

Direct Component Project Evaluation Form

Please complete the following information needed to evaluate your proposal. In order to be considered, complete evaluation packets must be received by **October 31, 2017**. Do not leave any questions blank; use N/A if not applicable to your project. The completed form is limited to 20 pages, including a 5 page limit for Section B.1 Proposed Scope of Work. See attached FAQs for submission information.

GENERAL INFORMATION			
Applicant Name:	City of Bayou La Batre		
Point of Contact for matters concerning this project (POC name, email address and phone):	Terry Downey, Mayor of Bayou La Batre mayor@cityofbayoulabatre.com , 13785 South Wintzell Avenue, Bayou La Batre, AL 36509 251-824-2171		
Proposed Project Name:	#218, Redevelopment of City Docks		
A. RESTORE ACT PROJECT CLASSIFICATION			
1. Qualifying eligible activity: Please check the primary eligible activity in the first column and then all other eligible activities that apply in the second column by placing an "X" in the column in the row corresponding to the qualifying eligible activity.	Primary Activity	All Others That Apply	Qualifying Eligible Activity
	<input type="checkbox"/>	<input type="checkbox"/>	Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region
	<input type="checkbox"/>	<input type="checkbox"/>	Mitigation of damage to fish, wildlife, and natural resources
	<input type="checkbox"/>	<input type="checkbox"/>	Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring
	<input type="checkbox"/>	<input type="checkbox"/>	Workforce development and job creation
	<input type="checkbox"/>	<input type="checkbox"/>	Improvements to or on state parks located in coastal areas affected by the Deepwater Horizon oil spill
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Infrastructure projects benefitting the economy or ecological resources, including port infrastructure
	<input type="checkbox"/>	<input type="checkbox"/>	Coastal flood protection and related infrastructure
	<input type="checkbox"/>	<input type="checkbox"/>	Planning assistance
	<input type="checkbox"/>	<input type="checkbox"/>	Promotion of tourism in the Gulf Coast Region, including recreational fishing
	<input type="checkbox"/>	<input type="checkbox"/>	Promotion of the consumption of seafood harvested from the Gulf Coast Region
2. Was this proposed activity included in any claim for compensation paid out by the Oil Spill Liability Trust Fund after July 6, 2012? If "Yes," this activity is not eligible for Director Component funding.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

3. Location a) Please provide the actual location for the activity as street address, nearest intersection, or note boundaries on a submitted map. If there is more than one location for the activity, attach a list of the additional locations, city/town, county, state, and zip code.	Location:	Bayou La Batre City Docks
	City/Town:	Bayou La Batre
	County:	Mobile
	State:	Alabama
	Zip Code:	36509
b) Applicants must demonstrate that the proposed activity will be carried out in the Gulf Coast Region. An activity is carried out the Gulf Coast Region when, in the reasonable judgement of the entity applying for a grant, each severable part of the activity is primarily designed to restore or protect that geographic area. Describe how the proposed activity will be carried out in the Gulf Coast Region as defined in 31 CFR 34.2. Applicant must also attach a map including the location the activity is primarily designed to restore or protect. (See FAQs)		
All Activities for the project occur in Bayou La Batre, Alabama. A map is attached to show general area of proposed project.		

B. DISCUSSION OF SPECIFIC ACTIVITY
1. Proposed Scope of Work (See FAQs)
(a) Provide a detailed scope of work that fully describes the project or program for which funding is requested, including: <ul style="list-style-type: none"> • Need, purpose, and objectives
Project Need (include cost of No Action):
<p>Bayou La Batre, Alabama was the first permanent settlement in south Mobile County. In its early beginning, Bayou La Batre was a small fishing village and is now known to many Alabamians as the "Seafood Capital of Alabama" for the seafood landings and economic impact to the state of Alabama. The existing city docks were donated to the City of Bayou La Batre by the Alabama State Docks Systems. The docks were used primarily in support of the seafood and boat building industries with such activities housed within a 90,000 square foot warehouse. These vital economic assets of the City were completely destroyed on August 29, 2005, by Hurricane Katrina. Many of the city's tenants moved away, relocated to other property within the city of Bayou La Batre, or closed their doors.</p> <p>The Mayor has a new vision for redevelopment of the city docks property. He sees it as a public space for the enjoyment of local people and tourists and a dock area where local seafood boats can sell seafood directly to the public. The space will be an area where the heritage and assets of the City can be showcased and enjoyed. The first phase of the project will be to rebuild the bulkhead and fishing piers within the harbor perimeter. Once these improvements are completed, the vision is to use the property south of the north bulkhead for dry boat storage and for multiuse parking.</p> <p>The north side of the docks will be used for encouragement of commercial and retail developments. There will also be docking piers for local people and tourists to purchase seafood directly from the boats. The area in the center of the property, housing a gazebo, a dry storage warehouse, an area for local boaters to obtain gas by way of the water and will be used for various festivals. The project will also include ecotourism, (kayaking, biking, local birding), a boardwalk for strolling the area, and restrooms for public use. This area will promote local seafood industries, ecotourism, including birding and kayaking, and local history.</p> <p>If this project is not funded or executed, the docks would remain unusable and dilapidated and the City would miss a huge opportunity to move forward with a project that will promote the City and encourage business development across many local industries.</p>

Project Purpose:

The purpose of the project is to redevelop the City docks to breathe life back into the space. This new vision will support many areas of the local economy and will serve as a public space and meeting place for festivals and area residents and visitors to enjoy.

Project Objectives:

The objective is to redevelop the docks in two phases: the first phase of the project will be to rebuild the bulkhead and fishing piers within the harbor perimeter. The second phase will be to use the property south of the north bulkhead for dry boat storage, an area for boaters to obtain gas by water and for multiuse parking. The north side of the docks will be used for encouragement of commercial and retail developments. There will also be docking piers for local people and tourists to purchase seafood directly from the boats. The area in the center of the property, housing a gazebo, will be used for various festivals. The project will also include ecotourism, (kayaking, biking, local birding), a boardwalk for strolling the area, and restrooms for public use. This area will promote local seafood industries, ecotourism, including birding and kayaking, and local history.

• How the project/program meets the identified primary activity designated in A1

This project meets the primary activity of "Infrastructure projects benefitting the economy or ecological resources, including port infrastructure" by benefitting the local seafood industry with an area to sell directly to the public, an area to have local festivals and events, promoting ecotourism, including birding and kayaking and to encourage locals and visitors to enjoy the area while celebrating the heritage of the City.

• Specific tasks, milestones and related timeframes (Needs to directly correspond to information provided in the Restore Act Milestones Report (See sample in FAQs)

1. Update engineering documents and design after award (award plus 1-2 months). 2. Apply for all necessary regulatory permitting to perform project (Award plus 3-6 months). 3. Begin Procurement process for phase 1 for obtaining contractor bids, including advertising bid process (award plus 3-6 months). 4. Award and negotiate contract to chosen contractor, closely adhering to all State and Federal procurement laws and processes (award date plus 6-9 months). 5. Hold pre-construction meeting and give notice to proceed to chosen Contractor to order materials and to begin work (award plus 6-9 months). 6. Monitor work closely, hold weekly project meetings with key personnel and contractor (award plus 8-18 months) 7. At project completion, provide all necessary documentation and deliverables to funding agency to ensure proper closeout. (award plus 24 months). Once funding is available, the performance period is expected to last approximately 24 months for phase 1. Phase 2 would go through the same process with procurement and engineering, and is expected to last approximately 12 months.

• Description of all funding sources (please list any other funding sources that will be dedicated to meeting project goals and objectives, both federal and non-federal (corresponds to SF-424-A form in budget attachments)

The City of Bayou La Batre does not have any other accessible funding sources to complete this project.

• Projects designed to protect or restore natural resources must be based on best available science, (See FAQs). Include a description of the methods to be used to achieve the protection or restoration objective(s). (Also complete Question B10.)

N/A

(b) If the proposed project is part of a larger project outside the scope of this application, describe the larger project and the proposed project's relationship to it.

N/A

2. Budget Justification (See 2 CFR Sub-part E, Cost Principles)

Directions: Explain in detail how the proposed budget supports the proposed scope of work. The budget justification should relate each budget category listed in the SF-424A and SF-424C to the specific tasks discussed in the response to B1. Provide specific justification for ALL budget categories that apply, including an explanation of the necessity, allowability, reasonableness, and allocability of proposed costs. Please refer to the relevant FAQs for descriptions of the budget categories.

The budget was prepared by an experienced engineer who has overseen other projects of this category. All costs are necessary and are not inflated. The administration category for this project is to cover expenses of the "double check" system to ensure that no one person has access to project activities or information, to assist in project management, to provide any needed regulatory support and to provide timely reporting and communications with City Leadership, funding agency, contractors and to conduct and required public meetings pertaining to the project. The cost is well under the 3% cap for administration for the project cost. The Architectural and Engineering fees are not inflated and are to cover all planning, design and project management. The "other" Engineering fees are to cover permitting costs for any needed regulatory permitting for the project. The project inspection fees are for oversight of contractor activities and performance and to ensure that best practices are used in construction activities.

3. The Applicant's Selection and Oversight of Contractors, if applicable

Directions: Indicate if the applicant plans to contract out any work described under the Budget Justification (see B2) including construction. If so, the applicant must describe the following:

- Nature of the work to be contracted out and the expected number of contracts to be awarded;

Three contracts will be awarded, two for professional services (engineering and administration), and one for construction activities (construction contract will be advertised and will solicit bids, all State and Federal procurement laws will be followed.

