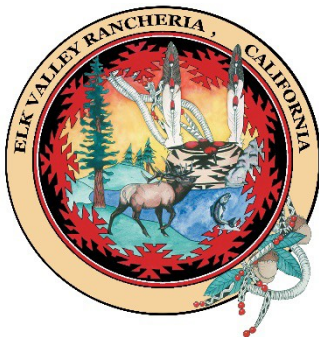


PROPOSAL: BUREAU OF RECLAMATION
TECHNICAL ASSISTANCE TO TRIBES FOR FY20

FOA: BOR-DO-20-F013

**AMADOR WATER TANK REHABILITATION
PROJECT**

Date of Submission: 1/8/2020



Applicant:
Elk Valley Rancheria, California
2332 Howland Hill Road
Crescent City, CA 95531
(707)465-4680

Project Manager:
Crista Stewart, Director of Grants
Elk Valley Rancheria, California
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Technical Proposal and Evaluation Criteria

Executive Summary

Date: 1/8/2020

Applicant: Elk Valley Rancheria, California
Address: 2332 Howland Hill Road
Crescent City, CA 95531

Project Title: AMADOR WATER TANK REHABILITATION PROJECT

Project Summary:

The Elk Valley Rancheria, California, a federally recognized Indian tribe, is seeking U.S. Bureau of Reclamation (“BOR”) funds to assist in ensuring a reliable drinking water source for the health and safety of tribal members and their families. BOR funds will be utilized as part of a multi-phase project to rehabilitate a 1.5 million gallon water storage tank that stores water for the reservation and surrounding community. Phase 1 includes rehabilitation of the roof to increase water supply reliability and upgrading of ladders and guardrails facilities to meet current safety standards. If funded, the BOR will provide project funds that serve to protect the water supply of the Tribe and the community. The project will begin on July 1, 2020 and will conclude on March 31, 2021. This project is not located on a federal facility.



Figure 1- Amador Water Tank

Background Data

The Elk Valley Rancheria, California (the "Tribe") is seeking U.S. Bureau of Reclamation ("BOR") funds to assist the Tribe and the local City of Crescent City, CA (the "City") in ensuring a reliable drinking water system for the health and safety of residents of these communities. The City of Crescent City is a remote, economically distressed Pacific coastal community located in the northwest most corner of California. Crescent City is the County seat and the only incorporated city in the county of Del Norte. The Elk Valley Rancheria (reservation) (hereinafter "Rancheria") is located approximately one mile from the city of Crescent City.

The Tribe is reliant on the City of Crescent City to provide drinking water to the Rancheria and to tribal members living in Crescent City. The City of Crescent City owns and operates its drinking water system, including supply sources, treatment, transmission pipelines, storage tanks, distribution pipelines and service connections. There are approximately 4,624 total connections, with approximately 4,238 of those being active water accounts. The Elk Valley Rancheria, CA is served by this system. Further, tribal members living off reservation in Crescent City, and tribally owned businesses such as the Tsunami Lanes Bowling Alley, are served by this system. Please see Figure 1, which provides a photo the Amador Water Tank and Figure 2, which provides a map of the Crescent City Water system, and the Elk Valley Rancheria.

In 2017, the City completed a Water Improvement Project Preliminary Engineering Report (“PER”) which evaluated existing water system conditions and made recommendations to certain features that had deficiencies or required upgrades. One of these features is a water storage tank known as the Amador Reservoir. The Amador Reservoir is a welded steel, above ground tank built in 1982. The tank is approximately 80-feet in diameter by approximately 40-feet in height, providing a nominal capacity of 1.5 million gallons. The City has been increasingly concerned about the existing condition of two water storage reservoirs that serve the entire community, including the Elk Valley Rancheria. There have been two independent evaluations on each reservoir in April of 2013 and August of 2016. The evaluations concurred that both reservoir tanks need to be brought up to current standards which have changed since the tank was first built. Of particular importance in Phase I is the rehabilitation and repair and revealed the need for multiple safety upgrades. If funded, the Tribe will utilize BOR funds to complete Phase I (of III phases) of the necessary rehabilitation to the Amador storage reservoir that currently serves to store and provide reliable drinking water to Elk Valley Rancheria and the entire community. This is especially critical in the event of a disaster, which happens relatively often in this region.

This portion of northern California is prone to seismic activity due to its location along the Cascadia Subduction Zone. A magnitude 8 or greater earthquake has a one in three chance of hitting in the next 50 years. <http://www.nature.com/news/2010/100531/full/news.2010.270.html> Furthermore, this community is susceptible to devastating tsunamis that are generated from local and distant seismic events. On March 27, 1964 the Good Friday Earthquake, centered in Alaska, generated a massive tsunami that destroyed much of Crescent City and left eleven people dead. In 2011, an earthquake struck Japan which generated a large tsunami that killed one and inundated and destroyed the Crescent City Harbor causing severe economic impacts that still affect the region to this day.

This area is remote and isolated. Transportation into and out of the area is limited to two lane highways that are closed at different times throughout the year due to landslides and flooding. In this remote region, it is understood that partnerships and collaboration are key to creating a vibrant, sustainable and safe community for residents and visitors.

