

Reso.

2008-0390

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(GRANTS OFFICE)

RESOLUTION NO. 5576

A resolution to approve and authorize the execution of a Grant Award Agreement in the amount of \$1,557,519.47 and Amendment No. 1 to said agreement for an additional \$742,480.53 between St Charles Parish and the U. S Department of Interior, Minerals Management Service, for the Lake Salvador Shoreline Protection Phase III, M07AF12770.

WHEREAS, the U. S. Department of Interior, Minerals Management Service, has awarded a Coastal Impact Assistance Program Grant for fiscal year 2007 funds in the amount of \$1,557,519.47 and fiscal year 2008 funds in the amount of \$742,480.53 for a total award of \$2,300,000; and,

WHEREAS, Lake Salvador Shoreline Protection Phase III is a continuation of the original project completed in 2005, and completion of the project is dependent upon the Parish transferring its \$2,300,000 Coastal Impact Assistance Program Grant to the Louisiana Department of Natural Resources to fund the Parish's share of the project; and,

WHEREAS, on December 17, 2007, the St. Charles Parish Council approved Ordinance 07-12-18 authorizing a Memorandum of Understanding between St Charles Parish and the Louisiana Department of Natural Resources for the Lake Salvador Shoreline Protection Project Phase III, DNR No 2514-08-03; and,

WHEREAS, the Louisiana Department of Natural Resources has proposed to construct approximately 7,300 linear feet of rock dike near the Lake Salvador shoreline to reduce the erosion rate in the project area by approximately 50% (currently 13 feet per year).

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby approve and authorize the Parish President to execute the Coastal Impact Assistance Program Grant Agreement, Amendment No. 1 to said agreement and to act on behalf of St. Charles Parish in all matters pertaining to this project

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this 22nd day of September, 2008, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN [Signature]
SECRETARY Bairon J. Juchter
DLVD/PARISH PRESIDENT September 23, 2008
APPROVED [Signature] DISAPPROVED _____
PARISH PRESIDENT [Signature]
RETD/SECRETARY September 23, 2008
AT 4:15 pm. RECD BY [Signature]



U.S. DEPARTMENT OF THE INTERIOR
Minerals Management Service
GRANT
AMENDMENT



1	AMENDMENT NUMBER	2	AWARD NUMBER	3	CIAP ACCOUNT NUMBER						
	1		M0AF12770		MMOM404000 MG1GRLAB0 LCB000						
4	RECIPIENT		5 ISSUED BY								
	Name & Address: Parish of St Charles P O Box 302 Hahnville, LA 70057 DUNS Number: 079448924 TIN 72-6001208		Name & Address Minerals Management Service 381 Elden Street, MS 2101 Herndon, VA 20170, Kathy Cannon, Contracting Officer Phone: (703) 787-1024 Fax: (703) 787-1041 E-mail: Kathy.Cannon@mms.gov								
6	PROJECT TITLE & DATE										
	[NO CHANGE]										
7	AWARD PERIODS		8 FISCAL DATA								
	[NO CHANGE]		Appropriation/Object Class: Obligated MMOM404000 \$742,480.53 MG1GRLAB0.LCB000								
9	DESCRIPTION OF AMENDMENT										
	<p>The purpose of this grant amendment is to add funding in the amount of \$742,480.53 from St Charles Parish FY 08 allotment. This grant is now fully funded.</p> <table> <tr> <td>Award</td> <td>\$1,557,519.47</td> </tr> <tr> <td>Amendment 1</td> <td>\$ 742,480.53</td> </tr> <tr> <td>Total</td> <td>\$2,300,000.00</td> </tr> </table> <p>All other terms and conditions remain unchanged.</p> <p align="center">--End of Amendment 1--</p>					Award	\$1,557,519.47	Amendment 1	\$ 742,480.53	Total	\$2,300,000.00
Award	\$1,557,519.47										
Amendment 1	\$ 742,480.53										
Total	\$2,300,000.00										
10	AUTHORIZED SIGNATURES										
	Important: Recipient is <input checked="" type="checkbox"/> or is not <input type="checkbox"/> required to sign this document and return (2) original signed copies to this office										
		9/22/08		9/23/2008							
	Recipient's Signature	Date	Contracting Officer's Signature	Date							
	V.J. St. Pierre, Jr., Parish TYPED NAME AND TITLE President		Kathy Cannon, Contracting Officer TYPED NAME AND TITLE								



**U.S. DEPARTMENT OF THE INTERIOR
Minerals Management Service
GRANT AWARD**



1	ASSISTANCE AWARD TYPE Grant (Nonconstruction) <input checked="" type="checkbox"/> Grant (Construction)	2	AWARD NUMBER MO7AF12770	3	CIAP ACCOUNT NUMBER MMOM404000 MGIGRLABZ LCB000
4	RECIPIENT Name & Address: Parish of St Charles P. O Box 302 Hahnville, LA 70057 DUNS Number: 079448924 TIN 72-6001208		5 ISSUED BY Name & Address: Minerals Management Service Procurement Operations Branch 381 Elden Street Mail Stop 2101 Herndon, VA 20170-4879 Kathy Cannon, Contracting Officer Phone: (703) 787-1024 Fax (703) 787-1041 E-mail. Kathy.Cannon@mms.gov		
6 PROJECT TITLE & DATE "Lake Salvador Shoreline Protection Phase III," originally dated 27 March 2008, as revised 12 August 2008					
7	AWARD PERIODS Budget Period: Date of Award through August 31, 2010 Total Project Period. Date of Award through August 31, 2010 Date of Award. Date of Contracting Officer's signature in Block #13		8 FISCAL DATA Federal Share: \$1,557,519.47 Other Contributions: \$ 0 00 Total Project Cost: \$1,557,519.47 CIAP Account Number: MMOM404000 MGIGRLABZ LCB000 Amt Obligated \$1,557,519.47		
9 RECIPIENT POINT-OF-CONTACT Mr Earl Matheine Jr Coastal Zone Management Administrator Parish of St Charles P. O. Box 302 Hahnville, LA 70057 E-Mail ematherne@stcharlesgov.net Phone: (985) 783-5060 FAX: (985) 783-6447			10 MMS PROJECT OFFICER Rodney Greenup Jr Coastal Impact Assistance Program Gulf of Mexico Region Minerals Management Service 1201 Elmwood Park Blvd Mail Stop 5400 New Orleans, LA 70123 E-Mail. Rodney Greenup@mms.gov Phone (504) 736-2510 FAX (504) 736-2631		
11 GENERAL ADMINISTRATIVE DATA CFDA Number. 15.426 MMS Program Name. Coastal Impact Assistance Program (CIAP)			12 PAYMENT ADMINISTRATION DATA Payments administered by The U.S. Department of the Treasury Automated Standard Application for Payments (ASAP) (See Section D 3 for details)		
13 AUTHORIZED SIGNATURES					
 _____ Recipient's Signature		9/22/08 _____ Date		 _____ Contracting Officer's Signature	
V.J. St. Pierre, Jr., Parish TYPED NAME AND TITLE President				Kathy Cannon, Contracting Officer TYPED NAME AND TITLE	

