. **Policies, Standards, and Specifications.** It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated 6/2/2010 and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.
- 35. **Relocation and Real Property Acquisition.** (1) It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B. (2) It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24. (3) It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.
- 36. **Access By Intercity Buses.** The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport, however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.
- 37. **Disadvantaged Business Enterprises.** The recipient shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure

non discrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26, and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801).

38. **Hangar Construction.** If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. **Competitive Access.**

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
1. Describes the requests;
 2. Provides an explanation as to why the requests could not be accommodated; and
 3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date

**CURRENT FAA ADVISORY CIRCULARS REQUIRED FOR USE IN AIP
FUNDED AND PFC APPROVED PROJECTS**

Dated: 6/2/2010

View the most current versions of these ACs and any associated changes at:
http://www.faa.gov/airports_airtraffic/airports/resources/advisory_circulars

NUMBER	TITLE
70/7460-1K	Obstruction Marking and Lighting
150/5000-13A	Announcement of Availability—RTCA Inc., Document RTCA-221, Guidance and Recommended Requirements for Airports Surface Movement Sensors
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Change 1	Airport Master Plans
150/5070-7	The Airport System Planning Process
150/5200-28D	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30C	Airport Winter Safety and Operations
150/5200-33B	Hazardous Wildlife Attractants On or Near Airports
150/5210-5D	Painting, Marking and Lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Fire and Rescue Communications
150/5210-13B	Water Rescue Plans, Facilities, and Equipment
150/5210-14B	Aircraft Rescue Fire Fighting Equipment, Tools, and Clothing
150/5210-15A	Airport Rescue & Firefighting Station Building Design
150/5210-18A	Systems for Interactive Training of Airport Personnel
150/5210-19A	Driver's Enhanced Vision System (DEVIS)
150/5220-4B	Water Supply Systems for Aircraft Fire and Rescue Protection
150/5220-13B	Runway Surface Condition Sensor Specification Guide
150/5220-16C	Automated Weather Observing Systems for Non-Federal Applications

FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects
June 2, 2010

NUMBER	TITLE
150/5220-17A and Change 1	Design Standards for an Aircraft Rescue Firefighting Training Facility
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20 and Change 1	Airport Snow and Ice Control Equipment
150/5220-21B	Guide Specification for Lifts Used to Board Airline Passengers With Mobility Impairments
150/5220-22A	Engineered Materials Arresting System (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Debris Detection Equipment
150/5300-13 and Changes 1 –15	Airport Design
150/5300-14B	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17B	General Guidance and Specifications for Aeronautical Survey Airport Imagery Acquisition
150/5300-18B	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards
150/5320-5C and Change 1	Surface Drainage Design
150/5320-6E	Airport Pavement Design and Evaluation
150/5320-12C and Changes 1 through 8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-14	Airport Landscaping for Noise Control Purposes

FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects
June 2, 2010

NUMBER	TITLE
150/5320-15A	Management of Airport Industrial Waste
150/5325-4B	Runway Length Requirements for Airport Design
150/5335-5A	Standardized Method of Reporting Airport Pavement Strength PCN
150/5340-1J and Change 2	Standards for Airport Markings (Change 1&2)
150/5340-5C	Segmented Circle Airport Marker System
150/5340-18E	Standards for Airport Sign Systems
150/5340-30D	Design and Installation Details for Airport Visual Aids
150/5345-3F	Specification for L821 Panels for the Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7E	Specification for L824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10F	Specification for Constant Current Regulators Regulator Monitors
150/5345-12E	Specification for Airport and Heliport Beacon
150/5345-13B	Specification for L841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	Specification for L823 Plug and Receptacle, Cable Connectors
150/5345-27D	Specification for Wind Cone Assemblies
150/5345-28F	Precision Approach Path Indicator (PAPI) Systems
150/5345-39C	FAA Specification L853, Runway and Taxiway Retroreflective Markers
150/5345-42F	Specification for Airport Light Bases, Transformer Housings, Junction Boxes and Accessories
150/5345-43F	Specification for Obstruction Lighting Equipment
150/5345-44H	Specification for Taxiway and Runway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures

FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects
June 2, 2010

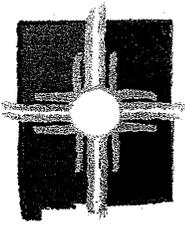
NUMBER	TITLE
150/5345-46D	Specification for Runway and Taxiway Light Fixtures
150/5345-47B	Specifications for Series to Series Isolation Transformers for Airport Lighting System
150/5345-49C	Specification L854, Radio Control Equipment
150/5345-50B	Specification for Portable Runway and Taxiway Lights
150/5345-51A	Specification for Discharge-Type Flasher Equipment
150/5345-52A	Generic Visual Glideslope Indicators (GVGI)
150/5345-53C	Airport Lighting Equipment Certification Program
150/5345-54B	Specification for L-1884, Power and Control Unit for Land and Hold Short
150/5345-55A	Specification for L893, Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56A	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-9	Planning and Design of Airport Terminal Facilities at NonHub Locations
150/5360-12E	Airport Signing and Graphics
150/5360-13 and Change 1	Planning and Design Guidance for Airport Terminal Facilities
150/5370-2E	Operational Safety on Airports During Construction
150/5370-10E	Standards for Specifying Construction of Airports
150/5370-11A	Use of Nondestructive Testing Devices in the Evaluation of Airport Pavement
150/5380-6B	Guidelines and Procedures for Maintenance of Airport Pavements
150/5390-2B	Heliport Design
150/5390-3	Vertiport Design
150/5395-1	Seaplane Bases

**THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY
 DATED: 6/2/2010**

NUMBER	TITLE
150/5100-14D	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-15A	Civil Rights Requirements for the Airport Improvement Program
150/5100-17 and Changes 1 through 6	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5200-37	Introduction to Safety Management Systems (SMS) for Airport Operators
150/5300-15A	Use of Value Engineering for Engineering Design of Airports Grant Projects
150/5320-17	Airfield Pavement Surface Evaluation and Rating (PASER) Manuals
150/5370-6D Change 1-4	Construction Progress and Inspection Report – Airport Grant Program
150/5370-12A	Quality Control of Construction for Airport Grant Projects
150/5370-13A	Offpeak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5380-7A	Airport Pavement Management Program
150/5380-8A	Handbook for Identification of Alkali-Silica Reactivity in Airfield Pavements

**THE FOLLOWING ADDITIONAL APPLY TO PFC PROJECTS ONLY
 DATED: 6/2/2010**

NUMBER	TITLE
150/5000-12	Announcement of Availability – Passenger Facility Charge (PFC) Application (FAA Form 5500-1)



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

Respond to:

NEW MEXICO AVIATION DIVISION
P.O. Box 9830
Albuquerque, NM 87119
505-244-1788 phone
505-244-1790 fax

NOTICE TO PROCEED

6/18/2010

Las Cruces International Airport
Lisa Murphy
Airport Manager
P.O. Box 20000
Las Cruces, NM 88004

Re: LRU-10-002
Replace AWOS

Dear Ms. Murphy:

Please consider this letter as official NOTICE TO PROCEED on the above referenced project between the city and the Aviation Division, which authorizes you to proceed with the scope of services outlined in this Agreement. This Agreement shall not exceed the amount stated in the grant agreement including applicable gross receipts taxes.

Please sign and return to:

NMDOT Aviation Division
PO Box 9830
Albuquerque, NM 87119

Bill Richardson
Governor

Gary L. J. Giron
Cabinet Secretary

David C. Ploeger
Division Director



ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by:

City of Las Cruces
this the 4 day of August, 200200
By: Lisa L. Murphy
Lisa L. Murphy
Print Name

GRANT OVERVIEW WORKSHEET

Title of Grant Program: Airport Improvement Program

Funding Organization: Federal Aviation Administration

Section Applying: Facilities / Airport

Description of Proposed Project: Expected FAA AIP funding for the following airport projects: (See attached sheet)

Strategic Plan	Goal:	Objective:	Strategic Plan:
Performance Budget	Goal:	Objective:	Strategic Plan:

- Existing City Programs/Efforts** *(Ex: request for environmentally-friendly weed management. Parks and Recreation Section's existing budget and work activities include weed management)*
 - Expansion of Existing Program/Efforts** *(Ex: request for advertising to increase public awareness of the Farmer's market. The advertising campaign will be an increase over current activities/budget)*
 - New Initiative, Not Budgeted** *(Ex: request to implement a recreational activity that is currently not included in the City's recreations programs)*
-

Project Maintenance *If the grant specifies that the project must be maintained/operated after the grant period ends, list the requirements:*

Amount Section anticipates requesting: \$902,000

Match Requirement (%) .025%

Projected Match In-kind:
Match Source: General Fund

Cash: \$22,550

Grant Application Due:

Grant Duration *(Months/years):* 3 years

MOU or Joint Powers Agreement Required:

Grant Collaborators *(List other City Departments or Outside Agencies):*

NMDOT State Aviation Division

Employees To Be Hired *(number to be hired, full-time or part-time positions and 1 sentence job responsibilities):*

NONE

GRANT OVERVIEW WORKSHEET

Grant Manager *(Responsible for contract, project operations, budget management, and reports as prescribed)*

Name: Lisa Murphy

Title: Airport Administrator

Phone: 541-2473

E-mail: lmurphy@las-cruces.org

Submitted by: Lisa Murphy

Signature: 

Date: January 19, 2010

Reviewed & Approved by:

Signature: _____

Date:

GRANT OVERVIEW WORKSHEET

Description of Proposed Projects:

Wildlife Hazard Assessment - \$95,000

→ Replacement AWOS - \$237,000

Electronic Airport Layout Plan Survey - \$570,000

RESOLUTION NO. 10-258

A RESOLUTION AUTHORIZING THE APPLICATION FOR TWO GRANTS FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION, FOR PROJECTS AT THE LAS CRUCES INTERNATIONAL AIRPORT, ONE IN THE APPROXIMATE AMOUNT OF \$6,250 FOR THE REPLACEMENT OF THE AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) AND ONE IN THE APPROXIMATE AMOUNT OF \$2,493 FOR A WILDLIFE HAZARD ASSESSMENT.

The City Council is informed that:

WHEREAS, the City of Las Cruces, New Mexico, a municipal corporation, is the owner of certain real property known as the Las Cruces International Airport; and

WHEREAS, the Federal Aviation Administration has identified the City's Automated Weather Observation System (AWOS) as needing replacement; and

WHEREAS, the Federal Aviation Administration is requiring airports to conduct Wildlife Hazard Assessments to mitigate hazards to aviation; and

WHEREAS, the FAA has identified these projects as eligible for a Fiscal Year 2010 -11 Airport Improvement Fund grant; and

WHEREAS, grants from the New Mexico Department of Transportation, Aviation Division, may be available to provide matching funds for these projects; and

WHEREAS, fully executed grant applications, signed by the Mayor, must be submitted to the State to apply for these funds.

NOW, THEREFORE, be it resolved by the governing body of the City of Las Cruces:

(1)

THAT Airport Staff is authorized to apply for two grants from the New Mexico Department of Transportation, one in the approximate amount of \$6,250 for a new AWOS, and one in the approximate amount of \$2,493 for a Wildlife Hazard Assessment at the Las Cruces International Airport.

Resolution No. 10-258

Page 2

(II)

THAT the Mayor is authorized to sign the grant applications on behalf of the Airport.

(III)

THAT funds for these projects are subject to appropriation in Fiscal Year 2010-2011.

DONE AND APPROVED this 19th day of April, 2010.

APPROVED:



Mayor

ATTEST:



City Clerk

VOTE:

Mayor Miyagishima:	<u>Aye</u>
Councillor Silva:	<u>Aye</u>
Councillor Connor:	<u>Aye</u>
Councillor Pedroza:	<u>Aye</u>
Councillor Small:	<u>Absent</u>
Councillor Sorg:	<u>Aye</u>
Councillor Thomas:	<u>Aye</u>

Moved by: Thomas

Seconded by: Connor

APPROVED TO FORM:



City Attorney

MAP OF PROPOSED AWOS LOCATION

