

COUNTY OF COLLIER — Marlene Foord

Award: DE-EE0000783/ EECBG

Description

RECOVERY ACT: COLLIER
COUNTY ENERGY
CONSERVATION PROGRAM

Overview

Post date: 09/08/2009

NAICS:
PSC / FSC: 0000

Award date: 09/08/2009
Award / Order Number: DE-
EE0000783

Agency: DOE - DOE

Issuing office:

Golden Field Office
U.S. Department of Energy
Golden Field Office
1617 Cole Blvd.

Golden, CO 80401-3393

Contact name:

Phone:
Fax:
Email:

What do I do now?

This is the award summary page. To the left you will see a description and an overview of this award. To the right you will see a list of the attached documentation. To view any of the attachments, simply click the attachment name. You will also see the current award team for your company.

To participate on this award team, click the Join button.

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Documentation

DE-EE0000783 / @@@

BASE

Assistance Agreement Form

BODY

Federal Assistance Reporting Checklist (DOE 4600.2)

Budget Information (Page 1)

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Statement of Project Objectives

Award Team

 Join

No team members found.

SPECIAL TERMS AND CONDITIONS

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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 |
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| 2. | Federal Assistance Reporting Checklist and Instructions |
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| 3. | Budget Pages (SF 424A) |
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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,

rebates, refunds, contract settlements, audit recoveries, credits, discounts, and interest earned on any of those funds before requesting additional cash payments from DOE.

- d. Payments. All payments are made by electronic funds transfer to the bank account identified on the ASAP Bank Information Form that you filed with the U.S. Department of Treasury.

5. CEILING ON ADMINISTRATIVE COSTS

- a. Local government and Indian Tribe Recipients may not use more than 10 percent of amounts provided under this program, or \$75,000, whichever is greater (EISA Sec 545 (b)(3)(A)), for administrative expenses, excluding the costs of meeting the reporting requirements under Title V, Subtitle E of EISA. These costs should be captured and summarized for each activity under the Projected Costs Within Budget: Administration.
- b. Recipients are expected to manage their administrative costs. DOE will not amend an award solely to provide additional funds for changes in administrative costs. The Recipient shall not be reimbursed on this project for any final administrative costs that are in excess of the designated 10 percent administrative cost ceiling. In addition, the Recipient shall neither count costs in excess of the administrative cost ceiling as cost share, nor allocate such costs to other federally sponsored project, unless approved by the Contracting Officer.

6. LIMITATIONS ON USE OF FUNDS

- a. By accepting funds under this award, you agree that none of the funds obligated on the award shall be expended, directly or indirectly, for gambling establishments, aquariums, zoos, golf courses or swimming pools.
- b. Local government and Indian tribe Recipients may not use more than 20 percent of the amounts provided or \$250,000, whichever is greater (EISA Sec 545 (b)(3)(B)), for the establishment of revolving loan funds.
- c. Local government and Indian tribe Recipients may not use more than 20 percent of the amounts provided or \$250,000, whichever is greater (EISA Sec 545 (b)(3)(C)), for subgrants to nongovernmental organizations for the purpose of assisting in the implementation of the energy efficiency and conservation strategy of the eligible unit of local government or Indian tribe.

7. INDIRECT COSTS ARE NOT REIMBURSABLE

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 or fringe benefit costs.

8. REOPENER CLAUSE – PENDING FRINGE BENEFIT RATES - FINANCIAL ASSISTANCE

- a. At the time the total budget cost for this award was established, agreement could not be reached on fringe benefit rates. However, agreement was reached on a total estimated budget cost that includes a dollar amount for fringe benefit costs and this amount is subject to adjustment in accordance with the provisions of this term and other administrative provisions of the award.
- b. Within 30 days from the award date shown in Block 27 of the Assistance Agreement, you shall submit a fringe benefit rate proposal to the contracting officer and cognizant auditor for determination of a provisional billing rate.
- c. If the approved provisional billing rates result in amounts for fringe benefit costs that are substantially lower the amount budgeted, you agree to commence negotiations to revise the budget and the total estimated cost for this award.
- d. Should you fail to submit the information in paragraph (b), or should there be no agreement as to the amount of the adjustment contemplated by this term, then the Contracting Officer may make a unilateral determination and modify the award accordingly.

9. 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.

10. 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.

11. 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.

12. 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 the terms of the award. Noncompliance may result in withholding of future payments, suspension or termination of the current award, and withholding of future awards. A willful failure to perform, a history of failure to perform, or unsatisfactory performance of this and/or other financial assistance awards, may also result in a debarment action to preclude future awards by Federal agencies.
- b. Additional Recovery Act Reporting Requirements are found in the Provision below labeled: "REPORTING AND REGISTRATION REQUIREMENTS UNDER SECTION 1512 OF THE RECOVERY ACT."

13. PUBLICATIONS

- a. You are encouraged to publish or otherwise make publicly available the results of the work conducted under the award.
- b. An acknowledgment of DOE support and a disclaimer must appear in the publication of any material, whether copyrighted or not, based on or developed under this project, as follows:

Acknowledgment: "This material is based upon work supported by the Department of Energy [National Nuclear Security Administration] [add name(s) of other agencies, if applicable] under Award Number(s) [enter the award number(s)]."

Disclaimer: "This report was prepared as an account of work sponsored by an agency of the United States Government. Neither the United States Government nor any agency thereof, nor any of their employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise does not necessarily constitute or imply its endorsement, recommendation, or favoring by the United States Government or any agency thereof. The views and opinions of authors expressed herein do not necessarily state or reflect those of the United States Government or any agency thereof."

14. FEDERAL, STATE, AND MUNICIPAL REQUIREMENTS

You must obtain any required permits and comply with applicable federal, state, and municipal laws, codes, and regulations for work performed under this award.

15. LOBBYING RESTRICTIONS

By accepting funds under this award, you agree that none of the funds obligated on the award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

16. 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.

17. 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.

DOE has made a conditional NEPA determination for this award, and funding for certain activities or tasks under this award is contingent upon the final NEPA determination:

Activity #1 – Facilities Management Energy Efficiency Retrofits (e.g. thermal storage & chiller upgrades, lighting upgrades, and cart PV installation): Prohibited actions include: Demolition, construction, removal, installation or disposal activities, until such time that you comply with the Waste Stream Clause and Historic Preservation Clause. This restriction does not preclude you from: 1) purchasing any necessary equipment or related materials; or (2) conducting assessments, studies and other related administrative work. Recipient shall ensure the safety and structural integrity of any repair, replacement, construction and/or alteration performed under this project.

Activity #2 - Parks and Recreation Green Lighting System Retrofits: Prohibited actions include: Demolition, construction, equipment removal, installation or disposal activities, until such time that you comply with the Waste Stream Clause and Historic Preservation Clause. This restriction does not preclude you from: 1) purchasing any necessary equipment or related materials; or (2) conducting assessments, studies and other related administrative work.

Activity #3 - Public Utilities Energy Savings Retrofits: Prohibited actions include: Demolition, construction, removal, installation or disposal activities, until such time that you comply with the Waste Stream Clause and Historic Preservation Clause. This restriction does not preclude you from: 1) purchasing any necessary equipment or related materials; or (2) conducting assessments, studies and other related administrative work. Recipient shall ensure the safety and structural integrity of any repair, replacement, construction and/or alteration performed under this project.

Activity #4 - Public Utilities Renewable Energy Solar Photovoltaic Panels: This activity is restricted pending: (1) further submission by Recipient specifically identifying all activities authorized under these projects; 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, 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.

Activity #5 - Traffic Signalization Improvements: DOE has made a final NEPA Determination for this activity, which is categorically excluded from further NEPA review.

Activity #6 - Collier County Master Mobility Plan: DOE has made a final NEPA Determination for this activity, which is categorically excluded from further NEPA review.

Activity #7 - Children's Museum of Naples Energy Savings and Renewable Energy Projects: This activity is restricted pending: (1) further submission by Recipient specifically identifying all activities authorized under these projects; 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, 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.

Activity #8 - Green Building Codes Inspection Training Program: DOE has made a final NEPA Determination for this activity, which is categorically excluded from further NEPA review.

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.

18. HISTORIC PRESERVATION

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.

19. WASTE STREAM

Prior to the expenditure of Federal funds to dispose of sanitary or hazardous waste, the Recipient is required to provide documentation to the Project Officer 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 Contracting Officer shall consider compliance with this clause complete only after the Recipient has submitted adequate documentation to DOE for its review, and DOE has provided written approval to the Recipient of its proposed plan to dispose of its sanitary or hazardous waste.

20. 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.

21. SUBCONTRACT/SUBGRANT APPROVALS

- a. In the original application, subcontractor(s)/subgrantee(s) were not identified by the recipient, with the exception of the Children's Museum of Naples for the activity titled: Children's Museum of Naples Energy Savings and Renewable Energy Projects. The buildings and facilities activity, performed by the Children's Museum of Naples, is approved and funds are released in the amount of \$250,000. In order to receive reimbursement for the costs associated with the unidentified 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.

