



BOARD OF SUPERVISORS AGENDA ITEM REPORT  
AWARDS / CONTRACTS / GRANTS

Award  Contract  Grant

Requested Board Meeting Date: 8/21/2023

or Procurement Director Award:

\* = Mandatory, information must be provided

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

United States Environmental Protection Agency (EPA)

**\*Project Title/Description:**

FY 23 Air Pollution Control Program

**\*Purpose:**

Grant provides funds to Pima County in its efforts to implement air pollution control programs throughout Pima County.

**\*Procurement Method:**

Not applicable.

**\*Program Goals/Predicted Outcomes:**

Grants provides support for program strategic planning and evaluation, developing state implementation plans, monitoring air quality and emissions, rule making, issuing operating permits, and other related activities.

**\*Public Benefit:**

Grant provides monetary assistance to PDEQ supporting its efforts to reduce risks to human health and the environment.

**\*Metrics Available to Measure Performance:**

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

**\*Retroactive:**

Yes. This grant award is for period 10/1/22 through 9/30/23. This grant was just awarded by EPA on 7/24/23 and was not received by Pima County until 7/31/23 and was processed expeditiously.

If the grant is not accepted the County will be liable for expenses incurred up to this date. The grant is a noncompetitive formula grant awarded annually by EPA. A please apply letter with estimated funding was received on 7/8/22. The guidance amount is only an estimate based on the level of funding passed by Congress for FY22. The final FY23 amount was determined by the appropriations bill ultimately enacted by Congress.

*6 M.I. approves  
RWD  
8/4/23*

THE APPLICABLE SECTION(S) BELOW MUST BE COMPLETED

Click or tap the boxes to enter text. If not applicable, indicate "N/A". Make sure to complete mandatory (\*) fields

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 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 Amendment

Document Type: GTAW Department Code: DE Grant Number (i.e., 15-123): 24\*016

Commencement Date: 10/1/22 Termination Date: 9/30/23 Amendment Number: \_\_\_\_\_

Match Amount: \$ 781,000.00 Revenue Amount: \$ 570,923.00

\*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: PDEQ Air Fees

\*If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?
Directly from EPA

Contact: Scott DiBiase


Department: Environmental Quality

Telephone: 520.724.7363

Department Director Signature: \_\_\_\_\_ Date: 7/31/23

Deputy County Administrator Signature: \_\_\_\_\_ Date: 4 Aug 2023

County Administrator Signature: \_\_\_\_\_ Date: 8/1/2023

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> <b>Grant Agreement</b>		GRANT NUMBER (FAIN): 00905523	DATE OF AWARD
			MODIFICATION NUMBER: 0	07/24/2023
			PROGRAM CODE: A	MAILING DATE
			TYPE OF ACTION New	07/27/2023
			PAYMENT METHOD: ASAP	ACH# 90108
RECIPIENT TYPE: County			Send Payment Request to: Contact EPA RTPFC at: rtpfc-grants@epa.gov	
RECIPIENT: Pima Cnty Dept of Env Quality 33 N. Stone Avenue, Suite 700 Tucson, AZ 85701 EIN: 86-6000543			PAYEE: Pima Cnty Dept of Env Quality 33 N. Stone Avenue, Suite 700 Tucson, AZ 85701	
PROJECT MANAGER		EPA PROJECT OFFICER	EPA GRANT SPECIALIST	
Mike Draper 33 N. Stone Avenue, Suite 700 Tucson, AZ 85701 Email: mike.draper@pima.gov Phone: 520-724-7364		Sharon Bowen 75 Hawthorne Street, AIR-1-1 San Francisco, CA 94105 Email: bowen.sharon@epa.gov Phone: 415-947-4250	Alexandrea Perez Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105 Email: perez.alexandrea@epa.gov Phone: 415-972-3826	
PROJECT TITLE AND DESCRIPTION FY 23 AIR POLLUTION CONTROL PROGRAM See Attachment 1 for project description.				
BUDGET PERIOD 10/01/2022 - 09/30/2023	PROJECT PERIOD 10/01/2022 - 09/30/2023	TOTAL BUDGET PERIOD COST \$1,351,923.00	TOTAL PROJECT PERIOD COST \$1,351,923.00	
<b>NOTICE OF AWARD</b>				
Based on your Application dated 07/26/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$570,923.00. EPA agrees to cost-share <u>42.23%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$570,923.00. 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.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 9 , U.S. EPA, Region 9 Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105			ORGANIZATION / ADDRESS U.S. EPA, Region 9, 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 07/24/2023

### EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$0	\$570,923	\$570,923
EPA In-Kind Amount	\$0	\$0	\$0
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$781,000	\$781,000
State Contribution	\$0	\$0	\$0
Local Contribution	\$0	\$0	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$0	\$1,351,923	\$1,351,923

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.001 - Air Pollution Control Program Support	Clean Air Act: Sec. 105	2 CFR 200, 2 CFR 1500, 40 CFR 33 and 40 CFR 35 Subpart A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2309M7S015	23	E1	09M1	000A04	4112	-	-	\$570,923
									\$570,923

## Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$719,755
2. Fringe Benefits	\$251,914
3. Travel	\$30,000
4. Equipment	\$80,000
5. Supplies	\$52,143
6. Contractual	\$129,870
7. Construction	\$0
8. Other	\$43,612
9. Total Direct Charges	\$1,307,294
10. Indirect Costs: 0.00 % Base See General T/C	\$44,629
11. Total (Share: Recipient <u>57.77</u> % Federal <u>42.23</u> %)	\$1,351,923
12. Total Approved Assistance Amount	\$570,923
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$570,923
15. Total EPA Amount Awarded To Date	\$570,923

## **Attachment 1 - Project Description**

The purpose of this grant is to provide assistance to the Pima County Air Quality Department in its efforts to implement air pollution control programs throughout Pima County, AZ.