- Procurement method(s) allowable under 2 CFR 200.320 that will be used for the procurement of the contractor(s);
All Federal and State procurement laws will be observed and implemented.

- Justification under 2 CFR 200.320(f) for sole source procurement, if applicable; and

Professional Services contracts are sole-source, and will be utilized due to existing relationships and professional service providers already working with the City. These professional services include an engineer of record and a grants coordinator/administrator who is already working with the City.

- Applicant's plan for monitoring contractor performance and compliance.

Contractor performance and compliance will be monitored on a regular basis, and will be addressed in weekly construction meetings held during the performance period. All contractors will be held to the highest standards for performance and compliance to Federal and State laws concerning the grant program and project.

If a contractor already has been selected, also include the following:

- Name of each contractor;
- DUNS number of each contractor;
- Date the applicant executed each contract;
- Amount of each contract award;

N/A no contracts have been awarded for the project to this date.

- Procurement method allowable under 2 CFR 200.320 that was used for the procurement of each contract;
- Description of the procurement process, as implemented; and
- Justification under 2 CFR 200.320(f) for sole source procurement, if applicable.

All Federal and State Procurement Laws will be strictly observed and followed.

4. Best Available Science

Directions: If the answer to the following question is "yes" complete this section.

Yes

No

Is the proposed activity designed to protect or restore natural resources?

The RESTORE Act requires activities designed to protect or restore natural resources to be based on the "best available science," which is defined in the Act as science that (a) maximizes the quality, objectivity, and integrity of information, including statistical information; (b) uses peer-reviewed and publicly available data; and (c) clearly documents risks and uncertainties in the scientific basis for such projects.

The applicant must make a determination that a project designed to protect or restore natural resources is based on the best available science. In order to support this determination, the applicant must clearly state the protection or restoration objective(s) of the project, describe the methods that will be used to achieve the objective(s), and explain how these methods are based on best available science. The response must be sufficiently detailed for Treasury to evaluate the reasonableness of the applicant's determination that the project is based on best available science. In addressing the three-pronged test in the definition of "best available science," the applicant must cite, when available, peer-reviewed, objective, methodologically sound literature sources that support the conclusion that the proposed scope of work is an effective way to achieve the stated objectives.

For each literature source cited, the applicant must provide sufficient citations, including:

- Title;
- Journal in which the literature source appeared, if applicable;
- Publication date;
- Author(s); and
- Web address if downloaded or available online.

N/A

The applicant must provide written answers to all of the following:

(Submission of source materials will not satisfy the requirements for answering this question.)

- A summary of the peer-reviewed information that justifies the proposed objectives, including methods used for the proposed activity. If peer-reviewed literature sources are unavailable, the Applicant must explicitly State this and provide A brief explanation of what alternative scientific information sources were used. If the Applicant relied on publicly available data, the Applicant must cite the source of the data, the date of collection, and the size of the data set. Whenever possible, the Applicant should use publicly available data from sources such as State agencies and federal agencies, for example the U.S. Census Bureau, U.S. Fish and Wildlife Service, Environmental Protection Agency, National Oceanic and Atmospheric Administration. The Applicant must provide a link to each publicly available data source used.

N/A

- A summary of how the applicant's methods reasonably support and are adaptable to Gulf Coast Region if the information supporting the proposed activity does not directly pertain to the Gulf Coast Region.

Not Applicable

- A summary of an evaluation of uncertainties and risks in achieving the project's best available science objectives over the longer term; e.g., is there an uncertainty or risk that in 5-10 years the project/program will be obsolete or not function as planned given projections of sea level rise or other environmental change such as in freshwater inflows to estuaries?

N/A

- A summary of the literature sources' conclusions and any uncertainties or risks in the scientific basis that would apply to the proposed activity, including any uncertainties or risks that were identified by the public or by a Gulf Coast Ecosystem Restoration Council member.

N/A

5. Key Personnel

Directions: Key personnel should include the applicant's Authorizing Official who is authorized to sign the grant application and award, the Project Director who is responsible for the project, and the Financial Officer who is responsible for maintaining the accounting and financial records of the grant. Please provide an Organizational Chart.

Key Personnel Include: Mayor Terry Downey, Project Engineer Craig Bryant, City Clerk Marsha Barnes and Grants Coordinator/Administrator Sara Kindt

6. Possible Material Risks to Implement and Maintain the Proposed Activity

Directions: List the possible material risks, e.g., operational, legal, regulatory, budgetary, or ecological risks, with a brief discussion of mitigation strategies that the applicant may need to address in order to implement and/or maintain the proposed activity. If the applicant determines that there are no material risks to implement and maintain the proposed activity, then put 'None' in the Risk column below.

Risks:

None

Mitigation Strategy:

N/A

7. Permits, Land Acquisition, Construction, and Relocation Assistance

Directions: Answer the following items concerning permits, construction, land acquisition, and relocation assistance, if applicable.

(a) Permits

Does the proposed activity require any federal, tribal, state, or local permits? For potential federal permits needed, see: (<https://www.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory>). If yes, list the specific federal, tribal, state, or local permits required for this project and the status of the permits:

This project is expected to require permits from Corp of Engineers (Clean Water Act, Section 10) ADEM Water Quality Certification and NPDES Discharge Modification, USFWS Endangered Species to include Fish and Shellfish D. ADCNR – State Lands Division Water Bottoms including SPROW Permit Modifications.

No permits have been applied for at this time.

(b) Land Acquisition and Construction Activities

Will land be improved? If yes, answer questions i-vi

Yes No

Will land or interest in land be acquired? If yes, answer questions i-vii

Yes No

i. What are the legal rights that will be acquired?

Fee Title Easement Other Not Applicable

ii. If an easement, what is the life of the easement?

N/A

iii. Who will hold title to the land?

The City of Bayou La Batre already owns the land to be improved, and is in the process of gathering documents to show ownership and other items needed.

iv. What is the total acreage of the proposed property interest to be acquired (easement or fee title)?

N/A

v. Has the applicant obtained a recent certified appraisal of the property? If yes, attach a copy of the appraisal.

Yes No

vi. Has the applicant obtained a recent title opinion or certificate? If yes, attach a copy of the title opinion or certificate.

Yes No

vii. Attach a signed statement from the seller(s) that he/she is a willing seller and has not been coerced into selling or conveying the property interest.

N/A

viii. Attach the legal description of the property and the tax parcel number.

N/A

(c) Relocation Assistance

Will the proposed project cause the displacement of any persons, businesses, or farm operations? If yes, as required by Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, explain: the number of displaced persons, including businesses and farm operations; what fair and reasonable relocation payments and advisory services will be provided to any displaced persons; and what provisions will be made to ensure that safe, decent, and sanitary replacement dwellings will be available to such persons within a reasonable period of time prior to displacement.

NO, N/A

8. Additional Project-Specific Factors

- Please discuss the proposed project's short-term and long-term benefits

The short-term benefits are really the same as the long-term benefits. The project is expected to prevent oyster farm closures and to increase the overall health of the oystering industry in the local area.

- The purpose of the RESTORE Act is to provide funding for ecological and economic recovery efforts for damages incurred as a result of the Deepwater Horizon Oil Spill. Please discuss how the proposed project's implementation will prevent any adverse impacts elsewhere.

This project will assist in the economic recovery of Bayou La Batre, one of the coastal-Alabama cities hardest hit by the DWH Spill in 2010. This project will promote local industries and heritage, serve as a meeting place for the public and a space for local festivals

- Does the proposed project expand or promote an existing industry or offer diversification? If so, please explain:

This project has the potential to offer support for the local seafood industry, the growing local ecotourism industry, local retail and hospitality businesses with its multi-use vision.

- Does the proposed project create short-term job opportunities? If so, how many? Please justify:

The project will possibly create short-term job opportunities in the chosen contractor hires local people to work on the job.

- Does the proposed project create long-term job opportunities? If so, how many? Please justify:

Long term, this could increase the number of retail, hospitality and other service jobs in the local area.

- Please discuss how the proposed project will be sustained post-implementation including any annual recurring costs

The city intends to utilize long-term leases to businesses to maintain the docks and the surrounding public areas. Tax generation from the growth of area retail and hospitality businesses will also benefit the city and allow for maintenance of the docks area.

- Please discuss how the proposed project will use cutting-edge technology (i.e., LID, LEED, permeable surfaces)

The project engineer will ensure that best practices and best materials will be utilized in the execution of the project. This project will utilize permeable parking areas to minimize runoff.

- Because the Gulf Coast Restoration Trust Fund will receive deposits over a 15-year period, the Council may consider funding projects in phases. In the event this proposed project is not fully funded, please discuss how the project might be implemented in phases. Keep in mind each phase must result in a stand-alone product.

This project is broken into two phases. The second phase, while stand-alone in many aspects (the first phase would be a complete project if the second phase doesn't happen but the overall value of the first phase would not be as great), the second phase dependent on the first phase to have any impact in the area and wouldn't make any sense to execute if the first phase did not occur.

