

**FEDERAL FINANCIAL ASSISTANCE  
AWARD OF DOMESTIC GRANT 11-DG-11021300-009  
Between The  
ARCHULETA COUNTY  
And The  
USDA, FOREST SERVICE  
SAN JUAN NATIONAL FOREST**

Project Title: Piedra Road Engineering Design

Upon execution of this document, an award to Archuleta County, hereinafter referred to as "Archuleta County," in the amount of \$166,488.00, is made under Secure Rural Schools and Community Self-determination Act of 2000, Public Law 106-393, 16 U.S.C 500 as reauthorized and amended by the Emergency Economic Stabilization Act of 2008, Energy Improvement and Extension Act of 2008, and Tax Extenders and Alternative Minimum Tax Relief Act of 2008, Section 601(a) in division C of Public Law 110-343. Archuleta County accepts this award for the purpose described in the application narrative. Your application for Federal financial assistance, dated 11/29/2010, and the attached U.S. Forest Service provisions, 'U.S. Forest Service Award Provisions,' are incorporated into this letter and made a part of this award.

This is an award of Federal financial assistance and is subject to the Office of Management and Budget (OMB) Circulars OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments, as implemented by USDA regulations 7 CFR 3016 "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 7 CFR 3015, OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Government, and OMB Circular A-133 as implemented by USDA regulation 7 CFR 3052. All Federal and Recipient matching/cost-share contributions are subject to all relevant OMB Circulars.

The OMB Circulars are available on the internet at [http://www.whitehouse.gov/omb/grants\\_default/](http://www.whitehouse.gov/omb/grants_default/). Electronic copies of the CFRs can be obtained at the following internet site: <http://www.gpoaccess.gov/cfr/index.html>. If you are unable to retrieve these regulations electronically, please contact your Grants and Agreements Office at (970) 385-1259.

**Effective October 1, 2010, recipients are required to report information on subaward and executive total compensation, as required by the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282), as amended by section 6202 of Public Law 110-252, hereinafter referred to as "the Transparency Act." See the award terms in Attachment B: 2 CFR Part 170.**

The following administrative provisions apply to this award:

- A. **LEGAL AUTHORITY.** Archuleta County shall have the legal authority to enter into this agreement, and the institutional, managerial, and financial capability to ensure



proper planning, management, and completion of the project, which includes funds sufficient to pay the nonfederal share of project costs, when applicable.

- B. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this instrument.

**Principal Cooperator Contacts:**

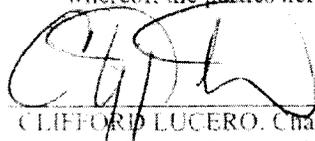
<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Name: Kenneth Feyen, PE Public Works Director Address: P.O. Box 1507 City, State, Zip: Pagosa Springs, CO 81147 Telephone: (970) 264-5660, ext. 238 FAX: (970) 264-6815 Email: kfeyen@archuletacounty.org	Name: Address: City, State, Zip: Telephone: FAX: Email:

**Principal U.S. Forest Service Contacts:**

<b>U.S. Forest Service Program Manager Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
Name: Pete Merkel Roads Manager Address: 15 Burnett Court City, State, Zip: Durango, CO 81301 Telephone: (970) 385-1323 FAX: (970) 385-1243 Email: pmerkel@fs.fed.us	Name: Beth Redmond Grants and Agreements Specialist Address: 15 Burnett Court City, State, Zip: Durango, CO 81301 Telephone: (970) 385-1259 FAX: (970) 385-1243 Email: bredmond@fs.fed.us

- C. AVAILABILITY OF FUNDS. U.S. Forest Service funds in the amount of \$166,488.00 are currently available for performance of this instrument through 9/30/2011. The U.S. Forest Service's obligation for performance of this instrument beyond this date is contingent upon the availability of appropriated funds from which payment can be made. No legal liability on the part of the U.S. Forest Service for any payment may arise for performance under this instrument beyond 9/30/2011 until funds are made available to the U.S. Forest Service for performance and until Archuleta County receive(s) notice of availability to be confirmed in a written modification by the U.S. Forest Service.
- D. REIMBURSABLE PAYMENTS – FINANCIAL ASSISTANCE. See provision I. in the attachment, 'U.S. Forest Service Award Provisions.'
- E. PRE-AWARD COSTS FOR STATE, LOCAL, AND INDIAN TRIBAL GOVERNMENTS Pursuant to OMB Circular A-87, Attachment B, No. 31, pre-award costs incurred as of 8/17/2010, are hereby authorized under this instrument.

- F PROGRAMMATIC CHANGES. Archuleta County shall obtain prior approval for any change to the scope of objectives of the approved project, key personnel, or transfer of substantive programmatic work to another party.
- G MODIFICATIONS. Modifications within the scope of this award shall be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change. The U.S. Forest Service is not obligated to fund any changes not properly approved in advance.
- H COMMENCEMENT/EXPIRATION DATE. This award is executed as of the date of the last signature and is effective through 9/30/2011 at which time it will expire, unless extended by an executed modification, signed and dated by all properly authorized, signatory officials.
- I AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this award. In witness whereof, the parties hereto have executed this award as of the last date written below.

  
 CLIFFORD LUCERO, Chairman  
 Board of County Commissioners  
 Archuleta County

12-20-2010  
 Date

  
 MARK W. STILES, Forest Supervisor  
 U.S. Forest Service, San Juan National Forest

12-28-2010  
 Date

The authority and format of this instrument have been reviewed and approved for

  
 MONICA H. CORDOVA  
 U.S. Forest Service  
 Grants & Agreements Specialist

12/15/10  
 Date



**ATTACHMENT A: U.S. FOREST SERVICE AWARD PROVISIONS**

- A. NON-LIABILITY. The U.S. Forest Service does not assume liability for any third party claims for damages arising out of this award.
- B. NOTICES. Any notice given by the U.S. Forest Service or Archuleta County will be sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the U.S. Forest Service Program Manager, at the address specified in the grant.

To Archuleta County, at Archuleta County's address shown in the grant or such other address designated within the grant.

