

AGENDA ITEM #5K
July 13, 2010

Introduction

MEMORANDUM

July 9, 2010

TO: County Council

FROM: *KL* Keith Levchenko, Senior Legislative Analyst

SUBJECT: **Introduction:** Special Appropriation to the FY11 Operating Budget:
Montgomery County Government
American Recovery and Reinvestment Act (ARRA) – Energy Efficiency and
Conservation Block Grant (EECBG), \$5,172,900
- Department of Environmental Protection, \$4,312,077
- Department of General Services: \$554,000
- Department of Economic Development: \$306,823
(Source of Funds: Federal Grant)

On July 9, 2010 the Council received a special appropriation request from the County Executive (transmittal attached) to appropriate Federal grant dollars received for energy efficiency and renewable energy related expenditures as detailed in the transmittal. The total grant amount received is \$7,633,900. This request reflects the grant dollars associated with County Government departments. The balance, \$2,461,000, will be subsequently appropriated to the operating budgets of several county agencies.

The Department of Environmental Protection is the applicant department and will provide leadership, coordination, and progress oversight to all of the departments and agencies receiving funding under this grant and will also be responsible for meeting the reporting requirements for the grant.

Public hearing and action is scheduled for July 20.

Attachment

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The scope of work to be implemented under each of the seven activities identified in the ARRA grant will be developed via memoranda of understanding between DEP and the implementing County departments and agencies. As the applicant department for the ARRA grant, DEP will provide leadership, coordination, and progress oversight to these county departments and agencies. Grant reporting requirements for all seven activities would remain with DEP.

Below is a brief description of the proposed initiatives to be implemented by the corresponding county department or agency under each of the seven specific activities that will be funded by the ARRA grant:

- **Activity 1: Home Energy Loan Program (\$1,526,780) - Department of Environmental Protection.** This activity would support the County's recently adopted legislation establishing the Home Energy Loan Program, which would provide low interest loans to residents for the installation of energy efficiency measures.
- **Activity 2: Energy Conservation and Renewable Energy improvements in County Government or Agencies (\$2,671,381) allocated as follows:**
 - Department of General Services, (\$554,000)
 - Department of Environmental Protection (\$171,381)
 - Montgomery County Public Schools, (\$1,624,000)
 - Montgomery College,(\$211,000)
 - Maryland National Capital Park & Planning Commission, (\$111,000).
- **Activity 3: Commercial & Multi-Family Building Energy Efficiency Grant Program (\$1,924,147) - Department of Environmental Protection.** Funding would be used to provide grants to commercial and multi-family property owners to offset the cost of energy efficiency improvements.
- **Activity 4: Commercial and Multi-Family Building Study (\$400,000) - Department of Environmental Protection.** Funds would be used to conduct a detailed inventory of existing buildings in the County, the relative energy performance of these buildings, appropriate energy performance or prescriptive targets for these buildings, educational needs of building owners and operators, suitable incentives and/or mandates for making energy efficiency improvements, and approaches to funding/financing of improvements in order to achieve the energy reduction targets outlined in the 2009 Climate Protection Plan.
- **Activity 5: Workforce Development (\$306,823) - Department of Economic Development.** Funds would be used for workforce development programs, including the training and certification of energy professionals involved in residential energy efficiency products and services, and the training of facility and property managers to enhance commercial building energy management skills.
- **Activity 6: Energy Education (\$289,769) – Department of Environmental Protection.** Funds would be used to promote energy education; market local, state and federal incentive programs; and provide peer-to-peer coaching on energy efficiency and renewable energy opportunities.

Nancy Floreen, President, County Council
July 7, 2010
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- ***Activity 7: Opportunity Housing Energy Efficiency (\$515,000) - Housing Opportunities Commission.*** Funds would be used for retrofitting of Housing Opportunities Commission owned properties with energy efficiency measures including building envelope upgrades, HVAC system improvements, and water conservation improvements.

The appropriation requests for the related agency uses of this grant will be transmitted after the governing board of each agency approves it.

I recommend that the County Council approve this special appropriation in the amount of \$5,172,900 and specify the source of funds as ARRA grant funds for the Energy Efficiency and Conservation Block Grant (EECBG) from the US Department of Energy. I appreciate your prompt consideration of this action.