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

Preamble

The American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (Recovery Act) was enacted to preserve and create jobs and promote economic recovery, assist those most impacted by the recession, provide investments needed to increase economic efficiency by spurring technological advances in science and health, invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits, stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive State and local tax increases. Recipients shall use grant funds in a manner that maximizes job creation and economic benefit.

The Recipient shall comply with all terms and conditions in the Recovery Act relating generally to governance, accountability, transparency, data collection and resources as specified in Act itself and as discussed below.

Recipients should begin planning activities for their first tier subrecipients, including obtaining a DUNS number (or updating the existing DUNS record), and registering with the

Central Contractor Registration (CCR).

Be advised that Recovery Act funds can be used in conjunction with other funding as necessary to complete projects, but tracking and reporting must be separate to meet the reporting requirements of the Recovery Act and related guidance. For projects funded by sources other than the Recovery Act, Contractors must keep separate records for Recovery Act funds and to ensure those records comply with the requirements of the Act.

The Government has not fully developed the implementing instructions of the Recovery Act, particularly concerning specific procedural requirements for the new reporting requirements. The Recipient will be provided these details as they become available. The Recipient must comply with all requirements of the Act. If the recipient believes there is any inconsistency between ARRA requirements and current award terms and conditions, the issues will be referred to the Contracting Officer for reconciliation.

Definitions

For purposes of this clause, Covered Funds means funds expended or obligated from appropriations under the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5. Covered Funds will have special accounting codes and will be identified as Recovery Act funds in the grant, cooperative agreement or TIA and/or modification using Recovery Act funds. Covered Funds must be reimbursed by September 30, 2015.

Non-Federal employer means any employer with respect to covered funds -- the contractor, subcontractor, grantee, or recipient, as the case may be, if the contractor, subcontractor, grantee, or recipient is an employer; and any professional membership organization, certification of other professional body, any agent or licensee of the Federal government, or any person acting directly or indirectly in the interest of an employer receiving covered funds; or with respect to covered funds received by a State or local government, the State or local government receiving the funds and any contractor or subcontractor receiving the funds 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, subgrant, 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 public or used by the Government for any purpose other than the application. To protect such data, the applicant should specifically identify each page including each line or paragraph thereof containing the data to be protected and mark the cover sheet of the application with the following Notice as well as referring to the Notice on each page to which the Notice applies:

Notice of Restriction on Disclosure and Use of Data

The data contained in pages ---- of this application have been submitted in confidence and contain trade secrets or proprietary information, and such data shall be used or disclosed only for evaluation purposes, provided that if this applicant receives an award as a result of or in connection with the submission of this application, DOE shall have the right to use or disclose the data here to the extent provided in the award. This restriction does not limit the Government's right to use or disclose data obtained without restriction from any source, including the applicant.

Information about this agreement will be published on the Internet and linked to the website

www.recovery.gov, maintained by the Accountability and Transparency Board. The Board may exclude posting contractual or other information on the website on a case-by-case basis when necessary to protect national security or to protect information that is not subject to disclosure under sections 552 and 552a of title 5, United States Code.

F. Protecting State and Local Government and Contractor Whistleblowers.

The requirements of Section 1553 of the Act are summarized below. They include, but are not limited to:

Prohibition on Reprisals: An employee of any non-Federal employer receiving covered funds under the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to the Accountability and Transparency Board, an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement agency, a person with supervisory authority over the employee (or other person working for the employer who has the authority to investigate, discover or terminate misconduct), a court or grand jury, the head of a Federal agency, or their representatives information that the employee believes is evidence of:

- gross management of an agency contract or grant relating to covered funds;
- a gross waste of covered funds;
- a substantial and specific danger to public health or safety related to the implementation or use of covered funds;
- an abuse of authority related to the implementation or use of covered funds; or
- as violation of law, rule, or regulation related to an agency contract (including the competition for or negotiation of a contract) or grant, awarded or issued relating to covered funds.

Agency Action: Not later than 30 days after receiving an inspector general report of an 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 the award date.

K. Additional Funding Distribution and Assurance of Appropriate Use of Funds

Certification by Governor – For funds provided to any State or agency thereof by the American Reinvestment and Recovery Act of 2009, Pub. L. 111-5, the Governor of the State shall certify that: 1) the state will request and use funds provided by the Act; and 2) the funds will be used to create jobs and promote economic growth.

Acceptance by State Legislature -- If funds provided to any State in any division of the Act are not accepted for use by the Governor, then acceptance by the State legislature, by means of the adoption of a concurrent resolution, shall be sufficient to provide funding to such State.

Distribution -- After adoption of a State legislature's concurrent resolution, funding to the State will be for distribution to local governments, councils of government, public entities,

and public-private entities within the State either by formula or at the State's discretion.

L. Certifications

With respect to funds made available to State or local governments for infrastructure investments under the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, the Governor, mayor, or other chief executive, as appropriate, certified by acceptance of this award that the infrastructure investment has received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Recipient shall provide an additional certification that includes a description of the investment, the estimated total cost, and the amount of covered funds to be used for posting on the Internet. A State or local agency may not receive infrastructure investment funding from funds made available by the Act unless this certification is made and posted.

23. REPORTING AND REGISTRATION REQUIREMENTS UNDER SECTION 1512 OF THE RECOVERY ACT

(a) This award requires the recipient to complete projects or activities which are funded under the American Recovery and Reinvestment Act of 2009 (Recovery Act) and to report on use of Recovery Act funds provided through this award. Information from these reports will be made available to the public.

(b) The reports are due no later than ten calendar days after each calendar quarter in which the Recipient receives the assistance award funded in whole or in part by the Recovery Act.

(c) Recipients and their first-tier subrecipients must maintain current registrations in the Central Contractor Registration (<http://www.ccr.gov>) at all times during which they have active federal awards funded with Recovery Act funds. A Dun and Bradstreet Data Universal 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.

24. 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.

25. 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.

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

(b) *Domestic preference.* (1) This award term and condition implements Section 1605 of the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Pub. L. 111–5), by requiring that all iron, steel, and manufactured goods used in the project are produced in the United States except as provided in paragraph (b)(3) and (b)(4) of this section and condition.

(2) This requirement does not apply to the material listed by the Federal Government as follows:

To Be Determined

(3) The award official may add other iron, steel, and/or manufactured goods to the list in paragraph (b)(2) of this section and condition if the Federal Government determines that—

(i) The cost of the domestic iron, steel, and/or manufactured goods would be unreasonable. The cost of domestic iron, steel, or manufactured goods used in the project is unreasonable when the cumulative cost of such material will increase the cost of the overall project by more than 25 percent;

(ii) The iron, steel, and/or manufactured good is not produced, or manufactured in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(iii) The application of the restriction of section 1605 of the Recovery Act would be inconsistent with the public interest.

(c) *Request for determination of inapplicability of Section 1605 of the Recovery Act . (1)(i)*
Any recipient request to use foreign iron, steel, and/or manufactured goods in accordance with paragraph (b)(3) of this section shall include adequate information for Federal Government evaluation of the request, including—

(A) A description of the foreign and domestic iron, steel, and/or manufactured goods;

(B) Unit of measure;

(C) Quantity;

(D) Cost;

(E) Time of delivery or availability;

(F) Location of the project;

(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)(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 | _____ | _____ | _____ |
| <i>Item 2:</i> | | | |
| Foreign steel, iron, or manufactured good | _____ | _____ | _____ |
| Domestic steel, iron, or manufactured good | _____ | _____ | _____ |

List name, address, telephone number, email address, and contact for suppliers surveyed. Attach copy of response; if oral, attach summary.

Include other applicable supporting information.

*Include all delivery costs to the construction site.

26. REQUIRED USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS (COVERED UNDER INTERNATIONAL AGREEMENTS) – SECTION 1605 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

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

Designated country — (1) A World Trade Organization Government Procurement Agreement country (Aruba, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hong Kong, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea (Republic of), Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Singapore, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, and United Kingdom;

(2) A Free Trade Agreement (FTA) country (Australia, Bahrain, Canada, Chile, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Israel, Mexico, Morocco, Nicaragua, Oman, Peru, or Singapore); or

(3) A United States-European Communities Exchange of Letters (May 15, 1995) country: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, and United Kingdom.

Designated country iron, steel, and/or manufactured goods — (1) Is wholly the growth, product, or manufacture of a designated country; or

(2) In the case of a manufactured good that consist in whole or in part of materials from another country, has been substantially transformed in a designated country into a new and different manufactured good distinct from the materials from which it was transformed.

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 where the iron, steel or manufactured goods used in the project are from a Party to an international agreement that obligates the recipient to treat the goods and services of that Party the same as domestic goods and services. This obligation shall only apply to projects with an estimated value of \$7,443,000 or more.

