



Public Water System Binding Commitment Letter for DW- 5357

October 1, 2020

Via email to bjohnson@ci.alamogordo.nm.us

City of Alamogordo
Attn: Bob Johnson
1376 E. 9th Street
Alamogordo, NM 88310

The New Mexico Finance Authority's Board of Directors has approved the application submitted by the City of Alamogordo, and hereby commits to make a loan in the amount of \$2,151,300 with a maturity of 22 years. This loan has a construction term of two (2) years, and a repayment term of 20 years. It is funded through the Drinking Water State Revolving Loan Fund and part of it may be forgivable. An interest rate of .34% over the life of the loan applies to the loan portion of this loan.

The Applicant is a qualified public water supply system under federal law, 42 U.S.C. 300j-12, and applicable state law, Sections 6-21A-1, *et seq.*, NMSA 1978, organized and existing under the Laws of New Mexico. The Applicant will finance the water project described in the application, subject to the following terms and conditions of this Binding Commitment Letter.

This Commitment requires that the Applicant submit the documents listed below, to the Finance Authority within 6 months of this commitment: April 1, 2021.

- Signed Binding Commitment Letter
- Executed copy of attached EPA form 4700-4
- Preliminary Engineering Report (PER) or technical memo acceptable to the Finance Authority;
- Cost breakdown of the project, certified by an engineer or architect;
- Detailed drawdown schedule for project payments;
- Engineering Contract Award approval by New Mexico Environment Department (NMED-CPB) and Finance Authority;
- Completion of the State Environmental Review Process approved by the Finance Authority; and
- Any additional information requested by the Finance Authority.

If the conditions set forth above are not satisfied, the commitment may be extended, in the sole discretion of the Finance Authority, for an additional 60 days, during which time the Applicant must submit the remaining documentation to the Finance Authority. Failure on the Applicant's part to submit the above documentation may result in termination of the Authority's Commitment at the sole discretion of the NMFA.

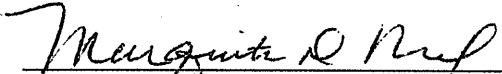


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The following documents will be required before funds will be disbursed for construction:

- 1) Approval of Plans and Specifications by New Mexico Environment Department (NMED-CPB) Construction Programs Bureau and Finance Authority;
- 2) Applicant needs to demonstrate compliance with EPA guidance on System Award Management found at the following website: (<https://www.sam.gov/portal/public/SAM/>)
- 3) Approval of Plans and Specifications by New Mexico Environment Department (NMED-DWB) Drinking Water Bureau prior to construction start;
- 4) Approval of Bids by NMED-CPB and Finance Authority;
- 5) Any additional information requested by Finance Authority.

Closing and funding of the loan has been approved by the Finance Authority's Board of Directors, subject to the terms and conditions set out in this Commitment. The construction of the project must be completed within two years from the date of closing of the loan.



Marquita Russel, Chief Executive Officer
New Mexico Finance Authority

9.30.2020
Date

The undersigned hereby accepts and acknowledges the foregoing commitment and agrees to the terms and conditions thereof.

Applicant: Brian Cesar, City of Alamogordo



Signature of Authority

10/27/2020
Date

City Manager

Title