IL:gb

Attachment: Special Appropriation #11-304
Assistance Agreement

- c: Robert Hoyt, Director, Department of Environmental Protection
Stan Edwards, Department of Environmental Protection
Joseph Beach, Director, Office of Management and Budget
Jennifer Barrett, Director, Department of Finance
David Dise, Director, Department of General Services
Steve Silverman, Director, Department of Economic Development
Kathleen Boucher, Assistant Chief Administrative Officer, County Executive's Office
Sean Gallagher, Montgomery County Public Schools
Mike Whitcomb, Montgomery College
Tin-Mala, Maryland National Capital Park & Planning Commission
Annie Alston, Executive Director, Housing Opportunities Commission

Resolution No: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Special Appropriation #11-304 to the FY11 Operating Budget
Montgomery County Government
Department of Environmental Protection
Department of General Services
Department of Economic Development
American Recovery and Reinvestment Act -- Energy Efficiency and Conservation Block Grant (EECBG), \$5,172,900

Background

1. Section 308 of the Montgomery County Charter provides that a special appropriation: (a) may be made at any time after public notice by news release; (b) must state that the special appropriation is necessary to meet an unforeseen disaster or other emergency or to act without delay in the public interest; (c) must specify the revenues necessary to finance it; and (d) must be approved by no fewer than six members of the Council.
2. The County Executive has requested the following FY11 Operating Budget appropriation increases for the following County Departments:

<u>Department</u>	<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
DEP	\$325,686	\$3,986,391	\$0	\$4,312,077	Federal ARRA Grant
DGS	\$0	\$554,000	\$0	\$554,000	Federal ARRA Grant
DED	\$0	\$306,823	\$0	\$306,823	Federal ARRA Grant
TOTAL	\$325,686	\$4,847,214	\$0	\$5,172,900	

3. This special appropriation request in the amount of \$5,172,900 provides funding for various energy efficiency improvements to be implemented by these three county departments under the following activities:
 - a) **Activity 1: Home Energy Loan Program (\$1,526,780) - Department of Environmental Protection.** This activity would support the County's recently adopted legislation establishing the Home Energy Loan Program, which would provide low interest loans to residents for the installation of energy efficiency measures.
 - b) **Activity 2 (County Departments portion): Energy Conservation and Renewable Energy in Buildings Owned by the County Government (\$554,000) - Department of General Services, and Grant Reporting and Compliance Contractual Costs (\$171,381) - Department of Environmental Protection.** The scope of work, deliverables, and timelines for this activity will be developed through a memorandum of understanding.

- c) **Activity 3: Commercial & Multi-Family Building Energy Efficiency Grant Program (\$1,924,147) - Department of Environmental Protection.** Funding would be used to provide grants to commercial and multi-family property owners to offset the cost of energy efficiency improvements.
 - d) **Activity 4: Commercial and Multi-Family Building Study (\$400,000) - Department of Environmental Protection.** Funds would be used to conduct a detailed inventory of existing buildings in the County, the relative energy performance of these buildings, appropriate energy performance or prescriptive targets for these buildings, educational needs of building owners and operators, suitable incentives and/or mandates for making energy efficiency improvements, and approaches to funding/financing of improvements in order to achieve the energy reduction targets outlined in the 2009 Climate Protection Plan.
 - e) **Activity 5: Workforce Development (\$306,823) - Department of Economic Development.** Funds would be used for workforce development programs, including the training and certification of energy professionals involved in residential energy efficiency products and services, and the training of facility and property managers to enhance commercial building energy management skills.
 - f) **Activity 6: Energy Education (\$289,769) - Environmental Protection.** Funds would be used to promote energy education; market local, state and federal incentive programs; and provide peer-to-peer coaching on energy efficiency and renewable energy opportunities. Final scope of work, deliverables, and timelines for this activity will be developed through a memorandum of understanding.
4. The County Executive has requested a special appropriation in the amount of \$5,172,900 and specifies that the source of funds will be Federal ARRA grant funds.
 5. The public was notified by a news release.

Action

The County Council for Montgomery County, Maryland, approves the following actions:

1. A special appropriation to the FY11 Operating Budget is approved as follows:

<u>Department</u>	<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
DEP	\$325,686	\$3,986,391	\$0	\$4,312,077	Federal ARRA Grant
DGS	\$0	\$554,000	\$0	\$554,000	Federal ARRA Grant
DED	\$0	\$306,823	\$0	\$306,823	Federal ARRA Grant
TOTAL	\$325,686	\$4,847,214	\$0	\$5,172,900	

2. Any funds appropriated in this resolution must not be spent for any purpose until two days after the Council has received from the County Executive a copy of the grant award letter from the Federal or state government which provides all funds to be spent.