Rev. 8/10/17

**PRELIMINARY COST ESTIMATE
CITY OF BAYOU LA BATRE DOCKS PHASE I**

<u>Bid Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Amount</u>
1-M	Site Demolition (Pilings, Piers, Caps, Bulkheads and Tiebacks)	1	L.S.	1,300,000.00	1,300,000.00
2-M	Unclassified Excavation	20,000	C.Y.	6.00	120,000.00
3-M	Channel Excavation	9,000	C.Y.	14.00	126,000.00
4-M	Muck Excavation	7,200	C.Y.	14.00	100,800.00
5-M	Borrow Excavation	75,000	C.Y.	10.00	750,000.00
6-M	Borrow Excavation (Underwater Backfill)	23,000	C.Y.	15.00	345,000.00
7-M	Course Aggregate, #57 Lime Stone for Miscellaneous Use 8" Thick and 12" Thick	7,000	C.Y.	45.00	315,000.00
8-M	24" Class 3 RC Concrete Pipe (Thru Bulkhead)	300	L.F.	50.00	15,000.00
9-M	Permanent Steel Sheet Piling (PZ 35) 60' Length	2,600	L.F.	4,000.00	10,400,000.00
10-M	Inside & Outside Whaler System	2,600	L.F.	350.00	910,000.00
11-M	Reinforced Concrete Cap	1,330	C.Y.	1,000.00	1,330,000.00
12-M	Tie Back System (Sheet Pile)	190	EACH	2,000.00	380,000.00
13-M	8" Wide Treated Timber Piers	9,600	S.F.	60.00	576,000.00
14-M	4" Wide Treated Timber Piers	4,480	S.F.	60.00	268,800.00
15-M	Mobilization	1	L.S.	1,500,000.00	1,500,000.00
16-M	Topsoil	1,800	C.Y.	12.00	21,600.00
17-M	Topsoil From Stockpiles	2,500	C.Y.	8.00	20,000.00
18-M	Seeding	13	ACRE	2,000.00	26,000.00
19-M	Erosion and Turbidity Control	1	L.S.	125,000.00	125,000.00

Construction Sub-total =	18,629,200.00
Contingency @ 4% =	745,800.00
Total Construction =	19,375,000.00
Engineering & Inspection =	1,350,000.00
Permitting =	100,000.00
Grant Administration =	203,000.00
Total Project =	21,028,000.00

**PRELIMINARY COST ESTIMATE
CITY OF BAYOU LA BATRE DOCKS PHASE II**

<u>Bid Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Amount</u>
1-M	Unclassified Excavation	1,800	C.Y.	6.00	10,800.00
2-M	Borrow Excavation	3,200	C.Y.	10.00	32,000.00
3-M	Curb and Gutter Streets (Including Grade, Drain, Base and Pave)	3,000	L.F.	175.00	525,000.00
4-M	Site Parking (Permeable)	35,000	S.Y.	25.00	875,000.00
5-M	Retaining Wall Concrete (Including Reinforcement)	500	C.Y.	300.00	150,000.00
6-M	Water, Gas, Sewage and Underground Power (Including Pump Station)	4,000	L.F.	145.00	580,000.00
7-M	Dry Storage with Concrete Pile Supports and All Accessories 30' Height	20,000	S.F.	120.00	2,400,000.00
8-M	10,000 Gallon Gas Storage With Storage Containment on Concrete Base with Fuel Lines	2	EACH	25,000.00	50,000.00
9-M	Concrete pavement 6" Thick Storage and Gas Perimeter	3,350	S.Y.	40.00	134,000.00
10-M	Welcome Center, Bathroom Facilities	4,000	S.F.	100.00	400,000.00
11-M	Intermediate Walks, Pavers and 40' Gazebo Benches	1	L.S.	150,000.00	150,000.00
12-M	Smooth Surface Pavers Including Foundation	52,000	S.F.	25.00	1,300,000.00
13-M	Mobilization	1	L.S.	600,000.00	600,000.00
14-M	Erosion Control	1	L.S.	60,000.00	60,000.00
15-M	Seeding	6	ACRE	2,000.00	12,000.00
16-M	Solid Sodding	16,000	S.Y.	4.00	64,000.00

<u>Bid Item</u> <u>No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Amount</u>
17-M	Vines, Shrubs and Tree Planting (Including Ground Preparation, Staking and Pine Straw Mulch)	1	L.S.	60,000.00	60,000.00
18-M	Signage (Direction, Restroom)	1	L.S.	5,000.00	5,000.00
19-M	Signage Educational (Birds, Local Animals)	1	L.S.	5,000.00	5,000.00
20-M	Traffic Control Signage	1	L.F.	8,000.00	8,000.00
21-M	Final Dress Up	1	L.S.	25,000.00	25,000.00

Construction Sub-total = 7,445,800.00
 Contingency @ 7% = 569,200.00
Total Construction = 8,015,000.00
 Engineering & Inspection = 582,000.00
 Permitting = 25,000.00
 Grant Administration = 87,000.00
Total Project = 8,709,000.00

RESTORE Act Environmental Checklist
Department of the Treasury

OMB Approval Number 1505-0250

Directions: The following questions will aid the applicant in identifying the environmental laws that may apply to the eligible activity and the environmental documents that may be required from listed agencies and submitted with the grant application. Follow up to the questions should be listed in the table located on the last page of the checklist. Treasury will use the submittals to record the Applicant's assertion that it has complied with applicable environmental laws.

PROPOSED PROJECT NAME: #218, Redevelopment of City Docks
APPLICANT NAME: City of Bayou La Batre

FEDERAL LAWS

1.1 NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

The NEPA of 1969 (42 U.S.C. 4321 et seq.) provides a national policy that encourages "productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man . . ." The NEPA requires that all federal agencies use a systematic, interdisciplinary approach for protection of the human environment; this approach will ensure the integrated use of the natural and social sciences in any planning and decision-making that may have an impact upon the environment. The NEPA also requires the preparation of a detailed Environmental Impact Statement (EIS) on any major federal action that may have a significant impact on the environment. An Environmental Review may be required based on the answers to the following questions:

- 1) Will the proposed activity be under the permitting authority of any federal agency?
Yes No
- 2) Will the proposed activity receive federal assistance (other than RESTORE Act funding)?
Yes No
- 3) Will the proposed activity be subject to any federal regulatory decision or approval?
Yes No

If the answer to any of these questions is "yes," contact the relevant federal agency or agencies for further guidance on environmental compliance. Additional information concerning NEPA can

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1505-0250. Comments concerning the time required to complete this information collection, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information, should be directed to the Department of the Treasury, Office of Gulf Coast Restoration, 1500 Pennsylvania Ave., NW, Washington, DC 20220.

be found at: <https://ceq.doe.gov/>.

- 4) Has any environmental review (e.g., NEPA documentation or state or tribal equivalent) been prepared for this proposed eligible activity?

Yes No

If yes, please attach a copy of the documentation to this checklist.

1.2. COASTAL ZONE MANAGEMENT ACT (CZMA)

A federal consistency determination or certification pursuant to Section 307 of the Coastal Zone Management Act may be required from the state coastal zone management program, based on the answers to the following questions:

- 1) Will the proposed activity occur in or near the state designated coastal zone (<https://coast.noaa.gov/czm/media/StateCZBoundaries.pdf>)?

Yes No

- 2) Is the activity likely to have reasonably foreseeable effects on any land or water use or natural resource of the designated coastal zone?

Yes No

If the answer to either of these questions is "yes," contact the State Coastal Zone Management Program (<https://coast.noaa.gov/czm/about/?redirect=301ocm>) for further guidance on federal consistency requirements in your state. Additional information on federal consistency can be found at: <https://coast.noaa.gov/czm/consistency/>.

1.3 ENDANGERED SPECIES ACT (ESA)

A consultation pursuant to Section 7 of the Endangered Species Act and/or a permit and conservation plan pursuant to Section 10 may be required based on the answers to the following questions:

- 1) Will the proposed activity occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of the National Marine Fisheries Service (NMFS) (<http://www.nmfs.noaa.gov/pr/laws/esa/>) or the U.S. Fish and Wildlife Service (USFWS) (<http://www.fws.gov/endangered/>)?

Yes No

- 2) Will the proposed activity potentially affect threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of NMFS or USFWS?

Yes No

If the answer to either of these questions is "yes," or you are unsure, contact the regional office of USFWS (<http://www.fws.gov/offices/>) and/or NMFS (<http://www.nmfs.noaa.gov/>) to determine if consultation is required. Most consultations are conducted informally with the federal agency or a designated non-federal representative. Non-federal representatives may be involved in the informal consultation process and may request and receive species lists, prepare the biological assessment, and provide information for the formal consultation. However, the USFWS requires the action agency to designate formally the non-federal representative in writing. Moreover, the ultimate responsibility for Section 7 obligations remains with the action agency. Additional Information concerning Section 7 consultations can be found in the Endangered Species Act Consultation Handbook at: <http://www.fws.gov/policy/m0002.html>. Additional information concerning Section 10 permits and conservation plans can be found at: http://www.nmfs.noaa.gov/pr/permits/ESA_permits.html.

1.4 MIGRATORY BIRD TREATY ACT AND BALD AND GOLDEN EAGLE PROTECTION ACT The Migratory Bird Treaty Act makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations. The migratory bird species protected by the Act are listed in 50 C.F.R. 10.13. The Bald and Golden Eagle Protection Act prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles [or any golden eagle], including their parts, nests, or eggs. The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." A permit may be required based on the answers to the following questions:

- 1) Will the proposed activity affect any migratory bird species protected by the Migratory Bird Treaty Act?

Yes No

- 2) Will the proposed activity affect any bald or golden eagles protected by the Bald and Golden Eagle Protection Act?

Yes No

If the answer to either question is "yes" or you are unsure, contact the regional office of USFWS (<http://www.fws.gov/offices/>). More information can be found at: <http://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php> and <http://www.fws.gov/birds/policies-and-regulations/laws-legislations/bald-and-golden-eagle-protection-act.php>.

