

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

3 A-3

Meeting Date: November 3, 2009

☒ Consent

☐ Regular

☐ Workshop

☐ Public Hearing

Department: County Administration

Submitted By: County Administration

Submitted For: Economic Development Office

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: The program criteria for the Energy Efficiency and Conservation Block Grant (EECBG) Energy Efficiency /Conservation Competitive Grant Program.

Summary: On October 20, 2009, the Palm Beach County Board of County Commissioners (BCC) approved the U.S. Department of Energy's (DOE) Assistance Agreement for a formula-based grant totaling \$6,587,600 to implement eight (8) project activities under the EECBG Program which included an Energy Efficiency/Conservation Competitive Grant Program for local governmental organizations totaling \$850,000. This program will provide local governmental organizations, who did not receive a formula-based award, an opportunity to implement retrofits on public properties to increase energy savings and reduce fossil fuels. Applicants may request a minimum of \$50,000 up to \$200,000 for projects and are required to provide a 50% match. All recommended applicants/projects must be submitted to the DOE for approval and adhere to the period of performance and requirements. **These are Federal funds that require no County matching funds.** Countywide (DW)

Background and Policy Issues: On June 16, 2009, the Palm Beach County Board of County Commissioners (BCC) adopted a Resolution (R2009-1038) authorizing the submittal of the EECBG Program application for the formula-based grant totaling \$6,587,600 for the following project activities: Water Utilities Department's (WUD) Digester Biomass Gasification project at the Southern Region Water Reclamation Facility (\$1.2 million), Facilities Development & Operations (FDO) Dept.'s HVAC for the Emergency Operations Center (\$1.5 million), Parks and Recreation Dept.'s Green Generation Lighting at John Prince, Okeeheelee and Lake Lytal Parks (\$1,125,000), Engineering's Traffic Signal Synchronization for four (4) streets (\$200,000), FDO's Solar Power for Agricultural/Mounts Complex (\$175,000), Economic Development Office's Energy Efficiency/Conservation Competitive Grants for Governmental Organizations (\$650,000), and Revolving Loan Fund (\$900,000) and Equity Seed Capital Program (\$400,000) for emerging Green Technology Companies and Energy Efficiency Projects for Businesses and Administration costs (\$437,600). However, during the review process, the DOE did not approve the Equity Seed Capital Program (\$400,000) and approved the increase of funds to the Competitive Grants for Governmental Organizations (\$850,000) and the Revolving Loan Program for Energy Efficiency Projects for Businesses (\$1.1 million) requested by County Administration. The revised contract with the DOE is pending receipt.

Continued on page 3.

Attachments:

1. EECBG Energy Efficiency and Conservation Competitive Grant Program
2. DOE Assistance Agreement

Recommended by: _____

Economic Development Director

Date

Approved by: _____

Assistant County Administrator

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Expenditure	_____	_____	_____	_____	_____
Operating Cost	_____	_____	_____	_____	_____
External Revenue	_____	_____	_____	_____	_____
Program Income (PBC)	_____	_____	_____	_____	_____
In-Kind Match (PBC)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS	_____	_____	_____	_____	_____
(Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____

Fund _____ Dept. _____ Unit _____ Object _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

[Signature] 10/19/09

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

* No additional fiscal impact. The Conservation Competitive Grant program was approved by the Board as part of the Energy Efficiency and Conserv. Block Grant.

OFMB

10/26/09
CN
10/19/09
10/26

Contract Development and Control

10/27/09

B. Legal Sufficiency:

[Signature] 10/27/09
Sr. Assistant County Attorney

C. Other Department Review:

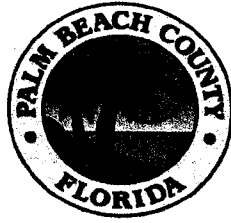
Department Director

This summary is not to be used as a basis for payment.

The period of performance for the project activities is August 31, 2009 through August 30, 2012. The American Recovery and Reinvestment Act of 2009, Public Law 11-5, appropriated funding for the DOE to issue/award formula-based grants to states, U.S. territories, units of local government, and Indian tribes under the EECBG Program. Funds awarded must be obligated/committed within an 18 month period and expended within 36 months. Recipient's selection of subcontracts/subgrantees must be submitted to the DOE within 180 days from date of award for approval. The Recovery Act's purposes are to stimulate the economy and create and retain jobs.

The DOE states that the purpose of the EECBG Program is to assist eligible entities in creating and implementing strategies to reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduces the total energy use of the eligible entities; and improves energy efficiency in the building sector, the transportation sector and other appropriate sectors.

All purchases are to be guided by the Buy American Act and all laborers and mechanics on construction projects funded directly by or assisted in whole or in part by and through funding appropriated by the Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of title 40, United States Code (Davis-Bacon Act). For purchases of equipment, only the portion of the project utilizing EECBG funds must adhere to the Davis Bacon Act.



PALM BEACH COUNTY
ENERGY EFFICIENCY CONSERVATION
COMPETITIVE GRANT PROGRAM
FOR LOCAL GOVERNMENTAL ORGANIZATIONS

**THIS PROGRAM HAS BEEN FUNDED THROUGH A COUNTY APPLICATION TO
THE DEPARTMENT OF ENERGY'S ENERGY EFFICIENCY AND CONSERVATION
BLOCK GROUP PROGRAM 2009**

Energy Efficiency Conservation (EEC) Competitive Grant Program Schedule

November 3, 2009	EEC Competitive Grant Program presented to BCC for approval
November 4, 2009	Advertise Notice of Funding Available (30 days) for EEC Competitive Grant Program Application and Criteria available on website, www.pbcgov.com/edo
December 1, 2009	9:00 am EEC Competitive Grant Program Workshop at Cooperative Extension Services, Exhibit Hall A, 559 N. Military Trail, WPB (off Golf Street behind Driver's License Bldg)
December 4, 2009	Opening of EEC Competitive Grant Program for five (5) Weeks
January 8, 2010	Deadline 5:00 pm for EEC Competitive Grant Program application submittal to the Economic Development Office.
January 12 - 15, 2010	Review process for EEC Competitive Grant Program applicants by Grant Review Committee made up of representatives from County Departments.
February 2, 2010	EEC Competitive Grant Program applicant recommendation presented to The Overall Economic Development Program (OEDP) Committee.
February 23, 2010	Recommendations for EEC Competitive Grant Program presented to the BCC for approval.
	All required information for subgrantees forwarded to Dept. of Energy for approval.
March 12, 2010	EEC Competitive Grant Program Agreements forwarded to approved applicants.
April 9, 2010	Contracts to be received from approved applicants for the EEC Competitive Grant Program.
May 18, 2010	EEC Competitive Grant Program Agreements to be presented to the BCC for approval.
August 30, 2012	Period of Performance Ends For EEC Competitive Grant Program



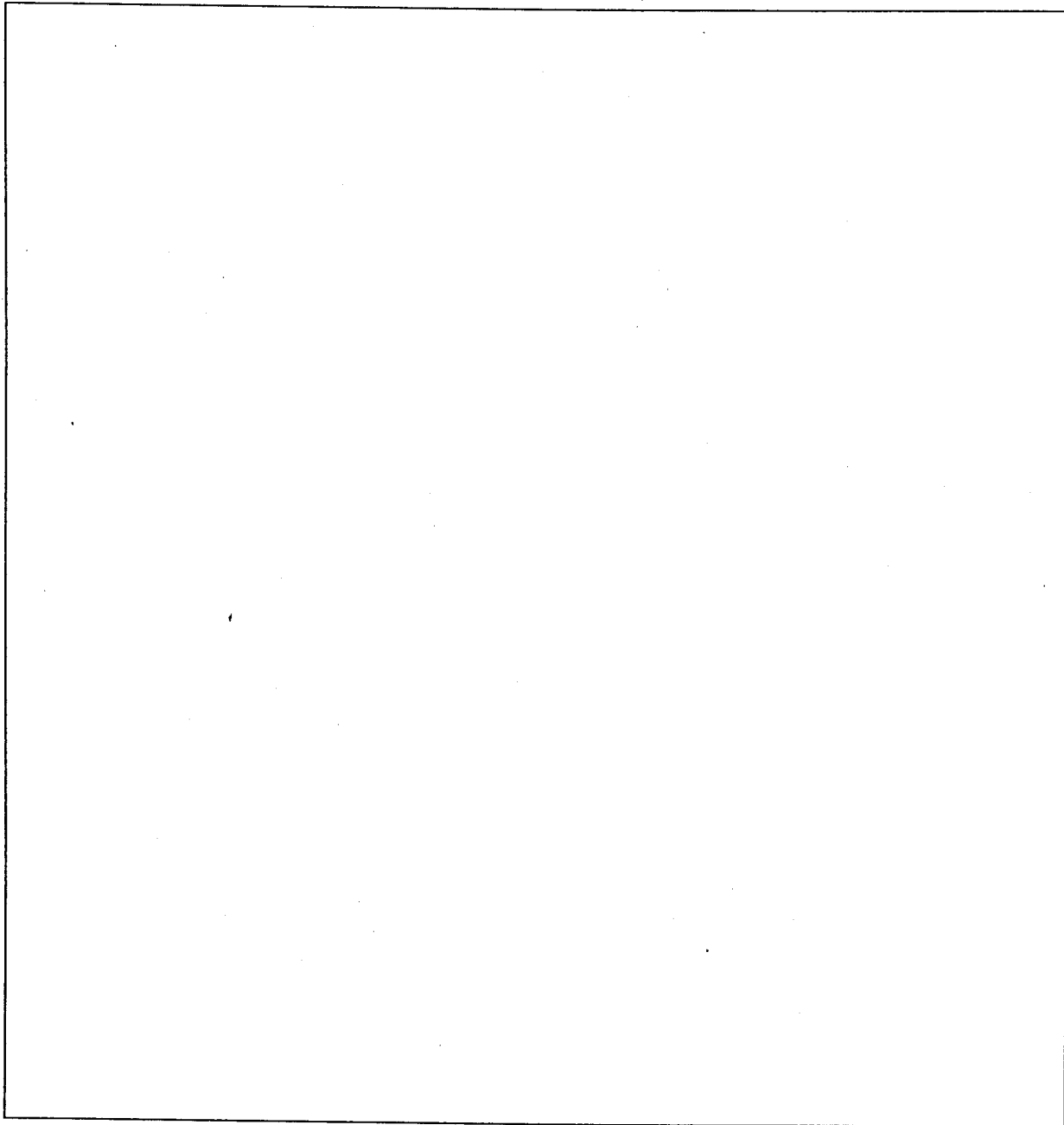
**ENERGY EFFICIENCY CONSERVATION
COMPETITIVE GRANT PROGRAM
PALM BEACH COUNTY, FLORIDA**

**APPLICATION COMPONENTS
Important Instructions:**

- Before submitting application packet, thoroughly read the ELIGIBILITY & APPLICATION REQUIREMENTS for this program beginning on page 6 of this document. Please follow the Application Requirement Checklist on page 10 to ensure all components are included in your application packet.
- Only one project activity per application.
- Only one application per local governmental organization.
- Please type or print the required information. Do not leave spaces blank. Submit one (1) original and five (5) copies of the application packet.
- In the event that the Palm Beach County Economic Development Office requests additional information, it must be submitted in a timely manner.
- Incomplete applications will not be accepted.