Notices will be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- C. SUBRECIPIENT NOTIFICATION Archuleta County shall notify subrecipients under this award that they are subject to the terms and conditions herein, except with respect to the recipient's OMB Uniform Administrative Requirements and Cost Principles. In the case of subrecipient Uniform Administrative Requirements and Cost Principles, subrecipients must be notified that they are subject to the following:

SUBRECIPIENT TYPE	APPLICABLE ADMINISTRATIVE REQUIREMENTS AND COST PRINCIPLES	
	Administrative Requirements	Cost Principles
Non-profits	2 CFR 215	A-122
Local and Tribal governments (when recipient is a State)	State & Federal laws, regulations	A-87
Local and Tribal governments (when recipient is a non-State)	A-102	A-87
State agencies	State & Federal laws, regulations	A-87
Universities	2 CFR 215	A-21
Profit-makers	2 CFR 215	FAR 31.2

D. MEMBERS OF U.S. CONGRESS. Pursuant to 41 U.S.C. 22, no United States member of, or United States delegate to, Congress shall be admitted to any share or part of this award, or benefits that may arise therefrom, either directly or indirectly.

E. TRAFFICKING IN PERSONS.

1. Provisions applicable to a Recipient that is a private entity.

a. You as the Recipient, your employees, subrecipients under this award, and subrecipients' employees may not—

- (1) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
- (2) Procure a commercial sex act during the period of time that the award is in effect; or
- (3) Use forced labor in the performance of the award or subawards under the award.

b. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —

- (1) Is determined to have violated a prohibition in paragraph a.1 of this award term; or
- (2) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—
  - i. Associated with performance under this award; or
  - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 7 CFR 3017.

2. Provision applicable to a Recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

- a. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
- b. Has an employee who is determined by the agency official authorized to



terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—

- (1) Associated with performance under this award; or
- (2) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 7 CFR 3017.

3. Provisions applicable to any recipient.

- a. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
- b. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
  - (1) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
  - (2) Is in addition to all other remedies for noncompliance that are available to us under this award.
- c. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

4. Definitions. For purposes of this award term:

- a. “Employee” means either:
  - (1) An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
  - (2) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
- b. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subsection to involuntary servitude, peonage, debt bondage, or slavery.
- c. “Private entity”:

(1) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

(2) Includes:

- i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
  - ii. A for-profit organization.
- d. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

F. DRUG-FREE WORKPLACE.

1. Archuleta County agree(s) that it will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of any project/program that receives federal funding. The statement must
  - a. Tell the employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;
  - b. Specify the actions Archuleta County will take against employees for violating that prohibition; and
  - c. Let each employee know that, as a condition of employment under any instrument, he or she
    - (1) Must abide by the terms of the statement, and
    - (2) Must notify you in writing if he or she is convicted for a violation of a criminal drug statute occurring in the workplace, and must do so no more than five calendar days after the conviction.
2. Archuleta County agree(s) that it will establish an ongoing drug-free awareness program to inform employees about
  - a. The dangers of drug abuse in the workplace;
  - b. Your policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation and employee assistance programs; and

- d. The penalties that you may impose upon them for drug abuse violations occurring in the workplace.
3. Without the U.S. Forest Service's expressed written approval, the policy statement and program must be in place as soon as possible, no later than the 30 days after the effective date of this instrument, or the completion date of this instrument, whichever occurs first.
  4. Archuleta County agree(s) to immediately notify the U.S. Forest Service if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee's position title, the agreement number of each instrument on which the employee worked. The notification must be sent to the U.S. Forest Service within ten calendar days after Archuleta County learn(s) of the conviction.
  5. Within 30 calendar days of learning about an employee's conviction, Archuleta County must either
    - a. Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 USC 794), as amended, or
    - b. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.
- G. ELIGIBLE WORKERS. Archuleta County shall ensure that all employees complete the I-9 form to certify that they are eligible for lawful employment under the Immigration and Nationality Act (8 USC 1324a). Archuleta County shall comply with regulations regarding certification and retention of the completed forms. These requirements also apply to any contract or supplemental instruments awarded under this award.
- H. FINANCIAL STATUS REPORTING. A Federal Financial Report, form SF-425 (and Federal Financial Report Attachment SF-425A, if required for reporting multiple grants), must be submitted annually. The final SF-425 (and SF-425A, if applicable) must be submitted either with the final payment request or no later than 90 days from the expiration date of the instrument. These forms may be found at [www.whitehouse.gov/omb/grants\\_forms](http://www.whitehouse.gov/omb/grants_forms).
- I. REIMBURSABLE PAYMENTS – FINANCIAL ASSISTANCE. Reimbursable payments are approved under this award. Only costs for those project activities approved in (1) the initial award, or (2) modifications thereto, are allowable. Requests for payment shall be submitted on Standard Form (SF) 270, and shall be submitted no more than monthly. In order to approve a Request for Advance Payment or

Reimbursement, the U.S. Forest Service shall review such requests to ensure advances or payments for reimbursement are in compliance and otherwise consistent with OMB, USDA, and U.S. Forest Service regulations. Advance payments shall not exceed the minimum amount needed or no more than is needed for a 30-day period, whichever is less. If Archuleta County receive(s) an advance payment and subsequently requests an advance or reimbursement payment, then the request must clearly demonstrate that the previously advanced funds have been fully expended before the U.S. Forest Service can approve the request for payment. Any funds advanced, but not spent, upon expiration of this award shall be returned to the U.S. Forest Service.

The invoice must be sent by one of three methods (email is preferred):

EMAIL: asc\_ga@fs.fed.us

FAX: 877-687-4894

POSTAL: Albuquerque Service Center  
Payments – Grants & Agreements  
101B Sun Ave NE  
Albuquerque, NM 87109

Send a copy to: Pete Merkel, Roads Manager  
San Juan National Forest  
15 Burnett Court  
Durango, CO 81301

- J. AWARD CLOSEOUT. Archuleta County shall close out the grant within 90 days after expiration or notice of termination.

Any unobligated balance of cash advanced to Archuleta County shall be immediately refunded to the U.S. Forest Service, including any interest earned in accordance with 7 CFR 3016.21, 7 CFR 3019.22, or other relevant law or regulation.

Within a maximum of 90 days following the date of expiration or termination of this grant, all financial performance and related reports required by the terms of the award shall be submitted to the U.S. Forest Service by Archuleta County.

If this award is closed out without audit, the U.S. Forest Service reserves the right to disallow and recover an appropriate amount after fully considering any recommended disallowances resulting from an audit which may be conducted later.

- K. PROGRAM PERFORMANCE REPORTS. Archuleta County shall monitor the performance of the grant activities to ensure that performance goals are being achieved.

Performance reports shall contain information on the following:

- A comparison of actual accomplishments to the goals established for the period. Where the output of the project can be readily expressed in numbers, a computation of the cost per unit of output may be required if that information is useful.
- Reason(s) for delay if established goals were not met.
- Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

Archuleta County shall submit semi-annual performance reports. These reports are due 30 days after the reporting period. The final performance report shall be submitted either with Archuleta County's final payment request, or separately, but not later than 90 days from the expiration date of the grant.