1.5 MAGNUSON – STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT (FCMA)

Consultation with the NMFS may be required if Essential Fish Habitat (EFH) is present and based on the answers to the following questions:

- 1) Will the proposed activity occur in proximity to Essential Fish Habitat as identified by the nearest Regional Fishery Management Council (<http://www.fisherycouncils.org/> and <http://www.nmfs.noaa.gov/sfa/management/councils/>)

Yes No

- 2) Will the proposed activity potentially adversely affect EFH?

Yes No

If the answer to either of these questions is “yes” or you are unsure, contact the nearest regional office of the NMFS (<http://www.nmfs.noaa.gov/>) or Regional Fishery Management Council (<http://www.fisherycouncils.org/>) to determine if consultation is required. Additional information concerning EFH can be found at: <http://www.habitat.noaa.gov/index.html>. Information about consultations can be found in the Essential Fish Habitat Consultation Guidance at: http://www.habitat.noaa.gov/pdf/efhconsultationguidancev1_1.pdf.

1.6 MARINE MAMMAL PROTECTION ACT (MMPA)

A permit may be required if an activity will result in the “take” of a marine mammal. Taking is defined as “to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal.” Permits for most marine mammals are issued by NMFS. Manatees, polar bears, sea otters, walruses, and dugongs, however, are under the jurisdiction of the USFWS.

- 1) Will the proposed activity occur in proximity to any known marine mammals (<http://www.nmfs.noaa.gov/pr/species/mammals/>)?

Yes No

- 2) Will the proposed activity likely result in the take of a marine mammal?

Yes No

If the answer to either of these questions is “yes,” or you are unsure, contact the nearest regional office of NMFS (<http://www.nmfs.noaa.gov/>) to determine if a permit is required. Additional information concerning marine mammal permits can be found at: <http://www.nmfs.noaa.gov/pr/> and http://www.nmfs.noaa.gov/pr/permits/mmpa_permits.html.

1.7 MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (MPRSA)

Titles I and II of the Marine Protection, Research, and Sanctuaries Act (MPRSA), also referred to as the Ocean Dumping Act, generally prohibits (1) transportation of material from the United States for the purpose of ocean dumping; (2) transportation of material from anywhere for the purpose of ocean dumping by U.S. agencies or U.S.-flagged vessels; (3) dumping of material transported from outside the United States into the U.S. territorial sea. A permit may be required based on the answers to the following questions:

1) Does the proposed activity involve an activity covered by the MPRSA?

Yes No

If the answer to this question is "yes," contact the Environmental Protection Agency's (EPA's) Office of Wetlands, Oceans, and Watersheds/Oceans and Coastal Protection Division for further guidance (<http://www.epa.gov/aboutepa/about-office-water#wetlands>). Additional information about permits under the MPRSA can be found at: <http://www.epa.gov/laws-regulations/summary-marine-protection-research-and-sanctuaries-act>.

1.8 NATIONAL MARINE SANCTUARIES ACT

Each National Marine Sanctuary has its own unique set of regulations. There are some regulatory prohibitions that are typical for many sanctuaries: 1) discharging material or other matter into the sanctuary; 2) disturbance of, construction on or alteration of the seabed; 3) disturbance of cultural resources; and 4) exploring for, developing or producing oil, gas or minerals (with a grandfather clause for preexisting operations). A permit may be required from the National Oceanic and Atmospheric Administration (NOAA) based on the answers to the following questions:

1) Is the proposed activity located in a National Marine Sanctuary (<http://sanctuaries.noaa.gov/about/regions.html>)?

Yes No

If the answer to this question is "yes," contact the nearest Regional Office of NOAA's National Marine Sanctuaries Program for further guidance (<http://sanctuaries.noaa.gov/about/southeast.html>).

1.9 CLEAN WATER ACT (CWA)

A separate type of permit is required to dispose of dredge or fill material in the Nation's waters, including wetlands. Authorized by Section 404 of the Act, this permit program is administered by the U.S. Army Corps of Engineers (USACE), subject to and using environmental guidance from the EPA. Some types of activities are exempt from permit requirements, including certain farming, ranching, and forestry practices that do not alter the use or character of the land; some construction and maintenance; and activities already regulated by States under other provisions of the Act. A permit may be required from the USACE based on the answers to the following

questions:

- 1) Will the proposed activity result in any disposal of dredge or fill material to the nation's waters or wetlands?

Yes No

If the answer to this question is "yes," contact the Regulatory Program of the nearest District Office of the USACE (<http://w3.saj.usace.army.mil/permits/HQAvatar/index.htm>) for further guidance on Section 404 permits.

A Water Quality Certification (Section 401) is required for activities that may result in a discharge into navigable waters, including wetlands, watercourses, and natural or man-made ponds. A National Pollution Discharge Elimination System (NPDES) permit may also be required for such discharges.

- 1) Will the proposed activity result in any discharge to navigable waters?

Yes No

If the answer to this question is "yes," contact your state water quality agency for additional guidance. Additional information concerning Section 401 or NPDES requirements can be found at: <http://www.epa.gov/owow/wetlands/waterquality> and <http://cfpub.epa.gov/npdes/>

1.10 CLEAN AIR ACT (CAA)

Special conditions may be required on projects that could affect air quality, based on the answers to the following questions:

- 1) Will the proposed activity result in any direct or indirect emissions within a non-attainment area (<http://www3.epa.gov/airquality/greenbook/define.html>)?

Yes No

If the answer to this question is "yes," contact the nearest state air quality agency (<http://www.4cleanair.org>) for further guidance on determining conformity with the state implementation plan.

1.11 NATIONAL HISTORIC PRESERVATION ACT (NHPA) AND THE ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT (AHPA)

Special conditions may be required on projects that could affect historic resources, based on the answers to the following questions:

- 1) Will the proposed activity occur near property listed or eligible for listing in the National Register of Historic Places (<http://www.nps.gov/nr>), or near property otherwise protected

by section 106 of the National Historic Preservation Act (<http://www.achp.gov/nps.html>) or a similar State Preservation Act?

Yes No

If the answer to this question is "yes," or you are unsure, contact your state historic preservation office (<http://www.ncshpo.org/>) for further guidance concerning compliance requirements.

1.12 COASTAL BARRIER RESOURCE ACT (CBRA)

Federal funding may be prohibited for projects that occur on certain designated coastal barriers, based on the answer to the following questions:

- 1) Is the proposed activity located on an undeveloped coastal barrier designated by the Coastal Barriers Resources Act (<http://www.fws.gov/cbra/>)?

Yes No

If the answer to this question is "yes," contact the nearest Regional Office of USFWS (<http://www.fws.gov/where>) for further guidance.

1.13 RIVERS AND HARBORS ACT

A permit may be required from the USACE based on the answers to the following questions:

- 1) Will the proposed activity involve any work (including structures) that will occur in, over or under navigable waters of the United States?

Yes No

If the answer to this question is "yes," contact the Regulatory Program of the nearest District Office of the USACE (<http://w3.saj.usace.army.mil/permits/HQAvatar/index.htm>) for further guidance on Section 10 permits. The USACE can authorize activities by a standard individual permit, letter-of-permission, nationwide permit, or regional permit. The USACE will make the determination on what type of permit is needed.

1.14 RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

A RCRA permit may be required from the EPA or designated state agency based on the answers to the following question:

- 1) Will the proposed activity include the long-term storage, treatment, or disposal of hazardous materials or petroleum products?

Yes No

If the answer to this question is "yes," contact the nearest RCRA Regional Office of the EPA or state authorized agency (<http://www.epa.gov/compliance/resource-conservation-and-recovery->

[act-rcra-compliance-monitoring](#)) for further guidance on RCRA compliance.

1.15 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)

Special provisions and requirements may apply based on the answer to the following question: (<http://www.epa.gov/superfund/sites/index.htm>).

1) Will the proposed activity involve a Superfund site?

Yes No

If the answer to this question is "yes," contact the nearest Regional Office of the EPA (<http://www.epa.gov/aboutepa/visiting-regional-office>) for further guidance on CERCLA requirements.

1.16 WILD AND SCENIC RIVERS ACT

The Wild and Scenic Rivers Act prohibits federal support for actions such as the construction of dams or other instream activities that would harm the free-flowing condition, water quality, or outstanding resource values of a designated Wild and Scenic River. There are designated rivers in the Gulf Coast States and the Act may apply based on the answer to the following questions:

1) Is the proposed activity located on a designated Wild and Scenic River (<http://www.rivers.gov/index.php>)?

Yes No

If the answer to this question is "yes," contact the nearest Regional Office of the USFWS (<http://www.fws.gov/where>) for further guidance.

1.17 SAFE DRINKING WATER ACT

A permit may be required if the proposed activity will involve underground injection which may impact drinking water sources and based on the answer to the following question:

1) Will the proposed activity involve underground injection which may impact drinking water sources?

Yes No

If the answer to the question is "yes," contact the nearest state drinking water or underground injection control program. For more information see: <http://water.epa.gov/lawsregs/guidance/sdwa/>.

1.18 FARMLAND PROTECTION POLICY ACT (FPPA)

Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency. The project may be subject to the FPPA based on the answers to the following questions:

- 1) Will the proposed activity irreversibly convert farmland (directly or indirectly) to nonagricultural use?

Yes No

If the answer to the question is "yes," contact your local office of the Natural Resources Conservation Service (NRCS) or USDA Service Center. For more information see: http://www.nrcs.usda.gov/wps/portal/nrcs/detail/?cid=nrcs143_008275

EXECUTIVE ORDERS

Executive Orders are directives from the President of the United States to federal agencies and officials.

