



# AWARD ATTACHMENTS

Alaska Native Tribal Health Consortium

01508-00

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1. Terms and Conditions
2. Attachment A

**Financial Assistance Award Terms and Conditions  
Between the Denali Commission and Alaska Native Tribal Health Consortium  
For Mertarvik Town Site Development and Sanitation Facilities Design  
Award No. 1508**

**1. Project Summary**

- a. Scope of Work: This project will provide infrastructure design services associated with the relocation of the Village of Newtok to a new village site in Mertarvik. The initial work effort will be the design and platting of a town site plan for Mertarvik. The project also includes the preparation of design documents for core sanitation facilities at the new village site.
- b. Deliverables: The recipient shall deliver the following products.
  - Community layout plan and recorded plat
  - Preliminary Engineering Reports
  - Final landfill plans, specifications and construction permits
  - Other support documents
- c. Budget: The project budget is \$1,177,000. ANTHC is making a \$47,000 in-kind contribution. The Commission is providing \$ 1,130,000 for the project via this Financial Assistance Award (FAA). This total amount includes all direct and indirect costs. All Commission funding is intended to be used for the scope of work identified in this FAA only. Any funds remaining after the full scope of work has been completed shall be returned to the Denali Commission consistent with 2 CFR 200.319.
- d. Delivery Method: Design and survey deliverables will be developed by ANTHC utilizing in-house resources. Specialty design and/or planning services may be obtained via existing term contracts. Cooperative agreement provisions apply.
- e. Performance Period: The Period of Performance for this FAA is 1 November 2016 through 31 December 2017. In accordance with 2 CFR 200.309 Recipients can only incur obligations or costs against an FAA during the Period of Performance, unless specifically authorized in the Special Provisions (Section 14 of this document). If a project cannot be completed within the approved Period of Performance, an extension request must be made in accordance with the Commission's *Recipient Guidelines and requirements* (RGR) document dated July 2015, available at [www.denali.gov](http://www.denali.gov).

More detailed information on scope, deliverables, budget, funding, project delivery method and/or management plan, cooperative agreement provisions, schedule and key milestones are included in Attachment A dated 11 October 2016.

## **2. Project Reporting and Commission Site Visits**

Progress reports and a close-out report are required under this FAA. Progress Reports shall be submitted at the frequency stipulated in the Special Provisions. The Closeout Report shall be completed within 90-days of the end of the Period of Performance. All reports must be submitted using the Denali Commission's on-line Project Database System, available at [www.denali.gov/dcpdb](http://www.denali.gov/dcpdb).

Commission staff or agents of the Commission may make visits to the project site and/or home office to monitor progress during and/or after the Period of Performance. The Recipient shall coordinate and make information available as necessary to facilitate any such site visits.

Refer to the *Recipient Guidelines and Requirements* document for further information related to reports and site visits.

## **3. Payments**

Payments under this FAA will be made in accordance with 2 CFR 200.305 by electronic transfer in response to a Standard Form 270 (SF-270) "Request for Advance or Reimbursement", submitted by the Recipient. At a minimum, all 270's must include summary cost information on labor, materials, contracts/consultants, and indirect costs. Detailed documentation is required for any single expenditure greater than \$50,000. If Pre-award Costs and/or Advance Payments are authorized under this FAA, the Special Provisions will indicate so. Requests for reimbursements may be made as needed. Refer to the *Recipient Guidelines and Requirements* document for further information about submitting SF-270's.

## **4. Modifications**

In accordance with 2 CFR 200.308, the Recipient shall report deviations in project scope, budget, delivery method, management plan, schedule, or changed site conditions, and request prior approvals from the Program Manager. The Recipient shall also submit written requests to the Program Manager for the replacement of Key Staff identified in the Special Provisions. Refer to the *Recipient Guidelines and Requirements* document for further information about modifying a Financial Assistance Award.

## **5. Financial Management, Record Keeping, Internal Controls, and Audits**

The Recipient must have financial management and record keeping systems that are consistent with 2 CFR 200.302. If the Recipient is a State organization, it must expend and account for FAA funds in accordance with applicable State laws and procedures for expending and accounting for the State's own funds.