The City and the Tribe have a proven track record of joining efforts and combining resources to address problems that affect the entire community. In 2016, the City and the Tribe successfully partnered on a project to rehabilitate the Crescent City Fire Hall and to purchase a brand-new Type 1 Fire Engine. Funded by a Tribal Indian Community Development Block Grant and matching funds as provided by the City, this project served to address a major deficiency in local emergency response capabilities. Here again, the Tribe and the City are working together to locate resources to address a major water system deficiency that, if funded, will serve to provide a secure and sustained water supply for both Tribal and local residents.

Finally, the Tribe has successfully completed a project utilizing Bureau of Reclamation Funds. Under the *State's Emergency Drought Relief Act of 1991* as amended (Public Law [P.L.] 109-234]), the Bureau of Reclamation ("Bureau") distributed \$40 million from the American Reinvestment and Recovery Act ("ARRA") (P.L. 111-5) to fund emergency drought relief projects. In February 2009, while the State of California was in the third consecutive year of a drought, Governor Arnold Schwarzenegger declared a drought emergency. The Elk Valley Rancheria, California (the "Tribe") issued an Emergency Drought Declaration in September 2009. On September 28, 2010, the Bureau (Region 10) awarded the Tribe a P.L. 93-638 Contract in the amount of \$413,345.00. The Elk Valley Rancheria Drought Wells and Associated Appurtenances Project (the "Project") commenced in October 2010 and was completed in September 2011.

The Project was separated into two (2) phases for locating, testing and for development of water resources on the Stary and Martin Ranches, and one existing water resource to the Martin Ranch. The Project developed eight (8) production water wells, four (4) on Stary Ranch, three (3) on Martin Ranch, and the refurbishment of one (1) existing water resource to the Martin Ranch. All funds were expensed, and all reports were submitted on time.