2.1 E.O. 11988 AND E.O. 13690 -- FLOODPLAIN MANAGEMENT

Executive Order 11988, as amended by Executive Order 13690 requires that an eight-step process be followed for projects that may have potential impacts to or within floodplains.

- 1) Is the proposed activity located in a designated floodway or "V-zone" on a National Flood Insurance Program map: (<http://msc.fema.gov/portal>)?

Yes No

If the answer to this question is "yes," contact the nearest Regional Office of the Federal Emergency Management Agency (<https://www.fema.gov/regional-contact-information>) for further guidance.

2.2 E.O. 11990 and E.O. 12608-- WETLAND PROTECTION

This Executive Order requires agencies to avoid providing assistance for new construction located in wetlands unless there is no practicable alternative to such construction, and that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use. The Executive Order defines wetlands: "(c) The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds." (See <http://www.fws.gov/wetlands/Data/Mapper.html>)

1) Is any portion of the project proposing a new construction activity in wetlands?

Yes No

If the answer to this question is "yes," provide documentation in the grant application demonstrating that: (1) there is no practicable alternative, and (2) the proposed activity includes all practicable measures to minimize harm to wetlands.

2.3 E.O. 12898 – ENVIRONMENTAL JUSTICE

This Executive Order requires that "each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."

1) Will the proposed activity have disproportionately high and adverse human health or environmental effects on minority or low-income populations?

Yes No

If the answer to this question is "yes," see the Council on Environmental Quality website for further guidance on Environmental Justice: https://ceq.doe.gov/nepa_information/justice.html.

2.4 E.O. 13089 – CORAL REEF PROTECTION

This Executive Order requires that any actions that are authorized or funded by federal agencies not degrade the condition of coral reef ecosystems. Some of the Gulf Coast States contain coral reef ecosystems and include National Marine Sanctuaries (<http://sanctuaries.noaa.gov>).

1) Will the proposed activity involve a coral reef ecosystem or National Marine Sanctuary?

Yes No

If the answer to this question is "yes," contact the National Oceanic and Atmospheric Administration Coral Reef Conservation Program (<http://www.coralreef.noaa.gov>) for further guidance. Additional information regarding Executive Order 13089 can be found at: <https://ceq.doe.gov/nepa/regs/eos/eo13089.html>.

2.5 E.O. 13112 – INVASIVE SPECIES

This Executive Order requires agencies to prevent the introduction of invasive species and provide for their control.

- 1) Will the proposed activity have the potential to introduce or cause the spread of an invasive species? For more information on invasive species, see <http://www.invasivespeciesinfo.gov/index.shtml>.

Yes No

If the answer to this question is “yes,” provide documentation demonstrating that the benefits of the activity clearly outweigh the potential harm caused by invasive species, and that all feasible and prudent measures to minimize risk of harm will be taken in conjunction with the actions.

2.6 E.O. 13186 – RESPONSIBILITIES OF FEDERAL AGENCIES TO PROTECT MIGRATORY BIRDS This Executive Order requires the incorporation and promotion of migratory bird conservation considerations into all agency activities. The Gulf Coast States contain North American migration flyways.

- 1) Is the proposed activity likely to occur during a time of the year when migrating birds are in the vicinity?

Yes No

If the answer to this question is “yes,” contact the nearest Regional Office of the U.S. Fish and Wildlife Service (<http://www.fws.gov/where>) for further guidance. Additional information regarding Executive Order 13186 can be found at: <http://www.fws.gov/migratorybirds>.

2.7 E.O. 13563 – PREPARING THE UNITED STATES FOR THE IMPACTS OF CLIMATE CHANGE This Executive Order requires federal agencies to identify and support smarter, more climate-resilient investments by States, local communities, and tribes, including by providing incentives through agency guidance and grants.

- 1) Will the proposed activity incorporate elements that promote climate-resilience (e.g., to rising sea levels)?

Yes No

If yes, include a brief description of the climate-resilient elements in the grant application - proposed activity description.

Executive Order 13563 can be found at: <https://www.gpo.gov/fdsys/pkg/FR-2013-11-06/pdf/2013-26785.pdf>.

Report the status of your contact with required agencies/tribes on the table below which coincides with the environmental laws outlined in the checklist. Provide the date of contact, name of agency/tribe contacted, location, and any necessary permit, certification, or other determination or mitigation proposed by the agency/tribe. If none, state so.

Status of Contact Table

Federal law as listed in checklist	Date of contact	Name of agency/tribe contacted	Location	Permit, certification, determination or mitigation required
Clean Water Act	None Yet	COE		Permits expected to be required
Endangered Species Act	None Yet	USFWS		Permits expected to be required

Signature of Authorized Senior Official: Terry Downey
 Name: Terry Downey Date: 10/31/17
 Title: Mayor Organization: City of Bayou La Batre, AL

RESTORE Act Milestones Report

Instructions for Completing Form:

Please complete Columns B-E in the initial report submitted as part of an application package. After a grant is awarded, complete Columns F-G for each milestone as applicable and submit as part of the performance reports. The values in Columns E and G should each total 100%. These milestones should reflect what is in the applicant's scope of work as described in the applicable RESTORE Act Direct Component Application Narrative.

Applicant/Grantee: City of Bayou La Batre

Title: #218 Redevelopment of City Docks

Reporting Period Ending:*

A. Milestone #	B: Milestone Description	C. Estimated Completion Timeframe of Milestone (Format: award + # of months)	D. Is milestone contingent upon completion of another milestone (Y/N)? If yes, which milestone is it contingent upon (# from Column A)?	E. What percentage of the Scope of Work is estimated to be completed with this milestone?	F. Actual Completion Date of Milestone (Format: Month/Year)	G. Estimate percentage of budget for the awarded Scope of Work spent on milestone	
1	<small>Updates of Engineering Documents after studies are received</small>	award + 3 months	N	5.00%		0.00%	
2	apply for all regulatory permits	award + 3-5 months	Y, 1	9.00%		0.00%	
3	procurement for contract bids	award + 4-6 months	Y, 2	9.00%		0.00%	
4	award contracts	award +5-7 months	Y, 3	8.00%		0.00%	
5	<small>Begin Construction, Phases 1 & 2</small>	award + 7-36 months	Y, 4	65.00%		0.00%	
6	Project and grant closeout	award + 36 months	Y, 5	4.00%		0.00%	
				0.00%		0.00%	
				0.00%		0.00%	
	This row is for Columns E and G Totals						0.00%

RESTORE Act Direct Component Applicant Certifications Department of the Treasury

OMB Approval No. 1505-0250

Directions: These certifications are required by federal law and Department of the Treasury (Treasury) regulations to be submitted with each application to Treasury for financial assistance under the RESTORE Act Direct Component. The certifications must be signed by an authorized senior official of the Applicant who can legally bind the entity and has oversight for the administration and use of the Direct Component funds.

A. RESTORE Act Certification

Pursuant to the RESTORE Act, I certify that for any award Agreement resulting from this application:

1. Each activity funded under this Agreement has been primarily designed to restore and protect [select all that are appropriate: the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, or economy] of the Gulf Coast region.
2. Each activity funded under this Agreement is designed to carry out one or more of the eligible activities for the Direct Component.
3. Each activity funded under this Agreement was selected after consideration of all meaningful input from the public, including broad-based participation from individuals, businesses, Indian tribes, and nonprofit organizations, as described in the grant application.
4. Each activity funded under this Agreement that protects or restores natural resources is based on the best available science, as that term is defined in 31 C.F.R. Part 34.
5. This recipient has procedures in place for procuring property and services under this award that are consistent with the procurement standards applying to Federal grants. This recipient will not request funds under this award for any contract unless this certification remains true and accurate.
6. Pursuant to 2 C.F.R. § 200.303, this recipient will establish and maintain effective internal control over any award made based on this application that provides reasonable assurance that this recipient is managing the award in compliance with Federal statutes, regulations, and the terms and conditions of the award. No material deficiencies in this recipient's internal controls are known.
7. A conflict of interest policy consistent with 2 C.F.R. § 200.318(c) is in effect and covering each activity funded under this Agreement.
8. This recipient will comply with Title VI of the Civil Rights Act of 1964, the Rehabilitation Act of 1973, and all other applicable federal laws and regulations concerning anti-discrimination.

I make each of these certifications based on my personal knowledge and belief after reasonable and diligent inquiry, and I affirm that this Applicant maintains written documentation sufficient to support each certification made above, and that this Applicant's compliance with each of these certifications is a condition of this Applicant's initial and continuing receipt and use of the funds provided under this Agreement.

B. Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions

Instructions: The inability of an applicant to provide the certification required below will not necessarily result in the denial of participation in

this covered transaction. The prospective Applicant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with Treasury's approval of the proposed Application. However, failure of the Applicant to furnish a certification or an explanation shall disqualify such person/entity from participation in this transaction. Please be advised of the following:

1. This certification is a material representation of fact upon which reliance is placed when Treasury determines to enter into this transaction. If it is later determined that the Applicant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, Treasury may terminate this transaction for cause or default.
2. The Applicant shall provide immediate written notice to Treasury if at any time the Applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
3. The terms "covered transactions," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause (certification), have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact Treasury for assistance in obtaining a copy of those regulations (31 C.F.R. Part 19).
4. The Applicant agrees by submitting this Application that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by Treasury.
5. The Applicant further agrees by submitting this Application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," to be provided by Treasury, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions (see 31 C.F.R. Part 19, Appendix).
6. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
7. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
8. Except for transactions authorized under paragraph 4 of this certification, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended,

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1505-0250. The time required to complete this information collection is estimated to average 10 hours, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments concerning the accuracy of the time estimate and suggestions for reducing this burden should be directed to the Department of the Treasury, RESTORE Act Program, 1500 Pennsylvania Ave., NW, Washington, DC 20005.

debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government. Treasury may terminate this transaction for cause or default.