The Recipient must establish and maintain effective internal controls with respect to this FAA that are consistent with 2 CFR 200.303.

In accordance with 2 CFR 200.501, Recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year.

Refer to the *Recipient Guidelines and Requirements* document for further information about financial management, record keeping, internal controls and audits.

#### **6. Direct and Indirect Costs**

All direct costs must be allowable and reasonable. Indirect costs must be allocable based on accepted accounting policies and practices. Indirect costs must be specifically included as a line item or identified with appropriate notes in the approved FAA budget. Refer to 2 CFR 200 Subpart E (Cost Principles) and the *Recipient Guidelines and Requirements* document for further information on direct and indirect costs.

#### **7. Sub-Awards and Contracts**

All sub-awards and contracts issued by the Recipient under this FAA must comply with 2 CFR 200.331 and Appendix II to 2 CFR 200. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

#### **8. Acknowledgement of Support**

The Recipient shall name the Denali Commission as a financial contributor and project/program partner in all media correspondence related to the work supported by this FAA. If Commission funds are used for construction, the Recipient shall also display a sign at the construction site that acknowledges the Commission's support. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

#### **9. Real and Personal Property**

In accordance with 2 CFR 200.311, 313, and 316 the Denali Commission may require the Recipient to execute a security interest or other public notice of record to indicate that real or personal property acquired or improved, in whole or in part, with Federal funds is subject to a Federal interest. Any such requirements under this FAA, including post project reporting in accordance with 2 CFR 200.329, will be stipulated in the Special Provisions.

#### **10. Conflict of Interest**

In accordance with 2 CFR 200.112, the Recipient must disclose in writing any potential conflicts of interest to the Commission. In addition, 2 CFR 200.318 requires that Recipients maintain written standards of conduct covering conflicts of interest and governing the performance of their employees engaged in the selection, award, and administration of contracts. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

### **11. Denali Commission Policies**

Recipients may be required to comply with certain published Denali Commission policies which can be found in the *Recipient Guidelines and Requirements* document. Applicable policies are referenced in the Special Provisions of this FAA, and specific requirements/deliverables (if any) are stipulated in Appendix A.

### **12. Laws and Regulations**

Recipients are required to comply with all applicable Federal laws and regulations. General categories of potentially applicable laws and regulations are summarized below. Refer to the *Recipient Guidelines and Requirements* document for further information on specific laws and regulations that may apply.

- a. Debarment and Suspension
- b. Whistle-blower Protection
- c. Non-Discrimination
- d. Lobbying and Propaganda
- e. Environmental
- f. Drug-Free Workplace
- g. Travel
- h. Human Rights
- i. Animal Welfare
- j. Executive Compensation

### **13. Other Provisions**

- a. The United States expressly disclaims any and all responsibility or liability to the Recipient or sub-recipients for the actions of the Recipient or sub-recipients resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this FAA, including sub-awards, contracts, or sub-contracts issued in connection with this FAA.
- b. To the maximum extent practicable, considering applicable laws, the Recipient shall accomplish the project contemplated by this FAA using local Alaska firms and labor.
- c. All terms and conditions contained in this FAA apply to any sub-recipient under this FAA.
- d. Failure to comply with the provisions of this FAA or maintain satisfactory performance may result in additional FAA conditions pursuant to 2 CFR 207. This includes but is not limited to: temporarily withholding of payments pending the correction of the deficiency; disallowance of project costs; wholly or partially suspending or terminating the FAA. In addition, failure to comply with the provisions of this FAA may also have a negative impact on the Recipient's eligibility for future Federal awards.

