Financial Assistance Award

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

Project Number	176-05
Project Title	Rural Teacher Housing
Performance Period	March 1, 2005 – September 30, 2006
Authorizing Resolution	05-14

Recipient Organization & Address
Alaska Housing Finance Corporation
4300 Boniface Parkway
Anchorage, Alaska 99504
Phone (907) 338-6100
Fax: (907) 338-9218

Recipient DUNS # 01-019-2953 **TIN #** 92--0047291

Authority	**CFDA Number**
112 Stat 1854	90.100

Denali Commission Finance Officer Certification JRP

Cost Share Distribution Table

Accounting Code	Denali Commission	Other Contributors	Total
FY05	$3,027,998		**$3,027,998**
Loan Financing		$1,429,803	
KPB Cash Contribution		$350,000	
City of St. Paul		$250,000	
Total	**$3,027,998**	**$2,029,803**	**$5,057,801**

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
- ☒ September 2004 Memorandum of Understanding
- ☒ 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)
- ☐ OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (http://www.whitehouse.gov/omb/circulars/a110/a110.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
Connie E. Eilo	Jeffrey B. Staser, Federal Co-Chair	6-29-2005
Signature of Authorized Official – Alaska Housing Finance Corporation	**Typed Name and Title**	**Date**
Daniel R Fauske	Dan Fauske, Chief Executive Officer	7-11-05

Rev: 12/2003

OMB Approval No. 0348-0042

ASSURANCES - 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 (0348-0042), 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 assistance 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 costs) 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 assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property aquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.

4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.

5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.

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

7. 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.

8. 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).

9. 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.

10. Will comply with all Federal statutes relating to non-discrimination. 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.

11. 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 and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the 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.

13. 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. Not applicable to Denali Commission Base Funds, including Teacher Housing Funds.

14. Will comply 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.

15. 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).

16. 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.

17. 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.).

18. 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."

19. 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
Dan Fauske	CEO
APPLICANT ORGANIZATION	DATE SUBMITTED
Alaska Housing Finance Corporation	7-11-05

Financial Assistance Award Conditions
Between the Denali Commission and the
Alaska Housing Finance Corporation for
FY2005 Rural Teacher Housing
Project No. 176-05

1. Scope of Work

This award provides funding to the Alaska Housing Finance Corporation (AHFC) for the following rural teacher housing projects.

Northwest Arctic Borough School District ----------	$ 699,427
o Ambler ($368,745)	
o Kiana ($322,682)	
o Lead Paint Assessments for both projects ($8,000)	
Pribilof School District ----------	$1,993,571
o St. Paul	
Kenai Peninsula Borough ----------	$ 235,000
o Tyonek	
AHFC Management fees ----------	$ 100,000
TOTAL	**$3,027,998**

Description of Projects (as provided by AHFC)

- Northwest Arctic Borough School District – In **Ambler** and **Kiana,** renovation of structurally sound, wood frame buildings into 5 2-bedroom units. Utilities include piped water and sewer.
- Pribilof School District – In **St. Paul**, new construction of 3 duplex units, stick built with two and three bedroom unit configurations. Utilities already include oil heating, piped water and sewer.
- Kenai Peninsula Borough – In **Tyonek,** new construction of one stick built duplex. Utilities to be provided by community.

All Commission funding is intended for use for the scope of work identified in the Award document only. In the event there is a balance of funding remaining after the full scope of work has been completed, the Denali Commission shall determine how the excess funds will be allocated.

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).

Ambler

Milestone	Planned		Actual		Units	Total Cost At Completion
	Start Date	End Date	Start Date	End Date		
Construction	07/01/2005	04/15/2006			0	$0.00
Project Close-out	04/15/2006	05/15/2006			0	$0.00

Kiana

Milestone	Planned		Actual		Units	Total Cost At Completion
	Start Date	End Date	Start Date	End Date		
Construction	07/01/2005	04/15/2006			0	$0.00
Project Close-out	04/15/2006	05/15/2006			0	$0.00

Saint Paul

Milestone	Planned		Actual		Units	Total Cost At Completion
	Start Date	End Date	Start Date	End Date		
Construction	08/01/2005	08/31/2006			0	$0.00
Project Close-out	08/31/2006	09/30/2006			0	$0.00

Tyonek

Milestone	Planned		Actual		Units	Total Cost At Completion
	Start Date	End Date	Start Date	End Date		
Construction	07/01/2005	04/15/2006			0	$0.00
Project Close-out	04/15/2006	05/15/2006			0	$0.00

3. *Award Performance Period*

The Award performance period is March 1, 2005 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 Circular A-87 are applicable to this Award. Management fees of $100,000 have been identified in this award. Please refer to the cost principles

regulations for specific details on other allowable charges under this Award. The parties acknowledge that AFHC is eligible for management fees as identified in the Scope of Work.

5. *Budget and Program Revisions*

The Administrative Circular A-102 applies to this Award. Please refer to the Administrative Circular for specific details regarding revisions to this award. The Administrative Circular requires that AHFC will inform the Commission in writing at the earliest possible date of any unanticipated project cost overrun, 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. AHFC 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 Administrative Circular A-102. **No interest will be accrued on these funds.**

7. *Reporting*

Three forms of project reporting are required under this Award, listed below. AHFC 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 Award.

a. **Progress Reports** shall be submitted on a quarterly basis. The first reporting period is March 1, 2005 to June 30, 2005, and each quarter 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. Update 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: by community, is the project on schedule, is the project on budget, and what actions are planned to address any project problems.

v. **Construction Projects:** Photographic documentation of project progress shall be provided with the progress reports for active construction projects. The photo documentation shall include a minimum of three dated photos per reporting period such that a complete record of the construction is maintained over time, from "before," showing the situation before the start of construction, to "during" showing work proceeding on the project, and "after" to show the finished project. 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. **Wage and Residency Reports** (Construction Projects only) shall be submitted on an annual basis using the Denali Commission On-line Project Database. The reporting period is January 1st – December 31st of each year. Reports are due within 30 days of the end of the reporting period. The Wage and Residency Report shall include the following information by for each construction project

i. Total number of Local Residents employed during the year and their total payroll earnings.
ii. Total number of Non-Local Alaska Residents employed during the year and their total payroll earnings.
iii. Total number of Non-Alaska Residents employed during the year and their total payroll earnings.

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 designated by OMB. Information can be found on the following web-site: http://harvester.census.gov/sac/

8. Award Close-Out

The award close-out 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 Award 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 **construction projects**, the Award recipient shall display a sign that acknowledges the Government's support for the project(s) developed under this Award. The Commission will provide an appropriate sign. The Award recipient must request an indoor and/or an outdoor sign from the Commission office. Pickup or delivery of the sign can be arranged at that time.

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	Alaska Housing Finance Corporation
Denali Daniels Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: (907) 271-1189 Fax: (907) 271-1415 E-mail: ddaniels@denali.gov	James Wiedle Project Manager Alaska Housing Finance Corporation (AHFC) 4300 Boniface Parkway Anchorage, Alaska 99504 Phone: (907) 330-8235 Fax: (907) 907-338-9218 E-mail: jwiedle@ahfc.state.ak.us
Joey Hutcherson Grants Manager & Analyst 510 L Street, Suite 410 Anchorage, AK 99501 Phone: (907) 271-3415 Fax: (907) 271-1415 E-mail: jhutcherson@denali.gov	Ed Chan Financial Contact Alaska Housing Finance Corporation (AHFC) 4300 Boniface Parkway Anchorage, Alaska 99504 Phone: (907) 330-8338 Fax: (907) 907-338-9218 E-mail: echan@ahfc.state.ak.us