

File No. 110918

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee CITY OPERATIONS AND NEIGHBORHOOD SERVICES

Date 5/9/11

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

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- | | | |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Form 120</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Gail Johnson
Completed by: _____

Date 5/6/11
Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.

1 [Accept and Expend Grant – Cesar Chavez Sewer System Improvement - \$669,000]

2
3 **Resolution authorizing the San Francisco Public Utilities Commission to accept and**
4 **expend a U.S. Environmental Protection Agency (EPA) administered grant in the**
5 **amount of \$669,000 for the Cesar Chavez Sewer System Improvement Project.**

6
7 WHEREAS, The U.S. EPA is authorized to award Federal Grants under the
8 Department of the Interior, Environment, and Related Agencies Appropriations Act of 2006
9 and 2008; and

10 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) in August 2006
11 was awarded a \$477,900 Grant funded through the Appropriation Act of 2006 to support
12 construction of a combined sewer/ stormwater system along Cesar Chavez Street, as part of
13 the Cesar Chavez Street Sewer System Improvement Project (the Project); and

14 WHEREAS, The San Francisco Board of Supervisors authorized the SFPUC to accept
15 and expend the \$477,900 EPA grant under Resolution No. 711-06 (File No. 061492) on
16 December 12, 2006; and

17 WHEREAS, The Board of Supervisor's Resolution No. 711-06 required completion of
18 environmental review under the California Environmental Quality Act (CEQA), CEQA
19 Guidelines prior to authorizing the expenditure of Federal Grant Funds; and

20 WHEREAS, The SFPUC requested an additional \$669,000 in Federal Grant Funds
21 from the Appropriation Act of 2008 to support Project No. CENMSCIC11, Cesar Chavez
22 Street Sewer System Improvement Project; and

23 WHEREAS, The U.S. EPA notified the SFPUC in June 2010 that it approved a grant
24 award of \$669,000 in Federal Funds to the Project through an amendment to the existing EPA
25 Grant Agreement;

1 WHEREAS, Matching funds of 45% of the total project costs (or \$938,373) are required
2 according to the Appropriations Act which authorized the Project; and

3 WHEREAS, Funding for the required matching funding is available from Wastewater
4 Enterprise CIP Project No. CENMSCIC11; and

5 WHEREAS, The Board of Supervisors adopted findings under the CEQA Guidelines
6 and San Francisco Administrative Code Chapter 31, including adoption of a mitigation
7 monitoring and reporting program, related to the funding of Project No. CENMSCIC11 and
8 directed the Clerk of the BOS to notify the Controller of this action, and authorized the SFPUC
9 to expend Federal Grant in the amount of \$477,900 from the EPA by Resolution No. 411-10
10 (File No. 100930) on August 10, 2010; and

11 WHEREAS, The grant terms prohibit including indirect costs in the grant budget; and

12 WHEREAS, The grant does not require an Annual Salary Ordinance (ASO)
13 Amendment; and

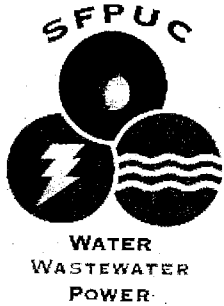
14 WHEREAS, The San Francisco Public Utilities Commission on July 27, 2010, adopted
15 resolution no. 10-0127 authorizing the General Manager to request permission from the Board
16 of Supervisors to accept and expend the additional Grant Funds totaling \$669,000 from the
17 Consolidated Appropriation Act of 2008, as administered by the EPA; now, therefore, be it

18 RESOLVED, That the General Manager of the San Francisco Public Utilities
19 Commission is authorized to accept and expend a U.S. EPA administered grant in the amount
20 of \$669,000 from the Consolidated Appropriation Act of 2008, for the aforementioned Project
21 and to execute any and all documents necessary therefore; and, be it

