

Report to Governing Body
August 17, 2010

Department: Public Works
Author/Presenter: Kathleen Gammell, 703-335-8840
Subject: Federal Grant for Path Solar Lighting between West Carondelet and Railroad Drive (the "VRE Path Solar Lighting Project")
Issue: Staff is requesting authorization to enter into a contract with the Virginia Department of Mines, Minerals, and Energy for receipt of a federal energy grant in the amount of \$155,000.

Background:

- The City has been awarded a grant in the amount of \$155,000 to install solar lighting on the path between West Carondelet and Railroad Drive to encourage area residents to walk to the VRE station by creating a safer environment.
- The total estimated cost of the project is \$203,380, which includes \$155,000 in grant money for materials and construction, \$43,380 in City money for construction, and \$5,000 for City staff time spent on the project.
- The Contract obligates the City to meet requirements for qualification and receipt of the federal money including scope, period of performance, amount of funding, method of reporting, and compliance with federal rules and regulations for use of federal money.

Discussion

- The VRE Path Solar Lighting project is not currently budgeted in the City's FY11 capital budget to cover the City's \$43,380 portion of the construction.
- Staff has identified other FY11 capital funding within the bounds of the current FY11 capital budget to fund the City's portion of the project.
- The Director of Finance is okay with the redistribution of funding within the bounds of the current capital projects budget.

Staff Recommendation

Authorize Staff to enter into a contract with the Virginia Department of Mines, Minerals, and Energy for receipt of a federal energy grant in the amount of \$155,000.

Review:

City Business License: _____
 Prepared by: Kathleen R. Gammell
 Reviewed by: _____
 Approved by City Attorney: _____
 Approved by City Manager: *Marcus [Signature]*

Date: 8/17/10
 Date: _____
 Date: _____
 Date: 08/11/10



COMMONWEALTH OF VIRGINIA

Department of Mines, Minerals and Energy

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www.dmme.virginia.gov

CONTRACT

**Department of Mines, Minerals and Energy
and
City of Manassas Park, Virginia**

Contract Number: C10-6086

This **Contract**, entered into this _____ day of August, 2010, by the **City of Manassas Park, Virginia**, hereinafter called the "Grantee" and the Department of Mines, Minerals and Energy (DMME).

SCOPE: DMME will support the project entitled, "**LED Pedestrian Pathway Lighting for Virginia Railway Express Commuter Rail Station**", Attachment A, and hereinafter called the "Project." If the Project does not contain one, Grantee shall provide for DMME's approval a schedule of milestones to measure incremental progress toward completion of the Project. This schedule of milestones shall be incorporated as an addendum to the Project, Attachment A-1.

PERIOD OF PERFORMANCE: February 26, 2010 through April 30, 2012.

APPROVED BUDGET: The Grantee shall receive, according to the terms in the contract, a total amount not to exceed **\$155,000**.

COMPENSATION AND METHOD OF PAYMENT: Upon receipt and approval of invoices with proper documentation submitted generally no more frequently than once monthly, the Grantee shall be reimbursed by DMME in accordance with agency and Commonwealth payment policies. Grantee shall use an invoice format provided by DMME. Documentation of expenditures for the Contract award during the invoice period must be submitted with each invoice. Acceptable documentation includes, but is not limited to invoices, cancelled checks, time sheets, comptroller's reports, or other documentation subject to approval by DMME. To assist DMME in providing a cash needs forecast to the U.S. Department of Energy (DOE), grantee shall propose for DMME's approval a Grant Draw-Down Schedule, Attachment B, based generally on completion of the milestones of incremental progress contained in Attachment A-1. The Grant Draw-Down Schedule shall be by calendar quarter, beginning with the quarter that ends June 30, 2010 and ending on June 30, 2012. Grantee may receive funds advances for anticipated expenses if such advances are provided in close proximity to expenditure needs. Advances must comply with the federal financial assistance rule for states that is contained in 10

CFR 600.237-A4, which requires that advance payments must be as close to actual disbursements as administratively feasible, usually five business days.

