

**AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ACCEPT A STATE AND TRIBAL ASSISTANCE GRANT ON BEHALF OF THE DEPARTMENT OF WATERSHED IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$776,000.00) FROM THE ENVIRONMENTAL PROTECTION AGENCY; TO AMEND THE FY 2015 BUDGET INTERGOVERNMENTAL GRANT FUND BUDGET (2501) , BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$776,000.00) FOR THE SOUTH RIVER EAST POINT SEWER REPLACEMENT CIPP PROJECT AND FOR OTHER PURPOSES.**

**Workflow List:**

Atlanta City Council	Completed	07/09/2014 12:34 PM
City Utilities Committee	Pending	
Mayor's Office	Pending	

**HISTORY:**

07/07/14	Atlanta City Council	REFERRED WITHOUT OBJECTION
----------	----------------------	----------------------------

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 7/15/2014 9:30 AM</b>
----------------	-----------------------------------	--------------------------------

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 7/15/2014 9:30 AM</b>
----------------	-----------------------------------	--------------------------------

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

**CITY COUNCIL  
ATLANTA, GEORGIA**

14-O-1360

**SPONSOR SIGNATURES**



Natalyn Mosby Archibong, Councilmember, District 5

**AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ACCEPT A STATE AND TRIBAL ASSISTANCE GRANT ON BEHALF OF THE DEPARTMENT OF WATERSHED IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$776,000.00) FROM THE ENVIRONMENTAL PROTECTION AGENCY; TO AMEND THE FY 2015 BUDGET INTERGOVERNMENTAL GRANT FUND BUDGET (2501) , BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$776,000.00) FOR THE SOUTH RIVER EAST POINT SEWER REPLACEMENT CIPP PROJECT AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta ("City's"), as owner and operator of a water and wastewater system, in its quest to gain assisted funding for ongoing rehabilitation associated with the City's water and wastewater system, desires to apply for offers of grants-in-aid for various projects at associated with the City's Consent Decree, Clean Water Atlanta, and Hazard Mitigation projects; and

WHEREAS, each year, the United States Environmental Protection Agency ("EPA") receives a budget through an appropriations bill created by the Congress of the United States and signed by the President; and

WHEREAS, since 1994, the EPA's budget for State and Tribal Assistance Grants ("STAG"), also referred to as Special Appropriations Projects (SP APs) , has included funding for a number of "special needs" projects identified in the appropriations bills by name and dollar amount; and

WHEREAS, the authority to award the STAG/SP AP grants has been given to the ten regional offices within EPA; and

WHEREAS, Region 4 in Atlanta, Georgia, awards the SP APs grants for the southeastern states, including Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; and

WHEREAS, the City received Congressional Special Appropriations for Sewer System Rehabilitation for Federal Fiscal Year 2009 in the amount of Two Hundred Ninety-One Thousand Dollars and No Cents (\$291,000.00); and

WHEREAS, the City received Congressional Special Appropriations for Sewer System Infrastructure Improvements for Federal Fiscal Year 2010 in the amount of Four Hundred Eighty-Five Thousand Dollars and No Cents (\$485,000.00); and

WHEREAS, the City authorized the Mayor to apply for, accept and implement grant funds and programs and execute documents associated with STAG and SP AP funds, pursuant to Code Section 2-910, for any Watershed Management projects which are determined to be eligible for assistance, subject, if applicable, to the availability of matching funds in Watershed budget or as otherwise appropriated by the Atlanta City Council pursuant to Resolution

Number 11R1499; and

WHEREAS, the Department of Watershed Management applied for STAG/SPAP Grant XPOOD07813 for the aforementioned Congressional Special Appropriations for Sewer System Rehabilitation and Sewer System Infrastructure Improvements in an amount of Seven Hundred Seventy-Six Thousand Dollars and No Cents (\$776,000.00); and

Whereas, the EPA issued the Department of Watershed Management of the Notice for Award for STAG/SPAP Grant XPOOD07813 in an amount of Seven Hundred Seventy-Six Thousand Dollars and No Cents (\$776,000.00) for the South River East Point Sewer Replacement CIPP Project ).

