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Alaska Native Tribal Health Consortium
Division of Environmental Health and Engineering
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Document Distribution

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Division of Environmental Health and Engineering

Cooperative Project Agreement

CPA

A Health Facility Improvement Project Between:
The Alaska Native Tribal Health Consortium and
The Village of Tyonek, Alaska
Project No. AN 07-GJ4
September 2008

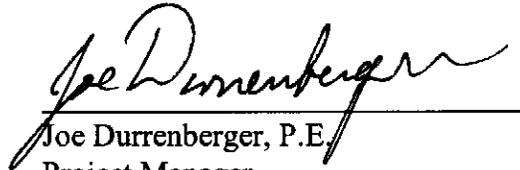
**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
VILLAGE OF TYONEK, ALASKA**

PROJECT NO. AN 07-GJ4

To complete this project, the ANTHC and the Village of Tyonek mutually agree to the terms and conditions contained in this Agreement.

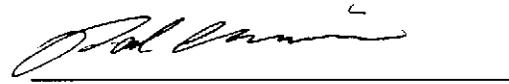
PREPARED BY:

9/8/2008
Date


Joe Durrenberger, P.E.
Project Manager
DEHE, ANTHC

RECOMMENDED BY:

9/9/08
Date


Paul C. Morrison, P.E.
Health Facilities Manager
DEHE, ANTHC

APPROVED BY:

9/19/08
Date


Don Kashevaroff
Chief Executive Officer
ANTHC

APPROVED BY:

9/30/08
Date


Angela Sandstol
President
Village of Tyonek, Alaska

**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
VILLAGE OF TYONEK, ALASKA**

PROJECT NO. AN 07-GJ4

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**COOPERATIVE PROJECT AGREEMENT
HEALTH FACILITY IMPROVEMENT PROJECT
VILLAGE OF TYONEK, ALASKA**

PROJECT NO. AN 07-GJ4

DATE OF AGREEMENT:
September 2008

A. INTRODUCTION

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

Native Village of Tyonek	=	Village
Alaska Native Tribal Health Consortium	=	ANTHC
Division of Environmental Health and Engineering	=	DEHE
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 between the Denali Commission and the Alaska Native Tribal Health Consortium for Alaska Health, Sanitation, and Other Related Infrastructure, dated April 2008. This MOU defines the roles and responsibilities of each party.
- Denali Commission Financial Assistance Award 0397-08, Project Authorization No. 00397-E, dated July 2008.

B. SCOPE OF PROJECT

This project will complete the design studies and construction planning for a new health clinic in the Village of Tyonek, Alaska. No construction will be performed under this project phase.

C. PROJECT COST

C 1. Cost Estimate Table

Job Type	Scope of Work	Qty	Units	Unit Cost	Total Cost	Funding
						Denali FY08
M-DS	Design new clinic	1	LS	108,516	108,516	108,516
M-CB	ANTHC Project Management Fee				18,868	18,868
Total Award					127,384	127,384

C 2. Project Funding

Contributor	Fiscal Year	Description	Amount
<u>Denali Commission</u>	<u>Federal 2008</u>	<u>N/A</u>	<u>\$ 127,384</u>
TOTAL PROJECT FUNDING			<u>\$ 127,384</u>

Commission funding for this health facility improvement project has been made available to the ANTHC through a separate Financial Assistance Award (FAA) , or amendment or addendum to an FAA, between the Denali Commission and the ANTHC. The Denali Commission issued a Project Authorization to begin this work.

It is understood that funding transfers will be made to ANTHC incrementally. Project activities should not proceed until funding for each increment of work is available to ANTHC. By signing this Agreement, the Village of Tyonek is assuring that funding from other contributing agencies, if applicable, shall be made available to the project. If in-kind or other funding sources are unavailable, project activities may be curtailed

D. PROJECT ADMINISTRATION

In conformance with the Commission’s Financial Assistance Award 0397-08, Project Authorization No. 00397-E, dated July 2008, the following project management methodology option has been selected by the Village of Tyonek:

Design management shall be accomplished by ANTHC or its Contractor. ANTHC shall take responsibility for all project oversight, technical assistance, and management of the design process. It is anticipated that ANTHC will use one if its indefinite quantity architect and engineering contractors to provide design services for the provision of a primary care facility for the Village

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 FAA, or subsequent Amendment(s) or Addendum(s).