#### 14. Special Provisions

Progress Reports: Quarterly

Pre-award Costs: Allowed only for defined in-kind contributions from 1 October 2016

Key Staff: Mike Roberts, John Warren, Joe Hess

Advance Payments: n/a

Federal Property Interests and Reporting Requirements: n/a

Denali Commission Policies: Sustainability, Cost Containment, and Community Planning

Bonds and Insurance: n/a

#### 15. Program Manager, Financial Manager & Other Contact Information

<b>Denali Commission</b>	<b>Recipient</b>
Don Antrobus Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3500 E-mail: dantrobus@denali.gov	Gavin Dixon Project Manager 4500 Diplomacy Dr., Suite 454 Anchorage, AK 99508 Phone: 907-729-3586 Email: gndixon@anthc.org
Janet Davis Grants Management Officer 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3036 E-mail: jdavis@denali.gov	Garvin Federenko CFO, Finance 4000 Ambassador Dr. Anchorage, AK 99508 Phone: 907-729-1903 Email: gfederenko@anthc.org

**Attachment A**  
**to**  
**Financial Assistance Award #1508**  
**Between the Denali Commission and ANTHC for**  
**Mertarvik Town Site Development and Sanitation Facility Design**  
**11 October 2016**

SCOPE OF WORK

**General:** The Denali Commission is assisting the Newtok Village Council (NVC) with relocation of the existing village site to Mertarvik, a new town site located approximately 9 miles away on Nelson Island. The relocation is driven by rapidly encroaching erosion and chronic storm driven flooding that is threatening the community's health and safety. It is estimated that the existing village site will no longer be viable within 4 years. The Denali Commission is engaging with the Alaska Native Tribal Health Consortium (ANTHC) to develop an updated town site plan for the new Mertarvik site; to develop preliminary engineering reports (PER) for sanitation facilities; to complete a landfill design; and to conduct associated geotechnical investigations and field surveys.

NVC has selected DOWL as its Project Manager for the Newtok relocation effort. ANTHC will coordinate its activities with and through DOWL to ensure alignment with other ongoing relocation activities. Currently active projects and managing entities are as follows:

- Quarry Development and Quarry Road Design: Goldstream Engineering
- Quarry and access road survey: Tanana Chiefs Conference (TCC)
- Energy Master Plan: Alaska Energy Authority (AEA)
- Bulk Fuel Farm and Power House Design: AEA
- Smart Growth Implementation Assistance: EPA
- Housing Construction (approx. 7 units): HUD & BIA

All PER documents shall be completed in accordance with the most current interagency format approved by the Indian Health Service, Environmental Protection Agency, and the U.S. Department of Agriculture Rural Development Program. All PERs shall be submitted for review and approval by these agencies. Approved PER documents will be utilized to support funding applications for additional design and/or construction funding.

ANTHC shall develop a project work plan (PWP) for each of the scope items listed below. The PWP shall include a detailed list of tasks proposed to complete the scope. Each individual task shall include a delineation of staff and level of effort to complete (in hours), a detailed budget and schedule. PWP's shall be submitted to the Denali Commission Program Manager for approval prior to initiating work on the scope.

NEPA documentation is not included in this scope of work except for that which may be necessary for agency approval of PER documents. NEPA activities shall be completed once construction funding has been secured. Project engineers shall consider and address any environmental issues that may later impede environmental permitting.

Design reviews shall be conducted at each of the milestones listed for the individual tasks below. All design reviews shall be conducted in accordance with existing ANTHC design review guidelines. All designs shall comply with relevant state and federal requirements, including the Alaska Department of Environmental Conservation (DEC). All design documents, including PERs, shall be sealed by an engineer registered in the state of Alaska.

**Town Site Plan:** Develop a final town site plan for the new village location in Mertarvik. The town site plan shall generally be based on the conceptual town site plan developed by the Newtok Planning Group dated May 2015. Town site development shall take into consideration planning and development activities that have been completed or are in process. These activities include the barge landing, Mertarvik Evacuation Center (MEC), quarry site and access road, Innovative Readiness Training (IRT) structures, airport development plan, housing, and water source. Site layout changes that negatively impact these existing facilities and/or delay development plans (e.g. the airport and quarry development) should be avoided.

Because some infrastructure has already been built and/or planned at the new Mertarvik village site, it is expected that this effort will focus primarily on the layout of the village center, which includes housing, public building and infrastructure, and associated roads and utilities. A primary objective of the town site update shall be to ensure that the layout of roads, houses and public facilities is done in a manner that will accommodate economical construction and operation of utilities in the future.