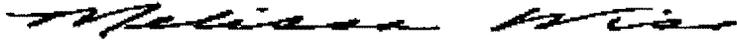
Special Appropriation #11-304
Page Three

3. The County Council declares that this action is necessary to act without delay in the public interest, and that this appropriation is needed to meet the emergency.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

ASSISTANCE AGREEMENT

1. Award No. DE-EE0000743		2. Modification No.	3. Effective Date 11/09/2009	4. CFDA No. 81.128
5. Awarded To MONTGOMERY, COUNTY OF Attn: MURICIO A. DELGADO 101 MONROE ST 15TH FLR ATTN: MAURICIO A. DELGADO ROCKVILLE MD 208502540		6. Sponsoring Office Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401		7. Period of Performance 11/09/2009 through 11/08/2012
8. 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. 10EE000919	
11. Remittance Address MONTGOMERY, COUNTY OF Attn: MURICIO A. DELGADO 101 MONROE ST 15TH FLR ATTN: MAURICIO A. DELGADO ROCKVILLE MD 208502540		12. Total Amount Govt. Share: \$7,633,900.00 Cost Share : \$0.00 Total : \$7,633,900.00		13. Funds Obligated This action: \$7,633,900.00 Total : \$7,633,900.00
14. Principal Investigator Stan Edwards Phone: 240-777-7748		15. Program Manager Tweedie Doe Phone: 303-275-4732		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 EECBG Program				
21. Research Title and/or Description of Project RECOVERY ACT: COUNTY OF MONTGOMERY, MD ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT				
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 11/18/2009

CONTINUATION SHEET	REFERENCE NO. OF DOCUMENT BEING CONTINUED	PAGE	OF
	DE-EE0000743	3	3

NAME OF OFFEROR OR CONTRACTOR
MONTGOMERY, COUNTY OF

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	and, (C) Submission via FedConnect constitutes electronically signed documents. ASAP: Yes Extent Competed: NOT AVAIL FOR COMP Davis-Bacon Act: YES 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				

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

c. DOE Assistance Regulations, 10 CFR Part 600 at <http://ecfr.gpoaccess.gov>.

d. Application/proposal as approved by DOE.

e. 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.

8. 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.

9. 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.

10. 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.

11. 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."

12. PUBLICATIONS

- a. You are encouraged to publish or otherwise make publicly available the results of the work conducted under the award.

Home Energy Loan Program:

Recipient may not expend federal funds on this activity until: (1) further submission by Recipient of detailed information specifically describing the project and its potential impacts; and (2) a final NEPA determination from DOE regarding those activities.

Energy Conservation & Renewable Energy in County Buildings:

For Energy Scoping Studies, Measurement and Verification and Program Administration tasks only: DOE has made a final NEPA Determination for this activity, which is categorically excluded from further NEPA review.

All ECM/REM Funding and Buy-Down: Recipient may not expend federal funds on these activities until: (1) further submission by Recipient of detailed information specifically describing the project and its potential impacts; and (2) a final NEPA determination from DOE regarding those activities.

Commercial & Multi-Family Building Energy Efficiency Grant Program:

Workforce Development:

Energy Education (includes building code):

For the above three activities: DOE has made a final NEPA Determination for this activity, which is categorically excluded from further NEPA review.

Commercial and Multi-Family Building Study:

Recipient is prohibited from implementing and distributing federal funds for energy efficiency improvements and renewable energy generation opportunities, including demolition, repair, replacement, installation, construction, or alteration activities, pending: (1) further submission by Recipient specifically identifying the types of activities it intends to implement under the Commercial and Multi-Family Building Study; 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 to implement energy efficiency improvements and renewable energy generation opportunities, 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, installation, construction, and or alteration performed under the Commercial and Multi-Family Building Study.

This restriction does not preclude Recipient from: (1) purchasing any necessary equipment, supplies or related materials; or (2) conducting energy audits, analyses, assessments, studies and other administrative work related to the Commercial and Multi-Family Building Study.

provided written approval to the Recipient of its proposed plan to dispose of its sanitary or hazardous waste.

