

**Special City Council Meeting  
Benson City Hall  
September 3, 2020**

**City of Benson Mission Statement**

Benson is a forward-looking community that values public safety,  
Quality of life and treats people with dignity and respect.

The Council Meeting is at City Hall. Limited seating available. Masks required.

**Please use the FCC App on your device. (Activate video)**

**Call-in Information**

Dial In: 1-425-436-6384

Access Code: 457987#

- |    |  |                         |
|----|--|-------------------------|
| 1. | 12:00 p.m. Call the Meeting to Order (Mayor)   |                         |
| 2. | Pledge of Allegiance   |                         |
| 3. | Letter of Intent Between the City of Benson & Nature Energy                              | <b>Action Requested</b> |
| 4. | Resolution Authorizing Staff to Submit a \$1,767,106 Grant Application<br>to Federal EDA | <b>Action Requested</b> |
| 5. | Adjourn: Mayor   | <b>Action Requested</b> |

<p>In compliance with the American Disability Act, if you need special assistance to participate in this meeting, please contact the City Manager's office at 320-843-4775. Notification 48 hours prior to the meeting will enable the City of make reasonable arrangements to ensure accessibility to this meeting.</p>
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Agenda Item  
Benson City Council  
Special Meeting, September 3, 2020

August 31, 2020

Subject: Letter of Intent Between the City of Benson and Nature Energy

Discussion: Please find enclosed an abbreviated description of a Danish company called Nature Energy who is interested in building a bio-digester refinery at the former Benson Power site. The company and I have negotiated a DRAFT letter of intent that defines some general responsibilities for the two parties and holds the Benson Power site in reserve for their use over the next six months as they develop their project.

Action: Authorize the Mayor to sign the joint letter of intent on behalf of the city of Benson.

Recommendation: Recommend approval of the letter of intent.

Enclosures:

1. Information about Nature Energy that was found on their website.
2. Draft Letter of Intent prepared by the City Attorney



## About Nature Energy

Nature Energy is a leader in the green transition and a biogas pioneer.

Today, Nature Energy operates 10 biogas plants located throughout Denmark, and 2 abroad.



Nature Energy's biogas plants will treat more than 5 million tonnes of biomass

– waste from agriculture, industry and households – in 2020, converting it into 170 million m<sup>3</sup> of green gas.

That much biogas could be used to fuel 10,000 lorries driving 30,000 miles per year, or to heat 72,000 homes. All of this is CO<sub>2</sub>-neutral as well as replacing fossil fuels.

## Market leader

Nature Energy is market leader in turning these many thousands of tonnes of biomass into green, CO<sub>2</sub>-neutral gas as effectively as possible. We collect and deliver biomass from businesses, agriculture and households, and we always make sure that the surrounding community remains as undisturbed as possible by transport and odours.



Nature Energy is already making a big difference in the green transition, but our ambitions are even bigger. That is why Nature Energy is investing intensively in research, including our own laboratory at our head office in Odense. The laboratory is a site for research into refining the technology so that we can extract even more energy from biomass and produce even better fertiliser for agriculture. The laboratory is also doing research in new

biomasses for production of green, CO2-neutral energy in the future.

Nature Energy's ambitions to contribute to the green transition together with farmers, businesses and people reaches beyond Denmark's borders. Over the next few years, Nature Energy will be investing in new large biogas plants in other countries in Europe and North America.

Ownership and board of Directors

Management group

UN Sustainable Development Goals



September 3, 2020

Mr. Jørgen Fink  
Nature Energy Biogas A/S  
Ørbækvej 260,  
5220 Odense SØ  
Denmark

RE: Letter of Intent between City of Benson and Nature Energy for a new biogas project to repurpose parts of existing Benson Power, LLC facility

Dear Mr. Fink,

The purpose of this Letter of Intent (LOI) between the City of Benson ("City") and Nature Energy Biogas A/S ("NE") is to set forth the general business terms to be incorporated into a binding Development Agreement for NE's proposed new biogas project ("Project") to repurpose parts of the existing Benson Power, LLC facility in the City of Benson as shown on the attached "Exhibit A".

#### **Preliminary Matters**

1. City shall prepare a draft Development Agreement and such other future agreements throughout this process for the project as the parties deem necessary or desirable for the purposes hereof, consistent with the terms of this LOI and shall provide the same to NE for NE's review and comment.
2. NE shall promptly review the draft agreement and other related agreements it receives from the City and communicate any requested changes to any documents to City staff. City and NE shall negotiate regarding any such requested changes.
3. Once a final Development Agreement is negotiated and approved by NE, the Benson City Council shall consider approving the Agreement at the next regular scheduled meeting and the City's Mayor and City Manager shall promptly execute the Development Agreement following council approval.

#### **Development Agreement**

The City and NE will negotiate the terms to be incorporated into the Development Agreement including the following terms and conditions, and such other terms as the parties mutually agree:

- A. City Commitments. Subject to all obligations and restrictions imposed on the City under applicable federal, state or local laws or regulations, and contingent upon the execution of the Development Agreement referred to herein, the City commits to the following:
  1. The City will sell a part of the Benson Power, LLC site to NE, suitable in size to accommodate the Project, free of buildings and equipment thereon unless determined otherwise by NE following NE's inspection of the site. The parties will negotiate the terms of this sale and  
1410 KANSAS AVE. • BENSON, MINNESOTA 56215

a purchase agreement reflecting the agreed-upon terms will be drafted by City Staff for review by NE and execution by both parties.

2. The City will supply utilities to the site, including water, wastewater and electric.
3. The property is or will be zoned for production of renewable natural gas and fertilizer products.
4. The City will provide easements and or right-of-way acquisition from the site to a local natural gas pipeline, chosen jointly by the City and NE.
5. The City will support any efforts by NE to secure special legislation from the Minnesota Legislature to promote the Project.
6. The City will support any efforts by NE to secure permits from regulatory agencies and the State of Minnesota.

