# Financial Assistance Award

**DENALI COMMISSION**
510 "L" Street, Suite 410
Anchorage, Alaska 99501
(907) 271-1414 (phone)
(907) 271-1415 (fax)
www.denali.gov

| | |
|---|---|
| **Award Number** | 211-06 |
| **Award Title** | Solid Waste Equipment Purchase |
| **Performance Period** | April 15, 2006 to December 31, 2006 |
| **Authorizing Resolution** | 06-10 |

**Recipient Organization & Address**
Yukon River Inter-Tribal Watershed Council
725 Christensen Drive, Suite 3
Anchorage, AK 99501
Phone: (907) 388-2683
Fax: (907) 258-3339

**Recipient DUNS # 142-008-874** **TIN # 920-166-976**

| | |
|---|---|
| **Authority**<br>112 Stat 1854 | **CFDA Number**<br>90.100 |
| **Denali Commission Finance Officer Certification** | |

**Cost Share Distribution Table**

| Accounting Code | Denali Commission | Other Contributors | Total |
|---|---|---|---|
| FY 05 USDA Solid Waste | $99,808 | | **$99,808** |
| Local Match | | $15,000 | **$15,000** |
| | | | |
| **Total** | **$99,808** | **$15,000** | **$114,808** |
| | | | |

This Financial Assistance Award approved by the Federal Co-Chair of the Denali Commission is issued in triplicate and constitutes an obligation of federal funding. By signing the three documents, the Recipient agrees to comply with the Award provisions indicated below and attached. Upon acceptance by the Recipient, two signed Award documents shall be returned to the Federal Co-Chair of the Denali Commission and the Recipient shall retain the third document. If not signed and returned without modification by the Recipient within 30 days of receipt, the Federal Co-Chair may unilaterally terminate this Award.

- ☒ Special Award Conditions and Attachments
- ☐ Line Item Budget
- ☒ OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (http://www.whitehouse.gov/omb/circulars/a133/a133.html)

**Administrative Requirements (check one)**

- ☐ OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments (http://www.whitehouse.gov/omb/circulars/a102/a102.html)
- ☒ 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (OMB Circular A-110) (http://www.access.gpo.gov/nara/cfr/waisidx_05/2cfr215_05.html)

**Cost Principles (check one)**

- ☐ OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments (www.whitehouse.gov/omb/circulars/a087/a087-all.html)
- ☒ OMB Circular A-122, Cost Principles for Nonprofit Organizations (www.whitehouse.gov/omb/circulars/a122/a122.html)
- ☐ OMB Circular A-21, Cost Principles for Educational Institutions (http://www.whitehouse.gov/omb/circulars/a021/a021.html)
- ☐ 48 CFR 31.2, Contracts with Commercial Organizations

| Signature of Authorized Official - Denali Commission | Typed Name and Title | Date |
|---|---|---|
| | George J. Cannelos, Federal Co-Chair | 3-30-06 |
| **Signature of Authorized Official – Yukon River Inter-Tribal Watershed Council** | **Typed Name and Title** | **Date** |
| | Rob Rosenfeld, MA<br>Alaska Region Director | 04-05-06 |

Rev: 12/2005

OMB Approval No. 0348-0040

# ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

| SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL | TITLE |
|---|---|
| Rob Rosenfeld | Alaska Region Director |
| APPLICANT ORGANIZATION | DATE SUBMITTED |
| Yukon River Inter-Tribal Watershed Council | 04-05-06 |

***Award Conditions to the Financial Assistance Award***
***Between the Denali Commission and***
***The Yukon River Inter-Tribal Watershed Council***
***For Solid Waste Equipment Purchase***
***Award No. 211-06***
***April 2006***

## 1. *Scope of Work*

This award is for the purchase of a Waste Oil to Energy Converter (WOTEC) to be sited in Nenana. The Yukon River Inter-Tribal Watershed Council (YRITWC), in its efforts to remove solid waste from the Yukon River communities, will facilitate removal of waste oil and Freon through this Award. This solid waste equipment purchase will support the YRITWC's backhaul efforts and remove (stock-piled and annual) used oil containers from rural community tributaries to the Yukon River. The oil will be utilized to heat two tribal buildings in Nenana. Fifteen Freon recovery units will be purchased to facilitate removal and recycling of white products (appliances), currently added to local landfills along the River. Certification of Freon removal technicians will be undertaken by YRITWC to support this Award.

