

RESOLUTION R- 4008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ACCEPTING FROM THE DEPARTMENT OF ECOLOGY A WASTE REDUCTION AND RECYCLING EDUCATIONAL PROGRAM GRANT IN THE AMOUNT OF \$54,717.00 AND AUTHORIZING THE CITY MANAGER TO SIGN THE PROGRAM GRANT AGREEMENT.

Whereas, the Washington State Department of Ecology has made available to the City of Kirkland a grant to assist the City in development and conduct of a comprehensive recycling education/promotion program for businesses, together with a similar grant to assist in the design, development and distribution of a residential family waste reduction and recycling booklet to residents of the City of Kirkland; and

Whereas, it is estimated that the total cost for both programs will approximate \$91,195.00 toward which the Department of Ecology will contribute grants totaling \$54,717.00; and

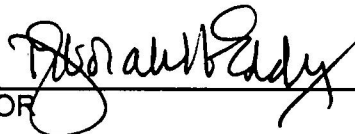
Whereas, the acceptance of said grant to assist in the cost of said programs within the City of Kirkland is within the best interests of the City and its residents and consistent with the City's Solid Waste Management Plan.

Now, therefore, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The City Manager is hereby authorized and directed to sign on behalf of the City of Kirkland that certain agreement between the City of Kirkland and the Washington State Department of Ecology identified by Department of Ecology as Coordinated Prevention Grant Offer Number G-9600123. The City Manager or his delegate is also authorized to sign for the City all documents, certifications and reports required to be made during the course of the Solid Waste Recycling Educational Programs.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 16 day of April, 1996.

Signed in authentication thereof this 16 day of April, 1996.

  
MAYOR

Attest:

  
City Clerk

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STATE OF WASHINGTON DEPARTMENT OF ECOLOGY  
 AND  
 CITY OF KIRKLAND

This is a binding agreement entered into by and between the state of Washington Department of Ecology, hereinafter referred to as the DEPARTMENT, and the city of Kirkland, hereinafter referred to as the RECIPIENT, to carry out the activities described herein.

RECIPIENT ADDRESS	123 Fifth Avenue Kirkland, WA 98003
RECIPIENT REPRESENTATIVE	Andy Barton, <sup>Assistant to the</sup> City Manager
RECIPIENT TELEPHONE NUMBER	(206) 828-1249
FAX	(206) 803-1914
RECIPIENT PROJECT COORDINATOR	Andy Barton, <sup>Assistant to the</sup> City Manager
DEPARTMENT PROJECT OFFICER	Diane R. Christel, (360) 407-6062
DEPARTMENT FAX	(360) 407-7157
REGIONAL DEPARTMENT REPRESENTATIVE	Peter Christiansen, (206) 649-7076
FUNDING SOURCE	Local Toxics Control Account
MAXIMUM ELIGIBLE COST	\$91,195
STATE GRANT SHARE	\$54,717
LOCAL SHARE	\$36,478
STATE MAXIMUM GRANT PERCENT	60%
FEDERAL TAX IDENTIFICATION NO.	91-6001255

For the purpose of this agreement, the RECIPIENT will be allowed to match the DEPARTMENT share with cash and interlocal in-kind costs in accordance with pre-application instructions.

The effective date of this grant is January 1, 1996. Any work performed prior to the effective date of this agreement without prior written authorization and specified in the Scope of Work will be at the sole expense and risk of the RECIPIENT.

This agreement shall expire no later than December 31, 1997.

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### SCOPE OF WORK

The task(s) set forth below summarize the RECIPIENT's goals, activities, budget(s) and schedule(s) and expected outcomes.

Recipient Responsibilities: The RECIPIENT is responsible for implementing activities identified in the Solid Waste Management Plan (SWMP), the Moderate Risk Waste Plan (MRWP) and/or the Hazardous Waste Management Plan (HWMP).

#### 1. **PROJECT TASK: (WRRRA) WASTE REDUCTION AND RECYCLING ACTIVITIES**

Maximum Eligible Cost: \$91,195

Schedule: January 1, 1996 to December 31, 1997

##### SUBTASK 1.1 BUSINESS RECYCLING PROGRAM

Maximum Eligible Cost: \$71,145

##### Goal Statement:

The goal of this program is to increase participation and program effectiveness of waste consultations for waste reduction and recycling programs initiated by businesses, and to educate the business sector of the value of such programs.

##### Subtask Description:

The RECIPIENT shall develop and conduct a comprehensive recycling education/promotion program for businesses. The educational/informational materials to be developed shall include brochures, consultation procedure manuals, consultation reporting, and a list of area recycling service providers. Educational and consultation materials shall be disseminated through the consultation proceeding. A copy of all materials developed shall be submitted to the DEPARTMENT.

The RECIPIENT shall conduct on-site consultations on waste reduction, recycling, and recycled product procurement programs with local businesses throughout the city of Kirkland. The RECIPIENT shall track the number of consultations held over the grant period, and monitor the results of each consultation.