B. NE Commitments. NE commits to the following:

1. Subject to final investment decision by NE, NE shall complete the redevelopment and repurposing of the part of the existing Benson Power, LLC site allotted to the Project as a biogas energy facility that will utilize animal waste and food waste and create renewable natural gas and fertilizer.
2. NE shall provide regular updates to the City on the progress of its project.
3. Any conveyance of property to NE pursuant to paragraph A(1) above shall be subject to a right of reversion to the City in the event that the Project does not come to fruition.
4. NE, in constructing and thereafter operating the NE project, shall work towards providing sustainable energy solutions and support to local industries such as farming, trucking and food processing.

The enforceability of the terms described in this Letter of Intent is subject to the execution of a Development Agreement satisfactory to both parties. None of the terms in this Letter of Intent shall become effective solely by virtue of this letter. This Letter of Intent is not a binding contract. This Letter of Intent only lists proposed terms that may or may not become a part of the Development Agreement or other related agreements. This Letter of Intent is not intended to impose any obligation whatsoever on any party. The parties do not intend to be bound by any agreement until a formal written contract and any other agreements pertaining to a specific matter or matters referred to in this Letter of Intent are fully executed, following approval of the same by the City Council, and no party may reasonably rely on any promise inconsistent with this paragraph. This paragraph supersedes all other conflicting language.

The term of this Letter of Intent shall commence on the date of execution of the last signatory hereto and shall terminate on the earlier of the execution of a Development Agreement or other definitive agreement by the parties hereto or 180 days from execution of the last signatory hereto, whichever comes first. If this Letter of Intent is acceptable, please sign below to indicate your acceptance of the noted terms.

Sincerely,

**CITY OF BENSON**

By: \_\_\_\_\_  
Terri Collins, Mayor

Date of Signature: \_\_\_\_\_

**AGREED TO AND ACCEPTED BY:**

**NATURE ENERGY BIOGAS**

By: \_\_\_\_\_  
Ole Hvelplund, CEO \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Benson City Council  
Agenda Item  
Special Council Meeting, September 3<sup>rd</sup>, 2020

August 31, 2020

Subject: Resolution Authorizing Staff to Submit a \$1,767,106 Grant Application to the Federal EDA.

Discussion: Please find enclosed a \$1,767,106 Grant Application to the Federal Economic Development Administration to fund a flood protection project at the Benson Wastewater Treatment Facility and a project to replace the 3" sewer forced main from the Benson Power Plant. The grant is submitted under authority of the national disaster declaration for local flooding in 2019. The grant will pay 80% of the project cost. The 20% local match is proposed to come from the Benson Economic Development Fund (Xcel Grant).

Action: Approve the attached resolution authorizing City Staff to submit the application to the Federal EDA.

Recommendation: Approve the resolution

Enclosed:

1. Draft Resolution
2. Completed Application

**RESOLUTION AUTHORIZING THE FY 2019 EDA DISASTER SUPPLEMENTAL**

**DEPARTMENT OF COMMERCE**

**ECONOMIC DEVELOPMENT ADMINISTRATION**

**PROGRAM GRANT APPLICATION**

**(RESOLUTION \_\_\_\_\_)**

BE IT RESOLVED that the City of Benson act as the legal sponsor for the project contained in the DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION Application to be submitted on or before September 11<sup>th</sup>, 2020 and that the City Manager, Rob Wolfington and Glen Pedersen, City Clerk/Finance Director as authorized authority are hereby authorized to apply to the DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION for funding of this project on behalf of the City of Benson.

BE IT FURTHER RESOLVED that the City of Benson has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Benson fully commits readily available and unencumbered funds to this project in the amount of \$353,422 from its economic development fund representing 20% of the project cost.

NOW, THEREFORE BE IT RESOLVED that the City of Benson Manager, Rob Wolfington and Glen Pedersen, City Clerk/Finance Director as authorized authority, or their successors in office, are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project on behalf of the Applicant.

Application for Federal Assistance SF-424											
<b>* 1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application			<b>* 2. Type of Application:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision			<b>* If Revision, select appropriate letter(s):</b> _____ <b>* Other (Specify):</b> _____					
<b>* 3. Date Received:</b> Completed by Grants.gov upon submission.			<b>4. Applicant Identifier:</b> _____								
<b>5a. Federal Entity Identifier:</b> _____			<b>5b. Federal Award Identifier:</b> _____								
<b>State Use Only:</b>											
<b>6. Date Received by State:</b> _____			<b>7. State Application Identifier:</b> _____								
<b>8. APPLICANT INFORMATION:</b>											
<b>* a. Legal Name:</b> CITY OF BENSON											
<b>* b. Employer/Taxpayer Identification Number (EIN/TIN):</b> 41-6004975			<b>* c. Organizational DUNS:</b> 0765139930000								
<b>d. Address:</b>											
<b>* Street1:</b>		1410 KANSAS AVE									
<b>Street2:</b>		_____									
<b>* City:</b>		BENSON									
<b>County/Parish:</b>		SWIFT									
<b>* State:</b>		MN: Minnesota									
<b>Province:</b>		_____									
<b>* Country:</b>		USA: UNITED STATES									
<b>* Zip / Postal Code:</b>		56215-1799									
<b>e. Organizational Unit:</b>											
<b>Department Name:</b> _____			<b>Division Name:</b> _____								
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>											
<b>Prefix:</b>		_____		<b>* First Name:</b>		ROB					
<b>Middle Name:</b>		_____									
<b>* Last Name:</b>		WOLFINGTON									
<b>Suffix:</b>		_____									
<b>Title:</b>		ADMINISTRATOR									
<b>Organizational Affiliation:</b> _____											
<b>* Telephone Number:</b>			(320) 843-4775			<b>Fax Number:</b>			_____		
<b>* Email:</b>		rob.wolfington@city.co.swift.mn.us									

**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:**

Economic Development Administration

**11. Catalog of Federal Domestic Assistance Number:**

11.307

CFDA Title:

Economic Adjustment Assistance

**\* 12. Funding Opportunity Number:**

EDA-2019-DISASTER

\* Title:

FY 2019 EDA Disaster Supplemental

**13. Competition Identification Number:**

CONSTRUCTION

Title:

EDA Construction Full Application

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

Benson\_EDA\_2020.pdf

Add Attachment

Delete Attachment

View Attachment

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

City of Benson WWTF Flood Mitigation and Industrial Park WW Main Upgrades

Attach supporting documents as specified in agency instructions.

