

**TITLE 20. COMMERCE, BANKING, AND INSURANCE**  
**CHAPTER 8. GREATER ARIZONA DEVELOPMENT AUTHORITY**

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## **ARTICLE 1. TECHNICAL ASSISTANCE**

### **R20-8-101 Definitions**

In addition to the definitions prescribed in A.R.S. § 41-1554, the following definitions apply in this Article:

1. “Administratively complete” means that an applicant has completed the application for technical assistance and provided all of the required information.
2. “Applicant” means a political subdivision, special district, or Indian tribe that applies to the Authority for technical assistance.
3. “Authority” means the Greater Arizona Development Authority.
4. “Board” means the board of directors of the Authority.
5. “Economic impact summary” means an economic analysis that establishes the economic context for a project based on information provided by the applicant.
6. “Economic overview” means an economic analysis that establishes the economic context for a project based on public data and information provided by the applicant.
7. “Infrastructure” means any facility located in this state for public use owned by a political subdivision, special district or Indian tribe that retains responsibility for its operation and maintenance.
8. “Project” means the whole, or any distinguishable segment or segments, of publicly owned infrastructure for which technical assistance is being requested or provided.
9. “Project Assistance Account” means an account within the Technical Assistance Program of the Authority designed to provide technical assistance for eligible infrastructure projects that are in the final phases of project development.
10. “Project Development Account” means an account within the Technical Assistance Program of the Authority designed to provide technical assistance to eligible infrastructure projects that are in the early or exploratory phases of project development.
11. “Staff” means the Executive Director and the Finance Director of the Authority.
12. “Technical assistance round” means a period of time established by the Board during which applications for technical assistance are sent to potential applicants, returned to the Authority, analyzed by Staff, and submitted to the Board for approval or disapproval.

**R20-8-102 Application Process**

- A. The Board shall annually establish a due date by which applications for technical assistance shall be submitted for each technical assistance round, and the number of technical assistance rounds to be held in a given state fiscal year.
- B. The Authority shall send solicitation letters to potential applicants at least 60 days before applications are due. Other interested persons may submit requests to the Authority to be placed on a mailing list to be utilized by the Authority in sending out solicitation letters.
- C. An applicant shall provide the following information to the Authority by the established due date for such applications on a form provided by the Authority:
  - 1. Contact information for the applicant, including name, address, and telephone number;
  - 2. A description of the type of technical assistance being requested and an estimate of the cost of the technical assistance;
  - 3. A detailed description of the project;
  - 4. A summary of the anticipated economic impact the project will have on the community as estimated by the applicant;
  - 5. The estimated starting date, completion date, and projected cost of the infrastructure project for which the technical assistance is being requested;
  - 6. The projected sources and uses of funds for the infrastructure project, including public and private in-kind contributions;
  - 7. A list of professional and outside service providers who have worked with the applicant on any part of the project; and
  - 8. An indication of whether the application is for monies from the Project Development Account or the Project Assistance Account.
- D. In addition to the application required in subsection (C), an applicant shall provide the following information to the Authority by the established due date for such applications:

1. A planning document specific to the locality of the project for which the technical assistance is being requested that includes the project, such as a capital improvement plan, local strategic plan, or similar planning document or evidence that the project has been discussed in meetings or in study sessions of the governing body of the applicant;
  2. If the project is listed on the project priority list of the Water Infrastructure Finance Authority or on the Department of Transportation's Five-Year State Plan, a document evidencing this fact;
  3. A resolution from the governing body of the applicant stating the following:
    - a. The project is in the best interests of the residents;
    - b. The estimated economic impact on the community; and
    - c. The commitment of local funds, if applicable; and
  4. The applicant's most recent financial statements.
- E. Staff shall analyze each application received on or prior to the due date for applications for technical assistance to determine whether the application is administratively complete and whether an applicant meets the eligibility criteria prescribed in R20-8-103. Applications for technical assistance which are determined to be both administratively complete and eligible for technical assistance under R20-8-103 shall be submitted to the Board for prioritization and possible funding. Applications which are either not administratively complete or do not meet the criteria in R20-8-103 shall not be submitted to the Board.