(2) The recipient shall use only domestic or designated country iron, steel, and manufactured goods in performing the work funded in whole or part with this award, except as provided in paragraphs (b)(3) and (b)(4) of this section.

(3) The requirement in paragraph (b)(2) of this section does not apply to the iron, steel, and manufactured goods listed by the Federal Government as follows:

To Be Determined

(4) The award official may add other iron, steel, and manufactured goods to the list in paragraph (b)(3) of this section if the Federal Government determines that—

(i) The cost of domestic iron, steel, and/or manufactured goods would be unreasonable. The cost of domestic iron, steel, and/or manufactured goods used in the project is unreasonable when the cumulative cost of such material will increase the overall cost of the project by more than 25 percent;

(ii) The iron, steel, and/or manufactured good is not produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality;
or

(iii) The application of the restriction of section 1605 of the Recovery Act would be inconsistent with the public interest.

(c) Request for determination of inapplicability of section 1605 of the Recovery Act or the Buy American Act. (1)(i) Any recipient request to use foreign iron, steel, and/or manufactured goods in accordance with paragraph (b)(4) of this section shall include adequate information for Federal Government evaluation of the request, including—

(A) A description of the foreign and domestic iron, steel, and/or manufactured goods;

(B) Unit of measure;

(C) Quantity;

(D) Cost;

(E) Time of delivery or availability;

(F) Location of the project;

(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 | _____ | _____ | _____ |
| Domestic steel, iron, or manufactured good | _____ | _____ | _____ |
| <i>Item 2:</i> | | | |
| Foreign steel, iron, or manufactured good | _____ | _____ | _____ |
| Domestic steel, iron, or manufactured good | _____ | _____ | _____ |

List name, address, telephone number, email address, and contact for suppliers surveyed. Attach copy of response; if oral, attach summary.

Include other applicable supporting information.

*Include all delivery costs to the construction site.

27. WAGE RATE REQUIREMENTS UNDER SECTION 1606 OF THE RECOVERY ACT

(a) Section 1606 of the Recovery Act requires that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Recovery Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

Pursuant to Reorganization Plan No. 14 and the Copeland Act, 40 U.S.C. 3145, the Department of Labor has issued regulations at 29 CFR parts 1, 3, and 5 to implement the Davis-Bacon and related Acts. Regulations in 29 CFR 5.5 instruct agencies concerning application of the standard Davis-Bacon contract clauses set forth in that section. Federal agencies providing grants, cooperative agreements, and loans under the Recovery Act shall ensure that the standard Davis-Bacon contract clauses found in 29 CFR 5.5(a) are incorporated in any resultant covered contracts that are in excess of \$2,000 for construction, alteration or repair (including painting and decorating).

(b) For additional guidance on the wage rate requirements of section 1606, contact your awarding agency. Recipients of grants, cooperative agreements and loans should direct their initial inquiries concerning the application of Davis-Bacon requirements to a particular federally assisted project to the Federal agency funding the project. The Secretary of Labor retains final coverage authority under Reorganization Plan Number 14.

28. 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.

29. 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.

Subrecipient means the legal entity to which a subaward is made and which is accountable to the recipient for the use of the funds provided. The term may include foreign or international organizations (such as agencies of the United Nations).

Davis-Bacon Act

(a) Definition.--"Site of the work"--

(1) Means--

(i) The primary site of the work. The physical place or places where the construction called for in the award will remain when work on it is completed; and

(ii) The secondary site of the work, if any. Any other site where a significant portion of the building or work is constructed, provided that such site is--

(A) Located in the United States; and

(B) Established specifically for the performance of the award or project;

(2) Except as provided in paragraph (3) of this definition, includes any fabrication plants, mobile factories, batch plants, borrow pits, job headquarters, tool yards, etc., provided--

(i) They are dedicated exclusively, or nearly so, to performance of the award or project; and

(ii) They are adjacent or virtually adjacent to the "primary site of the work" as defined in paragraph (a)(1)(i), or the "secondary site of the work" as defined in paragraph (a)(1)(ii) of this definition;

(3) Does not include permanent home offices, branch plant establishments, fabrication plants, or tool yards of a Contractor or subcontractor whose locations and continuance in operation are determined wholly without regard to a particular Federal award or project. In addition, fabrication plants, batch plants, borrow pits, job headquarters, yards, etc., of a commercial or material supplier which are established by a supplier of materials for the project before opening of bids and not on the Project site, are not included in the "site of the work." Such permanent, previously established facilities are not a part of the "site of the work" even if the operations for a period of time may be dedicated exclusively or nearly so, to the performance of a award.

(b) (1) All laborers and mechanics employed or working upon the site of the work will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, or as may be incorporated for a secondary site of the work, 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 action taken shall be sent by the Contracting Officer to the Administrator of the:

Wage and Hour Division
Employment Standards Administration
U.S. Department of Labor
Washington, DC 20210

The Administrator or an authorized representative will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the Contracting Officer or will notify the Contracting Officer within the 30-day period that additional time is necessary.

(3) In the event the Contractor, the laborers or mechanics to be employed in the classification, or their representatives, and the Contracting Officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the Contracting Officer shall refer the questions, including the views of all interested parties and the recommendation of the Contracting Officer, to the Administrator of the Wage and Hour Division for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the

Contracting Officer or will notify the Contracting Officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits, where appropriate) determined pursuant to subparagraphs (c)(2) and (c)(3) of this article shall be paid to all workers performing work in the classification under this award from the first day on which work is performed in the classification.

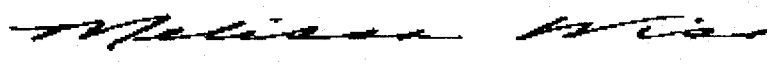
(d) Whenever the minimum wage rate prescribed in the award for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the Contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(e) If the Contractor does not make payments to a trustee or other third person, the Contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program; provided, that the Secretary of Labor has found, upon the written request of the Contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the Contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

Rates of Wages - Prior Approval for Proceeding with Davis-Bacon Construction Activities

If the Recipient determines at any time that any construction, alteration, or repair activity as defined by 29 CFR 5.2(j) (<http://cfr.vlex.com/vid/5-2-definitions-19681309>) will be performed during the course of the project, the Recipient shall request approval from the Contracting Officer prior to commencing such work. If the Contracting Officer concurs with the Recipient's determination, the Recipient must receive Contracting Officer approval to proceed with such activity, and must comply with all applicable Davis-Bacon requirements, prior to commencing 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.

ASSISTANCE AGREEMENT

| | | | | | | | | |
|--|--|---|-------------------|---|---|--|---|--|
| Award No. E-EE0000783 | | 2. Modification No. | | 3. Effective Date 08/31/2009 | | 4. CFDA No. 81.128 | | |
| Awarded To COUNTY OF COLLIER ttn: MARLENE FOORD 301 TAMIAMI TRAIL E APLES FL 341123969 | | | | 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 | |
| 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. 09EE003947 | | | |
| 11. Remittance Address COUNTY OF COLLIER ttn: MARLENE FOORD 301 TAMIAMI TRAIL E APLES FL 341123969 | | | | 12. Total Amount Govt. Share: \$3,036,000.00 Cost Share : \$0.00 Total : \$3,036,000.00 | | 13. Funds Obligated This action: \$3,036,000.00 Total : \$3,036,000.00 | | |
| 14. Principal Investigator Marlene Foord Phone: 239-252-4768 | | 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 ECBG Program | | | | | | | | |
| 21. Research Title and/or Description of Project RECOVERY ACT: COLLIER COUNTY ENERGY CONSERVATION PROGRAM | | | | | | | | |
| 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 Melissa Y. Wise | | 27. Date Signed 09/08/2009 | | |

| | | | |
|--------------------|---|------|----|
| CONTINUATION SHEET | REFERENCE NO. OF DOCUMENT BEING CONTINUED | PAGE | OF |
| | DE-EE0000783 | 2 | 3 |

NAME OF OFFEROR OR CONTRACTOR
 COUNTY OF COLLIER

| ITEM NO. (A) | SUPPLIES/SERVICES (B) | QUANTITY (C) | UNIT (D) | UNIT PRICE (E) | AMOUNT (F) |
|-----------------|--|-----------------|-------------|-------------------|---------------|
| | <p>DUNS Number: 076997790</p> <p>In addition to this Assistance Agreement, this award consists of the items listed in the Special Terms and Conditions, Provision 2, Award Agreement Terms and Conditions.</p> <p>In Block 7 of the Assistance Agreement, the Period of Performance reflects the beginning of the project through the end of the current Budget Period, shown as 08/31/2009 through 08/30/2012.</p> <p>Blocks 12 and 13 of this Assistance Agreement indicate the Total Obligated Amount of this project, which is the Recipient's total allocation. The funds available in ASAP to the Recipient through this action is limited to \$424,903 due to the restrictions in Provision Number 17, National Environmental Policy Act (NEPA) Requirements and Provision Number 21, Subcontract/Subgrant Approvals, in the Special Terms and Conditions. Once these conditions have been met, the remaining funds will be released to the Recipient according to Provision Number 16, Staged Disbursement, of the Special Terms and Conditions.</p> <p>DOE Award Administrator: Nicole Blackstone E-mail: nicole.blackstone@go.doe.gov Phone: 303-275-4879</p> <p>DOE Project Officer: Patricia St. Germain E-mail: patricia.stgermain@go.doe.gov Phone: 303-275-4874</p> <p>Recipient Business Officer: Marlene Foord E-mail: marlenefoord@colliergov.net Phone: 239-252-4768</p> <p>Recipient Principal Investigator: Marlene Foord E-mail: marlenefoord@colliergov.net Phone: 239-252-4768</p> <p>Electronic signature or signatures as used in this document means a method of signing an electronic message that-- (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, Continued ...</p> | | | | |