BE IT Ordained BY THE City COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Chief Financial Officer is authorized to amend the FY 2015 Budget (Intergovernmental Grant Fund) (250 1) Budget as follows:

**ADD TO ANTICIPATIONS**

Award	Fund Intergovt Grant Fund	Department Lease/ Purchase Land	Account Fed-Direct-(OC) Received Directly From Federal-Grants	Function/ Activity New Sewer Services	Project	Fund Source
250132200	2501	171002	3311101	4333000	17102648	32200
						<b>\$776,000.00</b>

**ADD TO APPROPRIATIONS**

Award	Fund Intergovt Grant Fund	Department Lease/ Purchase Land	Account Facilities Other Than Bldgs/ Infrastructure - CIP	Function/ Activity New Sewer Services	Project
250132200	2501	171002	5414002	4333000	17102648
					<b>\$776,000.00</b>

Section 2:

That all ordinances and parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

**AN ORDINANCE BY**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ACCEPT A STATE AND TRIBAL ASSISTANCE GRANT ON BEHALF OF THE DEPARTMENT OF WATERSHED IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$776,000.00) FROM THE ENVIRONMENTAL PROTECTION AGENCY; TO AMEND THE FY 2015 BUDGET INTERGOVERNMENTAL GRANT FUND BUDGET (2501) , BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$776,000.00) FOR THE SOUTH RIVER EAST POINT SEWER REPLACEMENT CIPP PROJECT ; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (“City’s”), as owner and operator of a water and wastewater system, in its quest to gain assisted funding for ongoing rehabilitation associated with the City’s water and wastewater system, desires to apply for offers of grants-in-aid for various projects at associated with the City’s Consent Decree, Clean Water Atlanta, and Hazard Mitigation projects; and

**WHEREAS**, each year, the United States Environmental Protection Agency (“EPA”) receives a budget through an appropriations bill created by the Congress of the United States and signed by the President; and

**WHEREAS**, since 1994, the EPA’s budget for State and Tribal Assistance Grants (“STAG”), also referred to as Special Appropriations Projects (SPAPs), has included funding for a number of “special needs” projects identified in the appropriations bills by name and dollar amount; and  
**WHEREAS**, the authority to award the STAG/SPAP grants has been given to the ten regional offices within EPA; and

**WHEREAS**, Region 4 in Atlanta, Georgia, awards the SPAPs grants for the southeastern states, including Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; and

**WHEREAS**, the City received Congressional Special Appropriations for Sewer System Rehabilitation for Federal Fiscal Year 2009 in the amount of Two Hundred Ninety-One Thousand Dollars and No Cents (\$291,000.00); and

**WHEREAS**, the City received Congressional Special Appropriations for Sewer System Infrastructure Improvements for Federal Fiscal Year 2010 in the amount of Four Hundred Eighty-Five Thousand Dollars and No Cents (\$485,000.00); and

**WHEREAS, the City** authorized the Mayor to apply for, accept and implement grant funds and programs and execute documents associated with STAG and SPAP funds, pursuant to Code Section 2-910, for any Watershed Management projects which are determined to be eligible for assistance, subject, if applicable, to the availability of matching funds in Watershed budget or as otherwise appropriated by the Atlanta City Council pursuant to Resolution Number 11R1499; and

**WHEREAS, the Department of Watershed Management** applied for STAG/SPAP Grant XP00D07813 for the aforementioned Congressional Special Appropriations for Sewer System Rehabilitation and Sewer System Infrastructure Improvements in an amount of Seven Hundred Seventy-Six Thousand Dollars and No Cents (\$776,000.00); and

Whereas, the EPA issued the Department of Watershed Management of the Notice for Award for STAG/SPAP Grant XP00D07813 in an amount of Seven Hundred Seventy-Six Thousand Dollars and No Cents (\$776,000.00) for the South River East Point Sewer Replacement CIPP Project ).