**R20-8-103 Eligibility Criteria**

To be eligible to receive technical assistance, an applicant shall satisfy the following criteria:

1. The applicant is a political subdivision, Indian tribe, or special district;
2. The technical assistance requested is for the development or financing of an infrastructure project;
3. The application is administratively complete;
4. The applicant provides evidence that the project has public support;

5. The applicant provides evidence that the project is part of an adopted comprehensive plan, for example, a capital improvement plan, a local strategic plan, or similar planning document or evidence that the project has been discussed in meetings or in study sessions of the governing body of the applicant;
6. The applicant has the capacity to provide managerial support to the project;
7. The cost of the technical assistance does not exceed 10% of the total cost of the final project;
8. The applicant does not have an open agreement for technical assistance with the Authority; and
9. The applicant is not requesting technical assistance for a project that has already received funds from the Financial Assistance Program.

**R20-8-104 Priority; Approval and Disapproval; Protest**

- A. The Authority shall request the Department of Commerce prepare an economic overview for each of the projects eligible for technical assistance that establishes the economic context for the project.
- B. During each technical assistance round, the Board shall determine the order and priority of infrastructure projects, for both the Project Development Account and the Project Assistance Account, for which an eligible application for technical assistance has been received. For the Project Development Account, the Board shall use a scale of 75 points maximum for all applications based on the criteria in Table A. For the Project Assistance Account, the Board shall use a scale consisting of 95 points maximum for tribal applications and a scale consisting of 100 points maximum for all other applications based on the criteria in Table B. Application scores shall then be prioritized based on a percentage of the points received to total points possible.

- C. Applications for monies from the Project Development Account with tied scores shall be prioritized by comparing the scores that each application received in Table A under the following categories in descending order of importance:
1. Evidence of local support for the project;
  2. Evidence of the project's impact on the community; and
  3. Evidence of sufficient financial and managerial capacity to operate and maintain the project.
- D. The prioritization under subsection (C) is as follows:
1. The tied application with the higher score under subsection (C)(1) shall have priority over other applications;
  2. If the tied applications have the same score under subsection (C)(1), the application with the higher score under subsection (C)(2) shall have priority over the other applications;
  3. If the tied applications have the same score under subsections (C)(1) and (C)(2), the application with the higher score under subsection (C)(3) shall have priority over the other applications;
  4. If the tied applications have the same score under subsections (C)(1), (C)(2), and (C)(3), the Board shall determine the priority of the applications.
- E. Applications for monies from the Project Assistance Account with tied scores shall be prioritized by comparing the scores that each application received in Table B under the following categories in descending order of importance:
1. Evidence of local support for the project;
  2. Evidence of a permanent funding source for the project;
  3. Evidence of the project's impact on the community; and
  4. Evidence of sufficient financial and managerial capacity to operate and maintain the project.

- F. The prioritization under subsection (E) is as follows:
1. The tied application with the higher score under subsection (E)(1) shall have priority over other applications;
  2. If the tied applications have the same score under subsection (E)(1), the application with the higher score under subsection (E)(2) shall have priority over the other applications;
  3. If the tied applications have the same score under subsections (E)(1) and (E)(2), the application with the higher score under subsection (E)(3) shall have priority over the other applications;
  4. If the tied applications have the same score under subsections (E)(1), (E)(2) and (E)(3), the application with the higher score under subsection (E)(4) shall have priority over the other applications;
  5. If the tied applications have the same score under subsections (E)(1), (E)(2), (E)(3) and (E)(4), the Board shall determine the priority of the applications.
- G. The Board shall approve or disapprove each eligible application for technical assistance based upon the priority list and available funding for technical assistance. The Board may fund all or a portion of a technical assistance request.
- H. The Authority shall mail the Board's written determination to each applicant within 90 days after the date that all applications for technical assistance are due.
- I. For each approved project, the Authority shall establish a date by which the commitment of the Authority to provide technical assistance expires. The Authority shall not provide technical assistance for an approved project if the applicant does not complete all agreements with the Authority on or before that date.
- J. The Authority shall bypass a project within a technical assistance round and offer funding to the next highest-ranking project if the project is not ready to proceed within the next 6-month period after the award date.