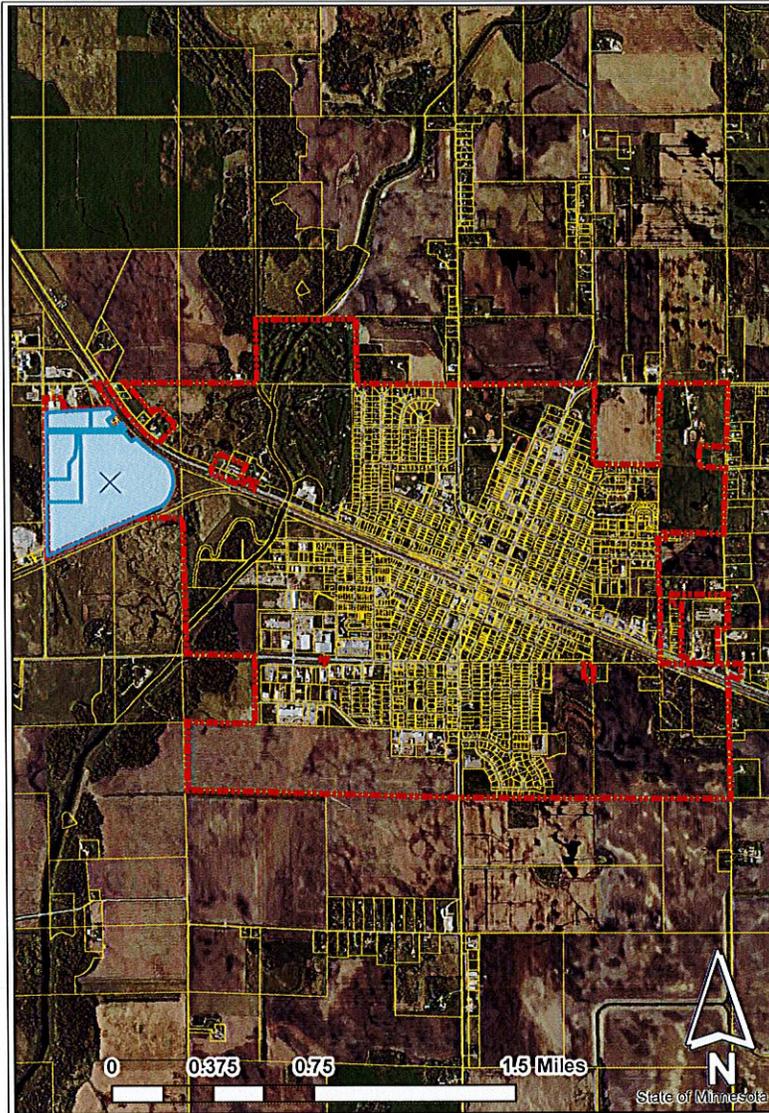
Add Attachments

Delete Attachments

View Attachments

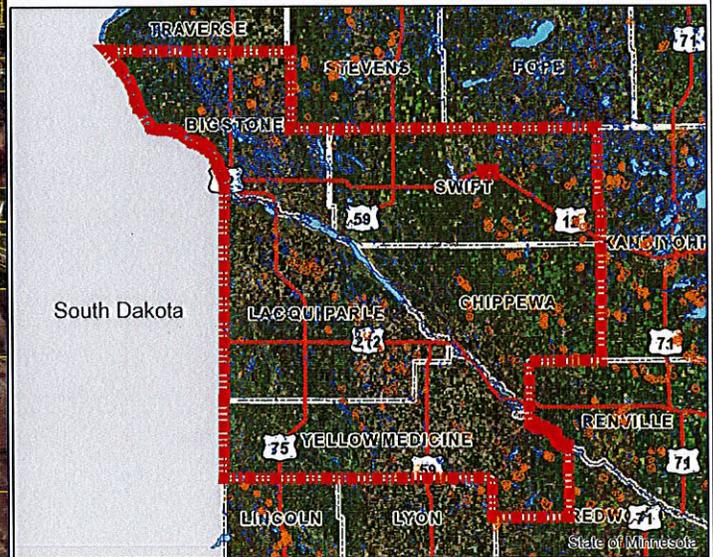
Application for Federal Assistance SF-424	
<b>16. Congressional Districts Of:</b>	
* a. Applicant	7
* b. Program/Project	7
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
<b>17. Proposed Project:</b>	
* a. Start Date:	04/01/2021
* b. End Date:	04/01/2022
<b>18. Estimated Funding (\$):</b>	
* a. Federal	1,413,684.00
* b. Applicant	353,422.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	1,767,106.00
<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/>	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.	
<b>* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
<input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
<b>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)</b>	
<input checked="" type="checkbox"/> ** 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.	
<b>Authorized Representative:</b>	
Prefix:	<input type="text"/>
* First Name:	Rob
Middle Name:	<input type="text"/>
* Last Name:	Wolfington
Suffix:	<input type="text"/>
* Title:	Administrator
* Telephone Number:	(320) 843-4775
Fax Number:	<input type="text"/>
* Email:	rob.wolfington@city.co.swift.mn.us
* Signature of Authorized Representative:	Completed by Grants.gov upon submission.
* Date Signed:	Completed by Grants.gov upon submission.

# City of Benson & UMRDC Region



-  City of Benson
-  Benson Industrial Park
-  Swift County Parcels

-  UMRDC Region



Sources: State of MN, Chippewa County,  
 Yellow Medicine County  
 Created By: Upper MN Valley Regional  
 Development Commission  
 Date: July 23, 2018



# ED-900 – General Application for EDA Programs

## A. Applicant Information

A.1. EDA Application Identifier (if available):

A.2. Please identify all applicants for this project:

	Name	SAM.gov CAGE Code	SAM.gov Registration Expiration Date	Fiscal Year End Date (mm/dd)
Lead Applicant	CITY OF BENSON	3SSU5	03/16/2021	06/30
Co-Applicant 1				

## B. Project Information

**B.1. Provide a geographical definition of the region to be served by the investment (project), including the specific geographic location of the project within the region.**

The City of Benson is located in Swift County in the 5-county Upper Minnesota Valley Regional Development Commission Region of southwest Minnesota.