**BE IT Ordained BY THE City COUNCIL OF THE CITY OF ATLANTA, GEORGIA,**  
*as follows:*

**Section 1:** That the Chief Financial Officer is authorized to amend the FY 2015 Budget (Intergovernmental Grant Fund) (2501) Budget as follows:

**ADD TO ANTICIPATIONS**

Award	Fund Intergovt Grant Fund	Department Lease/ Purchase Land	Account Fed-Direct-(OC) Received Directly From Federal-Grants	Function/ Activity New Sewer Services	Project	Fund Source
250132200	2501	171002	3311101	4333000	17102648	32200
						<b>\$776,000.00</b>

**ADD TO APPROPRIATIONS**

Award	Fund <b>Intergovt Grant Fund</b>	Department <b>Lease/ Purchase Land</b>	Account Facilities Other Than Bldgs/ Infrastructure - CIP	Function/ Activity <b>New Sewer Services</b>	Project
250132200	2501	171002	5414002	4333000	17102648
					<b>\$776,000.00</b>

**Section 2:**

That all ordinances and parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

FINAL COUNCIL ACTION  
 2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>  3<sup>rd</sup>  
 Readings  
 Consent  V Vote  RC Vote

*Shatata Curbidge*

AN ORDINANCE BY  
 AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ACCEPT A STATE AND TRIBAL ASSISTANCE GRANT ON BEHALF OF THE DEPARTMENT OF WATERSHED IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$776,000.00) FROM THE ENVIRONMENTAL PROTECTION AGENCY; TO AMEND THE FY 2015 BUDGET INTERGOVERNMENTAL GRANT FUND BUDGET (2501) , BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF SEVEN HUNDRED SEVENTY-SIX THOUSAND DOLLARS AND NO CENTS (\$776,000.00) FOR THE SOUTH RIVER EAST POINT SEWER REPLACEMENT CIPP PROJECT ; AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Committee	Date	Action	Fav, Adv, Hold (see rev. side)	Other	Members
Committee	Date	Chair			
Refer To					
Committee	Date	Chair			
Refer To					
Committee	Date	Chair			
Refer To					
Committee	Date	Chair			
Refer To					

MAYOR'S ACTION

CERTIFIED

**11-R-1499**

(Do Not Write Above This Line)

A RESOLUTION  
BY *Nafelyn Archibong*  
*Matahi Archibong*

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT AND OBLIGATE ALL STATE AND TRIBAL ASSISTANCE GRANTS, ALSO REFERRED TO AS SPECIAL APPROPRIATIONS PROJECTS FROM GRANT FUNDS AND PROGRAMS FROM STATE AND FEDERAL AGENCIES AND EXECUTE DOCUMENTS ASSOCIATED WITH SUCH GRANTS FOR PROJECTS IN THE DEPARTMENT OF WATERSHED MANAGEMENT DURING THE 2012 FISCAL YEAR; AND FOR OTHER PURPOSES.