The operations of this equipment will be handled through the annual budget of the YRITWC. The amount of this Award is not to exceed $99,808.

This project is intended to address deficiencies in solid waste disposal sites which may threaten to contaminate rural drinking water supplies.

All Commission funding is intended for use for the scope of work identified in the Award document only. Any balance of funds remaining after the full scope of work has been completed will be returned to the Denali Commission.

## 2. *Milestones*

The following milestones are identified as the major steps to be completed as part of the project. "Planned" dates for the first milestone are included here. As part of each progress report, recipients shall update the progress toward meeting these milestones (see section 7, Reporting).

| Milestone | Planned | | Actual | | Units | Total Cost At Completion |
|---|---|---|---|---|---|---|
| | Start Date | End Date | Start Date | End Date | | |
| Equipment Purchase & Activation | 04/15/2006 | 9/30/2006 | | | 0 | $0.00 |
| Project Close-out | 10/1/2006 | 12/30/2006 | | | 0 | $0.00 |

### 3. *Award Performance Period*

The Award performance period is April 15, 2006 through September 30, 2006. This is the period during which Award recipients can incur obligations or costs against this Award.

### 4. *Direct and Indirect Costs*

The cost principles of OMB 87 are applicable to this Award. No indirect costs are allowable under this award. Please refer to the cost principles regulations for specific details on other allowable charges under this Award.

### 5. *Budget and Program Revisions*

The Administrative Circular, OMB A-102 applies to this Award. Please refer to the Administrative Circular for specific details on revisions to this Award. The Administrative Circular requires that Yukon River Inter-Tribal Watershed Council will inform the Commission in writing (e-mail, letter, or report) at the earliest possible date of any unanticipated project cost over-run, project schedule delays, or changes in the project scope or changed site conditions.

### 6. *Payments*

Payments under this Award will be made through the U.S. Department of Treasury's Automated Standard Application for Payment (ASAP) system. The ASAP system is the Commission's mechanism for requesting and delivering Federal funds to Award recipients. Yukon River Inter-Tribal Watershed Council must be registered with the ASAP program in order to make draw downs. Please contact the Commission's Finance Manager at (907)-271-1414 for further information about registering with the ASAP program. Payments shall be made in accordance with A-102. **No interest will be accrued on these funds.**

### 7. *Reporting*

Three forms of project reporting are required under this Award, listed below. Yukon River Inter-Tribal Watershed Council shall submit reports using the Denali Commission's on-line Project Database System, available at www.denali.gov. If there are technical limitations which may prevent the recipient from meeting this requirement, please contact the Program Manager listed in this agreement.

a. **Progress Reports** shall be submitted on a quarterly basis. The first reporting period is April 15, 2006 through June 30, 2006, and quarterly thereafter. Reports are due within 30 days of the end of the reporting period. Progress reports shall include the following:

   i. Total project funding, including both Denali Commission funding and other project funding sources.

ii. The total project expenditures for the project as of the end of the reporting period, including both Denali Commission and Other funding sources.
iii. Updated schedule and milestone information as identified in the Scope of Work
iv. Narrative summary of the project status and accomplishments to date, and address the following questions: is the project on schedule, is the project on budget, and what actions are planned to address any project problems.
v. Photographic documentation of shall be provided with the progress reports. The photo documentation shall include dated photos which illustrate the installation of equipment as well as the backhaul of used oil barrels to Nenana for processing. It is desirable to have a photographic record of the impact of the equipment (cleaned up areas) on both used oil and white goods storage sites. Photos shall be provided in a digital format as part of the on-line report. A short description of the activity and names of those in the photos shall also be provided.