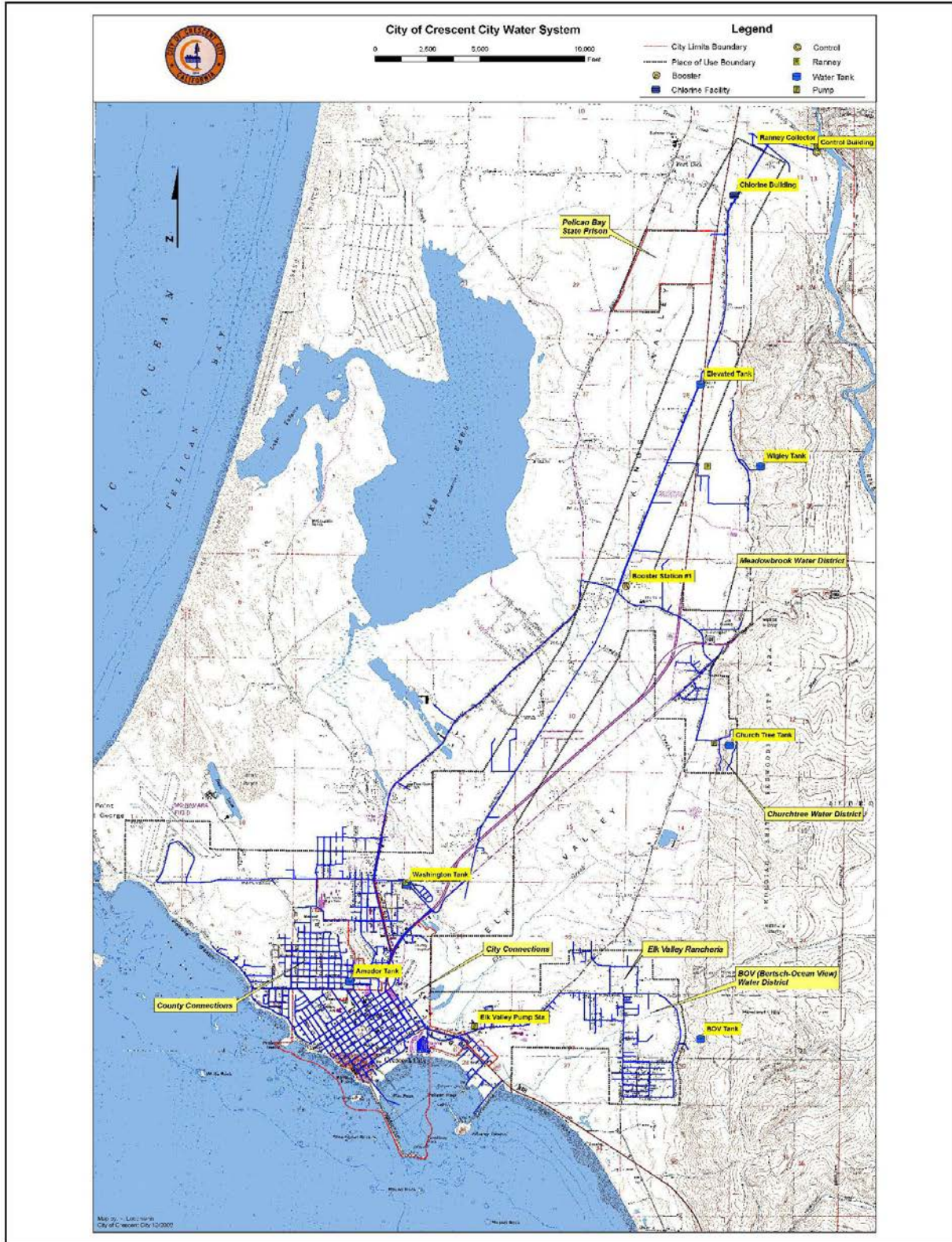


Figure 2- Crescent City Water System

Technical Project Description

As mentioned in the Background Data section, inspections by two companies concur that the Amador Water Tank needs repairs, improvements and refurbishing. Total rehabilitation of the tank will cost approximately \$1 million dollars. The rehabilitation project has been broken down into three phases that serves to group similar activities. This project will serve to cover Phase I, which addresses workplace-safety compliance issues and repair items located at the top of the tank. Phase II is review and retrofitting of the tank to meet seismic requirements and modify overflow methods. Phase III includes new tank liner and exterior coating renewal. Each of the phases can be completed independently without no significant impact on the other phases.

The table below displays recommendations (deficiencies) from both inspections, which then directs the project Scope of Work.

DEFICIENCY	Upgrades (Scope of Work)
1. Upgrade shell access ladder.	Install an approved, anti-skid rung equipped, shell access ladder complete with standoffs every 10' on center. Install a cable-type ladder safety climb device. Install an aluminum lockable ladder guard.
2. Roof handrails not adequate.	Install an approved 42-inch high handrail system around the circumference of the tank roof, complete with a toe board, an intermediate rail and a stainless-steel gate chain at the junction of the shell-to-roof access ladder and tank roof.
3. Roof restoration and rehabilitation.	Upgrade roof structure to bring it into compliance with current regulations and design standards.

The Project timeline is represented in the table below:

Milestone	Estimated Completion Date
Grant Awarded	July 1, 2020
Project Kick-off Meeting/MOA Development	July 15, 2020
Final Design/Categorical Exclusion	August 1, 2020
Advertisement to Bid / Contract Award	August 15, 2020 - September 30, 2020
Final Rehabilitation Complete	March 31, 2021
Final Reports Submitted to BOR	April 30, 2021

Evaluation Criteria

Project Need:

Federal funds will assist in addressing deficiencies to an unreliable water storage reservoir in the Crescent City water system. The reservoir is in need of additional improvements to provide secure and sustained water storage, (especially in the event of a catastrophic event); to keep intact existing key water system components; to install key workplace safety features that are in-line with OSHA regulations and to improve water conservation. The proposed scope of work will address a water reservoir that is aged and, without rehabilitation, is nearing the end of its useful life. This project will serve to mitigate known risks to the water system's security, reliability, and operations and reduce public health hazards generally by improving an important component of the City's water supply infrastructure. If funded, this project will be completed within nine months of the date of award. Failure to make these improvements could result in the State Water Board recommending that the City remove this critical storage facility from the water system effectively reducing storage capacity by twenty percent (20%).

Del Norte County is a remote, economically distressed Pacific coastal community located in the northwest most corner of California and is one of the poorest counties in the State. Crescent City is the County seat and the only incorporated city in the county. The local economic situation in this region is nothing short of abysmal. The poverty rate of 24.2% within the target area nearly doubles the national poverty rate of 14.8% (United States Census Bureau, 2015). Given the small land base and membership of the Tribe, the Tribe's economic conditions mirror those of the surrounding community. By any meaningful measure, the Tribe, the community of Crescent City and the County are "distressed."

The Tribe nor the City have resources available to complete this rehabilitation project without the assistance of federal funds. While the City does its best to maintain the water system for the health and safety of system users, larger projects such as this simply do not fit in tight budgets geared primarily for system maintenance activities. If this project is not funded, workplace safety measures such as hand railing will not be installed and the City will not be able to meet current safety standards. The tank is nearing the end of its useful life if sufficient measures are not taken to modernize the water tank. The City may be forced to remove the water tank from the system thus causing a reduction in capacity to store 1.5 million gallons of water for drought or other emergency conditions for use by the Tribe and the local community.

Finally, although the Tribe relies on the City to provide drinking water to tribal members and their families, the Tribe recognizes that they, as a sovereign nation, share in the responsibility of ensuring a reliable water source for members, employees and visitors. Working together with the City to address these issues provides the Tribe with a working knowledge of deficiencies and issues that must be resolved as a community to protect citizens, both Tribal and non-Tribal alike.

Project Benefits:

1. Does the project improve development, management, and/or protection of tribal water and related resources? If so, how?

The Tribe does not own the water system, however, the system provides water to the reservation, tribal businesses, and to tribal members who live in Crescent City.

2. Does the project build or enhance the tribe's internal capacity to manage, develop and protect its water and related resources? If so, how?

When the Tribe works collaboratively with local governments to address deficiencies that affect the community at large, these actions serve to build a solid understanding of infrastructure issues that could pose a health and safety threat to tribal members and their families if not resolved. Further, the Tribe will have a better understanding of water system related hazards caused by natural and/or manmade incidents that will guide decisions in tribal emergency management.

3. Does the project include data collection related to water quality? No

4. Does the project include data collection related to water supply? No

5. Does the project improve water reliability, and if so, how and to what extent?

- a. **Does the project assist with addressing current or future water shortages, and if so, how?** This project will assist in preserving the

capability to store 1.5 million gallons of water through rehabilitation of the water tank. Stored water can be utilized in times of water shortages.