TABLE OF CONTENTS

	<u>Pages</u>
Section A - Grant Form and Table of Contents	1-2
Section B – Statement of Objectives.....	2
Section C – Performance and Deliverables.....	4
Section D - Grant Agreement Administration Data.....	8
Section E –Terms of the Agreement.....	9
Section F - General Provisions	15
Section G - Documents Incorporated by Reference	18
Section H - Attachments	18

SECTION A – GRANT FORM

A.1 Award Authority

This grant is awarded by the authority of:

- Section 384 of the Energy Policy Act of 2005 (Act), which has created the Coastal Impact Assistance Program by amending Section 31 of the Outer Continental Shelf Lands Act (43 U.S.C. § 1356a Appendix A). Under the provisions of the Act, the authority and responsibility for the management of CIAP is vested in the Secretary of the Department of the Interior. The Secretary has delegated this authority and responsibility to the Minerals Management Service; and,
- Public Law 110-161, dated 12/26/07.

A.2 Offer and Acceptance

The United States of America, acting by and through the Minerals Management Service, hereby offers a Grant to Parish of St. Charles for all approved costs up to and not exceeding \$1,557,519.00. Recipient accepts the grant via its signature on Page 1, Block #13.

A.3 Purpose

This agreement is made and entered into by the Department of the Interior, Minerals Management Service (MMS), for the purpose of installing approximately 3,839 linear feet of rock dike near the Lake Salvador shoreline at or near the minus 1.0 NAVD 88 contour. Construction drawings titled, "State of Louisiana Department of Natural Resources Coastal Engineering Division Lake Salvador Shoreline Protection Project BA-15x2 (EB) St. Charles Parish," dated January 2008, sheets 1 – 15 contain the exact specifications of this project, and is herein incorporated by reference and has the same force and effect as being included in full text.

SECTION B– STATEMENT OF OBJECTIVES AND PROJECT MANAGEMENT PLAN

B.1 Objective

The objectives of this project are to:

1. Extend an existing shoreline protection project by installing approximately 3,839 linear feet of rock dike parallel to the Lake Salvador shoreline.
2. As a result of the completed rock dike, reduce the shoreline erosion rate in the project area by approximately 50% (currently approximately 13 feet/year).

B.2 Project Management Plan (Statement of Work)

The Recipient agrees to perform:

Co-funding the Lake Salvador Shoreline Protection Phase III, the recipient agrees to be jointly responsible to perform the following:

Install approximately 3,839 linear feet of rock dike near the Lake Salvador shoreline. The entire construction project will install 7,300 of rock dike by a combined construction contract bided and managed by the state as one single construction contract. The Parish is using Louisiana Department of Natural Resources as the project management.

SECTION C – PERFORMANCE AND DELIVERABLES

C.1 Project Period

This award supports a Budget Period: Date of Award through August 31, 2010, as specified in Block 7 of page 1. The Project Period is for a total of Two (2) years.

C.2 Performance Measures/Plan

The following performance measures/plan will be used to assess the accomplishments of the project:

- 1) Construction of 3,839 linear ft of rock dike.
- 2) The Parish will submit semi-annual Project status reports to MMS through completion of Phase III.

C.3 Performance Reporting Requirement

CIAP recipients must submit performance reports as required by 43 CFR 12.80.

Semi-annual reports are due 30 days after the reporting period. Annual performance reports are due within 90 days after the grant performance year ends. The final performance report will be due within 90 days after the expiration or termination of the grant. Performance reports should contain the following information:

- (1) A comparison of actual work accomplished relative to the annual goals and objectives established in C.2 Performance Measures/Plan for the period. Where the output of the project can be quantified, a computation of the cost per unit of output may be required. For construction grants, MMS may rely upon on-site technical inspections and certified percentage-of-completion data to monitor progress;
- (2) The reasons for slippage, if established goals and objectives were not met; and

- (3) Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

The performance reports should also describe any foreseeable events that may occur affecting the project's completion schedule. These may include:

- (1) Problems, delays, or adverse conditions that may materially impair the ability to meet the objective of the award. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation; or
- (2) Discoveries of specific archeological or environmental concern and ensuing delays, or
- (3) Favorable developments that may enable achieving time schedules and objectives sooner or at less cost than anticipated, or producing more beneficial results than originally planned.

The Contracting Officer may extend the due date of a performance report upon receipt of a request from the recipient's designated grant administrator. The request for an extension must be sent to the MMS Contracting Officer *prior to* the original due date. Requests must be submitted in writing, and include the revised due date and a justification for the extension.

CIAP recipients will not be required to submit more than the original and two copies of the performance report. If submitting by e-mail, recipients should use Microsoft Office Word.