ENERGY EFFICIENCY CONSERVATION COMPETITIVE GRANT PROGRAM PROJECT ACTIVITY SHEET	
Applicant:	Date:
DUNS #:	Program Contact Email:
Program Contract First Name:	Last Name
Project Title:	
Activity:	If Other:
Sector:	If Other:
Proposed Number of Jobs Created:	Proposed Number of Jobs Retained:
Proposed Energy Saved and/or Renewable Energy Generated:	
Proposed GHG Emissions Reduced (CO2 Equivalents):	

Proposed Funds Leveraged:	
Proposed Competitive Energy Program Budget:	
Project Contact First Name:	Project Contact Last Name:
Email:	
Metric Activity:	
Project Summary: (limit summary to space provided)	



Overview

The American Reinvestment and Recovery Act of 2009, Public Law 111-5, appropriated funding for the Department of Energy (DOE) to issue/award formula-based grants to states, U.S. territories, units of local government, and Indian tribes under the Energy Efficiency and Conservation Block Grant (EECBG) Program. On September 8, 2009, Palm Beach County (PBC) received a formula-based award totaling \$6,587,600 to implement numerous project activities. Of these funds, \$850,000 was secured for a PBC Energy Efficiency Conservation Competitive Grant Program to provide an opportunity, on a competitive basis, for the implementation of eligible projects by governmental organizations that were not allocated EECBG funds. All projects will be subject to the EECBG guidelines. The program will focus on retrofitting existing public facilities to improve energy efficiency, reduce energy consumption and create energy savings by completing efficiency improvements within the building and other sectors. The purpose of this program is to assist eligible entities in reducing fossil fuel emissions, improving energy efficiency, increasing environmental sustainability and maximizing benefits to the public.

Eligible Activities

The funds in this program are to be used for the list of eligible activities below. The list of activities should be used as a guide to the intent of the program to result in maximum energy efficiency improvements, fossil-fuel emission reductions, economic benefits and total energy use reduction.

1. **Energy Efficiency Retrofits:** Grants may be used by entities for the purpose of retrofitting existing facilities to improve energy efficiency.
2. **Energy Distribution:** Entities may implement distributed energy resource technologies that significantly increase energy efficiency, including:
 - A) District heating and cooling systems
 - B) Combined heat and power systems
 - C) Cogeneration systems
 - D) Energy Storage systems
 - E) Absorption chillers
 - F) Desiccant humidifiers
 - G) Micro turbines
 - H) Ground source heat pumps
3. **Renewable Energy Technologies on Government Buildings:** Entities may use grant funds to develop, implement, and install on or in any government building of the eligible entity onsite renewable energy technology that generates electricity from renewable resources, including solar energy; wind energy; fuel cells; and biomass.

Eligible Applicants

This opportunity will be open to Palm Beach County's municipalities that did not receive an EECBG formula-based grant through the U.S. Department of Energy. Other eligible applicants include Palm Beach County based community redevelopment agencies within cities that did not receive a formula-based award, the PBC School District and other PBC governmental organizations.

Period of Performance

Each entity is required to use the funds in a cost-effective manner that is of maximum benefit to the population of that entity and in a manner that will yield continuous benefits over time in terms of energy and emission reductions. The period of performance for these grants will end August 30, 2012. In keeping with the agenda of the Recovery Act, and support the goal of immediate investment in the economy, the County must obligate these funds by March 6, 2011.

Project Requirements

A minimum request of \$50,000 up to \$200,000 is available for a single project activity. Applicants must provide a minimum 50% match for their project. This \$1:\$1 match to the programs funds can be made up of cash, other grants, loans, service fees, energy savings (using an Energy Performance Contractor (ESCOs) to provide services in which payments will be based on energy savings) or any other funding sources that are in place. Other matching opportunities may be discussed. All matching funds must be in place at the time of application submission or the determination of using an ESCO for your project activity.

Project Implementation Requirements

Projects activities must adhere to the EECBG Program guidelines including FAR 31.201-3, environmental forms, Davis Bacon Wages Act and the Buy America Act. (Please see page 10)

For purposes of job creation and/or retention, an estimated one (1) job will be created and/or retained per \$92,000 spent of the total project cost.

Program funds must be expended by August 30, 2012.

Application Process

Five (5) copies and one (1) original must be submitted on or before January 8, 2009, no later than 5:00 pm. The applications will be reviewed by a Grant Review Committee made up of representatives from the Economic Development Office, Office of

Community Revitalization, Parks & Recreation and other County Departments. Recommendations will be presented to the Overall Economic Development Program (OEDP) Committee (February 2, 2010) and then to the Board of County Commissioners (February 23, 2010) for approval. This information will be submitted to the Dept. of Energy (by March 6, 2010) for final review and approval. Upon receipt of approval by the Dept. of Energy, agreements will be forwarded to the approved applicants to be signed and returned to the Economic Development Office (April 9, 2010) to be presented to the Board of County Commissioners (May 18, 2010) for approval.

Method of Payment

All payment requests will be based upon reimbursement. A letter must be received requesting payment with required completed exhibit(s) in the contract, a copy of the invoice and a canceled check or other documented method of payment.

Program Application

Applicants must obtain a DUNS number. The DUNS website is http://dnb.com/US/duns_update/. Applicants will be required to register with the Central Contractor Registration (CCR) when accessing this website.

Project Activity Sheet

A description of the project activity must be limited to the space provided on the project activity sheet. If necessary, one additional page may be added. Only one application will be allowed per local governmental organization.

Site Location

An aerial map must be attached identifying the site and address of the project.

Budget Justification

- An Excel spreadsheet must provide itemized costs of the project and include all funding sources.
- Justification of project costs must be attached which may be in the form of an engineer's quote, vendor's quote, catalogue documentation, etc.
- Justification of funding sources must also be attached.

Program Criteria

The Palm Beach County Economic Development Office (EDO) is the point of contact for this Program and will work to ensure that special consideration will be given to projects that promote and enhance the objectives of the American Recovery and Reinvestment

Act, especially job creation, preservation and economic recovery, in an expeditious manner. The EDO will also ensure that grantees adhere to the special terms and conditions that apply to projects funded by the Act relating to:

- Reporting, tracking and segregation of incurred costs;
- Reporting on job creation and preservation;
- Publication of information on the Internet;
- Access to records by Inspectors General and the Governmental Accountability Office;
- Prohibition on use of funds for gambling establishments, aquariums, zoos, golf courses or swimming pools;
- Ensuring that iron, steel and manufactured goods are produced in the United States;
- Ensuring wage rates are comparable to those prevailing on projects of a similar character;
- Protecting whistleblowers and requiring prompt referral of evidence of a false claim to an appropriate inspector general; and
- Certification and Registration.

Expected Outcomes and Benefits of the Program

- Jobs created and/or retained
- Energy saved
- Renewable energy capacity
- GHG emissions reduced
- Funds leveraged

Assurances

The following assurances must be on letterhead.

1. The duly authorized official or highest elected official of the local governmental organization must certify the name and contact information for the entity authorized to receive funds and implement the project.
2. Project proposals shall provide written assurance that all laborers and mechanics on projects funded directly by or assisted in whole or in part by and through funding appropriated by this Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of title 40, United State Code (Davis-Bacon Act).

Application Checklist

- ☐ Letter of Assurances
- ☐ Project Activity Worksheet
- ☐ Aerial Map of Site Location
- ☐ Excel Spreadsheet of Itemized Project Costs showing Funding Sources/Uses
- ☐ Justification of Costs with Quotes Provided.
- ☐ Justification of Funding Sources
- ☐ Environmental Questionnaire (NEPA, Historic Preservation, and Waste Stream)
- ☐ Five (5) copies and one (1) original required.

Application Scoring

- | | |
|--|-----------------|
| • Number of Jobs created and/or retained | Up to 25 Points |
| • Overall Energy Reduction and Savings | Up to 25 Points |
| • Total Funds Leveraged | Up to 25 Points |
| • Maximum Benefit to Public | Up to 25 Points |

ADDITIONAL INFORMATION ON REQUIREMENTS

FAR 31.201-3

Applicants are not subject to the federal bidding requirements, but must have supporting documentation that the costs are reasonable according to the **FAR 31.201-3** below. If the Department of Energy Contracting Officer challenges the reasonableness of a cost, the burden is on the recipient to establish that the cost is reasonable.

31.201-3 Determining reasonableness.

(a) A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person in the conduct of competitive business. Reasonableness of specific costs must be examined with particular care in connection with firms or their separate divisions that may not be subject to effective competitive restraints. No presumption of reasonableness shall be attached to the incurrence of costs by a contractor. If an initial review of the facts results in a challenge of a specific cost by the contracting officer or the contracting officer's representative, the burden of proof shall be upon the contractor to establish that such cost is reasonable.

(b) What is reasonable depends upon a variety of considerations and circumstances, including—

(1) Whether it is the type of cost generally recognized as ordinary and necessary for the conduct of the contractor's business or the contract performance;

(2) Generally accepted sound business practices, arm's-length bargaining, and Federal and State laws and regulations;

(3) The contractor's responsibilities to the Government, other customers, the owners of the business, employees, and the public at large; and

(4) Any significant deviations from the contractor's established practices.

NEPA - Environmental Requirements

All projects must be reviewed under the National Environmental Policy Act (NEPA) of 1969 – 42 U.S.C. Section 4321 et seq. (*Separate Attachment*). If you move forward with activities that are not authorized for Federal funding by the Department of Energy (DOE) Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost share. All applicants must submit an environmental evaluation report/evaluation notification form addressing NEPA issues prior to the Dept. of Energy initiating the NEPA process. Applicants must fill out the attached NETL 451.1-EECBG Form, addressing the Historic Preservation and the Waste Stream Clause below.

Applicant's contractor will be required to fill out an EF-1 Form found at the bottom of the webpage, <https://www.eere-pmc.energy.gov/NEPA.asp>.

Historic Preservation

All projects involving buildings built after 1959 are required to provide documentation from the PBC Property Appraiser's website to be excluded from the following Historic Preservation Clause.

Prior to the expenditure of Federal funds to alter any structure or site, the Recipient is required to comply with the requirements of Section 106 of the National Historic Preservation Act (NHPA), consistent with DOE's 2009 letter of delegation of authority regarding the NHPA. Section 106 applies to historic properties that are listed in or eligible for listing in the National Register of Historic Places. In order to fulfill the requirements of Section 106, the Recipient must contact the State Historic Preservation Officer (SHPO), and, if applicable, the Tribal Historic Preservation Officer (THPO), to coordinate the Section 106 review outlined in 36 CFR Part 800. SHPO contact information is available at the following link: <http://www.ncshpo.org/find/index.htm>. THPO contact information is available at the

following link: <http://www.nathpo.org/map.html> . Section 110(k) of the NHPA applies to DOE funded activities. Recipients shall avoid taking any action that results in an adverse effect to historic properties pending compliance with Section 106.

Recipients should be aware that the DOE Contracting Officer will consider the recipient in compliance with Section 106 of the NHPA only after the Recipient has submitted adequate background documentation to the SHPO/THPO for its review, and the SHPO/THPO has provided written concurrence to the Recipient that it does not object to its Section 106 finding or determination. Recipient shall provide a copy of this concurrence to the Contracting Officer.

Waste Stream

All project activities must adhere to the Solid Waste Authority of Palm Beach County's Integrated Solid Waste Management Plan to be approved by the Dept. of Energy which addresses the following Waste Stream Clause for all applicants.

