

**ORDINANCE #67047**  
**Board Bill No. 410**

An Ordinance authorizing and directing the Director of Public Safety, on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the U. S. Environmental Protection Agency, appropriating said funds and authorizing the Director of Public Safety, upon approval of the Board of Estimate and Apportionment, to expend funds by entering into and executing a Grant Agreement with the U. S. Environmental Protection Agency (EPA) to fund an EPA Targeted Grant to Reduce Childhood Lead Poisoning , “Good Fences Make Good Neighbors” program and containing an emergency clause.

**BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**



**SECTION ONE.** The Director of Public Safety is hereby authorized and directed, on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the U. S. Environmental Protection Agency (EPA) to fund an EPA Targeted Grant to Reduce Childhood Lead Poisoning , “Good Fences Make Good Neighbors” program. Said Grant Agreement shall be substantially in words and figures the same as the attached Agreement, which is made part of this Ordinance and is on file in the Register’s Office.

**SECTION TWO.** The Director of Public Safety is hereby authorized and directed, upon approval of the Board of Estimate and Apportionment, to expend the funds, which are hereby appropriated for said purpose, by entering into contracts or otherwise received pursuant to the Grant Agreement, totaling \$99,970.00, in a manner that is consistent with the provisions of said Agreement, a copy of which is attached hereto and shall become part of the ordinance.

**SECTION 3.** Emergency Clause. This being an Ordinance for the immediate preservation of public peace, health and safety, it is hereby declared to be an immediate measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

67047

X8 - 98759201 - 0 Page 1

 <b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> Grant Agreement	ASSISTANCE ID NO.			DATE OF AWARD
	PRG	DOC ID	AMEND#	08/22/2005
	X8 -	98759201	- 0	
	TYPE OF ACTION			MAILING DATE
New			08/29/2005	
PAYMENT METHOD:			ACH#	
ACH			77722	
RECIPIENT TYPE:	Send Payment Request to:			
Municipal	U.S. Environmental Protection Agency - Las Vegas FC			
	P.O. Box 98515, Las Vegas, NV 89193-8515			
	Phone: #702-798-2455, Fax: #702-798-2423			
RECIPIENT:	PAYEE:			
City of St. Louis Department of Public Safety 1200 Market Street, Room 407 St. Louis, MO 63103-2870 EIN: 43-6003231	Same as Recipient 1200 Market Street, Room 407 St. Louis, MO 63103-2870			
PROJECT MANAGER	EPA PROJECT OFFICER	EPA GRANT SPECIALIST		
Jeanne Artygh 1200 Market Street, Room 407 St. Louis, MO 63103-2870 E-Mail: artygh@stlouiscity.com Phone: 314-622-3400 X347	Christine Dustin 901 North Fifth Street, ARTD/RALI Kansas City, KS 66101 E-Mail: Dustin.Christine@epamail.epa.gov Phone: 913-551-7102	Connie Allen Grants Management Office, PLMG/R/F/MB E-Mail: Allen.Conn@epamail.epa.gov Phone: 913-551-7363		
<b>PROJECT TITLE AND DESCRIPTION</b>				
Good Fences Make Good Neighbors				
Project targets neighborhoods in areas of St. Louis with highest rates of childhood lead poisoning. Through partnerships with the elementary schools, it extends lead poisoning prevention education to parents, children and the community. It provides testing of children and homes, and offers lead safe work practices training to the wider community while providing a volunteer opportunity to remediate lead hazards on fences at 5 different schools.				
BUDGET PERIOD	PROJECT PERIOD	TOTAL BUDGET PERIOD COST	TOTAL PROJECT PERIOD COST	
09/01/2005 - 08/31/2007	09/01/2005 - 08/31/2007	\$208,020.00	\$208,020.00	
NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.				
<b>OFFER AND ACCEPTANCE</b>				
The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the <u>City of St. Louis Department of Public Safety</u> for <u>47.91</u> % of all approved costs incurred up to and not exceeding <u>\$99,665</u> for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed <u>08/21/2005</u> included herein by reference.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS	
Grants Management Office 901 North Fifth Street Kansas City, KS 66101			U.S. EPA, Region 7 Air, RCRA, and Toxics Division 901 North Fifth Street Kansas City, KS 66101	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY				
SIGNATURE OF AWARD OFFICIAL	TYPED NAME AND TITLE			DATE
	Lary Kahwei, Grants Management Officer			08/22/2005
This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant hereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.				
<b>BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION</b>				
SIGNATURE	TYPED NAME AND TITLE			DATE
	Charlene Deeken, Executive Assistant to Director of Public Safety			

67047

X8 - 98759201 - 0 Page 3

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$124,490
2. Fringe Benefits	\$29,865
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$25,945
6. Contractual	\$0
7. Construction	\$0
8. Other	\$27,720
9. Total Direct Charges	\$208,020
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient 52.09 % Federal 47.91 %)	\$208,020
12. Total Approved Assistance Amount	\$99,665
13. Program Income	\$0

67047

EPA Funding Information

X8 - 98759201 - 0 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 99,665	\$ 99,665
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 46,000	\$ 46,000
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$ 37,000	\$ 37,000
Other Contribution	\$	\$ 25,355	\$ 25,355
Allowable Project Cost	\$ 0	\$ 208,020	\$ 208,020