**ADOPTED BY**

OCT 17 2011

**COUNCIL**

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

**First Reading**

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

**Committee**

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

**Committee**

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

**Committee**

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

**Committee**

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

- FINAL COUNCIL ACTION**
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

**CERTIFIED**

OCT 17 2011

ATLANTA CITY COUNCIL PRESIDENT

*[Signature]*

**CERTIFIED**

OCT 17 2011

*[Signature]*  
MUNICIPAL CLERK

**MAYOR'S ACTION**

**APPROVED**

OCT 26 2011

WITHOUT SIGNATURE  
BY OPERATION OF LAW



11- R -1499

**A RESOLUTION**

**BY** *Natalyn Archibong*  
*Natalyn Archibong*

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT AND OBLIGATE ALL STATE AND TRIBAL ASSISTANCE GRANTS, ALSO REFERRED TO AS SPECIAL APPROPRIATIONS PROJECTS FROM GRANT FUNDS AND PROGRAMS FROM STATE AND FEDERAL AGENCIES AND EXECUTE DOCUMENTS ASSOCIATED WITH SUCH GRANTS FOR PROJECTS IN THE DEPARTMENT OF WATERSHED MANAGEMENT DURING THE 2012 FISCAL YEAR; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (“City’s”), as owner and operator of a water and wastewater system, in its quest to gain assisted funding for ongoing rehabilitation associated with the City’s water and wastewater system, desires to apply for grants-in-aid for various projects associated with the City’s Consent Decree, Clean Water Atlanta, and Hazard Mitigation projects; and

**WHEREAS**, each year, the United States Environmental Protection Agency (“EPA”) receives a budget through an appropriations bill created by the Congress of the United States and signed by the President; and

**WHEREAS**, since 1994, the EPA’s budget for State and Tribal Assistance Grants (“STAG”), also referred to as Special Appropriations Projects (SPAPs), has included funding for a number of “special needs” projects identified in the appropriations bills by name and dollar amount; and

**WHEREAS**, the authority to award the STAG/SPAP grants has been given to the ten regional offices within EPA; and

**WHEREAS**, Region 4 in Atlanta, Georgia, awards the SPAPs grants for the southeastern states, including Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; and

**WHEREAS**, the timing and the amount of the various grant offers are accompanied by short deadlines for application, acceptance and the execution of grant documents. Failure to meet the deadlines means the opportunity to obtain such funding may be lost; and

**WHEREAS**, it is prudent, therefore, to provide blanket authorization during the 2012 fiscal year for the Mayor to apply for STAG or SPAP funds, accept and implement grant funds and programs, obligate the funds, and execute documents associated with such grants in a timely manner to ensure that no opportunities for funding will be lost.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor is authorized to apply for, accept, and obligate grant funds and execute documents associated with STAG or SPAP funds from state and federal agencies during the 2012 fiscal year, pursuant to Code Section 2-910, for any Watershed Management projects which are determined to be eligible for such assistance, subject, if applicable, to the availability of

Attachment: 11R1499 (3) (14-O-1360 : South River East Point Sewer Replacement)

matching funds in the Department of Watershed Management budget or as otherwise appropriated by the Atlanta City Council.

**BE IT FURTHER RESOLVED**, that the Commissioner of the Department of Watershed Management, on a quarterly basis, shall provide the Atlanta City Council with written notice of all grants applied for and accepted during the prior quarterly period for fiscal year 2012.

**BE IT FINALLY RESOLVED**, that all resolutions or parts of resolutions in conflict herewith are hereby waived to the extent of the conflict.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED as per City Charter Section 2-403

Oct. 17, 2011  
Oct. 26, 2011

Attachment: 11R1499 (3) (14-O-1360 : South River East Point Sewer Replacement)

RCS# 1501  
10/17/11  
4:10 PM

Atlanta City Council

REGULAR SESSION

PERSONAL

WATER/WASTEWATER GRANT FUNDING

ADOPT ARCHIBONG

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	B Sheperd	NV Mitchell

PERSONAL

Attachment: 11R1499 (3) (14-O-1360 : South River East Point Sewer Replacement)