The RECIPIENT shall coordinate with businesses and recyclers to facilitate shared service recycling programs.

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Expected Outcomes/Impacts:

Through the business outreach program, the RECIPIENT expects to promote and educate businesses on successful waste management practices.

It is expected that this program will reduce the city's business waste stream by 20 percent (20%). The overall result is to increase Kirkland's recycling participation rate to 65 percent (65%) by the year 2000.

**SUBTASK 1.2 RESIDENTIAL WASTE REDUCTION AND RECYCLING BOOKLET**

Maximum Eligible Cost: \$20,050

Goal Statement:

The goal of this project is to raise participation rates and promote alternatives for the city of Kirkland's residents (including multi-family) to recycle and reuse compostable materials and hard-to-recycle items.

Subtask Description:

The RECIPIENT shall design, develop, and distribute a Residential Family Waste Reduction and Recycling Booklet to residents of the city of Kirkland. The educational booklet shall contain information on waste reduction, recycling, backyard composting, purchasing habits/product packaging, availability of recyclable goods, and hard-to-recycle items. The booklets shall be made available at City Hall, the Kirkland Public Library, and other public locations. In addition, they shall be distributed through direct mailings and special city events.

Expected Outcomes/Impacts:

The recipient through this project shall provide the public with easy access to information pertaining to waste reduction and recycling, thereby increasing awareness of problems and solutions to solid waste management. It is expected that this project will result in an increase in participation rates of 14 percent (14%).

**CPG BUDGET**

	<u>Project Task</u>	<u>Maximum Eligible Cost</u>
1.	Waste Reduction and Recycling Activities (WRRRA)	<u>\$91,195</u>
	TOTAL	\$91,195

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### FUND SOURCE

Total Eligible Cost		\$91,195
<b>Fund</b>	<b>Fund Share (%)</b>	<b>Maximum Fund Amount</b>
Local Toxics Control Account (LTCA)	60%	\$54,717
	<b>Match Share (%)</b>	<b>Match Amount</b>
Cash Match or Interlocal Costs	40%	\$36,478

### ADDITIONAL BUDGET CONDITIONS

1. Overhead is eligible; the RECIPIENT may charge 25 percent of the RECIPIENT salaries and benefits applied directly to the project as overhead.
2. Interlocal costs are eligible; other in-kind contributions are not eligible.
3. The fiscal office will monitor expenditures at the task level. A letter amendment is required to redistribute costs among tasks. A formal amendment is required to increase state funding.
4. The maximum allowable amount from the LTCA is \$54,717.
5. All remaining costs will be paid by cash match and interlocal costs.
- 6.

### SPECIAL TERMS AND CONDITIONS

#### A. MINORITY AND WOMEN'S BUSINESS PARTICIPATION

The RECIPIENT agrees to utilize to the maximum extent possible, minority- and women-owned businesses in purchases and contracts initiated after the effective date of this agreement.

In the absence of more stringent goals established by the RECIPIENT's jurisdiction, the RECIPIENT 1. agrees to utilize the DEPARTMENT's goals for minority- and women-owned business participation in all bid packages, request for proposals, and purchase orders. These goals are expressed as a percentage of the total dollars available for the purchase or contract and are as follows:

Minority-owned business participation - 10%  
 Women-owned business participation - 6%

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The RECIPIENT and ALL prospective bidders or persons submitting qualifications shall take the following steps in any procurement initiated after the effective date of this agreement:

1. Include qualified minority and women's businesses on solicitation lists.
2. Ensure that qualified minority and women's businesses are solicited whenever they are potential sources of services or supplies.
3. Divide the total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by qualified minority and women's businesses.
4. Establish delivery schedules, where requirements permit, which will encourage participation of qualified minority and women's businesses.
5. Use the services and assistance of the State Office of Minority and Women's Business Enterprises and the Office of Minority Business Enterprises of the U.S. Department of Commerce, as appropriate.

By signing this agreement, the RECIPIENT certifies that the above steps were/will be followed.

The RECIPIENT shall report to the DEPARTMENT at the time of submitting each invoice, on forms provided by the DEPARTMENT, payments made to qualified firms. The report will address:

1. Name and Federal Tax Identification number of qualified firms receiving funds under the voucher, including any sub and/or sub-subcontractors.
2. The total dollar amount paid to qualified firms under this invoice.

**B. INTERLOCAL AGREEMENTS**

If parties other than the RECIPIENT are contributing to the local share of project costs, memoranda of understanding or other written agreements confirming the contribution must be negotiated. These agreements must specify exact work to be accomplished and be signed by all parties contributing to the local match of this project. Copies of these agreements shall be submitted to the DEPARTMENT.

**C. PROMOTIONAL AND EDUCATIONAL MATERIALS**

A copy of all promotional and educational materials developed as part of this grant shall be submitted to the DEPARTMENT concurrent with public distribution. The DEPARTMENT shall have the right to use any printed materials developed as part of this project in any manner the DEPARTMENT deems appropriate. The Washington State Department of Ecology will be acknowledged for providing funding in all published material and oral presentations that result from this grant.

