



BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

☐ Award ☐ Contract ☒ Grant

Requested Board Meeting Date: 8/10/21

* = Mandatory, information must be provided

or Procurement Director Award ☐

***Contractor/Vendor Name/Grantor (DBA):**

United States Environmental Protection Agency (EPA)

***Project Title/Description:**

Clean Air Act (CAA) Section 105, 66.001-Air Pollution Control Program Support for PPC FF2021

***Purpose:**

Assistance to Pima County in its efforts to implement air pollution control programs throughout Pima County.

***Procurement Method:**

Not applicable

***Program Goals/Predicted Outcomes:**

provide support for program strategic planning and evaluation, developing state implementation plans, monitoring air quality & emissions, rule making, operating permits

***Public Benefit:**

protect human health and the environment

***Metrics Available to Measure Performance:**

mid-year and end-of-year progress reports comparing anticipated outcomes and actual outcomes

***Retroactive:**

No

Full Approved 7/6/21 LJS

Revised 5/2020

Contract / Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e.,15-123): _____

Commencement Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____

☐ Expense Amount: \$* _____ ☐ Revenue Amount: \$ _____***Funding Source(s) required:**Funding from General Fund? ☐ Yes ☐ No If Yes \$ _____ % _____Contract is fully or partially funded with Federal Funds? ☐ Yes ☐ No**If Yes, is the Contract to a vendor or subrecipient?** _____Were insurance or indemnity clauses modified? ☐ Yes ☐ No*If Yes, attach Risk's approval.*Vendor is using a Social Security Number? ☐ Yes ☐ No*If Yes, attach the required form per Administrative Procedure 22-10.***Amendment / Revised Award Information**

Document Type: _____ Department Code: _____ Contract Number (i.e.,15-123): _____

Amendment No.: _____ AMS Version No.: _____

Commencement Date: _____ New Termination Date: _____

Prior Contract No. (Synergen/CMS): _____

☐ Expense or ☐ Revenue ☐ Increase ☐ Decrease Amount This Amendment: \$ _____Is there revenue included? ☐ Yes ☐ No If Yes \$ _____***Funding Source(s) required:**Funding from General Fund? ☐ Yes ☐ No If Yes \$ _____ % _____**Grant/Amendment Information** (for grants acceptance and awards)☒ Award ☐ AmendmentDocument Type: GTAW Department Code: DE Grant Number (i.e.,15-123): 21*187Commencement Date: October 1, 2020 Termination Date: September 30, 2021 Amendment Number: _____☒ Match Amount: \$ 781,000.00 ☒ Revenue Amount: \$ 564,892.00***All Funding Source(s) required:** EPA***Match funding from General Fund?** ☐ Yes ☒ No If Yes \$ _____ % _____***Match funding from other sources?** ☒ Yes ☐ No If Yes \$ 781,000.00 % 100***Funding Source:** Air quality minor source permits, air quality activity permits***If Federal funds are received, is funding coming directly from the****Federal government or passed through other organization(s)?** directly from EPAContact: Ursula K Nelson, P. E.Department: Environmental QualityTelephone: 724-7454Department Director Signature/Date: Ursula K. Nelson

Deputy County Administrator Signature/Date: _____

County Administrator Signature/Date: _____

(Required for Board Agenda/Addendum Items)