**B.2. Describe and outline the scope of work for the proposed EDA investment, including a list of tasks to be undertaken.**

The project involves constructing a new flood protection berm/levee around the existing wastewater treatment facility (WWTF) in the City of Benson, MN. Items included in the project include the construction of a 1080' ring berm/levee to protect the facility that sits directly adjacent to the Chippewa River from flooding, as well as replacing an existing 3" sanitary forcemain along State Hwy 9 that serves the Benson Industrial Park with a new 8" sanitary forcemain. The new forcemain is necessary to allow growth in the industrial park.

### B.3. Economic development needs

B.3.a. Does the region in which the project will be located have a Comprehensive Economic Development Strategy (CEDS)?

Yes If Yes, what is the source?

Upper MN Valley Regional Development Commission  
<https://umvrdc.org/wp-content/uploads/2018/04/CEDS-Final.pdf>

No If No, then please check one:

B.3.a.i. An alternate strategic planning document that governs this investment is attached.

Add Attachment

Delete Attachment

View Attachment

B.3.a.ii. This investment is to develop a "strategy grant" to develop, update or refine a CEDS.

N/A – Not Applicable

B.3.b. Describe the economic conditions of your region. Define the economic development need to be addressed by the proposed EDA investment and explain how the proposed investment will address that need.

The City of Benson is located in Swift County in Minnesota and has a 2018 population of 3,086, unemployment rate of 1.2% and median household income of \$38,281. Swift County's regional distress criteria are a 24-month Average Unemployment Rate as of June 2020 of 4.4% and 2018 Per Capita Money Income (5-year ACS) of \$30,208. In 2018, the City experienced a significant industrial closure creating employment losses of 35 direct and 100 indirect jobs and a 25% loss of property tax revenue to the City. The City currently has a letter of intent from an international company to develop a biogas refinery with a foreign direct investment of up to \$60M on the existing vacant industrial site. Current limitations of existing wastewater infrastructure due to lack of flood mitigation and capacity need be addressed to allow for planned industrial expansion to take place for all industrial operations within the Park. Completion of this proposed project would address all mitigation and capacity limitations and facilitate the planned expansion as well as limitations for all three (3) existing industrial businesses within the park.

### B.4. Applicant's capability

Briefly describe the applicant's capability to administer, implement, and maintain the project.

The City of Benson owns, manages and operates its municipal wastewater collection and treatment system at the Benson Wastewater Treatment Facility and has done so competently for decades. The City is fully equipped and capable of administering, implementing and maintaining this project as part of its ongoing operations and commitment to provide sufficient reliable municipal services to residents and businesses.

### B.5. List and describe the strategic partners and organizations to be engaged in this project

City staff and competitively selected engineering/construction contractor (s) will work together and with the Upper Minnesota Valley Regional Development Commission as the Federal EDA's designated EDD to be a liaison to the EDA and ensure full compliance and successful implementation and completion of the proposed project.

**B.6. Describe the investment (project) impact and fit with EDA funding priorities**

Recovery & Resilience: This project directly addresses economic resilience (including business continuity and preparedness) and long-term recovery from natural disaster and economic shock due to 2019 and prior flooding and major industrial closure ensuring the community's global competitiveness.

Critical Infrastructure: This project establishes fundamental building blocks of a prosperous and innovation-centric economy and a secure platform for business, including physical (e.g., broadband, energy, roads, water, sewer) and other economic infrastructure by providing necessary wastewater infrastructure capacity to facilitate economic expansion.

Workforce Development & Manufacturing: This project encourages job creation and business expansion in manufacturing, including infrastructure-related efforts that focus on advanced manufacturing of innovative, high-value products and enhancing manufacturing supply chains with further growth and expansion of the City's capacity to further develop and expand a bio-industry cluster alongside existing fertilizer, ethanol and agronomy business operations and infrastructure.

Exports & FDI: This infrastructure project enhances community assets to support growth by facilitating foreign direct investment and creation of new domestic jobs.

Opportunity Zones: This project has the potential of attracting future private investment to grow businesses and create jobs in an adjacent Census tract designated as an Opportunity Zone. While not located within an Opportunity Zone, the project location is within less than 20 miles of an adjacent Opportunity Zone tract within the County regionally benefitting the adjoining Opportunity Zone tract encompassing the area.

**B.7. Identify the proposed time schedule for the project**

The project is expected to take place over approximately 12 months commencing January, 2021.

**B.8. Economic impacts of the project**

**B.8.a. Please describe the economic impacts of the project:**

In 2018, the City experienced a significant industrial closure creating employment losses of 35 direct and 100 indirect jobs and a 25% loss of property tax revenue to the City. The City currently has a letter of intent from an international company to develop a biogas refinery with a foreign direct investment of up to \$60M on the existing vacant industrial site. Completion of this proposed project would address all mitigation and capacity limitations and facilitate the planned expansion as well as limitations for all three (3) existing industrial businesses within the park. Completion of this project and planned expansion from the proposed \$60M foreign direct investment would create an anticipated 20 new jobs and retain 58 existing jobs within the Industrial Park. An estimated 30-40 additional indirect jobs would be created to offset prior job losses due to the industrial closure and new investment will positively impact the City by replacing lost property tax revenue.

**B.8.b. Please identify the total estimated jobs and private investment that is expected to be generated by this project:**

Estimated Jobs Created	Estimated Jobs Retained	Estimated Private Investment
------------------------	-------------------------	------------------------------

20	58	\$60,000,000.00
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B.8.c. Please identify the source of Estimates above (check as many as apply):

- Letters from Beneficiaries of the Project
- Input/Output Model (e.g. IMPLAN, REMI)
- Comparison to Similar Projects
- Other Method (specify below)

**B.9. Beneficiaries of the project**

Beneficiary Name	NAICS Code	Estimated Jobs Created	Estimated Jobs Retained	Estimated Private Investment
NATURE ENERGY	221118	20	0	\$60,000,000.00
CHIPPEWA VALLEY ETHANOL CO	424720	0	35	\$0.00
NORTH AMERICAN FERTILIZER	424910	0	3	\$0.00
NUTRIEN AG SOLUTIONS	111998	0	20	\$0.00
<b>Total</b>		20	58	\$60,000,000.00

**B.10. Non-EDA funding for the project**

B.10.a. Are all non-EDA funds committed to the project, available as needed, and not conditioned or encumbered in any way that would preclude their use consistent with the purpose of the project?