1 FURTHER RESOLVED, That this Board hereby waives inclusion of indirect costs in the
2 grant budget.

3
4 Recommended: M. O. C. Approved: G. W. J.
5 GM, SFPUC For Mayor

6 Approved: R. A.
7 For Controller



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

1155 Market St., 11th Floor, San Francisco, CA 94103 • Tel. (415) 554-3155 • Fax (415) 554-3161 • TTY (415) 554.3488



April 11, 2011

The Honorable Ben Rosenfield
Controller
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 316
San Francisco, CA 94102

EDWIN M. LEE
MAYOR

FRANCESCA VIETOR
PRESIDENT

ANSON MORAN
VICE PRESIDENT

ANN MOLLER CAEN
COMMISSIONER

ART TORRES
COMMISSIONER

VINCE COURTNEY
COMMISSIONER

ED HARRINGTON
GENERAL MANAGER

Subject: Resolution authorizing the SFPUC to accept and expend a grant of \$669,000 for the Cesar Chavez Sewer System Improvement Project

Dear Controller Rosenfield:

Attached please find an original copy of a resolution that requires your signature. The resolution authorizes the SFPUC to accept and expend a grant of \$669,000 from the U.S. Environmental Protection Agency for the Cesar Chavez Sewer System Improvement Project.

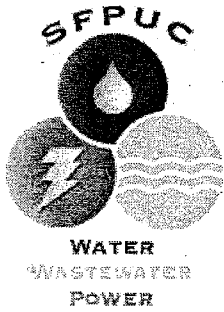
In this packet you will find:

- Red line original copy of the resolution requiring your signature
- Grant information form
- Grant budget
- Grant award letter from funding agency
- A copy of the Agenda Item from the SFPUC with background information on the resolution, as well as a signed copy of the SFPUC resolution related to this item.

When you have signed this resolution, please forward the original copy to the Mayor's Budget Office, City Hall Room 288, for signature by the Mayor and submittal to the Clerk of the Board of Supervisors.

Sincerely,

Michael Carlin
Deputy General Manager



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

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EDWIN M. LEE
MAYOR

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ANN MOLLER CAEN
COMMISSIONER

ART TORRES
COMMISSIONER

VINCE COURTNEY
COMMISSIONER

ED HARRINGTON
GENERAL MANAGER

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Nathan Purkiss

DATE: 4/18/11

SUBJECT: Accept and Expend Resolution for Cesar Chavez Sewer System Improvement Project

GRANT TITLE: US EPA administered grant in the amount of \$669,000 for the Cesar Chaves Sewer system Improvement Project

Attached please find the original and 4 copies of each of the following:

Proposed grant resolution; original signed by Department, Mayor, Controller

Grant information form, including disability checklist

Grant budget

Grant application

Grant award letter from funding agency

Other (Explain): SFPUC Commission Resolution

Departmental representative to receive a copy of the adopted resolution:

Name: Nathan Purkiss

Phone: (415) 554-3404

Interoffice Mail Address: 3801 3rd Street; Suite 600

Certified copy required Yes

No

Grant Information Form

File Number: _____

(Provided by Clerk of Board of Supervisors)

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: Cesar Chavez Sewer Improvements Project
2. Department: SFPUC
3. Contact Person: Nathan Purkiss Telephone: (415) 554-3404
4. Grant Approval Status (check one):
 Approved by funding agency Not yet approved
5. Amount of Grant Funding Approved or Applied for: \$ 1,146,900
6. a. Matching Funds Required: \$ 938,373
b. Source(s) of matching funds (if applicable):
Wastewater Enterprise CIP-funded Project No. CENMSCIC11, Cesar Chavez Sewer Improvement.
7. a. Grant Source Agency: EPA
b. Grant Pass-Through Agency (if applicable): N/A
8. Proposed Grant Project Summary:

There are two grants, totaling \$1,146,900, which will assist in funding a portion of the construction related to rehabilitation of the existing 80-100 year-old sewer along Cesar Chavez Street, as part of the Cesar Chavez Sewer Improvement. The project will improve the system's capability to convey stormwater and sewage to treatment facilities. The project will minimize potential flooding in the project area by increasing the sewer system capacity, and improve water quality by preventing the overflow of combined wastewater on to city streets and into the Bay.
9. Grant Project Schedule, as allowed in approval documents, or as proposed:
Start-Date: 08/01/06 End-Date: 05/31/2013
10. Number of new positions created and funded: 0

11. If new positions are created, explain the disposition of employees once the grant ends?
N/A

12. Amount budgeted for contractual services: \$1,146,900

- a. Will contractual services be put out to bid? Yes
- b. If so, will contract services help to further the goals of the department's LBE requirements? No
- c. Is this likely to be a one-time or ongoing request for contracting out? One Time

13. Does the budget include indirect costs? Yes No

- a. If yes, how much? \$
- b. How was the amount calculated?
- c. If no, why are indirect costs not included?

Not allowed by granting agency To maximize use of grant funds on direct services

Other (please explain):

c2. If no indirect costs are included, what would have been the indirect costs? Labor costs associated with administration of the grant and other labor costs associated with the construction contract.

14. Any other significant grant requirements or comments:

The EPA requests to cost-share 55.00% of the approved budget period costs incurred, up to and not exceeding the federal funding of \$1,146,900. The matching funds of \$938,373 is available from the SFPUC project, CENMSCIC11.

****Disability Access Checklist****

15. This Grant is intended for activities at (check all that apply):

- Existing Site(s) Existing Structure(s)
 Existing Program(s) or Service(s) Rehabilitated Site(s)
 Rehabilitated Structure(s) New Program(s) or Service(s)
 New Site(s) New Structure(s)

16. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental or Mayor's Office of Disability

Reviewer: Nathan Purkiss

(Name)

Date Reviewed: 4/4/2011

Department Approval: Michael Carlin, Deputy General Manager

(Name)

(Title)



(Signature)



AGENDA ITEM

Public Utilities Commission

City and County of San Francisco



DEPARTMENT Wastewater Enterprise AGENDA NO. _____
MEETING DATE July 27, 2010

Amend Agreement, Accept and Expend Additional Grant Funds: Regular Calendar
Project Manager: Bessie Tam

Amend Existing EPA Grant Agreement, and Accept and Expend Additional Grant funds for Cesar Chavez Sewer System Improvement Project

Summary of Proposed Commission Action:	Authorize the General Manager of the San Francisco Public Utilities Commission (SFPUC) to request approval from the Board of Supervisors to amend an existing EPA grant agreement, and to accept and expend additional grant funds totaling \$669,000 from the U.S. Environmental Protection Agency through the Consolidated Appropriation Act of 2008, with required local matching funds of \$547,364 from the Wastewater Enterprise CIP-funded Project No. CENMSCIC11, Cesar Chavez Sewer System Improvement (the Project).
Background:	<p>In May 2010, SFPUC staff submitted a grant application to the U.S. Environmental Protection Agency (EPA), Region 9 for Special Appropriation Grant funds (through the Consolidated Appropriation Act of 2008) for wastewater infrastructure improvements. The project would support rehabilitation of the SFPUC's combined sewer/stormwater system along Cesar Chavez Street to alleviate flooding problems and reduce combined sewer system overflows. The application was for \$669,000 in Federal Funds to be matched by \$547,364 in local funds for a total project cost of \$1,216,364.</p> <p>In June 2010, EPA notified SFPUC staff that federal funding in the amount of \$669,000 had been approved for the Cesar Chavez Sewer Improvement project. SFPUC received an amendment to the existing EPA grant to the said project; thereby, increasing the federal assistance by \$669,000 and extending the project and budget period from 8/01/2006 through 3/31/2012 to 8/01/2006 through 5/31/2013.</p> <p>The existing EPA grant is \$477,900 and was authorized for acceptance through Resolution 06-0114 on September 12, 2006, and authorized for expenditure through Resolution No. 10-0093 on June 8, 2010.</p>

APPROVAL:

DEPARTMENT / BUREAU

FINANCE

Todd L. Rydstrom

COMMISSION SECRETARY

Mike Housh

GENERAL MANAGER

Ed Harrington

Amend Existing Grant and Accept and Expend EPA Grant Funds
Commission Meeting Date: July 27, 2010

	<p>On January 13, 2010, the SFPUC and City Planning completed the environmental review required by CEQA for the Project.</p> <p>On February 23, 2010, the Commission adopted Resolution No. 10-0034, adopting the CEQA Findings and approving Project CENMSCIC11, Cesar Chavez Sewer System Improvement.</p> <p>Staff now recommends to the Commission that the General Manager be authorized to request the Board of Supervisor's approval to amend the existing EPA grant, and approve and expend the additional grant funds.</p>
Result of Inaction:	A delay in authorizing the acceptance and expenditure of the additional EPA grant funds may result in an overall delay in the project.
Budget & Costs:	\$669,900 in federal grant funds has been awarded. Matching funds of 45% of the total project costs (or \$547,364) are required according to the Appropriations Act which authorized the project. Grant funds will be amended to an existing EPA grant of \$477,900 for the same project. Together, the two grants total to \$1,147,800 in federal grant funds, and matching funds of \$938,373 from the Project. The required matching funding is available from Wastewater Enterprise CIP Program, Project No. CENMSCIC11.
Schedule:	The term of the grant is from 8/01/2006 to 3/31/2013. Construction of the project will be completed within this timeframe.
Recommendation:	SFPUC staff recommends that the Commission adopt the attached resolution.
Attachment(s):	<ol style="list-style-type: none"> 1) SFPUC Resolution 2) Assistance Agreement Amendment

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 10-0127

WHEREAS, The United States Government, acting by and through the U.S. Environmental Protection Agency (EPA), is authorized to award Federal Grant Funds under the Consolidated Appropriations Act of 2008; and

WHEREAS, The Fiscal Year 2008 EPA Appropriation included \$669,000 of Federal Grant Funds to the San Francisco Public Utilities Commission (SFPUC) for water and wastewater infrastructure improvement projects in California; and

WHEREAS, SFPUC staff requested \$669,000 in federal grant funds to support rehabilitation of a combined sewer/stormwater system along Cesar Chavez Street, as part of the Cesar Chavez Sewer System Improvement Project; and

WHEREAS, the EPA notified the SFPUC in June 2010 that it had approved a grant award of \$669,000 in Federal Funds to the Cesar Chavez Sewer System Improvement through an amendment to the existing EPA Grant Agreement; and

WHEREAS, Matching funds of 45% of the total project costs (or \$547,364) are required according to the Appropriations Act which authorized the project; and

WHEREAS, Funding for the required matching funds is available from Wastewater Enterprise CIP Program, Project No. CENMSCIC11 - Cesar Chavez Sewer System Improvement; and

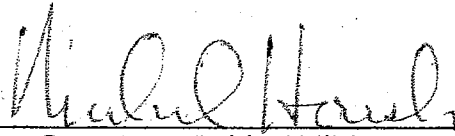
WHEREAS, On September 12, 2006, the Commission adopted Resolution No. 06-0114 and authorized the General Manager of the SFPUC to request permission from the Board of Supervisors to accept \$477,900 in grant funds from the Department of Interior, Environmental, and Related Agencies Appropriation Act of 2006, as administered by the EPA; and

WHEREAS, On February 23, 2010, the Commission adopted Resolution No. 10-0034 adopting the CEQA Findings and approving Project No. CENMSCIC11, Cesar Chavez Sewer System Improvement; and

WHEREAS, On June 8, 2010, the Commission adopted Resolution No. 10-0093 authorized the General Manager of the Public Utilities Commission to request permission from the Board of Supervisors to expend grant funds totaling \$477,900 from the Department of Interior, Environmental, and Related Agencies Appropriation Act of 2006, as administered by the EPA; now, therefore, be it