18. 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.

19. SUBGRANT APPROVALS

- a. The Recipient hereby warrants that it will ensure that all activities by sub-grantee(s) to accomplish the approved Project Description or Statement of Project Objectives are eligible activities under 42 U.S.C. 171534(3)-(13).
- b. Upon the Recipient's selection of the sub-grantee(s) and within 180 days of the award date in Block 27 of the Assistance Agreement Cover Page, the Recipient shall provide the following information for each, regardless of dollar amount:
 - Name
 - DUNS Number
 - Award Amount
 - Statement of work including applicable activities
- c. In addition to the information in paragraph b. above, for each sub-grant 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 work, SF424A Budget Information – Nonconstruction Programs, and PMC 123.1 Cost Reasonableness Determination for Financial Assistance (<http://www.eere-pmc.energy.gov/Forms.aspx>), or equivalent.

20. JUSTIFICATION OF BUDGET COSTS

- a. In the original application, the recipient did not provide sufficient information to justify the approval or release of funds for the proposed activities. In order to receive reimbursement for the costs associated with the activities listed in the approved Statement of Project Objectives (SOPO), all proposed costs must be approved by the DOE Contracting Officer.
- b. The Recipient must provide justification for the following costs:
 - Contractual Costs:
 1. The recipient shall provide the following information for each individual or company that will receive EECBG funding, regardless of dollar amount:
 - Name

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.

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

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.

(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.

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

(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.

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

(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 an 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

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.

EECBG Activity Worksheet

Grantee: Montgomery County, MD Date: 06/22/2009
 DUNS#: 62014378 Program Contact Email: stan.edwards@montgomerycountymd.gov
 Program Contact First Name: Stan Last Name: Edwards
 Project Title: Home Improvement Loan Program
 Activity: 4. Financial Incentive Program If Other: _____
 Sector: Residential If Other: _____
 Proposed Number of Jobs Created: 17.00 Proposed Number of Jobs Retained: 1,526,780.00
 Proposed Energy Saved and/or Renewable Energy Generated: 5,985,828 kWh
 Proposed GHG Emissions Reduced (CO2 Equivalents): 5,362.000
 Proposed Funds Leveraged: \$117,195.00
 Proposed EECBG Budget: 1,526,780.00
 Projected Costs Within Budget: Administration: \$150,000.00 Revolving Loans: \$1,493,975.00 Subgrants: _____
 Project Contact First Name: Stan Last Name: Edwards Email: stan.edwards@montgomerycountymd.gov
 Metric Activity: Financial Incentives for Energy Efficiency If Other: _____

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

Residential housing accounts for 33% of Montgomery County's estimated GHG emissions, and over 50% of end-use energy consumption. As a result, significant opportunities exist in this sector to reduce energy demand and GHG emissions, and create jobs. Increasing the energy efficiency of homes also provides a financial benefit to the occupants. Data from the Maryland Home Performance with ENERGY STAR program indicates that a \$3,500 to \$5,000 investment in energy efficiency can result in annual savings of \$500 per household. Historically, however, the initial cost associated with undertaking major energy efficiency improvements has been a barrier to many homeowners.

Montgomery County passed Bill 6-09 on April 14, 2009 creating the Home Energy Loan Program (HELP). HELP will provide a no or low-interest loan to residents for the purpose of undertaking cost effective energy efficiency measures. The loan would be repaid through the County's property tax bill, providing a secure, reliable method of loan collection.

Under the program, loans may also be made for renewable energy installations. However, in order to be eligible for a loan for a renewable energy device, an energy audit must be performed on the home. The legislation then provides for loans for renewable energy devices only if (1) the home meets energy efficiency criteria that will be established by the Department of Environmental Protection (DEP) or (2) the device is cost effective (based on criteria to be established by DEP) even if the home does not meet the energy efficiency criteria described above. However, EECBG funding would not be used to fund renewable energy installations unless the home met a minimum energy efficiency standard (as defined by DEP), even if the renewable installation itself was cost effective.

The County is currently working with the Maryland Energy Administration (MEA) to evaluate opportunities to partner on this program so that it could be replicated across the state. This effort could be based on MEA's Maryland Home Performance with ENERGY STAR program.

Programmatic details and regulations are still under development, but are legislatively directed to be drafted by October 2009. These procedures will define the details of how the program will operate, funding sources, energy audit criteria, qualifying energy efficiency improvements, and verification requirements.

