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Division of Environmental Health and Engineering

HECPA

Cooperative Project Agreement

A Health Facility Improvement Project Between:
The Alaska Native Tribal Health Consortium and
The Bristol Bay Area Health Corporation and
The Village of Perryville, Alaska
Project No. AN 07-GI9
July 2007

COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
VILLAGE OF PERRYVILLE, ALASKA

PROJECT NO. AN 07-GI9

To complete this project, ANTHC, the Bristol Bay Area Health Corporation and the Village of Perryville mutually agree to the terms and conditions contained in this Agreement.

PREPARED BY: 7/10/07 Date

Kelly Leseman, P.E.
Project Engineer
DEHE, ANTHC

RECOMMENDED BY: 7/10/07 Date

David Beveridge, P.E.
Regional Manager
DEHE, ANTHC

APPROVED BY: 7/18/07 Date

Paul Sherry
Chief Executive Officer
ANTHC

APPROVED BY: 7/16/07 Date

Rose Heyano for RJC

Robert J. Clark
Chief Executive Officer
BBAHC

APPROVED BY: 7/11/07 Date

President, Village of Perryville, Alaska

COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
VILLAGE OF PERRYVILLE, ALASKA

PROJECT NO. AN 07-GI9

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COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
VILLAGE OF PERRYVILLE, ALASKA

PROJECT NO. AN 07-GI9

DATE OF AGREEMENT:
July 2007

A. INTRODUCTION

Throughout this Cooperative Project Agreement (CPA) these entities are referred to as follows:

Village of Perryville	=	Village
Alaska Native Tribal Health Consortium	=	ANTHC
Division of Environmental Health and Engineering	=	DEHE
Indian Community Development Block Grant	=	ICDBG
Indian Health Service	=	IHS
Bristol Bay Area Health Corporation	=	BBAHC
Alaska Mental Health Trust Authority	=	AMHTA
Denali Commission	=	Commission

The ANTHC, DEHE, role is to provide lasting solutions to promote healthy communities.

This CPA contains information about the project scope of work, funding, costs, and administration, and is being performed under the provisions of the following agreements:

- Memorandum of Understanding for the Health Program Activities Between the Denali Commission and the Alaska Native Tribal Health Consortium, dated May 2007. This MOU defines the roles and responsibilities of each party.
- Denali Commission Financial Assistance Award No. 288-07, Amendment No. 1, dated June 2007.

B. SCOPE OF PROJECT

This project will construct a new multi-use building in the Village of Perryville, Alaska. The building will include a clinic, space for additional offices, and a large multipurpose room. Project activities include site preparation, materials and equipment, construction, and labor.

C. PROJECT COST

C 1. Cost Estimate Table

Job Type	Scope of Work	Qty	Units	Unit Cost	Total Cost	Funding Sources				
						Denali FY07	ICDBG FY07	Village	IHS FY07	AMHTA
M-CL	Construct new multi-use building	1	LS	3,807,509	3,807,509	2,710,153	500,000	396,000	176,356	25,000
				Perryville Award	**$3,807,509**	**$2,710,153**	**$500,000**	**$396,000**	**$176,356**	**$25,000**
M-CB	ANTHC Support Services Charges				333,280	333,280				
				Total Award	$4,140,789	$3,043,433	$500,000	$396,000	$176,356	$25,000

C 2. Project Funding

Contributor	Fiscal Year	Description	Amount
Denali Commission	Federal 2007	NA	$ 3,043,433
ICDBG	Federal 2007	NA	$ 500,000
Village	NA	NA	$ 396,000
IHS	Federal 2007	NA	$ 176,356
AMHTA	NA	NA	$ 25,000
TOTAL PROJECT FUNDING			$ 4,140,789

By signing this Agreement, the Village agrees its ICDBG, Village and AMHTA matching funds shall be transferred to ANTHC and used for the project. Likewise, BBAHC agrees its IHS Tribal Equipment matching funds shall be transferred to ANTHC and used for the project. If these matching funds are not made available, project activities will be curtailed.

D. PROJECT ADMINISTRATION

In conformance with the Commission's Financial Assistance Award, the following project management methodology is selected by the Village:

Construction management shall be accomplished by ANTHC or its Contractor. ANTHC shall take responsibility for all project oversight, technical assistance, and management of the construction process. Project construction shall be through ANTHC force account.

Construction activities are expected to begin by July 2007 and be finished by July 2008.

This Agreement shall take effect upon signature by all parties and remain in effect until the expiration of the "performance period" specified within the Commission's Financial Assistance Award, or subsequent amendment(s) or addendum(s).

E. SUSTAINED OPERATIONS CONSIDERATIONS

The Village will assume the ownership and maintenance of the facility provided by this project, with the exception of medical equipment. BBAHC will operate the services and own and maintain medical equipment provided by this project.