Time is of essence. Construction of both roads and houses is planned for the 2017 construction season. This town site update must be sufficiently completed in time to inform the location of roads and houses based on a careful consideration of community needs and the subsequent provision of public utilities and services. The town site plan will also be used to advance a programmatic NEPA document to support the remainder of the relocation project.

The town site development effort shall include but not be limited to the following activities:

- Review existing survey, geotechnical, and other planning information located on the Alaska DCCED web page:  
<https://www.commerce.alaska.gov/web/dcra/PlanningLandManagement/NewtokPlanningGroup.aspx>
- Participate in meetings in Newtok to gather local input and communicate progress (minimum 3).
- Establish requirements for housing based on Cold Climate Housing Research Center CCHRC housing study
- Establish lot sizes for single and multi-family houses, accounting for utility requirements
- Consider accommodations for subsistence activities including access to water front.

- Establish land use requirements for public facilities
- Establish and implement sustainable design features
  - Evaluate advantages of collocation and/or adjacent siting of public facilities and make recommendations accordingly
  - Locate public facilities to maximize the potential for district heating
  - Locate public facilities to be equidistant and accessible from all housing areas
  - Layout of roads and structures to accommodate efficient development of utilities
  - Minimize requirements for utility appurtenances such as power poles and manholes
  - Minimize unneeded space between houses and facilities
  - Minimize or eliminate the need for wastewater pumping facilities
  - Locate water distribution facilities to minimize requirements for pumping
  - Minimize distance from washeteria to houses.
- Establish layout to accommodate foot traffic throughout the community.
- Identify locations for planned growth
- Confirm the locations and land requirements for the landfill, wastewater lagoon, airport and construction laydown yard.
- Obtain formal approval of the town site plan from NVC.

Upon approval of the NVC, the town site center shall be formally platted and recorded. The platting effort shall be conducted in phases designed to meet construction needs. The first phase shall include at a minimum all housing and road construction planned for the 2017 construction season and shall be sufficiently completed in advance of construction. Subsequent phases shall be scheduled throughout the remainder of the summer.

In addition to the plat, the final product shall include a town site development map delineating sites and facilities, key design, development and land use criteria, and recommended development stages/priorities. If necessary, the latter information may be in written report form presented along with the development map.

**Geotechnical Investigation:** Design a field investigation and procure professional geotechnical service to gather additional subsurface information required for the design of Mertarvik infrastructure. Proposed field work shall be designed to complement previous investigations and reports for the site. At a minimum, the new investigation shall gather sufficient information for the design of the following facility sites: landfill, wastewater lagoon, washeteria/WTP, on site wastewater systems, bulk fuel farm, and power plant. If the budget is sufficient, then additional information shall be collected for the clinic, school, and airport site.

**Washeteria Preliminary Engineering Report (PER):** Complete a PER for a new water treatment plant and washeteria (public laundry and bathing facility) for the new Mertarvik town site. At a minimum the PER shall evaluate and report on the following:

- Relevant community data
- Design Criteria
- Regulatory Issues
- Environmental Issues
- Water treatment options including of pilot treatment study if required
- Washeteria sizing and equipment requirements
- Prefabrication versus onsite construction
- Recommended alternative and conceptual layout
- Integration into MEC (coordinate with MEC design engineer)
- Operation and maintenance cost estimates
- Design and construction cost estimates

A list of appropriate alternatives to be considered in the report shall be forwarded to funding agencies for approval prior to developing the substance of the report. A design review shall be held at the 65% completion stage. ANTHC shall conduct a community presentation of recommendations after completion of the internal review of the 65% milestone document.