The proposed project would utilize EECBG funding to directly support this program. Uses include but would not be limited to the initial capitalization of the loan fund, administrative and outreach costs, and/or a "buy down" in interest rates applied to the loan product. As the program evolves, additional capital funding sources are identified, and program procedures are finalized, the County will update DOE staff regarding the final allocation of this funding.

Leveraged funds of \$117,195 represent the cost of existing staff in the Departments of Environmental Protection and Finance that will support implementation of HELP.

EECBG Activity Worksheet

Grantee: Montgomery County, MD Date: 06/22/2009
 DUNS #: 62014378 Program Contact Email: stan.edwards@montgomerycountymd.gov
 Program Contact First Name: Stan Last Name: Edwards
 Project Title: Commercial & Multi-Family Building Energy Efficiency Grant Program
 Activity: 4. Financial Incentive Program If Other: _____
 Sector: Commercial If Other: _____
 Proposed Number of Jobs Created: 16.00 Proposed Number of Jobs Retained: 1,500,000.00
 Proposed Energy Saved and/or Renewable Energy Generated: 5,880,835 kWh
 Proposed GHG Emissions Reduced (CO2 Equivalents): 5,258.000
 Proposed Funds Leveraged: \$4,524,074.00
 Proposed EECBG Budget: 1,500,000.00
 Projected Costs Within Budget: Administration: \$50,000.00 Revolving Loans: _____ Subgrants: \$1,450,000.00
 Project Contact First Name: Stan Last Name: Edwards Email: stan.edwards@montgomerycountymd.gov
 Metric Activity: Financial Incentives for Energy Efficiency If Other: _____

Project Summary: (limit summary to space provided)

Montgomery County will establish a commercial energy efficiency grant program to assist small to medium enterprises, non-profits, and congregations overcome the barriers to implementing energy efficiency improvements. The grant program is intended to "jumpstart" energy services for these types of organizations by providing a cost shared grant that is complimentary to utility incentives. Performance data documenting the improvements of grantees would be used to generate case studies and support the proposed commercial buildings benchmarking study. The program would be modeled after successful examples such as the Pennsylvania Energy Independence Program (www.depweb.state.pa.us/energyndependent/cwp/view.asp?a=3&q=543714).

The program would cover a specified percentage of the net cost of qualified energy efficiency improvements with a maximum grant amount (e.g. 25% of net costs with a maximum of \$50,000 per recipient) in order to ensure a number and variety of awards. Net cost is defined as the cost of the improvement after all applicable federal, state, local and utility incentives are applied. Eligible improvements would include highly cost-effective energy conservation measures, targeted at a rapid return to the business, such as lighting upgrades, heating and cooling upgrades, cool roofing materials, energy management systems, and selected business equipment such as ENERGY STAR qualified high-efficiency food service equipment. Awards would be made on the basis of projected energy savings, duration of energy savings and organizational need.

Applicants would apply for the funding by submitting an application, developed and administered by a program management contractor, outlining the type of project they expect to undertake, anticipated energy savings, program cost, leveraged resources, and documentation verifying they have the resources to fund the balance. Preference in evaluation would be given to businesses that commit to pursue certification under the County's Green Business Certification, enabling cultural changes that provide a longer term commitment to energy efficiency and sustainability.

Leveraged funds of \$4,524,830 represent program implementation support provided by existing County staff (\$174,074) and the funds contributed by commercial entities implementing the improvements (\$4,350,000). It is assumed that the average commercial grant would represent 125 percent of the total cost of the project, resulting in \$4,350,000 of leveraged funds supported by the \$1,450,000 of EECBG funds requested in the Commercial Grant Fund.

EECBG Activity Worksheet

Grantee: Montgomery County, MD Date: 06/22/2009
 DUNS #: 62014378 Program Contact Email: stan.edwards@montgomerycountymd.gov
 Program Contact First Name: Stan Last Name: Edwards
 Project Title: Workforce Development
 Activity: 6. Buildings and Facilities If Other: Workforce Development
 Sector: All Sectors If Other: _____
 Proposed Number of Jobs Created: 4.00 Proposed Number of Jobs Retained: 340,000.00
 Proposed Energy Saved and/or Renewable Energy Generated: 0
 Proposed GHG Emissions Reduced (CO2 Equivalents): 0.000
 Proposed Funds Leveraged: \$392,625.00
 Proposed EECBG Budget: 340,000.00
 Projected Costs Within Budget: Administration: \$45,000.00 Revolving Loans: _____ Subgrants: _____
 Project Contact First Name: Stan Last Name: Edwards Email: stan.edwards@montgomerycountymd.gov
 Metric Activity: Workshops, Training, and Education If Other: _____