- L. NOTIFICATION. Archuleta County shall immediately notify the U.S. Forest Service of developments that have a significant impact on the activities supported under this grant. Also, notification shall be given in case of problems, delays or adverse conditions that materially impair the ability to meet the objectives of the agreement. This notification shall include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.
- M. CHANGES IN KEY POSITIONS AND PERSONNEL. Any revision to key positions and personnel identified in the application for this award require prior, written approval from the U.S. Forest Service. All technical positions are considered Key Personnel by the U.S. Forest Service. Failure on the part of Archuleta County to obtain prior, written approval when required may result in the disallowance of costs.
- N. FREEDOM OF INFORMATION ACT (FOIA). Public access to grant or agreement records shall not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to "Freedom of Information" regulations (5 U.S.C. 552).
- O. TERMINATION BY MUTUAL AGREEMENT. This award may be terminated, in whole or part, as follows:
  - When the U.S. Forest Service and Archuleta County agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated.
  - By 30 days written notification by Archuleta County to the U.S. Forest Service setting forth the reasons for termination, effective date, and in the case of partial termination, the portion to be terminated.

If, in the case of a partial termination, the U.S. Forest Service determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the U.S. Forest Service may terminate the award in its entirety.

Upon termination of an award, Archuleta County shall not incur any new obligations for the terminated portion of the award after the effective date, and shall cancel as many outstanding obligations as possible. The U.S. Forest Service shall allow full credit to Archuleta County for the United States Federal share of the non-cancelable obligations properly incurred by Archuleta County up to the effective date of the termination. Excess funds shall be refunded within 60 days after the effective date of termination.

P. DISPUTES.

1. Any dispute under this award shall be decided by the Signatory Official. The Signatory Official shall furnish Archuleta County a written copy of the decision.
2. Decisions of the Signatory Official shall be final unless, within 30 days of receipt of the decision of the Signatory Official, Archuleta County appeal(s) the decision to the U.S. Forest Service's Director, Acquisition Management (AQM). Any appeal made under this provision shall be in writing and addressed to the Director, AQM, USDA, Forest Service, Washington, DC 20024. A copy of the appeal shall be concurrently furnished to the Signatory Official.
3. In order to facilitate review on the record by the Director, AQM, Archuleta County shall be given an opportunity to submit written evidence in support of its appeal. No hearing will be provided.

- Q. DEBARMENT AND SUSPENSION. Archuleta County shall immediately inform the U.S. Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should Archuleta County or any of their principals receive a transmittal letter or other official federal notice of debarment or suspension, then they shall notify the U.S. Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.

R. CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER REQUIREMENTS.

*1. Requirement for Central Contractor Registration (CCR)*

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

*2. Requirement for Data Universal Numbering System (DUNS) Numbers*

If you are authorized to make subawards under this award, you:

- a. Must notify potential subrecipients that no entity (*see* definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
- b. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

### 3. Definitions

For purposes of this award term:

- a. *Central Contractor Registration (CCR)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).
- b. *Data Universal Numbering System (DUNS) number* means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
- c. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
  - i. A Governmental organization, which is a State, local government, or Indian Tribe;
  - ii. A foreign public entity;
  - iii. A domestic or foreign nonprofit organization;
  - iv. A domestic or foreign for-profit organization; and
  - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

### 4. Subaward:

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, *see* Sec. II.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
- iii. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

### 5. Subrecipient means an entity that:

- a. Receives a subaward from you under this award; and
- b. Is accountable to you for the use of the Federal funds provided by the subaward.

[END OF PROVISION]

## ATTACHMENT B: 2 CFR PART 170

### Appendix A to Part 170—Award Term

#### I. Reporting Subawards and Executive Compensation.

##### a. Reporting of first-tier subawards.

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).
2. *Where and when to report.*
  - i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
  - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

##### b. Reporting Total Compensation of Recipient Executives.

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
  - i. the total Federal funding authorized to date under this award is \$25,000 or more;
  - ii. in the preceding fiscal year, you received—
    - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
    - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
  - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execom.htm>.)
2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:
  - i. As part of your registration profile at <http://www.ccr.gov>.
  - ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. *Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—
  - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
  - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

- i. To the recipient.
- ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. *Exemptions* If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- 1. Subawards, and
- 2. The total compensation of the five most highly compensated executives of any subrecipient.

e. *Definitions.* For purposes of this award term:

- 1. *Entity* means all of the following, as defined in 2 CFR part 25:
  - i. A Governmental organization, which is a State, local government, or Indian tribe;
  - ii. A foreign public entity;
  - iii. A domestic or foreign nonprofit organization;
  - iv. A domestic or foreign for-profit organization;
  - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- 2. *Executive* means officers, managing partners, or any other employees in management positions.
- 3. *Subaward*:

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. II .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
  - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. *Subrecipient* means an entity that:
- i. Receives a subaward from you (the recipient) under this award; and
  - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
- i. *Salary and bonus.*
  - ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  - iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
  - v. *Above-market earnings on deferred compensation which is not tax-qualified.* vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

END OF ATTACHMENTB: 2 CFR PART 170

## PIEDRA ROAD RESURFACING

We propose to reconstruct the Piedra Road - AKA Archuleta County Road 600, AKA National Forest Service Road 631, AKA Forest Highway 61- located in Archuleta County to a Federal Highway Administration standard. The total proposed project length is 6.2 miles.

This Forest Highway provides access for rural Hinsdale and Archuleta County residents to Pagosa Springs, the only full service community in the area and has been in existence since the late nineteenth century. The Piedra Road currently has the highest traffic volumes of any road on the San Juan National Forest. Piedra Road is under a Schedule A agreement with both Archuleta and Hinsdale Counties. The character of this road is increasingly residential in nature and increased commercial activity has coincided with the increase in residential use. There is considerable year-round recreation traffic associated with public lands on the Piedra Road, as it accesses approximately 60% or 348,000 acres of the Pagosa Ranger District. Reconstruction of this road would be beneficial to all the users of this road.