- Yes
- No (explain below)

B.10.b. Identify the source, nature and amount of all non-EDA funds.

Source	Amount	Date Available	Type	Restriction/Comments
City of Benson	\$353,422.00	08/31/2020	Cash	NA

B.10.c. Does the applicant plan to seek other federal financial assistance as part of or in connection with this project? If so, please describe the source, amount and any terms and conditions of the funding, and when the funding will be available for use by the applicant.

Yes (explain below)       No

B.10.d. Please attach documentation confirming non-EDA (matching or cost share) funding:

Add Attachment

Delete Attachment

View Attachment

### B.11. Justification for sole source procurement

Will you contract work to complete part or all of this project?

B.11.a. No

B.11.b. Yes      If yes, will contracts be awarded by competitive bid?

B.11.b.i. Yes

B.11.b.ii. No

If contracts will not be awarded by competitive bid, please provide a justification. A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements.

### B.12. Equipment

Will any funds be used to purchase equipment?

B.12.a. No

B.12.b. Yes      If yes, will project funding be used to install the equipment?

Yes

No

Please attach a list, including cost, description, purpose, and estimated useful life of any equipment that will be purchased as a part of this project.

Add Attachment

Delete Attachment

View Attachment

## C. Regional Eligibility

### C.1. Region

Define the area/region that is the basis for the applicant's claim of eligibility. EDA will review and evaluate documentation submitted by the applicant to verify and determine eligibility.

Upper Minnesota Valley Regional Development Commission EDR 6W

## C.2. Economic Distress

Check all that apply in establishing regional eligibility (see NOFO for more details):

- C.2.A. Unemployment rate
- C.2.B. Per capita income
- C.2.C. Special need, including:
  - Substantial out-migration or population loss;
  - Underemployment; that is, employment of workers at less than full-time or at less skilled tasks than their training or abilities permit;
  - Military base closure or realignment, defense contractor reductions-in-force, or U.S. Department of Energy defense-related funding reductions;
  - Natural or other major disasters or emergencies;
  - Extraordinary depletion of natural resources;
  - Closing or restructuring of an industrial firm or loss of other major employer;
  - Negative effects of changing trade patterns; or
  - Other circumstances set forth in the applicable NOFO (please explain below).

## C.3. Substantial Direct Benefit

If the project does not meet any of the criteria above, is it located in an Economic Development District (EDD), and will it provide substantial direct benefit to residents of an area within that EDD that does meet the distress criteria?

- Yes                       No

Which Economic Development District?

Please explain how the proposed project will provide a substantial direct benefit to this geographic area within the EDD.

## C.4. Source of data provided for regional eligibility determination

Check the box denoting what data source you used to establish eligibility:

- C.4.a. The most recent ACS data published by the U.S. Census Bureau.
- C.4.b. The most recent Bureau of Labor Statistics Data.
- C.4.c. The most recent other federal data for the region in which the project is located (e.g., U.S. Census Bureau or the Bureaus of Economic Analysis, Labor Statistics, Indian Affairs, etc.).
- C.4.d. If no federal data are available, the most recent data available through the state government for the region in which the project is located.

- C.4.e. Other data to substantiate regional eligibility based on a "Special Need" as defined in 13 C.F.R. § 300.3.

Please attach a copy of the documentation used to support your claim of eligibility:

FY19 EDA Disaster Supplemen

Add Attachment

Delete Attachment

View Attachment

## D. Budget and Staffing

To be completed by applicants for non-construction assistance only

### D.1. Budget justification

### D.2. Indirect costs

### D.3. Key applicant staff

## E. Administrative Requirements

### E.1. Civil rights

E.1.a. Does the applicant understand and agree to comply with all applicable civil rights requirements (see 13 C.F.R. § 302.20)?

Yes

No (explain below)

E.1.b. Do identified "Other Parties" (as listed in question B.9.), businesses that will create and/or save fifteen or more jobs as a result of the EDA project, understand and agree to comply with all applicable civil rights requirements under 13 C.F.R. § 302.20, including the requirement to provide signed assurances of compliance (ED-900B)?

Not Applicable (No Other Parties Identified)

Yes

No (explain below)

### E.2. Lobbying certifications

Will you be able to comply with federal requirements regarding lobbying?

- Yes  No (explain below)

**E.3. Compliance with Executive Order 12372, State Single Point of Contact (SPOC)**

Does the state in which the project will be located have a project review process that requires submission to a Single Point of Contact (SPOC)?

- E.3.a. No. Go to Question E.4  
 E.3.b. Yes

If Yes, does this request for EDA investment assistance meet the SPOC process established by the state?

- E.3.b.i. No  E.3.b.ii. Yes

Please explain why not

If Yes, were SPOC comments/clearance received?

- E.3.b.ii.a. Yes

Please attach the comments/clearance:

Add Attachment

Delete Attachment

View Attachment

- E.3.b.ii.b. No. The review period has expired and no comments were received.  
 E.3.b.ii.c. No. Comments have been requested but the review period has not yet expired.

Please attach evidence of your request for comments:

Add Attachment

Delete Attachment

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#### E.4. Single Audit Act Requirement

E.4.a. Does the applicant understand and agree to the requirements of subpart F of 2 C.F.R. part 200 regarding federal audits?

Yes  No

E.4.b. Is the applicant currently audited under the Single Audit Act?

E.4.b.i. No

E.4.b.ii. Yes, If yes:

E.4.b.ii.a. What is the date of the most recent audit?

E.4.b.ii.b. Was this audit submitted to the Federal Audit Clearinghouse?