NAME OF OFFEROR OR CONTRACTOR
COUNTY OF COLLIER

| ITEM NO. (A) | SUPPLIES/SERVICES (B) | QUANTITY (C) | UNIT (D) | UNIT PRICE (E) | AMOUNT (F) |
|-----------------|---|-----------------|-------------|-------------------|---------------|
| | (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 | | | | |

STATEMENT OF PROJECT OBJECTIVES

County of Collier, FL
Collier County Energy Conservation Program

A. PROJECT OBJECTIVES

The purpose of this award is to implement the Recipient's Energy Efficiency & Conservation Strategy (EEC&S) in order to reduce fossil fuel emissions; reduce total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors, along with creating jobs.

B. PROJECT SCOPE

The scope for this award is the implementation of the EEC&S and all supporting documentation necessary for the proposed activities (Attached).

C. PROJECT MANAGEMENT AND REPORTING

Reports and deliverables will be provided in accordance with the Federal Assistance Reporting Checklist.

EECBG Activity Worksheet

Grantee: Collier County Date: 06/24/2009
 DUNS #: 76997790 Program Contact Email: marlenefoord@colliergov.net
 Program Contact First Name: Marlene Last Name: Foord
 Project Title: Facilities Management Energy Efficiency Retrofits
 Activity: 5. Energy Efficiency Retrofits If Other: _____
 Sector: Public If Other: _____
 Proposed Number of Jobs Created: 4.00 Proposed Number of Jobs Retained: _____
 Proposed Energy Saved and/or Renewable Energy Generated: 1,098,784 kWh per year
 Proposed GHG Emissions Reduced (CO2 Equivalents): 657.000
 Proposed Funds Leveraged: \$70,000.00
 Proposed EECBG Budget: 665,510.00
 Projected Costs Within Budget: Administration: \$24,388.00 Revolving Loans: _____ Subgrants: _____
 Project Contact First Name: Skip Last Name: Camp Email: skipcamp@colliergov.net
 Metric Activity: Building Retrofits If Other: _____

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

Collier County will utilize its EECBG formula funding to fund a mixture of lighting and electrical improvements, mechanical improvements, renewable energy and planning initiatives.

Project Activity 1: Facilities Management Energy Efficiency Retrofits.

This activity involves six electrical and mechanical projects on the main government campus, which is a 45 acre complex in the heart of Collier County. The campus includes the County courthouse, administration buildings, the health department, the jail and a host of constitutional offices, all of which draw significant power to operate. Improving the energy efficiency of the building systems will also reduce the operating funds needed to operate these facilities.

Collier County uses the thermal energy of ice created at night during off-peak hours to cool the buildings during daytime peak usage periods. This shifts the electrical load to off-peak hours, while avoiding higher price energy and demand charges imposed by utilities. An estimated \$46,000 Florida Power and Light rebate is received as an incentive for this project. The project proposed for EECBG funding is to add 6 additional units to further enhance the already efficient system in place. The energy savings for this project is estimated at 132,298 kWh per year, the expected CO2 reduction is 79 metric tons and the annual dollar savings is expected to be \$11,113.

Related to this project is the replacement of a 22 year old chiller with a newer more efficient unit. This will decrease the energy usage and maintenance while increasing capacity to meet Collier County's growing demand. An estimated \$12,000 Florida Power and Light rebate is received as an incentive for this project. The energy savings for this project is estimated at 280,000 kWh per year, the expected CO2 reduction is 167 metric tons and the annual dollar savings is expected to be \$24,000.

The three lighting and electrical projects include retrofitting 70 Code Blue Emergency Lamps from low efficiency to high efficiency units, installing 1,000 occupancy sensors around campus and installation of a central computer management software system to continuously monitor an office space to determine if it is occupied. A non-occupied station will automatically be placed into a hibernation state effectively reducing energy usage. The energy savings for these projects is estimated at 680,092 kWh per year, the expected CO2 reduction is 407 metric tons and the annual dollar savings is expected to be \$57,127.

The last of the Facilities Management retrofit projects involves installation of solar panels on 17 existing utility carts that are used regularly on campus to maintain campus facilities. This project will reduce electricity costs while extending the useful life of the batteries already installed on the carts by 30%. The added benefit of this project is the visibility to the public who visit the government complex. The energy savings for this project is estimated at 6,404 kWh per year, the expected CO2 reduction is 4 metric tons, and the annual dollar savings is expected to be \$538.

The total estimated cost for these projects is \$665,510 and Florida Power and Light rebates in the amount of \$58,000 will be received as an incentive, demonstrating the commitment of the local utility provider to the reduction of energy use and greenhouse gas. Furthermore, county staff will provide the labor for installation of the occupancy sensors at a leverage value of approximately \$12,000.

Total energy savings are 1,098,784 kWh per year and 657 metric tons of CO2.

The total project cost is \$665,510. Approximately \$24,388 of the "administrative costs" are being allocated to this project for a total EECBG request for this project of \$689,898.

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: Collier County Date: 06/11/2009
 DUNS #: 76997790 Program Contact Email: marlenefoord@colliergov.net
 Program Contact First Name: Marlene Last Name: Foord
 Project Title: Parks and Recreation Green Lighting System Retrofits
 Activity: 5. Energy Efficiency Retrofits If Other: _____
 Sector: Public If Other: _____
 Proposed Number of Jobs Created: 7.00 Proposed Number of Jobs Retained: 665,811.00
 Proposed Energy Saved and/or Renewable Energy Generated: 177,275 kwh per year
 Proposed GHG Emissions Reduced (CO2 Equivalents): 106.030
 Proposed Funds Leveraged: \$0.00
 Proposed EECBG Budget: 665,811.00
 Projected Costs Within Budget: Administration: \$34,399.00 Revolving Loans: _____ Subgrants: _____
 Project Contact First Name: Vicky Last Name: Ahmad Email: vickyahmad@colliergov.net
 Metric Activity: Building Retrofits If Other: _____

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

Collier County will utilize its EECBG formula funding to fund a mixture of lighting and electrical improvements, mechanical improvements, renewable energy and planning/training initiatives.

Project Activity 2: Parks and Recreation Department Light Fixture Retrofits

This activity involves energy efficient retrofits of light fixtures at two sport complexes. The Immokalee Community Park has 2 tennis courts, 4 basketball courts, 1 softball field and 1 baseball field. At the Gulf Coast Community Park, there are 2 little league baseball fields.

By retrofitting the existing floodlight fixtures, the KW demand will be reduced by approximately 30%. The useful lamp life hours of lighting fixtures increase from 3,000 to 5,000 hours. The lighting has been proven to reduce overall consumption of energy, is easy to install by contractors, enhances the playing conditions for participants and is less obtrusive to neighbors and the environment. Furthermore, because lights last longer, fewer bulbs need to be replaced, resulting in less hazardous waste material to dispose of over the life of the fixtures.

At Immokalee Community Park, which is located in eastern Collier County, 162 lamp fixtures will be replaced with a total of 116 lamps. An energy savings of 146,626 kWh will result, which converts to 87.70 metric tons of CO2. The annual dollar savings is expected to be \$35,544. At Gulf Coast Community Park, a total of 48 lamp fixtures at two baseball fields will be replaced with a total of 32 lamps. An energy savings of 30,649 kWh will result, which converts to 18.33 metric tons of CO2.

By retrofitting the light fixtures at these two parks, Collier County Parks and Recreation can use safer, cleaner energy, and perform less replacement and maintenance than the current system. Long-term plans remain in place to retrofit a minimum of 7 other Park projects throughout the County. Once completed, Collier County Parks and Recreation will have reduced energy use by over one million kWh and approximately 657 metric tons of CO2. In current dollars, this equates to an annual savings of \$466,482.

Furthermore, because of the visible nature of the park facilities, all lighting retrofits provide opportunity for public education and allows Collier County to serve as a model for energy reduction for our community.