**Water Distribution and Wastewater Collection PER:** Complete a PER for water distribution and wastewater collection facilities. The report shall analyze appropriate alternatives for providing water and wastewater service to all homes and public facilities in the community. Alternatives to be considered will include traditional piped systems, small and/or large haul systems, and decentralized systems. The PER effort shall include sufficient community outreach so that Newtok can make an informed choice regarding the most appropriate service option for their community. Presentations to the community shall include health impacts, economics, and operation and maintenance requirements of the various options. At a minimum the PER shall evaluate and report on the following:

- Relevant community data
- Design Criteria
- Regulatory Issues
- Environmental Issues
- Analysis of water distribution and wastewater collection alternatives
  - Consider impact of phased community growth on alternatives
- Conceptual design for the recommended/selected alternative
- Operation and maintenance cost estimates
- Design and construction cost estimates

A list of appropriate alternatives to be considered in the report shall be forwarded to funding agencies for approval prior to developing the substance of the report. A design review shall be held at the 65% completion stage in accordance to ANTHC design review guidelines. ANTHC shall conduct a community presentation of recommendations after completion of the internal review of the 65% milestone document.

**Landfill Design:** Develop the design for a Class III municipal solid waste landfill and inert debris mono-fill for the new Mertarvik town site. The landfill shall be sized for a 20-year design life. The site shall be sized for a 50-year design life.

The landfill design shall include provisions for a construction mono-fill, separate from the municipal solid waste disposal cells. As the population of Newtok migrates to Mertarvik, many existing structures will need to be dismantled and/or demolished. Materials from these structures that cannot be salvaged will need to be landfilled. The mono-fill shall be sized to accept inert construction waste from these demolition activities in Newtok. Once the move to Mertarvik is completed, the mono-fill shall be permanently closed. The mono-fill may be designed as a separate footprint from the municipal landfill or as a sub-layer upon which municipal landfill cells will be constructed after the mono-fill is closed.

Design reviews shall be held at conceptual and 65% design development. The conceptual design of the landfill shall be in the form of a PER as per the requirements described above. The PER shall be approved by funding agencies prior to advancing the design to the next milestone deliverable.

**Topographical Survey:** Design and implement a topographical field survey to gather sufficient additional information to complete infrastructure design efforts. At a minimum, the investigation shall gather sufficient information for the design of the following facility sites: landfill, wastewater lagoon, washeteria/WTP, bulk fuel farm, and power plant. If the budget is sufficient, then additional information shall be collected for the clinic, school, and airport site.

If possible, the topographical survey field work shall be scheduled along with the survey work required to record and plat the town site in order to minimize mobilization and demobilization costs.

**DELIVERABLES:**

- Project Work Plans for the Town Site Plan, Washeteria PER, Water/Wastewater Services PER, Landfill design, Geotechnical Investigation
- Trip reports for all site visits and meeting
- Report of Geotechnical Investigation
- Report of survey data in form of Mertarvik base map
- Mertarvik town site development plan and report
- Recorded town site plat
- Washeteria PER
- Water/Wastewater Service PER

- Landfill PER
- Bid-ready plans and specifications for Class III Municipal Solid Waste Landfill and mono-fill.
- Landfill construction and regulatory permits (including operation plan)
- Detailed construction cost estimates (if separate from PER).
- Construction and regulatory permits

### BUDGET

The Commission is making \$1,130,000 available for the project via this Financial Assistance Award (FAA). ANTHC is providing an in-kind contribution of \$47,000. Additional budget detail is provided on page 8.

### DELIVERY METHOD

The ANTHC will complete design, PER, and survey work using its own in-house technical resources. Specialty design services not available internally, will be procured through existing ANTHC architectural and engineering term contracts. The geotechnical investigation, laboratory testing, and reporting will be procured through ANTHC term contracts.

ANTHC acknowledges that there are multiple ongoing activities related to the relocation project that may inform or impact the design tasks of this award. During project delivery, ANTHC and its sub-consultants will coordinate with other agencies, consultants, or contractors concurrently working on the relocation effort.

ANTHC agrees to cooperate and collaborate with the Denali Commission during the project, and understands that the Commission will be substantially involved in implementing the project or components of the project. Specifically, the Commission will participate in, and/or provide direct assistance during the project related to the following.

