

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION
COMMUNITY DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

COUNCIL TRANSMITTAL

TO: Rocky J. Fluhart, Chief Administrative Officer

DATE: May 5, 2005

FROM: Louis Zunguze, Community Development Director

SUBJECT: US Department of Housing and Urban Development,
Economic Development Initiative

STAFF CONTACTS: Sherrie Collins at 535-6150 or sherrie.collins@slc.gov

ACTION REQUIRED: Adoption of Resolution by City Council

DOCUMENT TYPE: Resolution

BUDGET IMPACT: \$99,410 Grant Revenue

DISCUSSION: The Housing and Neighborhood Development Division applied for and received this \$99,410 Economic Development Initiative grant award from the US Department of Housing and Urban Development to be used for infrastructure improvements to the 900 South, 900 East intersection. The eligible improvements under this grant include: concrete sidewalk repairs, installation of ADA corner ramps, additional pedestrian scale street lights and countdown signals, replacement of bus benches, and new landscaping in conjunction with other work planned for the intersection and funded within the CIP fund.

PUBLIC PROCESS: These awards/grants require no public process other than Council adoption by Resolution and Public Hearing pertaining to the budget opening. The Environmental Review is complete and the project is ready to bid pending Council approval and adoption of the budget in June.

RELEVANT ORDINANCES: None

Salt Lake City Corporation
CAMP DOCUMENT ROUTING FORM
CITY SIGNATURE AND ACTIVATION PROCESS

May 5, 2005

Contract Number:	06-5-05-1340	Project:	
Contractor:	09544 U S DEPT OF HSNG & URBAN DEV		
Contract Title:	900 S 900 E STREETSCAPE PROJECT-EDI FUNDS		
Monitor:	KAREN WILEY		

Please complete your Step and forward to the next Step.

STEP 1	ACCOUNTING DIVISION - Encumber Funds
<p style="font-size: 1.5em; transform: rotate(-45deg); opacity: 0.5;">No encumbrance at this time</p>	<p>I certify that funds are available. _____</p> <p>OR Accounting Signature _____ Date _____</p> <p>I certify that no encumbrance is required at this time and any future encumbrance will be checked against available budget by the accounting system .</p> <p>Accounting Signature _____ Date _____</p> <p>Funding Source: _____</p> <p style="text-align: center;">Dept Cost Center Object Code \$ _____</p> <p>Attach additional paperwork if more funding sources are needed. Limit \$ _____</p>
STEP 2	CITY ATTORNEY'S OFFICE - Final Approval
<p>Leave Blank</p> <p>For</p> <p>Date Stamp</p>	<p>Attorney: <u>Larry Spendlove</u> Insurance Required: N</p> <p>Perf Bond Required: N</p> <p>Pmt Bond Required: N</p> <p>This document has been approved as to form. <u>[Signature]</u> <u>5/5/05</u></p> <p style="text-align: right;">Attorney's Signature Date</p>
STEP 3	MAYOR'S OFFICE - Sign Document
<p>Leave Blank</p> <p>For</p> <p>Date Stamp</p>	<p><u>INSTRUCTIONS:</u></p> <p><u>Sign ALL documents.</u></p> <p>Authorized Signer: <u>Ross C Anderson</u> <u>Mayor</u></p> <p style="text-align: center;">Name Dept/Div</p> <p><u>Forward ALL Signed documents to the Recorder's Office</u></p>
STEP 4	RECORDER'S OFFICE - Activate
<p>Leave Blank</p> <p>For</p> <p>Date Stamp</p>	<p><u>INSTRUCTIONS:</u></p> <p>When activated, keep 1 signed document, send other signed document(s) to:</p> <p><u>[Signature]</u> <u>HANN</u> <u>6150</u></p> <p style="text-align: right;">Name Department or Division Phone</p>

RESOLUTION NO. _____ OF 2005

AUTHORIZING SALT LAKE CITY TO ACCEPT
THE ECONOMIC DEVELOPMENT INITIATIVE GRANT AGREEMENT
FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, Title 11, Chapter 13 Utah Code Ann., as amended, allows public entities to enter into cooperative agreements to provide joint undertakings and services; and

WHEREAS, the attached grant agreement has been prepared to accomplish said purposes;

THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah:

1. It does hereby authorize and approve of SALT LAKE CITY CORPORATION accepting the \$99,410 of grant funding described in Exhibit "A" attached hereto, from the US Department of Transportation to expend for the purposes of:

Infrastructure improvements to include sidewalk repairs, installation of ADA corner ramps, update traffic signals, additional pedestrian scale street lights and countdown signals, replacement of bus benches and new landscaping in conjunction with other work planed for the 900 South and 900 East streetscape project.

2. Ross C. Anderson, Mayor of Salt Lake City, Utah, is hereby authorized to receive said grant award and execute any and all subsequent agreements between the City and other entities resulting from the said Award on behalf of Salt Lake City Corporation, so long as such subsequent agreements do not depart substantively from the grant award approved herein.

Passed by the City Council of Salt Lake City, Utah, this day _____ day of _____, 2005.

Salt Lake City Council

By _____
Chairperson

ATTEST:

Approved as to Form:
Salt Lake City Attorney's Office
By: TV Spindone
Date: 6/5/2005

FY 2004 EDI-SPECIAL PROJECT NO. B-04-SP-UT-0799

GRANT AGREEMENT

This Grant Agreement between the Department of Housing and Urban Development (HUD) and Salt Lake City Corporation (the Grantee) is made pursuant to the authority of Public Law 108-199 (the FY 2004 Appropriations Act for HUD and other agencies) and House Report 108-401 (the Conference Report on the Appropriations Act). Please note that the Grant Amount shown below is 99.41% of the amount specified in the Conference Report because of a .59% rescission mandated in the Act. The Grantee's application package, as may be amended by the provisions of this Grant Agreement, is hereby incorporated into this Agreement.

In reliance upon and in consideration of the mutual representations and obligations hereunder, HUD and the Grantee agree as follows:

Subject to the provisions of the Grant Agreement, HUD will make grant funds in the amount of \$99,410 available to the Grantee.

The Grantee agrees to abide by the following:

ARTICLE I. HUD Requirements.

The Grantee agrees to comply with the following requirements for which HUD has enforcement responsibility.

- A. The grant funds will only be used for activities described in the application, which is incorporated by reference and made part of this Agreement as may be modified by Article VII (A) of this Grant Agreement.
- B. **EQUAL OPPORTUNITY REQUIREMENTS**
The grant funds must be made available in accordance with the following:
 - 1. For projects involving housing, the requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulations at 24 CFR Part 100; Executive Order 11063 (Equal Opportunity in Housing) and implementing regulations at 24 CFR Part 107.
 - 2. The requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR Part 1.
 - 3. The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR Part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8.

4. The requirements of 24 CFR 5.105(a) regarding equal opportunity as well as the requirements of Executive Order 11246 (Equal Employment Opportunity) and the implementing regulations issued at 41 CFR Chapter 60.
5. For those grants funding construction covered by 24 CFR 135, the requirements of section 3 of the Housing and Urban Development Act of 1968, (12 U.S.C. 1701u) which requires that economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, be given to low- and very low-income persons and to businesses that provide economic opportunities for these persons.
6. The requirements of Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 (concerning Women's Business Enterprise). Consistent with HUD's responsibilities under these Orders, the Grantee must make efforts to encourage the use of minority and women's business enterprises in connection with grant funded activities. See 24 CFR Part 85.36(e) , which describes actions to be taken by the Grantee to assure that minority business enterprises and women business enterprises are used when possible in the procurement of property and services.
7. Where applicable, Grantee shall maintain records of its efforts to comply with the requirements cited in Paragraphs 5 and 6 above.