By retrofitting the light fixtures, it is estimated that approximately seven (7) jobs will be created during the project. The type of jobs created will be Electrical Engineer, Designer, Manufacturing, Assemblers, Product Test, Quality Control, Electrician, and the Installer. A Project Manager will be involved full time in coordinating all the work, completing job inspections on each project at least twice per week, preparing documents, record keeping and overseeing that the projects meet all EECBG grant requirements.

Lighting in these two parks will initially be retrofitted however, the Parks and Recreation Department has conducted an audit of nine (9) park projects in total that can benefit from similar lighting retrofits. Please note that neither of the two parks selected includes a pool in its inventory.

The total project cost is \$665,811. Approximately \$24,399 of the "administrative costs" are being allocated to this project for a total EECBG request for this project of \$690,210.

EECBG Activity Worksheet

Grantee: Collier County Date: 06/24/2009
 DUNS #: 76997790 Program Contact Email: marlenefoord@colliergov.net
 Program Contact First Name: Marlene Last Name: Foord
 Project Title: Public Utilities Energy Savings Retrofits
 Activity: 5. Energy Efficiency Retrofits If Other: _____
 Sector: Public If Other: _____
 Proposed Number of Jobs Created: 3.00 Proposed Number of Jobs Retained: _____
 Proposed Energy Saved and/or Renewable Energy Generated: 448,563 kWh per year
 Proposed GHG Emissions Reduced (CO2 Equivalents): 268.000
 Proposed Funds Leveraged: \$150,468.00
 Proposed EECBG Budget: 149,000.00
 Projected Costs Within Budget: Administration: \$5,460.00 Revolving Loans: _____ Subgrants: _____
 Project Contact First Name: Beals Last Name: Nathan Email: nathanbeals@colliergov.net
 Metric Activity: Building Retrofits If Other: _____

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

Collier County will utilize its EECBG formula funding to fund a mixture of lighting and electrical improvements, mechanical improvements, renewable energy and planning initiatives.

Project Activity 3: Public Utilities Energy Savings Retrofits

This activity is two-fold and involves the installation of lighting retrofits and occupancy sensors to reduce the energy demand of five utility facilities throughout Collier County.

The Lighting Retrofit Project will modernize 2,100 light fixtures with 5,213 replacement high efficiency fluorescent lamps that will provide an energy savings of 407,328 kWh per year. This equates to 244 metric tons of CO2 per year and a dollar savings of approximately \$34,864 per year. The modernization process includes replacing ballasts on light fixtures or replacing the entire light fixture. The modernization of the light fixtures does not reduce high levels but actually improves light levels by 5 to 10 percent in most areas. No additional maintenance associated with the lighting retrofits is necessary. The energy efficient fluorescent lamps being installed are the same cost as existing lamps.

The Occupancy Sensors Project will install occupancy sensors in a total of 89 rooms located at four different plants that will provide an energy savings of 41,235 kWh per year. This equates to 24 metric tons of CO2 per year and a dollar savings of approximately \$2,859 per year. The occupancy sensor project includes timer switches and motion sensors. There are no maintenance costs associated with the occupancy sensors.

The proposed funds leveraged are reserve funds from Water and Wastewater User Fees. A limited amount of funding is available from our reserves. Using greater amounts of reserve funds would reduce available financial resources for unforeseen projects that may risk public health, welfare, and safety.

These activities are among a list of projects identified by the Public Utilities Division working with Florida Power & Light Company (FPL) under a Master Agreement as cost effective energy conservation options/measures (ECOs) to be implemented. The study that was commissioned to evaluate potential capital improvement projects was developed to comply with Florida Statute (FS 489.145) "Guaranteed Energy Performance Savings Contracting Act." These projects were among the projects with shorter payback periods that would have immediate energy and material savings. Due to the arrangements with FPL, Collier County will receive information from FPL regarding the cost effectiveness and energy savings and will ensure these reports are consistent with grant reporting requirements.

The total project cost is \$149,000. Approximately \$5,460 of the "administrative costs" are being allocated to this project for a total EECBG request for this project of \$154,460.

EECBG Activity Worksheet

Grantee: Collier County Date: 06/24/2009
 DUNS #: 76997790 Program Contact Email: marlenefoord@colliergov.net
 Program Contact First Name: Marlene Last Name: Foord
 Project Title: Public Utilities Renewable Energy Solar Photovoltaic Panels
 Activity: 13. Onsite Renewable Technology If Other: _____
 Sector: Public If Other: _____
 Proposed Number of Jobs Created: 2.00 Proposed Number of Jobs Retained: _____
 Proposed Energy Saved and/or Renewable Energy Generated: 9,905 kWh per year
 Proposed GHG Emissions Reduced (CO2 Equivalents): 6.000
 Proposed Funds Leveraged: \$0.00
 Proposed EECBG Budget: 139,960.00
 Projected Costs Within Budget: Administration: \$5,129.00 Revolving Loans: _____ Subgrants: _____
 Project Contact First Name: Beals Last Name: Nathan Email: nathanbeals@colliergov.net
 Metric Activity: Building Retrofits If Other: _____

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

Collier County will utilize its EECBG formula funding to fund a mixture of lighting and electrical improvements, mechanical improvements, renewable energy and planning initiatives.

Project Activity 4: Public Utilities Renewable Energy Solar Photovoltaic Panels
 This activity involves installation of 42 fixed tilt ground-mounted 200 Watt PV solar panels at the South County Regional Water Treatment Plant, which will then be connected to the plant's electrical system. This project directly reduces energy usage by approximately 9,905 kWh per year, equating to six(6) metric tons of CO2 and a dollar savings of approximately \$862 per year. There are no maintenance costs associated with this project

In addition to the annual energy and cost savings, this project will demonstrate Collier County's commitment to renewable "green" energy and reducing the County's carbon footprint. Furthermore, the site will be used as an educational tool about the importance of renewable energy for local schools and community groups that already frequent the facility for tours.

This activity is among a list of projects identified by the Public Utilities Division working with Florida Power & Light Company (FPL) under a Master Agreement as cost effective energy conservation options/measures (ECOs) to be implemented. The study that was commissioned to evaluate potential capital improvement projects was developed to comply with Florida Statute (FS 489.145) "Guaranteed Energy Performance Savings Contracting Act." These projects were among the projects with shorter payback periods that would have immediate energy and material savings. Due to the arrangements with FPL, Collier County will receive information from FPL regarding the cost effectiveness and energy savings and will ensure these reports are consistent with grant reporting requirements.

The total project cost is \$139,960. Approximately \$5,129 of the "administrative costs" are being allocated to this project for a total EECBG request for this project of \$145,089.

EECBG Activity Worksheet

Grantee: Collier County Date: 06/24/2009
 DUNS #: 76997790 Program Contact Email: marlenefoord@colliergov.net
 Program Contact First Name: Marlene Last Name: Foord
 Project Title: Traffic Signalization Improvements
 Activity: 7. Transportation If Other: _____
 Sector: Public If Other: _____
 Proposed Number of Jobs Created: 6.00 Proposed Number of Jobs Retained: 3.00
 Proposed Energy Saved and/or Renewable Energy Generated: 373,240 gallons of gasoline
 Proposed GHG Emissions Reduced (CO2 Equivalents): 3,288.000
 Proposed Funds Leveraged: \$0.00
 Proposed EECBG Budget: 542,999.00
 Projected Costs Within Budget: Administration: \$19,898.50 Revolving Loans: _____ Subgrants: _____
 Project Contact First Name: Robert Last Name: Tipton Email: bobtipton@colliergov.net
 Metric Activity: Transportation If Other: _____

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

Collier County will utilize its EECBG formula funding to fund a mixture of lighting and electrical improvements, mechanical improvements, renewable energy and planning initiatives.

Project Activity 5: Traffic Operations Traffic Signalization Improvements

This activity is two-fold and will result in a reduction in delay for vehicle travel on multiple roadways, including several that extend into our rapidly growing communities of Collier County.

The Adaptive Traffic Expansion portion of the project will allow Traffic Operations to maintain progression of a platoon of traffic moving on a roadway segment through several signalized intersections with minimal/no stopping, based on vehicle demand. This reduction in stops and delays results in a corresponding reduction in fuel consumption and greenhouse gas because cars and trucks will spend significantly less time idling and accelerating, especially during peak hours when traffic is heaviest. Installation and implementation of the adaptive control will occur at eight intersections on Immokalee Road from US 41 to The Strand/Juliet Drive, which is a 3.6 mile corridor. Based on the length of the corridor, the average fuel consumption rate and the average number of vehicles per day, it is estimated that average daily fuel consumption on this segment is 7,706 gallons. Assuming 200 business days per year and the 7.8% fuel reduction that can be expected by providing optimized traffic signal timings, it is estimated that the annual fuel savings will be 120,213 gallons per year, which equates to 1,057 metric tons of CO2 per year. At the current gas price of \$2.25/gallon, this produces an energy savings to the public of \$270,000 each year of the 10 years of system operation design life.