Prior to the expenditure of Federal funds to dispose of sanitary or hazardous waste, the Recipient is required to provide documentation demonstrating that it has prepared a disposal plan for sanitary or hazardous waste generated by the proposed activities. Sanitary or hazardous waste includes, but is not limited to, old light bulbs, lead ballasts, piping, roofing material, discarded equipment, debris, asbestos, etc.

The DOE shall consider compliance with this clause complete only after the Recipient has submitted adequate documentation for its review, and DOE has provided written approval to the Recipient of its proposed plan to dispose of its sanitary or hazardous waste.

State Energy Service Contractors

There is a qualified vendor list for the State's Energy Service Companies or ESCOs on the website,
[http://dms.myflorida.com/business_operations/real_estate_development_management/facilities management/energy_initiatives](http://dms.myflorida.com/business_operations/real_estate_development_management/facilities_management/energy_initiatives)

Additional pertinent information in using these federal funds.

31564 Federal Register / Vol. 74, No. 125 / Wednesday, July 1, 2009 / Rules and Regulations

9.108 Prohibition on contracting with inverted domestic corporations.

9.108–1 Definition. *Inverted domestic corporation*, as used in this section, means a foreign incorporated entity which is treated as an inverted domestic corporation under 6 U.S.C. 395(b), *i.e.*, a corporation that used to be incorporated in the United States, or used to be a partnership in the United States, but now is incorporated in a foreign

country, or is a subsidiary whose parent corporation is incorporated in a foreign country, that meets the criteria specified in 6 U.S.C. 395(b), applied in accordance with the rules and definitions of 6 U.S.C. 395(c). Other terms used to describe such companies include "expatriate corporations," and "tax haven contractors."

For additional information contact:

PALM BEACH COUNTY ECONOMIC DEVELOPMENT OFFICE
301 N. Olive Avenue, 10th Floor, West Palm Beach, FL 33401
P.O. Box 1989, West Palm Beach, FL 33402-1989
(561) 355-3624
Fax: (561) 355-6017

Attn: Pamela Nolan, Economic Development Specialist
pnolan@co.palm-beach.fl.us
(561) 355-6835
Fax: (561) 355-6017

www.pbcgov.com/edo

Metrics

The results of the funding provided for the projects will be assessed according to the metrics below. The key metrics will vary by project type. The minimum information to be reported by the entity, by project activity type, is written below.

Building Retrofits

- Number of buildings retrofitted, by sector
- Square footage of buildings retrofitted, by sector

Building Energy Audits

- Number of audits performed, by sector
- Floor space audited, by sector
- Auditor's projection of energy savings, by sector

Energy Efficiency Rating and Labeling

- Types of energy-consuming devices for which energy-efficiency rating and labeling systems were endorsed by the grantee

Government, School, Institutional Procurement

- Number of units purchased, by type (e.g., office equip., HVAC equip., exit signs)

Industrial Process Efficiency (kWh equivalents)

- Reduction in natural gas consumption (mmcf)
- Reduction in fuel oil consumption (gallons)
- Reduction in electricity consumption (MWh)

Renewable Energy Market Development

- Number and size of solar energy systems installed
- Number and size of wind energy systems installed
- Number and size of other renewable energy systems installed

Short-term Outcomes (Supplemental guidance will be provided on how to calculate these outcomes to ensure consistent approaches that results can be aggregated at a regional, State and national level):

Energy Savings (kWh equivalents)

- Annual reduction in natural gas consumption (mmcf) by sector and end-use

- category
- Annual reduction in electricity consumption (MWh) by sector and end-use category
- Annual reduction in electricity demand (MW) by sector and end-use category
- Annual reduction in fuel oil consumption (gallons) by sector and end-use category
- Annual reduction in propane consumption (gallons) by sector and end-use category
- Annual reduction in gasoline and diesel fuel consumption (gallons) by sector and end-use category

Job Creation/Retention

- Number
- Type
- Duration

Renewable Energy Capacity and Generation

- Amount of wind-powered electric generating capacity installed (MW)
- Amount of electricity generated from wind systems (MWh)
- Amount of photovoltaic generating capacity installed (MW)
- Amount of electricity generated from photovoltaic systems (MWh)
- Amount of electric generating capacity from other renewable sources installed (MW)
- Amount of electricity generated from other renewable sources (MWh)

Emissions Reductions (tons) (CO2 equivalents)

- Methane
- Carbon
- Sulfur dioxide
- Nitrogen oxide
- Carbon monoxide

ATTACHMENT

NETL F 451.1-EECBG
(3/2009) OPI=320
(Previous Editions Obsolete)

U.S. DEPARTMENT OF ENERGY

ENVIRONMENTAL QUESTIONNAIRE

I. BACKGROUND

The Department of Energy (DOE) National Environmental Policy Act (NEPA) Implementing Procedures (10 CFR 1021) require careful consideration of the potential environmental consequences of all proposed actions during the early planning stages of a project or activity. DOE must determine at the earliest possible time whether such actions will require either an Environmental Assessment or an Environmental Impact Statement, or whether they qualify for a Categorical Exclusion. To comply with these requirements, an Environmental Questionnaire must be completed for each proposed action to provide DOE with the information necessary to determine the appropriate level of NEPA review.

II. INSTRUCTIONS

Separate copies of the Environmental Questionnaire should be completed by the principal proposer and appropriate proposer's subcontractor. In addition, if the proposed project includes activities at different locations, an independent questionnaire should be prepared for each location. Supporting information can be provided as attachments.

In completing this Questionnaire, the proposer is requested to provide specific information and quantities, when applicable, regarding air emissions, wastewater discharges, solid wastes, etc., to facilitate the necessary review. The proposer should identify the location of the project and specifically describe the activities that would occur at that location. In addition, the proposer will be required to submit an official copy of the project's statement of work (SOW) or statement of project objective (SOPO) that will be used in the contract/agreement between the proposer and DOE.

III. QUESTIONNAIRE

A. PROJECT SUMMARY

1. Solicitation/Project Number:
2. Proposer:
3. Principal Investigator:
- Telephone Number:
4. Project Title:
5. Duration:
6. Location(s) of Performance (City/Township, County, State):
7. Identify and select checkbox with the predominant project work activities under Group A-7b or A-7c.

Group A-7b

- ☐

Work or project activities does NOT involve new building/facilities construction and site preparation activities. This work typically involves routine operation, modification, and retrofit of existing utility and transportation infrastructure, laboratories, commercial buildings/properties, offices and homes, test facilities, factories/power plants, vehicles test stands and components, refueling facilities, greenspace infrastructure, or other existing facilities.

Group A-7c

- ☐ Work or project activities typically involves major building or facility construction, site preparation; the installation, replacement, or major modifications of energy system prototypes and infrastructure, access right-of-ways and roads; utility, greenspace, and transportation infrastructure, vehicle test facilities; commercial buildings/properties, fuel refinery/mixing facilities, factories/power plants; and other types of energy efficiency/conservation related systems, structures, and facilities. This work can require new or modified regulatory permits, environmental sampling and monitoring requirements, master planning, public involvement, and environmental impact review.
- ☐ Other types of work or project activities not listed. (please describe):
8. Summarize the objectives of the proposed work. List activities planned at the location as covered by this Environmental Questionnaire.
9. List all other locations where proposed work or project would be performed by project's proposer and subcontractors.
10. Identify major project operation related materials and waste that would be used, consumed, and produced by this project or activity.
11. Provide a brief description of the project location (physical location, surrounding area, adjacent structures).
12. Attach a site plan or topographic map of the project work area.

B. ENVIRONMENTAL IMPACTS

This section is designed to obtain information for objectively assessing the environmental impacts of a proposed project. NEPA procedures require evaluations of possible effects (including land use, energy resource use, natural, historic and cultural resources, and pollutants) from proposed projects on the environment.

1. Land Use

- a. Characterize present land use where the proposed project would be located.
- | | | | |
|-----------------------------------|--|--------------------------------------|--|
| <input type="checkbox"/> Urban | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial | <input type="checkbox"/> Agricultural |
| <input type="checkbox"/> Suburban | <input type="checkbox"/> Rural | <input type="checkbox"/> Residential | <input type="checkbox"/> Research Facilities |
| <input type="checkbox"/> Forest | <input type="checkbox"/> University Campus | <input type="checkbox"/> Other | |
- b. Describe how land use would be affected by planned construction and project activities.
☐ No construction would be anticipated for this project.
- c. Describe any plans to reclaim/replant areas that would be affected by the proposed project.
☐ No land areas would be affected.
- d. Would the proposed project affect any unique or unusual landforms (e.g., cliffs, waterfalls, etc.)?
☐ No ☐ Yes (describe)
- e. Would the proposed project be located in or near a national park or wilderness area?
☐ No ☐ Yes (describe)

If project work activities falls under item A-7b; then proceed directly to question B.6 (Atmospheric Conditions/Air Quality) and continue to fill out questionnaire.

If project work falls under item A-7c; then proceed directly below to question B.2 (Construction Activities and/or Operations) and continue to fill out questionnaire.

2. Construction Activities and/or Operations

- a. Identify any roads, trails, or utility right of ways that traverse the proposed site or will be constructed and clearly mark them on project site maps.
☐ None
- b. Would the proposed project require the construction of settling ponds?
☐ No ☐ Yes (describe and identify location, and estimate surface area disturbed)
- c. Would the proposed project affect any existing body of water?
☐ No ☐ Yes (describe)
- d. Would the proposed project be located in or impact a floodplain or wetland?
☐ No ☐ Yes (describe)
- e. Would the proposed project be likely to cause runoff/sedimentation/erosion?
☐ No ☐ Yes (describe)

3. Vegetation and Wildlife Resources

- a. Identify any State- or Federal-listed endangered or threatened plant or animal species affected by the proposed project.
☐ None
- b. Would any foreign substances/materials be introduced into ground or surface waters, or other earth/geologic resource because of project activities? Would these foreign substances/materials affect the water, soil, and geologic resources?
☐ No ☐ Yes (describe)
- c. Would any migratory animal corridors be impacted or disrupted by the proposed project?
☐ No ☐ Yes (describe)

4. Socioeconomic and Infrastructure Conditions.

- a. Would local socio-economic changes result from the proposed project?
☐ No ☐ Yes (describe)
- b. Would the proposed project generate increased traffic use of roads through local neighborhoods, urban or rural areas?
☐ No ☐ Yes (describe)
- c. Would the proposed project require new transportation access (roads, rail, etc.)? Describe location, impacts, costs.
☐ No ☐ Yes (describe)
- d. Would any new transmission lines and/or power line right-of-ways be required?
☐ No ☐ Yes (describe location, voltage, and length of line)

5. Historical/Cultural Resources

- a. Describe any historical, archeological, or cultural sites in the vicinity of the proposed project; note any sites included on the National Register of Historic Places.
☐ None

- b. Would construction or operational activities planned under the proposed project disturb any historical, archeological, or cultural sites?
☐ No planned construction ☐ No historic sites ☐ Yes (describe)
- c. Would the proposed project interfere with visual resources (e.g., eliminate scenic views) or alter the present landscape?
☐ No ☐ Yes (describe)

For all proposed project work activities identified under item A-7b, respond to item B6 directly below and continue filling out environmental questionnaire.