- b. **Will the project build long-term resilience to drought, and if so, how?** A reliable, modernized water tank will build long-term water storage capabilities that will serve as a tool in the event of a drought situation.
6. **Will the project make additional water supplies available, and if so, how?**
No
7. **Does the project improve tribal water system efficiencies and promote water conservation, and if so, how?** No
8. **Does the project reduce conflicts between water users, and if so, how?**
 - a. **Does the project address heightened competition for finite water supplies or issues related over-allocation water rights, and if so, how?** No
 - b. **Does the project promote and encourage collaboration among parties in a way that helps increase the reliability of the water supply, and if so, how?** Absolutely. This project serves to highlight an unusual partnership between a sovereign nation and local government. Both governments understand that they strengthen capabilities by working together to resolve issues in the community. This partnership has served as an example to many other communities in our state and beyond.
 - c. **Will the project help prevent a water-related crisis or conflict?** No
 - d. **Is there frequent tension or litigation over water in the basin?** No
 - e. **Are there non-tribal partners in the project and what is their roles?** Yes. The City is the owner of the facility and will have oversight over the proposed work. The City has paid for and developed the plans and specification to get this work accomplished.
9. **Is the project supported by existing water resource management plans, and if so, how?** The Amador water storage tank is on the City's list of capital improvement projects for the water system. The City has previously invested approximately \$100,000 in multiple engineering reports to identify needs of the tank and is currently having construction plans developed for needed improvements of the tank to bring it into compliance with industry safety standards. These activities are being paid out of the City's enterprise waterfund.
10. **Projects that involve riparian and aquatic habitat improvements, must also improve water quality and quantity. Describe the environmental benefits as they relate to improved quality and quantity.** Not Applicable.

Project Implementation

The Tribe and City of Crescent City, California have formed a Project Team (“Project Team”) whose members have worked throughout the planning phase of this partnership. Membership consists of the following person from the City of Crescent City: Eric Wier- City Manager. Membership consists of the following persons from Elk Valley Rancheria, California: Dale Miller - Tribal Chairman, Crista Stewart – Director of Grants, and Dan Huff – Chief Financial Officer. Upon award, a Memorandum of Agreement (“MOA”) will be finalized and approved by both the Tribe and the City of Crescent City that serves to outline roles and responsibilities for the duration of the project.

The following provides a description of staff who will play key roles in project implementation. The description includes both their qualifications and their roles in this project.

Crista Stewart, Director of Grants – Project Director

Roles and Responsibilities: Ms. Stewart will be responsible for the implementation of the grant and will serve as liaison between the Tribe, the City and the Bureau of Reclamation. Upon award, Ms. Stewart will meet with the Project Team to ensure that all parties understand project timelines, schedules and requirements. She will obtain finalized engineered drawings, plans and specifications from the City Manager (Project Manager). She will work in conjunction with Tribal Legal Counsel and the Project Manager to develop detailed project bid documents which will be utilized to competitively procure a qualified general contractor in a manner that meets the Tribe’s Procurement Policy and regulations as outlined in 2 CFR Part 200. She will receive payment requests from the contractor on a bi-weekly basis and will perform project monitoring alongside the Project Manager to ensure that such requests are justifiable and that implementation schedules are adhered to. She will ensure that all grant terms and conditions are adhered to throughout the life of the grant term. She will ensure that all documents are in order and backed up on Laserfische, the Tribe’s secure computerized records storage system. Ms. Stewart will report to Tribal Council on a monthly basis to offer project updates and to address issues, if any. Ms. Stewart will prepare progress reports and the final closeout report. She will also ensure that the quarterly financial reports are submitted on time by the Tribal Fiscal Department.

Recent, Relevant and Successful Experience: Ms. Stewart currently serves as Director of Grants and has extensive experience in the implementation and management of large scale federal and state grant programs. Ms. Stewart currently manages eighteen federal grant programs through agencies such as Environmental

Protection Agency, Bureau of Indian Affairs, Tribal Transportation Program, National Park Service, Indian Health Service and HUD with a total grant budget of \$6.2 million dollars. While serving in this role, she has competitively procured all goods and services necessary for fulfilling the objectives of each grant.

Ms. Stewart has served as Project Director on many recent, relevant and successful grant-funded projects involving housing, water, natural resource management, language preservation, transportation and roads, etc. She has successfully managed the procurement of goods and services for all awards that she manages. In 2011, Ms. Stewart successfully completed a relevant grant funded project that similarly benefited both the community of Greenville, CA and the Greenville Rancheria, a federally recognized Indian tribe. She served as Project Director and acted as liaison between the Greenville Rancheria and the Indian Valley Community Services District to install emergency water wells to supply water to both Indian homes and to the local city water supply. She completed the competitive bid process to successfully procure the services of a general contractor. She ensured compliance with Davis Bacon requirements throughout the bid process and construction period. The \$400,000 plus project was successfully completed on time and within budget and greatly benefitted both the Greenville Rancheria and the community at large. The Bureau of Reclamation Project Specialist, Kevin Clancy, served as project specialist for the funding agency.

Ms. Stewart holds a B.A. from the University of Nevada, Reno in Anthropology with a minor in Museum Studies.

