

RESOLUTION R- 4134

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE GRANT AGREEMENT FROM THE **WASHINGTON STATE DEPARTMENT OF ECOLOGY A RECYCLING EDUCATION PROGRAM GRANT** IN THE AMOUNT OF **\$59,033** AND AUTHORIZING THE CITY MANAGER TO SIGN THE PROGRAM GRANT AGREEMENT.

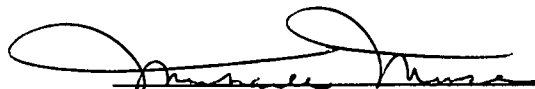
Whereas, the Washington State Department of Ecology of has made available to the City of Kirkland a grant to assist the City in development of and to conduct comprehensive recycling education/promotion program for multi-family complexes and businesses.

Whereas, the acceptance of the 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.

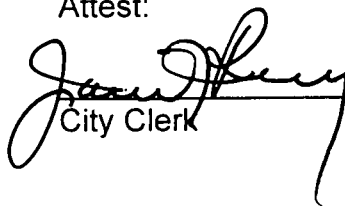
Now, therefore, be it resolved by the City Council of the City of Kirkland as follows:

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 as Coordinated Prevention Grant Offer Number G9800189. 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 education programs.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 21st day of April, 1998.


MAYOR

Attest:


City Clerk

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Coordinated Prevention Grant
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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 98033
RECIPIENT REPRESENTATIVE	Ann Scheerer
RECIPIENT TELEPHONE NUMBER	(425) 828-1246
FAX	(425) 803-1904
RECIPIENT PROJECT COORDINATOR	Paul Devine
DEPARTMENT PROJECT OFFICER	Angela Langley (425) 649-7182
DEPARTMENT FAX	(425) 649-7098
FUNDING SOURCE	Local Toxics Control Account
MAXIMUM ELIGIBLE COST	\$98,388
STATE GRANT SHARE	\$59,033
LOCAL SHARE	\$39,355
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, 1998. 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, 1999.

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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-1) BUSINESS RECYCLING PROGRAM

Maximum Eligible Cost: \$49,194

Schedule: January 1, 1998 to December 31, 1999

Goal Statement:

The goal of this project is to reduce the amount of waste sent to local landfills by businesses through promoting and encouraging recycling and waste reduction practices.

Project Description:

The RECIPIENT shall continue a Business Recycling program designed to support waste reduction and recycling efforts among city businesses. The RECIPIENT shall promote recycling, waste reduction strategies, and recycled product procurement through telephone, on-site, and follow-up technical assistance. The RECIPIENT shall develop and distribute waste reduction and recycling brochures that emphasize the value of recycling and purchasing recycled materials, and inform businesses on how to effectively recycle and/or reduce waste. In addition, the RECIPIENT shall work with businesses to encourage participation in the King County Green Works program that recognizes businesses for waste reduction, recycling, and buying recycled efforts.

The RECIPIENT shall distribute recycling containers purchased with existing King County and Referendum 26/39 grants to city businesses. The RECIPIENT shall maintain a database of local businesses participating in waste reduction programs. The database will track waste reduction and recycling activities that result from outreach efforts. The RECIPIENT shall report the results to the DEPARTMENT on a quarterly basis.

Expected Outcomes/Impacts:

It is expected that approximately 500 businesses will be contacted and receive assistance through this program, and that the business waste stream will be reduced by 15-20 percent (15-20%). This translates to approximately 2,400 to 3,200 tons of materials diverted from the landfill. It is expected that an additional 25 businesses will sign up to participate in the King County Green Works program.

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2. **PROJECT TASK: (WRRRA-1) MULTI-FAMILY RECYCLING**

Maximum Eligible Cost: \$49,194

Schedule: January 1, 1998 to December 31, 1999

Goal Statement:

The goal of this project is to reduce the amount of waste sent to local landfills through promoting waste reduction and recycling practices in multi-family complexes.

Project Description:

The RECIPIENT shall promote participation in recycling programs in multi-family complexes. The RECIPIENT shall develop and distribute educational/informational materials, and provide on-site consultation to multi-family building managers and owners. The RECIPIENT shall identify complexes with low recycling rates, and work with property managers and owners to increase participation rates. In addition, the RECIPIENT may work with the city waste recycling provider to overcome barriers to recycling, and to establish recycling services for multi-family residents.

The RECIPIENT shall develop and distribute educational materials to tenants that encourage recycling and waste reduction practices. The materials will also educate tenants on how to properly recycle their materials. In addition, the RECIPIENT shall distribute recycling containers purchased with existing King County and Referendum 26/39 grants.

Expected Outcomes/Impacts:

It is expected that with the successful implementation of this program, that waste being sent to the landfill will be reduced by approximately 20 percent (20%). This translates to approximately 1,600 tons of materials diverted from the landfill.

CPG BUDGET

	<u>Project Task</u>	<u>Maximum Eligible Cost</u>
1.	Business Recycling Programs(WRRRA-1)	\$49,194
2.	Multi-family Recycling Programs (WRRRA-1)	<u>49,194</u>
	TOTAL	\$98,388

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FUND SOURCE

Total Eligible Cost		\$98,388
Fund	Fund Share (%)	Maximum Fund Amount
Local Toxics Control Account (LTCA)	60%	\$59,033
Match Requirement	Match Share (%)	Match Amount
Cash Match or Interlocal Costs	40%	\$39,355

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 \$59,033.
5. All remaining costs will be paid by cash match and interlocal costs.

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 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%

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.

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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.

Any contractor engaged by the RECIPIENT under this agreement, shall be required to follow the above five affirmative steps in the award of any subcontracts.

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.

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

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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.

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.

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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

The RECIPIENT shall, in conjunction with submission with its payment requests, as required by paragraph J, General Terms and Conditions "Compensation", prepare Progress Reports and submit them to the DEPARTMENT at least quarterly, or monthly at the RECIPIENT's option. These reports shall include, but not be limited to, the following information:

1. Brief description of activities for each project.
2. Thorough discussion of the accomplishments or impacts of each project.
3. Notification of any successful projects worth sharing with other jurisdictions or the media, of any needs for technical assistance from the DEPARTMENT, or any other comments or information you would like the DEPARTMENT to have.
4. Education projects must report, at a minimum, the following information: the number of activities/events/campaigns the topics covered, the number of participants, the description of the participant (e.g., single households, elementary school students), the number of materials produced, a description of who received those materials, and the number of volunteers trained or used.
5. All reports should attach copies of educational or promotional materials produced using grant funding, and health districts should attach copies of all inspection reports or compliance schedules.

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

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the entire 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

James J. Pendowski Date
Program Manager
Solid Waste and Financial Assistance

Authorized Signature Date

Print Name of Authorized Official

Title

Approved as to form only by
Assistant Attorney General.