6. Atmospheric Conditions/Air Quality

- a. Identify air quality conditions in the immediate vicinity of the proposed project with regard to attainment of National Ambient Air Quality Standards (NAAQS). This information is available under the NAAQS tables from the U.S. EPA Air and Radiation Division.

	<u>Attainment</u>	<u>Non-Attainment</u>
O ₃	<input type="checkbox"/>	<input type="checkbox"/>
SO _x	<input type="checkbox"/>	<input type="checkbox"/>
PM ₁₀	<input type="checkbox"/>	<input type="checkbox"/>
CO	<input type="checkbox"/>	<input type="checkbox"/>
NO ₂	<input type="checkbox"/>	<input type="checkbox"/>
Lead	<input type="checkbox"/>	<input type="checkbox"/>

- b. Would proposed project require issuance of new or modified major source air quality permits?
☐ No ☐ Yes (describe)
- c. Would the proposed project be in compliance with the National Emissions Standards for Hazardous Air Pollutants?
☐ No (explain) ☐ Yes
- d. Would the proposed project be classified as either a New Source or a major modification to an existing source?
☐ No ☐ Yes (describe)
- e. Would the proposed project be in compliance with the New Source Performance Standards?
☐ Not Applicable ☐ No (explain) ☐ Yes
- f. Would the proposed project be subject to prevention of significant deterioration air quality review?
☐ Not applicable ☐ No (explain) ☐ Yes (describe)
- g. What types of air emissions, including fugitive emissions, would be anticipated from the proposed project?
- h. Would any types of emission control or particulate collection devices be used?
☐ No ☐ Yes (describe, including collection efficiencies)
- i. If no control devices are used, how would emissions be vented?

7. Hydrologic Conditions/Water Quality

- a. What is the closest body of water to the proposed project area and what is its distance from the project site?
- b. What sources would supply potable and process water for the proposed project?

- c. Quantify the daily or annual amount of wastewater that would be generated by the proposed project.
 - d. Identify the local treatment facility that would receive wastewater from the proposed project.
☐ No discharges to local treatment facility
 - e. Describe how wastewater would be collected and treated.
 - f. Would any run-off or leachates be produced from storage piles or waste disposal sites?
☐ No ☐ Yes (describe source)
 - g. Would project require issuance of new or modified water permits to perform project work or site development?
☐ No ☐ Yes (describe)
 - h. Where would wastewater effluents from the proposed project be discharged?
☐ No wastewater produced
 - i. Would the proposed project be permitted to discharge effluents into an existing body of water?
☐ No ☐ Yes (describe water use and effluent impact)
 - j. Would a new or modified National Pollutant Discharge Elimination System (NPDES) permit be required?
☐ No ☐ Yes (describe)
 - k. Would the proposed project adversely affect the quality or movement of groundwater?
☐ No ☐ Yes (describe)
- 8. Solid and Hazardous Wastes**
- a. Describe and estimate major nonhazardous solid wastes that would be generated from the project. Solid wastes are defined as any solid, liquid, semi-solid, or contained gaseous material that is discarded or has served its intended purpose, or is a manufacturing or mining by-product (40 CFR 260, Appendix I).
 - b. Would project require issuance of new or modified solid waste and/or hazardous waste related permits to perform project work activities?
☐ No ☐ Yes (explain)
 - c. How and where would solid waste disposal be accomplished?
☐ On-site (identify and describe location)
☐ Off-site (identify location and describe facility and treatment)
 - d. How would wastes for disposal be transported?
 - e. Describe and estimate the quantity of hazardous wastes (40 CFR 261.31) that would be generated, used, or stored under this project.
☐ None
 - f. How would hazardous or toxic waste be collected and stored?
☐ None used or produced
 - g. If hazardous wastes would require off-site disposal, have arrangements been made with a certified TSD (Treatment, Storage, and Disposal) facility?

☐ Not required ☐ Arrangements not yet made ☐ Arrangements made with a certified TSD facility (identify):

C. **DESCRIBE ANY ISSUES THAT WOULD GENERATE PUBLIC CONTROVERSY REGARDING THE PROPOSED PROJECT.**
☐ None

IV. **CERTIFICATION BY PROPOSER**

I hereby certify that the information provided herein is current, accurate, and complete as of the date shown immediately below.

SIGNATURE: _____ DATE: ____ / ____ / ____
month day year
TYPED NAME: _____
TITLE: _____
ORGANIZATION: _____

V. **REVIEW AND APPROVAL BY DOE**

I hereby certify that I have reviewed the information provided in this questionnaire, have determined that all questions have been appropriately answered, and judge the responses to be consistent with the efforts proposed.


PROJECT MANAGER:
SIGNATURE: _____ DATE: ____ / ____ / ____
month day year
TYPED NAME: _____

R2009F1743

OCT 20 2009

NOT SPECIFIED /OTHER

ASSISTANCE AGREEMENT

1. Award No. DE-EE0000793		2. Modification No.	3. Effective Date 08/31/2009	4. CFDA No. 81.128
5. Awarded To COUNTY OF, PALM BEACH Attn: SHANNON RAMSEY-CHESSMAN P O BOX 4036 WEST PALM BEACH FL 334024036		6. Sponsoring Office Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401		7. Period of Performance 08/31/2009 through 08/30/2012
8. Type of Agreement <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Other	9. Authority PL 110-140, EISA 2007 PL 111-5, Recovery Act 2009		10. Purchase Request or Funding Document No. 09EE004021	
11. Remittance Address COUNTY OF, PALM BEACH Attn: SHANNON RAMSEY-CHESSMAN P O BOX 4036 WEST PALM BEACH FL 334024036		12. Total Amount Govt. Share: \$6,587,600.00 Cost Share : \$0.00 Total : \$6,587,600.00		13. Funds Obligated This action: \$6,587,600.00 Total : \$6,587,600.00
14. Principal Investigator Pamela Nolan Phone: 561-355-6835		15. Program Manager Patricia S. St. Germain Phone: 303-275-4874		16. Administrator Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401-3393
17. Submit Payment Requests To		18. Paying Office		19. Submit Reports To See Attachment #2
20. Accounting and Appropriation Data EECBG				
21. Research Title and/or Description of Project RECOVERY ACT: PALM BEACH COUNTY EE AND CONSERVATION PROGRAM FOR LONG TERM SUSTAINABILITY				
For the Recipient		For the United States of America		
22. Signature of Person Authorized to Sign		25. Signature of Grants/Agreements Officer 		
23. Name and Title		24. Date Signed	26. Name of Officer Sara J. Wilson	27. Date Signed 09/08/2009

NOT SPECIFIED /OTHER

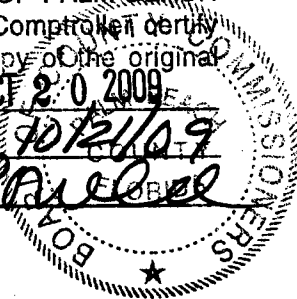
February 23, 2010	Revolving Loan Program presented to BCC for approval
February 23, 2010	All departments must provide the recommended subcontractors/ subgrantees with required information to the EDO for submittal to the Dept. of Energy on or before March 6, 2010 for approval.
March 22, 2010	Competitive Grant Program Agreements forwarded to applicants approved by DOE.
April 20, 2010	Contracts to be received from approved applicants for the Competitive Grant Program.
May 18, 2010	Competitive Grant Program contracts to be presented to the BCC for approval.
March 7, 2011	All Dept. of Energy funds must be committed to project activities by the 18 th calendar month from date of award.
August 30, 2012	Period of Performance Ends For EECBG Award totaling \$6,587,600. All funds to be expended by this date.

Changes to timeline may occur due to Dept. of Energy changes. Time table includes project activities administered by the Economic Development Office.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk & Comptroller certify
this to be a true and correct copy of the original
filed in my office on OCT 20 2009

dated at West Palm Beach, FL on 10/21/09

By: [Signature]
Deputy Clerk



CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-EE0000793PAGE OF
3 3

NAME OF OFFEROR OR CONTRACTOR

COUNTY OF, PALM BEACH

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	(A) Identifies and authenticates a particular person as the source of the electronic message; (B) Indicates such person's approval of the information contained in the electronic message; and, (C) Submission via FedConnect constitutes electronically signed documents. ASAP: Yes Extent Competed: NOT AVAIL FOR COMP Delivery Location Code: 03601 Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401-3393 Payment: OR for Golden U.S. Department of Energy Oak Ridge Financial Service Center P.O. Box 4517 Oak Ridge TN 37831 Fund: 05796 Appr Year: 2009 Allottee: 31 Report Entity: 200835 Object Class: 41020 Program: 1005115 Project: 2004350 WFO: 0000000 Local Use: 0000000 TAS Agency: 89 TAS Account: 0331				

1. RESOLUTION OF CONFLICTING CONDITIONS

Any apparent inconsistency between Federal statutes and regulations and the terms and conditions contained in this award must be referred to the DOE Award Administrator for guidance.

2. AWARD AGREEMENT TERMS AND CONDITIONS

This award/agreement consists of the Assistance Agreement, plus the following:

a. Special Terms and Conditions.

b. Attachments:

Attachment Number

Title

1. Statement of Project Objectives
2. Federal Assistance Reporting Checklist and Instructions
3. Budget Pages (SF 424A)

c. Program regulations, if applicable.

d. DOE Assistance Regulations, 10 CFR Part 600 at <http://ecfr.gpoaccess.gov>.

e. Application/proposal as approved by DOE.

f. National Policy Assurances to Be Incorporated as Award Terms in effect on date of award at http://management.energy.gov/business_doe/1374.htm.

3. ELECTRONIC AUTHORIZATION OF AWARD DOCUMENTS

Acknowledgement of award documents by the Recipient's authorized representative through electronic systems used by the Department of Energy, specifically FedConnect, constitutes the Recipient's acceptance of the terms and conditions of the award. Acknowledgement via FedConnect by the Recipient's authorized representative constitutes the Recipient's electronic signature.

4. PAYMENT PROCEDURES - ADVANCES THROUGH THE AUTOMATED STANDARD APPLICATION FOR PAYMENTS (ASAP) SYSTEM

- a. Method of Payment. Payment will be made by advances through the Department of Treasury's ASAP system.
- b. Requesting Advances. Requests for advances must be made through the ASAP system. You may submit requests as frequently as required to meet your needs to disburse funds for the Federal share of project costs. If feasible, you should time each request so that you receive payment on the same day that you disperse funds for direct project costs and the proportionate share of any allowable indirect costs. If same-day transfers are not feasible, advance payments must be as close to actual disbursements as administratively feasible.
- c. Adjusting payment requests for available cash. You must disburse any funds that are available from repayments to and interest earned on a revolving fund, program income,

benefit costs means the Recipient must absorb the underrecovery. Such underrecovery may be allocated as part of the Recipient's cost share.

- b. If actual allowable fringe benefit costs are less than those budgeted and funded under the award, the Recipient may use the difference to pay additional allowable direct costs during the project period. If at the completion of the award the Government's share of total allowable costs (i.e., direct and indirect), is less than the total costs reimbursed, the Recipient must refund the difference.
- c. The budget for this award does not include indirect costs. Therefore, these expenses shall not be charged to nor reimbursement requested for this project nor shall the indirect costs from this project be allocated to any other federally sponsored project. In addition, indirect costs shall not be counted as cost share unless approved by the Contracting Officer. This restriction does not apply to subawardees' indirect costs.