Daniel Huff, CPA, Chief Financial Officer (“CFO”) – Financial Management

Roles and Responsibilities: Mr. Huff will provide financial management regarding all grant related project activities. He will ensure that grant disbursements are made after receiving appropriate approval for work completed and after ensuring that costs are within the approved budget. He will enter grant disbursements into the accounting system, record expenditures into the system using a unique account code dedicated to this project, and retain records in accordance with 2 CFR Part 200. He will prepare all financial reports with supporting documentation (quarterly, annual and final) and submit to the Director of Grants for review. Once the Director of Grants approves the financial reports, she will submit to the Tribal Chairman for approval and certification within the due dates specified in the grant. Mr. Huff will retain copies of the certified financial reports, supporting documentation, and any supplemental financial reports. In accordance with standards set forth in 2 CFR Part 200 for federally funded programs, Mr. Huff will ensure that all expenditures to this project are allowable, allocable, reasonable, consistent, necessary and permissible.

Mr. Huff will request reimbursement and obtain certification for the payment request from the Tribal Chairman under this grant. Mr. Huff will record the receipt of grant funds into the accounting system with a unique account code for this project that matches the account code used for expenditures. He will ensure grant expenditures and revenues for this program will be segregated to allow for easy production of the Schedule of Expenditures of Federal Awards and financial detail during our audit. All assets will be tracked with an asset tracking system and supporting documentation will be included with each asset record. Mr. Huff will ensure that the annual audit is submitted in a timely manner.

Recent, Relevant and Successful Experience: Mr. Huff has performed the financial management of multiple Tribal grant programs since 2003. In the course of his duties, he has established separate general ledger accounts to track grant activity, provided managers with detail and summary financial reports, maintained complete grant files, provided granting agencies with required financial reports, and reviewed Davis Bacon requirements and monitored the application of Davis Bacon rates by contractors. In 2016, he successfully served as financial manager for the Tribe's relevant Indian Community Development Block Grant, which involved a similar partnership with the City. He coordinated with Director of Grants and the Chairman to ensure that the Tribal procurement policy was adhered to and that financial reports were submitted accurately and within the due dates. Furthermore, he ensured that all grant related expenditures were allowable, allocable, reasonable, consistent, necessary and permissible. Annual audits have been submitted on time throughout his tenure at the Elk Valley Rancheria. Elk Valley Rancheria has had clean audits for the past seven years.

Mr. Huff holds a Bachelor of Science in Business Administration and has been a Certified Public Accountant since January 2008.

Eric Wier, Director of Public Works, City of Crescent City – Project Manager

Roles and Responsibilities:

Mr. Wier will serve to assist the Tribe in project management activities throughout the Amador Water Tank rehabilitation project. Upon award, Mr. Wier will meet with the Tribe to discuss project timelines and requirements. Mr. Wier will provide technical assistance as necessary in the development of competitive bid packages for the rehabilitation project. During the competitive bid process, Mr. Wier will assist the Tribe with any questions bidders may have regarding the physical specifications of the Amador Water Tank. Once the rehabilitation contractor has been competitively selected and rehabilitation has begun, Mr. Wier will monitor activity at the water tank to ensure that rehabilitation proceeds as per specifications. He will ensure all work is completed in a high-quality fashion and that incremental work completed meets

building code requirements. The Tribe will co-monitor the project throughout rehabilitation and will ensure that Davis-Bacon requirements are adhered to.

Recent, Relevant and Successful Experience: Mr. Wier currently serves as the City of Crescent City Manager and has been working for the City since 2003. Mr. Wier has over 20 years of varying engineering and construction management experience with responsibilities ranging from civil engineering design to the management of multi-million dollar construction projects. Mr. Wier has been responsible for multiple municipal construction projects during his tenure with the City. In his formal role as Public Works Director/City Engineer his responsibilities included concept design, engineering design, specification writing, detailed project estimates, as well as labor compliance, and overall project management.

Over the last 5 years, Mr. Wier has completed over 5 million dollars' worth of capital projects. Most projects were grant funded and all were completed on time and within budget. Recently, Mr. Wier completed a similar project that involved the renovation of the Shoreline RV Park, which is currently owned by the City of Crescent City. This important project offered rehabilitation to the RV facilities, and improvements to RV spaces and restrooms. This project served to assist the community by encouraging tourism activities for the benefit of local businesses and the entire community at large. This \$1,030,000 grant was provided to the community through the Economic Development Administration as a disaster relief project in response to the 2011 tsunami, which destroyed the local fishing harbor, devastating the local economy. This project was completed on-time and within budget and is considered a great success by the local community.

Mr. Wier has a B.S. in Construction Engineering Management and a minor in Business Administration from Oregon State University. He also possesses a B.S. in Physics from Southern Oregon University. He is a Registered Professional Civil Engineer in the State of California.

A detailed description of responsibilities for both the Tribe and for the City of Crescent City is as follows:

The City of Crescent City responsibilities include the following:

- a. The City shall provide design, environmental review, on-site quality assurance, and project closeout documentation;

- b. A negative declaration was prepared for the project and approved by the Del Norte County Planning Commission in September of 2017. The City shall provide this documentation to the Tribe to forward on to BOR.
- c. The City will obtain a permit from the North Coast Air Quality Management District;
- d. The City shall provide a monthly progress report to the Tribe on the status of project activities.
- e. The City shall conduct a final inspection of the water tank after completion of work. Final acceptance and payment for the work by the Tribe shall not occur until the contractor has corrected all deficiencies identified at the final inspection.