RESOLVED, That this Commission authorizes the General Manager of the Public Utilities to request approval from the Board of Supervisors to amend the existing EPA Grant Agreement, and accept and expend additional grant funds totaling \$669,000 from the Consolidated Appropriations Act of 2008, as administered by the EPA, with required local matching funds of \$547,364 from the Wastewater Enterprise Capital Improvement Program, for the Cesar Chavez Sewer System Improvement.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of _____ *July 27, 2010*



Secretary, Public Utilities Commission



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Assistance Agreement or Amendment

Enclosed is a signed Assistance Agreement or Amendment from the U.S. Environmental Protection Agency Region 9. Please review the entire document, including the terms and conditions, which set forth your legal responsibilities to EPA. For further information concerning administrative requirements, please refer to the Code of Federal Regulations and OMB Cost Circulars.

Within 21 days of receipt, please sign and date the FIRST page of the Agreement and send a scanned version of the first page to: GrantsRegion9@epa.gov. If you do not have access to a scanner, make a copy for your own records and mail the FIRST page to the following address:

U.S. EPA, Region 9
Grants Management Office, MTS-7
75 Hawthorne Street
San Francisco, CA 94105

As another option, you may fax the FIRST page to (415) 947-3556 with a cover page addressed to: Grants Management Office, MTS-7


We suggest that you make additional copies for your Project Manager, Finance/Fiscal Officer and any other personnel in your organization requiring information about the award.

If you or your staff have any questions of a programmatic nature, please contact your EPA Project Officer. Questions relating to administrative or fiscal matters should be directed to your EPA Grants Specialist. Both contacts are shown on page 1 of the award. You may also access our Region 9 website for additional information to help you manage your grant at:

<http://www.epa.gov/Region9/funding>

For information regarding payments and financial reports, please refer to the following website for the Las Vegas Finance Center:

<http://www.epa.gov/ocfo/finservices/payinfo.htm>

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		ASSISTANCE ID NO.			DATE OF AWARD 06/10/2010		
			PRG	DOC ID	AMEND#			
			XP -	96981301	- 2	TYPE OF ACTION Augmentation: Increase		MAILING DATE 06/17/2010
			PAYMENT METHOD: Reimbursement			ACH# 90561		
RECIPIENT TYPE: Municipal			Send Payment Request to: Las Vegas Finance Center, Fax (702) 798-2423					
RECIPIENT: San Francisco Public Utilities Commission 1155 Market Street 4th Floor San Francisco, CA 94103 EIN: 94-6000417			PAYEE: San Francisco Public Utilities Commission 1155 Market Street 4th Floor San Francisco, CA 94103					
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST				
Molly Patrick 1155 Market Street 4th Floor San Francisco, CA 94103 E-Mail: mpatrick@sfwater.org Phone: 415-934-5767		Luisa Valiela 75 Hawthorne Street, WTR-3 San Francisco, CA 94105 E-Mail: Valiela.Luisa@epamail.epa.gov Phone: 415-972-3400		Danielle Carr Grants Management Office, MTS-7 E-Mail: Carr.Danielle@epa.gov Phone: 415-972-3871				
PROJECT TITLE AND EXPLANATION OF CHANGES Water Infrastructure - Cesar Chavez Sewer Improvements								
The object of this project is for the support the rehabilitation of a combined sewer/stormwater system along Cesar Chavez Street to alleviate flooding problems and reduce combined sewer system overflows. This amendment increases the federal assistance amount by \$669,000 and extends the project and budget period from 08/01/2006 through 03/31/2012 to 08/01/2006 through 05/31/2013.								
BUDGET PERIOD 08/01/2006 - 05/31/2013		PROJECT PERIOD 08/01/2006 - 05/31/2013		TOTAL BUDGET PERIOD COST \$2,085,873.00		TOTAL PROJECT PERIOD COST \$2,085,873.00		
NOTICE OF AWARD								
Based on your application dated 05/11/2010, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$669,000. EPA agrees to cost-share 55.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,146,900. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and 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 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105				ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105				
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY								
SIGNATURE OF AWARD OFFICIAL Digital signature applied by EPA Award Official		TYPED NAME AND TITLE Nancy Lindsay, Acting Assistant Regional Administrator			DATE 06/10/2010			
AFFIRMATION OF AWARD								
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION								
SIGNATURE Tommy Monla		TYPED NAME AND TITLE Tom Frenzo, AGM Wastewater Enterprise			DATE			