- The Environmentally Threatened Communities (ETC) Program Manager will review ANTHC PWP's prior to commencing the work. The objective of the review is to ensure alignment with other relocation activities.
- ANTHC Project Manager shall conduct a bi-monthly status update meeting with the Commission Program Manager. The meeting may be telephonic.
- The ANTHC will provide courtesy copies of design milestones to the ETC Program Manager and the Owner (Newtok Village Council). These documents may be shared with other agencies and contractors as required to ensure coordination of all relocation activities.

SCHEDULE

The Period of Performance for this FAA is 1 November 2016 through 31 December 2017.

KEY MILESTONES

65% town site plan (sufficient to advance NEPA)	28 February 2017
65% Landfill PER	28 February 2017
Geotechnical investigation complete	30 March 2017
Final geotechnical report	15 May 2017
Final town site plan	31 May 2017
Landfill PER approved	31 May 2017
Field Survey	1 June 2017
65% Washeteria PER	30 June 2017
Survey base map delivered	15 July 2017
65% Water Distribution/Wastewater Collection PER	31 August 2017
65% landfill design	31 August 2017
Final landfill design	31 December 2017
Washeteria PER approved	31 December 2017
Water Distribution/Wastewater Collection PER	31 December 2017

<b>BUDGET</b>				
Line	Item/Activity	Delivery Method	Estimate	Notes
1	<b>Project Management and Oversight</b>			
2	Project Research, Development, and Planning	ANTHC	\$ 23,000	200 hours @ \$115/hour
3	Senior Oversight and Consultation	ANTHC	\$ 24,000	Apporx. 4 hours/week x 52 weeks @ \$115/hour
4	Project Manager	ANTHC	\$ 48,000	8 hrs/week x 52 weeks @ \$115/hour
5	<b>Site Planning</b>			
6	Townsite Plan Update and Preliminary Platting	ANTHC	\$ 260,000	13 man-months at aggregate rate of \$115/hour plus travel and expenses.
7	Geotechnical Investigation	Sub-Consultant	\$ 190,000	Consultant / Field Geologist \$33,000; Mobilization \$70,000; Drilling \$60,000; Laboratory Testing \$20,000; Expenses \$7,000
8	Topographical Survey	ANTHC	\$ 80,000	3 man crew @ \$115/hour, 10 days w/ travel, lodging, per diem, overtime; 6 man-weeks office prep and post-processing
9	Subdivision Survey and Final Platting	ANTHC	\$ 125,000	Two each 7 day 4 man crew trips (w/ local support): Field labor = \$44,000/trip; Travel & Shipping = \$13,000/trip; 96 hours post-processing data @ \$115/hour
10	<b>Sanitation Facilities Design</b>			
11	Washeteria/WTP PER	ANTHC	\$ 56,000	300 man-hours @ \$115/hour; water treatment pilot test \$15,000; SDWA Well Analysis \$6,000
12	Landfill, Monofill, Closure Plan Design and Permitting	ANTHC	\$ 93,000	750 man-hours @ \$115/hour; \$3,500 travel and expenses; \$3,000 ADEC permit fee
13	Water/Wastewater Service PER	ANTHC	\$ 80,000	625 man-hours @ \$115/hour; \$7,000 travel and expenses
14	<b>Indirect Costs</b>			
15	25.7% Indirect Cost <sup>2</sup>		\$ 197,119	Applied to line 4,6, 8, 9, 11-13 and the first \$25,000 of line 7
16	<b>Contribution Summary</b>			
17	Project Subtotal		<b>\$ 1,176,119</b>	
18	Project Subtotal (Rounded)		<b>\$ 1,177,000</b>	
19	ANTHC In-kind Contribution		<b>\$ 47,000</b>	Total of lines 2 and 3.
20	<b>Denali Commission Total</b>		<b>\$ 1,130,000</b>	
<b>Notes</b>				
1. ANTHC "Pool" costs are authorized in accordance with an October 2015 Pool Cost Analysis report provided to and accepted by the Commission; these costs are included in the above estimates.				
2. Indirect costs based on a provisional rate of 25.7% approved by the US Department of Health and Human Services on 29 September 2015.				