

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>	<b>GRANT NUMBER (FAIN):</b> 98T96701 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> W9		<b>DATE OF AWARD</b> 05/29/2024
		<b>TYPE OF ACTION</b> New		<b>MAILING DATE</b> 06/03/2024
		<b>PAYMENT METHOD:</b> ASAP		<b>ACH#</b> PEND
		<b>RECIPIENT TYPE:</b> Municipal		
<b>RECIPIENT:</b> CITY OF SAN LEANDRO 835 E 14TH ST SAN LEANDRO, CA 94577-3767 EIN: 94-6000421		<b>PAYEE:</b> CITY OF SAN LEANDRO 835 E 14TH ST SAN LEANDRO, CA 94577-3767		
<b>PROJECT MANAGER</b> Fran Robustelli 835 E. 14TH STREET SAN LEANDRO, CA 94577-3767 Email: frobustelli@sanleandro.org Phone: 510-577-3319		<b>EPA PROJECT OFFICER</b> Lyndsey Tu 75 Hawthorne Street, WTR-3-2 San Francisco, CA 94105 Email: Tu.Lyndsey@epa.gov Phone: 415-972-3269		<b>EPA GRANT SPECIALIST</b> Karla Carrillo Castillo Grants Branch, MSD-6-1 75 Hawthorne Street San Francisco, CA 94105 Email: carrillocastillo.karla@epa.gov Phone: 415-972-3372
<b>PROJECT TITLE AND DESCRIPTION</b> San Francisco Bay Area Water Quality Improvement Fund See Attachment 1 for project description.				
<b>BUDGET PERIOD</b> 07/01/2024 - 07/30/2026	<b>PROJECT PERIOD</b> 07/01/2024 - 07/30/2026	<b>TOTAL BUDGET PERIOD COST</b> \$ 9,517,523.00	<b>TOTAL PROJECT PERIOD COST</b> \$ 9,517,523.00	
<b>NOTICE OF AWARD</b>  Based on your Application dated 08/30/2023 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$ 2,975,302.00. EPA agrees to cost-share 31.26% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$ 2,975,302.00. 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.				
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>		
<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 9, U.S. EPA, Region 9 Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 9, Water Division, WTR-1 R9 - Region 9 75 Hawthorne St San Francisco, CA 94105		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>				
<b>Digital signature applied by EPA Award Official</b> Carolyn Truong - Grants Management Officer				<b>DATE</b> 05/29/2024



## Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$ 0
2. Fringe Benefits	\$ 0
3. Travel	\$ 0
4. Equipment	\$ 0
5. Supplies	\$ 0
6. Contractual	\$ 9,517,523
7. Construction	\$ 0
8. Other	\$ 0
9. Total Direct Charges	\$ 9,517,523
10. Indirect Costs: 0.00 % Base See General T/C	\$ 0
11. Total (Share: Recipient <u>68.74</u> % Federal <u>31.26</u> %)	\$ 9,517,523
12. Total Approved Assistance Amount	\$ 2,975,302
13. Program Income	\$ 0
14. Total EPA Amount Awarded This Action	\$ 2,975,302
15. Total EPA Amount Awarded To Date	\$ 2,975,302

## **Attachment 1 - Project Description**

This award is to transform a 6.9-acre wastewater storage basin into a multi-purpose freshwater treatment wetland and to evaluate the feasibility of developing another nature-based nutrient management strategy to polish the recipient's municipal wastewater to 100%. This project will reduce nitrogen discharges from the City of San Leandro's Water Pollution Control Plant by 20%, in addition to helping to reduce emerging contaminants.

This assistance agreement provides full federal funding in the amount of 2,975,302.00. See terms and conditions. To implement the San Francisco Estuary Partnership Comprehensive Conservation and Management Plan (CCMP), activities for this project include, meeting permitting requirements for construction, completing the construction of and conversion of a 6.9-acre wet weather detention basin into a multi-benefit treatment wetland, including 4.3-acres of open water treatment wetlands and 2.6-acres of seepage slope and the wetland which is the bulk of the project, and monitoring, maintenance and stewardship of the wetland which includes 2 years of site monitoring. The recipient will produce as their outcomes 100% design and construction of the treatment wetland system, including monitoring of the wetland for two years and presenting on the outcomes of the project to water management groups around the San Francisco Bay. Outcomes of this project will help inform potential implementation of a treatment wetland at a 95-acre parcel also owned by the City of San Leandro. The intended beneficiaries are the residents of San Leandro near the shoreline who would benefit from improved aesthetic of the shoreline and if the treatment wetland is effective, potential economic benefits to rate payers if a larger scale project is implemented. No subawards are included in this assistance agreement.