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>	<b>GRANT NUMBER (FAIN):</b> 00D07813 <b>MODIFICATION NUMBER:</b> 1 <b>PROGRAM CODE:</b> XP	<b>DATE OF AWARD</b> 04/22/2014
		<b>TYPE OF ACTION</b> No Cost Amendment	<b>MAILING DATE</b> 04/22/2014
		<b>PAYMENT METHOD:</b> Reimbursement	<b>ACH#</b> 40503
<b>RECIPIENT TYPE:</b> Municipal		<b>Send Payment Request to:</b> Natalie Ellington, Infrastructure Section Chief, ellington.natalie@epa.gov, 404-562-9453	
<b>RECIPIENT:</b> City of Atlanta Dept. of Watershed Mgt. 55 Trinity Ave., Suite 5900 Atlanta, GA 30303 EIN: 58-6000511		<b>PAYEE:</b>  55 Trinity Ave., Suite 5900 Atlanta, GA 30303	
<b>PROJECT MANAGER</b> Jo Ann J. Macrina 55 Trinity Ave., Suite 5900 Atlanta, GA 30303 E-Mail: jmacrina@atlanta.gov Phone: 404-330-6138		<b>EPA PROJECT OFFICER</b> Conredge Lewis 61 Forsyth Street Atlanta, GA 30303-8960 E-Mail: lewis.conredge@epa.gov Phone: 404-562-8967	<b>EPA GRANT SPECIALIST</b> William Lundy Grants and Audit Management Section E-Mail: Lundy.William@epamail.epa.gov Phone: 404-562-8417
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Congressionally Mandated Projects  This action approves an extension of the project/budget period from 12/27/2013 to 09/30/2014. The additional time is needed in order for the City of Atlanta Department of Watershed Management to complete the parameters of their project.			
<b>BUDGET PERIOD</b> 02/16/2010 - 09/30/2014	<b>PROJECT PERIOD</b> 02/16/2010 - 09/30/2014	<b>TOTAL BUDGET PERIOD COST</b> \$1,611,570.00	<b>TOTAL PROJECT PERIOD COST</b> \$1,611,570.00
<b>NOTICE OF AWARD</b>			
Based on your Application dated 06/27/2012 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$0. EPA agrees to cost-share 48.15% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$776,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b>  61 Forsyth Street Atlanta, GA 30303-8960		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 4 Water Protection Division 61 Forsyth Street Atlanta, GA 30303-8960	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
<b>Digital signature applied by EPA Award Official</b> William E. Lundy - Grants Management Specialist			<b>DATE</b> 04/22/2014

### EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 776,000	\$ 0	\$ 776,000
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 835,570	\$	\$ 835,570
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,611,570	\$ 0	\$ 1,611,570

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.202 - Congressionally Mandated Projects	FY 2009 Omnibus Appropriations Act (PL 111-8) Public Law 111-88 Department of Interior Environment and Related Agencies Appropriations Act 2010	40 CFR PART 31

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation

Attachment: GA AtlantaWatershed XP00D078131 NCE 04 22 14 (2) (14-O-1360 : South River East Point Sewer Replacement)

<b>Approved Budget</b>	
Program Element Classification (Construction)	Approved Allowable Budget Period Cost
1. Administration Expense	\$0
2. Preliminary Expense	\$0
3. Land Structure, Right Of Way	\$0
4. Architectural Engineering Basic Fees	\$0
5. Other Architectural Engineering Fees	\$0
6. Project Inspection Fees	\$0
7. Land Development	\$0
8. Relocation Expenses	\$0
9. Relocation Payments to Individuals & Bus.	\$0
10. Demolition and Removal	\$0
11. Construction and Project Improvement	\$1,611,570
12. Equipment	\$0
13. Miscellaneous	\$0
14. Total (Lines 1 thru 13)	\$1,611,570
15. Estimate Income	\$0
16. Net Project Amount (Line 14 minus 15)	\$1,611,570
17. Less: Ineligible Exclusions	\$0
18. Add: Contingencies	\$0
19. Total (Share: Recip <u>51.85%</u> Fed <u>48.15%</u> )	\$1,611,570
20. TOTAL APPROVED ASSISTANCE AMOUNT	\$776,000

Attachment: GA Atlanta Watershed XP00D078131 NCE 04 22 14 (2) (14-O-1360 : South River East Point Sewer Replacement)

## **Administrative Conditions**

The following Administrative Term and Condition is modified in this Agreement:

### **12. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

#### **GENERAL COMPLIANCE, 40 CFR, Part 33**

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR, Part 33.

#### **FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D**

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements.