C. ENVIRONMENTAL REVIEW REQUIREMENTS.

1. If the Grantee is a unit of general local government, a State, an Indian Tribe, or an Alaskan Native Village, the Grantee agrees to assume all of the responsibilities for environmental review and decision- making and actions, as specified and required in regulations issued by the Secretary pursuant to the Multifamily Housing Property Disposition Reform Act of 1994 and published in 24 CFR Part 58.
2. If the Grantee is a housing authority, redevelopment agency, academic institution, hospital, or other non-profit organization, the Grantee shall request the unit of general local government, Indian Tribe, or Alaskan Native Village, within which the project is located and which exercises land use responsibility, to assume all of the responsibilities for environmental review and decision-making as specified in paragraph C.1 above, and the Grantee shall carry out all of the responsibilities of a recipient under 24 CFR Part 58.

- D. Administrative requirements of OMB Circular A-133 "Audits of States, Local governments and Non-Profit Organizations."
- E. For State and Local Governments, the Administrative requirements of 24 CFR Part 85, including the procurement requirements of 24 CFR Part 85.36, and the requirements of OMB Circular A-87 regarding Cost Principles for State and Local Governments. For Non-Profits, the Administrative requirements of 24 CFR Part 84, including the procurement requirements of 24 CFR Part 84.40, and OMB Circular A-122 regarding Cost Principles for Non-Profit Institutions. For Institutions of Higher Education the applicable OMB Circular regarding Cost Principles is A-21.
- F. The regulations at 24 CFR Part 87, related to lobbying, including the requirement that the Grantee obtain certifications and disclosures from all covered persons.
- G. Restrictions on participation by ineligible, debarred or suspended persons or entities as described in Executive Order 12549 and at CFR 24 Part 5.105(c).
- H. The Uniform Relocation Act as implemented by regulations at 49 CFR Part 24.
- I. The Grantee will comply with all accessibility requirements under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8, where applicable.

ARTICLE II. Conditions Precedent to Draw Down.

The Grantee may not draw down grant funds until the following actions have taken place:

- A. The Grantee has received and approved any certifications and disclosures required by 24 CFR 87.100 concerning lobbying and by 24 CFR 24.510(b) regarding ineligibility, suspension and debarment.
- B. Any other conditions listed in Article VII (C) of this Grant Agreement.

ARTICLE III. Draw Downs.

- A. A request by the Grantee to draw down grant funds under the Voice Response Access system or any other payment system constitutes a representation by the Grantee that it and all participating parties are complying with the terms of this Grant Agreement.
- B. The Grantee will be paid on an advance basis provided that the Grantee minimizes the time elapsing between transfer of the grant funds and disbursement for project purposes and otherwise follows the requirements of 24 CFR Part 85 or Part 84 and Treasury Circular 1075 (31 CFR Part 205).

- C. Before the Grant Agreement is signed, the Grantee may incur cost for activities which are exempt from environmental review under 24 CFR Part 58 and may charge the costs to the grant. Funds provided by this grant however, may not be used for reimbursement of expenses incurred prior to the enactment of The Act authorizing these funds on **January 23, 2004**.
-

ARTICLE IV. Progress Reports.

- A. The Grantee shall submit to the Grant Officer a progress report every six months after the effective date of the Grant Agreement. Progress reports shall consist of (1) a narrative of work accomplished during the reporting period and (2) a completed Financial Status Report - Form 269 A.

HUD may require additional information or increased frequency of reporting as described in Article VII (C).

- B. The performance reports must contain the information required under 24 CFR Part 85.40(b) (2) or 24 CFR Part 84.51(a), as applicable including a comparison of actual accomplishment to the objectives indicated in the approved application, the reasons for slippage if established objectives were not met, and additional pertinent information including explanation of significant cost overruns.
- C. No grant drawdowns will be approved for projects with overdue progress reports.

ARTICLE V. Project Close-out.

- A. The grantee shall submit to the Grant Officer a written request to close-out the grant 30 days after the grantee has drawn down all funds and completed the activities described in the application, as may be amended. The final report shall consist of (1) a narrative of all work accomplished during the project period and (2) a completed Financial Status Report - Form 269 A covering the entire project period.

HUD will then send the Close-out Agreement and Close-out Certification to the Grantee. At HUD's option, the Grantee may delay initiation of project close-out until the resolution of any HUD monitoring findings. If HUD exercises this option the Grantee must promptly resolve the findings.

- B. The Grantee recognizes that the close-out process may entail a review by HUD to determine compliance with the Grant Agreement by the Grantee and all participating parties. The Grantee agrees to cooperate with any review in any way possible, including making available records requested by HUD and the project for on-site HUD inspection.

- C. The Grantee shall provide to HUD the following documentation:
1. A Certification of Project Completion.
 2. A Grant Close-out Agreement.
 3. A final financial report giving the amount and types of project costs charged to the grant (that meet the allowability and allocability requirements of OMB Circular A-122, A-87 or A-21 as applicable, including the "necessary and reasonable" standard); a certification of the costs; and the amounts and sources of other project funds.
 4. A final performance report providing a comparison of actual accomplishments with each of the project commitments and objectives in the approved application, the reasons for slippage if established objectives were not met and additional pertinent information including explanation of significant cost overruns.
- D. The Grantee agrees that the grant funds are allowable only to the extent that the project costs, meeting the standard of OMB Circular A-122, A-87 or A-21 as applicable, equal the grant amount plus other sources of project funds provided.
- E. When HUD has determined that the grant funds are allowable, the activities were completed as described by the Grant Agreement, and all Federal requirements were satisfied, HUD and the Grantee will sign the Close-out Agreement and Close-out Certificate.
- E. The Close-out Agreement will include the Grantee's Agreement to abide by any continuing federal requirements.

ARTICLE VI. Default.

A default under this Grant Agreement shall consist of using grant funds for a purpose other than as authorized by this Agreement, any noncompliance with legislative, regulatory, or other requirements applicable to the Agreement, any other material breach of this Agreement, or any material misrepresentation in the application submissions.

ARTICLE VII. Additional Provisions.