Description of Report	Due	Send To
Semi-annual Performance Report	Within 30 days of the end of the reporting period	Send 1 original to Project Officer (see Block #10 of Page 1) + 1 copy to Contracting Officer (see Block #5 of Page 1) by E-Mail or Regular Mail
Yearly Performance Report	Within 90 days of the end of the yearly performance period	Send 1 original to Project Officer (see Block #10 of Page 1) + 1 copy to Contracting Officer (see Block #5 of Page 1) by E-Mail or Regular Mail
Final Performance Report	Within 90 days of the end of the project	Send 1 original to Project Officer (see Block #10 of Page 1) + 1 copy to Contracting Officer (see Block #5 of Page 1) by E-Mail or Regular Mail

C.4 Financial Reporting Requirements

CIAP recipients must submit financial reports as required by 43 CFR 12.81. The purpose of financial reports is to ensure that expenses are recorded in the proper period, and for de-obligating funds at the end of the grant period. Financial Status Report forms are available from the OMB

web site: http://www.whitehouse.gov/omb/grants/grants_forms.html.

Description of Report	Due	Send To
Quarterly SF-272 Federal Cash Transactions Report (for withdrawals in advance of expenditures only)	Within 15 days of the end of each fiscal quarter (December 31 st , March 31 st , June 30 th and September 30 th)	Send 1 original to Contracting Officer (see Block #5 of Page 1) + 1 copy to Project Officer (see Block #10 of Page 1) by E-Mail or Regular Mail
Yearly SF-269 Financial Status Report	Within 90 days of the end of the grant performance period	Send 1 original to Contracting Officer (see Block #5 of Page 1) + 1 copy to Project Officer (see Block #10 of Page 1) by E-Mail or Regular Mail

(1). STANDARD FORM SF-272, FEDERAL CASH TRANSACTIONS REPORT is required quarterly for withdrawal of funds *in advance of expenditures*. Quarterly reports are due 15 calendar days after the end of each fiscal quarter (December 31st, March 31st, June 30th and September 30th), and must be submitted to the Contracting Officer with a copy to the Project Officer.

(2). FINANCIAL STATUS FORM SF-269 or SF-269A FINANCIAL STATUS REPORTS. The SF- 269A, Financial Status Report (Short Form) is used to report the status of funds for all non-construction and construction grants.

The recipient must submit an SF-269A Financial Status Report no later than 90 calendar days after then end of each yearly performance period. At the end of the final performance period, the recipient will liquidate all obligations incurred under the award, and will promptly return any unused federal cash advances or will submit a final withdrawal of funds from the ASAP payment system to obtain any remaining amounts due.

(3). Recipient will promptly return any unused federal cash advances or will withdraw any remaining amounts due from the ASAP payment system. Any funds paid to the recipient in excess of the amount to which the recipient is finally determined to be entitled under the terms of this award constitute a debt to the Federal government. If not paid within a reasonable period, the MMS may reduce the debt in accordance with 43 CFR, Subpart C, Section 12.92 for State and local governments.

(4). The MMS may require financial reports more frequently if the recipient: (a) has a history of poor performance, (b) is not financially stable, (c) has a management system that does not meet the standards prescribed in the applicable OMB Circular 2 CFR 225 *Cost Principles for State, Local, and Indian Tribal Governments*, (d) has not conformed to the terms and conditions of a previous CIAP award, or (e) is not otherwise responsible. In addition, MMS may require a quarterly report from those recipients receiving advances totaling \$1 million or more per year.

(5). The MMS may impose additional requirements as needed (i.e. projects of a more complex nature), provided that the CIAP grant recipient is notified in writing as to: the nature of the additional requirements, the reason why the additional requirements are being imposed, the

nature of the corrective action needed, the time allowed for completing the corrective actions, the method for requesting reconsideration of the additional requirements imposed.

(6). The Contracting Officer may extend the due date of a financial status report upon receipt of a request from the recipient CIAP grant administrator, provided that the request for an extension is received by the MMS Contracting Officer *prior to* the financial report's original due date. Requests must be submitted in writing, include the revised report due date requested, and a justification for the extension.

C.5 Project Deliverables

Description of Report	Due	Send To
Notice of Construction Initiation	Within 10 business days of construction commencement (as defined by the contract)	Send 1 copy to Project Officer (see Block #10 of Page 1) by E-Mail or Regular Mail
Certified Engineer approval of final project inspection (upon project completion) / Construction Completion Report to include as-built drawings	Within 3 months after Final Inspection	Send 1 copy to Project Officer (see Block #10 of Page 1) + 1 copy to Contracting Officer (see Block #5 of Page 1) by E-Mail or Regular Mail
Photo Documentation (See Section E-15 for full requirements.)	<ul style="list-style-type: none"> • Before construction begins • With each performance report • Project completion 	Send 1 set of hard copies and 1 compact disk of electronic copies to Project Officer (see Block #10 of Page 1) + 1 set of hard copies and 1 compact disk of electronic copies to Contracting Officer (see Block #5 of Page 1) by Regular Mail

C.6 Noncompliance with Reporting Requirements

Failure to comply with the reporting requirements contained in this grant agreement may be considered a material non-compliance with the terms and conditions of the award.

Non-compliance may result in withholding of future payments, suspension or termination of the agreement, recovery of funds paid under the agreement, and withholding of future awards.

SECTION D - GRANT ADMINISTRATIVE DATA

D.1 Grant Administration

This Grant will be administered by:
The Minerals Management Service
Procurement Operations Branch
381 Elden Street Mail Stop 2101
Herndon, Virginia 20170-4879
Attn: Kathy Cannon, Contracting Officer
Phone: (703) 787-1024
Email: Kathy.Cannon@mms.gov

Written communications shall make reference to the Grant award number and shall be mailed and/or electronically transmitted to the above address.

D.2 Funding

The total estimated cost of the MMS share for the performance of this Grant is \$1,557,519.47. Costs reimbursed hereunder shall in no event exceed that amount without prior written approval of the Contracting Officer.