In accordance with 40 CFR, Section 33.411 some recipients may be exempt from the fair share objectives requirements as described in 40 CFR, Part 33, Subpart D. Recipients should work with their DBE coordinator, if they think their organization may qualify for an exemption.

#### **Accepting the Fair Share Objectives/Goals of Another Recipient**

The dollar amount of this assistance agreement, or the total dollar amount of all of the recipient's financial assistance agreements in the current federal fiscal year from EPA is \$250,000, or more. The recipient accepts the applicable MBE/WBE fair share objectives/goals negotiated with EPA by the State of Georgia as follows:

MBE: 4.0 CONSTRUCTION 4.0; SUPPLIES 4.0; SERVICES 4.0; EQUIPMENT

WBE: 4.0 CONSTRUCTION 4.0; SUPPLIES 4.0; SERVICES 4.0; EQUIPMENT

By signing this financial assistance agreement, the recipient is accepting the fair share objectives/goals stated above and attests to the fact that it is purchasing the same or similar construction, supplies, services and equipment, in the same or similar relevant geographic buying market as State of Georgia.

#### **Negotiating Fair Share Objectives/Goals, 40 CFR, Section 33.404**

The recipient has the option to negotiate its own MBE/WBE fair share objectives/goals. If the recipient wishes to negotiate its own MBE/WBE fair share objectives/goals, the recipient agrees to submit proposed MBE/WBE objectives/goals based on an availability analysis, or disparity study, of qualified MBEs and WBEs in their relevant geographic buying market for construction, services, supplies and equipment.

The submission of proposed fair share goals with the supporting analysis or disparity study means that the recipient is **not** accepting the fair share objectives/goals of another recipient. The recipient agrees to submit proposed fair share objectives/goals, together with the supporting availability analysis or disparity study, to the Regional MBE/WBE Coordinator within 120 days of its acceptance of the financial assistance award. EPA will respond to the proposed fair share objective/goals within 30 days of receiving the submission. If proposed fair share objective/goals are not received within the 120 day time frame, the recipient may not expend its EPA funds for procurements until the proposed fair share objective/goals are submitted.

#### **SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C**

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

- (a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- (b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

(c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

(d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

#### **MBE/WBE REPORTING, 40 CFR, Part 33, Subpart E**

MBE/WBE reporting is limited to annual reports and only required for assistance agreements where one or more the following conditions are met:

- (a) there are any funds budgeted in the contractual, equipment or construction lines of the award;
- (b) \$3,000 or more is included for supplies; or
- (c) there are funds budgeted for subawards or loans in which the expected budget(s) meet the conditions as described in items (a) and (b).

This award meets one or more of the conditions as described above, therefore, the recipient agrees to complete and submit a "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" report (EPA Form 5700-52A) on an annual basis.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. Annual reports are due by October 30<sup>th</sup> of each year. Final reports are due within 90 days after the end of the project period.

The reporting requirement is based on planned procurements. Recipients with funds budgeted for non-supply procurement and/or \$3,000 or more in supplies are required to report annually whether the planned procurements take place during the reporting period or not. If no procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

MBE/WBE reports should be sent to **[insert name and contact information of the appropriate DBE coordinator and Grants Specialist (optional)]**. The current EPA Form 5700-52A can be found at the EPA Office of Small Business Program's Home Page at [http://www.epa.gov/osbp/dbe\\_reporting.htm](http://www.epa.gov/osbp/dbe_reporting.htm)

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502; however, the other requirements outlined in 40 CFR Part 33 remain in effect, including the Fair Share Objectives negotiation as described in 40 CFR Part 33 Subpart D.

#### **CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302**

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

#### **BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)**

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

**All other Administrative Terms and Conditions remain the same.**

**Programmatic Conditions**

All Programmatic Terms and Conditions Remain the Same

Attachment: GA AtlantaWatershed XP00D078131 NCE 04 22 14 (2) (14-O-1360 : South River East Point Sewer Replacement)