- A. Project Description. The project is as described in the application with the following changes: NONE
- B. Changes or Clarification to the Application Related to Participating Parties:
The Administrative Agent if any:
- C. Special Conditions:
NONE

U.S. Department of Housing
and Urban Development

Salt Lake City Corporation
The Honorable Ross C. Anderson

Authorized Signature

Authorized Signature

Donald P. Mains

Deputy Assistant Secretary
for Economic Development

Title

Date

Date

APPROVED AS TO FORM
Salt Lake City Attorneys Office
Date 5/9/2005
By TV Spendlove

Assistance Award/Amendment

U.S. Department of Housing
and Urban Development
Office of Administration

1. Assistance Instrument <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Grant		2. Type of Action <input checked="" type="checkbox"/> Award <input type="checkbox"/> Amendment																	
3. Instrument Number B-04-SP-UT-0799	4. Amendment Number	5. Effective Date of this Action	6. Control Number																
7. Name and Address of Recipient Salt Lake City Corporation 451 South State Street, Room 406 Salt Lake City, UT 84111 EIN: 87-6000279		8. HUD Administering Office CPD, EDI Special Project Division 451 7th Street, SW, Rm 7146 Washington, DC 20410-7000																	
		8a. Name of Administrator	8b. Telephone Number																
10. Recipient Project Manager Ross C. Anderson		9. HUD Government Technical Representative Angela Dyer 202-708-3773, Extension: 7111																	
11. Assistance Arrangement <input type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Cost Sharing <input checked="" type="checkbox"/> Fixed Price	12. Payment Method <input type="checkbox"/> Treasury Check Reimbursement <input type="checkbox"/> Advance Check <input checked="" type="checkbox"/> Automated Clearinghouse	13. HUD Payment Office Chief Financial Officer																	
14. Assistance Amount <table border="1"><tr><td>Previous HUD Amount</td><td></td></tr><tr><td>HUD Amount this Action</td><td>\$99,410.00</td></tr><tr><td>Total HUD Amount</td><td>\$99,410.00</td></tr><tr><td>Recipient Amount</td><td></td></tr><tr><td>Total Instrument Amount</td><td>\$99,410.00</td></tr></table>		Previous HUD Amount		HUD Amount this Action	\$99,410.00	Total HUD Amount	\$99,410.00	Recipient Amount		Total Instrument Amount	\$99,410.00	15. HUD Accounting and Appropriation Data 15a. Appropriation Number 86 4/6 0162 15b. Reservation Number EID 04 <table border="1"><tr><td>Amount Previously Obligated</td><td></td></tr><tr><td>Obligation by this Action</td><td>\$99,410.00</td></tr><tr><td>Total Obligation</td><td>\$99,410.00</td></tr></table>		Amount Previously Obligated		Obligation by this Action	\$99,410.00	Total Obligation	\$99,410.00
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Amount Previously Obligated																			
Obligation by this Action	\$99,410.00																		
Total Obligation	\$99,410.00																		

16. Description
by Salt Lake City for streetscape improvements in the ninth and ninth neighborhood

This Award consists of the following items which are appended to and hereby made part of this Award:

- (A) Cover Page - HUD 1044
(B) Grant Agreement

Special Conditions:

Please contact Howard Kutzer - HUD Area Environmental Officer at 303-672-5285, concerning environmental review. NO FUNDS may be drawn down prior to environmental release of funds approval.

17. <input checked="" type="checkbox"/> Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office.	18. <input type="checkbox"/> Recipient is not required to sign this document.
19. Recipient (By Name): The Honorable Ross C. Anderson	20. HUD (By Name): Donald P. Mains

Signature & Title: Mayor of Salt Lake City	Date:	Signature and Title: DAS for Economic Development	Date:
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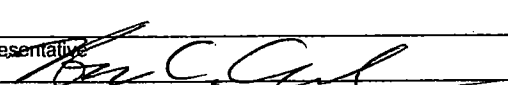
Previous Editions are Obsolete

form HUD-1044 (8/90)
Ref. Handbook 2210.17

APPROVED AS TO FORM
Salt Lake City Attorneys Office
Date 5/5/05
By TV Spendler

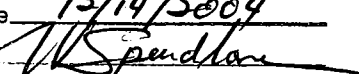
**APPLICATION FOR
FEDERAL ASSISTANCE**

Version 7/03

1. TYPE OF SUBMISSION: Application <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED December 20, 2004	Applicant Identifier
<input type="checkbox"/> Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name: Salt Lake City Corporation		Organizational Unit: Department: Community Development Department	
Organizational DUNS: 07-295-7822		Division: Housing and Neighborhood Development Division	
Address: Street: 451 South State Street, Room 406		Name and telephone number of person to be contacted on matters involving this application (give area code) Prefix: Ms. First Name: LuAnn	
City: Salt Lake City		Middle Name	
County: Salt Lake County		Last Name Clark	
State: Utah	Zip Code 84111	Suffix:	
Country: United States of America		Email: luann.clark@slcgov.com	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 87-6000279		Phone Number (give area code) (801) 535-6136	Fax Number (give area code) (801) 535-6131
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>		7. TYPE OF APPLICANT: (See back of form for Application Types) C. Other (specify)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): FY2004 Economic Development Initiative - Special Project		9. NAME OF FEDERAL AGENCY: U.S. Department of Housing and Urban Development	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Salt Lake City		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Streetscape Improvements to the Ninth and Ninth Neighborhood Commercial Node in Salt Lake City, Utah	
13. PROPOSED PROJECT Start Date: July 1, 2005 Ending Date: July 1, 2006		14. CONGRESSIONAL DISTRICTS OF: a. Applicant UT01, UT02 b. Project UT02	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 99,410.00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON	
b. Applicant	\$ 0.00	DATE:	
c. State	\$ 0.00	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
d. Local	\$ 0.00	<input checked="" type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
e. Other	\$ 0.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
f. Program Income	\$ 0.00	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No	
g. TOTAL	\$ 99,410.00		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
a. Authorized Representative			
Prefix Honorable	First Name Ross	Middle Name C.	
Last Name Anderson		Suffix	
b. Title Mayor		c. Telephone Number (give area code) (801) 535-7743	
d. Signature of Authorized Representative 		e. Date Signed December 17, 2004	

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APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date 12/14/2004
By 

Standard Form 424 (Rev.9-2003)
Prescribed by OMB Circular A-102

Applicant Assurances and Certifications

U.S. Department of Housing and Urban Development

OMB Approval No. 2501-0017
(expires 03/31/2005)

Instructions for the HUD-424-B Assurances and Certifications

As part of your application for HUD funding, you, as the official authorized to sign on behalf of your organization or as an individual must provide the following assurances and certifications. By submitting this form, you are stating that to the best of your knowledge and belief, all assertions are true and correct.

As the duly authorized representative of the applicant, I certify that the applicant [Insert below the Name and title of the Authorized Representative, name of Organization and the date of signature]:

Name: Ross C. Anderson, Title: Mayor
Organization: Salt Lake City Corp., Date: 12/17/2004.

1. Has the legal authority to apply for Federal assistance, has the institutional, managerial and financial capability (including funds to pay the non-Federal share of program costs) to plan, manage and complete the program as described in the application and the governing body has duly authorized the submission of the application, including these assurances and certifications, and authorized me as the official representative of the applicant to act in connection with the application and to provide any additional information as may be required.
2. Will administer the grant in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d)) and implementing regulations (24 CFR Part 1), which provide that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance **OR** if the applicant is a Federally recognized Indian tribe or its tribally designated housing entity, is subject to the Indian Civil Rights Act (25 U.S.C. 1301-1303).
3. Will administer the grant in compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended, and implementing regulations at 24 CFR Part 8, and the Age Discrimination Act of 1975 (42 U.S.C. 6101-07), as amended, and implementing regulations at 24 CFR Part 146 which together provide that no person in the United States shall, on the grounds of disability or age, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance; except if the grant program authorizes or limits participation to designated populations, then the applicant will comply with the nondiscrimination requirements within the designated population.
4. Will comply with the Fair Housing Act (42 U.S.C. 3601-19), as amended, and the implementing regulations at 24 CFR Part 100, which prohibit discrimination in housing on the basis of race, color, religion, sex, disability, familial status, or national origin; except an applicant which is an Indian tribe or its instrumentality which is excluded by statute from coverage does not make this certification; and further except if the grant program authorizes or limits participation to designated populations, then the applicant will comply with the nondiscrimination requirements within the designated population.

