

RESOLUTION NO. R - 2341

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ACCEPTING THE GRANT OFFER OF THE WASHINGTON STATE DEPARTMENT OF ECOLOGY FOR A STEP 1 GRANT TO PREPARE A FACILITIES PLAN FOR UPGRADING FIVE PUMP STATIONS FOR THE CITY OF KIRKLAND (PROJECT IDENTIFICATION NUMBER: C-53-0751-01) AND AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY OF KIRKLAND THE DEPARTMENT OF ECOLOGY OFFER AND ACCEPTANCE CONTRACT FOR SAID GRANT.

WHEREAS, the City of Kirkland has heretofore made application for Step 1 grant assistance for the preparation of a facilities plan for upgrading five pump stations for the City of Kirkland, and

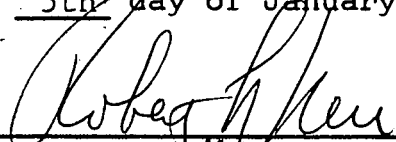
WHEREAS, said project has been assigned Project Identification Number C-53-0751-01 and has been approved for grant assistance by the State of Washington and certified by the State for federal grant assistance, and

WHEREAS, the Washington State Department of Ecology has presented to the City an offer of a grant contract for the State grant portion (15% of estimated cost) and has advised the certification of the project for federal 75% grant assistance from the Environmental Protection Agency,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1: The City Council for the City of Kirkland does hereby accept the grant offer made by the Department of Ecology to the City of Kirkland under Project Identification Number C-53-0751-01. The mayor is hereby authorized and directed to sign on behalf of the City of Kirkland the State of Washington Department of Ecology offer and acceptance form contract as to the Step 1 grant to prepare a facilities plan for upgrading five pump stations for the City of Kirkland, being Project Identification Number C-53-0751-01.

ADOPTED by majority vote of the Kirkland City Council in regular meeting on the 5th day of January, 1976.



 Mayor

Attest:



 Director of Administration & Finance
 (ex officio City Clerk)

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ADOPTED by majority vote of the Kirkland City Council in regular meeting on the 5th day of January, 1976.

s/ Robert L. Neir
Mayor

Attest:

s/ Tom J. Anderson
Director of Administration & Finance
(ex officio City Clerk)

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
OFFER AND ACCEPTANCE OF STATE GRANT FOR CONSTRUCTION
OF WATER POLLUTION CONTROL FACILITIES

INTRODUCTION

The Department of Ecology of the State of Washington, hereinafter called "Ecology," is authorized by RCW 90.48.290 to make and administer grants within appropriations authorized by the legislature to any municipal or public corporation, or political subdivisions within the State for the purpose of aiding in the construction of water pollution control projects; and Ecology is further authorized by chapter 43.83A RCW, subject to legislative appropriation, to make grants and loans to public bodies for the facility planning, acquisition, construction, and improvement of public waste disposal facilities in this State.

SECTION II - ASSURANCES

The applicant agrees to comply with the following Assurances:

1. That all representations, including but not limited to those set forth within the following documents will be complied with:
 - (a) The grant application for the subject project, together with any supporting documents submitted therewith;
 - (b) The engineering reports for the subject project;
 - (c) The plans and specifications for the subject project; and
 - (d) Any other documents specifically listed in an appendix hereto.

Any exclusions from this requirement must be set forth in an appendix hereto and be signed by an authorized representative of Ecology. The documents listed in this paragraph together with those referenced in an appendix pursuant to item (d) are by this reference incorporated herein.

2. That the preparation of a Facility Plan be completed on or before March 1976.

Completion dates for the above steps shall be the date of receipt by Ecology of the Facilities Plan and Plans and Specifications and the date of the Certificate of Construction signed by the Project Engineer.

3. That the project will be constructed with the plans and specifications approved by Ecology pursuant to RCW 90.48.110 and WAC 372-20-010 through WAC 372-20-110.
4. That the treatment facilities will be staffed with sufficient personnel to assure adequate operation and maintenance and to obtain the degree of treatment provided in any National Pollutant Discharge Elimination System (NPDES) waste discharge permit pertaining to this treatment facility.
5. That the treatment plant personnel will attend operator schools and training programs sponsored by Ecology or as are approved by Ecology on a schedule sufficient to assure the development and maintenance of operator competency.
6. That the operator in responsible charge of the treatment facilities shall be a certified treatment plant operator pursuant to the provisions of the Mandatory Operator Certification Act (Chapter 139, Washington Laws of 1973).

7. That a laboratory testing program shall be conducted in accordance with the schedule established in the State of Washington, Water Pollution Control Plant Manual, which is by this reference incorporated herein, and, when the subject facility is covered by a National Pollutant Discharge Elimination System (NPDES) waste discharge permit, said testing program shall also comply with any more stringent requirements of this permit.
8. That no construction shall be commenced on the shorelines of the State pursuant to this project until the applicant has fully complied with the provisions of the Shorelines Management Act of 1971, Chapter 286, Laws of 1971, 1st Ex. Session.
9. That a waste discharge permit pertaining to this treatment facility has been or will be obtained and its provisions met, pursuant to RCW 90.48.260 and Section 402 of the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500).
10. That all provisions of the State Environmental Policy Act of 1971 (Chapter 43.21C RCW) have been or will be met.
11. That all such construction permits and all necessary project reviews and approvals have been, or will be, obtained as indicated in the document entitled "Construction Permits and Reviews Required by the Department of Ecology," published by the Division of Standards and Criteria of the Department of Ecology, which is by this reference incorporated herein.
12. That Ecology, or its designated representative, shall have the right of entry to the construction site to make interim construction inspections. All pertinent documents shall be made available to such representative at the site for the determination that the project is being constructed in accordance with the approved plans and specifications, and any approved addenda thereof, and that the construction is in accordance with accepted general construction practices such as those found in the "Standard Specifications for Municipal Public Works Construction," Washington State Chapter of the American Public Works Association, as revised, which is by this reference incorporated herein.
13. That Ecology will be supplied with a copy of any necessary operation and maintenance manuals for review and comment prior to 90 percent completion of construction of the proposed eligible treatment facilities.
14. That a quarterly status reporting system be implemented containing the following essential information: any changes in the project since the grant offer or last status report; the estimated total eligible project cost; the eligible costs incurred to date, the percent completion of project based on eligible project cost; State grant payments requested to date; State grant payments made to date; and any changes in project schedule or in cash flow projections since the grant offer or last status report. This report should be submitted to Ecology by no later than the 15th day of the month following the end of each quarter during the life of the contract.

15. That the applicant shall maintain books, records, documents, and other evidence and accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the completion of the project described in Section I hereof. Such books, records, and documents will be retained for a minimum of five years after completion of the subject project, and shall be available for inspection at all reasonable times by Ecology, the Office of the State Auditor, Federal officials, and any others authorized by Ecology.


16. That any contracts issued by the applicant for planning or construction of the project described herein shall be issued in such manner, and contain such provisions of State law applicable to such contracts including but not limited to the relevant provisions of Title 39 RCW.

17. In the event that the project hereby being funded does not involve construction or improvement of a sewage treatment plant, then items 4, 5, 6, 7, and 9 shall not apply to the applicant.

SECTION III - ACCEPTANCE

On behalf of CITY OF KIRKLAND
(Legal name of applicant)

I, the undersigned, being fully authorized to take such action, do hereby accept this Offer, make the Assurances, and agree to the conditions contained herein.

1-5-76 (Date)  (Signature of representative)

Robert L. Neir, Mayor
(Name and title of representative - type or print)

Approved as to form by the
Attorney General's Office:

Assistant Attorney General (Date)