This assistance agreement provides full federal funding in the amount of \$570,923. Preaward costs are approved back to 10/1/2022. The recipient will implement activities within the scope of the Section 105 program including: 1) To implement national priorities as defined in EPA national guidance and consistent with EPA's Strategic Plan; 2) actions mandated by statute or regulation; 3) Program activities delegated to the recipient (state, local or tribe) for which EPA provides section 105 grant funding. A continuing program typically includes, but is not limited to, such activities as analysis and planning for attainment and maintenance of national ambient air quality standards

NAAQS; control strategy development and implementation; reduction of risks from hazardous air pollutants; air quality monitoring; ambient air quality and source modeling; inventory of emissions; regulation development and implementation; non-Title V related permitting and enforcement; public outreach; air pollution data analysis and management; air pollution prevention activities; and other innovative approaches to pollution reduction including economic incentive and market-based (allowance and trading) programs. Outcomes include a broadened awareness of air quality programs that are established to address the attainment and maintenance of (NAAQS) as well as immediate and emerging threats to public health and welfare from air pollution (CAA 105(a)).

Intended Beneficiaries:

Direct beneficiaries of this program include Pima County residents who will have decreased exposure to criteria and hazardous air pollutants.

No subawards are included in this assistance agreement.

## **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-october-1-2022-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 [rtpfc-grants@epa.gov](mailto:rtpfc-grants@epa.gov) no later than **December 30** of the same calendar year. Find additional information at <https://www.epa.gov/financial/grants>. (NOTE: The grantee must submit the Final FFR to [rtpfc-grants@epa.gov](mailto:rtpfc-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 with 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.

### **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 is located at <https://www.epa.gov/grants/epa-grantee-forms>

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. All procurement actions are reportable when reporting is required, 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 Alexandra Perez, email: [GrantsRegion9@epa.gov](mailto:GrantsRegion9@epa.gov), phone: 415-972-3826.

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](mailto:GrantsRegion9@epa.gov) and the EPA Grants Specialist identified on page 1 of the award

#### **D. Cost-Share Requirement and Maintenance of Effort**

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-2022), 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.

### **Programmatic Conditions**

#### **a.] PERFORMANCE REPORTING AND FINAL PERFORMANCE REPORT**

##### **Performance Reports - Content**

In accordance with 2 CFR 200.329, the recipient agrees to submit performance reports that include brief information on each of the following areas: 1) A comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement work plan for the period; 2) The reasons why established outputs/outcomes were not met; and 3) Additional pertinent information, including, when appropriate, analysis and explanation of cost overruns or high-unit costs. Additionally, the recipient agrees to inform EPA as soon as problems, delays, or adverse conditions which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan are known.

Interim performance and final progress reports must prominently display the three Essential Elements for state work plans: 1) Strategic Plan Goal; (2) Strategic Plan Objective; and (3) Workplan Commitments plus time frame.

(See [Grants Policy Issuance 11-03 State Grant Workplans and Progress Reports](#) for more information)

##### **Performance Reports - Frequency**

The recipient agrees to submit **semi annual** performance reports electronically to the EPA Project Officer due within 30 days after each reporting period ends (every six-month period). The recipient must submit the final performance report no later than 120 calendar days after the performance end date.

#### **b.] Cybersecurity Grant Condition for Other Recipients, Including Intertribal Consortia**

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

(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/or compliance data.

(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 200.332(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.

#### **c.] Competency of Organizations Generating Environmental Measurement Data**

In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, the Recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, Recipient agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. Recipient shall maintain competency for the duration of the project period of this agreement and this will be documented during the annual reporting process. A copy of the Policy is available online at <https://www.epa.gov/sites/production/files/2015-03/documents/competency-policy-aaia-new.pdf> or a copy may also be requested by contacting the EPA Project Officer for this award.

#### **d.] Quality Assurance**

Quality Assurance applies to all assistance agreements involving environmental information as defined in 2 C.F.R. § 1500.12 Quality Assurance. This grant includes the performance of environmental measurements; therefore, a Quality Management Plan (QMP) and a Quality Assurance Project (QAPP) Plan approved by EPA and Pima County DEQ are required. Pima County DEQ's QMP and QAPP are overdue and should be finalized during this grant period. For questions contact Region 9's Quality Assurance Office at 415-972-3431.

#### **For Reference:**

- Quality Management Plan (QMP) Standard and EPA QA/R-5: EPA Requirements for Quality Assurance Project Plans; contain quality specifications for EPA and non-EPA organizations and definitions applicable to these terms and conditions.
- EPA QA/G-5: Guidance for Quality Assurance Project Plans, Appendix C provides a QAPP Checklist.
- EPA's Quality Program website has a list of QA managers, and Non-EPA Organizations Quality Specifications.
- The Office of Grants and Debarment Implementation of Quality Assurance Requirements for Organizations Receiving EPA Financial Assistance

**e.] 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.

**f.] 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, 2022 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.

**\*\*\*END OF DOCUMENT\*\*\***