## Administrative Conditions

### General Terms and Conditions

The recipient agrees to comply with the current EPA general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2023-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](mailto: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](mailto: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.

*State recipients must follow procurement procedures as outlined in 2 CFR Part 200.317.*

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

The recipient agrees to submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report (EPA Form 5700-52A) annually for the duration of the project period. The current EPA Form 5700-52A with instructions is located at <https://www.epa.gov/grants/epa-grantee-forms>

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

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

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

whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 4A 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 “Final Report (project completed)” in section 1B of the form.

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](mailto:GrantsRegion9@epa.gov) and the EPA Grants Specialist identified on page 1 of the award document.

#### **D. Indirect Costs**

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

## Programmatic Conditions

**a. Reporting: The recipient shall submit quarterly progress reports to the EPA Project**

Officer within 30 calendar days after the end of each Federal fiscal quarter (January 31, April 30, July 31, and October 31). The progress reports should include:

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

The recipient will notify the EPA Project Officer if something materially impairs their ability to complete the tasks and deliver the products, outputs and outcomes identified in the workplan. Within 120 days of the end of the project period the recipient must email a final report documenting project activities over the entire project period and the recipient's achievements with respect to the project's purposes and objectives. The final report must be emailed to the EPA Project Officer.

**b. Grant Source Recognition: The recipient should publicly acknowledge the US EPA**

San Francisco Bay Water Quality Improvement Fund as the funding vehicle for the projects when the grantee is asked by public entities, federal agencies or state and local agencies about the projects and on-going results.

**c. Quality Assurance Plan:**

**Quality Assurance Project Plan**

In accordance with 2 CFR 1500.11, the recipient must develop and implement quality assurance and quality control procedures, specifications and documentation that are sufficient to produce data of adequate quality to meet project objectives. Recipients implementing environmental programs within the scope of the assistance agreement must submit to the EPA Project Officer an approvable Quality Assurance Project Plan (QAPP) at least 60 days prior to the initiating of data collection or data compilation. The Quality Assurance Project Plan (QAPP) is the document that provides comprehensive details about the quality assurance, quality control, and technical activities that must be implemented to ensure that project objectives are met. Environmental programs include direct measurements or data generation, environmental modeling, compilation of data from literature or electronic media, and data supporting the design, construction, and operation of environmental technology.

The QAPP should be prepared in accordance with EPA QA/R-5: EPA Requirements for Quality Assurance Project Plans. No environmental data collection or data compilation may occur until the QAPP is approved by the EPA Project Officer and Quality Assurance Regional Manager. When the

recipient is delegating the responsibility for an environmental data collection or data compilation activity to another organization, the EPA Regional Quality Assurance Manager may allow the recipient to review and approve that organization's QAPP. Additional information on these requirements can be found at the EPA Office of Grants and Debarment Web Site:

<https://www.epa.gov/grants/implementation-quality-assurance-requirements-organizations-receiving-epafinancial>

#### **d. Competency of Organizations Generating Environmental Measurement Data**

Following EPA Policy Directive Number FEM-2012-02, recipient agrees to demonstrate competency of any laboratory carrying out any activities involving the generation of environmental data on its behalf. Laboratory competency shall be maintained for the duration of the project period of this agreement and documented during the annual reporting process. A copy of the Policy is available online at <https://www.epa.gov/measurements>

#### **e. Cybersecurity Grant Condition for Other Recipients, Including Intertribal Consortia**

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State or Tribal law cybersecurity requirements.

(b)(1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) no later than 90 days after the date of this award and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(b)(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.332(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

\_\_END OF DOCUMENT\_\_