D.3 Payment

(1). Method of Payment.

The MMS uses the Automated Standard Application for Payments (ASAP) grant payment system, managed by the United States Department of the Treasury, to provide electronic invoicing and payment for CIAP grant funds. With the award of each grant, an account will be set up from which the Recipient can draw down funds.

Payments will be made available through the www.asap.gov portal. Inquiries regarding payments, including questions regarding electronic draw down procedures should be directed to the ASAP Help Desk at:

For state capitols in the Central time zone, call the Kansas City Regional Financial Center (816) 414-2100 from 7:30 a.m. to 4:00 p.m.

(2). Payments may be drawn in advance only as needed to meet immediate cash disbursement needs.

(3). Maximum limits for quarterly draw amounts will be set in ASAP using the quarterly projections approved by the recipient on August 20, 2008.

SECTION E - TERMS OF THE AGREEMENT

E.1 Term of the Agreement

This agreement shall become effective on the date of signature of the Contracting Officer and may remain in effect for two years. The total project period for this award shall not exceed Two (2) years and no (0) months.

E.2 Preagreement Costs

Not Applicable.

E.3 Order of Precedence

In the event of any inconsistency between the provisions contained in the documents listed below, the inconsistency shall be resolved by giving precedence in the following order: (a) applicable Statutes; (b) applicable Regulations including 43 CFR Part 12; (c) Department of the Interior and other applicable policies; (d) Grant award document; and, (e) the Recipient's proposal.

E.4 Amendments to the Agreement

(1). MMS will follow the procedures and requirements stated in 43 CFR 12.70 for changes to grant awards. All requests for an amendment to the grant agreement shall be made in writing, provide a full description of the reason for the request, and be sent to the attention of the Contracting Officer.

(2). CIAP recipients will be allowed to re-budget within the cost categories that are approved under the grant award. However, there are certain post-award changes that require prior written approval by the MMS Contracting Officer. They include, but are not limited to:

Funding Changes

- (i) For non-construction and construction, any revision that would require additional funding;
- (ii) For a transfer of funds between non-construction and construction within a grant award;
- (iii) For non-construction, cumulative transfers among direct cost categories, or, if applicable, among separately budgeted programs, projects, functions, or activities which exceed or are expected to exceed 10% of the current total approved budget when the Federal funding exceeds \$100,000; or
- (iv) For non-construction, transfer of funds allotted for training purposes.

Programmatic Changes (for construction and non-construction)

- (i) Any revision in the scope or objectives of the project (regardless of whether there is an associated budget revision requiring prior approval);
- (ii) Requests to extend the period of availability of funds;
- (iii) Changes in key persons in cases where specified in an application or grant award; or
- (iv) For non-construction projects, contracting out, sub-granting (if authorized by law) or

otherwise obtaining the services of a third party to perform activities which are central to the purposes of the award.

(3). Administrative changes (i.e. Contracting Officer name change or deobligation of excess funds at the end of the agreement, etc.) that do not change the project management plan, funding amount, etc. or otherwise affect the recipient, may be signed unilaterally by the Contracting Officer. All other changes shall be made by means of a bilateral amendment to the agreement. No oral statement made by any person, or written statement by any person other than the Contracting Officer, shall be allowed in any manner or degree to amend or otherwise effect the terms of this agreement.

(4). This agreement may be terminated in accordance with the provisions of 43 CFR, Subpart C, Section 12.84 for State and local governments. A unilateral amendment, signed by the Contracting Officer, may be utilized if it should become necessary to suspend or terminate the agreement.

E.5 Extension of Project or Budget Period

(1). Any determination to extend the period of performance or to provide follow-on funding for continuation of a project is solely at the discretion of the MMS. A request to extend the project and/or budget period shall be requested by the recipient and submitted to the Contracting Officer at least 30 days prior to the expiration date of the project and/or budget period. The recipient shall include in the request the cause of the needed extension, a description of the remaining work to be completed, the proposed date of completion, the amount of funds remaining and a revised budget for the remaining funds. If all funds have been disbursed to the recipient, this must be indicated in the request.

(2). A request for an extension that is received by the Contracting Officer after the expiration date may not be honored.

E.6 Audit Requirements

(1). Non-Federal entities that expend \$500,000 or more in Federal funds during a year in Federal awards are required to have a single or program-specific audit conducted for that year in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507) and revised by OMB Circular A-133, which is available at http://www.whitehouse.gov/omb/grants/grants_circulars.html.

(2). Non-Federal entities that expend less than \$500,000 for a fiscal year in Federal awards are exempt from Federal audit requirements for that year, except as noted in A-133, §_215(a), but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office (GAO).

(3). Allowable costs. Unless prohibited by law, the cost of audits made in accordance with the provisions of the OMB Circular A-133 are allowable charges to Federal awards. The charges may be considered a direct cost or an allocated indirect cost, as determined in accordance with the provisions of applicable OMB cost principles at 2 CFR Part 225 Cost Principles for State, Local, and Indian Tribal Governments (formerly known as OMB Circular A-87).

(4). Audits shall be made by an independent auditor in accordance with Generally Accepted Government Auditing Standards (GAGAS) covering financial audits. Additional audit requirements applicable to this agreement are found at 43 CFR 12.66. General guidance on the single audit process is included in a pamphlet titled, "Highlights of the Single Audit Process" which is available on the internet at <http://www.dot.gov/ost/m60/grant/sincontact.htm>. Additional information on single audits is available from the Federal Audit Clearinghouse at <http://harvester.census.gov/sac/>.

E.7 Inclusion of CIAP in A-133 Audits

The MMS requires all recipients expending more than \$500,000 in Federal assistance funds (thereby requiring an A-133 audit) to include CIAP in their Fiscal Year 2008 audit, in accordance with Section 215(c) of the OMB A-133 Circular. The auditee, after consultation with its auditor, should respond to such request by informing the MMS whether the program would otherwise be audited as a major program using the risk-based audit approach described in OMB Circular A-133 *Audits of States, Local Governments, and Non-Profit Organizations*, Section .520 and, if not, the estimated incremental cost.

