



BOARD OF SUPERVISORS AGENDA ITEM REPORT
AWARDS / CONTRACTS / GRANTS

☐ Award ☐ Contract ☒ Grant

Requested Board Meeting Date: 9/6/22

* = 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 FF2122

***Purpose:**

Grant provides assistance to Pima County in its efforts to implement air pollution control programs throughout the county of Pima

***Procurement Method:**

Not applicable

***Program Goals/Predicted Outcomes:**

Grant provides support for program strategic planning and evaluation, developing state implementation plans, monitoring air & 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. Pima County was "invited" to apply for this grant in July 2021, for a grant to cover the period 10/1/2021-9/30/2022. PDEQ was notified on August 3, 2022 that the grant had been awarded, with receipt of the award documentation on August 8, 2022.

If not awarded, PDEQ will not be able to address the attainment and maintenance of National Ambient Air Quality Standards as well as immediate and emerging threats to public health and welfare from air pollution (CAA 105(a)). Pima County residents will have increased exposure to criteria and hazardous air pollutants if the department is unable to implement activities within the scope of the Section 105 program.

6/11/22 approved
8/19/22
PAC

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): 23*23

Commencement Date: October 1, 2021 Termination Date: September 30, 2022 Amendment Number: _____

☒ Match Amount: \$ 781,000.00

☒ Revenue Amount: \$ 533,972

***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 Quality Minor Source Permits Fees/Air Quality Permit Fees

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

Contact: Barbara Escobar

Department: Environmental Quality

Telephone: 520.724.7363

Department Director Signature: Barbara A. Escobar


Deputy County Administrator Signature: _____

County Administrator Signature: _____

Date: _____

Date: 18 Aug 2022

Date: 8/22/2022

| | | | | |
|---|---|---|---|---|
|  | U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement | | GRANT NUMBER (FAIN): 00905522 MODIFICATION NUMBER: 0 PROGRAM CODE: A | DATE OF AWARD 08/03/2022 |
| | | | TYPE OF ACTION New | MAILING DATE 08/08/2022 |
| | | | 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 Mellanie Fuller 33 N Stone Avenue Suite 700 Tucson, AZ 85701 Email: mellanie.fuller@pima.gov Phone: 520-724-7325 | | EPA PROJECT OFFICER Sharon Bowen 75 Hawthorne Street, AIR-1-1 San Francisco, CA 94105 Email: bowen.sharon@epa.gov Phone: 415-947-4250 | | EPA GRANT SPECIALIST Fareed Ali Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105 Email: ali.fareed@epa.gov Phone: 415-972-3665 |
| PROJECT TITLE AND DESCRIPTION FY22 AIR POLLUTION CONTROL PROGRAM See Attachment 1 for project description. | | | | |
| BUDGET PERIOD 10/01/2021 - 09/30/2022 | PROJECT PERIOD 10/01/2021 - 09/30/2022 | TOTAL BUDGET PERIOD COST \$1,314,972.00 | TOTAL PROJECT PERIOD COST \$1,314,972.00 | |
| <p style="text-align: center;">NOTICE OF AWARD</p> <p>Based on your Application dated 07/30/2021 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$533,972.00. EPA agrees to cost-share 40.61% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$533,972.00. 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 , 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 08/03/2022 |

Budget Summary Page

| Table A - Object Class Category (Non-Construction) | Total Approved Allowable Budget Period Cost |
|--|--|
| 1. Personnel | \$748,234 |
| 2. Fringe Benefits | \$221,967 |
| 3. Travel | \$35,000 |
| 4. Equipment | \$60,000 |
| 5. Supplies | \$36,862 |
| 6. Contractual | \$107,545 |
| 7. Construction | \$0 |
| 8. Other | \$63,967 |
| 9. Total Direct Charges | \$1,273,575 |
| 10. Indirect Costs: 0.00 % Base : refer to General T/C | \$41,397 |
| 11. Total (Share: Recipient <u>59.39</u> % Federal <u>40.61</u> %) | \$1,314,972 |
| 12. Total Approved Assistance Amount | \$533,972 |
| 13. Program Income | \$0 |
| 14. Total EPA Amount Awarded This Action | \$533,972 |
| 15. Total EPA Amount Awarded To Date | \$533,972 |

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 \$533,972.

Preaward costs are approved back to 10/1/2021. 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

Administrative Conditions "A" and "B" below apply. In addition, please refer to the paragraph and links below for General Terms and 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-1-2021-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 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 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.

Programmatic Conditions

Programmatic Conditions "a" through "i" below apply.

a. Quality Assurance

This grant includes the performance of environmental measurements; therefore a Quality Management Plan and a Quality Assurance Project (QAPP) Plan approved by EPA is required. A Quality Management Plan for Pima County Department of Environmental Quality 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 revised QMP was submitted in FY21, and EPA comments were received in May 2022. Comments should be addressed and the QMP resubmitted for approval by the EPA Quality Assurance Office FY 22. EPA's Quality Assurance Office can be contacted at 415-972-3431.

b. Performance Reporting

The recipient shall submit mid-year and end-of-year progress reports (preferably electronic copies) to the EPA Project Officer. 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 agreed-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.).

c. 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 FY2021), 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.

d. 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, 2021 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.

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. 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/or 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.

g. Geospatial Data

All geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards may be found at <https://www.fgdc.gov/>

h. Competency of Organizations Generating Environmental Measurement Data

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 <https://www.epa.gov/measurements-modeling> , or a copy may also be requested by contacting the EPA project officer for this award.

i. Significant Changes

To determine if a postaward 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, 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 ASSISTANCE AGREEMENT ****