

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement	GRANT NUMBER (FAIN): 98T50501 MODIFICATION NUMBER: 0 PROGRAM CODE: 4B	DATE OF AWARD 11/07/2022
		TYPE OF ACTION New	MAILING DATE 11/10/2022
		PAYMENT METHOD: ASAP	ACH# 90512
		RECIPIENT TYPE: Municipal	
RECIPIENT: City of Fresno 2600 Fresno Street, Room 3065 Fresno, CA 93721 EIN: 94-6000338		PAYEE: City of Fresno 2600 Fresno Street, Room 3065 Fresno, CA 93721	
PROJECT MANAGER Drew Wilson 2600 Fresno Street, Room 3065 Fresno, CA 93721 Email: drew.wilson@fresno.gov Phone: 559-621-8087		EPA PROJECT OFFICER Nova Blazej 75 Hawthorne Street, LND-2-1 San Francisco, CA 94105 Email: blazej.nova@epa.gov Phone: 415-972-3846	
		EPA GRANT SPECIALIST Lamont Nowlin Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105 Email: Nowlin.Lamont@epa.gov Phone: 415-972-3205	
PROJECT TITLE AND DESCRIPTION BIL - Brownfield Revolving Loan Fund Cooperative Agreement See Attachment 1 for project description.			
BUDGET PERIOD 01/01/2023 - 12/31/2027	PROJECT PERIOD 01/01/2023 - 12/31/2027	TOTAL BUDGET PERIOD COST \$1,000,000.00	TOTAL PROJECT PERIOD COST \$1,000,000.00
NOTICE OF AWARD			
<p>Based on your Application dated 09/14/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$1,000,000.00. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,000,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.</p>			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 9 , U.S. EPA, Region 9 Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105		ORGANIZATION / ADDRESS U.S. EPA, Region 9, Land, Chemicals and Redevelopment R9 - Region 9 75 Hawthorne Street San Francisco, CA 94105	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Carolyn Truong - Grants Management Officer			DATE 11/07/2022

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$0	\$1,000,000	\$1,000,000
EPA In-Kind Amount	\$0	\$0	\$0
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$0	\$0
State Contribution	\$0	\$0	\$0
Local Contribution	\$0	\$0	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$0	\$1,000,000	\$1,000,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.818 - Brownfields Multipurpose, Assessment, Revolving Loan Fund, and Cleanup Cooperative Agreements	CERCLA: Secs. 104(k)(3) & 104(k)(5)(E) & 104(k)(10)(B)(iii) & Infrastructure Investment and Jobs Act (IIJA) (PL 117-58)	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2309QE0002	22	E4SD	0900AG7	000D79X89	4114	-	-	\$1,000,000
									\$1,000,000

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$50,000
2. Fringe Benefits	\$0
3. Travel	\$6,000
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$60,000
7. Construction	\$0
8. Other	\$884,000
9. Total Direct Charges	\$1,000,000
10. Indirect Costs: 0.00 % Base	\$0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %)	\$1,000,000
12. Total Approved Assistance Amount	\$1,000,000
13. Program Income	\$500,000
14. Total EPA Amount Awarded This Action	\$1,000,000
15. Total EPA Amount Awarded To Date	\$1,000,000