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.716 - Surveys-Studies-Investigations-Demonstrations-Educational Outreach and Special Projects	Toxic Substances Control Act, Sec. 10	40 CFR PART 31

Fiscal									
Site Name	DCN	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
	L2023	05	E1C	07L3	401C10E	4183			99,665
									99,665

67047

X8 - 86759201 - 0 Page 4

Administrative Conditions

1. In accordance with OMB Circular A-21, A-87 or A-122, as appropriate, the Recipient agrees that it will not use project funds, including the Federal and non-Federal share, to engage in lobbying the Federal Government or in litigation against the United States. The recipient agrees to provide EPA Form 5700-53, Lobbying and Litigation Certificate as mandated by EPA's annual Appropriations act. The Chief Executive Officer of any entity receiving assistance funds must certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The certification must be submitted to the EPA grants specialist, who is identified on the award document, within 90 days after the end of the project period.
  
2. In accordance with OMB Circulars No. A-21 and A-122 and EPA guidance documents, Recipient agrees that no assistance funds (Federal or non-Federal share) authorized by this award will be used for lobbying or political activities. In addition, nonprofit organizations described in Section 501(c)(4) of the Internal Revenue Code of 1986 agree they do not, and will not, engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995.
  
3. Recipient agrees to comply with Federal Register, Volume 53, No. 102, dated May 26, 1988, Debarment and Suspension Under EPA, Assistance, Loan and Benefit Programs, which requires all solicitations for subagreements to include the following statement:  
  

The prospective participants must certify by submittal of EPA Form 5700-49, Certification Regarding Debarment, Suspension and Other Responsibility Matters, that to the best of its knowledge and belief that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency.\*

The Recipient acknowledges that doing business with any party appearing on the non-procurement portion of the "List of Parties Excluded from Federal Procurement Programs" may result in disallowance of costs under this agreement and may also result in suspension or debarment.
  
4. Recipient agrees to ensure that all space for conferences, meetings, conventions or training funded in whole or in part with Federal funds comply with the Hotel and Motel Fire Safety Act of 1990.
  
5. The recipient agrees to comply with the requirements for EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance agreements:  
  

(a) Except as otherwise provided, the recipient accepts the applicable FY 2005 Minority Business Enterprise (MBE)/Womens Business Enterprise (WBE) "fair share" goals/objectives negotiated with EPA by the Missouri Department of Natural Resources (MDNR) as follows:

MO	MBE	WBE
Services	10%	5%
Supplies	10%	5%
Equipment	10%	5%
Construction	10%	5%

67047

- (b)(1) The recipient agrees to ensure, to the fullest extent possible, that at least the applicable "fair share" objectives of Federal funds for prime contracts or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and Historically Black Colleges and Universities.
- (2) For assistance agreements related to research under the Clean Air Act Amendments of 1990, the recipient agrees to ensure, to the fullest extent possible, that at least the applicable "fair share" objectives of Federal funds for prime contracts or subcontracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women, disabled Americans, Historically Black Colleges and Universities, Colleges and Universities having a student body in which 40% or more of the students are Hispanic, minority institutions having a minority student body of 50% or more, and private and voluntary organizations controlled by individuals who are socially and economically disadvantaged.
- (c) The recipient agrees to include in its bid documents the applicable "fair share" objectives of Federal funds and require all of its prime contractors to include in their bid documents for subcontracts the negotiated "fair share" percentages.
- (d) The recipient agrees to follow the six affirmative steps stated in 40 CFR §30.44(b), 40 CFR §31.36(a), or 40 CFR §35.6580, as appropriate, and retain records documenting compliance.
- (e) The recipient agrees to submit an EPA form 5700-52A "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements," beginning with the Federal fiscal year quarter the recipient receives the award and continuing until the project is completed. These reports must be submitted to the EPA, MBE/WBE Coordinator, within 30 days of the end of the Federal fiscal quarter (January 30, April 30, July 30, and October 30). For assistance awards for continuing environmental programs and assistance awards with institutions of higher education, hospitals and other non-profit organizations, the recipient agrees to submit an EPA form 5700-52A to the EPA, MBE/WBE Coordinator, by October 30 of each year.
- (f) If race and/or gender neutral efforts prove inadequate to achieve a "fair share" objective, the recipient agrees to notify EPA in advance of any race and/or gender conscious action it plans to take to more closely achieve the "fair share" objective.
- (g) Non-governmental recipients that wish to negotiate their own FY 2005 MBE/WBE goals must submit proposed MBE/WBE goals based on an availability analysis, or, at their option, a disparity study, of qualified MBEs and WBEs to do the work in the relevant market for construction, equipment, services, and supplies. The recipient agrees to submit proposed "fair share" objectives, together with the supporting availability analysis or disparity study, to the EPA, MBE/WBE Coordinator, within 30 days of award. EPA will conclude "fair share" negotiations within 30 days of receiving the submission. Once EPA approves the objectives, the recipient agrees to apply them in accordance with paragraphs (b)-(f).
3. EPA may take corrective action under 40 CFR Parts 30, 31, and 35, as appropriate, if the recipient fails to comply with these terms and conditions.
6. Recipient agrees, pursuant to EPA Order 1000.25, dated January 24, 1990, to use recycled Paper for all reports which are prepared as a part of this assistance award and delivered to the Agency.

---

Approved: March 22, 2006