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**D. PROCUREMENT AND CONTRACTS**

1. The RECIPIENT shall provide written certification that they will follow their standard procurement procedures and/or applicable state law in awarding contracts; RECIPIENTS with no formal procurement procedures will be required to certify that they have complied with the "Standards for Competitive Solicitation," found in the Administrative Requirements for Ecology Grants and Loans, WDOE 91-18 (Revised July 1995).
2. Upon issuance, the RECIPIENT shall submit a copy of all requests for qualifications (RFQs), requests for proposals (RFPs), and bid documents relating to this grant agreement to the DEPARTMENT.
3. Prior to contract execution, the RECIPIENT shall submit a copy of the proposed contract to the DEPARTMENT for review and written comment. Following execution, the RECIPIENT shall submit a copy of the contract to the DEPARTMENT.

**E. USE OF EXISTING CONTRACTS**

The RECIPIENT may use existing contracts that conform to adopted procurement procedures and applicable state laws. The RECIPIENT shall notify the DEPARTMENT if it used contracts entered into prior to the execution of the grant agreement for performance of grant funded activities.

**F. ENGINEERING PLANS AND SPECIFICATIONS**

All engineering plans and specifications submitted for review shall be completed and stamped by an appropriate licensed professional engineer certifying that these design documents will provide for facilities conforming to requirements of the Minimum Functional Standards (Chapter 173-304 WAC), and to all other applicable federal, state, and local requirements, including evidence of SEPA compliance.

Before construction may begin, final design of the project must be reviewed and approved by the DEPARTMENT, and all appropriate permits for the facilities obtained. This includes, in the case of Solid Waste Handling Permits, the approval of a new or amended operations plan by the Jurisdictional Health Department and the DEPARTMENT before construction may begin.

**G. SEPA COMPLIANCE**

To ensure that environmental values are considered by the state and local government officials when making decisions, the RECIPIENT shall comply with the provisions of the State Environmental Policy Act (SEPA), Chapter 41.23C RCW, and the SEPA Rules, Chapter 197-11 WAC. Copies of the SEPA documents shall be sent to the DEPARTMENT's Environmental Review Section, the appropriate regional office, and the Waste Management Grants Section.

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H. WETLANDS PROTECTION

To comply with the directive of Executive Order 90-04, Protection of Wetlands, all local governments are requested and encouraged to make all of their actions consistent with the intent of this executive order; specifically, (1) to avoid, to the extent possible, adverse impacts associated with the destruction or modification of wetlands, and (2) to avoid direct or indirect support of new construction in wetlands wherever there is a practical alternative.

I. FAILURE TO COMMENCE WORK

In the event the RECIPIENT fails to commence work on the project funded herein within six (6) months after the effective date of this grant, the DEPARTMENT reserves that right to terminate this grant.

J. DOCUMENT SUBMITTALS

Unless otherwise specified, at least three (3) copies of all documents prepared under this grant agreement shall be submitted by the RECIPIENT to the Project Officer. The Project Officer will forward one (1) copy to the appropriate regional office of the DEPARTMENT.

K. PROJECT INCOME

Any project income directly generated as a result of the activities funded by this grant shall be reported as a credit against the expenses of that activity as required by the DEPARTMENT'S Administrative Requirements for Ecology Grants and Loans, WDOE 91-18 (Revised July 1995).

L. GRANT PROJECT REPORTING

Quarterly progress reports shall be prepared by the RECIPIENT and submitted to the Project Officer of the DEPARTMENT. These reports shall include, but not be limited to, the following information:

1. Information at the subtask level as appropriate.
2. Accomplishments for the reporting period.
3. Planned activities and schedule for the upcoming two months.

M. ALL WRITINGS CONTAINED HEREIN

This agreement, the appended "General Terms and Conditions," and the DEPARTMENT'S Administrative Requirements for Ecology Grants and Loans, WDOE 91-18 (Revised July 1995), contain the entire



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understanding between the parties, and there are no other understandings or representations except as those set forth or incorporated by reference herein. No subsequent modification(s) or amendment(s) of this grant agreement shall be of any force or effect unless in writing, signed by authorized representatives of the RECIPIENT and DEPARTMENT and made part of this agreement; EXCEPT a letter of amendment will suffice to redistribute the budget without increasing the total eligible project cost or to change the DEPARTMENT's Project Officer or the RECIPIENT's Project Coordinator or to extend the period of performance as set forth in the Grant Agreement.

IN WITNESS WHEREOF, the parties hereby execute this Grant:

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

CITY OF KIRKLAND

\_\_\_\_\_  
Dan Swenson                                  Date  
Section Manager  
Waste Management Grants

\_\_\_\_\_  
Authorized Signature                          Date

\_\_\_\_\_  
Print Name of Authorized Official

Approved as to form only by  
Assistant Attorney General.

\_\_\_\_\_  
Title