Attachment 1 - Project Description

This assistance agreement provides full federal funding in the amount of \$1,000,000. Brownfields are real property, the expansion, development or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. This agreement will provide funding under the Infrastructure Investment and Jobs Act for the City of Fresno, California to re-capitalize a revolving loan fund as authorized by CERCLA 104(k)(5)(A)(ii) in the City of Fresno, California. This agreement will provide funding for the recipient to re-capitalize a revolving loan fund from which to make loans and subgrants to clean up brownfield site(s) and conduct other necessary activities to prudently manage the RLF. Additionally, the recipient will competitively procure (as needed) and direct a Qualified Environmental Professional to oversee the environmental site activities and will create a community involvement plan and administrative record for each site that is remediated. The recipient will report on program income, interim progress, and final accomplishments by completing and submitting relevant portions of the Property Profile Form and Brownfields RLF Form using EPA's Assessment, Cleanup and Redevelopment Exchange System (ACRES). The recipient will issue approximately 1-4+ loans and 1-2 subgrants to remediate 2-6+ brownfield site(s); anticipates holding 10 community meetings, finalizing multiple Analyses of Brownfield Cleanup Alternatives, and submitting 20 quarterly reports. Work conducted under this agreement will benefit the residents, business owners, and stakeholders in and near the City of Fresno, California. The primary goal of the supplemental RFL is to continue to leverage resources for several City Departments and private developers throughout the City of Fresno. The loans will be available citywide and used as a funding tool for multiple City Departments. The City's Planning and Development Department will work closely with the Code Enforcement Department to administer loans on contaminated sites and with the Economic Development Department as a resource for potential development projects. The strategy will be to use the City's existing EPA Brownfields Communitywide Assessment grant to eliminate uncertainties (over regulated building materials abatement costs, market demand, etc.) that are impeding developers from securing funding to move forward with redevelopment or reuse of high-opportunity sites, and then to have RLF funding available to help fund the sometimes difficult to finance initial abatement and cleanup work.

Administrative Conditions

General Terms and Conditions

The recipient agrees to comply with the current EPA general terms and conditions available at:

<https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2022-or-later>.

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>.

A. Federal Financial Reporting (FFR)

For awards with cumulative project and budget periods greater than 12 months, the recipient will submit an annual FFR (SF 425) covering the period from "project/budget period start date" to **September 30** of each calendar year to the EPA Finance Center in Research Triangle Park, NC. The annual FFR will be submitted electronically to rtpfc-grants@epa.gov no later than **December 30** of the same calendar year. Find additional information at <https://www.epa.gov/financial/grants>. (NOTE: The grantee must submit the Final FFR to rtpfc-grants@epa.gov within 120 days after the end of the project period.)

B. Procurement

The recipient will ensure all procurement transactions will be conducted in a manner providing full and open competition consistent with 2 CFR Part 200.319. In accordance with 2 CFR Part 200.324, the grantee and subgrantee(s) must perform a cost or price analysis in connection with applicable procurement actions, including contract modifications.

C. MBE/WBE Reporting, 40 CFR, Part 33, Subpart E (EPA Form 5700-52A)

The recipient agrees to submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report (EPA Form 5700-52A) annually for the duration of the project period. The current EPA Form 5700-52A with instructions can be found at <https://www.epa.gov/grants/epa-form-5700-52a-united-states-environmental-protection-agency-minority-business>

This provision represents an approved exception from the MBE/WBE reporting requirements as described in 40 CFR Section 33.502.

Reporting is required for assistance agreements where funds are budgeted for procuring construction, equipment, services and supplies (including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category) with a cumulative total that exceed the Simplified Acquisition Threshold (SAT) currently set at \$250,000 (the dollar threshold will be automatically revised whenever the SAT is adjusted; See 2 CFR Section 200.1), including amendments and/or modifications. All procurement actions are reportable when reporting is required, not just the portion which exceeds the SAT.

Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned

procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. For section 2B, the Region 9 EPA DBA Coordinator is Alexandra Perez, email: GrantsRegion9@epa.gov, phone: 415-972-3826.

The annual reports are due by October 30th of each calendar year and the final report is due within 120 days after the end of the project period, whichever comes first. The recipient will submit the MBE/WBE report(s) and/or questions to GrantsRegion9@epa.gov and the EPA Grants Specialist identified on page 1 of the award document.

D. Indirect Costs

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

Programmatic Conditions

See attachment labeled "4B-98T50501-0 City of Fresno Programmatic Terms & Conditions" for Programmatic Terms and Conditions.

*****END OF ASSISTANCE AGREEMENT*****