8. USE OF PROGRAM INCOME

If you earn program income during the project period as a result of this award, you may add the program income to the funds committed to the award and used to further eligible project objectives.

9. STATEMENT OF FEDERAL STEWARDSHIP

DOE will exercise normal Federal stewardship in overseeing the project activities performed under this award. Stewardship activities include, but are not limited to, conducting site visits; reviewing performance and financial reports; providing technical assistance and/or temporary intervention in unusual circumstances to correct deficiencies which develop during the project; assuring compliance with terms and conditions; and reviewing technical performance after project completion to ensure that the award objectives have been accomplished.

10. SITE VISITS

DOE's authorized representatives have the right to make site visits at reasonable times to review project accomplishments and management control systems and to provide technical assistance, if required. You must provide, and must require your subawardees to provide, reasonable access to facilities, office space, resources, and assistance for the safety and convenience of the government representatives in the performance of their duties. All site visits and evaluations must be performed in a manner that does not unduly interfere with or delay the work.

11. REPORTING REQUIREMENTS

- a. Requirements. The reporting requirements for this award are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to this award. Failure to comply with these reporting requirements is considered a material noncompliance with

Congress as described in 18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

15. STAGED DISBURSEMENT

a. The total funding allocation for this award, shown in Block 12 of the Assistance Agreement, will be obligated in full with this action; however, funds will be released according to a staged disbursement schedule. All funds must be expended within 36 months of the effective date of the award.

1. The initial disbursement of funds will include 50% of the total funding allocation, identified on Page 2 of the Assistance Agreement, which will be released to the Recipient to begin work on the approved activities listed in the Statement of Project Objectives. If conditions are included in the terms and conditions of this award, upon satisfying the conditions, the Contracting Officer will lift the funding restrictions associated with the conditions and release the remainder of the initial disbursement of funds.

2. Project performance will be monitored and corrective action taken, as necessary to ensure acceptable performance under this award. After one or more progress reviews, in which the Recipient must demonstrate that it has made satisfactory progress on its activities; expended funds appropriately; complied with reporting requirements; and created jobs, the Contracting Officer will approve the release of the remaining balance of the total funding allocation.

b. No additional funds will be disbursed to the Recipient for payment, and DOE does not guarantee or assume any obligation to reimburse costs incurred by the Recipient, until the requirements of each progress review are met. Failure by the Recipient to demonstrate acceptable performance under this award will be deemed a noncompliance pursuant to 10 CFR 600. If a noncompliance occurs, the Contracting Officer may unilaterally terminate or suspend this award and deobligate the amounts obligated. In such case, the Recipient shall not be reimbursed for costs incurred at the Recipient's risk, as described above.

16. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) REQUIREMENTS

You are restricted from taking any action using Federal funds, which would have an adverse effect on the environment or limit the choice of reasonable alternatives prior to DOE providing either a NEPA clearance or a final NEPA decision regarding this project. If you move forward with activities that are not authorized for Federal funding by the DOE Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost share. If this award includes construction activities, you must submit an environmental evaluation report/evaluation notification form addressing NEPA issues prior to DOE initiating the NEPA process.

Recipient may proceed with the activities described in its EECBG activity worksheets, subject to the conditions below:

under this Program; and (2) a final NEPA determination from DOE regarding those activities.

Once DOE makes a final NEPA determination and DOE authorizes Recipient to expend federal funds to fund projects under the Competitive Grant Program, the activities will be subject to the Waste Stream and Historic Preservation clauses. Further, Recipient shall ensure the safety and structural integrity of any repair, replacement, construction, and or alteration performed under this project.

This restriction does not preclude the Recipient from: conducting assessments, studies, audits, developing strategies, and engaging in other administrative work related to the establishment of the Competitive Grant Program.

Activity #7 – Equity Seed Capital Program: Prohibited actions include: Recipient is restricted from distributing funds pending: (1) further submission by Recipient specifically identifying all activities authorized under this Program; and (2) a final NEPA determination from DOE regarding those activities.

Once DOE makes a final NEPA determination and DOE authorizes Recipient to expend federal funds to fund projects under the Equity Seed Capital Program, the activities will be subject to the Waste Stream and Historic Preservation clauses. Further, Recipient shall ensure the safety and structural integrity of any repair, replacement, construction, and or alteration performed under this project.

This restriction does not preclude the Recipient from: conducting assessments, studies, audits, developing strategies, and engaging in other administrative work related to the establishment of the Equity Seed Capital Program.

Activity #8 - Palm Beach County Revolving Energy Fund Program: Prohibited actions include: Recipient is restricted from distributing funds pending: (1) further submission by Recipient specifically identifying all activities authorized under this Program; and (2) a final NEPA determination from DOE regarding those activities.

Once DOE makes a final NEPA determination and DOE authorizes Recipient to expend federal funds to fund projects under the Revolving Energy Fund Program, the activities will be subject to the Waste Stream and Historic Preservation clauses. Further, Recipient shall ensure the safety and structural integrity of any repair, replacement, construction, and or alteration performed under this project.

This restriction does not preclude the Recipient from: conducting assessments, studies, audits, developing strategies, and engaging in other administrative work related to the establishment of the Revolving Energy Fund Program.

Activity #9 – Staff Positions for Energy Economics and Sustainability: DOE has made a final NEPA Determination for this activity, which is categorically excluded from further NEPA review.

19. DECONTAMINATION AND/OR DECOMMISSIONING (D&D) COSTS

Notwithstanding any other provisions of this Agreement, the Government shall not be responsible for or have any obligation to the Recipient for (i) Decontamination and/or Decommissioning (D&D) of any of the Recipient's facilities, or (ii) any costs which may be incurred by the Recipient in connection with the D&D of any of its facilities due to the performance of the work under this Agreement, whether said work was performed prior to or subsequent to the effective date of the Agreement.

20. SUBCONTRACT/SUBGRANT APPROVALS

- a. In the original application, the subcontractor(s)/subgrantee(s) were not proposed by the recipient. In order to receive reimbursement for the costs associated with subcontractors/activities listed in the approved Statement of Project Objectives (SOPO), each subcontract/subgrant must be approved by the DOE Contracting Officer.
- b. Upon the recipient's selection of the subcontractor(s)/subgrantee(s), and within 180 days of the award date in Block 27 of the Assistance Agreement, the recipient shall provide the following information for each, regardless of dollar amount:
 - Name
 - DUNS Number
 - Award Amount
 - Statement of work including applicable activities
 - EF-1 for all proposed activities
- c. In addition to the information in paragraph b. above, for each subcontract/subgrant that has an estimated cost greater than 25% of the Total Allocation or \$1,000,000, whichever is less, the recipient must submit a Statement of Objectives, SF424A Budget Information – Nonconstruction Programs, and PMC 123.1 Cost Reasonableness Determination for Financial Assistance. The DOE Contracting Officer may require additional information concerning these subcontract(s)/subgrant(s) prior to providing written approval.
- d. No funds shall be expended on the subcontracts supporting the activities listed in the approved SOPO until DOE approval is provided. DOE does not guarantee or assume any obligation to reimburse costs incurred by the Recipient or subcontractor for these activities, until approval is provided in writing by the Contracting Officer.
- e. Upon written approval by the Contracting Officer, the Recipient may then receive payment for the activities listed in the approved SOPO for allowable costs incurred in accordance with the payment provisions contained in the Special Terms and Conditions of this agreement.

21. SPECIAL PROVISIONS RELATING TO WORK FUNDED UNDER AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (May 2009)

Preamble

and any contractor or subcontractor of the State or local government; and does not mean any department, agency, or other entity of the federal government.

Recipient means any entity that receives Recovery Act funds directly from the Federal government (including Recovery Act funds received through grant, loan, or contract) other than an individual and includes a State that receives Recovery Act Funds.

Special Provisions

A. Flow Down Requirement

Recipients must include these special terms and conditions in any subaward.

B. Segregation of Costs

Recipients must segregate the obligations and expenditures related to funding under the Recovery Act. Financial and accounting systems should be revised as necessary to segregate, track and maintain these funds apart and separate from other revenue streams. No part of the funds from the Recovery Act shall be commingled with any other funds or used for a purpose other than that of making payments for costs allowable for Recovery Act projects.

C. Prohibition on Use of Funds

None of the funds provided under this agreement derived from the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, may be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

D. Access to Records

With respect to each financial assistance agreement awarded utilizing at least some of the funds appropriated or otherwise made available by the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, any representative of an appropriate inspector general appointed under section 3 or 8G of the Inspector General Act of 1988 (5 U.S.C. App.) or of the Comptroller General is authorized --

- (1) to examine any records of the contractor or grantee, any of its subcontractors or subgrantees, or any State or local agency administering such contract that pertain to, and involve transactions that relate to, the subcontract, subcontract, grant, or subgrant; and
- (2) to interview any officer or employee of the contractor, grantee, subgrantee, or agency regarding such transactions.

E. Publication

An application may contain technical data and other data, including trade secrets and/or privileged or confidential information, which the applicant does not want disclosed to the

alleged reprisal, the head of the agency shall determine whether there is sufficient basis to conclude that the non-Federal employer has subjected the employee to a prohibited reprisal. The agency shall either issue an order denying relief in whole or in part or shall take one or more of the following actions:

- Order the employer to take affirmative action to abate the reprisal.
- Order the employer to reinstate the person to the position that the person held before the reprisal, together with compensation including back pay, compensatory damages, employment benefits, and other terms and conditions of employment that would apply to the person in that position if the reprisal had not been taken.
- Order the employer to pay the employee an amount equal to the aggregate amount of all costs and expenses (including attorneys' fees and expert witnesses' fees) that were reasonably incurred by the employee for or in connection with, bringing the complaint regarding the reprisal, as determined by the head of a court of competent jurisdiction.

Nonenforceability of Certain Provisions Waiving Rights and remedies or Requiring Arbitration: Except as provided in a collective bargaining agreement, the rights and remedies provided to aggrieved employees by this section may not be waived by any agreement, policy, form, or condition of employment, including any predispute arbitration agreement. No predispute arbitration agreement shall be valid or enforceable if it requires arbitration of a dispute arising out of this section.

Requirement to Post Notice of Rights and Remedies: Any employer receiving covered funds under the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, shall post notice of the rights and remedies as required therein. (Refer to section 1553 of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, www.Recovery.gov, for specific requirements of this section and prescribed language for the notices.).

G. Reserved

H. False Claims Act

Recipient and sub-recipients shall promptly refer to the DOE or other appropriate Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity or similar misconduct involving those funds.

I. Information in Support of Recovery Act Reporting

Recipient may be required to submit backup documentation for expenditures of funds under the Recovery Act including such items as timecards and invoices. Recipient shall provide copies of backup documentation at the request of the Contracting Officer or designee.

J. Availability of Funds

Funds obligated to this award are available for reimbursement of costs until 36 months after

Numbering System (DUNS) Number (<http://www.dnb.com>) is one of the requirements for registration in the Central Contractor Registration.

(d) The recipient shall report the information described in section 1512(c) of the Recovery Act using the reporting instructions and data elements that will be provided online at <http://www.FederalReporting.gov> and ensure that any information that is pre-filled is corrected or updated as needed.

23. NOTICE REGARDING THE PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS – SENSE OF CONGRESS

It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this award should be American-made.