5. Will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601) and implementing regulations at 49 CFR Part 24 and 24 CFR 42, Subpart A.

6. Will comply with the environmental requirements of the National Environmental Policy Act (42 U.S.C. 4321 et seq.) and related Federal authorities prior to the commitment or expenditure of funds for property acquisition and physical development activities subject to implementing regulations at 24 CFR parts 50 or 58.

7. That no Federal appropriated funds have been paid, or will be paid, by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of this Federal grant or its extension, renewal, amendment or modification. If funds other than Federal appropriated funds have or will be paid for influencing or attempting to influence the persons listed above, I shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying. I certify that I shall require all sub awards at all tiers (including sub-grants and contracts) to similarly certify and disclose accordingly. Federally recognized Indian Tribes and tribally designated housing entities (TDHEs) established by Federally-recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage by the Byrd Amendment, but State-recognized Indian tribes and TDHEs established under State law are not excluded from the statute's coverage.

These certifications and assurances are material representations of the fact upon which HUD can rely when awarding a grant. If it is later determined that, I the applicant, knowingly made an erroneous certification or assurance, I may be subject to criminal prosecution. HUD may also terminate the grant and take other available remedies.

Salt Lake City Corporation
Ninth & Ninth Streetscape Improvements

Description of the Project

The goals of the streetscape improvements to the Ninth and Ninth neighborhood are to: 1) create a distinct small neighborhood business district with enhancements to support merchants, increase vitality to the area, and attract new businesses; 2) create a model walkable community; and 3) improve the infrastructure in an aging section of Salt Lake City.

The Ninth and Ninth residential neighborhood sustains a small yet substantial business district that has the potential to become a model walkable community. The business area attracts a large number of pedestrians from the surrounding neighborhood and the University of Utah. But the area is based around the intersection of two busy streets (900 East and 900 South) with few pedestrian safety devices or amenities. The width of the streets, the poor condition of the sidewalks, and the lack of pedestrian crosswalk signals make the area hazardous for shoppers who arrive by foot or bicycle. Presently, there are 23 businesses in the core district of 900 East and 900 South, and there are 25 businesses in the support district located in the two adjacent city blocks. Combined, this creates a commercial node of 48 businesses.

The East Central Community Small Area Master Plan (January 1993) called for enhancements to the area that would address the needs of the business district: "Streetscape enhancements such as trees, planter boxes, sidewalk improvements, street furnishings, and landscape are desired by most of the neighborhood. The aesthetics of the neighborhood environment are important in establishing this quality business district."

The City has already designated curb, gutter and drainage improvements to the streetscape as a priority due to the aging infrastructure. The Economic Development Initiative funds from HUD will allow Salt Lake City Corporation to expand the streetscape improvements to include sidewalk repairs, installation of ADA corner ramps, updates to traffic signals, additional of pedestrian scale street lights and countdown signals, replacement of bus benches, and new landscaping. These improvements will enhance the commercial node supporting 48 businesses and create a model walkable community in a blended residential/commercial node with potential for replication by other communities.

Salt Lake City Corporation
Ninth & Ninth Streetscape Improvements

Project Budget Statement

The award of \$99,410 from the U.S. Department of Housing and Urban Development will be used for streetscape improvements to the commercial node supporting 48 businesses at the neighborhood street intersection of 900 South and 900 East in Salt Lake City, Utah. Administrative expenses for design and construction engineering are budgeted at \$16,748 and represent 17 percent of the project costs. The hard cost construction activities account for 75 percent of the project expenses and include curb and gutter upgrades, sidewalk repair, installation of ADA corner ramps, updates to traffic signals, addition of pedestrian scale street lights and countdown signals, replacement of bus benches, and landscaping improvements. The project budget also includes a contingency of eight percent to be used toward project cost overruns.

Project Budget

<u>Line Items</u>	<u>Description of Work</u>	<u>Cost</u>
Administrative Fees	Design & Construction Engineering	\$16,478
Construction		
	Install ADA corner ramps	\$4,000
	Replace concrete sidewalk	\$30,000
	Install pedestrian scale street lights	\$25,200
	Install pedestrian countdown signals	\$10,000
	Replace bus benches	\$1,200
	Replace landscaping and add to bulbouts	\$4,500
	Subtotal Construction	\$74,900
Contingency		\$8,032
	<u>TOTAL</u>	<u>\$99,410</u>

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR


SALT LAKE CITY CORPORATION

COMMUNITY DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

MEMORANDUM

To: Elizabeth Myers, Grants Acquisition and Project Coordinator

From: Marilynn Lewis, Environmental Planner 

Date: December 9, 2004

Subject: Streetscape Improvements project in the Ninth and Ninth Neighborhood of Salt Lake City, Utah. Grant Number # B-04-SP-UT-0799

The environmental review process has begun on the aforementioned project. However, additional physical information on the site/project area has been requested in order to complete this review. Once the environmental review has been completed all appropriate noticing, and a request that funds be released will occur according to Housing and Urban Development's prescribed time frames. As is the typical practice, all information will then be forwarded to Mr. Howard S. Kutzer, the Regional Environmental Officer in Denver, Colorado.

If the scope or project description changes, please notify me before completion of the Environmental Review Process. If you have any questions, please call me at 535-6409.

cc: LuAnn Clark, Director HAND
Karen Wiley, Grant Financial Administrator

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: <div style="text-align: center;"><u>NOT APPLICABLE</u></div>			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known: _____		
6. Federal Department/Agency: Congressional District, if known: _____			7. Federal Program Name/Description: CFDA Number, if applicable: _____		
8. Federal Action Number, if known:			9. Award Amount, if known: \$ _____		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.					
Federal Use Only:					
Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____					Date: _____
Authorized for Local Reproduction Standard Form 111 (Rev. 7-97)					

**Acknowledgment of Receipt
of Application for A
FY 2004 EDI – Special Project**

U.S. Department of Housing
and Urban Development
Washington, DC 20410

Type or clearly print your name and return address in the space below.

Ms. LuAnn Clark, Director, H.A.N.D.

Salt Lake City Corporation

451 South State Street, Room 406

Salt Lake City, Utah 84111

fold line

**To Be Signed/Dated Below by HUD Processing and Control Branch, Room 7251, 451
Seventh Street, SW, Washington, DC 20410:**

We have received your application for a FY 2004 EDI – Special Project grant. The EDI-Special Project Program Staff will review your application and contact you if any more information is needed. Otherwise, you should receive an approval package in the near future.

Processor's Name: _____

Date of Receipt: _____



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, D.C. 20410-1000

OFFICE OF THE ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

The Honorable Ross C. Anderson
Mayor of Salt Lake City
451 South State Street, Room 406
Salt Lake City, UT 84111

APR 29 2005

Dear Mayor Anderson:

The Department is pleased to announce approval of the following Special Project grant, as funded by the Congress in the VA-HUD-Independent Agencies Appropriations Act for FY 2004 (PL 108-199) and as described in the Conference Report accompanying the Act (HR108-401). Please note that the Grant Amount shown below is 99.41% of the amount specified in the Conference Report because of a .59% rescission mandated in the Act.

Project No.: B-04-SP-UT-0799
Project Funding: \$99,410
Recipient: Salt Lake City Corporation

This letter transmits the following documents and guidance needed to activate your FY 2004 special project grant.