Project Summary: (limit summary to space provided)

Montgomery County is proposing a number of programs which will accelerate demand for energy efficiency retrofits of residential and commercial buildings, and encourage the implementation of sustainable practices by residents and businesses. The implementation of these programs will be enhanced by EECBG funds. In order to ensure that there are a sufficient number of businesses employing qualified personnel to meet this demand, the County is proposing several programs to train and certify individuals in the energy efficiency arena. Most recipients of the training would be required to share in the cost. All of these programs can continue at market rates after EECBG funds are expended.

(1) Energy Efficiency Equipment and Systems Contractors - This program will include training on building envelope improvements, heating and cooling systems, and other relevant energy efficiency elements, followed by a mandatory certification exam from an organization with a nationally recognized certification (e.g., the Building Performance Institute). The program will be delivered by expert staff at Montgomery College's Guldesky Institute, a regionally recognized training facility for the building trades. As budgeted, the program is expected to serve approximately 100 professionals or 25 businesses over two years. The program would be administered by the Montgomery County Department of Economic Development (DED) through the existing Maryland Business Works Program, minimizing administrative costs.

(2) Residential Building Energy Analysts - This program, based on the Maryland Home Performance with ENERGY STAR model, will expand this pool of existing auditors serving the County. The program will include classroom and hands-on experience at Montgomery College, and an examination for a nationally accepted building analyst credential (e.g., Building Performance Institute, or RESNET). The program is anticipated to serve approximately ten individual building analysts. The program will be administered by DED.

(3) Building Energy Managers - Small businesses often lack the resources to have a dedicated energy manager, and even relatively large businesses or property management firms may not have sufficient knowledgeable staff to address energy issues in the course of routine facility management. This program will update the skills of new and existing facility managers to enhance their capabilities to manage energy in day-to-day operations. The proposed program will include education on energy management, budgeting, project financing, and implementation. Attendees will receive a nationally recognized certification through a non-profit partner such as the Association (AEE) of Energy Engineers or International Facilities Management Association (IFMA). The program, administered by DED, is anticipated to serve approximately twenty five individuals.

(4) Businesses Seeking Green Business Certification - The Montgomery County Department of Environmental Protection and the Montgomery County Chamber of Commerce have created the Green Business Certification Program, which is designed to help businesses reduce their general ecological footprint, including their energy usage. To assist businesses in becoming certified, a complementary training program is needed. This training is intended to teach business managers, sustainability coordinators and other staff the necessary skills to lead their organizations to certification. Training modules will focus on prioritizing energy and environmental investments, establishing sustainable policies and practices, and measuring and tracking progress.

(5) Green Business Certification Program Verifiers - This program includes the development of curricula, labs and workbooks to enhance the skills of verifiers supporting the Green Business Certification Program. These verifiers will provide guidance to businesses, coach them on improvement opportunities, verify progress and assist in certification submittals to the County.

Leveraged funds of \$392,625 represent program implementation support provided by existing County staff (\$252,625) and the funds contributed by recipients of the training (\$140,000). It is assumed that the recipients of the training will cover 50% of the training costs, resulting in \$140,000 of leveraged funds supported by the \$140,000 of EECBG funds requested in the Grant/Stipend Fund for training.

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: Montgomery County, MD Date: 06/22/2009
 DUNS #: 62014378 Program Contact Email: stan.edwards@montgomerycountymd.gov
 Program Contact First Name: Stan Last Name: Edwards
 Project Title: Opportunity Housing Energy Efficiency
 Activity: 5. Energy Efficiency Retrofits If Other: _____
 Sector: Residential If Other: _____
 Proposed Number of Jobs Created: 5.00 Proposed Number of Jobs Retained: 515,000.00
 Proposed Energy Saved and/or Renewable Energy Generated: 1,755,227 kWh
 Proposed GHG Emissions Reduced (CO2 Equivalents): 1,572.000
 Proposed Funds Leveraged: \$139,974.00
 Proposed EECBG Budget: 515,000.00
 Projected Costs Within Budget: Administration: \$0.00 Revolving Loans: _____ Subgrants: _____
 Project Contact First Name: Stan Last Name: Edwards Email: stan.edwards@montgomerycountymd.gov
 Metric Activity: Building Retrofits If Other: _____