*Special Note: Definitization of the Provisions entitled, "REQUIRED USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS – SECTION 1605 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009" and "REQUIRED USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS (COVERED UNDER INTERNATIONAL AGREEMENTS) – SECTION 1605 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009" will be done upon definition and review of final activities.

24. REQUIRED USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS – SECTION 1605 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

(a) *Definitions.* As used in this award term and condition—

(1) *Manufactured good* means a good brought to the construction site for incorporation into the building or work that has been—

(i) Processed into a specific form and shape; or

(ii) Combined with other raw material to create a material that has different properties than the properties of the individual raw materials.

(2) *Public building and public work* means a public building of, and a public work of, a governmental entity (the United States; the District of Columbia; commonwealths, territories, and minor outlying islands of the United States; State and local governments; and multi-State, regional, or interstate entities which have governmental functions). These buildings and works may include, without limitation, bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, pumping stations, heavy generators, railways, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, and canals, and the construction, alteration, maintenance, or repair of such buildings and works.

- (H) A detailed justification of the reason for use of foreign iron, steel, and/or manufactured goods cited in accordance with paragraph (b)(3) of this section.
- (ii) A request based on unreasonable cost shall include a reasonable survey of the market and a completed cost comparison table in the format in paragraph (d) of this section.
- (iii) The cost of iron, steel, and/or manufactured goods material shall include all delivery costs to the construction site and any applicable duty.
- (iv) Any recipient request for a determination submitted after Recovery Act funds have been obligated for a project for construction, alteration, maintenance, or repair shall explain why the recipient could not reasonably foresee the need for such determination and could not have requested the determination before the funds were obligated. If the recipient does not submit a satisfactory explanation, the award official need not make a determination.
- (2) If the Federal Government determines after funds have been obligated for a project for construction, alteration, maintenance, or repair that an exception to section 1605 of the Recovery Act applies, the award official will amend the award to allow use of the foreign iron, steel, and/or relevant manufactured goods. When the basis for the exception is nonavailability or public interest, the amended award shall reflect adjustment of the award amount, redistribution of budgeted funds, and/or other actions taken to cover costs associated with acquiring or using the foreign iron, steel, and/or relevant manufactured goods. When the basis for the exception is the unreasonable cost of the domestic iron, steel, or manufactured goods, the award official shall adjust the award amount or redistribute budgeted funds by at least the differential established in 2 CFR 176.110(a).
- (3) Unless the Federal Government determines that an exception to section 1605 of the Recovery Act applies, use of foreign iron, steel, and/or manufactured goods is noncompliant with section 1605 of the American Recovery and Reinvestment Act.
- (d) *Data.* To permit evaluation of requests under paragraph (b) of this section based on unreasonable cost, the Recipient shall include the following information and any applicable supporting data based on the survey of suppliers:

Foreign and Domestic Items Cost Comparison

Description	Unit of measure	Quantity	Cost (dollars)*
<i>Item 1:</i>			
Foreign steel, iron, or manufactured good	_____	_____	_____
Domestic steel, iron, or manufactured good	_____	_____	_____

Domestic iron, steel, and/or manufactured good — (1) Is wholly the growth, product, or manufacture of the United States; or

(2) In the case of a manufactured good that consists in whole or in part of materials from another country, has been substantially transformed in the United States into a new and different manufactured good distinct from the materials from which it was transformed. There is no requirement with regard to the origin of components or subcomponents in manufactured goods or products, as long as the manufacture of the goods occurs in the United States.

Foreign iron, steel, and/or manufactured good means iron, steel and/or manufactured good that is not domestic or designated country iron, steel, and/or manufactured good.

Manufactured good means a good brought to the construction site for incorporation into the building or work that has been—

(1) Processed into a specific form and shape; or

(2) Combined with other raw material to create a material that has different properties than the properties of the individual raw materials.

Public building and public work means a public building of, and a public work of, a governmental entity (the United States; the District of Columbia; commonwealths, territories, and minor outlying islands of the United States; State and local governments; and multi-State, regional, or interstate entities which have governmental functions). These buildings and works may include, without limitation, bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, pumping stations, heavy generators, railways, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, and canals, and the construction, alteration, maintenance, or repair of such buildings and works.

Steel means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

(b) *Iron, steel, and manufactured goods.* (1) The award term and condition described in this section implements—

(i) Section 1605(a) of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) (Recovery Act), by requiring that all iron, steel, and manufactured goods used in the project are produced in the United States; and

(ii) Section 1605(d), which requires application of the Buy American requirement in a manner consistent with U.S. obligations under international agreements. The restrictions of section 1605 of the Recovery Act do not apply to designated country iron, steel, and/or manufactured goods. The Buy American requirement in section 1605 shall not be applied

- (G) Name and address of the proposed supplier; and
- (H) A detailed justification of the reason for use of foreign iron, steel, and/or manufactured goods cited in accordance with paragraph (b)(4) of this section.
- (ii) A request based on unreasonable cost shall include a reasonable survey of the market and a completed cost comparison table in the format in paragraph (d) of this section.
- (iii) The cost of iron, steel, or manufactured goods shall include all delivery costs to the construction site and any applicable duty.
- (iv) Any recipient request for a determination submitted after Recovery Act funds have been obligated for a project for construction, alteration, maintenance, or repair shall explain why the recipient could not reasonably foresee the need for such determination and could not have requested the determination before the funds were obligated. If the recipient does not submit a satisfactory explanation, the award official need not make a determination.
- (2) If the Federal Government determines after funds have been obligated for a project for construction, alteration, maintenance, or repair that an exception to section 1605 of the Recovery Act applies, the award official will amend the award to allow use of the foreign iron, steel, and/or relevant manufactured goods. When the basis for the exception is nonavailability or public interest, the amended award shall reflect adjustment of the award amount, redistribution of budgeted funds, and/or other appropriate actions taken to cover costs associated with acquiring or using the foreign iron, steel, and/or relevant manufactured goods. When the basis for the exception is the unreasonable cost of the domestic iron, steel, or manufactured goods, the award official shall adjust the award amount or redistribute budgeted funds, as appropriate, by at least the differential established in 2 CFR 176.110(a).
- (3) Unless the Federal Government determines that an exception to section 1605 of the Recovery Act applies, use of foreign iron, steel, and/or manufactured goods other than designated country iron, steel, and/or manufactured goods is noncompliant with the applicable Act.
- (d) *Data.* To permit evaluation of requests under paragraph (b) of this section based on unreasonable cost, the applicant shall include the following information and any applicable supporting data based on the survey of suppliers:

Foreign and Domestic Items Cost Comparison

Description	Unit of measure	Quantity	Cost (dollars)*
<i>Item 1:</i>			
Foreign steel, iron, or manufactured good	_____	_____	_____

**27. RECOVERY ACT TRANSACTIONS LISTED IN SCHEDULE OF
EXPENDITURES OF FEDERAL AWARDS AND RECIPIENT
RESPONSIBILITIES FOR INFORMING SUBRECIPIENTS**

(a) To maximize the transparency and accountability of funds authorized under the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) (Recovery Act) as required by Congress and in accordance with 2 CFR 215.21 "Uniform Administrative Requirements for Grants and Agreements" and OMB Circular A-102 Common Rules provisions, recipients agree to maintain records that identify adequately the source and application of Recovery Act funds. OMB Circular A-102 is available at <http://www.whitehouse.gov/omb/circulars/a102/a102.html>.

(b) For recipients covered by the Single Audit Act Amendments of 1996 and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," recipients agree to separately identify the expenditures for Federal awards under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by OMB Circular A-133. OMB Circular A-133 is available at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. This shall be accomplished by identifying expenditures for Federal awards made under the Recovery Act separately on the SEFA, and as separate rows under Item 9 of Part III on the SF-SAC by CFDA number, and inclusion of the prefix "ARRA-" in identifying the name of the Federal program on the SEFA and as the first characters in Item 9d of Part III on the SF-SAC.

(c) Recipients agree to separately identify to each subrecipient, and document at the time of subaward and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of Recovery Act funds. When a recipient awards Recovery Act funds for an existing program, the information furnished to subrecipients shall distinguish the subawards of incremental Recovery Act funds from regular subawards under the existing program.

(d) Recipients agree to require their subrecipients to include on their SEFA information to specifically identify Recovery Act funding similar to the requirements for the recipient SEFA described above. This information is needed to allow the recipient to properly monitor subrecipient expenditure of ARRA funds as well as oversight by the Federal awarding agencies, Offices of Inspector General and the Government Accountability Office.

28. DAVIS-BACON ACT REQUIREMENTS

Note: Where necessary to make the context of these articles applicable to this award, the term "Contractor" shall mean "Recipient" and the term "Subcontractor" shall mean "Subrecipient or Subcontractor" per the following definitions.

Recipient means the organization, individual, or other entity that receives an award from DOE and is financially accountable for the use of any DOE funds or property provided for the performance of the project, and is legally responsible for carrying out the terms and conditions of the award.

regardless of any contractual relationship which may be alleged to exist between the Contractor and such laborers and mechanics. Any wage determination incorporated for a secondary site of the work shall be effective from the first day on which work under the award was performed at that site and shall be incorporated without any adjustment in award price or estimated cost. Laborers employed by the construction Contractor or construction subcontractor that are transporting portions of the building or work between the secondary site of the work and the primary site of the work shall be paid in accordance with the wage determination applicable to the primary site of the work.

(2) Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph (e) of this article; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such period.

(3) Such laborers and mechanics shall be paid not less than the appropriate wage rate and fringe benefits in the wage determination for the classification of work actually performed, without regard to skill, except as provided in the article entitled Apprentices and Trainees. Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein; provided, that the employer's payroll records accurately set forth the time spent in each classification in which work is performed.

(4) The wage determination (including any additional classifications and wage rates conformed under paragraph (c) of this article) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the Contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

(c) (1) The Contracting Officer shall require that any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the award shall be classified in conformance with the wage determination. The Contracting Officer shall approve an additional classification and wage rate and fringe benefits therefore only when all the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination.

(ii) The classification is utilized in the area by the construction industry.

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the Contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives and the Contracting Officer agree on the classification and wage rate (including the amount designated for fringe benefits, where appropriate), a report of the

such work. A modification to the award which incorporates the appropriate Davis-Bacon wage rate determination(s) will constitute the Contracting Officer's approval to proceed. If the Contracting Officer does not concur with the Recipient's determination, the Contracting Officer will so notify the Recipient in writing.

Federal Assistance Reporting Instructions (5/06)

A. MANAGEMENT REPORTING

Progress Report

The Progress Report must provide a concise narrative assessment of the status of work and include the following information and any other information identified under Special Instructions on the Federal Assistance Reporting Checklist:

1. The DOE award number and name of the recipient.
2. The project title and name of the project director/principal investigator.
3. Date of report and period covered by the report.
4. A comparison of the actual accomplishments with the goals and objectives established for the period and reasons why the established goals were not met.
5. A discussion of what was accomplished under these goals during this reporting period, including major activities, significant results, major findings or conclusions, key outcomes or other achievements. This section should not contain any proprietary data or other information not subject to public release. If such information is important to reporting progress, do not include the information, but include a note in the report advising the reader to contact the Principal Investigator or the Project Director for further information.
6. Cost Status. Show approved budget by budget period and actual costs incurred. If cost sharing is required break out by DOE share, recipient share, and total costs.
7. Schedule Status. List milestones, anticipated completion dates and actual completion dates. If you submitted a project management plan with your application, you must use this plan to report schedule and budget variance. You may use your own project management system to provide this information.
8. Any changes in approach or aims and reasons for change. Remember significant changes to the objectives and scope require prior approval by the contracting officer.
9. Actual or anticipated problems or delays and actions taken or planned to resolve them.
10. Any absence or changes of key personnel or changes in consortium/teaming arrangement.
11. A description of any product produced or technology transfer activities accomplished during this reporting period, such as:
 - A. Publications (list journal name, volume, issue); conference papers; or other public releases of results. Attach or send copies of public releases to the DOE Project Officer identified in Block 11 of the Notice of Financial Assistance Award.
 - B. Web site or other Internet sites that reflect the results of this project.