The Elk Valley Rancheria, California responsibilities include the following:

- a. The Tribe shall competitively procure a qualified contractor to complete rehabilitation activities as outlined in the Scope of Work. The Tribe will follow the Tribe’s approved procurement policy that follows procurement requirements as outlined in 2 CFR Part 200.
- b. The Tribe shall administer federal grant funds in accordance with BOR requirements and in compliance with federal requirements as outlined in 2 CFR Part 200.
- c. The Tribe will request draws from the ASAP Payment Processing Center on a monthly basis to cover costs associated with the rehabilitation.
- d. The Tribe shall complete all required progress and financial reports to BOR in a timely manner. A final progress and financial report will be submitted to BOR as per the grant agreement.

Project Timeline

Milestone	Estimated Completion Date
Grant Awarded	July 1, 2020
Project Kick-off Meeting/MOA Development	July 15, 2020
Final Design/Categorical Exclusion	September 1, 2020
Advertisement to Bid / Contract Award	September 15, 2020 - October 31, 2020
Final Rehabilitation Complete	March 31, 2021
Final Reports Submitted to BOR	April 30, 2021

Alignment with Department of Interior Priorities

This project serves to align with the Department of Interior Priorities through the following:

- a. Restoring trust with local communities. – The responsibility of providing a safe and healthy community resides with all leaders within a community. This project serves as a model example of the success a community can achieve when a local government and a tribal government work together to address issues that impact a community as a whole, regardless of living on or off reservation, or within city limits.
- b. Modernizing our infrastructure. – Across the United States, water systems are aging and nearing the end of useful life. So too is the case for the rural community of Crescent City. The community struggles with the high costs of maintaining an aging system and understands that the answer cannot lay in raising rates, which can so negatively impact low-income users. This project would serve to modernize a key component of the community water system, thus maintaining the ability to store 1.5 million gallons of water for use in drought or other emergency.

Project Budget

BUDGET TABLE			(if cost share)		
Budget Item Description	Computation		Recipient	Reclamation	Total
	\$/UNIT	QUANTITY	FUNDING	FUNDING	COST
SALARIES and WAGES					
Director of Grants (Grant Administration)	\$46.14/hr.	40	\$1,846.00		\$1,846.00
FRINGE BENEFITS	34% x Salary		\$627.00		\$627.00
CONTRACTUAL					
Mobilization	\$18,000/each	1		\$18,000	\$18,000
Ladder	\$800/LF	80		\$64,000	\$64,000
Guardrail	\$300/LF	250		\$75,000	\$75,000
Roof Renovations	\$40,000/each	1		\$40,000	\$40,000
TOTAL DIRECT COSTS					
			\$2,473.00	\$197,000	\$199,473
OTHER COSTS					
INDIRECT COST (See attached rate approval)	41.56%	X Direct Costs (\$2,473.00)	\$1,027.00		\$1,027.00
Environmental Review				\$3,000.00	\$3,000.00
Construction Management	\$12,000	1 (City Funded)	\$12,000.00		\$12,000.00
TOTAL INDIRECT AND OTHER COSTS					
			\$13,027.00		\$16,027.00
TOTAL PROJECT COSTS					
			\$15,500.00	\$200,000	\$215,500.00

Budget Narrative

Salaries and Wages

The Salary and Wages line item of \$1,846.00 represents actual wages for the Director of Grants to administer and complete the project. The Director of Grants, Crista Stewart, will spend 40 hours @ \$46.14/hour for a total of \$1,846.00. Ms. Stewart will serve as liaison between the City and the Tribe and will ensure grant deadlines and requirements, including all reports, are met. This cost will be covered by the Tribe and is considered an in-kind match.

Fringe

The Fringe line item of \$627 represents actual fringe rate of 34% for the Director of Grants which includes health benefits, payroll taxes, and workman's comp. $34\% \text{ of } \$1,846.00 = \627.00 . This cost will be covered by the Tribe and is considered an in-kind match.

Contractual

Mobilization costs are ordinarily valued at about 10 percent of the other contract costs. The California Public Contract Code also has rules designed around the mobilization costs not exceeding 10 percent of the total contract.

The ladder estimate is based on OSHA approved cage ladders that are readily available. The purchase price of the ladders was doubled to include typical costs for installation.

Guardrail pricing is based on past projects around the City of Crescent City that included guardrails. Most recent project for which data was available was for 2015. Price per linear foot was escalated based on market changes to bring them up to 2020 pricing.

Roof renovations are based on estimates from a previous engineering report.

The City intends to cover the construction management costs associated with the project out of the City's water fund. Construction management covers administration of the contract, oversight of construction, coordination with the contractor, and tracking of all construction activities including documenting changes to the facilities and minor changes or deviations from the plans.

Indirect Costs

Indirect Costs have been calculated at the Tribe's approved Indirect Cost Rate of 41.56%. $41.56\% \times \$2,473 \text{ (Direct Salary and Fringe Costs)} = \$1,027$. Indirect Costs will be covered by the Tribe as an in-kind match. A copy of the Tribe's approved Indirect Cost Rate letter is provided as an attachment to this proposal.