REPORTING: The Grantee shall consult Attachment C, "EECBG_ARRA_Reporting_Requirements," and the DMME web pages for the EECBG program for reporting guidance. Failure to comply with the reporting requirements of this contract will be considered a material noncompliance with terms of the contract and may result in termination of the contract.

COMPLIANCE WITH FEDERAL RULES AND REGULATIONS: Funding for this Contract is authorized through the Catalog of Federal Domestic Assistance (CFDA) #81.128. Expenditures made and services provided pursuant to this Contract shall be in accordance with 2 CFR Part 225, "Cost Principles for State, Local, and Indian Tribal Governments" (OMB Circular A-87), and OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations". The Grantee shall adhere, and require adherence by all subcontractors performing work required by this agreement, to the federal rules as noted. The Grantee is advised to comply with all the provisions in 10 CFR 600.236 and that all contracts must include the provisions in 10 CFR 600.236, Financial Assistance Rules on "Procurement", Section (i) "Contract Provisions", numbers 1-13, which are incorporated as Attachment D. The Grantee is further advised to comply with all requirements of 41 USC 702, "Drug-free workplace requirements for Federal grant recipients".

WASTE STREAM MANAGEMENT: DMME has assured DOE that Grantees will provide a waste management plan in conformance with State law for waste generated by each Project and that it will make the "waste management plan and related documentation available to DOE on DOE's request." These requirements to obtain and maintain waste management plans constitute Waste Stream Conditions and they flow down to sub-awardees. Grantee shall consult Attachment E, "EECBG_Waste_Stream_Guidance," to ensure that it complies, that it provides documentation needed by DMME and otherwise supports DMME's compliance with this special waste stream condition.

SUB-GRANTS AND REVOLVING LOANS: For guidance and compliance information on the use of financing and revolving loan funds, Grantee shall consult Attachment F: EECBG Sub Grants and Loans Program Guidance and Attachment G: EECBG Revolving Loan Fund Program Guidance. For guidelines and best practices for PACE financing programs, Grantee shall consult Attachment L: Guidelines for PACE Financing Programs.

SPECIAL TERMS AND CONDITIONS: The Grantee must comply with other specific ARRA terms and conditions, including ARRA Requirements for Transparency and Accountability, and Other Special Environmental Terms and Conditions (e.g., NEPA requirements, Davis-Bacon Act assurances) which are included in Attachment H and Attachment J.

HISTORIC PRESERVATION: For guidance on compliance with provisions of the National Historic Preservation Act, Grantee shall consult Attachment K: Virginia Historic Preservation Guidance.

CONTRACT DOCUMENTS: The agreement shall consist of the following, all of which documents are incorporated herein:

- 1) This signed Contract;

EQUAL OPPORTUNITY EMPLOYER
TDD (800) 828-1120 --- Virginia Relay Center

- 2) Attachment A: **LED Pedestrian Pathway Lighting for VRE Commuter Rail Station**
- 3) Attachment A-1: Schedule of Project Milestones
- 4) Attachment B: Grant Draw-Down Schedule
- 5) Attachment C: EECBG_ARRA_Reporting_Requirements
- 6) Attachment D: Procurement 10 CFR 600.236 i-1-13
- 7) Attachment E: EECBG Waste Stream Guidance
- 8) Attachment F: Sub Grants and Loans Program Guidance
- 9) Attachment G: EECBG Revolving Loan Fund Program Guidance
- 10) Attachment H: Special Terms and Conditions for Flow Down Awards
- 11) Attachment J: Virginia ARRA Terms and Conditions
- 12) Attachment K: Virginia Historic Preservation Guidance
- 13) Attachment L: Guidelines for PACE Financing Programs

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed intending to be bound thereby.

City of Manassas Park, VA

DEPT. OF MINES, MINERALS AND ENERGY

By: _____

Frank Jones

Title: Mayor, City of Manassas Park

By: _____

Stephen A. Walz

Title: Director

Date: _____

Date: _____