2. Display prominently on the cover of the report any authorized distribution limitation notices, such as patentable material or protected data. Reports delivered without such notices may be deemed to have been furnished with unlimited rights, and the Government assumes no liability for the disclosure, use or reproduction of such reports.
3. Provide an executive summary, which includes a discussion of 1) how the research adds to the understanding of the area investigated; 2) the technical effectiveness and economic feasibility of the methods or techniques investigated or demonstrated; or 3) how the project is otherwise of benefit to the public. The discussion should be a minimum of one paragraph and written in terms understandable by an educated layman.
4. Provide a comparison of the actual accomplishments with the goals and objectives of the project.
5. Summarize project activities for the entire period of funding, including original hypotheses, approaches used, problems encountered and departure from planned methodology, and an assessment of their impact on the project results. Include, if applicable, facts, figures, analyses, and assumptions used during the life of the project to support the conclusions.
6. Identify products developed under the award and technology transfer activities, such as:
 - a. Publications (list journal name, volume, issue), conference papers, or other public releases of results. If not provided previously, attach or send copies of any public releases to the DOE Project Officer identified in Block 11 of the Notice of Financial Assistance Award;
 - b. Web site or other Internet sites that reflect the results of this project;
 - c. Networks or collaborations fostered;
 - d. Technologies/Techniques;
 - e. Inventions/Patent Applications, licensing agreements; and
 - f. Other products, such as data or databases, physical collections, audio or video, software or netware, models, educational aid or curricula, instruments or equipment.
7. For projects involving computer modeling, provide the following information with the final report:
 - a. Model description, key assumptions, version, source and intended use;
 - b. Performance criteria for the model related to the intended use;
 - c. Test results to demonstrate the model performance criteria were met (e.g., code verification/validation, sensitivity analyses, history matching with lab or field data, as appropriate);
 - d. Theory behind the model, expressed in non-mathematical terms;
 - e. Mathematics to be used, including formulas and calculation methods;

Software/Manual

Content. Unless otherwise specified in the award, the following must be delivered: source code, the executable object code and the minimum support documentation needed by a competent user to understand and use the software and to be able to modify the software in subsequent development efforts.

Electronic Submission. Submissions may be submitted electronically via the DOE Energy Link System (E-Link) at <http://www.osti.gov/estsc/241-4pre.jsp>. They may also be submitted via regular mail to:

Energy Science and Technology Software Center
P.O. Box 1020
Oak Ridge, TN 37831

Submittal Form. Each software deliverable and its manual must be accompanied by a completed DOE Form 241.4 "Announcement of U.S. Department of Energy Computer Software." The form and instructions are available on E-Link at <http://www.osti.gov/estsc/241-4pre.jsp>.

C. FINANCIAL REPORTING

Recipients must complete the financial reports identified on the Reporting Checklist in accordance with the report instructions. These standard forms are available at <http://www.whitehouse.gov/omb/grants/index.html>. Fillable forms are available at <http://grants.pr.doe.gov>.

D. CLOSEOUT REPORTS

Final Invention and Patent Report

The recipient must provide a DOE Form 2050.11, "PATENT CERTIFICATION." This form is available at <http://www.directives.doe.gov/pdfs/forms/2050-11.pdf> and http://management.energy.gov/business_doe/business_forms.htm

Property Certification

The recipient must provide the Property Certification, including the required inventories of non-exempt property, located at http://management.energy.gov/business_doe/business_forms.htm

E. OTHER REPORTING

Annual Indirect Cost Proposal and Reconciliation

Requirement. In accordance with the applicable cost principles, the recipient must submit an annual indirect cost proposal, reconciled to its financial statements, within six months after the close of the fiscal year, unless the award is based on a predetermined or fixed indirect rate(s), or a fixed amount for indirect or facilities and administration (F&A) costs.

Budget Information - Non-Construction Programs

OMB Annual No. 250-2004

Grant Program Function or Activity	Funding of Federal Discretionary Assistance Number	Estimated Unobligated Funds			Notes or Award Budget		
		Federal (a)	Non-Federal (b)	Total (c)	Federal (d)	Non-Federal (e)	Total (f)
1. Regular Business Combined	81.128						
1.1. Heat & Power Renewable Energy					\$1,200,000	\$0	\$1,200,000
2. Emergency Operations Center	81.128						
2.1. HHS Upgrade					\$1,600,000	\$0	\$1,600,000
3. Recreation Sport Lighting	81.128						
3.1. Green (Sustainable) Lighting					\$1,125,000	\$0	\$1,125,000
4. Traffic Signal Synchronization	81.128						
4.1. Traffic Signal Synchronization					\$200,000	\$0	\$200,000
5. Solar for Agricultural Complex	81.128						
5.1. Solar for Agricultural Complex					\$175,000	\$0	\$175,000
6. Government Operations	81.128						
6.1. Government Operations					\$800,000	\$0	\$800,000
7. Equity Seed Capital Fund	81.128						
7.1. Equity Seed Capital Fund					\$400,000	\$0	\$400,000
8. POC Renewable Energy Fund	81.128						
8.1. POC Renewable Energy Fund					\$800,000	\$0	\$800,000
9. Staff Facilities for Energy	81.128						
9.1. Staff Facilities for Energy					\$437,800	\$0	\$437,800
10. Totals					\$8,467,800	\$0	\$8,467,800

Object Class Categories	Award Program, Function or Activity										Total (g)
	15. Chapter Resource Center	16. Chapter Resource Center	17. Chapter Resource Center	18. Chapter Resource Center	19. Chapter Resource Center	20. Chapter Resource Center	21. Chapter Resource Center	22. Chapter Resource Center	23. Chapter Resource Center	24. Chapter Resource Center	
a. Personnel	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
b. Fringe Benefits	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
c. Travel	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
d. Equipment	\$1,200,000	\$1,200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,400,000
e. Supplies	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
f. Contractual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
g. Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
h. Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
i. Total Direct Charges (sum of a-h)	\$1,200,000	\$1,200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,400,000
j. Indirect Charges	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
k. Totals (sum of i-j)	\$1,200,000	\$1,200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,400,000
7. Program Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

EECBG Activity Worksheet

Grantee: FL-COUNTY-PALMBEACHDate: 05/12/2009DUNS #: 78470481Program Contact Email: pnolan@pbcgov.orgProgram Contact First Name: PamelaLast Name: NolanProject Title: Digester Biogas Combined Heat and Power Renewable Energy ProjectActivity: 11. Reduction/Capture of Methane/Greenhouse Gases

If Other: _____

Sector: Public

If Other: _____

Proposed Number of Jobs Created: 29.00Proposed Number of Jobs Retained: 0.00Proposed Energy Saved and/or Renewable Energy Generated: 5,256,000 kilowatts per 3 yearsProposed GHG Emissions Reduced (CO2 Equivalents): 3,774.000Proposed Funds Leveraged: \$1,433,816.00Proposed EECBG Budget: 1,200,000.00Projected Costs Within Budget Administration: \$0.00Revolving Loans: \$0.00Subgrants: \$0.00Project Contact First Name: DianaLast Name: RiveraEmail: drivera@pbcwater.comMetric Activity: Government, School, Institutional Procurement

If Other: _____

Project Summary: *(limit summary to space provided)*

The Digester Biogas Combined Heat and Power Renewable Energy Project will utilize a microturbine to complete the 100% recycling objective for the plant by generating power from digester gas, which is currently burned in a waste gas flare. The microturbine will generate mechanical energy which will be converted to electricity for 100% on-site use. The energy saved will be 200 kilowatts per hour and the GHG Emissions reduced (CO2 Equivalents) will be 1,258 metric tons annually.

Currently the advanced secondary treated wastewater is reclaimed and utilized as irrigation water for four (4) area golf courses and fifteen (15) residential communities and various commercial properties, encompassing 1,200 irrigated acres. Over the next ten-years Palm Beach County Water Utilities Department (PBCWUD) will increase its reclaimed water capacity from 22 MGD to 39 MGD with an expansion planned at the Southern Region Water Reclamation Facility (SRWRF). PBCWUD began implementing wetlands projects in 1997 to accept advanced secondarily treated wastewater to reduce the amount of effluent disposed through deep well injection. The wetlands are designed to treat the highly treated secondary effluent with advanced natural biological processes to further reduce nutrient levels as well as percolate into the surficial aquifer to recharge the local groundwater. A fertilizer pelletization project is currently under construction to utilize the biosolids generated at SRWRF.

The proposed biogas microturbine project would complete the waste reclamation cycle by recycling all waste products generated at the facility. Biogas from the digesters would be captured and combusted to produce electric power. This waste gas-to-energy recapture is an innovative project that demonstrates sustainable use at a wastewater treatment facility. This has potentially widespread application in similar wastewater treatment facilities as well as other industrial facilities located throughout Florida. Our

PBCWUD is a proactive utility that values improvements that can improve environmental stewardship.

Objective 1: The proposed biogas reclamation project would complete the waste reclamation cycle at SRWRF by utilizing 100% of the biogas created at the facility.

Objective 2: Reduce energy consumption, and thereby energy cost, through the use of on site power generation and heat recovery from the microturbine to heat the sludge in the digesters.

Objective 3: Reduce consumption of grid-supplied electrical power.

Objective 4: Increase electrical system flexibility.

Objective 5: Reduce environmental emissions of NOX and CO2.

Objective 6: Provide an avenue for carbon credit trading.

Objective 7: Through the demonstration project, become a model for other utilities to recover and utilize biomass for energy production. In order for this project to be duplicated by other utilities, we plan to include research and measuring components that will provide evaluation data for continuous research, development and design criteria.

Objective 8: Provide an educational opportunity for the public by providing tours of the facility and a kiosk explaining the biogas to energy process.

If you are proposing more than one activity, save this file as many times as needed with successive page numbers. For example: "OH-CITY-Columbus-Project Activity page 1.pdf," "OH-CITY-Columbus-Project Activity page 2.pdf," and continue as needed.

EECBG Activity Worksheet

Grantee: FL-COUNTY-PALMBEACHDate: 05/12/2009DUNS #: 78470481Program Contact Email: pnolan@pbcgov.orgProgram Contact First Name: PamelaLast Name: NolanProject Title: Recreational Sport Lighting - Green Generation LightingActivity: 5. Energy Efficiency Retrofits

If Other: _____

Sector: Public

If Other: _____

Proposed Number of Jobs Created: 14.00Proposed Number of Jobs Retained: 0.00Proposed Energy Saved and/or Renewable Energy Generated: 20%Proposed GHG Emissions Reduced (CO2 Equivalents): 508.000Proposed Funds Leveraged: \$200,000.00Proposed EECBG Budget: 1,125,000.00Projected Costs Within Budget: Administration: \$0.00Revolving Loans: \$0.00Subgrants: \$0.00Project Contact First Name: HugoLast Name: OrozcoEmail: HOrozco@pbcgov.orgMetric Activity: Energy Efficiency Rating and Labeling

If Other: _____

Project Summary: *(limit summary to space provided)*

Musco Lighting, LLC is a qualified energy-efficiency contractor who is currently utilized by the State of Florida and has also successfully completed local and regional projects (i.e. Broward County: Coconut Creek/Hallandale High Schools and the City of Naples: North Naples Regional Park.)