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement	GRANT NUMBER (FAIN): 00905521 MODIFICATION NUMBER: 0 PROGRAM CODE: A	DATE OF AWARD 06/22/2021
		TYPE OF ACTION New	MAILING DATE 06/29/2021
		PAYMENT METHOD: ASAP	ACH# 90108
		Send Payment Request to: Contact EPA RTPFC at: rtpfc-grants@epa.gov	
RECIPIENT TYPE: County		PAYEE: Pima Cnty Dept of Env Quality 33 N. Stone Avenue, Suite 700 Tucson, AZ 85701	
RECIPIENT: Pima Cnty Dept of Env Quality 33 N. Stone Avenue, Suite 700 Tucson, AZ 85701 EIN: 86-6000543		Pima Cnty Dept of Env Quality 33 N. Stone Avenue, Suite 700 Tucson, AZ 85701	
PROJECT MANAGER Richard Grimaldi 33 N. Stone Avenue Suite 700 Tucson, AZ 85701 E-Mail: richard.grimaldi@pima.gov Phone: 520-724-7363	EPA PROJECT OFFICER Sharon Bowen 75 Hawthorne Street, AIR-1-1 San Francisco, CA 94105 E-Mail: bowen.sharon@epa.gov Phone: 415-947-4250	EPA GRANT SPECIALIST Angela Mendiola Grants Branch, MSD-6 E-Mail: Mendiola.Angela@epa.gov Phone: 415-972-3284	
PROJECT TITLE AND DESCRIPTION FY 2021 Air Pollution Control <p>This agreement will provide assistance to Pima County Air Quality Department in its efforts to implement air pollution control programs throughout the County of Pima, Arizona, including continuing development and implementation of stationary source regulations; continuing promulgation and update of enhanced mobile source regulations; improvement of emission inventories for modeling simulations; operating an air monitoring network; and other air planning activities. These activities are to improve and maintain the public's air quality. This grant agreement will provide continuing support for activities which include strategic planning and evaluation, developing state implementation plans, monitoring air and emissions, rule making, operating permits and all other program related activities to reduce risks to human health and the environment.</p> <p>This agreement provides full federal funding in the amount of \$564,892. Refer to Terms and Conditions.</p>			
BUDGET PERIOD 10/01/2020 - 09/30/2021	PROJECT PERIOD 10/01/2020 - 09/30/2021	TOTAL BUDGET PERIOD COST \$1,345,892.00	TOTAL PROJECT PERIOD COST \$1,345,892.00
NOTICE OF AWARD <p>Based on your Application dated 07/22/2020 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$564,892.00. EPA agrees to cost-share 41.97% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$564,892.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.</p>			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105		ORGANIZATION / ADDRESS EPA R9, Air and Radiation Division, AIR-1 R9 - Region 9 75 Hawthorne Street San Francisco, CA 94105	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Carolyn Truong - Grants Management Officer			DATE 06/22/2021

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$745,146
2. Fringe Benefits	\$223,544
3. Travel	\$58,625
4. Equipment	\$122,833
5. Supplies	\$24,458
6. Contractual	\$77,705
7. Construction	\$0
8. Other	\$53,394
9. Total Direct Charges	\$1,305,705
10. Indirect Costs: 0.00 % Base : refer to General T/C	\$40,187
11. Total (Share: Recipient <u>58.03</u> % Federal <u>41.97</u> %)	\$1,345,892
12. Total Approved Assistance Amount	\$564,892
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$564,892
15. Total EPA Amount Awarded To Date	\$564,892

Administrative Conditions

General Terms and Conditions

The recipient agrees to comply with the current EPA general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-november-12-2020-or-later>.

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>.

A. Federal Financial Reporting (FFR)

For awards with cumulative project and budget periods greater than 12 months, the recipient will submit an annual FFR (SF 425) covering the period from "project/budget period start date" to **September 30** of each calendar year to the EPA Finance Center in Research Triangle Park, NC. The annual FFR will be submitted electronically to rtfpc-grants@epa.gov no later than **December 30** of the same calendar year. (NOTE: The grantee must submit the Final FFR to rtfpc-grants@epa.gov within 120 days after the end of the project period.)

The recipient shall identify non-federal, non-recurrent expenditures in Block 12 (Remarks) of the FFR or include the information as an attachment to the FFR on a separate page. The recipient also agrees to include a statement certifying that supplanting did not occur.

B. Procurement

The recipient will ensure all procurement transactions will be conducted in a manner providing full and open competition consistent with 2 CFR Part 200.319. In accordance 2 CFR Part 200.324 the grantee and subgrantee(s) must perform a cost or price analysis in connection with applicable procurement actions, including contract modifications.