1. Grant Agreement. Enclosed are four copies. Please read the agreement carefully, noting any attachments which have modifications or special conditions on this grant. Please sign and date three copies with original signatures and return them as noted below. The fourth copy is for your records pending receipt of a countersigned copy.
2. Assistance Award - Form 1044. Four copies are enclosed. Please sign and date three copies with original signatures and return them as noted below. The fourth copy is for your records pending receipt of a countersigned copy.
3. Forms and Instructions for Drawing Down Funds. HUD uses the Line of Credit Control System (LOCCS) for financial management of grant funds. Under this system, you identify the bank account into which you want HUD to deposit funds electronically. Then you request scheduled payments, using a voice response system.

You will be able to draw down funds once, 1) HUD processes the forms, 2) sends you a LOCCS ID Number and a LOCCS Voice Response Number, and 3) after the required certifications and environmental review (if needed) have been accepted by HUD.

Please ensure that all the following forms are complete and return them together as noted below:

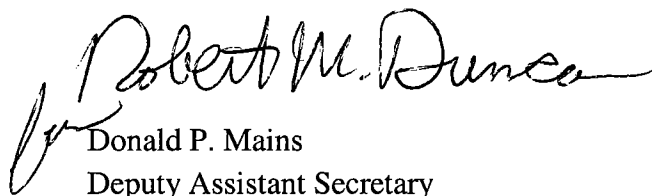
- a) the three signed originals of the Grant Agreement;
- b) the three signed originals of the Assistance Award (HUD Form 1044);
- c) the Direct Deposit Form (SF 1199) completed by you and your financial institution;
- d) evidence of the ABA number for your depository account, such as a VOIDED blank check, a deposit slip or similar documentation.

The notarized LOCCS Access Authorization Form (HUD form 27054) should be sent directly to the address on the form.

All of these items should be sent to the Government Technical Representative for this grant, Angela Dyer , Room 7146, U.S. Dept. of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410. If you or your staff have any questions about these documents and procedures, please contact Angela Dyer at (202) 708-3773, ext. 7111, fax (202)-708-7543, or Angela_M._Dyer@hud.gov.

We look forward to working with you toward a successful completion of this project.

Sincerely,


Donald P. Mains
Deputy Assistant Secretary
for Economic Development

Enclosures

FY 2004 EDI-SPECIAL PROJECT NO. B-04-SP-UT-0799

GRANT AGREEMENT

This Grant Agreement between the Department of Housing and Urban Development (HUD) and Salt Lake City Corporation (the Grantee) is made pursuant to the authority of Public Law 108-199 (the FY 2004 Appropriations Act for HUD and other agencies) and House Report 108-401 (the Conference Report on the Appropriations Act). Please note that the Grant Amount shown below is 99.41% of the amount specified in the Conference Report because of a .59% rescission mandated in the Act. The Grantee's application package, as may be amended by the provisions of this Grant Agreement, is hereby incorporated into this Agreement.

In reliance upon and in consideration of the mutual representations and obligations hereunder, HUD and the Grantee agree as follows:

Subject to the provisions of the Grant Agreement, HUD will make grant funds in the amount of \$99,410 available to the Grantee.

The Grantee agrees to abide by the following:

ARTICLE I. HUD Requirements.

The Grantee agrees to comply with the following requirements for which HUD has enforcement responsibility.

- A. The grant funds will only be used for activities described in the application, which is incorporated by reference and made part of this Agreement as may be modified by Article VII (A) of this Grant Agreement.
- B. **EQUAL OPPORTUNITY REQUIREMENTS**
The grant funds must be made available in accordance with the following:
 - 1. For projects involving housing, the requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulations at 24 CFR Part 100; Executive Order 11063 (Equal Opportunity in Housing) and implementing regulations at 24 CFR Part 107.
 - 2. The requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR Part 1.
 - 3. The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR Part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8.

4. The requirements of 24 CFR 5.105(a) regarding equal opportunity as well as the requirements of Executive Order 11246 (Equal Employment Opportunity) and the implementing regulations issued at 41 CFR Chapter 60.
5. For those grants funding construction covered by 24 CFR 135, the requirements of section 3 of the Housing and Urban Development Act of 1968, (12 U.S.C. 1701u) which requires that economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, be given to low- and very low-income persons and to businesses that provide economic opportunities for these persons.
6. The requirements of Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 (concerning Women's Business Enterprise). Consistent with HUD's responsibilities under these Orders, the Grantee must make efforts to encourage the use of minority and women's business enterprises in connection with grant funded activities. See 24 CFR Part 85.36(e), which describes actions to be taken by the Grantee to assure that minority business enterprises and women business enterprises are used when possible in the procurement of property and services.
7. Where applicable, Grantee shall maintain records of its efforts to comply with the requirements cited in Paragraphs 5 and 6 above.

C. ENVIRONMENTAL REVIEW REQUIREMENTS.

1. If the Grantee is a unit of general local government, a State, an Indian Tribe, or an Alaskan Native Village, the Grantee agrees to assume all of the responsibilities for environmental review and decision-making and actions, as specified and required in regulations issued by the Secretary pursuant to the Multifamily Housing Property Disposition Reform Act of 1994 and published in 24 CFR Part 58.
2. If the Grantee is a housing authority, redevelopment agency, academic institution, hospital, or other non-profit organization, the Grantee shall request the unit of general local government, Indian Tribe, or Alaskan Native Village, within which the project is located and which exercises land use responsibility, to assume all of the responsibilities for environmental review and decision-making as specified in paragraph C.1 above, and the Grantee shall carry out all of the responsibilities of a recipient under 24 CFR Part 58.

- D. Administrative requirements of OMB Circular A-133 "Audits of States, Local governments and Non-Profit Organizations."
- E. For State and Local Governments, the Administrative requirements of 24 CFR Part 85, including the procurement requirements of 24 CFR Part 85.36, and the requirements of OMB Circular A-87 regarding Cost Principles for State and Local Governments. For Non-Profits, the Administrative requirements of 24 CFR Part 84, including the procurement requirements of 24 CFR Part 84.40, and OMB Circular A-122 regarding Cost Principles for Non-Profit Institutions. For Institutions of Higher Education the applicable OMB Circular regarding Cost Principles is A-21.
- F. The regulations at 24 CFR Part 87, related to lobbying, including the requirement that the Grantee obtain certifications and disclosures from all covered persons.
- G. Restrictions on participation by ineligible, debarred or suspended persons or entities as described in Executive Order 12549 and at CFR 24 Part 5.105(c).
- H. The Uniform Relocation Act as implemented by regulations at 49 CFR Part 24.
- I. The Grantee will comply with all accessibility requirements under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8, where applicable.

ARTICLE II. Conditions Precedent to Draw Down.

The Grantee may not draw down grant funds until the following actions have taken place:

- A. The Grantee has received and approved any certifications and disclosures required by 24 CFR 87.100 concerning lobbying and by 24 CFR 24.510(b) regarding ineligibility, suspension and debarment.
- B. Any other conditions listed in Article VII (C) of this Grant Agreement.

ARTICLE III. Draw Downs.

- A. A request by the Grantee to draw down grant funds under the Voice Response Access system or any other payment system constitutes a representation by the Grantee that it and all participating parties are complying with the terms of this Grant Agreement.
- B. The Grantee will be paid on an advance basis provided that the Grantee minimizes the time elapsing between transfer of the grant funds and disbursement for project purposes and otherwise follows the requirements of 24 CFR Part 85 or Part 84 and Treasury Circular 1075 (31 CFR Part 205).