E. SUSTAINED OPERATIONS CONSIDERATIONS

The Village of Tyonek will assume ownership and responsibility for all operation and maintenance of facilities constructed under this project.

F. 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. The 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 (e.g., human burials, associated items, and/or archaeological artifacts), ANTHC will ensure that the Native Village of Tyonek will be a consulting party. In addition, the following responsibilities are assumed by the project participant in order to comply with the 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 Tyonek 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 Tyonek.
- 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 Tyonek assumes full responsibility for any and all cultural items discovered during excavation on all but private lands.
- Acknowledging that the Native Village of Tyonek 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 Tyonek 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 the 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 Tyonek alone.

G. 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 Operations, DEHE.

H. 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. For the purposes of this Agreement, all references to "Local Participant" shall mean the Village of Tyonek.

- 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 the ANTHC or the 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)

APPENDIX

Denali Commission Financial Assistance Award
Denali Commission Project Authorization

Maps



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 397-08

Award Title Health Facilities Planning, Design and Construction

Performance Period June 1, 2008 – June 30, 2011

Recipient Organization & Address
 Alaska Native Tribal Health Consortium
 1901 South Bragaw Street, Suite 200
 Anchorage, Alaska 99508
 Phone: (907) 729-3601
 Fax: (907) 729-4090

Authority
 112 Stat 1854

CFDA Number
 90.100

Denali Commission Finance Officer Certification

JPS

Recipient DUNS # 07-137-5658 TIN # 92-0162721

Cost Share Distribution Table

Accounting Code	Denali Commission	Other Contributors	Total
FY08 HRSA	\$10,000,000		\$10,000,000
		\$0	\$0
Total	\$10,000,000	\$0	\$10,000,000

This Financial Assistance Award approved by the Federal Co-Chair of the Denali Commission constitutes an obligation of federal funding.

- Special Award Conditions and Attachments – FY08 Memorandum of Understanding (MOU)
- 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
 George J. Canelos, Federal Co-Chair

Date
 5/13/08

***Award Conditions to the Financial Assistance Award
Between the Denali Commission and Alaska Native Tribal Health Consortium
(ANTHC)
For Health Facilities Planning, Design and Construction
Award No. 397-08
May 2008***

1. Scope of Work

The Denali Commission (Commission) is providing a total of \$10,000,000 to the Alaska Native Tribal Health (ANTHC) for health facility planning, design and construction. Commission funds and match funds will be managed by ANTHC. Projects are not authorized to proceed until the Project Authorization is approved by the Commission.

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).

Milestones will be added through the project authorization process.

3. Award Performance Period

The Award performance period is June 1, 2008 through June 30, 2011. 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 A-122 are applicable to this Award. Indirect costs are allowable under this award per 2008 Memorandum of Understanding (MOU) between the Denali Commission and ANTHC. 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, 2 CFR Part 215, applies to this Award. Please refer to the Administrative Circular for specific details on revisions to this Award. The Administrative Circular requires that ANTHC will inform the Commission in writing (e-mail, letter, or report) 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 by electronic transfer in response to a "Request for Advance or Reimbursement", Standard Form 270 (SF-270) submitted by the ANTHC. Requests for reimbursements may be made as needed or at the end of each quarter but should be submitted no later than 30 days after the federal quarter. The SF-270 must be submitted to the Denali Commission via fax, e-mail (finance@denali.gov) or mail in order for payment to be processed. The form is available on the OMB website: http://www.whitehouse.gov/OMB/grants/grants_forms.html. Payments shall be made in accordance with 2 CFR Part 215. Please contact the Denali Commission's Finance Specialist at (907) 271-1414 for further information about submitting this form. **No interest will be accrued on these funds.**

7. Reporting

Two forms of project reporting are required under this Award, listed below. ANTHC 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 June 1, 2008 to June 30, 2008 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. **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.
 - vi. **Non-Construction Projects** For minor repair and renovation projects or other non-construction projects, pictures should be provided of before and after, or

photos that are representative of the funded activity, to the extent possible. 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. Requirements for the design and construction projects on this award have been documented through the approval of a business plan and supporting documentation on file at the Denali Commission. This is considered the Commission's document of record for the approved scope of work for the project as well as the intended utilization of the facility.