The MMS shall then promptly confirm to the auditee, in writing, whether it wants the program audited as a major program. If the program is to be audited as a major program based upon the MMS' request, and the MMS agrees to pay the full incremental costs, then the auditee shall have the program audited as a major program.

E.8 Use and Disposition of Property

(1). Any property improved or acquired under this agreement or MMS government-furnished property used by the recipient, including intangible property such as copyrights and patents, shall be governed by the provisions of 43 CFR, Subpart C, Section 12.71 through 12.77 for State and local governments.

(2) Any real property or equipment that is improved or acquired with Federal grant funds must be used for the originally authorized purposes as long as needed for those purposes. Real Property means land, including land improvements, structures, and appurtenances thereto (43 CFR 12.43). When no longer needed for the originally authorized purposes, title to such real property may not be encumbered, transferred, sold, or disposed of by the grantee or subgrantee at any time without notice to and the prior written permission of the awarding agency (MMS) in accordance with 43 CFR 12.71(c). If real property improved or acquired with Federal grant funds is sold, the State or CPS must compensate the MMS in accordance with 43 CFR 12.71(c)(2).

(3). The MMS assumes no liability for any actions or activities conducted under a grant agreement except to the extent that recourse or remedies are provided by Congress under the Federal Tort Claims Act [28 U.S.C. 1346(b), 2401(b), 2671 - 2680, as amended by P.L. 89-506, 80 Stat. 306].

E.9 Real Property Improvement or Acquisition Requirements

- (1) For all land acquisitions, recipients must comply with the Uniform Appraisal Standards for Federal Land Acquisitions. Those standards can be found at: <http://www.usdoj.gov/enrd/land-ack/yb2001.pdf>.
- (2). Government-wide requirements for real property acquisition and relocation assistance are contained in Department of Transportation's single government-wide rule at 49 CFR Part 24, Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally-Assisted Programs found at: <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=c41b3472205db0702770e615a324d962&rgn=div5&view=text&node=49.1.0.1.1.17&idno=49>.
- (3). Real property improved or acquired with CIAP funds must continue, in perpetuity, to serve the purpose for which it was improved or acquired. If CIAP funds are used to acquire real property, the acquisition deed must state that it is being acquired with CIAP funds and is subject to the restrictions of the CIAP program. If CIAP funds are used to improve public or private land, the grantee must file a memorandum of agreement in the Parish or County records where the property is located notifying third parties of the restrictions and/or conservation servitudes or easements affecting the property. If the use of the property is inconsistent with the purpose(s) for which it was improved or acquired, such activities must cease, and any adverse effects on the property must be corrected by the State or CPS with non-Federal monies.
- (4). Land Surveys. Recipients shall follow the regulations and policies of their own States when conducting surveys of land.

E.10 Contracting with Minority and Women-Owned Businesses

It is a national policy to award a fair share of contracts to small and minority business firms. The Department of the Interior is strongly committed to the objectives of this policy and encourages all recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness.

- (a) The grantee and subgrantee shall take all necessary affirmative steps to assure that minority firms, women's business enterprises, small disadvantaged veteran-owned small businesses, and HUB Zone firms are used when possible.
- (ii) Affirmative steps shall include:
 - (a) Placing these qualified small business enterprises on solicitation lists;
 - (b) Assuring that these businesses are solicited whenever there are potential sources;
 - (c) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by these small business enterprises;
 - (d) Establishing delivery schedules, where the requirement permits, which encourage participation by these business enterprises,

(e) Using the services and assistance of the Department of the Interior Office of Small and Disadvantaged Business Utilization (See <http://www.doi.gov/osdbu>), the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce as appropriate, and

(f) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

E.11 Subgrants

The States and Coastal Political Subdivisions (CPS's) may execute all or part of a CIAP project by providing financial assistance i.e., subgrants, to another party such as a local unit of government, university, or nonprofit organization as long as such sub-grants and their respective projects are explicitly described in the grant application for the project. The subgrantee is subject to the administrative and cost requirements under 43 CFR Part 12 that apply to that type of organization. The recipient notified MMS of its intent to sub-grant 100% of the funds from this award to Louisiana Department of Natural Resources to complete the work detailed in this grant.

E.12 Monitoring and Oversight (Site visits and Audits)

In addition to the requirements identified in OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, the MMS may conduct site visits during the performance of the grants, and/or audits at the end of the performance period, as appropriate. The primary purpose of a site visit or audit is to review the progress of the project, and to ensure that financial, procurement, human resources, and property systems are in compliance with Federal requirements.

E.13 Disputes Resolution

No administrative appeal procedures have been established by MMS for actions taken in connection with the CIAP program. If the recipient is adversely affected or aggrieved by an MMS official's final decision with respect to any plan, application or grant under the CIAP program, the recipient may pursue any legal remedies that may be available in a United States District Court of appropriate jurisdiction.

E.14 Signage Requirements

Acknowledgement of CIAP funds: The CIAP recipients are required to erect suitable signage at all projects sites, unless the placement of such signage would violate local ordinances, to inform the public that the project is being funded in whole or in part by CIAP funds. To prevent the impression that MMS supports or endorses any particular private company or endeavor, only non-commercial partners may be shown on a sign for CIAP funded projects.

Guidelines for Signage: A sign should contain the following information:

Name of Project: _____

Project Developer: _____ (State or CPS name)

This _____ (define by authorized use, e.g. this wetlands restoration project) is funded with qualified outer continental shelf oil and gas revenues by the Coastal Impact Assistance Program, Minerals Management Service, U.S. Department of the Interior.

During the course of the project, signage may be temporary. Upon completion of the project, the recipient should erect a permanent plaque or sign at the site. Although temporary signage is not requested for acquisition projects, a permanent sign should be erected following the purchase of the site. In the case of a combined acquisition and development project, temporary signage may be erected when development begins acknowledging both the acquisition and development of the site.