- C. Before the Grant Agreement is signed, the Grantee may incur cost for activities which are exempt from environmental review under 24 CFR Part 58 and may charge the costs to the grant. Funds provided by this grant however, may not be used for reimbursement of expenses incurred prior to the enactment of The Act authorizing these funds on **January 23,2004.**
-

ARTICLE IV. Progress Reports.

- A. The Grantee shall submit to the Grant Officer a progress report every six months after the effective date of the Grant Agreement. Progress reports shall consist of (1) a narrative of work accomplished during the reporting period and (2) a completed Financial Status Report - Form 269 A.

HUD may require additional information or increased frequency of reporting as described in Article VII (C).

- B. The performance reports must contain the information required under 24 CFR Part 85.40(b) (2) or 24 CFR Part 84.51(a), as applicable including a comparison of actual accomplishment to the objectives indicated in the approved application, the reasons for slippage if established objectives were not met, and additional pertinent information including explanation of significant cost overruns.
- C. No grant drawdowns will be approved for projects with overdue progress reports.

ARTICLE V. Project Close-out.

- A. The grantee shall submit to the Grant Officer a written request to close-out the grant 30 days after the grantee has drawn down all funds and completed the activities described in the application, as may be amended. The final report shall consist of (1) a narrative of all work accomplished during the project period and (2) a completed Financial Status Report - Form 269 A covering the entire project period.

HUD will then send the Close-out Agreement and Close-out Certification to the Grantee. At HUD's option, the Grantee may delay initiation of project close-out until the resolution of any HUD monitoring findings. If HUD exercises this option the Grantee must promptly resolve the findings.

- B. The Grantee recognizes that the close-out process may entail a review by HUD to determine compliance with the Grant Agreement by the Grantee and all participating parties. The Grantee agrees to cooperate with any review in any way possible, including making available records requested by HUD and the project for on-site HUD inspection.

- C. The Grantee shall provide to HUD the following documentation:
1. A Certification of Project Completion.
 2. A Grant Close-out Agreement.
 3. A final financial report giving the amount and types of project costs charged to the grant (that meet the allowability and allocability requirements of OMB Circular A-122, A-87 or A-21 as applicable, including the "necessary and reasonable" standard); a certification of the costs; and the amounts and sources of other project funds.
 4. A final performance report providing a comparison of actual accomplishments with each of the project commitments and objectives in the approved application, the reasons for slippage if established objectives were not met and additional pertinent information including explanation of significant cost overruns.
- D. The Grantee agrees that the grant funds are allowable only to the extent that the project costs, meeting the standard of OMB Circular A-122, A-87 or A-21 as applicable, equal the grant amount plus other sources of project funds provided.
- E. When HUD has determined that the grant funds are allowable, the activities were completed as described by the Grant Agreement, and all Federal requirements were satisfied, HUD and the Grantee will sign the Close-out Agreement and Close-out Certificate.
- E. The Close-out Agreement will include the Grantee's Agreement to abide by any continuing federal requirements.

ARTICLE VI. Default.

A default under this Grant Agreement shall consist of using grant funds for a purpose other than as authorized by this Agreement, any noncompliance with legislative, regulatory, or other requirements applicable to the Agreement, any other material breach of this Agreement, or any material misrepresentation in the application submissions.

ARTICLE VII. Additional Provisions.

- A. Project Description. The project is as described in the application with the following changes: NONE
- B. Changes or Clarification to the Application Related to Participating Parties:
The Administrative Agent if any:
- C. Special Conditions:
NONE

U.S. Department of Housing
and Urban Development

Salt Lake City Corporation
The Honorable Ross C. Anderson

Authorized Signature

Donald P. Mains

Deputy Assistant Secretary
for Economic Development

Date

Authorized Signature

Title

Date

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 6/5/2005
By W. Spindler

Assistance Award/Amendment

U.S. Department of Housing
and Urban Development
Office of Administration

1. Assistance Instrument <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Grant		2. Type of Action <input checked="" type="checkbox"/> Award <input type="checkbox"/> Amendment																			
3. Instrument Number B-04-SP-UT-0799	4. Amendment Number	5. Effective Date of this Action	6. Control Number																		
7. Name and Address of Recipient Salt Lake City Corporation 451 South State Street, Room 406 Salt Lake City, UT 84111 EIN: 87-6000279		8. HUD Administering Office CPD, EDI Special Project Division 451 7th Street, SW, Rm 7146 Washington, DC 20410-7000																			
10. Recipient Project Manager Ross C. Anderson		9. HUD Government Technical Representative Angela Dyer 202-708-3773, Extension: 7111																			
11. Assistance Arrangement <input type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Cost Sharing <input checked="" type="checkbox"/> Fixed Price	12. Payment Method <input type="checkbox"/> Treasury Check Reimbursement <input type="checkbox"/> Advance Check <input checked="" type="checkbox"/> Automated Clearinghouse	13. HUD Payment Office Chief Financial Officer																			
14. Assistance Amount <table border="1"><tr><td>Previous HUD Amount</td><td></td></tr><tr><td>HUD Amount this Action</td><td>\$99,410.00</td></tr><tr><td>Total HUD Amount</td><td>\$99,410.00</td></tr><tr><td>Recipient Amount</td><td></td></tr><tr><td>Total Instrument Amount</td><td>\$99,410.00</td></tr></table>		Previous HUD Amount		HUD Amount this Action	\$99,410.00	Total HUD Amount	\$99,410.00	Recipient Amount		Total Instrument Amount	\$99,410.00	15. HUD Accounting and Appropriation Data <table border="1"><tr><td>15a. Appropriation Number 86 4/6 0162</td><td>15b. Reservation Number EID 04</td></tr><tr><td>Amount Previously Obligated</td><td></td></tr><tr><td>Obligation by this Action</td><td>\$99,410.00</td></tr><tr><td>Total Obligation</td><td>\$99,410.00</td></tr></table>		15a. Appropriation Number 86 4/6 0162	15b. Reservation Number EID 04	Amount Previously Obligated		Obligation by this Action	\$99,410.00	Total Obligation	\$99,410.00
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Obligation by this Action	\$99,410.00																				
Total Obligation	\$99,410.00																				
16. Description by Salt Lake City for streetscape improvements in the ninth and ninth neighborhood This Award consists of the following items which are appended to and hereby made part of this Award: (A) Cover Page - HUD 1044 (B) Grant Agreement Special Conditions: Please contact Howard Kutzer - HUD Area Environmental Officer at 303-672-5285, concerning environmental review. NO FUNDS may be drawn down prior to environmental release of funds approval.																					
17. <input checked="" type="checkbox"/> Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office.		18. <input type="checkbox"/> Recipient is not required to sign this document.																			
19. Recipient (By Name): The Honorable Ross C. Anderson		20. HUD (By Name): Donald P. Mains																			
Signature & Title: Mayor of Salt Lake City		Date:	Signature and Title: DAS for Economic Development																		

Previous Editions are Obsolete

form HUD-1044 (8/90)
Ref. Handbook 2210.17APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 5/5/2005
By [Signature]

FY 2004 EDI-SPECIAL PROJECT NO. B-04-SP-UT-0799

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- F. The regulations at 24 CFR Part 87, related to lobbying, including the requirement that the Grantee obtain certifications and disclosures from all covered persons.
- G. Restrictions on participation by ineligible, debarred or suspended persons or entities as described in Executive Order 12549 and at CFR 24 Part 5.105(c).
- H. The Uniform Relocation Act as implemented by regulations at 49 CFR Part 24.
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- B. Any other conditions listed in Article VII (C) of this Grant Agreement.