Yes  No

## F. Requirements for Non-Governmental Applicants (Excluding Public Universities and Certain District Organizations)

As indicated below, non-governmental applicants (excluding public universities and district organizations) must also provide a copy of the following items, either using the Attachments form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov) or providing a hard copy.

F.1. Non-profit organizations must provide a current Certificate of Good Standing from the State in which they are incorporated.

F.2. New non-profit organization applicants must provide their Articles of Incorporation and By-Laws. Non-profits with an active EDA grant must either provide a) a revised copy of their Articles of Incorporation or By-Laws if these have been amended or b) a statement certifying that there has been no change in the organization's Articles of Incorporation or By-Laws.

F.3. Non-profit organizations must provide a resolution passed by a general purpose political subdivision of a State (e.g., local government entity) or a letter signed by an authorized representative of a local government acknowledging that the applicant is acting in cooperation with officials of the political subdivision. EDA may waive this requirement for certain projects of significant regional or national scope (see 13 CFR § 301.2(b)).

F.4. If applying for a construction or RLF investment, an applicant must afford the appropriate general purpose governmental authority a minimum of 15 days to review and comment on the proposed project (13 CFR § 302.9(a)).

Will the applicant be able to provide these comments?

Yes

Not applicable, because the applicant is not applying for a construction or RLF grant

Not applicable, because this requirement has been satisfied under an existing RLF plan

No, for another reason (explain below)

# Instructions for Form ED-900

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## A. Applicant Information

A.1. EDA Application Identifier – If EDA has previously provided an identifier for your proposal/application, please enter that identifier here. Otherwise, leave blank.

A.2. Please identify all applicants for this project:

The Lead Applicant should be the party who is responsible for handling disbursement of funds and reporting to EDA.

Note that Sam.gov registration is required of all EDA applicants and awardees. Please list the relevant CAGE Code and SAM.gov expiration data for all applicants and co-applicants (if any).

## B. Project Information

**B.1. Provide a geographical definition of the region to be served by the investment (project), including the specific geographic location of the project within the region.**

Clearly and concisely describe the region where the project will be located, including the specific geographic location of the project within the region, as well as background on the assets of the area, which may include clusters, and workforce, physical, educational and financial infrastructure.

**B.2. Describe and outline the scope of work for the proposed EDA investment, including a list of tasks to be undertaken.**

List specific activities that will be undertaken and the specific deliverables that will be produced as a result of this investment. The description of the proposed project must include a clear statement of the overall purpose of the project.

**Applicants for construction assistance (including design and engineering assistance)** should also include a statement of project components. Indicate if the proposed project involves the construction of a new facility or facilities or the enlargement, expansion, renovation, or replacement of an existing facility or facilities. Describe the existing facility and proposed project components in terms of dimensions, capacities, quantities, etc.

**Applicants for Partnership Planning Assistance** should provide a narrative on the economic development activities that will be undertaken including managing and maintaining the CEDS process.

**Applicants for Short Term Planning Assistance** should provide a narrative explaining how the proposed scope of work will enhance economic development planning capacity of the identified region. Include any relationship or collaboration with other public and private entities. Please explain how the strategy will expand the capacity of public officials and economic development organizations to work effectively with employers and enable the region to plan and coordinate the use of available resources to support economic recovery and the development of a regional economy and/or develop innovative approaches to economic revitalization in the region.

**Applicants for State Planning Assistance** should provide a narrative outlining the proposed scope of work for the project. Include the relationship to any existing CEDS or similar planning processes in the region and the goals and objectives of the proposed project.

### **B.3. Economic development needs**

Except for grants to fund developing, updating or refining a CEDS as described in 13 C.F.R. § 303.7, the region in which Public Works or Economic Adjustment projects will be located must have a CEDS with which the project is consistent.

B.3.a. Does the region in which the project will be located have a Comprehensive Economic Development Strategy (CEDS)?

If Yes, what is the source? *Note: If you are unsure if your region has a CEDS, please contact your local District Organization. In areas without a District Organization, CEDS may also be obtained at the City, County, or State level.*

If No, then please check one of the indicated options:

B.3.a.i. There is an alternate strategic planning document that will govern this investment. Please identify the strategy and provide a copy of this planning document, either by attaching the document to this application or submitting a hard copy.

B.3.a.ii. This investment is to create a strategy plan to develop, update or refine a CEDS. Please explain how the strategy will expand the capacity of public officials and economic development organizations to work effectively with employers and enable the region to plan and coordinate the use of available resources to support economic recovery and the development of a regional economy and/or develop innovative approaches to economic revitalization in the region.

B.3.b. Briefly describe the economic conditions of the region described in B.1, as well as the economic adjustment problems or economic dislocations the region has experienced (or is about to experience) and the regional impact of these conditions. How does the project address the economic development needs of the region and the goals and objectives of the CEDS for the region or the alternate strategic planning document described in section b below? See 13 C.F.R. part 303.

### **B.4. Applicant's capability**

Briefly describe the applicant's capability to administer, implement, and maintain the project.

### **B.5. List and describe strategic partners and organizations to be engaged in this project**

Describe existing regional partnerships (if any) that are directly engaged in supporting the proposed project, including a discussion of the extent of participation of government agencies, private sector interests, education providers, non-profits, community and labor groups, workforce boards, utilities, etc.

### **B.6. Describe the investment (project) impact and fit with EDA funding priorities**

Concisely document how the proposed project aligns with one or more of EDA's investment priorities. Applicants that propose projects that do not align with EDA's investment priorities will not be as competitive as those that do. Applicants are strongly encouraged to review EDA's investment priorities, as outlined in the applicable Notice of Funding Opportunity (NOFO) announcement on [www.Grants.gov](http://www.Grants.gov).

### **B.7. Proposed time schedule for the project**

Provide a proposed time schedule for completion of the project, including when (month/year) the project will begin and end. Explain any potential issues that could affect project implementation.

## **B.8. Economic impacts of the project**

Provide a clear and compelling justification for the long-term potential economic impact of the proposed project, through anticipated job creation or retention, private investment leveraging, number of businesses or collaborations supported, or other appropriate measures. All job and private investment estimates should reflect the anticipated impact within nine years of the potential EDA investment. Applicants must attach letters of commitment from any identified beneficiaries.