Each project's performance shall be monitored and measured on a quarterly basis using the documentation of record (business plan) as a reference point, making updates as necessary. The following items shall be monitored and reported in the narrative of the quarterly report:

1. Projected energy costs or any changes to original operations plan,
2. Status of supporting infrastructure in coordination with construction project,
3. Status of proposed staffing training, recruitment and retention strategy,
4. Adherence to local and regional plans for improving health care, and
5. Other issues as identified by the program manager.

An independent technical assistance advisor shall be assigned to each project to assist in monitoring and reporting the information on a quarterly basis. The ANTHC is responsible for reporting all information to the Commission on behalf of sub-recipients. The Commission may wish to request additional information as it deems necessary.

- 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) and (b) "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.
- d. 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. The format for acknowledgement of the Government's support for non-construction awards will vary with each award and must be agreed upon between the Award recipient and the Denali Commission Project Manager. 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) and/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 Native Tribal Health Consortium
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	Paul Morrison Project Manager 1901 Bragaw, Suite 200 Anchorage, AK 99508 Phone: 907-729-3520 Fax: 907-729-4809 Email: pmorriso@anthc.org
Betty Sorensen Grants Administrator 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3415 Fax: 907-271-1415 E-mail: bsorensen@denali.gov	Diane Chris Financial Contact 1901 Bragaw, Suite 200 Anchorage, AK 99508 Phone: 907-729-3580 Fax: 907-729-4809 Email: diane.chris@anthc.org

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.

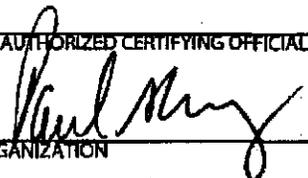
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET.
SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

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 acquired 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.
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 11968; (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. §57401 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. 93-203).
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. §5469a-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 Chief Executive Officer (CEO)
APPLICANT ORGANIZATION Alaska Native Tribal Health Consortium		DATE SUBMITTED 05/07/2008
Award 397-08		

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.

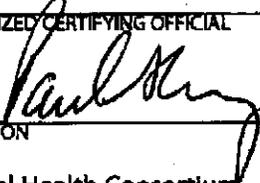
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

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. 5276c 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 Chief Executive Officer (CEO)
APPLICANT ORGANIZATION Alaska Native Tribal Health Consortium Award 397-08	DATE SUBMITTED 05/07/2008

Project Authorization

Date

Jul 25, 2008



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Program Manager

KB

Federal Co-Chair

BJL

Certifying Officer

JPL

Project Number

00397-E

Project Title

Tyonek Clinic Design

Performance Period

August 1, 2008 thru June 30, 2010

Commission Amount

\$127,384

Match Source (s)

N/A

Match Amount

N/A

Pursuant to the terms and conditions of the Award, this authorization:

Provides the Alaska Native Tribal Health Consortium (ANTHC) authority to proceed with Design of the Tyonek Clinic Project. Funding in the amount of \$127,384 is authorized for design, this includes \$18,868 for the project management fees, is authorized for this project. This project is utilizing the prototype clinic design. ANTHC shall include Denali Commission staff in all design related meetings in which key decisions about scope are made.

ANTHC Project Number for Tyonek Clinic Design is AN07-GJ4.

Milestones for this project shall be reflected as "in design" beginning August 1, 2008 and "completed" by June 30, 2010.



XI. APPENDIX A: 2000 Census Data

COMMUNITY	BOROUGH	CENSUS AREA	POPULATION 2000
Tyonek	Kenai Peninsula Borough	Kenai Peninsula	193

XII. APPENDIX B: Map of the Tyonek Area