The Company's expertise is in the design and manufacturing of systems for lighting recreation and athletic fields, and specializing in developing sports-lighting technology and sports facility management. They have pioneered improvements in energy efficiency which translates into significant benefits for their customers through operating cost savings, enhanced spill and glare control and increased durability.

For these reasons, Palm Beach County Parks and Recreation Department proposes to utilize this vendor to replace existing sports-lighting systems at various sites in John Prince, Okeechellee and Lake Lytal Parks with Green Generation Lighting Systems in an effort to significantly reduce energy consumption by improving energy efficiency at these locations.

Over the past several years the Department has worked diligently to improve the lighting systems at many of the County's athletic facilities. Currently, seven (7) sites have been replaced with Green Generation Lighting Systems. Replacing the outdated and inefficient systems offers an energy savings up to 50% over standard systems. The energy savings is 3,861,275 KWH over a 25 year period.

The athletic lighting fixtures at John Prince, Okeechellee & Lake Lytal Parks are more than 25 years old. The optimum operational life of these fixtures has long passed. The current deteriorated condition of these systems has resulted in light lumen level reductions, increased energy consumption and overall poor performance of the systems. By applying for and receiving funding through the EECBG Program, Palm Beach County's Park System will be able to continue its mission of developing and maintaining energy efficient quality parks and facilities throughout the County.

If you are proposing more than one activity, save this file as many times as needed with successive page numbers. For example: "OH-CITY-Columbus-Project Activity page 1.pdf," "OH-CITY-Columbus-Project Activity page 2.pdf," and continue as needed.

EECBG Activity Worksheet

Grantee: FL-COUNTY-PALMBEACH Date: 05/12/2009
DUNS #: 78470481 Program Contact Email: pnolan@pbcgov.org
Program Contact First Name: Pamela Last Name: Nolan
Project Title: Solar Power for the Agricultural Mounts Complex
Activity: 13. Onsite Renewable Technology If Other: _____
Sector: Public If Other: _____
Proposed Number of Jobs Created: 2.00 Proposed Number of Jobs Retained: 0.00
Proposed Energy Saved and/or Renewable Energy Generated: 20+
Proposed GHG Emissions Reduced (CO2 Equivalents): 660.000
Proposed Funds Leveraged: \$0.00
Proposed EECBG Budget: 175,000.00
Projected Costs Within Budget Administration: \$0.00 Revolving Loans: \$0.00 Subgrants: \$0.00
Project Contact First Name: Jimmy Last Name: Beno Email: jbbeno@pbcgov.org
Metric Activity: Renewable Energy Market Development If Other: _____

Project Summary: *(limit summary to space provided)*

The Palm Beach County Facilities Development and Operations Department will retrofit two building roofs at the Palm Beach County-Agricultural Mounts Complex (building #1-Exhibit Hall and building #2-Consumer Services) with photovoltaic solar generation systems for the purposes of producing 19.448kw.

The project will consist of:

1. Design of the photovoltaic system.
2. Purchase and installation of 143 Advanced Green Technologies Flexlight-136 photovoltaic panels.
3. Purchase and installation of 1 PB Powered 30kw series inverter.
4. The creation of a data monitoring system to determine real time data via internet connection to monitor the benefit of the systems.
5. Purchase and installation of one (1) 32" flat screen monitor to be installed in the lobby of the facility. The display will show the performance of the system and environmental savings. This will be used as an educational component to this project.

In all the project will have a total budget of \$175,000 and will produce 19.448kw of energy replacing traditional methods of energy production and furthering the County's effort to "Green" our facilities.

If you are proposing more than one activity, save this file as many times as needed with successive page numbers. For example: "OH-CITY-Columbus-Project Activity page 1.pdf," "OH-CITY-Columbus-Project Activity page 2.pdf," and continue as needed.

EECBG Activity Worksheet

Grantee: FL-COUNTY- PALMBEACHDate: 05/12/2009DUNS #: 78470481Program Contact Email: pnolan@pbcgov.orgProgram Contact First Name: PamelaLast Name: NolanProject Title: Equity Seed Capital ProgramActivity: 4. Financial Incentive Program

If Other: _____

Sector: Commercial

If Other: _____

Proposed Number of Jobs Created: 22.00Proposed Number of Jobs Retained: 0.00Proposed Energy Saved and/or Renewable Energy Generated: 20%

Proposed GHG Emissions Reduced (CO2 Equivalents): _____

Proposed Funds Leveraged: \$1,600,000.00Proposed EECBG Budget: 400,000.00Projected Costs Within Budget: Administration: \$0.00Revolving Loans: \$0.00Subgrants: \$400,000.00Project Contact First Name: PamelaLast Name: NolanEmail: pnolan@pbcgov.orgMetric Activity: Loans and Grants

If Other: _____

Project Summary: *(limit summary to space provided)*

The Enterprise Development Corporation of South Florida, Inc. 501(c)(3), will administer the Equity Seed Capital Program which is an innovative program that will provide much-needed seed capital to early stage green technology companies whose products will improve energy efficiency and create high wage, high skilled jobs for a maximum economic impact in PBC. The program will provide grants up to \$50,000 and will seek to leverage 1:4 with private investment dollars, attracting an additional \$1.6 million to the funding pool. As companies grow, begin to generate revenue and attract additional capital, the companies will be required to return funding back into the pool to ensure availability of future company funding.

The State of Florida is making a significant investment in growing the region's innovative economy with a particular focus on green initiatives and clean technologies. For example, in Palm Beach County, Florida Atlantic University was awarded two State Centers of Excellence grants to focus on the use of ocean current, thermal, wave, and tidal-based energy for development as renewable power sources. The goal and anticipated outcome of these investments and others is to create new companies which in turn will generate thousands of direct and indirect jobs in industries that are driving the global economy. To fully realize the potential of these investments, and to support other entrepreneurial ventures with a focus on green technology and sustainability, these newly-formed entities must have access to funding that bridges the gap between research and development and product commercialization. This funding serves as the foundation during company formation and new product development, and is critical during these early stages as young companies do not yet qualify for venture capital or more traditional debt financing instruments.

Eligible companies must maintain their headquarters in Palm Beach County, and will be required to participate in a rigorous application process which will begin with submitting a form that captures information in the following areas: company background, when formed, stage of development, specific green technology focus, background and experience of founder and key management team members, size and definition of markets they will be serving, competition, other funding raised, and preliminary commercialization plan. Initial review and comments will be provided by staff for adherence to program guidelines, deadlines and completeness of the application. Applications will then be forwarded to a six-member Selection Committee that will include expert representatives in the following areas: legal, finance, investment, energy/sustainability, business and environmental. Funds may only be used for specific purposes relating to product development and commercialization including such items as product prototype development and testing, business plan development, and analysis of appropriate paths to commercialization. Applications will be reviewed on a quarterly basis and companies selected will receive 33% of the award upon delivery of a project plan, 33% upon delivery of an interim status report due after six months, and the remaining 33% upon delivery of a final progress report due one year after the initial award.

Since any returns to the fund from successful companies may not occur for at least three-five years, staff will work to secure additional funding from other sources to continue the program. These include but are not limited to private entities with an interest in green technology, foundations that support entrepreneurship and energy innovation, and other sources of public funding. A portion of any additional funding secured beyond the initial 36 month time frame and funding allocation may be allocated back to Palm Beach County Office of Economic Development for continued program support.

If you are proposing more than one activity, save this file as many times as needed with successive page numbers. For example: "OH-CITY-Columbus-Project Activity page 1.pdf," "OH-CITY-Columbus-Project Activity page 2.pdf," and continue as needed.

EECBG Activity Worksheet

Grantee: FL-COUNTY-PALMBEACHDate: 05/12/2009DUNS #: 78470481Program Contact Email: pnolan@pbcgov.orgProgram Contact First Name: PamelaLast Name: NolanProject Title: Staff Positions for Energy Economics and SustainabilityActivity: 1. Other

If Other: _____

Sector: Public

If Other: _____

Proposed Number of Jobs Created: 1.50Proposed Number of Jobs Retained: 0.00

Proposed Energy Saved and/or Renewable Energy Generated: _____

Proposed GHG Emissions Reduced (CO2 Equivalents): _____

Proposed Funds Leveraged: \$0.00Proposed EECBG Budget: 437,600.00Projected Costs Within Budget Administration: \$437,600.00Revolving Loans: \$0.00Subgrants: \$0.00Project Contact First Name: PamelaLast Name: NolanEmail: pnolan@pbcgov.orgMetric Activity: Other

If Other: _____

Project Summary: *(limit summary to space provided)*

A full-time and part-time position will be created to focus on Energy Economics and Sustainability working with the Director of Palm Beach County's Economic Development Office (EDO), EDO staff, and will coordinate with federal, state and local agencies including non-profit organizations and private stakeholders. The successful candidates will focus on Energy Economics and Sustainability. These positions will continue beyond the three year grant period through the assistance of additional grants and fundraising activities conducted by the candidates and a percent of the interest accrued through the establishment of a Palm Beach County Revolving Energy Fund. The positions will focus on economic vitality in public-private partnerships, link energy based cluster industries with education and certification programs, monitor the Energy Efficiency and Conservation Strategies and activities required in the Department of Energy EECBG reporting requirements, develop a benchmark of Palm Beach County's overall energy efficiency activities for carbon credit opportunities; monitor the Revolving Energy Fund and coordinate with the Loan Review Committee; develop multimedia educational information for public outreach on the County's energy efficiency strategies and activities; and identify and seek future energy funding/grant opportunities. The full-time position should have both financial and technical degrees and/or experience. The part-time position will provide support for project implementation and must possess a degree and/or experience.

	Year 1	Year 2	Year 3	Subtotals
FT Position Salary	71,000	73,130	75,324	\$219,454
Benefits: Med./FICA/	24,850	25,596	26,363	\$76,809
Ins./Retirement				
PT Position	35,000	35,000	35,000	\$105,000
Multimedia Education	8,000	8,000	8,000	24,000
Expenses:	4,112	4,113	4,112	\$12,337
Total	\$142,962	\$145,839	\$148,799	\$437,600

The full-time position requires a Masters Degree in Public Administration, Business or a relevant Science, Engineering or Environmental discipline and two (2) years of appropriate experience or a Bachelors Degree in the above listed areas and five (5) years of appropriate experience. Experience emphasizing program development, management, administration and fund raising, skills in working with diverse groups; fiscal responsibility and familiarity with climate change and alternative energy issues are a must. Requires excellent oral and written communication skills and public speaking experience. Must be skilled in working with diverse teams and across disciplines. Requires strong computer skills, organizational ability and the ability to effectively manage multiple objectives.

The part-time position will have a degree and/or experience in climate change, energy efficiency and conservation. Requires computer skills, excellent written and oral communication skills, and the ability to effectively manage multiple projects.

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