
	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement	ASSISTANCE ID NO.			DATE OF AWARD 02/06/2009
		PRG	DOC ID	AMEND#	
		EQ -	00T04401	- 0	
		TYPE OF ACTION New			MAILING DATE 02/09/2009
PAYMENT METHOD: Advance			ACH#		
RECIPIENT TYPE: Not for Profit			Send Payment Request to: Las Vegas Finance Center, Fax (702) 798-2423		
RECIPIENT: Forgotten People Community Development Corporation P. O. Box 73 Tonalea, AZ 86044 EIN: 26-3920804			PAYEE: Forgotten People Community Development Corporation P. O. Box 73 Tonalea, AZ 86044		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Rita Sebastian P. O. Box 73 Tonalea, AZ 86044 E-Mail: sebastian.rita@gmail.com Phone: 857-204-5653		Karen Henry 75 Hawthorne Street, CED-1 San Francisco, CA 94105 E-Mail: Henry.Karen@epamail.epa.gov Phone: 415-972-3844		Linda Struna Grants Management Office, MTS-7 E-Mail: Struna.Linda@epamail.epa.gov Phone: 415-972-3723	
PROJECT TITLE AND DESCRIPTION ENVIRONMENTAL JUSTICE PROGRAM - Dine' Without Access to Piped Water To address the needs of 14 homes in Navajo Nation without access to piped drinking water. The project will look at regulated and unregulated sources of drinking water and develop a plan to haul water to the tribe in a sanitary and healthy mode. The plan will be designed to be replicated, so that the services can be expanded to other communities that face similar challenges. This award provides full federal funding in the amount of \$20,000.					
BUDGET PERIOD 03/01/2009 - 02/27/2010		PROJECT PERIOD 03/01/2009 - 02/27/2010		TOTAL BUDGET PERIOD COST \$20,000.00	TOTAL PROJECT PERIOD COST \$20,000.00
NOTICE OF AWARD Based on your application dated 12/26/2008, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$20,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$20,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105			ORGANIZATION / ADDRESS U.S. EPA, Region 9 Community & Ecosystems Division, CED-1 75 Hawthorne Street San Francisco, CA 94105		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
SIGNATURE OF AWARD OFFICIAL Digital signature applied by EPA Award Official		TYPED NAME AND TITLE Nancy Lindsay, Acting Assistant Regional Administrator		DATE 02/06/2009	
AFFIRMATION OF AWARD BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION					
SIGNATURE 		TYPED NAME AND TITLE Billy Reese Kee, Chairman		DATE 02/27/09	

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 20,000	\$ 20,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 20,000	\$ 20,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.604 - Environmental Justice Small Grants Program for Community Research	Clean Water Act: Sec. 104(b)(3) Safe Drinking Water Act: Sec. 1442(c)(3) Toxic Substances Control Act: Sec. 10(a)	40 CFR PART 30

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
	0909FE0053	0809	B	09F0AL8	402E57D	4183			20,000
									20,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$9,000
2. Fringe Benefits	\$0
3. Travel	\$900
4. Equipment	\$0
5. Supplies	\$4,900
6. Contractual	\$5,200
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$20,000
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$20,000
12. Total Approved Assistance Amount	\$20,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$20,000
15. Total EPA Amount Awarded To Date	\$20,000

Administrative Conditions

1. An interim Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), covering the period from "project/budget period start date" to September 30 of each calendar year shall be submitted to the Grants Management Office, MTS-7, no later than December 31 of the same calendar year. The final FSR covering the entire project period shall be submitted to the U.S. EPA Las Vegas Finance Center, PO Box 98515, Las Vegas, NV 89193-8515, within 90 days after the end of the project period according to the recipient's respective Code of Federal Regulations Part 30.52(a)(1)(iv) and 30.71(a), or Part 31.23(b) and 31.41(b) (as applicable). The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Financial Status Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

2. The recipient will provide timely reporting of cash disbursements and balances through annual submission (January - December) of a Federal Cash Transactions Report (SF272 and SF272A). The appropriate reports must be submitted to the Las Vegas Finance Center within 15 working days following the end of each calendar year. The recipient may access these forms and the instructions for submission at <http://www.epa.gov/ocfo/finservices/payinfo.htm>.

3. In accordance with OMB Circular A-133, which implements the Single Audit Act, the recipient hereby agrees to obtain a single audit from an independent auditor if it expends \$500,000 or more in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the recipient shall submit a copy of the SF-SAC and a Single Audit Report Package. For fiscal periods 2002 to 2007 recipients are to submit hardcopy to the following address:

Federal Audit Clearinghouse
1201 East 10th Street
Jeffersonville, IN 47132

For fiscal periods 2008 and beyond the recipient MUST submit a copy of the SF-SAC and a Single Audit Report Package, using the Federal Audit Clearinghouse's Internet Data Entry System. Complete information on how to accomplish the 2008 and beyond Single Audit Submissions you will need to visit the Federal Audit Clearinghouse Web site: <http://harvester.census.gov/fac/>.

4. The recipient agrees to comply with the requirements of EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance agreements as set forth in 40 CFR Part 33. The EPA DBE rule can be accessed at <http://www.epa.gov/osbp>. In addition, the recipient agrees to make good faith efforts whenever procuring construction, equipment, services and supplies under an EPA assistance agreement, and to ensure that sub-recipients, loan recipients, and prime contractors also comply with 40 CFR Section 33.301. Records documenting compliance with the six good faith efforts shall be retained.