State recipients must follow procurement procedures as outlined in 2 CFR Part 200.317.

C. MBE/WBE Reporting, 40 CFR, Part 33, Subpart E (EPA Form 5700-52A)

The recipient agrees to submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report (EPA Form 5700-52A) annually for the duration of the project period. The current EPA Form 5700-52A with instructions can be found at <https://www.epa.gov/grants/epa-form-5700-52a-united-states-environmental-protection-agency-minority-business>

This provision represents an approved exception from the MBE/WBE reporting requirements as described in 40 CFR Section 33.502.

Reporting is required for assistance agreements where funds are budgeted for procuring construction, equipment, services and supplies (including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category) with a cumulative total that exceed the Simplified Acquisition Threshold (SAT) currently, set at \$250,000 (the dollar threshold will be automatically revised whenever the SAT is adjusted; See 2 CFR Section 200.1), including amendments and/or modifications. When reporting is required, all procurement actions are reportable, not just the portion which exceeds the SAT.

Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. For section 2B, the Region 9 EPA DBA Coordinator is Fareed Ali, email: GrantsRegion9@epa.gov, phone: 415-972-3665.

The annual reports are due by October 30th of each calendar year and the final report is due within 120 days after the end of the project period, whichever comes first. The recipient will submit the MBE/WBE report(s) and/or questions to GrantsRegion9@epa.gov and the EPA Grants Specialist identified on page 1 of the award document.

Programmatic Conditions

a]. FUNDING

This award represents FULL funding (100%) in the amount of \$564,892 for Fiscal Year 2021.

b]. QUALITY ASSURANCE

This grant includes the performance of environmental measurements; therefore Quality Assurance Planning Documents are required. A Quality Management Plan for Pima County was approved on July 9th, 2012. A Quality Assurance Project Plan was also approved for NCORE and included ambient air monitoring on October 17, 2019. The QMP was last approved in 2012. The QMP is due to be reviewed, revised and submitted to the EPA Quality Assurance Office for approval during FY 21.

c]. PERFORMANCE REPORTING

The recipient shall submit mid-year and end-of-year progress reports (preferably electronic copies) to the EPA Project Officer. Performance Reports: The mid-year report is due no later than 30 calendar days after the end of the 2nd Federal fiscal quarter (April 30) and the 4th Federal fiscal quarter (October 31). In accordance with 2 CFR 200.328, the recipient agrees to include in performance reports submitted under this agreement brief information on each of the following areas:

- 1) a comparison of actual accomplishments with the anticipated outputs/outcomes specified in the assistance agreement workplan;
- 2) reasons why anticipated outputs/outcomes were not met; and
- 3) other pertinent information, including, when appropriate, analysis and explanation of cost overruns or high unit costs.

In accordance with 2 CFR 200.328(2)(d)(1), the recipient agrees that it will notify EPA of problems, delays, or adverse conditions which materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan. In addition, interim performance reports must prominently display the three Essential Elements required for state/local workplans and reports. They are:

- Essential Element 1 - Strategic Plan Goal
- Essential Element 2 - Strategic Plan Objective
- Essential Element 3 - Workplan Commitments plus time frame

Final Performance Report: The recipient agrees to submit two copies of the Final Performance Report to the EPA Project Officer. The Final Project Report is due within 120 days after the end of the budget/project period. Final performance reports must prominently display the three Essential Elements required for state workplans and reports. They are:

- Essential Element 1 - Strategic Plan Goal
- Essential Element 2 - Strategic Plan Objective
- Essential Element 3 - Workplan Commitments plus time frame

The report will include any agree-upon work-product(s) resulting from the project and the following:

1) an abstract or overview of the project including completed workplan activities; 2) a comparison of actual accomplishments with the anticipated outputs/outcomes specified in the assistance agreement work plan; 3) reasons why anticipated outputs/outcomes were not met; 4) other pertinent information, including, when appropriate, analysis and explanation of cost overruns or high unit costs; 5) the methods to be used to effectively disseminate project information and/or continue the benefits of this project (although the project itself may not be continuing); and 6) materials generated in connection with the project activities (e.g., workshop announcements, newspaper/newsletter announcements, articles or releases, press packets, pamphlets, etc.).

d]. COST SHARE/MAINTENANCE OF EFFORT (MOE)

The required minimum recipient cost share for this assistance agreement is 40% of total project costs, or Maintenance of Effort (MOE) level of \$781,000 (final MOE for FY-2020), whichever is greater. The assistance agreement may reflect a percentage shown under the "Notice of Award" section which is based on estimated costs requested in the recipient's application.

e]. PRE-AWARD COSTS

In accordance with 2 CFR 1500.8, the grantee may charge pre-award costs (both Federal and non-Federal matching shares) incurred from October 1, 2020 to the actual award date provided that such costs were contained in the approved application and all costs are incurred within the approved budget period.

f]. GREEN/ENVIRONMENTALLY SUSTAINABLE PRACTICES

Consistent with local, state, and federal grant procurement rules, recipient shall, when feasible, purchase environmentally preferable products/services and hold conferences/meetings using environmentally preferable measures. Environmentally preferable products/services and environmentally preferable measures include those that have a lesser or reduced effect on the environment when compared with competing products, services, or measures that serve the same purpose. This comparison may consider raw material acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service. In addition, environmentally preferable measures for conferences/meetings apply to large gatherings of ten or more persons.

g]. Subaward Reporting Requirement

The recipient must report on its subaward monitoring activities under 2 CFR 200.331(d). Examples of items that must be reported if the pass-through entity has the information available are:

- * Summaries of results of reviews of financial and programmatic reports
- * Summaries of findings from site visits and/or desk reviews to ensure effective subrecipient performance.

- * Environmental results the subrecipient achieved.
- * Summaries of audit findings and related pass-through entity management decisions.
- * Actions the pass-through entity has taken to correct deficiencies such as those specified at 2 CFR 200.331(e), 2 CFR 200.207 and the 2 CFR Part 200.338 Remedies for Noncompliance.

h]. CYBERSECURITY

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all State or Tribal law cybersecurity requirements as applicable.

(b)(1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition. If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) no later than 90 days after the date of this award and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/o compliance data.

(b)(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.331(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

i]. COMPETANCY POLICY

Following EPA Policy Directive Number FEM-2012-02, recipient agrees to demonstrate competency of any laboratory carrying out any activities involving the generation of environmental data on its behalf. Laboratory competency shall be maintained for the duration of the project period of this agreement and documented during the annual reporting process. A copy of the Policy is available online at http://www.epa.gov/fem/lab_comp.htm and <https://www.epa.gov/measurements>

j]. POST-AWARD CHANGES

To determine if a post-award change in work plan commitments is significant and requires prior written approval for the purposes of 40 CFR §35.114(a) or 40 CFR §35.514(a), the recipient agrees to consult the EPA Project Officer (PO) before making the change. The term work plan commitments is defined at 40 CFR §35.102. If the PO determines the change is significant, the recipient cannot make the change without prior written approval by the EPA Award Official. In addition, the recipient must provide written notice to EPA's PO and Grant Specialist (GS) of proposed transfers of funds of among direct budget categories, programs, functions and activities or transfers that change amounts budgeted for indirect costs, pursuant to the "Transfer of Funds" General Term and Condition. If the PO determines that a proposed transfer of funds significantly changes work plan commitments, or involves an item of cost subject to a prior approval requirement under 2 CFR §200.407, the recipient must consult with the PO and obtain written approval by the EPA Award Official prior to making the transfer of funds. All transfers must be reported in required performance reports.

END OF DOCUMENT