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- C. Before the Grant Agreement is signed, the Grantee may incur cost for activities which are exempt from environmental review under 24 CFR Part 58 and may charge the costs to the grant. Funds provided by this grant however, may not be used for reimbursement of expenses incurred prior to the enactment of The Act authorizing these funds on **January 23,2004.**
-

ARTICLE IV. Progress Reports.

- A. The Grantee shall submit to the Grant Officer a progress report every six months after the effective date of the Grant Agreement. Progress reports shall consist of (1) a narrative of work accomplished during the reporting period and (2) a completed Financial Status Report - Form 269 A.

HUD may require additional information or increased frequency of reporting as described in Article VII (C).

- B. The performance reports must contain the information required under 24 CFR Part 85.40(b) (2) or 24 CFR Part 84.51(a), as applicable including a comparison of actual accomplishment to the objectives indicated in the approved application, the reasons for slippage if established objectives were not met, and additional pertinent information including explanation of significant cost overruns.
- C. No grant drawdowns will be approved for projects with overdue progress reports.

ARTICLE V. Project Close-out.

- A. The grantee shall submit to the Grant Officer a written request to close-out the grant 30 days after the grantee has drawn down all funds and completed the activities described in the application, as may be amended. The final report shall consist of (1) a narrative of all work accomplished during the project period and (2) a completed Financial Status Report - Form 269 A covering the entire project period.

HUD will then send the Close-out Agreement and Close-out Certification to the Grantee. At HUD's option, the Grantee may delay initiation of project close-out until the resolution of any HUD monitoring findings. If HUD exercises this option the Grantee must promptly resolve the findings.

- B. The Grantee recognizes that the close-out process may entail a review by HUD to determine compliance with the Grant Agreement by the Grantee and all participating parties. The Grantee agrees to cooperate with any review in any way possible, including making available records requested by HUD and the project for on-site HUD inspection.

C. The Grantee shall provide to HUD the following documentation:

1. A Certification of Project Completion.
2. A Grant Close-out Agreement.
3. A final financial report giving the amount and types of project costs charged to the grant (that meet the allowability and allocability requirements of OMB Circular A-122, A-87 or A-21 as applicable, including the "necessary and reasonable" standard); a certification of the costs; and the amounts and sources of other project funds.
4. A final performance report providing a comparison of actual accomplishments with each of the project commitments and objectives in the approved application, the reasons for slippage if established objectives were not met and additional pertinent information including explanation of significant cost overruns.

D. The Grantee agrees that the grant funds are allowable only to the extent that the project costs, meeting the standard of OMB Circular A-122, A-87 or A-21 as applicable, equal the grant amount plus other sources of project funds provided.

E. When HUD has determined that the grant funds are allowable, the activities were completed as described by the Grant Agreement, and all Federal requirements were satisfied, HUD and the Grantee will sign the Close-out Agreement and Close-out Certificate.

E. The Close-out Agreement will include the Grantee's Agreement to abide by any continuing federal requirements.

ARTICLE VI. Default.

A default under this Grant Agreement shall consist of using grant funds for a purpose other than as authorized by this Agreement, any noncompliance with legislative, regulatory, or other requirements applicable to the Agreement, any other material breach of this Agreement, or any material misrepresentation in the application submissions.

ARTICLE VII. Additional Provisions.

A. Project Description. The project is as described in the application with the following changes: NONE

B. Changes or Clarification to the Application Related to Participating Parties:
The Administrative Agent if any:

C. Special Conditions:
NONE

U.S. Department of Housing
and Urban Development

Salt Lake City Corporation
The Honorable Ross C. Anderson

Authorized Signature

Donald P. Mains

Deputy Assistant Secretary
for Economic Development

Date

Authorized Signature

Title

Date

APPROVED AS TO FORM
Salt Lake City Attorneys Office
Date 5/5/2005
By TV Spendler

Assistance Award/Amendment

U.S. Department of Housing
and Urban Development
Office of Administration

1. Assistance Instrument <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Grant		2. Type of Action <input checked="" type="checkbox"/> Award <input type="checkbox"/> Amendment																			
3. Instrument Number B-04-SP-UT-0799	4. Amendment Number	5. Effective Date of this Action	6. Control Number																		
7. Name and Address of Recipient Salt Lake City Corporation 451 South State Street, Room 406 Salt Lake City, UT 84111 EIN: 87-6000279		8. HUD Administering Office CPD, EDI Special Project Division 451 7th Street, SW, Rm 7146 Washington, DC 20410-7000																			
10. Recipient Project Manager Ross C. Anderson		9. HUD Government Technical Representative Angela Dyer 202-708-3773, Extension: 7111																			
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16. Description by Salt Lake City for streetscape improvements in the ninth and ninth neighborhood This Award consists of the following items which are appended to and hereby made part of this Award: (A) Cover Page - HUD 1044 (B) Grant Agreement Special Conditions: Please contact Howard Kutzer - HUD Area Environmental Officer at 303-672-5285, concerning environmental review. NO FUNDS may be drawn down prior to environmental release of funds approval.																					
17. <input checked="" type="checkbox"/> Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office.		18. <input type="checkbox"/> Recipient is not required to sign this document.																			
19. Recipient (By Name): The Honorable Ross C. Anderson		20. HUD (By Name): Donald P. Mains																			
Signature & Title: Mayor of Salt Lake City		Signature and Title: DAS for Economic Development																			
Date:		Date:																			

Previous Editions are Obsolete

form HUD-1044 (8/90)
Ref. Handbook 2210.17APPROVED AS TO FORM
Salt Lake City Attorneys Office
Date 5/5/2005
By [Signature]

FY 2004 EDI-SPECIAL PROJECT NO. B-04-SP-UT-0799

GRANT AGREEMENT

This Grant Agreement between the Department of Housing and Urban Development (HUD) and Salt Lake City Corporation (the Grantee) is made pursuant to the authority of Public Law 108-199 (the FY 2004 Appropriations Act for HUD and other agencies) and House Report 108-401 (the Conference Report on the Appropriations Act). Please note that the Grant Amount shown below is 99.41% of the amount specified in the Conference Report because of a .59% rescission mandated in the Act. The Grantee's application package, as may be amended by the provisions of this Grant Agreement, is hereby incorporated into this Agreement.

In reliance upon and in consideration of the mutual representations and obligations hereunder, HUD and the Grantee agree as follows:

Subject to the provisions of the Grant Agreement, HUD will make grant funds in the amount of \$99,410 available to the Grantee.

The Grantee agrees to abide by the following:

ARTICLE I. HUD Requirements.

The Grantee agrees to comply with the following requirements for which HUD has enforcement responsibility.

- A. The grant funds will only be used for activities described in the application, which is incorporated by reference and made part of this Agreement as may be modified by Article VII (A) of this Grant Agreement.
- B. **EQUAL OPPORTUNITY REQUIREMENTS**
The grant funds must be made available in accordance with the following:
 - 1. For projects involving housing, the requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulations at 24 CFR Part 100; Executive Order 11063 (Equal Opportunity in Housing) and implementing regulations at 24 CFR Part 107.
 - 2. The requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR Part 1.
 - 3. The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR Part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8.