The Arterial Coordination portion of this project involves studying current conditions (quarterly traffic volumes, turning movement counts and existing traffic signal timing patterns) and creating a new coordinated timing plan for traffic control sections on three major arterials, several of which extend into the developing rural/suburban eastern part of the County. The timing plans will then be implemented on the street by Collier County staff and fine tuned for optimal performance. Re-timing and coordination will involve Immokalee Road, from US41 North to Collier Boulevard (15 intersections, 7 miles of arterial roadway, 42 lane-miles); Vanderbilt Beach Road, from US 41 North to Collier Boulevard (9 intersections, 7 miles of arterial roadway, 35 lane miles); and Santa Barbara Boulevard, from Green Boulevard to Davis Boulevard (8 intersections, 4 miles of arterial roadway, 21 lane miles). The total miles for the three segments is 18 and the average daily traffic on the three roadways combined is 71,407 vehicles. Assuming fuel use is 0.0465 gallons per mile (DOE "Transportation Energy Data Book"), the average daily fuel consumption is 20,035. Using a 5% fuel efficiency factor typical of synchronized traffic signals, this equates to a savings of 974 gallons per day or 253,240 gallons per year (based on weekdays). The CO2 savings is 2,232 metric tons per year.

As Collier County's population changes from "seasonal" to "permanent" and the daily habits and needs of motorists also have changed, with a heavier peak hour than several years ago, these systems are even more critical. While several of the other activities proposed only indirectly benefit the public, these two projects clearly provide a benefit to our public as well as contribute to the overall reduction of energy use and greenhouse gasses.

The total project cost is \$543,000. Approximately \$19,898.50 of the "administrative costs" are being allocated to this project for a total EECBG request for this project of \$562,898.50.

EECBG Activity Worksheet

Grantee: Collier County Date: 06/24/2009
 DUNS #: 76997790 Program Contact Email: marlenefoord@colliergov.net
 Program Contact First Name: Marlene Last Name: Foord
 Project Title: Children's Museum of Naples Energy Savings and Renewable Energy Projects
 Activity: 14. Other If Other: Energy Efficiency Enhancements
 Sector: Other If Other: museum
 Proposed Number of Jobs Created: 3.00 Proposed Number of Jobs Retained: 1.00
 Proposed Energy Saved and/or Renewable Energy Generated: 7,745 kWh/year, 265,000,000 BTU/year
 Proposed GHG Emissions Reduced (CO2 Equivalents): 1,606.000
 Proposed Funds Leveraged: \$250,000.00
 Proposed EECBG Budget: 250,000.00
 Projected Costs Within Budget: Administration: \$9,161.00 Revolving Loans: _____ Subgrants: \$250,000.00
 Project Contact First Name: Cox Last Name: Joe Email: jcox@cmon.org
 Metric Activity: Renewable Energy Market Development If Other: _____

Project Summary: (limit summary to space provided)

Collier County will utilize its EECBG formula funding to fund a mixture of lighting and electrical improvements, mechanical improvements, renewable energy and planning initiatives.

Project Activity 7: Children's Museum of Naples
 This project involves installation of four innovative technology solutions at the Children's Museum of Naples (C'mon), which is currently under construction and will be the first LEED certified children's museum in the State of Florida. C'mon is located at the North Collier Regional Park on land leased from Collier County under a 90-year lease.

The 30,407sf sustainable campus will be a full-scale environmental education/demonstration site for public education, workforce training and will be a technology and architecture showcase utilizing and demonstrating energy efficiency, water conservation, indoor air quality, recycled local materials and sustainable aspects such as green roofs, grass parking, bike racks and preferred parking for hybrid and energy efficient vehicles. Total cost for construction of the museum is \$22,895,000, most of which has been locally raised via a capital campaign supported by individual gifts, private foundations, corporate support and state/local grants. The total project cost for the four projects specifically to be supported by this grant is approximately \$500,000, half of which will be covered by C'mon.

The specific projects to be funded include:

| PROJECT NAME | ITEM DESCRIPTION | EECBG REQUEST | ENERGY SAVINGS |
|--------------------------------------|-----------------------------|---------------|-------------------|
| Green Roof System | 1161sf live roof system | \$75,000 | 7,484 kWh/year |
| Rainwater Harvesting System* | Includes 10,000g cistern | \$50,000 | 180,000gallon/yr |
| Solar Hot Water Panels and PV panels | 2 solar panels,6 PV panels | \$50,000 | 90,520,000btu/yr |
| Wind Turbines | 5Kw turbine,4 500W turbines | \$75,000 | 175,200,000btu/yr |

Many of these technologies will be showcased for the first time in Collier County. The Green Roof (using the Live Roof System) will be accessible for group tours. The Rainwater Harvesting System (which will reduce total energy use, improve energy efficiency and reduce fossil fuel emissions by 295lb CO2 annually* and save over 180,000 gallons of water) is a cutting edge system that takes advantage of our significant rainfall. The solar panels will be visible from inside and outside the building while the wind turbines are likely to become an iconic feature of the building - and a wonderful educational tool. The Children's Museum of Naples' annual attendance is conservatively estimated to be 75,000 people. Each of these visitors will be introduced to the Museum's energy efficiency and conservation program through hands-on interactive exhibits and environmental education programs throughout the building and out in the community. Visitors will discover how simple changes coupled with innovative technology can produce significant environmental and economic benefits.

This environmentally focused visitor experience will be an extremely effective venue for the delivery of public education as it relates to energy efficiency, green technologies and conservation programs. As a new facility, the energy savings components and educational benefits to the community will yield continuous and long-term benefits for Collier County. The required matching funds have been secured, the project is 'shovel ready' and can be completed within the required time frame.

The total project cost is \$250,000. Approximately \$9,161 of the "administrative costs" are being allocated to this project for a total EECBG request of \$259,161. The full project cost amount of \$250,000 will be subgranted to C'Mon via a subrecipient agreement negotiated after award of the grant.

* based on research by the Virginia Water Research Center at Virginia Tech (May 2009); 180,000 gallons water @ 1.45kWh per 1,000 gallons = 261kWh = 344lbs CO2

EECBG Activity Worksheet

Grantee: Collier County Date: 06/24/2009
 DUNS #: 76997790 Program Contact Email: marlenefoord@colliergov.net
 Program Contact First Name: Marlene Last Name: Foord
 Project Title: Green Building Codes Inspection Training Program
 Activity: 8. Codes and Inspections If Other: _____
 Sector: Public If Other: _____
 Proposed Number of Jobs Created: 0.00 Proposed Number of Jobs Retained: 23.00
 Proposed Energy Saved and/or Renewable Energy Generated: 3,200,000 kWh per year
 Proposed GHG Emissions Reduced (CO2 Equivalents): 1,452.000
 Proposed Funds Leveraged: \$0.00
 Proposed EECBG Budget: 41,921.00
 Projected Costs Within Budget: Administration: \$1,536.00 Revolving Loans: _____ Subgrants: _____
 Project Contact First Name: Dunn Last Name: Bob Email: bobdunn@colliergov.net
 Metric Activity: Workshops, Training, and Education If Other: _____

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

Collier County will utilize its EECBG formula funding to fund a mixture of lighting and electrical improvements, mechanical improvements, renewable energy and planning/training initiatives.

Project Activity 8: Green Building Codes Inspection Training Program

This project involves the development of a comprehensive green building codes inspection training program for 23 employees of the Collier County Building Department. Adopted on March 1, 2009, the new 2007 Florida Building Code includes a set of requirements entitled: The Florida Energy Efficiency Code for Building Construction. The provisions of this code shall regulate (1) the design of building envelopes for adequate thermal resistance and low air leakage and (2) the design and selection of mechanical, electrical and illumination systems and equipment that will enable the effective use of energy in new building construction, additions, alterations or any change in building configuration. It is the intent that these provisions provide flexibility to permit the use of innovative approaches and techniques to achieve effective utilization of energy.

To ensure Building Department personnel are adequately trained to perform the necessary plan reviews and inspections related to these innovative approaches to building design, Collier County has established an Energy Code Training Program that focuses on the two areas deemed to be of most interest in this area: Solar Energy and Photovoltaic Energy. Therefore, two teams have been established and a training curriculum developed that will most effectively enhance the ability of these teams to perform the required plan reviews and inspections as Collier County moves forward into implementation of energy savings systems. It is expected that 23 current employees will receive this training, allowing the collection of plan and inspection fees for reviews and inspections of these systems. The ability of these employees to adequately perform these tasks increases demand for these government services and therefore increases the potential for continued employment with the agency.

The training curriculum is multi-faceted and includes training on Solar Water Systems Plan Review and Inspections, Photovoltaic Systems Plan Review and Inspections, Blueprints to Residential Code Compliance and Energy Gauge Pro Hands on Training for Plan Reviewers and Inspectors.