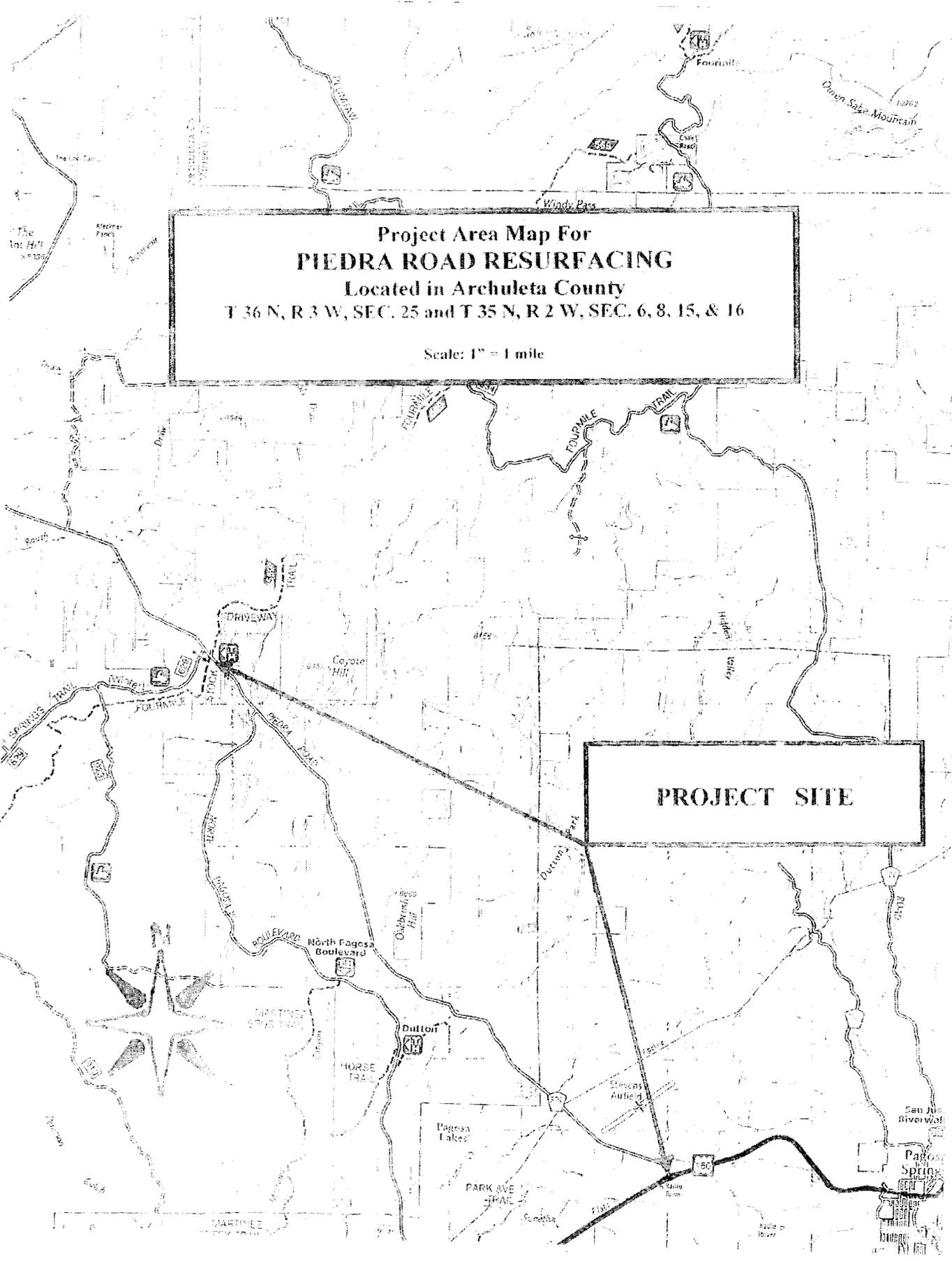
The Piedra Road is in dire need of safety improvements and a smooth, asphalt surface. It is our hope that you will give thoughtful consideration and strong support to this project. Allocation of \$2.5 million per year over the next five to ten years would ensure the traveling public and the residents of Archuleta and Hinsdale Counties a safe and reliable roadway. If you have any questions regarding this proposal please contact Archuleta County Public Works Director Ken Feyen at (970) 264-5660 or San Juan National Public Lands/Forest Engineer Ben Martinez at (970) 385-1202.

Archuleta County will retain the services of a professional engineering consultant to prepare a Design Concept Report (DCR) for the resurfacing of Piedra Road. The firm will be experienced with local, state, and federal requirements for the resurfacing of a County and Forest Service roadway. Critical elements being studied with the DCR include easements and Right-of-Way, drainage, sub grade soils, and the horizontal and vertical alignment.

As part of the consultants scope of work will be the requirement to meet with County representatives on a bi-weekly basis to report on the progress of the project. On a monthly basis the consultant will submit a written report documenting the previous month's progress, activities for the following month, and describing any potential problems along with there recommended solutions. The monthly progress report will be compared to the consultant's monthly progress billing to ensure accurate payment for tasks completed.

Archuleta County will designate Kenneth J. Feyen, PE, our Public Works Director, as the individual to oversee and monitor the project. Mr. Feyen has over thirty-five years of experience in the design and construction of roadways with local, state, and federal funds. He has also been involved in the maintenance and improvement of a number of Forest Service roads working closely with San Juan National Forest Services representatives.

SCHEDULE: The project commenced in August 2010 and will be complete in January 2011.



Application for Federal Assistance SF-424		Version 02
<b>*1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		<b>*2. Type of Application</b> * If Revision, select appropriate letter(s) <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision  *Other (Specify) _____
3. Date Received: * <u>December 1, 2010</u> OR <u>N/A</u>		4. Applicant Identifier:
5a. Federal Entity Identifier: N/A		*5b. Federal Award Identifier: N/A
<b>State Use Only:</b>		
6. Date Received by State:		7. State Application Identifier:
<b>8. APPLICANT INFORMATION:</b>		
*a. Legal Name: ARCHULETA COUNTY		
*b. Employer/Taxpayer Identification Number (EIN/TIN): 84-6000743		*c. Organizational DUNS: 01-483-4717
<b>d. Address:</b>		
*Street 1: <u>P.O. BOX 1507</u>		
Street 2: _____		
*City: <u>PAGOSA SPRINGS</u>		
County: _____		
*State: <u>COLORADO</u>		
Province: _____		
*Country: <u>USA</u>		
*Zip / Postal Code: <u>81147</u>		
<b>e. Organizational Unit:</b>		
Department Name: PUBLIC WORKS		Division Name: ROAD & BRIDGE
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
Prefix: _____		*First Name: <u>KENNETH</u>
Middle Name: _____		
*Last Name: <u>FEYEN</u>		
Suffix: _____		
Title: <u>PUBLIC WORKS DIRECTOR</u>		
Organizational Affiliation:		
*Telephone Number: 970-264-5660		Fax Number: 970-264-6815
*Email: <u>kfeyen@archuletacounty.org</u>		