Use of MMS Symbol: The symbol of the Minerals Management Service should be located in the right hand corner of the sign. The symbol format may not be altered. The MMS symbol can be found at www.mms.gov/offshore/CIAPmain.htm.

Signage Placement: The signage should be erected at a location on the project site that is visible to the public, while conforming to local ordinances. The MMS symbol should be readable from a normal viewing distance.

Signage Construction: The signage may be constructed of any material suitable for the environment and in accordance with any local ordinances. Considerations such as signage color combinations, method of signage construction, and size, may be determined by the grantee.

E.15 Photo Documentation

Photo documentation is required before construction begins, with each performance report (Section C.3), and upon completion of the project. The photographs will be used for monitoring purposes to track project progress. Photo documentation should consist of the grant site area prior to site preparation and upon completion of the project, as well as relevant progress photos during the course of the work. The photographs should clearly document the entire footprint of the project and should be taken from the same angle to, and distance from, the project.

Photographs should be provided in both electronic and hard format. Electronic copies (digital, jpeg) images, sized large, with a 300 dpi resolution, and in color should be provided on compact disk (1 compact disk to the Project Officer and 1 compact disk to the Contracting Officer). A minimum of 2 sets of 10 color photos (hard format) are required for each submittal (1 set to the Project Officer and 1 set to the Contracting Officer); photos should be glossy 8"x10" and of good resolution and clarity to allow for easy recognition of the contents. Each set of photos should be accompanied with a descriptive sheet which list by number each of the photos along with text identifying the project name and location; month, day, and year of the photo; and a brief description of the photo's content. Each photo should be noted on the back with the descriptive list number. The MMS reserves the right to reproduce additional copies of all digital/photo images submitted.

SECTION F - GENERAL PROVISIONS

F.1 Standard Award Terms and Conditions

Acceptance of a Federal Financial Assistance award from the MMS, carries with it the responsibility to be aware of and comply with the terms and conditions of award. Acceptance is defined as the start of work, drawing down funds, or signature on the grant award document. Awards are based on the application submitted to, and as approved by MMS, and are subject to the terms and conditions incorporated either directly or by reference in the following:

- CIAP Program legislation
- Special terms and conditions.
- Code of Federal Regulations/Regulatory Requirements, as applicable (Contact the CIAP Contracting Officer with any questions regarding the applicability of the following):
- 43 CFR 12(A) Administrative and Audit Requirements and Cost Principles for Assistance Programs
- 43 CFR 12(C) Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 43 CFR 12(E) Buy American Requirements for Assistance Programs
- 43 CFR 18 New Restrictions on Lobbying
- 2 CFR 1400 Nonprocurement Debarment and Suspension
- 43 CFR 43 Governmentwide Requirements for a Drug-Free Workplace
- 2 CFR Part 175 Trafficking Victims Protection Act of 2000

F.2 Additional Applicable Code of Federal Regulations (CFR)

- 43 CFR Part 17, Subpart A: Nondiscrimination on the Basis of Race, Color, or National Origin
- 43 CFR Part 17, Subpart B: Nondiscrimination on the Basis of Handicap
- 43 CFR Part 17, Subpart C: Nondiscrimination on the Basis of Age

F.3 Rights in Technical Data

The Government may publish, reproduce, and use all technical data developed as a result of this grant agreement in any manner, and for any purpose, without limitation, and may authorize others to do the same.

F.4 Publications Produced

(1). Recipient shall not publicize or otherwise circulate, promotional material (such as advertisements, sales brochures, press releases, speeches, still and motion pictures, articles, manuscripts or other publications) which states or implies governmental, Departmental, bureau, or government employee endorsement of a product, service, or position which the recipient represents. No release of information relating to this award may state or imply that the Government approves of the recipient's work products, or considers the recipient's work product to be superior to other products or services.

(2). All information submitted for publication or other public releases of information regarding this project shall carry the following disclaimer:

“The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions or policies of the U.S. Government. Mention of trade names or commercial products does not constitute their endorsement by the U.S. Government.”

(3). A Recipient must obtain prior Government approval for any public information releases concerning this award which refer to the Department of the Interior or any bureau or employee (by name or title). The specific text, layout photographs, etc. of the proposed release must be submitted with the request for approval. A recipient further agrees to include this provision in a subaward to any subrecipient, except for a subaward to a State government, a local government, or to a Federally-recognized Indian tribal government.

(4). Recipient requests for clearance of public releases will be reviewed using existing public information mechanisms through the appropriate MMS Public Affairs Office and with consultation with the cognizant Ethics Officer.

(5). DOI Departmental Manual Requirements 505 DM Chapter 4 requires that two copies of each publication produced under a Grant be sent to the Natural Resources Library with a transmittal that identifies the sender and the publication. The address of the library is:

U.S. Department of the Interior
Natural Resources Library
Interior Service Center
Gifts and Exchanges Section
1849 C Street, NW
Washington, DC 20240

F.5 Patents

Subject to the provisions set forth in 37 CFR 401, 35 U.S.C. 203 and 35 U.S.C. 205, a Recipient may retain the entire right, title, and interest throughout the world to each subject invention. With respect to any subject invention in which the Recipient retains title, the Federal Government will have a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States the subject invention throughout the world.

F.6 Buy American Act Requirements

Notice: Pursuant to Section 307(b) of the Department of the Interior (DOI) and Related Agencies Appropriations Act, FY 2000, Public Law 106-113, please be advised on the following:

In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in FY 2000 and thereafter, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

F.7 Metric Conversion

All progress and final reports, other reports, or publications produced under this award shall employ the metric system of measurements to the maximum extent practicable. Both metric and inch-pound units (dual units) may be used if necessary during any transition period(s). However, the Recipient may use non-metric measurements to the extent the Recipient has supporting documentation that the use of metric measurements is impracticable or is likely to cause significant inefficiencies to the Recipient.