The recipient of this assistance agreement is exempt from the fair share objective requirements of 40 CFR Part 33, Subpart D, and is not required to negotiate a fair share objective/goal for the utilization of Minority Business Enterprises

(MBEs)/Women's Business Enterprises (WBEs) in its procurements. However, the recipient must comply with all other applicable requirements of 40 CFR Part 33, including recordkeeping and reporting on MBE and WBE participation.

A recipient of a Continuing Environmental Program Grant or other annual grant agrees to create and maintain a bidders list. Refer to 40 CFR Section 33.501 (b) and (c) for specific requirements and exemptions.

5. The recipient agrees to complete and submit to the Grants Management Office, MTS-7, a MBE/WBE Utilization Report (EPA Form 5700-20A), within 30 days after the end of the Federal fiscal year; i.e., by October 30 of each calendar year. Negative reports are required. Only procurements with certified MBE/WBEs are counted towards a recipient's MBE/WBE accomplishments. A final MBE/WBE report must be submitted within 90 days after the end of the project period. Your grant cannot be officially closed without all MBE/WBE reports. EPA Form 5700-52A may be obtained from the EPA Office of Small Business Program's Home Page on the internet at www.epa.gov/osbp.

6. The cost principles of 2 CFR 225, 230, or 220 (formerly OMB Circular A-87, A-122, or A-21) are applicable to this award. Since there are no indirect costs included in the assistance budget, they are not allowable under this Assistance Agreement.

7. All contracts awarded by a recipient shall contain, when applicable, the anti-lobbying provision as stipulated in the Appendix at Title 40 CFR Part 30.

Pursuant to Section 18 of the Lobbying Disclosure Act, the recipient affirms that it is not a nonprofit organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or that it is a nonprofit organization described in Section 501(c)(4) of the Code but does not and will not engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act.

8. The recipient shall ensure that no grant funds awarded under this assistance agreement are used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The recipient shall abide by its respective 2 CFR 220, 225, or 230 (formerly OMB Circular A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States or for lobbying or other political activities.

9. In accordance with 40 CFR 30.16, the recipient will use recycled paper and double sided printing for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration. In addition, the recipient shall give preference in its procurement programs funded with Federal funds to the purchase of recycled products pursuant to EPA's guidelines.

10. Pursuant to 40 CFR 30.18, if applicable, and 15 USC 2225a, the recipient agrees to ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended).

Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

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

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

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

12. The recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." The recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. The recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at www.epls.gov. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

13. The recipient acknowledges that two employees of this recipient organization must complete the mandatory on-line training, "EPA Grant Management Training for Non-Profit Applicants and Recipients." One person must be the project manager, or equivalent, for this assistance agreement. The other individual must be the person authorized to draw down funds for this assistance agreement. The training must be completed by both employees prior to the return of the award document to EPA and the receipt of any grant funds. The course can be accessed at:

<http://www.epa.gov/ogd/>

At the end of the course the recipient must print out, sign and return the certificate of completion with the affirmation of acceptance to the appropriate grants office. The training certification will expire 3 years from the last training date. No funds will be released to the recipient by EPA until the required training is completed.

14. The recipient agrees to promptly submit their Non-Profit status request letter to the Internal Revenue System, and provide EPA a copy of request. The recipient has until March 13, 2009 to notify EPA of their Non-Profit status.

Programmatic Conditions

P1. In accordance with 40 C.F.R. § 30.51 (d), the recipient agrees to include in

performance reports submitted under this agreement brief information on each of the following areas: 1) a comparison of actual accomplishments with the anticipated outputs/outcomes specified in the assistance agreement work plan; 2) reasons why anticipated outputs/outcomes were not met; and 3) other pertinent information, including, when appropriate, analysis and explanation of cost overruns or high unit costs.

The recipient is required to submit to their EPA Project Officer a quarterly project progress report. If quarterly reports are not received within 5 working days of the negotiated due dates, the EPA Project Officer has the option to delay approval of the next quarterly payment request until the quarterly report is received and approved by the EPA Project Officer.

The recipient agrees to submit a draft final report within 30 days after the end of the project period. Once the draft has been reviewed and approved by the Project Officer, the recipient agrees to submit two (2) copies of the Final Report within 90 days after the end of the project period to the Project Officer.

P2. In accordance with 40 C.F.R. § 30.51 (f), the recipient agrees that it will notify EPA of problems, delays, or adverse conditions which materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

In addition:

In the event of a change in key project personnel (i.e. Director, project manager, project coordinator, outreach worker, etc.), the recipient agrees to inform the Project Officer in writing within 10 days. Key personnel may include any person whose absence will substantially and/or adversely impact the quality of timeliness of the work. The letter to the Project Officer should explain the reason for the change, detail the organization's plan of action for filling the vacancy, how project deliverables will be completed, and the names and telephone number for the interim project contact person

P3. In order to evaluate the adequacy of program progress, the recipient agrees to host one to two (2) site visits per year with the Project Officer upon request. The project review will include an overview of the project and project expenditures. The time frame for the project reviews will be negotiated between the recipient (project manager) and the EPA Project Officer.

P4. This grant may include the collection of environmental measurements. If it is determined post award that environmental measurements will be taken, a QA Plan, or a Sampling and Analysis Plan, or other comparable document covering QA activities, must be prepared. The recipient should consult with the Region 9 Quality Assurance Office to determine what type of QA documentation would be most appropriate and what QA guidance should be followed. The QA Plan must be approved by the EPA Project Officer, the Region 9 Quality Assurance Manager, and the recipient's Quality Assurance Officer before measurement activities are undertaken. Contact the QA Office at 415-972-3411.

P5. Modifications to the approved work plan, including additions, deletions, or changes in the schedule, shall be submitted in a timely manner to the EPA Project Officer for approval.

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