<b>Application for Federal Assistance SF-424</b>	Version 02
<b>*9. Type of Applicant 1: Select Applicant Type:</b> B. County Government  Type of Applicant 2: Select Applicant Type:  Type of Applicant 3: Select Applicant Type:  *Other (Specify)	
<b>*10 Name of Federal Agency:</b> U. S. FOREST SERVICE	
<b>11. Catalog of Federal Domestic Assistance Number:</b> <u>10.665</u>  CFDA Title: <u>SECURE RURAL SCHOOLS - TITLE II</u>	
<b>*12 Funding Opportunity Number:</b> <u>N/A</u>  *Title: <u>N/A</u>	
<b>13. Competition Identification Number:</b> <u>N/A</u>  Title: <u></u>	
<b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b> TOWN OF PAGOSA SPRINGS, ARCHULETA COUNTY AND HINSDALE COUNTY	
<b>*15. Descriptive Title of Applicant's Project:</b> DESIGN CONCEPT REPORT FOR THE RESURFACING OF PIEDRA ROAD ( CR 600, FS 631)	

<b>Application for Federal Assistance SF-424</b>		Version 02
<b>16. Congressional Districts Of:</b>		
*a. Applicant: CO-003	*b. Program/Project:	
<b>17. Proposed Project:</b>		
*a. Start Date: AUGUST 2010	*b. End Date: JANUARY 2011	
<b>18. Estimated Funding (\$):</b>		
*a. Federal	166,488.00	
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	
*g. TOTAL	166,488.00	
<b>*19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>		
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on _____ <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review. <input checked="" type="checkbox"/> c. Program is not covered by E. O. 12372		
<b>*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)</b>		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)  <input checked="" type="checkbox"/> ** I AGREE  ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions		
<b>Authorized Representative:</b>		
Prefix: _____	*First Name: <u>CLIFFORD</u>	
Middle Name: _____		
*Last Name: <u>LUCERO</u>		
Suffix: _____		
*Title: CHAIRMAN, BOARD OF COUNTY COMMISSIONERS		
*Telephone Number: 970-264-8303	Fax Number: 970-264-8306	
* Email: clucero@archuletacounty.org		
*Signature of Authorized Representative: 	*Date Signed: <u>11-29-10</u>	

**Application for Federal Assistance SF-424**

Version 02

**\*Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

**BUDGET INFORMATION - Non-Construction Programs**

OMB Approval No. 0348-0044

<b>SECTION A - BUDGET SUMMARY</b>						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. Secure Schools Proj.	10.665	\$	\$	\$ 166,488.00	\$	\$ 166,488.00
2.						0.00
3.						0.00
4.						0.00
5. Totals		\$	0.00 \$	\$ 166,488.00	\$ 0.00	\$ 166,488.00
<b>SECTION B - BUDGET CATEGORIES</b>						
GRANT PROGRAM, FUNCTION OR ACTIVITY						
		(1)	(2)	(3)	(4)	Total (5)
a. Personnel		\$	\$	\$	\$	0.00
b. Fringe Benefits						0.00
c. Travel						0.00
d. Equipment						0.00
e. Supplies						0.00
f. Contractual		166,488.00				166,488.00
g. Construction						0.00
h. Other						0.00
i. Total Direct Charges (sum of 6a-6h)		166,488.00	0.00	0.00	0.00	166,488.00
j. Indirect Charges						0.00
k. TOTALS (sum of 6i-6j)		\$ 166,488.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 166,488.00
7. Program Income		\$	0.00 \$	\$	\$	0.00

Standard Form 424A (Rev. 7-97)  
Prescribed by OMB Circular A-102

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SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8.	\$	\$	\$	\$	0.00
9.					0.00
10.					0.00
11.					0.00
12. TOTAL (sum of lines 8-11)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00
SECTION D - FORECASTED CASH NEEDS					
Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
13. Federal	\$ 166,488.00	\$ 166,488.00	\$	\$	
14. Non-Federal					
15. TOTAL (sum of lines 13 and 14)	\$ 166,488.00	\$ 166,488.00	\$ 0.00	\$ 0.00	0.00
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
FUTURE FUNDING PERIODS (Years)					
(a) Grant Program	(b) First	(c) Second	(d) Third	(e) Fourth	
16.	\$	\$	\$	\$	
17.					
18.					
19.					
20. TOTAL (sum of lines 16-19)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges:					
22. Indirect Charges:					
23. Remarks:					

**ASSURANCES - NON-CONSTRUCTION PROGRAMS**

*Public reporting burden for this collection of information is estimated to average 15 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 (0348-0040), 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.**

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

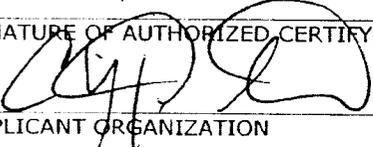
1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These

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Prescribed by OMB circular A-102

requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §§276c and 18 U.S.C. §§874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 19988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (ClearAir) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §7401 et seq.); (g) protection of under-ground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit institutions.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED, CERTIFYING OFFICIAL 	TITLE <i>CHAIRMAN,</i> <i>BOARD OF COUNTY COMMISSIONERS</i>
APPLICANT ORGANIZATION <i>ARIZONA COUNTY</i>	DATE SUBMITTED <i>11-29-10</i>

U.S. DEPARTMENT OF AGRICULTURE

Certification Regarding Debarment, Suspension, and Other  
Responsibility Matters - Primary Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989 Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

**(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)**

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Behannon Huston Inc Organization Name PR/Award Number or Project Name

Howard C. Stone, COO Name(s) and Title(s) of Authorized Representative(s)

Howard C. Stone Signature(s) 11/24/10 Date

U.S. DEPARTMENT OF AGRICULTURE

**Certification Regarding Debarment, Suspension, Ineligibility  
and Voluntary Exclusion - Lower Tier Covered Transactions**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

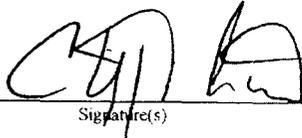
**(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ARCHULETA COUNTY  
Organization Name

SECURE RURAL SCHOOLS  
PR/Award Number or Project Name

CLIFFORD LUCERO - CHAIRMAN, BOARD OF COUNTY COMMISSIONERS  
Name(s) and Title(s) of Authorized Representative(s)

  
Signature(s)

Date

## U.S. DEPARTMENT OF AGRICULTURE

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### CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS (GRANTS) ALTERNATIVE I - FOR GRANTEEES OTHER THAN INDIVIDUALS

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This certification is required by the regulations implementing Section 5151-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D: 41 U.S.C. 701 et seq.), 7 CFR Part 3017. Subpart F, Section 3017.600, Purpose. The January 13, 1989, regulations were amended and published as Part II of the May 25, 1990 Federal Register (pages 21681-21691). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the grant.