For all other measures, applicants should clearly identify the expected time frame. In all cases, applicants must document the benefit and provide third-party data or information available to support these claims.

## **B.9. Beneficiaries of the project**

If applicants have identified specific private sector employers that are expected to create and/or save jobs as a result of the project, applicants should list those beneficiaries in the table provided. All job and private investment estimates should reflect the anticipated impact within nine years of the potential EDA investment.

**NAICS Code:** The NAICS code for the major industry category of the beneficiary company (see [www.naics.com](http://www.naics.com) for a searchable list).

**Jobs Created:** The number of jobs that the company expects to create as a result of the project.

**Jobs Retained:** The number of jobs that the company expects to retain as a result of the project.

**Private Investment:** The amount of private investment that the company expects to make in its business/ community as a result of the project.

Form ED-900B must be completed by each beneficiary that expects to create and/or save fifteen or more jobs as a result of the project.

## **B.10. Non-EDA funding for the project**

Select the appropriate response to each question. Applicants should identify the source, nature and amount of all non-EDA funds, including in-kind contributions (non-cash contributions of space, equipment, services, or assumptions of debt). Explain the status of all funding commitments, including the date the funds will be available from each source, and describe any conditions or restrictions on the use of such funds. If in-kind contributions are included, explain the basis on which they are valued. If so, please describe the source, amount and any terms and conditions of the funding, and when the funding will be available for use by the applicant. Please attach evidence of commitment from all funding sources. For example, if bonds are contemplated as match, counsel opinion of the applicant's bonding authority and eligibility of the bonds for use as match, along with full disclosure of the type of bonds and the schedule of the applicant's intended bond issue, are required.

## **B.11. Justification for sole source procurement**

Select the appropriate response to each question.

## **B.12. Equipment**

Select the appropriate response to each question.

## C. Regional Eligibility

Public Works and Economic Adjustment Assistance projects must satisfy regional eligibility requirements (see NOFO for more details). This section will assist EDA in determining if the proposed project satisfies these eligibility requirements.

Planning and Technical Assistance applications: although meeting specific distress criteria is not a prerequisite for funding under these programs, the economic distress level of the region impacted by a project serves as the basis for establishing the EDA share of the total cost of the project and can inform competitiveness.

Please answer all questions completely and accurately and attach explanations and supporting documentation where applicable.

### C.1. Region

Clearly define the area/region that is the basis for your claim of eligibility.

### C.2. Economic Distress

Check all that apply in establishing regional eligibility (see NOFO for more details):

**C.2.A. Unemployment rate:** The project is located in a region that has an unemployment rate that is, for the most recent 24-month period for which data are available, at least one percentage point above the national unemployment rate.

**C.2.B. Per capita income:** The project is located in a region that has a per capita income that is, for the most recent period for which data are available, 80 percent or less of the national average per capita income.

**C.2.C. Special need:** The project is located in a region that has experienced or is about to experience a "Special Need" (as defined in 13 C.F.R. § 300.3) arising from actual or threatened severe unemployment or economic adjustment problems resulting from severe short-term or long-term changes in economic conditions, including: Substantial out-migration or population loss; Underemployment, that is, employment of workers at less than full-time or at less skilled tasks than their training or abilities permit; Military base closure or realignment, defense contractor reductions-in-force, or U.S. Department of Energy defense-related funding reductions; Natural or other major disasters or emergencies; Extraordinary depletion of natural resources; Closing or restructuring of an industrial firm or loss of other major employer; Negative effects of changing trade patterns; or other circumstances set forth in the applicable NOFO.

### C.3. Substantial Direct Benefit

A project located within an Economic Development District (EDD) that is located in a region that does not meet the economic distress criteria set forth in section C.2 above, is also eligible for EDA investment assistance if EDA determines that the project will be of "substantial direct benefit" to a geographic area within the EDD that meets the distress criteria set forth in question C.2 above by providing significant employment opportunities for unemployed, underemployed, or low-income residents of the distressed geographic area within the EDD. If applicable, identify the EDD in which the proposed project will be located, as well as the geographic area within the EDD that meets the economic distress criteria detailed in section C.2., and explain how the proposed project will provide a substantial direct benefit to this geographic area within the EDD. (See NOFO for more details.)

### C.4. Source of data provided for regional eligibility determination

Check the appropriate box denoting what data source you used to establish eligibility. Please attach data used to establish eligibility.

## D. Budget and Staffing

To be completed by applicants for non-construction assistance only

### D.1. Budget justification

Provide a clear budget justification that identifies how funds in each line item of the budget will be utilized to support the proposed project. Explain the proposed use of any amounts budgeted for "Equipment," "Contractual," or "Other," if any, on Form SF-424A, Budget Information - Non-Construction Programs.

### D.2. Indirect costs

Explain the types of indirect costs, if any, on Form SF-424A. If there are any indirect costs, please submit a copy of the current Indirect Cost Rate Agreement that your organization has with its cognizant Federal agency. Alternatively, applicants must provide supplemental documentation such as: a certificate of indirect costs and acknowledgment letter from the cognizant agency, a cost allocation plan, an indirect cost rate proposal and/or other acceptable documents under Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) as set forth in 2 C.F.R. part 200 or relevant procurement regulations.

### D.3. Key applicant staff

Identify key applicant staff who will undertake and complete project activities. Include a description of the knowledge, organizational experience, and expertise of individual staff members. In addition, explain how organizational resources will be used to complete project activities. For National Technical Assistance, Training and Research and Evaluation projects, specify which positions will be charged to the federal and non-federal portion of the project budget.

## E. Administrative Requirements

### E.1. Civil rights

Select the appropriate response, providing an explanation if "no."

### E.2. Lobbying certifications

**All applicants** for federal financial assistance must certify that federal funds have not been used and will not be used for lobbying in connection with this request for federal financial assistance (Form CD-511). If non-federal funds have been or are planned to be used for lobbying in connection with this request for federal financial assistance, Form SF-LLL also must be completed. Applicants must comply with 13 C.F.R. § 302.10 regarding attorneys' and consultants' fees and the employment of expeditors. This regulation requires that applicants identify and disclose the amount of fees paid to anyone engaged to assist the applicant in obtaining assistance under the Public Works and Economic Development Act of 1965 (PWEDA), as amended.