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 477,900	\$ 669,000	\$ 1,146,900
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 391,009	\$ 547,364	\$ 938,373
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 868,909	\$ 1,216,364	\$ 2,085,273

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.202 - Congressionally Mandated Projects	Consolidated Appropriations Act of 2006 Consolidated Appropriations Act 2008	40 CFR PART 31

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
	1009W3E008	10	E4C	09L0HDL	202B51E	4192			669,000
									669,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
	\$0
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$2,085,273
6. Contractual	\$0
7. Construction	\$0
8. Other	\$2,085,273
9. Total Direct Charges	\$0
10. Indirect Costs: % Base	\$2,085,273
11. Total (Share: Recipient <u>45.00</u> % Federal <u>55.00</u> %.)	\$1,146,900
12. Total Approved Assistance Amount	\$0
13. Program Income	\$669,000
14. Total EPA Amount Awarded This Action	\$1,146,900
15. Total EPA Amount Awarded To Date	

Administrative Conditions

Administrative Condition #1 was revised. Conditions #13, #14, #15 and #16 were added. All other Administrative Conditions Remain the Same.

1. An interim Federal Financial Report (FFR), Standard Form 425, covering the period from "project/budget period start date" to September 30 of each calendar year shall be submitted to the U.S. EPA Las Vegas Finance Center, PO Box 98515, Las Vegas, NV 89193-8515, no later than December 31 of the same calendar year. **The next FFR is due December 31, 2010.** The final FFR covering the entire project period shall also be submitted within 90 days after the end of the project period according to the recipient's respective Code of Federal Regulations Part 30.52(a)(1)(iv) and 30.71(a), or Part 31.23(b) and 31.41(b) (as applicable). The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Federal Financial Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

13. To implement requirements of Section 106 of the Trafficking Victims Protection Act of 2000, as amended, the following provisions apply to this award:

a. We, as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity: (1) is determined to have violated an applicable prohibition in the Prohibition Statement below; or (2) has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in the Prohibition Statement below through conduct that is either: (a) associated with performance under this award; or (b) imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR part 1532. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in the Prohibition Statement below.

b. Our right to terminate unilaterally that is described in paragraph a of this award term: (1) implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and (2) is in addition to all other remedies for noncompliance that are available to us under this award.

c. You must include the requirements of the Prohibition Statement below in any subaward you make to a private entity.

Prohibition Statement - You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not engage in severe forms of trafficking in persons during the period of time that the award is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the award or subawards under the award.

14. EPA's financial obligations to the recipient are limited by the amount of federal funding awarded to date as shown on line 15 in its EPA approved budget. If the recipient incurs costs in anticipation of receiving additional funds from EPA, it does so at its own risk.

15. Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement.

Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

16. The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html.

Programmatic Conditions

Programmatic Condition #P1 was revised and #P4 was added. All other Programmatic Conditions Remain the Same.

P1. The recipient shall submit quarterly progress reports to the EPA Project Officer within 30 calendar days after the end of each Federal fiscal quarter (January 30, April 30, July 30, and October 30). These reports should include a discussion of the activities conducted during the quarter and progress towards milestones, problems encountered and their resolution, and activities planned for the next quarter. In addition, quarterly reports should identify any special EPA assistance needed, as well as provide a financial accounting of costs incurred during the quarter and cumulative project costs by task.

In accordance with 40 C.F.R section 31.40 (d), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement workplan.

Within 90 days of the end of the project period, the recipient must submit a final report documenting project activities over the entire project period and the recipient's achievements with respect to the project's purposes and objectives.