**(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON PAGE 3)**

#### Alternative I

- A. The grantee certifies that it will or will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - (b) Establishing an ongoing drug-free awareness program to inform employees about -
    - (1) The dangers of drug abuse in the workplace;
    - (2) The grantee's policy of maintaining a drug-free workplace;
    - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
    - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
    - (1) Abide by the terms of the statement; and
    - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position

title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted -

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or, local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, State, zip code)

449 SAN JUAN ST.

PAGOSA SPRINGS - ARCHULETA COUNTY

COLORADO 81147

Check  If there are workplaces on file that are not identified here.

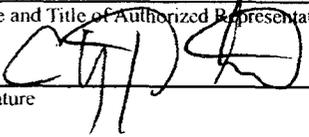
ARCHULETA COUNTY  
Organization Name

SECURE RURAL SCHOOLS  
Award Number or Project Name

CLIFFORD LUCERO - CHAIRMAN, BOARD OF COUNTY COMMISSIONERS  
Name and Title of Authorized Representative

Signature

Date



11-29-10

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## Certification Regarding Lobbying

*(Submit this form attached to your SF-424 proposal)*

### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan or cooperative Agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

ARCAULETA COUNTY

Organization Name

SECURE RURAL SCHOOLS

Project Name & CFDA Number

CLIFFORD LUCERO - CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

Name and Title of Authorized Representative



Signature

11-29-10

Date

**2008 - 2011 SECURE RURAL SCHOOLS  
PUBLIC LAW 110-343  
TITLE II PROJECT SUBMISSION FORM  
USDA FOREST SERVICE**

**San Juan National Forest Resource Advisory Committee**

**Project Number** (Assigned by Designated Federal Official):  
**Funding Fiscal Year(s): 2008-2009**

<b>2. Project Name:</b> Piedra Road Resurfacing	<b>3a. State:</b> Colorado <b>3b. County(s):</b> Archuleta
<b>4. Project Submitted By:</b> Archuleta County	<b>5. Date:</b> 9/29/2010
<b>6. Contact Phone Number:</b> 970-264-5660 ext 238	<b>7. Contact E-mail:</b> kfeyen@archuletycounty.org

<b>8. Project Location:</b>	
a. National Forest(s): San Juan	b. Forest Service District: Pagosa
c. Location (Township-Range-Section) T 36 N, R 3 W, SEC. 25 and T 35 N, R 2 W, SEC. 6, 8, 15, & 16	

<b>9. Project Goals and Objectives:</b> Prepare a Design Concept Report (DCR) and Preliminary Design. This project will enable us to proceed to final design and construction by defining the project details and a refined construction cost estimate.
---

<b>10. Project Description:</b>
a. Brief: Constructing safety and drainage improvements along with resurfacing 6.1 miles of Piedra Road (CR 600) from Hwy. 160 to Forest Service Rd. 631.
b. Detailed: The DCR will identify site and stopping distance remediation, drainage improvements, and the pavement rehabilitation materials to be used along with an estimated cost to construct.

<b>11. Types of Lands Involved?</b>
State/Private/Other lands involved? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Land Status:</b> Existing Right-of-Way
If Yes, specify: Archuleta County Right-of-Way

<b>12. How does the proposed project meet purposes of the Legislation?</b> (Check at least 1)
<input checked="" type="checkbox"/> Improves maintenance of existing infrastructure.
<input type="checkbox"/> Implements stewardship objectives that enhance forest ecosystems.
<input type="checkbox"/> Restores and improves land health.
<input type="checkbox"/> Restores water quality

**13. Project Type**

a. Check all that apply: (check at least 1)

<input checked="" type="checkbox"/> Road Maintenance	<input type="checkbox"/> Trail Maintenance
<input type="checkbox"/> Road Decommission/Obliteration	<input type="checkbox"/> Trail Obliteration
<input checked="" type="checkbox"/> Other Infrastructure Maintenance (specify): Drainage	
<input type="checkbox"/> Soil Productivity Improvement	<input type="checkbox"/> Forest Health Improvement
<input type="checkbox"/> Watershed Restoration & Maintenance	<input type="checkbox"/> Wildlife Habitat Restoration
<input type="checkbox"/> Fish Habitat Restoration	<input type="checkbox"/> Control of Noxious Weeds
<input type="checkbox"/> Reestablish Native Species	<input type="checkbox"/> Fuels Management/Fire Prevention
<input type="checkbox"/> Implement CWPP Project	<input type="checkbox"/> Other Project Type (specify):

b. Primary Purpose (select only 1):

**14. Identify What the Project Will Accomplish**

Miles of road maintained: 6.1

Miles of road decommissioned/obliterated:

Number of structures maintained/improved:

Acres of soil productivity improved:

Miles of stream/river restored/improved:

Miles of fish habitat restored/improved:

Acres of native species reestablished:

Acres of hazardous fuel treatment

Miles of trail maintained:

Miles of trail obliterated:

Acres of forest health improved (including fuels reduction):

Acres of rangeland improved:

Acres of wildlife habitat restored/improved:

Acres of noxious weeds controlled:

Timber volume generated (mbf):

Jobs generated in full time equivalents (FTE) to nearest tenth. One FTE is 52 forty hour weeks:

People reached (for environmental education projects/fire prevention):

Direct economic activity benefit:

Other:

**15. Estimated Project Start Date:** Aug. 2010      **16. Estimated Project Completion Date:** Jan. 2011

**17. List known partnerships or collaborative opportunities.** In addition to continuing the on-going working relationship between Archuleta County and the Forest Service, other agencies included will be Colorado Department of Transportation (CDOT), U.S. Army Corps of Engineers (USACOE), Colorado Department of Public Health and Environmental (CDOPH&E), and various public/private utility companies.

**18. Identify benefits to communities.** This roadway provides year-round access for rural Hinsdale and Archuleta County residences to Pagosa Springs, the only full service community in the area and has been in existence since the early twentieth century. Piedra Road currently has the highest traffic volumes of any road in the San Juan National Forest. Archuleta County is removing snow from this road under permit from the Forest Service. The road also provides access to numerous recreational activities including Williams Creek Reservoir.