b. **Standard Form 269A Financial Status Report – Short Form (SF269A)** shall be submitted on a quarterly basis via fax, e-mail or mail. As with the Progress Reports, the SF269A is due within 30 days of the end of the quarter and a final SF269A is due within 90 days of the end of the Award Performance Period. Please note the following:
   i. This report cannot yet be submitted through the Denali Commission On-line Project Database and therefore must be submitted via fax, e-mail or mail.
   ii. This form is available on the Internet at http://www.whitehouse.gov/omb/grants/sf269a.pdf. A link to this site is also available on the Commission's website, www.denali.gov, under the "Finance" section. A Guide to Completing the SF269A can also be found on the Denali Commission's website under the "Finance" section.
   iii. The SF269A may be filled out electronically using the above link. However, the completed SF269A must be printed and signed, and then the completed SF269A must be submitted to the Deputy Director of Administration via mail, fax or as a PDF attachment to an e-mail (nmerriman@denali.gov).
   iv. If you have multiple projects under a single Financial Assistance Award, the SF269A is required ONLY for the award as a whole, not for the individual projects.

c. **Federal Single Audits** shall be submitted annually, when required. In accordance with OMB Circular A-133, which requires [subpart 200] "Non-Federal entities that expend $500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of this part [subpart 205]. The determination of when an award is expended should be based on when the activity related to the award occurs."

Recipients shall also submit single audits to the Federal Clearinghouse as designated by OMB. Information can be found on the following web-site: http://harvester.census.gov/sac/

## 8. *Project/Award Close-Out*

The project close-out report shall be completed within 90 days of the end of the Award performance period or within 90 days of the completion of the project, whichever is earlier. Recipients must also draw down any remaining funds for expenditures incurred under this award during this 90-day period.

The project close-out report shall be submitted on-line through the Denali Commission's on-line Project Database System, available at www.denali.gov. The project close out will require the recipient to submit the following information:

a. Final data for each item listed in paragraph 7(a) "Progress Reports"
b. Final project expenditures itemized by the following categories: planning & design; materials & equipment; freight; labor; project administration/overhead and other expenses.
c. Acknowledgement of support: For all non-construction projects, the Award recipient shall include an acknowledgement of the Government's support for the project(s) developed under this Award. Costs associated with this requirement shall be paid out of the project funding received by the Award recipient from the Denali Commission.

## 9. *Public Policy Laws and Assurances*

Award Recipients are required to comply with the public policy laws and assurances on Standard Forms SF 424b (non-construction projects) or SF 424d (construction projects). This form must also be signed by a certifying official of the organization. Some of the laws are highlighted below for your reference.

To the maximum extent practicable, considering applicable laws, Funding Recipients shall accomplish the project contemplated by the Award using local Alaska firms and labor.

No portion of this award may be used for lobbying or propaganda purposes as prohibited by 18 U.S.C. Section 1913 or Section 607(a) of Public Law 96-74.

Project level environmental reviews in accordance with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) are required for each project undertaken with Denali Commission funds.

## 10. *Non-Compliance with Award Conditions*

Recipients not in compliance with the terms and conditions of this Financial Assistance Award will be notified by the Denali Commission. The Denali Commission will work

with the recipient to identify the steps necessary to bring them back into compliance, and will establish an appropriate time frame for the corrections to be made. If the corrections have not been made by the deadline, the Denali Commission reserves the right to either suspend or unilaterally terminate the Financial Assistance Award for non-performance.

## *11. Program Manager, Financial Manager & Other Contact Information*

| **Denali Commission** | **YRITWC** |
|---|---|
| Cindy Roberts<br>Program Manager<br>510 L Street, Suite 410<br>Anchorage, AK 99501<br>Phone: 907-271-3018<br>Fax: 907-271-1415<br>E-mail: croberts@denali.gov | Rob Rosenfeld, MA<br>Alaska Region Director<br>Project Manager<br>725 Christensen Drive, Suite 3<br>Anchorage, AK 99501<br>Phone: 907-388-2683<br>Fax: 907-258-3339<br>Email: rrosenfeld@yritwc.com |
| Joey Ausel<br>Grants Manager & Analyst<br>510 L Street, Suite 410<br>Anchorage, AK 99501<br>Phone: 907-271-3415<br>Fax: 907-271-1415<br>E-mail: jausel@denali.gov | Lavern Huntington<br>Financial Contact<br>815 Second Avenue, Suite 201<br>Fairbanks, AK 99701<br>Phone: 907-451-2530<br>Fax: 907- 451-2534<br>Email: lhuntington@yritwc.com |

## *12. Other project specific requirements:*

The Yukon River Inter-Tribal Watershed Council may be asked to make presentations to the Denali Commission or its Subcommittees on the success and lessons learned through this Award.