

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement	GRANT NUMBER (FAIN): 98T61901 MODIFICATION NUMBER: 0 PROGRAM CODE: W9	DATE OF AWARD 06/08/2023
		TYPE OF ACTION New	MAILING DATE 06/13/2023
		PAYMENT METHOD: ASAP	ACH# 90806
		RECIPIENT TYPE: Municipal	
RECIPIENT: City and County of San Francisco 501 Stanyan Street San Francisco, CA 94117-1898 EIN: 94-6000417		PAYEE: City and County of San Francisco dba Recreation and Park Department 501 Stanyan Street San Francisco, CA 94117-1898	
PROJECT MANAGER David Froehlich 49 South Van Ness Suite 1220 San Francisco, CA 94103-3795 Email: david.froehlich@sfgov.org Phone: 628-652-6649		EPA PROJECT OFFICER Kristen Isom 75 Hawthorne Street San Francisco, CA 94105 Email: isom.kristen@epa.gov Phone: 415-972-3305	
		EPA GRANT SPECIALIST Danielle Carr Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105 Email: carr.danielle@epa.gov Phone: 415-972-3871	
PROJECT TITLE AND DESCRIPTION City and County of San Francisco- India Basin Shoreline Park - Phase 3 See Attachment 1 for project description.			
BUDGET PERIOD 06/01/2023 - 12/31/2026	PROJECT PERIOD 06/01/2023 - 12/31/2026	TOTAL BUDGET PERIOD COST \$7,537,117.00	TOTAL PROJECT PERIOD COST \$7,537,117.00
NOTICE OF AWARD			
<p>Based on your Application dated 09/20/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$3,768,558.00. EPA agrees to cost-share 50.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$3,768,558.00. 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, Water Division, WTR-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			DATE 06/08/2023

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$0	\$3,768,558	\$3,768,558
EPA In-Kind Amount	\$0	\$0	\$0
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$0	\$0
State Contribution	\$0	\$3,768,558	\$3,768,558
Local Contribution	\$0	\$0	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$0	\$7,537,117	\$7,537,117

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.126 - Geographic Programs - San Francisco Bay Water Quality Improvement Fund	Clean Water Act: Sec. 320	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2309W32014	2223	B	09L2	000BK4	4158	-	-	\$3,768,558
									\$3,768,558

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$7,537,117
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$7,537,117
10. Indirect Costs: 0.00 % Base	\$0
11. Total (Share: Recipient <u>50.00</u> % Federal <u>50.00</u> %)	\$7,537,117
12. Total Approved Assistance Amount	\$3,768,558
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$3,768,558
15. Total EPA Amount Awarded To Date	\$3,768,558

Attachment 1 - Project Description

The India Basin Shoreline Park Project improves the health of the environment and supports bay access. The project will create bioretention basins that will maximize the capture of stormwater and trash and enhanced intertidal areas. It will provide coastal protection during storm surges and increase biodiversity. Upland transition zones will buffer future sea level rise and allow for the continued existence of the intertidal habitats. Native, drought-tolerant tree plantings and installation of shade structures will reduce impacts of high heat days. In addition, the park's system of trails provides the public with direct access to the Bay via a gravel beach. Funding from this agreement would support construction site development activities.

This agreement provides full federal funding in the amount of \$3,768,558. Preaward costs are approved back to 06/01/2023. To implement the San Francisco Estuary Partnership Comprehensive Conservation and Management Plan (CCMP), as part of this grant the City and County of San Francisco will accomplish the following activities: site development construction activities including earthwork and grading, shoreline contouring, construction of stormwater planters, and planting for stormwater planters, trees, and shoreline plantings. Anticipated deliverables include: earthwork and grading, shoreline contouring, construction of stormwater planters, and planting installations. Expected long-term outcomes include: improved overall wetlands ecology, increased biodiversity, and support for an interconnected habitat at India Basin Shoreline Park. The intended beneficiaries of this project are the Bayview/Hunters Point communities and the living resources of the San Francisco Bay and its watersheds. 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 **June 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 **September 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 rtfpc-grants@epa.gov within 120 days after the end of the project period.)

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.

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 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, 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 and the EPA Grants Specialist identified on page 1 of the award document.

D. Indirect Costs

The Cost Principles under 2 CFR Part 200, Subpart E apply to this award. Since there are no indirect costs included in the assistance budget, they are not allowable under this Assistance Agreement.

Programmatic Conditions

a. Reporting: 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 31, April 30, July 31, and October 31). The progress reports should include:

- a discussion of the activities conducted during the previous two quarters (including a comparison of actual accomplishments with the anticipated outputs and outcomes specified in the workplan),
- progress towards milestones,
- problems encountered with achieving outputs and outcomes, and their resolution,
- activities planned for the next two quarters,
- a financial accounting of costs incurred during the reporting period,
- cumulative project costs (EPA and match amounts) since the beginning of the project, by task, and
- identification of any special EPA assistance needed, and an explanation of any cost overruns.

The recipient will notify the EPA Project Officer if something materially impairs their ability to complete the tasks and deliver the products, outputs and outcomes identified in the workplan. Within 120 days of the end of the project period, the recipient must email 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. The final report must be emailed to the EPA Project Officer.

b. Grant Source Recognition: The recipient should publicly acknowledge the US EPA San Francisco Bay Water Quality Improvement Fund as the funding vehicle for the projects when the grantee is asked by public entities, federal agencies or state and local agencies about the projects and on-going results.

c. 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.

(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 200.332(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.

d. Geospatial Data Standards:

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/>.

END-OF-DOCUMENT