F.8 Anti-Lobbying

Recipient shall not use any part of the Department of the Interior funds provided hereunder for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete.

All contractors, subcontractors at any tier, and sub-grantees at any tier that request or receive funds in excess of \$100,000 in connection with a Federal contract, grant, loan, or cooperative agreement must fill out the GG_Lobbying certification and forward it to the tier above.

Further information is available at: 43 C.F.R. Part 18, New Restrictions on Lobbying.

F.9 Seat Belt Provision

Recipients of grants/cooperative agreements and/or sub-awards are encouraged to adopt and enforce on-the-job seat belt use policies and programs for their employees when operating company-owned, rented, or personally owned vehicles. These measures include, but are not limited to, conducting education, awareness, and other appropriate programs for their employees about the importance of wearing seat belts and the consequences of not wearing them.

SECTION G - DOCUMENTS

This grant is awarded in accordance with the Recipient's proposal entitled "Lake Salvador Shoreline Protection Phase III," original dated 27 March 2008 as revised 12 August 2008; Standard Form 424 "Application for Federal Assistance," SF-424C "Budget Information - Construction Programs," and Standard Form 424D "Assurances - Construction Programs." *Coastal Impact Assistance Program State Guidelines*, September 2006 (Amended May 2007) and *Coastal Impact Assistance Program Grant Application Guidelines*, February 2007 (Amended June 2007), and construction design drawings entitled "*State of Louisiana Department of Natural Resources Coastal Engineering Division Lake Salvador Shoreline Protection Project BA-15x2 (EB) St. Charles Parish*," dated January 2008, are hereby incorporated by reference and have the full force and effect as if included in full text.

SECTION H - ATTACHMENTS

<u>Identifier</u>	<u>Description</u>	<u>No. of Pages</u>
A	SF 269A "Financial Status Report"	2
B	SF 272 "Federal Cash Transactions Report"	2

--END OF GRANT No. MO7AF12770

FINANCIAL STATUS REPORT

(Short Form)

(Follow instructions on the back)

1 Federal Agency and Organizational Element to Which Report is Submitted	2 Federal Grant or Other Identifying Number Assigned By Federal Agency	OMB Approval No 0348-0038	Page of pages
3 Recipient Organization (Name and complete address, including ZIP code)			
4 Employer Identification Number	5 Recipient Account Number or Identifying Number	6 Final Report <input type="checkbox"/> Yes <input type="checkbox"/> No	7 Basis <input type="checkbox"/> Cash <input type="checkbox"/> Accrual
8 Funding/Grant Period (See Instructions) From (Month, Day, Year)		9 Period Covered by this Report From (Month, Day, Year)	
		To (Month, Day, Year)	To (Month, Day, Year)
10 Transactions.			
	I Previously Reported	II This Period	III Cumulative
a Total outlays			0.00
b Recipient share of outlays			0.00
c Federal share of outlays			0.00
d Total unliquidated obligations			
e Recipient share of unliquidated obligations			
f Federal share of unliquidated obligations			
g Total Federal share(Sum of lines c and f)			0.00
h Total Federal funds authorized for this funding period			
i Unobligated balance of Federal funds(Line h minus line g)			0.00
11 Indirect Expense			
a Type of Rate(Place "X" in appropriate box)			
<input type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed			
b Rate	c Base	d Total Amount	e Federal Share
12 Remarks. Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation			
13 Certification I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.			
Typed or Printed Name and Title		Telephone (Area code, number and extension)	
Signature of Authorized Certifying Official		Date Report Submitted March 20, 2008	

Attachment A
Page 1 of 2

FINANCIAL STATUS REPORT

(Short Form)

Public reporting burden for this collection of information is estimated to average 90 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget Paperwork Reduction Project (0348-0038), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Please type or print legibly. The following general instructions explain how to use the form itself. You may need additional information to complete certain items correctly, or to decide whether a specific item is applicable to this award. Usually, such information will be found in the Federal agency's grant regulations or in the terms and conditions of the award. You may also contact the Federal agency directly.

Item	Entry	Item	Entry
1, 2 and 3	Self-explanatory.		
4.	Enter the Employer Identification Number (EIN) assigned by the U.S. Internal Revenue Service.		the value of in-kind contributions applied, and the net increase or decrease in the amounts owed by the recipient for goods and other property received, for services performed by employees, contractors, subgrantees and other payees, and other amounts becoming owed under programs for which no current services or performances are required, such as annuities, insurance claims, and other benefit payments.
5.	Space reserved for an account number or other identifying number assigned by the recipient.		
6	Check yes only if this is the last report for the period shown in item 8.	10b.	Self-explanatory.
7	Self-explanatory.	10c	Self-explanatory.
8	Unless you have received other instructions from the awarding agency, enter the beginning and ending dates of the current funding period. If this is a multi-year program, the Federal agency might require cumulative reporting through consecutive funding periods. In that case, enter the beginning and ending dates of the grant period, and in the rest of these instructions, substitute the term "grant period" for "funding period."	10d.	Enter the total amount of unliquidated obligations, including unliquidated obligations to subgrantees and contractors. Unliquidated obligations on a cash basis are obligations incurred, but not yet paid. On an accrual basis, they are obligations incurred, but for which an outlay has not yet been recorded. Do not include any amounts on line 10d that have been included on lines 10a, b, or c. On the final report, line 10d must be zero.
9	Self-explanatory.	10e	f, g, h, h and i Self-explanatory.
10.	The purpose of columns I, II, and III is to show the effect of this reporting period's transactions on cumulative financial status. The amounts entered in column I will normally be the same as those in column III of the previous report in the same funding period. If this is the first or only report of the funding period, leave columns I and II blank. If you need to adjust amounts entered on previous reports, footnote the column I entry on this report and attach an explanation.	11a	Self-explanatory.
10a	Enter total program outlays less any rebates, refunds, or other credits. For reports prepared on a cash basis, outlays are the sum of actual cash disbursements for direct costs for goods and services, the amount of indirect expense charged, the value of in-kind contributions applied, and the amount of cash advances and payments made to subrecipients. For reports prepared on an accrual basis, outlays are the sum of actual cash disbursements for direct charges for goods and services, the amount of indirect expense incurred,	11b	Enter the indirect cost rate in effect during the reporting period.
		11c.	Enter the amount of the base against which the rate was applied.
		11d.	Enter the total amount of indirect costs charged during the report period.
		11e	Enter the Federal share of the amount in 11d.
		Note	If more than one rate was in effect during the period shown in item 8, attach a schedule showing the bases against which the different rates were applied, the respective rates, the calendar periods they were in effect, amounts of indirect expense charged to the project, and the Federal share of indirect expense charged to the project to date.