Environmental Review

Environmental Review costs were calculated through conversations with Kevin Clancy at the Bureau of Reclamation, Region 10. CEQA has been completed for all three phases of this project resulting in a negative declaration that was approved by Del Norte County

Planning Commission in September of 2017. As there will be no ground disturbing activities related to this scope of work, Mr. Clancy believes that environmental review activities will be limited to preparation of a Categorical Exclusion for review and approval by BOR staff. It was recommended that an amount equaling \$3,000 be placed in this line item to complete environmental review requirements.

Funding Plan and Letter of Commitment for Third Party Contributions

FUNDING SOURCES	AMOUNT
Non-Federal Entities	
2. Elk Valley Rancheria, California	\$3,500.00*
3. City of Crescent City	\$12,000.00*
Non-Federal Subtotal	
Federal Entities	
1. Bureau of Reclamation	\$200,000
Federal Sub-Total	\$200,000
TOTAL PROJECT COST	

***In-Kind Contribution**

Environmental and Cultural Resources Compliance

A negative declaration was prepared for the project and approved by the Del Norte County Planning Commission in September of 2017. The Tribe will utilize this information to prepare a Categorical Exclusion checklist for review by Bureau of Reclamation staff.

Required Permits or Approvals

The only permit necessary for this project is an Air Quality Permit, which will be obtained by the City of Crescent City through the North Coast Regional Air Quality Management District.



377 J STREET

CRESCENT CITY, CALIFORNIA 95531-4025

Administration/Finance: 707-464-7483
Utilities: 707-464-6517

Public Works/Planning: 707-464-9506
FAX: 707-465-4405

December 19, 2019

Bureau of Reclamation
Financial Assistance Support Section
Attn: Darren Olson
P.O. Box 25007, MS 84-27815
Denver, CO 80225

RE: Elk Valley Rancheria, California's FY2020 Technical Assistance to Tribes Proposal to Rehabilitate the Amador Water Tank

Mr. Olson:

The Elk Valley Rancheria, California (the "Tribe") is applying for the Bureau of Reclamation FY2020 Technical Assistance to Tribes grant for rehabilitating a critical component of the community drinking water system, the Amador Water Tank. The Amador Tank provides emergency water storage for both the Elk Valley Rancheria and the surrounding community of Crescent City (the "City"). Crescent City and the Elk Valley Rancheria ("reservation") are located in a remote, economically distressed region of the Northwest California coastline. The Tribe is reliant on the City to provide drinking water to the reservation and to tribal members living in Crescent City. Completion of this vital project will complete vital roof structural repairs and required safety improvements.

If funded, the City will work collaboratively with the Tribe to complete this project under the guidance of a Memorandum of Agreement. The City will provide design, environmental review, contract administration and construction management throughout the project.

In this remote region, it is understood that partnerships and collaboration are key to solving problems and locating solutions. In 2015, the City and the Tribe successfully partnered on a project to rehabilitate the Crescent City Fire Hall and purchase a new Type 1 Fire Engine. Funded by a Department of Housing Indian Community Development Block Grant, this project served to address an important deficiency in local emergency response capabilities.

Here again, the City and the Tribe are working together to locate resources to address a major water system deficiency that, if funded, will better serve the needs of the Tribe and the entire community. The City wholeheartedly supports this application and appreciates the unique partnership that exists between a local government and a federally recognized Tribal government.

If you have any questions, please do not hesitate to contact me, at 707-464-7483.

7D

Eric Wier
City Manager
City of Crescent City, California

Elk Valley)
Rancheria
California



2332 Howland Hill Road
Crescent City, CA 95531

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**RESOLUTION OF THE ELK VALLEY RANCHERIA, CALIFORNIA
CRESCENT CITY, CALIFORNIA**

RESOLUTION NO: 2019-25

DATE APPROVED: December 19, 2019

**SUBJECT: AUTHORIZATION FOR SUBMISSION OF PROPOSAL FOR NATIVE
AMERICAN AFFAIRS: TECHNICAL ASSISTANCE TO TRIBES FOR
FISCAL YEAR 2020**

WHEREAS: The Elk Valley Rancheria did on November 23, 1994, adopt its Tribal Constitution and Bylaws which was approved by the Commissioner of Indian Affairs on December 27, 1994, and, by tribal law, the sovereign authority of the Tribe over the matter described herein is delegated to the Tribal Council, acting by law;

WHEREAS: Article IV, Section 1 of the Constitution identifies the Tribal Council as the governing body of the Tribe;

WHEREAS: Article V, Section 1 of the Constitution authorizes the Tribal Council to expend funds and to take all actions to protect and promote the interests of the Tribe;

WHEREAS: The Tribe recognizes that a reliable water system must be in place in order to effectively provide for the health and safety requirements of its' members;

WHEREAS: The Tribe understands that it is reliant on the City of Crescent City (the "City") to provide drinking water to the Elk Valley Rancheria ("Reservation") through the City's community water system;

WHEREAS: The Tribe understands that the City has recognized deficiencies in the water system through completion of a Water Improvement Project Preliminary Engineering Report ("PER");

WHEREAS: The Tribe and the City have a proven track record of joining efforts and combining resources to address problems that affect the entire community;



WHEREAS: The Tribe therefore seeks funding from the Bureau of Reclamation to correct deficiencies outlined in the PER that will serve to ensure a safe, reliable drinking water system for Tribal members;