P4. The recipient agrees to submit to the EPA Project Officer a short narrative describing the environmental and public health benefits of this project. Additionally, at the conclusion of the project, the recipient shall submit an assessment of how effective the project was in achieving the stated environmental and public health objectives.

#####END OF DOCUMENT#####

SFPUC CESAR CHAVEZ STREET SEWER SYSTEM IMPROVEMENTS BUDGET DETAILS

CFDA 66.202

Department of Interior, Environmental, and Related Agencies

Consolidated Appropriations Act of 2006 and 2008

R-9 Tracking #06-069

Assistance ID No. XP-96981301-2

- a. PERSONNEL – N/A
- b. FRINGE BENEFITS – N/A
- c. TRAVEL – N/A
- d. EQUIPMENT – N/A
- e. SUPPLIES – N/A
- f. CONTRACTUAL – N/A

ITEM	PROCUREMENT METHOD	TOTAL
Construction Contract	Competitive Proposals	\$2,085,273
f. CONTRACTUAL TOTAL		\$2,085,273

- g. CONSTRUCTION – N/A
- h. OTHER – N/A

i. TOTAL DIRECT COSTS	\$2,085,273
j. INDIRECT COSTS	
k. TOTAL PROPOSED COSTS	\$2,085,273
FEDERAL FUNDS REQUESTED	\$1,146,900
RECIPIENT SHARE (MATCH)	\$938,373
RECIPIENT SHARE OF TOTAL PROPOSED COSTS	45%
FEDERAL SHARE OF TOTAL PROPOSED COSTS	55%

**FORM SFEC-126:
NOTIFICATION OF CONTRACT APPROVAL
(S.F. Campaign and Governmental Conduct Code § 1.126)**

City Elective Officer Information (Please print clearly.)	
Name of City elective officer(s): Members, Board of Supervisors	City elective office(s) held: Members, Board of Supervisors
Contractor Information (Please print clearly.)	
Name of contractor: JMB Construction Inc.	
<i>Please list the names of (1) members of the contractor's board of directors; (2) the contractor's chief executive officer, chief financial officer and chief operating officer; (3) any person who has an ownership of 20 percent or more in the contractor; (4) any subcontractor listed in the bid or contract; and (5) any political committee sponsored or controlled by the contractor. Use additional pages as necessary.</i>	
JMB Construction Inc.: Owners: John Burke and Margaret Burke Subcontractors to JMB in this contract: Norcal Pipeline, Harris Salinas, CS Archibald, Pacific Liners, SAK, Cinquinit Possarino, Chrisp F Connolly, Golden State Boring, Hernandez Engineering	
Contractor address: 132 South Maple Avenue, South San Francisco, CA 94080	
Date that contract was approved: (By the SF Board of Supervisors)	Amount of contract: \$669,000
Describe the nature of the contract that was approved: Sewer pipeline and structure installation, lining of existing sewers, and paving	
Comments: SFPUC is eligible for \$1,146,900 of EPA Grant Funds (with required matching of \$938,373) against the total contract amount.	

This contract was approved by (check applicable):

the City elective officer(s) identified on this form

a board on which the City elective officer(s) serves: San Francisco Board of Supervisors
 Print Name of Board

the board of a state agency (Health Authority, Housing Authority Commission, Industrial Development Authority Board, Parking Authority, Redevelopment Agency Commission, Relocation Appeals Board, Treasure Island Development Authority) on which an appointee of the City elective officer(s) identified on this form sits

Print Name of Board

Filer Information (Please print clearly.)	
Name of filer: Angela Calvillo, Clerk of the Board	Contact telephone number: (415) 554-5184
Address: City Hall, Room 244, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102	E-mail: Board.of.Supervisors@sfgov.org

Signature of City Elective Officer (if submitted by City elective officer)

Date Signed

Signature of Board Secretary or Clerk (if submitted by Board Secretary or Clerk)

Date Signed