Attachment A
Page 2 of 2

FEDERAL CASH TRANSACTIONS REPORT		OMB APPROVAL NO 0348-0003	
(See instructions on the back. If report is for more than one grant or assistance agreement, attach completed Standard Form 272A.)		1. Federal sponsoring agency and organizational element to which the report is submitted	
2. RECIPIENT ORGANIZATION Name Number and Street City, State and ZIP Code	4. Federal grant or other identification number		5. Recipient's account number or identifying number
	6. Letter of credit number		7. Last payment voucher number
	Give total number for this period		
	8. Payment Vouchers credited to your account		9. Treasury checks received (whether or not deposited)
3. FEDERAL EMPLOYER IDENTIFICATION NO. ▶	10. PERIOD COVERED BY THIS REPORT		
	FROM (month day year)		TO (month day year)
11. STATUS OF FEDERAL CASH (See specific instructions on the back)	a. Cash on hand beginning of reporting period		\$
	b. Letter of credit withdrawals		
	c. Treasury check payments		
	d. Total receipts (Sum of lines b and c)		0.00
	e. Total cash available (Sum of lines a and d)		0.00
	f. Gross disbursements		
	g. Federal share of program income		
	h. Net disbursements (Line f minus line g)		0.00
	i. Adjustments of prior periods		
	j. Cash on hand end of period		\$
12. THE AMOUNT SHOWN ON LINE 11), ABOVE, REPRESENTS CASH REQUIREMENTS FOR THE ENSUING Days	13. OTHER INFORMATION		
	a. Interest income		\$
	b. Advances to subgrantees or subcontractors		\$

14. REMARKS (Attach additional sheets of plain paper, if more space is required)

15. CERTIFICATION			
I certify to the best of my knowledge and belief that this report is true in all respects and that all disbursements have been made for the purpose and conditions of the grant or agreement.	AUTHORIZED	SIGNATURE	DATE REPORT SUBMITTED
	CERTIFYING	TYPED OR PRINTED NAME AND TITLE	TELEPHONE (Area Code, Number Extension)
	OFFICIAL		

THIS SPACE FOR AGENCY USE

Attachment B
Page 1 of 2

INSTRUCTIONS

Public reporting burden for this collection of information is estimated to average 120 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0003), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Please type or print legibly. Items 1, 2, 8, 9, 10, 11d, 11e, 11h, and 15 are self explanatory, specific instructions for other items are as follows.

Item	Entry
3	Enter Employer Identification Number (EIN) assigned by the U.S. Internal Revenue Service or the FICE (institution) code
4	If this report covers more than one grant or other agreement, leave items 4 and 5 blank and provide the information on Standard Form 272A, Report of Federal Cash Transactions - Continued Enter Federal grant number, agreement number, or other identifying numbers if requested by sponsoring agency
5	This space reserved for an account number or other identifying number that may be assigned by the recipient
6	Enter the letter of credit number that applies to this report. If all advances were made by Treasury check, enter "NA" for not applicable and leave items 7 and 8 blank
7	Enter the voucher number of the last letter-of-credit payment voucher (Form TUS 5401) that was credited to your account.
11a	Enter the total amount of Federal cash on hand at the beginning of the reporting period including all of the Federal funds on deposit, imprest funds, and undeposited Treasury checks.
11b	Enter total amount of Federal funds received through payment vouchers (Form TUS 5401) that were credited to your account during the reporting period.
11c	Enter the total amount of all Federal funds received during the reporting period through Treasury checks, whether or not deposited
11f	Enter the total Federal cash disbursements, made during the reporting period, including cash received as program income. Disbursements as used here also include the amount of advances and payments less refunds to subgrantees or contractors; the gross amount of direct salaries and wages, including the employee's share of benefits if treated as a direct cost, interdepartmental charges for supplies and services, and the amount to which the recipient is entitled for indirect costs
11g	Enter the Federal share of program income that was required to be used on the project or program by the terms of the grant or agreement
11i	Enter the amount of all adjustments pertaining to prior periods affecting the ending balance that have not been included in any lines above. Identify each grant or agreement for which adjustment was made, and enter an explanation for each adjustment under "Remarks." Use plain sheets of paper if additional space is required
11j	Enter the total amount of Federal cash on hand at the end of the reporting period. This amount should include all funds on deposit, imprest funds, and undeposited funds (line e, less line h, plus or minus line i)
12	Enter the estimated number of days until the cash on hand, shown on line 11j, will be expended. If more than three days cash requirements are on hand, provide an explanation under "Remarks" as to why the drawdown was made prematurely, or other reasons for the excess cash. The requirement for the explanation does not apply to prescheduled or automatic advances.
13a	Enter the amount of interest earned on advances of Federal funds but not remitted to the Federal agency. If this includes any amount earned and not remitted to the Federal sponsoring agency for over 60 days, explain under "Remarks." Do not report interest earned on advances to States.
13b	Enter the amount of advance to secondary recipients included in item 11h
14	In addition to providing explanations as required above, give additional explanation deemed necessary by the recipient and for information required by the Federal sponsoring agency in compliance with governing legislation. Use plain sheets of paper if additional space is required.

Attachment B