4. The requirements of 24 CFR 5.105(a) regarding equal opportunity as well as the requirements of Executive Order 11246 (Equal Employment Opportunity) and the implementing regulations issued at 41 CFR Chapter 60.
5. For those grants funding construction covered by 24 CFR 135, the requirements of section 3 of the Housing and Urban Development Act of 1968, (12 U.S.C. 1701u) which requires that economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, be given to low- and very low-income persons and to businesses that provide economic opportunities for these persons.
6. The requirements of Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 (concerning Women's Business Enterprise). Consistent with HUD's responsibilities under these Orders, the Grantee must make efforts to encourage the use of minority and women's business enterprises in connection with grant funded activities. See 24 CFR Part 85.36(e) , which describes actions to be taken by the Grantee to assure that minority business enterprises and women business enterprises are used when possible in the procurement of property and services.
7. Where applicable, Grantee shall maintain records of its efforts to comply with the requirements cited in Paragraphs 5 and 6 above.

C. ENVIRONMENTAL REVIEW REQUIREMENTS.

1. If the Grantee is a unit of general local government, a State, an Indian Tribe, or an Alaskan Native Village, the Grantee agrees to assume all of the responsibilities for environmental review and decision- making and actions, as specified and required in regulations issued by the Secretary pursuant to the Multifamily Housing Property Disposition Reform Act of 1994 and published in 24 CFR Part 58.
2. If the Grantee is a housing authority, redevelopment agency, academic institution, hospital, or other non-profit organization, the Grantee shall request the unit of general local government, Indian Tribe, or Alaskan Native Village, within which the project is located and which exercises land use responsibility, to assume all of the responsibilities for environmental review and decision-making as specified in paragraph C.1 above, and the Grantee shall carry out all of the responsibilities of a recipient under 24 CFR Part 58.

- D. Administrative requirements of OMB Circular A-133 "Audits of States, Local governments and Non-Profit Organizations."
- E. For State and Local Governments, the Administrative requirements of 24 CFR Part 85, including the procurement requirements of 24 CFR Part 85.36, and the requirements of OMB Circular A-87 regarding Cost Principles for State and Local Governments. For Non-Profits, the Administrative requirements of 24 CFR Part 84, including the procurement requirements of 24 CFR Part 84.40, and OMB Circular A-122 regarding Cost Principles for Non-Profit Institutions. For Institutions of Higher Education the applicable OMB Circular regarding Cost Principles is A-21.
- F. The regulations at 24 CFR Part 87, related to lobbying, including the requirement that the Grantee obtain certifications and disclosures from all covered persons.
- G. Restrictions on participation by ineligible, debarred or suspended persons or entities as described in Executive Order 12549 and at CFR 24 Part 5.105(c).
- H. The Uniform Relocation Act as implemented by regulations at 49 CFR Part 24.
- I. The Grantee will comply with all accessibility requirements under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8, where applicable.

ARTICLE II. Conditions Precedent to Draw Down.

The Grantee may not draw down grant funds until the following actions have taken place:

- A. The Grantee has received and approved any certifications and disclosures required by 24 CFR 87.100 concerning lobbying and by 24 CFR 24.510(b) regarding ineligibility, suspension and debarment.
- B. Any other conditions listed in Article VII (C) of this Grant Agreement.

ARTICLE III. Draw Downs.

- A. A request by the Grantee to draw down grant funds under the Voice Response Access system or any other payment system constitutes a representation by the Grantee that it and all participating parties are complying with the terms of this Grant Agreement.
- B. The Grantee will be paid on an advance basis provided that the Grantee minimizes the time elapsing between transfer of the grant funds and disbursement for project purposes and otherwise follows the requirements of 24 CFR Part 85 or Part 84 and Treasury Circular 1075 (31 CFR Part 205).

- C. Before the Grant Agreement is signed, the Grantee may incur cost for activities which are exempt from environmental review under 24 CFR Part 58 and may charge the costs to the grant. Funds provided by this grant however, may not be used for reimbursement of expenses incurred prior to the enactment of The Act authorizing these funds on **January 23,2004.**
-

ARTICLE IV. Progress Reports.

- A. The Grantee shall submit to the Grant Officer a progress report every six months after the effective date of the Grant Agreement. Progress reports shall consist of (1) a narrative of work accomplished during the reporting period and (2) a completed Financial Status Report - Form 269 A.

HUD may require additional information or increased frequency of reporting as described in Article VII (C).

- B. The performance reports must contain the information required under 24 CFR Part 85.40(b) (2) or 24 CFR Part 84.51(a), as applicable including a comparison of actual accomplishment to the objectives indicated in the approved application, the reasons for slippage if established objectives were not met, and additional pertinent information including explanation of significant cost overruns.
- C. No grant drawdowns will be approved for projects with overdue progress reports.

ARTICLE V. Project Close-out.

- A. The grantee shall submit to the Grant Officer a written request to close-out the grant 30 days after the grantee has drawn down all funds and completed the activities described in the application, as may be amended. The final report shall consist of (1) a narrative of all work accomplished during the project period and (2) a completed Financial Status Report - Form 269 A covering the entire project period.

HUD will then send the Close-out Agreement and Close-out Certification to the Grantee. At HUD's option, the Grantee may delay initiation of project close-out until the resolution of any HUD monitoring findings. If HUD exercises this option the Grantee must promptly resolve the findings.

- B. The Grantee recognizes that the close-out process may entail a review by HUD to determine compliance with the Grant Agreement by the Grantee and all participating parties. The Grantee agrees to cooperate with any review in any way possible, including making available records requested by HUD and the project for on-site HUD inspection.

C. The Grantee shall provide to HUD the following documentation:

1. A Certification of Project Completion.
2. A Grant Close-out Agreement.
3. A final financial report giving the amount and types of project costs charged to the grant (that meet the allowability and allocability requirements of OMB Circular A-122, A-87 or A-21 as applicable, including the "necessary and reasonable" standard); a certification of the costs; and the amounts and sources of other project funds.
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A. Project Description. The project is as described in the application with the following changes: NONE

B. Changes or Clarification to the Application Related to Participating Parties:
The Administrative Agent if any:

C. Special Conditions:
NONE

U.S. Department of Housing
and Urban Development

Salt Lake City Corporation
The Honorable Ross C. Anderson

Authorized Signature

Donald P. Mains

Deputy Assistant Secretary
for Economic Development

Date

Authorized Signature

Title

Date

APPROVED AS TO FORM
Salt Lake City Attorneys Office

Date

5/5/2005

By

[Signature]

Assistance Award/Amendment

U.S. Department of Housing
and Urban Development
Office of Administration

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16. Description
by Salt Lake City for streetscape improvements in the ninth and ninth neighborhood

This Award consists of the following items which are appended to and hereby made part of this Award:

- (A) Cover Page - HUD 1044
(B) Grant Agreement

Special Conditions:

Please contact Howard Kutzer - HUD Area Environmental Officer at 303-672-5285, concerning environmental review. NO FUNDS may be drawn down prior to environmental release of funds approval.

17. <input checked="" type="checkbox"/> Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office.	18. <input type="checkbox"/> Recipient is not required to sign this document.
19. Recipient (By Name): The Honorable Ross C. Anderson	20. HUD (By Name): Donald P. Mains

Signature & Title: Mayor of Salt Lake City	Date:	Signature and Title: DAS for Economic Development	Date:
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form HUD-1044 (8/90)
Ref. Handbook 2210.17

APPROVED AS TO FORM
Salt Lake City Attorneys Office
Date 5/5/2005
By [Signature]