F. ENVIRONMENTAL REVIEW REQUIREMENTS

The environmental review of this project was conducted by the Village, and the U.S. Department of Housing and Urban Development has concurred. ANTHC was not involved in the review or concurrence.

G. NATIONAL HISTORIC PRESERVATION ACT REQUIREMENTS

The National Historic Preservation Act (NHPA) provides for cultural resources identification and protection through avoidance or mitigation to avoid unnecessary disturbance of reported or known human burials. NHPA also requires tribes to be consulting parties if archeological discoveries are made during construction.

The Native American Graves Protection and Repatriation Act (NAGPRA) contains stipulations regarding the appropriate treatment and disposition of human burials, funerary, and associated items discovered on Federal lands or Indian Allotments. NAGPRA recognizes the inherent rights and claims of the Native people but often is inapplicable to ANTHC projects. For this reason, as a policy ANTHC recognizes the inherent rights and claims of the tribal entity when human remains and associated items are uncovered through construction projects.

Therefore, if construction for this project results in the discovery of ancient cultural items

(i.e., human burials, associated items, and/or archaeological artifacts), ANTHC will ensure that the Native Village of Perryville will be a consulting party. In addition, the following responsibilities are assumed by the project participant in order to comply with NHPA, NAGPRA, and ANTHC policy recognizing inherent rights and claims:

- Identifying any known or reported archaeological site, artifact, or ancient human remains to avoid unnecessary damage to sensitive resources.
- Delaying construction in the vicinity of a discovery until procedures in conformance with 36 CFR 800 are complete.
- Determining appropriate mitigation measures and performing all mitigation in conformance with 36 CFR 800.
- Ensuring an archaeologist, retained or employed by any party to facilitate construction operations, will view and document any and all cultural items discovered during excavation if an adverse effect determination has been made.
- Ensuring that if removal of ancient human remains is necessary, the archaeologist will remove the entire body and that unless the Native Village of Perryville requests further study of the remains, tests upon or photographs of any ancient human remains will not occur unless specific, separate Agreements have been made with the Native Village of Perryville.
- Contacting the Village Public Safety Officer if a modern human burial is discovered to determine if a criminal act can be identified. If the burial is from an archaeological context, the burial will be treated as archaeological remains and need not be treated as a scene of crime.
- Acknowledging that the Native Village of Perryville assumes full responsibility for any and all cultural items discovered during excavation on all but private lands.
- Acknowledging that the Native Village of Perryville reserves the inherent right to determine the appropriate disposition of any and all cultural items discovered during excavation on all but private lands.
- Acknowledging that the inherent claims or rights of the Native Village of Perryville are not diminished by the fact that the land is under ownership by another party.
- Ensuring that if a discovery is made on Federal lands, Indian Allotment lands, or lands not yet conveyed to the Village or Regional Corporation, parties to facility construction operations shall comply with NAGPRA if appropriate.
- Acknowledging that all other inherent rights and claims regarding any and all cultural items discovered on any lands other than private lands during excavation for or in support of facility construction not expressly covered in these responsibilities are reserved to the Native Village of Perryville alone.

H. AUTHORITY FOR APPROVAL

Upon signing this document, the ANTHC Chief Executive Officer delegates authority to sign all subsequent agreements related to this project to the Director of Regional Facilities Services, DEHE.

I. PROVISIONS FOR PROJECT COMPLETION

The following sections from the ANTHC, DEHE, Cooperative Project Agreement Provisions Manual for Health Facilities Projects (Orange Book), dated June 2003, are incorporated into this Agreement by reference; the manual is electronically available at http://www.anthc.org/cs/dehe/vilctct/. For the purposes of this Agreement, all references to "Local Participant" shall mean the Village of Perryville.

- Section 1, "Provisions for All Cooperative Project Agreements"
- Section 2, "Provisions for ANTHC Management of Local Force Account Labor"
- Section 5, "Insurance and Indemnification Provisions for Force Account Labor Projects Managed by ANTHC or Local Participant"
- Section 6, "Assurances for All Construction Programs" (Standard Form 424D)

The following federal provisions apply to this project:

- 15 CFR 24, Uniform Admin Requirements for Grants/Cooperative Agreements to State and Local Governments <www.access.gpo.gov/nara/cfr/waisidx_99/15cfr24_99.html> (applies to local or tribal government)
- OMB Circular A-87, Cost Principles for State and Local Governments and Indian Tribal Governments <www.whitehouse.gov/OMB/circulars/a087/a087-all.html> (applies to local or tribal government)
- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations <www.whitehouse.gov/OMB/circulars/a133/a133.html> (applies to all Agreements)
- 15 CFR, Part 14, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Nonprofit, and Commercial Organizations <www.access.gpo.gov/nara/cfr/waisidx_99/15cfr14_99.html> (applies to non-profits)
- OMB Circular A-122, Cost Principles for Nonprofit Organizations <www.whitehouse.gov/OMB/circulars/a122/a122.html> (applies to non-profits)