**19. How does the project benefit federal lands/resources?** This project would ensure the traveling public and the residents of Archuleta and Hinsdale Counties a safe and reliable roadway. Best Practices drainage improvements will be installed to minimize roadway runoff into any streams crossed.

<b>20. What is the Proposed Method(s) of Accomplishment?</b> (check at least 1)	
<input checked="" type="checkbox"/> Contract	<input type="checkbox"/> Federal Workforce
<input checked="" type="checkbox"/> County Workforce	<input type="checkbox"/> Volunteers
<input type="checkbox"/> Grant	<input type="checkbox"/> Agreement
<input type="checkbox"/> Americorps	<input type="checkbox"/> YCC/CCC Crews
<input type="checkbox"/> Job Corps	<input type="checkbox"/> Stewardship Contract
<input type="checkbox"/> Merchantable Timber Pilot	<input type="checkbox"/> Other (specify):

**21. Will the Project Generate Merchantable Timber?**     Yes       No

<b>22. Anticipated Project Costs</b>
a. Title II Funds Requested: \$166,488.00
b. Is this a multi-year funding request? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**23. Identify Source(s) of Other Funding:** Archuleta County Road & Bridge Fund

**24. Monitoring Plan (provide as attachment)**

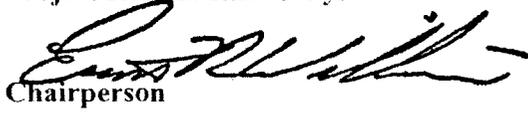
- a. Provide a plan that describes your process for tracking and explaining the effects of this project on your environmental and community goals outlined above.
- b. Identify who will conduct the monitoring: Archuleta County Public Works Department
- c. Identify total funding needed to carry out specified monitoring tasks (Worksheet 1, Item k):

**25. Identify remedies for failure to comply with the terms of the agreement.**

If project cannot be completed under the terms of this agreement:

- Unused funds will be returned to the RAC account.
  - Other, please explain:
- 

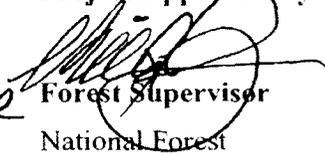
**Project Recommended By:**



Chairperson

Resource Advisory Committee

**Project Approved By:**

*FOR* 

Forest Supervisor

National Forest

## Project Cost Analysis Worksheet

### Worksheet 1

Please submit this worksheet with your proposal in consultation with Forest Service staff

Item	Column A Fed. Agency Appropriated Contribution	Column B Requested Title II Contribution	Column C Other Contributions	Column D Total Available Funds
a. Field Work & Site Surveys		\$35,000.00		
b. NEPA		\$18,745.00		
c. ESA Consultation				
d. Permit Acquisition				
e. Project Design & Engineering		\$112,743.00		
f. Contract/Grant Preparation				
g. Contract/Grant Administration				
h. Contract/Grant Cost				
i. Salaries				
j. Materials & Supplies				
k. Monitoring				
l. Other				
1.				
2. Partner Indirect Cost				
m. Project Sub-Total				
n. FS Indirect Costs				
<b>Total Cost Estimate</b>		<b>\$166,488.00</b>		

#### NOTES:

- a. Pre-NEPA Costs
- g. Includes Contracting/Grant Officer Representative (COR) costs. Excludes Contracting/Grant Officer costs.
- i. Cost of implementing project
- l. Examples include overhead charges from other partners, vehicles, equipment rentals, travel, etc.
- n. Forest Service indirect costs, including contracting/grant officer costs if needed.

## **PIEDRA ROAD RESURFACING**

### **MONITORING PLAN**

Archuleta County will retain the services of a professional engineering consultant to prepare a Design Concept Report (DCR) for the resurfacing of Piedra Road. The firm will be experienced with local, state, and federal requirements for the resurfacing of a County and Forest Service roadway. Critical elements being studied with the DCR include easements and Right-of-Way, drainage, sub grade soils, and the horizontal and vertical alignment.

As part of the consultants scope of work will be the requirement to meet with County representatives on a bi-weekly basis to report on the progress of the project. On a monthly basis the consultant will submit a written report documenting the previous month's progress, activities for the following month, and describing any potential problems along with there recommended solutions. The monthly progress report will be compared to the consultant's monthly progress billing to ensure accurate payment for tasks completed.

Archuleta County will designate Kenneth J. Feyen, PE, our Public Works Director, as the individual to oversee and monitor the project. Mr. Feyen has over thirty-five years of experience in the design and construction of roadways with local, state, and federal funds. He has also been involved in the maintenance and improvement of a number of Forest Service roads working closely with San Juan National Forest Services representatives.



Bill  
Dunkelberger /DUFO/CO/BLM  
/DOI@BLM

12/14/2010 04:41 PM

To: Beth Redmond/R2/USDAFS@FSNOTES

cc: mstiles@fs.fed.us

bcc:

Subject: Fw: Title II Funding

Beth,

The attached documents that on August 17, 2010, the Archuleta County Commissioners approved submission of a request to fund a Design Concept Report for the Piedra Road/Forest Service Road 631 from the county's share of Secure Rural Schools Act Title II funds. Archuleta County coordinated this project submittal with the Forest Service beforehand and I concurred that this project would benefit National Forest lands and users and adjacent non-federal lands and residents by improving this major access to both private property and the National Forest. Therefore, I approve authorizing reimbursement of all costs related to the preparation of the DCR that the county incurred after August 17, 2010.

---

Bill Dunkelberger  
Associate BLM Center Manager & Deputy Forest Supervisor  
San Juan Public Lands  
15 Burnett Court, Durango, CO 81301  
Voice 970.385.1351 Fax 970.375.2331  
Bill\_Dunkelberger@blm.gov

<http://www.fs.fed.us/r2/sanjuan/>

<http://www.blm.gov/co/st/en/fo/sjplc.html>

----- Forwarded by Bill Dunkelberger/DUFO/CO/BLM/DOI on 12/14/2010 04:29 PM -----



"Greg Schulte"  
<gschulte@archuletacounty.org>

12/14/2010 11:41 AM

To: <bdunkelb@blm.gov>

cc: <bredmond@fs.fed.us>

Subject: RE: Title II Funding

Bill,

Here's the minutes section relevant to that part of the agenda.

Greg

-----Original Message-----

From: bdunkelb@blm.gov [mailto:bdunkelb@blm.gov]

Sent: Tuesday, December 14, 2010 10:40 AM

To: Greg Schulte

Cc: bredmond@fs.fed.us

Subject: Re: Title II Funding

Thanks, Greg. Please send the meeting minutes also, when you can.