Project Summary: (limit summary to space provided)

The Montgomery County Housing Opportunities Commission (HOC) is charged with creating affordable housing opportunities for low and middle income residents in the community. In particular, the "Opportunity Housing" program provides high-quality units at a reasonable rent in properties across the County. In those facilities where HOC is responsible for utility costs, the Commission has been aggressive in deploying energy efficiency measures via performance contracts and other financing mechanisms. In those situations where tenants pay some or all of the utilities, the HOC does not realize the full financial return from energy efficiency investments, making it difficult to finance improvements via alternative means such as performance contracting.

Under this activity the County proposes to upgrade 45 to 50 units, all of which are occupied by low to moderate income households (60% to 85% of median household income). Each unit will receive \$10,000 to \$12,000 in retrofits. Each retrofit will include a high-quality energy audit to ensure that the agency is installing appropriate and cost effective energy efficiency measures. Based on the agency's experience it is anticipated that improvements will include substantial updates to the building envelope and mechanical systems. The upgrades will be coupled with educational sessions with HOC property management staff and residents to drive behavioral change to help ensure that the full benefits of the improvements are realized. Anticipated savings from the retrofit packages are anticipated to be 20% to 30% per unit upgraded.

Leveraged funds of \$139,974 represent the cost of existing staff in the Housing Opportunities Commission and the Department of Environmental Protection that will support implementation and provide program management and monitoring of energy efficiency retrofits in Opportunity Housing.

Federal Assistance Reporting Instructions

Reporting requirements under the EECBG Program consist of the following types of reports:

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. For example, 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 or regulations.
 - 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.

FINANCIAL REPORTING

- FOR ALL RECIPIENTS: Submit a Quarterly Progress Report and the SF-425 Federal Financial Report. Instructions for the Quarterly Progress Report are below. The SF-425 is available at <http://www.whitehouse.gov/omb/grants/index.html>.

CLOSEOUT REPORTING

Property Certification

The recipient must provide the Property Certification, including the required inventories of non-exempt property, located at <http://grants.pr.doe.gov>.

EECS STRATEGY (for units of local government and Indian tribes only)

- FOR UNITS OF LOCAL GOVERNMENT AND INDIAN TRIBES: units of local government and Indian tribes that do not submit an Energy Efficiency and Conservation Strategy (EECS) with their application must submit one not later than one-hundred twenty (120) days after the effective date of the award. The EECS shall be a comprehensive strategy that covers, at a minimum, all items details in Attachment D as well as the following:
 - Jurisdictional area covered by plan and governing body and/or office with direct authority over plan
 - Plan implementation partners and any leverages funds from private or other public sources
 - Baseline energy use and GHG emissions inventory and forecast
 - Goals/objectives for total energy use and emissions reductions, and energy efficiency increase (including deployment of renewable technologies)
 - Goals can be qualitative

- Name of project or activity
 - Description of project or activity
 - Evaluation of the completion status of project or activity
 - Estimate of number of jobs created and retained by project or activity *in the manner and form prescribed by DOE*
 - Infrastructure investments made by State and local governments, purpose, total cost, rationale or agency for funding infrastructure investment, name of agency contact.
 - Information on subcontracts or subgrants awarded by recipient to include data elements required to comply with the Federal Accountability and Transparency Act of 2006 (Pub. L. 109-282).
- Compliance: As a condition of receipt of funds under this Act, no later than 180 days of enactment, all recipients shall provide the information described above.

DOE intends to append the periodic ARRA – Performance Progress Report to include reporting on the following, at a minimum:

The results of the funding provided for the EECBG Program through the American Recovery and Reinvestment Act (ARRA) will be assessed according to the following performance metrics:

- Jobs created and/or retained
- Energy (kwh/therms/gallons/BTUs/etc.) saved
- Renewable energy generated
- GHG emissions reduced
- Cost savings

The metrics described below are designed to track the accomplishments of projects funded by EECBG. States must not include results reported by direct grant recipients. Grant recipients will be presented with reporting requirements at the time they receive funding and will be expected to report their achievements in terms of the specified metrics presented below.