Collier County, like many cities and counties is affected by the downturn in economy and slowdown in building and construction. As a result, receipt of impact and building fees has decreased and funding for training has been severely reduced or eliminated. Recognizing the long-term benefits of including energy efficient design, equipment and materials into design, it is expected that while the overall demand for plan reviews and inspections may be down, demand for plan reviews and inspections related to the new Energy Code will increase. Furthermore, it is fully expected that once the economy starts to improve, Collier County will be among the first areas to see an upturn in building and construction due to the desirable location, climate and proactive approach to energy conservation.

Therefore, the Collier County Building Department has developed this critical training program to be prepared. While direct energy savings are difficult to attribute to the training itself, it is estimated that the successful installation of one solar water heater system will save 3,500 kWh annually per system and one solar photovoltaic systems will save approximately 4,500 kWh annually. It is further estimated that approximately 400 of each system will be installed throughout Collier County in the short term, which equates to approximately 3,200,000 kWh saved annually. This equates to a reduction of 1,452 metric tons of CO2 per year. Since the average kWh cost is estimated at \$0.13, this is an approximate savings of \$416,000 per year for homeowners of Collier County.

The total project cost is \$41,920.50. Approximately \$1,536 of the "administrative costs" are being allocated to this project for a total EECBG request for this project of \$43,456.50.

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: Collier County Date: 06/24/2009
DUNS #: 76997790 Program Contact Email: marlenefoord@colliergov.net
Program Contact First Name: Marlene Last Name: Foord
Project Title: Administration
Activity: _____ If Other: _____
Sector: Public If Other: _____
Proposed Number of Jobs Created: 0.00 Proposed Number of Jobs Retained: 23.00
Proposed Energy Saved and/or Renewable Energy Generated: 3,200,000 kWh per year
Proposed GHG Emissions Reduced (CO2 Equivalents): 1,452.000
Proposed Funds Leveraged: \$0.00
Proposed EECBG Budget: 107,323.00
Projected Costs Within Budget: Administration: \$107,323.00 Revolving Loans: _____ Subgrants: _____
Project Contact First Name: Dunn Last Name: Bob Email: bobdunn@colliergov.net
Metric Activity: _____ If Other: _____
Project Summary: *(limit summary to space provided)*

**U.S. Department of Energy
FEDERAL ASSISTANCE REPORTING CHECKLIST
AND INSTRUCTIONS**

| | | | | | | | | | | | | |
|--|--|---|--------------------------------|--|-------------|---|-------------|--|-------------|---|-------------|--|
| 1. Identification Number: DE-EE-0000783, 000 | | 2. Program/Project Title: Collier County Energy Conservation Program | | | | | | | | | | |
| 3. Recipient: FL-COUNTY-COLLIER | | | | | | | | | | | | |
| 4. Reporting Requirements: | A. MANAGEMENT REPORTING | Frequency | No. of Copies | | | | | | | | | |
| | <input checked="" type="checkbox"/> Progress Report <input type="checkbox"/> Special Status Report | Q, A | EECBG@go.doe.gov | | | | | | | | | |
| | B. SCIENTIFIC/TECHNICAL REPORTING | | | | | | | | | | | |
| | (Reports/Products must be submitted with appropriate DOE F 241. The 241 forms are available at www.osti.gov/clink .) <table border="0" style="width:100%; margin-top:10px;"> <tr> <td align="left">Report/Product</td> <td align="left">Form</td> </tr> <tr> <td><input type="checkbox"/> Final Scientific/Technical Report</td> <td>DOE F 241.3</td> </tr> <tr> <td><input type="checkbox"/> Conference papers/proceedings*</td> <td>DOE F 241.3</td> </tr> <tr> <td><input type="checkbox"/> Software/Manual</td> <td>DOE F 241.4</td> </tr> <tr> <td><input type="checkbox"/> Other (see special instructions)</td> <td>DOE F 241.3</td> </tr> </table> <p><i>* Scientific and technical conferences only</i></p> | Report/Product | Form | <input type="checkbox"/> Final Scientific/Technical Report | DOE F 241.3 | <input type="checkbox"/> Conference papers/proceedings* | DOE F 241.3 | <input type="checkbox"/> Software/Manual | DOE F 241.4 | <input type="checkbox"/> Other (see special instructions) | DOE F 241.3 | |
| Report/Product | Form | | | | | | | | | | | |
| <input type="checkbox"/> Final Scientific/Technical Report | DOE F 241.3 | | | | | | | | | | | |
| <input type="checkbox"/> Conference papers/proceedings* | DOE F 241.3 | | | | | | | | | | | |
| <input type="checkbox"/> Software/Manual | DOE F 241.4 | | | | | | | | | | | |
| <input type="checkbox"/> Other (see special instructions) | DOE F 241.3 | | | | | | | | | | | |
| | C. FINANCIAL REPORTING | | | | | | | | | | | |
| | <input checked="" type="checkbox"/> SF-425, Financial Status Report | Q | EECBG@go.doe.gov | | | | | | | | | |
| | D. CLOSEOUT REPORTING | | | | | | | | | | | |
| | <input type="checkbox"/> Patent Certification <input type="checkbox"/> Property Certification <input type="checkbox"/> Other | | | | | | | | | | | |
| | E. OTHER REPORTING | | | | | | | | | | | |
| | <input type="checkbox"/> Annual Indirect Cost Proposal <input type="checkbox"/> Annual Inventory of Federally Owned Property, if any <input checked="" type="checkbox"/> Other | A | See Special Instructions Below | | | | | | | | | |
| FREQUENCY CODES AND DUE DATES: A - Within 5 calendar days after events or as needed. F - Final; 90 calendar days after expiration or termination of the award. Y - Yearly; 90 days after the end of the reporting period. S - Semiannually; within 30 days after end of reporting period. Q - Quarterly; within 30 days after end of the reporting period. | | | | | | | | | | | | |
| 5. Special Instructions: NOTE: The Reporting Requirements shown on this checklist are to be used in the interim and will be revised when the EECBG reporting system is finalized. This checklist will be replaced at that time with a modification to the award. | | | | | | | | | | | | |
| Other Reporting: AMERICAN RECOVERY AND REINVESTMENT ACT REPORTING: See the Special Terms and Conditions for Recovery Act reporting requirements, along with the following web site: http://www.federalreporting.gov . The required reports are due no later than ten calendar days after each calendar quarter in which the recipient receives the assistance award funded in whole or in part by the Recovery Act. Recipients are instructed to maintain data in order to report cumulatively beginning with an estimated October 10, 2009 reporting deadline. | | | | | | | | | | | | |

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.

- C. Networks or collaborations fostered.
- D. Technologies/Techniques.
- E. Inventions/Patent Applications
- F. Other products, such as data or databases, physical collections, audio or video, software or netware, models, educational aid or curricula, instruments or equipment.

Special Status Report

The recipient must report the following events by e-mail as soon as possible after they occur:

1. Developments that have a significant favorable impact on the project.
2. Problems, delays, or adverse conditions which materially impair the recipient's ability to meet the objectives of the award or which may require DOE to respond to questions relating to such events from the public. The recipient must report any of the following incidents and include the anticipated impact and remedial action to be taken to correct or resolve the problem/condition:
 - a. Any single fatality or injuries requiring hospitalization of five or more individuals.
 - b. Any significant environmental permit violation.
 - c. Any verbal or written Notice of Violation of any Environmental, Safety, and Health statutes.
 - d. Any incident which causes a significant process or hazard control system failure.
 - e. Any event which is anticipated to cause a significant schedule slippage or cost increase.
 - f. Any damage to Government-owned equipment in excess of \$50,000.
 - g. Any other incident that has the potential for high visibility in the media.

B. SCIENTIFIC/TECHNICAL REPORTS

Final Scientific/Technical Report

Content. The final scientific/technical report must include the following information and any other information identified under Special Instructions on the Federal Assistance Reporting Checklist:

1. Identify the DOE award number; name of recipient; project title; name of project director/principal investigator; and consortium/teaming members.

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;

- f. Whether or not the theory and mathematical algorithms were peer reviewed, and, if so, include a summary of theoretical strengths and weaknesses;
- g. Hardware requirements; and
- h. Documentation (e.g., users guide, model code).

Electronic Submission. The final scientific/technical report must be submitted electronically-via the DOE Energy Link System (E-Link) accessed at <http://www.osti.gov/elink-2413>.

Electronic Format. Reports must be submitted in the ADOBE PORTABLE DOCUMENT FORMAT (PDF) and be one integrated PDF file that contains all text, tables, diagrams, photographs, schematic, graphs, and charts. Materials, such as prints, videos, and books, that are essential to the report but cannot be submitted electronically, should be sent to the Contracting Officer at the address listed in Block 12 of the Notice of Financial Assistance Award.