---

Bill Dunkelberger  
Associate BLM Center Manager & Deputy Forest Supervisor  
San Juan Public Lands  
15 Burnett Court, Durango, CO 81301  
Voice 970.385.1351 Fax 970.375.2331  
Bill\_Dunkelberger@blm.gov

<http://www.fs.fed.us/r2/sanjuan/>  
<http://www.blm.gov/co/st/en/fo/sjplc.html>

"Greg Schulte"  
<gschulte@archule  
tacounty.org>

12/14/2010 10:14  
AM

<Bill\_Dunkelberger@blm.gov>

To

cc

Subject

Title II Funding

Here's the Agenda Sheet . . . .

Greg(See attached file: Agenda Item - Title II RAC Project Proposal  
(8-17-10).doc)



Archuleta Title II Minutes (8-17-10).pdf

August 17, 2010

Southwest Colorado Transportation Planning Region (SWTPR) and ranked, then prioritized by the Chairs of the 3 TPR's within Region 5. Commissioner Moomaw moved to approve a grant application through the FASTER local transit grant program, to be submitted for one diesel/hybrid transit bus. Commissioner Lucero seconded the motion and it carried unanimously.



**C. Application for the Title II Secure Rural School's Grant**

County Administrator Greg Schulte submitted a request for a Title II project proposal. Pursuant to the Secure Rural Schools and Community Self-Determination Act of 2008, a Resources Advisory Committee (RAC) was formed for the San Juan National Forest. Archuleta County elected to receive Title II funds and is now eligible for a total of \$166,488 for the year 2008 and 2009 allocations. Counties that continue to elect Title II funds will receive additional allocations for 2010 and 2011 but those amounts are currently unknown. It is staff's recommendation that the funding be utilized for the completion of a Piedra Road Design Concept Report. Glenn Robinson, gave a brief report on Biochar. Mr. Robinson had been working with the U.S. Forest Service and presented information to the Board regarding his project and his request for funding. Administrator Schulte advised that the Board should schedule a Special Meeting to address this item. The Board agreed. Commissioner Moomaw moved to approve the submission of a project proposal to apply Archuleta County's Title II funding towards the completion of the Design Concept Report for Piedra Road (County Road 600 & U.S. Forest Service Road 631) in the amount of \$148,000. Commissioner Lucero seconded the motion and it carried unanimously.

**D. Appointment to the Citizen's Review Panel**

County Attorney Todd Starr presented a request for the Board's consideration to appoint Maria Kolpin to the Citizen's Review Panel. The function of this panel is to provide a forum for grievances regarding the Archuleta County Department of Human Services and children's issues. Commissioner Moomaw moved to appoint Maria Kolpin to the Citizen's Review Panel to review grievances regarding the Department of Human Services and children's issues, serving at the request of the Board of County Commissioners. Commissioner Lucero seconded the motion and it carried unanimously.

**Public Comments**

- Ronnie Zaday of 120 Bill's Place questioned the status of Cat Creek Road. Commissioner Lucero advised that he had been in that area and the issue was that trucks and equipment cannot get over the bridge.
- Teri Frazier of 730 E. Log Hill Road questioned the status of the downtown City Market. She requested if anyone from the Community Development Committee could write a letter to Kroger's to show support.
- Pastor Don Ford of the Community United Methodist Church requested the Board write a letter to Kroger's also. Pastor Ford stated that many people walk to this grocery store.
- Jay Davidson encouraged the Board to write a letter to City Market and include the health issues that the closure could cause.
- Michael Whiting of 1271 County Road 400 felt too, the Board should send a letter to City Market.



Bill Dunkelberger /DUFO/CO/BLM/DOI@BLM

12/14/2010 10:39 AM

To "Greg Schulte" <gschulte@archuletacounty.org>

cc Beth Redmond/R2/USDAFS@FSNOTES

bcc

Subject Re: Title II Funding 

Thanks, Greg. Please send the meeting minutes also, when you can.

---

Bill Dunkelberger  
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<http://www.fs.fed.us/r2/sanjuan/>  
<http://www.blm.gov/co/st/en/fo/sjplc.html>  
"Greg Schulte" <gschulte@archuletacounty.org>



"Greg Schulte"  
<gschulte@archuletacounty.org>

12/14/2010 10:14 AM

To <Bill\_Dunkelberger@blm.gov>

cc

Subject Title II Funding

Here's the Agenda Sheet . . .



Greg Agenda Item - Title II RAC Project Proposal (8-17-10).doc

**ARCHULETA COUNTY BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUBMISSION FORM**

Consent \_\_\_\_\_ Decision   X   Report \_\_\_\_\_

Requesting Entity: Administration / Public Works

Date of Board Meeting: August 17, 2010

Presenter: Greg Schulte / Ken Feyen

Presentation Time: 5 minutes

Discussion Time: 10 minutes

Subject: Title II Project Proposal – San Juan National Forest Resource Advisory Committee (RAC)

Sign Off by County Attorney \_\_\_\_\_

Sign Off by Finance Director \_\_\_\_\_

Sign Off by County Administrator \_\_\_\_\_

**Background:**

Pursuant to the Secure Rural Schools and Community Self-Determination Act of 2008, a Resources Advisory Committee (RAC) was formed for the San Juan National Forest. Part of the charge of the RAC is to receive and review project proposals from counties in the San Juan National Forest for the expenditure of Title II funds for eligible projects that meet the intent of the legislation of improving forest infrastructure, ecosystems, water quality, or land health.

Under a formula developed by Congress, counties may elect to receive Title II funds or not. Archuleta County has elected to receive funds and is eligible for a total of \$166,488 for FY2008 and 2009 allocations. Counties who continue to elect Title II funds will receive additional allocations for 2010 and 2011; however the amounts are unknown at this time. There is no match on behalf of Archuleta County.

It is staff's recommendation that the funding be utilized for the completion of a Piedra Road Design Concept Report (DCR). Piedra Road (CR 600, FS 631) is the highest traveled roadway in the southwest region of the Forest Service in Colorado. The DCR is being performed to prepare a preliminary design which would provide the basis for future improvements and assist in gaining other Federal funding. Proposals are due to the Forest Service by August 20, 2010.

**Recommended Action:**

Move to approve the submittal of a project proposal to apply Archuleta County's Title II funding for the completion of a DCR for Piedra Road (CR 600, FS 631) in the amount of \$166,488.