K. An applicant whose project for technical assistance is disapproved may file a protest with the Board as follows:

1. The applicant shall submit its reasons for protesting the decision of the Board, in writing, within 20 days of the date of the Board's written determination, in a letter addressed to the Chairperson of the Board, with a copy to the Executive Director of the Authority.
2. The Authority shall review the substance of the protest and respond, in writing, by mail, to the applicant, within 30 days. Staff shall distribute a copy of the response to the Board.
3. Upon receipt of the Authority's written response, the applicant may request an opportunity to make a direct presentation to the Board. Staff shall schedule the presentation for the next regular Board meeting.
4. Following the applicant's presentation, the Board shall decide whether to review the applicant's request for technical assistance. Within 30 days after the presentation, the Board shall, in writing, notify the applicant of its final decision regarding the applicant's request for technical assistance.

**TABLE A**

<b>Priority Criteria – PROJECT DEVELOPMENT ACCOUNT</b>		<b>Point Total</b>
<b>1. Evidence of local support for the project based on the following:</b>		<b>30 points</b>
The project is included in the General Plan, Capital Improvement Plan, or other similar planning document of the applicant or has been discussed in meetings or study sessions of the applicant’s governing board.	Up to 15 points	
The project has public/private partnerships that will provide financial or in-kind services.	Up to 10 points	
The project has received a resolution of support from the governing board of the applicant.	5 points	
<b>2. Evidence of the project’s impact on the community based on the following:</b>		<b>30 points</b>
An economic impact summary as prepared and submitted by the applicant.	Up to 10 points	
The project addresses health, safety, and welfare issues.	Up to 10 points	
An economic overview prepared by the Department of Commerce.	Up to 5 points	
The applicant has not previously received funding from the GADA Technical Assistance Program.	5 points	
<b>3. Evidence of sufficient financial and managerial capacity to operate and maintain the project.</b>	Up to 15 points	<b>15 points</b>
<b>Maximum Point Total</b>		<b>75 points</b>

**TABLE B**

<b>Priority Criteria – PROJECT ASSISTANCE ACCOUNT</b>		<b>Point Total</b>
<b>1. Evidence of local support for the project based on the following:</b>		<b>35 points</b>
The project is included in the General Plan, Capital Improvement Plan, or other similar planning document of the applicant or has been discussed in meetings or study sessions of the applicant’s governing board.	Up to 15 points	
The project has public/private partnerships that provide financial or in-kind services.	Up to 10 points	
The project has received a resolution of support from the governing board of the applicant.	5 points	
The project has received voter authorization.*	5 points	
<b>2. Evidence of the project’s impact on the community based on the following:</b>		<b>30 points</b>
An economic impact summary as prepared and submitted by the applicant.	Up to 10 points	
The project addresses health, safety, and welfare issues.	Up to 10 points	
An economic overview prepared by the Department of Commerce	Up to 5 points	
The applicant has not previously received funding from the GADA Technical Assistance program.	5 points	
<b>3. Evidence of a permanent funding source for the project:</b>		<b>20 points</b>
The project is a likely candidate for a GADA Financial Assistance loan.	Up to 10 points	
A revenue stream has been identified to pay for the project.	5 points	
A funding source has been identified for the project.	5 points	
<b>4. Evidence of sufficient financial and managerial capacity to operate and maintain the project.</b>		<b>15 points</b>
<b>Maximum Point Total</b>		<b>95/100 points</b>

\* State law does not require tribal governments to obtain voter authorization for infrastructure projects, therefore, technical applications received from tribal governments will be based on an adjusted 95-point scale, as described in R20-8-104(B).