By signing and submitting this Application, the prospective primary participants (the Applicant) is providing the certification set out below. The prospective primary participant (the Applicant) certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this Application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
4. Have not within a three-year period preceding this Application had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the Applicant is unable to certify to any of the statements in this certification, such Applicant shall attach an explanation to this proposal.

C. Certification Regarding Drug-Free Workplace Requirements

The Applicant certifies that it will provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
2. Establishing a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The Applicant's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance program;
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace
3. Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (1) of this certification;
4. Notifying the employee in the statement required by paragraph (1) of this certification that, as a condition of employment in such grant, the employee will:
 - a. Abide by the terms of the statement; and
 - b. Notify the employer of any criminal drug use statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the granting agency in writing, within ten calendar days after receiving notice of a conviction under paragraph (4)(b) of this certification from an employee or otherwise receiving actual notice of such conviction;

6. Taking one of the following actions, within 30 days of receiving notice under paragraph (4)(b) of this certification, with respect to any employee who is so convicted:

- a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1 through 6 above.

D. Certification Regarding Lobbying

The Applicant certifies, to the best of his or her knowledge and belief, that:

1. 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The Applicant shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by title 31 U.S. Code section 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Authorized Senior Official:

Terry Downey

Name: Terry Downey

Date: 10/31/17

Title: Mayor

Organization: City of Bayou La Batre, AL



ALABAMA GULF COAST RECOVERY COUNCIL

Subrecipient Questionnaire

This questionnaire is used to help determine a subrecipient organization's financial and management strength, which helps assess risk and dictates the monitoring plan for subrecipients. Please complete the following questionnaire and submit all related documents as necessary.

SECTION A: GENERAL INFORMATION

Project Title:	# 218, Redevelop City Docks
Point of Contact for matters concerning this project:	Name: Mayor Terry Downey, City of Bayou La Batre Address: 13785 South Wintzell Avenue, Bayou La Batre, AL 36509 Phone: 251-824-2171 Fax: 251-824-7434 Email: mayor@cityofbayoulabatre.com URL: www.cityofbayoulabatre.com DUNS #: 153398420 EIN: 636004413 Reg. in SAM? Yes <input type="radio"/> No <input checked="" type="radio"/> Number of Employees: Exp. Date of Current SAM Registration: <u>N/A, currently in process of registering</u>

SECTION B. SUBRECIPIENT ELIGIBILITY

Is your organization or your organization's principals presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency?

Yes No

If yes, please skip the rest of the questionnaire, sign and return the questionnaire with the Project Evaluation Packet.

SECTION C. SUBRECIPIENT ORGANIZATION INFORMATION (please fill out the information below, as appropriate)

1. Type of organization (check all that apply):

University Government Entity Foundation
 Non-Profit Org For-Profit Org Other _____

2. Fiscal year dates (month and year):

Oct 1 - Sept 30

3. Name of designated federal cognizant agency, if applicable:

Not Applicable

4. Negotiated Indirect Cost Rate:

Yes No URL: _____

If yes, please provide a copy of your current rate agreement or provide the URL. If no, a de minimis rate of 10% of MTDC will be used in accordance with 2 CFR 200.414.

5. Fringe Benefit rate:

Yes No URL: _____

If yes, please provide a copy of your current fringe benefit rate memorandum or provide the URL.

6. Has organization received in the past the same or similar Federal subawards to the current subaward? (2 CFR 200.331)

Yes No

If yes, subrecipient hereby agrees to provide further documentation upon request.

7. Does organization have on-going direct Federal awards? (2 CFR 200.331)

Yes No

If yes, is the awarding agency currently monitoring subrecipient activity?

Yes No

If yes, please describe:

8. Please certify policies and/or procedures exist that address the following:

- | | | |
|---|---|--|
| <input checked="" type="radio"/> Pay Rates and Benefits | <input checked="" type="radio"/> Conflict of Interest | <input checked="" type="radio"/> Purchasing |
| <input checked="" type="radio"/> Time and Attendance | <input checked="" type="radio"/> Travel | <input checked="" type="radio"/> Equipment & Inventory |
| <input checked="" type="radio"/> Leave | | |

By signing this document, subrecipient certifies that policies and/or procedures shown above are in place. If not, then subrecipient agrees to abide by the State's policies and/or procedures.

9. Is Government property inventory maintained that identifies purchase date, cost, vendor, description, serial number, location, and ultimate disposition data?

Yes No N/A

10. Has any new system been recently put in place or has there been any change to the existing system (e.g., accounting, information, management, etc.)? (2 CFR 200.331)

Yes No

If yes, please explain:

11. Does organization have any new personnel (e.g., key personnel, financial management, grants management, IT management, or other staff serving in grants administration role)? (2 CFR 200.331)

Yes No

If yes, please explain:

In August of 2017, The City of Bayou La Batre entered into a contract for Grants Coordination with William E. Workman and Associates, LLC. William E. Workman will not handle any funds or perform any drawdowns or transfers on behalf of the City, but will oversee such activities. The purpose of the City hiring William E. Workman and Associates, LLC is to provide a second layer of oversight and monitoring for grant activities. There will be a double-layer check for each activity performed under any Federal or State grant or grant activity.

12. Has organization in the preceding fiscal year expended any federal funds in either direct or indirect Federal awards?

Yes No

If yes, please indicate the expenditure amount:

The City of Bayou La Batre closed out State CIAP Award AL-26, FWS F13AF01107. The total amount of expenditure is currently being researched and should be available within 14 days of submission of this form.

13. Have annual financial statements been audited by an independent audit firm? If yes, provide a copy of the statements for the most current fiscal year.

Yes No

14. Does organization adhere to Subpart E Cost Principles of 2 CFR 200 under the proposed subaward?

Yes No N/A

15. Does organization have a financial management system that provides records that can identify the source and application of funds for award-supported activities?

Yes No

16. Does the financial system provide for the control and accountability of project funds, property, and other assets?

Yes No

17. Are duties separated so that no one individual has complete authority over an entire financial transaction?

Yes No

If no, please explain below:

18. Does your organization have controls to prevent expenditure of funds in excess of approved, budgeted amounts?

Yes No

If no, please explain below:

19. Are all disbursements properly documented with evidence of receipt of goods or performance?

Yes No

If no, please explain below:

20. Are all bank accounts reconciled monthly?

Yes No

If no, please explain below:

21. Are payroll charges checked against program budgets?

Yes No

If no, please explain below:

22. What system does your organization use to control paid time, especially time charged to sponsored agreements?

Time sheets are checked against budgeted allowances for expenses in the normal monthly routine of managing the City's finances. With any sponsored agreement, time charged against a Federal or State grant program or other similar funding, there will be a double-layered check system to prevent errors or to detect irregular activity.

23. Does the organization have procedures which provide assurance that consistent treatment is applied in the distribution of charges to all sponsored agreements, grants and contracts?

Yes No

If no, please explain below:

24. Does your organization have a formal policy of nondiscrimination and a formal system for complying with Federal civil rights requirements?

Yes No

If no, please explain below:

25. Describe your organization's procedures to ensure that costs deemed unallowable, per Federal guidelines (2 CFR 200), are excluded from the amount charged to a grant?

2 CFR 200 will be strictly followed, and unallowable costs will not be attempted to be charged to any Federal or State grant program. A double-check system will be in place to ensure that no one person has the ability to make a decision about what is charged to a grant program and to prevent errors.

26. Are there procedures to ensure procurement at competitive prices?

Yes No

If no, please explain below:

27. Are detailed records of individual capital assets kept and periodically balanced with the general ledger accounts?

Yes

No

If no, please explain below:

28. How does the organization ensure that all cost transfers are legitimate and appropriate?

All cost transfers will go through a double-check system before proceeding. No one person has the ability to perform a transaction without it being double-checked. All transfers are checked for errors, appropriateness and whether or not they are following Federal Code and State Law.

Authorized Representative Approval

By signing below, the authorized representative certifies, to the best of subrecipient's knowledge, all information submitted on this form, or attached for submission to ADCNR, is accurate and complete.