WHEREAS: The Tribe will provide an in-kind contribution of \$3,500 as specified in the funding plan;

WHEREAS: The Tribe will work with the Bureau of Reclamation to meet established deadlines for entering into a grant or cooperative agreement;

NOW, THEREFORE, BE IT RESOLVED: The Tribal Council hereby approves the submission of a proposal for Native American Affairs: Technical Assistance to Tribes for Fiscal Year 2020; and

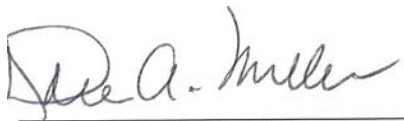
BE IT FURTHER RESOLVED that the Tribal Council does hereby authorize the Chairperson of the Elk Valley Rancheria , California, or, in the Chairperson's absence, the Vice-Chairperson, to execute and deliver all other documents that are necessary to implement the intent and purpose of this Resolution.

CERTIFICATION

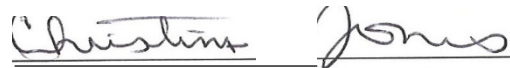
I, the undersigned, as Chairman of the Elk Valley Rancheria Tribal Council do hereby certify that the Tribal Council, composed of nine (9) members, participated in a phone poll conducted this 19th day of December, 2019, and that this Resolution was duly adopted by a vote of 6 for and 0 against, and that said Resolution has not been rescinded or amended in any way since its adoption.

Dated this 19th day of December, 2019.

ATTESTED:



By: Dale A. Miller
Its: Tribal Council Chairman



By: Christina Jones
Its: Tribal Council Secretary



**Indian Organizations
Indirect Cost Negotiation Agreement**

EIN: 68-0074968

Organization:

Elk Valley Rancheria
2332 Howland Hill Road
Crescent City, CA 95531-9238

Date: July 9, 2019

Report No(s) .: 19-A-0918(19C)

Filing Ref.:

Last Negotiation Agreement
dated April 16, 2018

The indirect cost rate contained herein is for use on grants, contracts, and other agreements with the Federal Government to which Public Law 93-638 and 2 CFR Part 200 apply for fiscal years beginning on or after December 26, 2014 subject to the limitations contained in 25 CFR 900 and Section II.A. of this agreement. Applicable OMB Circulars and the regulations at 2 CFR 225 will continue to apply to federal funds awarded prior to December 26, 2014. The rate was negotiated by the U.S. Department of the Interior, Interior Business Center, and the subject organization in accordance with the authority contained in applicable regulations.

Section I: Rate

Type	Effective Period		Rate*	Locations	Applicable To
	From	To			
Fixed Carryforward	10/01/18	09/30/19	41.56%	All	All Programs

***Base:** Total direct costs, less capital expenditures and passthrough funds. Passthrough funds are normally defined as payments to participants, stipends to eligible recipients, or subawards, all of which normally require minimal administrative effort.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

Section II: General

Page 1 of 3

A. Limitations: Use of the rate(s) contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rate(s) agreed to herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposal, (2) all such costs are the legal obligations of the grantee/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (for example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation.

C. Changes: The rate(s) contained in this agreement are based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in organizational structure, or changes in the method of accounting for costs that affect the amount of reimbursement resulting from use of the rate(s) in this agreement, require the prior approval of the cognizant agency. Failure to obtain such approval may result in subsequent audit disallowance.

D. Rate Type:

1. Fixed Carryforward Rate: The fixed carryforward rate is based on an estimate of costs that will be incurred during the period for which the rate applies. When the actual costs for such period have been determined, an adjustment will be made to the rate for a future period, if necessary, to compensate for the difference between the costs used to establish the fixed rate and the actual costs.

2. Provisional/Final Rate: Within six (6) months after year end, a final indirect cost rate proposal must be submitted based on actual costs. Billings and charges to contracts and grants must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the organization may not recover all indirect costs. Conversely if the final rate is less than the provisional rate, the organization will be required to pay back the difference to the funding agency.

3. Predetermined Rate: A predetermined rate is an indirect cost rate applicable to a specified current or future period, usually the organization's fiscal year. The rate is based on an estimate of the costs to be incurred during the period. A predetermined rate is not subject to adjustment. (Because of legal constraints, predetermined rates are not permitted for Federal contracts they may, however, be used for grants or cooperative agreements.)

E. Rate Extension: Only final and predetermined rates may be eligible for consideration of rate extensions. Requests for rate extensions of a current rate will be reviewed on a case-by-case basis. If an extension is granted, the non-Federal entity may not request a rate review until the extension period ends. In the last year of a rate extension period, the non-Federal entity must submit a new rate proposal for the next fiscal period.

F. Agency Notification: Copies of this document may be provided to other federal offices as a means of notifying them of the agreement contained herein.

G. Record Keeping: Organizations must maintain accounting records that demonstrate that each type of cost has been treated consistently either as a direct cost or an indirect cost. Records pertaining to the costs of program administration, such as salaries, travel, and related costs, should be kept on an annual basis.

H. Reimbursement Ceilings : Grantee/contractor program agreements providing for ceilings on indirect cost rates or reimbursement amounts are subject to the ceilings stipulated in the contract or grant agreements. If the ceiling rate is higher than the negotiated rate in Section I of this agreement, the negotiated rate will be used to determine the maximum allowable indirect cost.