Submittal Form. The report must be accompanied by a completed electronic version of DOE Form 241.3, "U.S. Department of Energy (DOE), Announcement of Scientific and Technical Information (STI)." You can complete, upload, and submit the DOE F.241.3 online via E-Link. You are encouraged not to submit patentable material or protected data in these reports, but if there is such material or data in the report, you must: (1) clearly identify patentable or protected data on each page of the report; (2) identify such material on the cover of the report; and (3) mark the appropriate block in Section K of the DOE F 241.3. Reports must not contain any limited rights data (proprietary data), classified information, information subject to export control classification, or other information not subject to release. Protected data is specific technical data, first produced in the performance of the award that is protected from public release for a period of time by the terms of the award agreement.

Conference Papers/Proceedings

Content: The recipient must submit a copy of any conference papers/proceedings, with the following information: (1) Name of conference; (2) Location of conference; (3) Date of conference; and (4) Conference sponsor.

Electronic Submission. Scientific/technical conference paper/proceedings must be submitted electronically-via the DOE Energy Link System (E-Link) at <http://www.osti.gov/elink-2413>. Non-scientific/technical conference papers/proceedings must be sent to the URL listed on the Reporting Checklist.

Electronic Format. Conference papers/proceedings must be submitted in the ADOBE PORTABLE DOCUMENT FORMAT (PDF) and be one integrated PDF file that contains all text, tables, diagrams, photographs, schematic, graphs, and charts. If the proceedings cannot be submitted electronically, they should be sent to the DOE Administrator at the address listed in Block 12 of the Notice of Financial Assistance Award.

Submittal Form. Scientific/technical conference papers/proceedings must be accompanied by a completed DOE Form 241.3. The form and instructions are available on E-Link at <http://www.osti.gov/elink-2413>. This form is not required for non-scientific or non-technical conference papers or proceedings.

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.

Cognizant Agency. The recipient must submit its annual indirect cost proposal directly to the cognizant agency for negotiating and approving indirect costs. If the DOE awarding office is the cognizant agency, submit the annual indirect cost proposal to the DOE Award Administrator identified in Block 12 of the Notice of Financial Assistance Award.

Annual Inventory of Federally Owned Property

Requirement. If at any time during the award the recipient is provided Government-furnished property or acquires property with project funds and the award specifies that the property vests in the Federal Government (i.e. federally owned property), the recipient must submit an annual inventory of this property to the DOE Award Administrator identified in Block 12 of the Notice of Financial Assistance Award no later than October 30th of each calendar year, to cover an annual reporting period ending on the preceding September 30th.

Content of Inventory. The inventory must include a description of the property, tag number, acquisition date, location of property, and acquisition cost, if purchased with project funds. The report must list all federally owned property, including property located at subcontractor's facilities or other locations.

Budget Information - Non Construction Programs

| Section A - Budget Summary | | Estimated Unobligated Funds | | | New or Revised Budget | |
|--|---|--|---|--|--|-----------|
| Grant Program Function or Activity (a) | Catalog of Federal Domestic Assistance Number (b) | Federal (c) | Non-Federal (d) | Federal (e) | Non-Federal (f) | Total (g) |
| 1. Facilities Management Energy Efficiency Retrofits | 81.128 | | | \$665,510 | \$0 | \$665,510 |
| 2. Parks and Recreation Green Lighting System Retrofits | 81.128 | | | \$665,811 | \$0 | \$665,811 |
| 3. Public Utilities Energy Savings Retrofits | 81.128 | | | \$149,000 | \$0 | \$149,000 |
| 4. Public Utilities Renewable Energy Solar Photovoltaic Panels | 81.128 | | | \$139,960 | \$0 | \$139,960 |
| Section B - Budget Categories | | | | | | |
| Grant Program, Function or Activity | | | | | | |
| 5. Object Class Categories | | 1. Facilities Management Energy Efficiency Retrofits | 2. Parks and Recreation Green Lighting System Retrofits | 3. Public Utilities Energy Savings Retrofits | 4. Public Utilities Renewable Energy Solar Photovoltaic Panels | |
| a. Personnel | | \$0 | \$0 | \$0 | \$0 | \$0 |
| b. Fringe Benefits | | \$0 | \$0 | \$0 | \$0 | \$0 |
| c. Travel | | \$0 | \$0 | \$0 | \$0 | \$0 |
| d. Equipment | | \$0 | \$0 | \$0 | \$0 | \$0 |
| e. Supplies | | \$0 | \$0 | \$0 | \$0 | \$0 |
| f. Contractual | | \$665,510 | \$665,811 | \$149,000 | \$139,960 | |
| g. Construction | | \$0 | \$0 | \$0 | \$0 | \$0 |
| h. Other | | \$0 | \$0 | \$0 | \$0 | \$0 |
| i. Total Direct Charges (sum of 6a-6h) | | \$665,510 | \$665,811 | \$149,000 | \$139,960 | |
| j. Indirect Charges | | \$0 | \$0 | \$0 | \$0 | \$0 |
| k. Totals (sum of 6i-6j) | | \$665,510 | \$665,811 | \$149,000 | \$139,960 | |
| 6. Program Income | | | | | | |

Budget Information - Non Construction Programs

| Section A - Budget Summary | | Estimated Unobligated Funds | | | New or Revised Budget | | |
|---|---|--|--|---|---|-----------|--|
| Grant Program Function or Activity | Catalog of Federal Domestic Assistance Number | Federal (c) | Non-Federal (d) | Federal (e) | Non-Federal (f) | Total (g) | |
| 5. Traffic Signalization Improvements | 81.128 | | | \$542,999 | \$0 | \$542,999 | |
| 6. Collier County Master Mobility Plan | 81.128 | | | \$473,476 | \$0 | \$473,476 | |
| 7. Children's Museum of Naples Energy Savings and Renewable Energy Projects | 81.128 | | | \$250,000 | \$0 | \$250,000 | |
| 8. Green Building Codes Inspection Training Program | 81.128 | | | \$41,921 | \$0 | \$41,921 | |
| Section B - Budget Categories | | | | | | | |
| | | Grant Program, Function or Activity | | | | | |
| 5. Object Class Categories | | 5. Traffic Signalization Improvements | 6. Collier County Master Mobility Plan | 7. Children's Museum of Naples Energy Savings and Renewable Energy Projects | 8. Green Building Codes Inspection Training Program | | |
| a. Personnel | | \$5,140 | \$0 | \$0 | \$712 | | |
| b. Fringe Benefits | | \$2,343 | \$0 | \$0 | \$289 | | |
| c. Travel | | \$0 | \$9,500 | \$0 | \$19,620 | | |
| d. Equipment | | \$269,711 | \$0 | \$0 | \$0 | | |
| e. Supplies | | \$0 | \$16,476 | \$0 | \$0 | | |
| f. Contractual | | \$265,805 | \$434,000 | \$250,000 | \$21,300 | | |
| g. Construction | | \$0 | \$0 | \$0 | \$0 | | |
| h. Other | | \$0 | \$13,500 | \$0 | \$0 | | |
| i. Total Direct Charges (sum of 6a-6h) | | \$542,999 | \$473,476 | \$250,000 | \$41,921 | | |
| j. Indirect Charges | | \$0 | \$0 | \$0 | \$0 | | |
| k. Totals (sum of 6i-6j) | | \$542,999 | \$473,476 | \$250,000 | \$41,921 | | |
| 6. Program Income | | \$0 | \$0 | \$0 | \$0 | | |

Budget Information - Non Construction Programs

OMB Approval No. 0348-0044

| Section A - Budget Summary | | Estimated Unobligated Funds | | | New or Revised Budget | | Total |
|--|---|-----------------------------|-----------------|--------------------|-----------------------|--------------------|--------------------------------|
| Grant Program Function or Activity (a) | Catalog of Federal Domestic Assistance Number (b) | Federal (c) | Non-Federal (d) | Federal (e) | Non-Federal (f) | (g) | |
| 9 Administration | 81.128 | | | \$107,323 | \$0 | \$107,323 | |
| 10 Total (Activities 1-9) | 81.128 | | | \$3,036,000 | \$0 | \$3,036,000 | |
| Section B - Budget Categories | | | | | | | |
| Grant Program, Function or Activity | | | | | | | |
| 5. Object Class Categories | | | | | | | Totals (Activities 1-9) |
| a. Personnel | | \$76,568 | | | | | \$82,420 |
| b. Fringe Benefits | | \$30,755 | | | | | \$33,387 |
| c. Travel | | \$0 | | | | | \$29,120 |
| d. Equipment | | \$0 | | | | | \$269,711 |
| e. Supplies | | \$0 | | | | | \$16,476 |
| f. Contractual | | \$0 | | | | | \$2,591,386 |
| g. Construction | | \$0 | | | | | \$0 |
| h. Other | | \$0 | | | | | \$13,500 |
| i. Total Direct Charges (sum of 6a-6h) | | \$107,323 | | | | | \$3,036,000 |
| j. Indirect Charges | | \$0 | | | | | \$0 |
| k. Totals (sum of 6i-6j) | | \$107,323 | | | | | \$3,036,000 |
| 6. Program Income | | \$0 | | | | | \$0 |