Terry Downey
Signature

Date: 10/31/17

Terry Downey, Mayor of Bayou La Batre, Alabama

Printed Name & Title

For ADCNR Use Only:

Risk Level Determination: ___ Lower ___ Medium ___ Higher

Notes: _____

Approved: _____ Date: _____

Application for Federal Assistance SF-424

*** 1. Type of Submission:**

- Preapplication
- Application
- Changed/Corrected Application

*** 2. Type of Application:**

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

City of Bayou La Batre, Alabama

* b. Employer/Taxpayer Identification Number (EIN/TIN):

636004413

* c. Organizational DUNS:

153398420

d. Address:

* Street1:

13785 South Wintzell Avenue

Street2:

* City:

Bayou La Batre

County/Parish:

* State:

AL; Alabama

Province:

* Country:

USA; UNITED STATES

* Zip / Postal Code:

36509

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

* First Name:

Terry

Middle Name:

* Last Name:

Downey

Suffix:

Title:

Mayor, Bayou La Batre

Organizational Affiliation:

* Telephone Number:

251-824-2171

Fax Number:

* Email:

mayor@cityofbayoulabatre.com

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Department of Treasury

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

GR-RDC-17-007

* Title:

RESTORE Act Direct Component, Construction and Real Property Acquisition Activities Funding Opportunity Announcement

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

#218, Redevelopment of City Docks

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant **AL-001**

* b. Program/Project **AL-001**

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date: **3/1/17**

* b. End Date: **3/1/20**

18. Estimated Funding (\$):

* a. Federal	29,737,000.00
* b. Applicant	0
* c. State	0
* d. Local	0
* e. Other	0
* f. Program Income	0
* g. TOTAL	

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name: **Terry**

Middle Name:

* Last Name: **Downey**

Suffix:

* Title: **Mayor**

* Telephone Number: **251-824-2171** Fax Number:

* Email: **mayor@cityofbayoulabatre.com**

* Signature of Authorized Representative: **Terry Downey**

* Date Signed: **10/31/17**

218, Redevelopment of City Docks

BUDGET INFORMATION - Construction Programs

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$ 290000	\$ 0	\$
2. Land, structures, rights-of-way, appraisals, etc.	\$ 0	\$ 0	\$
3. Relocation expenses and payments	\$ 0	\$ 0	\$
4. Architectural and engineering fees	\$ 1307000	\$ 0	\$
5. Other architectural and engineering fees	\$ 0	\$ 0	\$
6. Project inspection fees	\$ 625000	\$ 0	\$
7. Site work	\$ 1484600	\$ 0	\$
8. Demolition and removal	\$ 13000000	\$ 0	\$
9. Construction	\$ 23265400	\$ 0	\$
10. Equipment	\$ 0	\$ 0	\$
11. Miscellaneous	\$ 25000	\$ 0	\$
12. SUBTOTAL (sum of lines 1-11)	\$	\$	\$
13. Contingencies	\$ 1315000	\$ 0	\$
14. SUBTOTAL	\$	\$	\$
15. Project (program) income	\$ 0	\$ 0	\$
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ 29,737,000	\$	\$

FEDERAL FUNDING

17. Federal assistance requested, calculate as follows:
(Consult Federal agency for Federal percentage share.)
Enter the resulting Federal share.

Enter eligible costs from line 16c Multiply X 100 %

\$ 29,737,000

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 01/31/2019

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

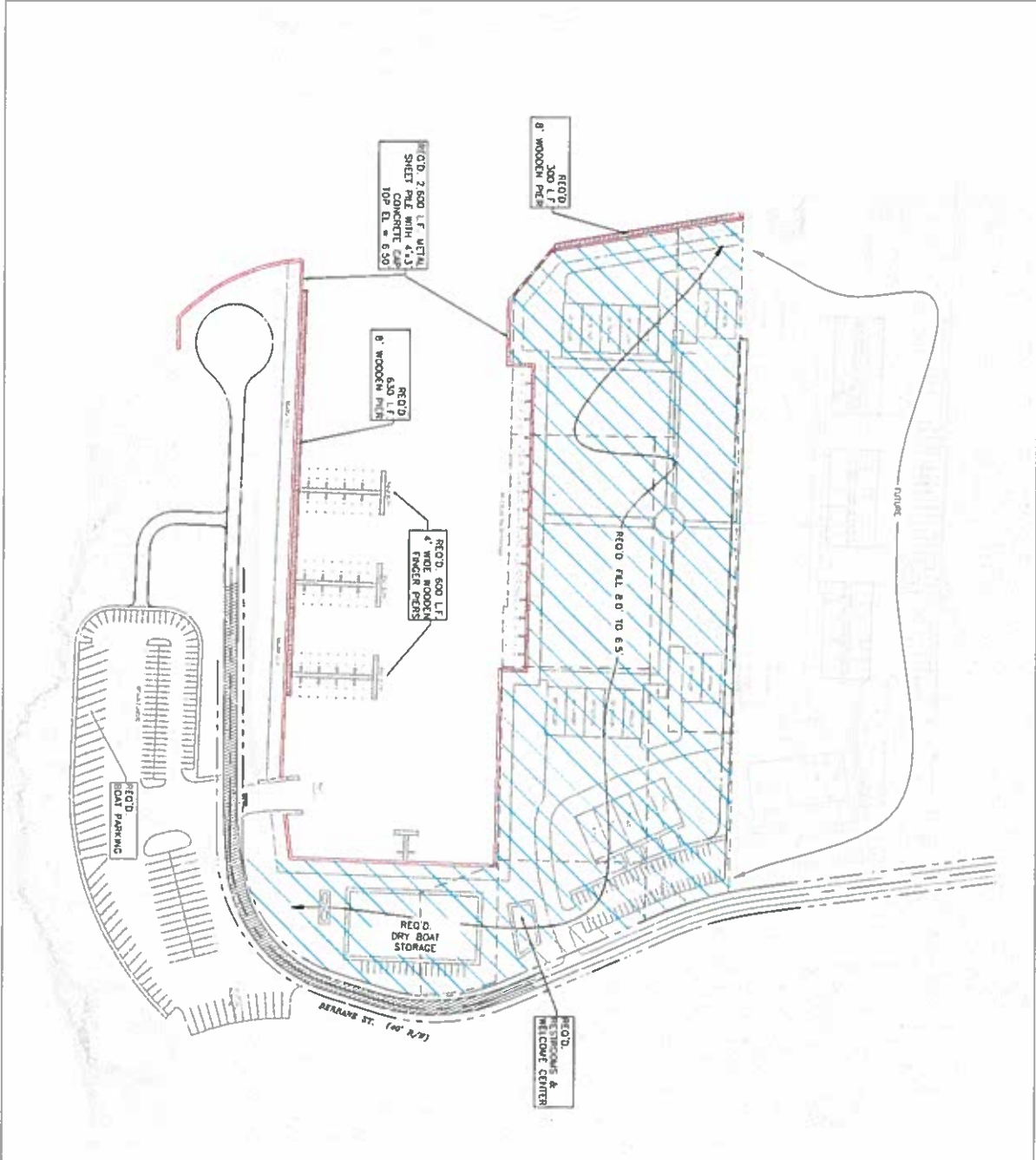
NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.


As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

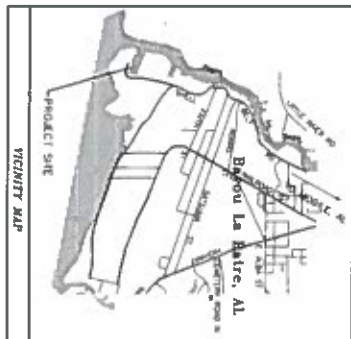
11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

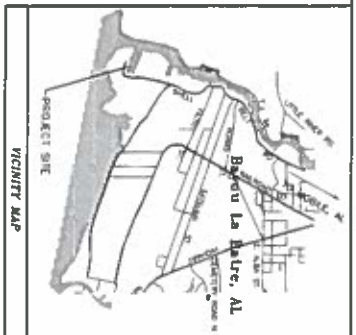
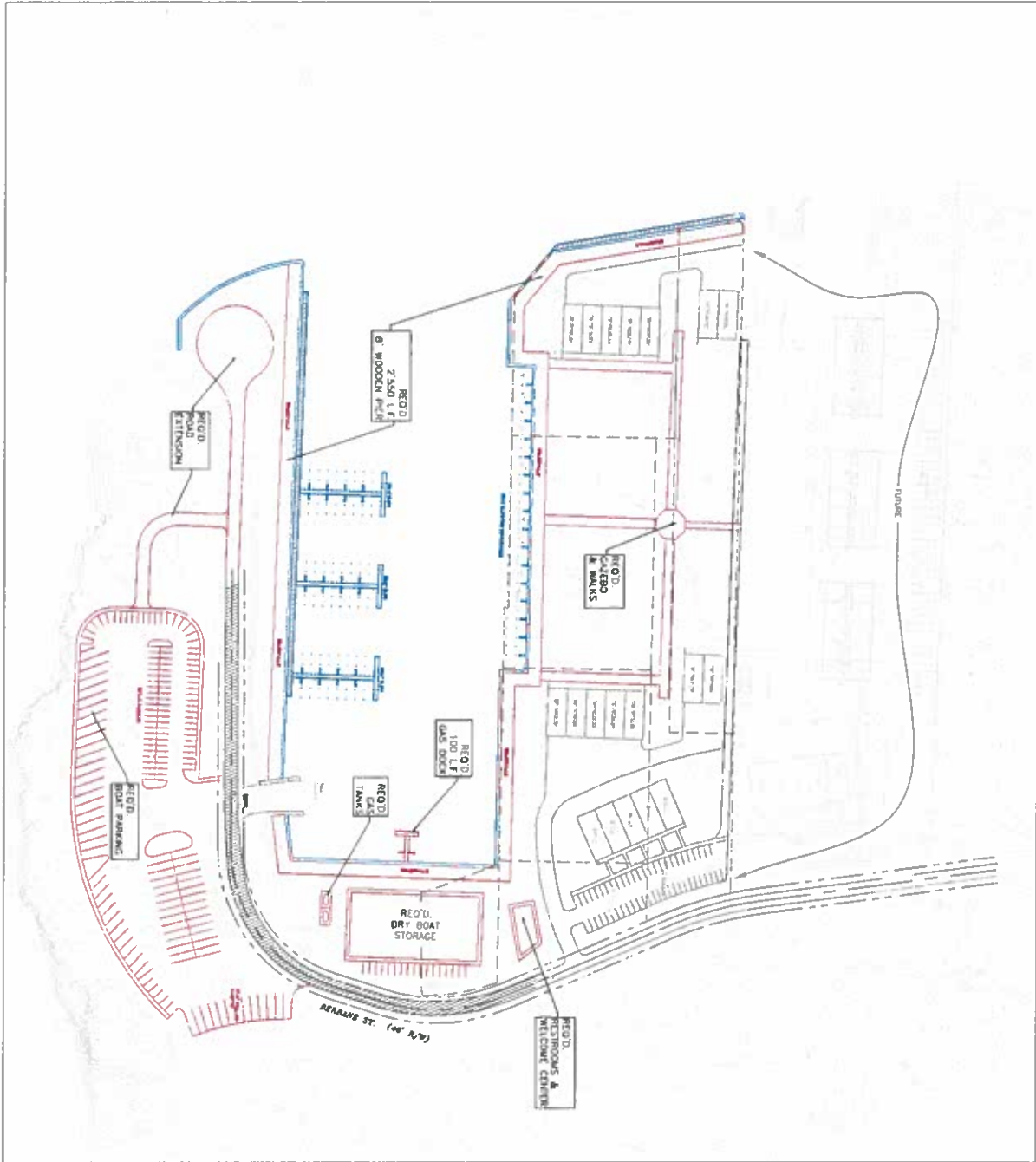
SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Mayor
APPLICANT ORGANIZATION City of Bayou La Batre, Alabama	DATE SUBMITTED 10/31/17