Grant recipients will be required to report quarterly on project expenditures, and also on specific activities and achievements, such as square feet of buildings retrofitted. These items tend to be outputs (actions taken by grant recipients) but also include some short-term outcomes (results achieved relatively soon after project outputs occur that lead toward attainment of ultimate project objectives).

Expenditures: Accurate records should be kept on project expenditures for all EECBG ARRA funded efforts. The specific information to be gathered and tracked is listed below. It will be the same for all project types:

- Expenditures for project activities
- Expenditures for administration
- Expenditures for evaluation
- Leveraged funds

Metrics Activity: The key metrics to be reported will vary by project type. The minimum information to be reported, by project activity type, is reported below.

Building Codes and Standards

- Name of new code adopted
- Name of old code replaced
- Number of new and existing buildings covered by new code

Building Retrofits

- Number of buildings retrofitted, by sector
- Square footage of buildings retrofitted, by sector

Other Activities Not Previously Defined

- Pertinent metric information for any activity not defined above should be captured and included as needed

Short-term Outcomes (DOE will provide supplemental guidance on how to calculate these outcomes to ensure consistent approaches that results can be aggregated at a regional, State and national level):

Energy Savings (kwh equivalents)

- Annual reduction in natural gas consumption (mmcf) by sector and end-use category
- Annual reduction in electricity consumption (MWh) by sector and end-use category
- Annual reduction in electricity demand (MW) by sector and end-use category
- Annual reduction in fuel oil consumption (gallons) by sector and end-use category
- Annual reduction in propane consumption (gallons) by sector and end-use category
- Annual reduction in gasoline and diesel fuel consumption (gallons) by sector and end-use category

Job Creation/Retention

- Number
- Type
- Duration

Renewable Energy Capacity and Generation

- Amount of wind-powered electric generating capacity installed (MW)
- Amount of electricity generated from wind systems (MWh)
- Amount of photovoltaic generating capacity installed (MW)
- Amount of electricity generated from photovoltaic systems (MWh)
- Amount of electric generating capacity from other renewable sources installed (MW)
- Amount of electricity generated from other renewable sources (MWh)

Emissions Reductions (tons) (CO2 equivalents)

- Methane
- Carbon
- Sulfur dioxide
- Nitrogen oxide
- Carbon monoxide

Protected Personally Identifiable Information (PII)

Reports must not contain any *Protected* PII. PII is any information about an individual which can be used to distinguish or trace an individual's identity. Some information that is considered to be PII is available in public sources such as telephone books, public websites, university listings, etc. This type of information is considered to be Public PII and includes, for example, first and last name, address, work telephone number, e-mail address, home telephone number, and general educational credentials. In contrast, *Protected* PII is defined as an individual's first name or first initial and last name in combination with any one or more of types of information, including, but not limited to, social security number, passport number, credit card numbers, clearances, bank numbers, biometrics, date and place of birth, mother's maiden name, criminal, medical and financial records, educational transcripts, etc.

Budget Information - Non Construction Programs

OMB Approval No. 0348-0044

Section A - Budget Summary						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
5. Workforce Development	81.128			\$340,000	\$0	\$340,000
6. Energy Education	81.128			\$152,120	\$0	\$152,120
7. Opportunity Housing Energy Efficiency	81.128			\$515,000	\$0	\$515,000
Totals				\$7,633,900	\$0	\$7,633,900
Section B - Budget Categories						
Object Class Categories	Grant Program, Function or Activity				Total	
	(5) Workforce Development	(6) Energy Education	(7) Opportunity Housing Energy Efficiency			
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	\$360,000	\$0	\$360,000	
e. Supplies	\$0	\$0	\$0	\$0	\$0	
f. Contractual	\$340,000	\$152,120	\$155,000	\$0	\$7,273,900	
g. Construction	\$0	\$0	\$0	\$0	\$0	
h. Other	\$0	\$0	\$0	\$0	\$0	
i. Total Direct Charges (sum of 6a-6h)	\$340,000	\$152,120	\$515,000	\$0	\$7,633,900	
j. Indirect Charges	\$0	\$0	\$0	\$0	\$0	
k. Totals (sum of 6i-6j)	\$340,000	\$152,120	\$515,000	\$0	\$7,633,900	
Program Income	\$0	\$0	\$0	\$0	\$0	