 = PHASE 1 AREA TO FILL
10.5 ACRES

- REQUIRED PHASE 1**
- BULKHEADING
 - 8\"/>





PHASE 1
COMPLETED

REQUIRED PHASE 2

- ROADWAYS & UTILITIES
- PARKING, WALKS & BOARDWALK
- DRY BOAT STORAGE & FUEL DOCKS
- GAZEBO & LANDSCAPING
- EXIST. BOAT RAMP TO BE REMOVED AND REPLACED WITH NEW BOAT RAMP AND KAYAK LAUNCH

City of Bayou La Batre, Leadership Organizational Chart for Key Project Personnel

City Council—Mayor

City Clerk

Project Engineer, Grants Coordinator

Supporting information with the Application Packet:

The proposed useful life for this infrastructure is 50-plus years.

Legal documents, including any titles or recent appraisals of land or rights-of-way legal opinions were not readily available but are in the process of being obtained.

FEMA Floodplain maps of the project areas were not able to be immediately downloaded, but will be provided in a timely manner to support this application.

Any other information requested by ADCNR in support of this application will be made available in a timely manner as quickly as it can be obtained.



Alabama Gulf Coast Recovery Council
Proposal Evaluation for Direct Component Summary Sheet

Project Name : **Redevelopment of City Docks, Bayou La Batre** Project ID: **218**

Requested Funding: **\$ 29,737,000.00** Additional Funding Sources Amount: **0.00**

Additional Funding Secured? Y N Unknown

Can Funding be secured from other sources? Y N Unknown

Geographic Area of Project: **City of Bayou La Batre, Mobile County**

Restore Act Project Classification: **Infrastructure projects benefiting the economy or ecological resources, including port infrastructure**

1. Key Activities Identified:

Phase 1: **Rebuild bulkheads and fishing piers**

Phase 2: **Improve property south of the north bulkhead for dry boat storage, fueling areas, construction of restroom facilities, welcome area, landscaping**

2. Status of Project Readiness/Time to Completion:

Once funding is available, Phase 1 can be completed in 24 months. Phase 2 can be completed in 12 months. It is unclear if these phases can be conducted concurrently.

3. Summary of potential risks to implement and maintain proposed activities:

The proposal does not address any risks. Potential risks and uncertainties can always be mitigated. Here are a few examples pertaining to the proposed activities:

- **Cost overages on construction measures**
- **Short-term water quality impacts during construction phases**
- **Inability to support operation and maintenance through leases**

4. Permit(s) Required: Y N Unknown

5. If yes, status of permit(s): Have not submitted application Application(s) submitted
 Permit(s) obtained

6. Described benefit/need to the community/region:

- **Revitalize the Bayou La Batre City docks**
- **Provide a public space for boats to dock as well as for people to recreate and purchase seafood.**

7. Comments and summary from independent evaluation:

-Project activities and proposed budgets are broken into 2 phases. Phase 1: Rebuild bulkheads and fishing piers (\$21,028,000)

-Phase 2: Improve property south of the north bulkhead for dry boat storage, fueling areas, construction of restroom facilities, welcome area, landscaping (\$8,709,000).

-It is not clear from the proposal if the phases could be further broken down into planning, engineering and design phases for one or both phases, but this could be explored.

-It is not anticipated that this project would be eligible for Spill Impact funds, unless submitted as an infrastructure project, subject to relevant caps.

-A federal interest will be recorded on the property

-Per 31 CFR 34, infrastructure must be publicly owned

-Federal procurement standards will apply (2 CFR 200)

-Pass-through award, increased monitoring effort by ADCNR

Supplemental Evaluation Information

Project Name: **Redevelopment of City Docks, Bayou La Batre**

Project ID: **218**

Does project:

8. Demonstrate benefits in relation to cost of project: Y N NA

Reviewer Comments

Proposed activities will revitalize the Bayou La Batre City docks and provide a public space for boats to dock as well as for people to recreate and purchase seafood.

9. Quantify or qualify Short-term/long-term economic benefits: Y N NA

Reviewer Comments

-Prevent oyster farm closures

-Increase the overall health of the oyster industry in the area. It is not immediately clear from the proposal narrative how the proposed activities are linked to this benefit. Suggest additional information be included to support these benefits.

10. Adequately demonstrate need: Y N NA

Reviewer Comments

The proposal clearly articulates the effect the loss of the City docks had on the local community.

11. Prevent adverse impacts elsewhere: Y N NA

Reviewer Comments

-Assist in the economic recovery of Bayou La Batre, one of the Alabama coastal communities hardest hit by the DWH oil spill.

-Short-term impacts could occur during construction phases, but these can be mitigated.

12. Expand/promote an existing industry or offers diversification: Y N NA

Reviewer Comments

The project will support local seafood-related jobs, encourage the expansion of local eco-tourism industry and provide space for local vendors and businesses.

13. Demonstrate short- or long-term job creation: Y N NA

Reviewer Comments

Short-term construction jobs will be created. Proposal indicates that long-term jobs in retail, hospitality and other service industries could be created.

14. Provide measurable outcomes: Y N NA

Reviewer Comments

Revitalization of a dilapidated city property,
Increased connectivity to the water
-Opportunity to support the local seafood industry.

15. Address potential risks and uncertainties: Y N NA

Reviewer Comments

The proposal does not address any risks.
Potential risks and uncertainties can always be mitigated. Here are a few examples pertaining to the proposed activities:

- Cost overages on construction measures
- Short-term water quality impacts during construction phases
- Inability to support operation and maintenance through leases

16. Address use of cutting-edge technology: Y N NA

Reviewer Comments

Proposed activities include the use of permeable surfaces in parking areas to reduce runoff.

17. Address environmental compliance needs and status: Y N NA

Reviewer Comments

Notes to be addressed in future revisions:

Question 1.6 (1) Marine Mammal Protection Act probably should be checked yes due to potential presence of manatee. 1.9 (2) Water Quality Certification probably should be checked yes since a 404 permit will be required. 1.13 Rivers and harbors Act probably should be checked yes since there will be docks redevelopment in navigable waters. Section 10 permit. 2.10 Floodplain management probably should be checked yes. Based on FEMA Map it appears the project site is in a V-zone

18. Demonstrate post-implementation sustainability, including recurring costs: Y N NA

Reviewer Comments

The City intends to utilize long-term leases to maintain the docks and public areas.

19. Demonstrate budget reasonableness: Y N NA

Reviewer Comments

The preliminary cost estimates for Phases I and II (pages 9-11 of the PDF) add up to \$29,737,000 but the general budget information provided (page 41 of the PDF) does not sum up to the \$29,737,000. Demolition is listed as

\$1,300,000 on page 9 but is listed as \$13,000,000 on page 41. Even when demolition is corrected to \$1,300,000 the total does not add up to \$29,737,000. Therefore it is recommended the general budget information on page 41 is reviewed and revised to be consistent with the preliminary cost estimates on pages 9-11.

20. If Best Available Science is required, is narrative adequate? Y N NA

Reviewer Comments

A BAS Review is not required.

21. Can project be phased? Y N NA

Reviewer Comments

Project activities and proposed budgets are broken into 2 phases.

Phase 1: Rebuild bulkheads and fishing piers (\$21,028,000)

Phase 2: Improve property south of the north bulkhead for dry boat storage, fueling areas, construction of restroom facilities, welcome area, landscaping (\$8,709,000).

It is not clear from the proposal if the phases could be further broken down into planning, engineering and design phases for one or both phases, but this could be explored.

22. Is project included in an existing strategic/comprehensive plan? Y N

Reviewer Comments

Unclear from proposal.

23. Feasibility and Logistics (next steps, hurdles, barriers, other considerations)

Explore whether project could be further broken down into phases.

24. Additional Options (phasing, etc.)

-Project activities and proposed budgets are broken into 2 phases. Phase 1: Rebuild bulkheads and fishing piers (\$21,028,000)

-Phase 2: Improve property south of the north bulkhead for dry boat storage, fueling areas, construction of restroom facilities, welcome area, landscaping (\$8,709,000).

-It is not clear from the proposal if the phases could be further broken down into planning, engineering and design phases for one or both phases, but this could be explored.

25. Additional Comments from Reviewer

Reviewed By: BK

 PB

Printed Name

QAQC By: RK

 CS

Printed Name