### E.3. Compliance with Executive Order 12372, State Single Point of Contact (SPOC)

Select the appropriate response to each question, please attach any comments that have been received. If the comment period has not yet expired or comments were not received, attach evidence of your request for comments.

### E.4. Single Audit Act Requirement

Select the appropriate response to each question.

## **F. Requirements for Non-Governmental Applicants (Excluding Public Universities and Certain District Organizations)**

As indicated, non-governmental applicants must also provide a copy of the requested items, either using the Attachments form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov) or submitting a hard copy. Public Universities and Certain District Organizations may be exempt from this requirement, please contact your Regional Office to determine the requirements applicable to your organization.

**The following attachment is not included in the view since it is not a read-only PDF file.**

**Upon submission, this file will be transmitted to the Grantor without any data loss.**

**FY19 EDA Disaster Supplemental NOFO - Published\_Modified.pdf**



## ED-900A - Additional EDA Assurances for Construction Or Non-Construction Investments

For **ALL** investments: As a duly authorized representative of the applicant, I further certify that the applicant:

1. Understands that attorneys' or consultants' fees, whether direct or indirect, expended for securing or obtaining EDA investment assistance are not eligible costs. See 13 C.F.R. § 302.10(a).
2. Understands that conflicts of interest or appearances of conflicts of interest are prohibited and may jeopardize this application or result in the forfeiture of investment funds. A conflict of interest occurs, for example, where a representative, official, employee, architect, attorney, engineer, or inspector of the applicant, or a representative or official of the federal, State or local government, has a direct or indirect financial interest in the acquisition or furnishing of any materials, equipment, or services to or in connection with the project. See 13 C.F.R. § 302.17.
3. Will comply with the reporting requirements under the Government Performance and Results Act (GPRA) of 1993 and the GPRA Modernization Act of 2010 (GPRAMA) for measuring and reporting project performance.

For **CONSTRUCTION** investments: As a duly authorized representative of the applicant, I further certify that the applicant:

1. Will operate and maintain the facility in accordance with at least the minimum standards as may be required or prescribed by applicable federal, State and local agencies for the maintenance and operation of such facilities.
2. Will require the facility to be designed to comply with the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. 12101 et seq.), the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and the Accessibility Guidelines for Buildings and Facilities regulations, as amended (36 C.F.R. part 1191), and will be responsible for conducting inspections to insure compliance with these requirements.
3. For the two-year period beginning on the date EDA investment assistance is awarded, will refrain from employing, offering any office or employment to, or retaining for professional services any person who, on the date on which the investment assistance is awarded or within the one-year (1) period ending on that date, served as an officer, attorney, agent or employee of the Department of Commerce and occupied a position or engaged in activities that EDA determines involved discretion with respect to the award of investment assistance under PWEDA. See section 606 of PWEDA and 13 C.F.R. §302.10(b).
4. Will have no facilities under ownership, lease or supervision to be utilized in this project that are listed or under consideration for listing on EPA's List of Violating Facilities.
5. Will comply with Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," which imposes requirements that federally-assisted facilities be designed and constructed in accordance with the most current local building codes determined by the awarding agency or by the Interagency Committee for Seismic Safety in Construction (ICSSC) and the most recent edition of the American National Standards Institute Standards A58, Minimum Design Loads for Buildings and Other Structures.

6. Will observe and comply with federal procurement rules, as set forth in 2 C.F.R. part 200, as applicable, for award of any contracts for architectural engineering, grant administration services, or construction financed with EDA investment assistance

For **NON-CONSTRUCTION** investments: As a duly authorized representative of the applicant, I further certify that the applicant:

1. Will comply with applicable regulations regarding indirect cost rates, if indirect costs are included in the application.
2. Will comply with the requirement that this investment assistance will not provide a proprietary benefit to a private individual, for-profit corporation, or other commercial entity.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Completed on submission to Grants.gov

TITLE

Administrator

APPLICANT ORGANIZATION

CITY OF BENSON

DATE SUBMITTED

Completed on submission to Grants.gov



# ED-900C – EDA Application Supplement for Construction Programs

## A. Metropolitan Area Review

A.1. Projects involving the development of hospitals, airports, libraries, water supply and distribution facilities, sewage and waste treatment works, highways, transportation facilities, water development, or land conservation within a metropolitan statistical area (MSA) require comments from the metropolitan area clearinghouse/agency. Does the proposed project involve any of the above identified developments within an MSA?

Yes       No

A.2. If Yes, please attach either:

- Comments from the responsible metropolitan area clearinghouse/agency and a statement that such comments have been considered; or
- An explanation as to why comments are not available; or
- A statement indicating the date the application was made available to the appropriate metropolitan area clearinghouse/agency and units of general local government for review and certifying that the application has been before the metropolitan area clearinghouse/agency for a period of 60 days without comments or recommendations.

Add Attachment

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## B. District Organization Project Administration

B.1. Will the District Organization for the region in which the project will be located administer the project for the applicant?

Yes       No

B.2. If Yes, you must certify to all of the following and indicate your certification by checking each box:

- The administration of the project is beyond the capacity of the applicant's current staff and would require hiring additional staff or contracting for such services;
- No local organization/business exists that could administer the project in a more efficient or cost-effective manner than the District Organization; and
- The District Organization will administer the project without subcontracting the work.

B.3. If the project will be administered by the District Organization and you did not certify to all of the above, explain below.

## C. Preliminary Engineering Report

To be considered for assistance, all construction and design applications must include a **Preliminary Engineering Report (PER)** that at a minimum provides the following information:

- C.1. Description of project components. Provide a general description of all project components involved in the project. Indicate whether the project involves the construction of new infrastructure or facilities or the renovation or replacement of existing ones. Describe each of the project components in terms of dimensions, quantities, capacities, square footage, etc.
- C.2. A statement verifying that the project components described in the engineering report are consistent with the EDA investment project description that is provided in Section B.2 of Form ED-900. Engineering reports that describe project components that are inconsistent with the EDA investment project description in Section B.2 of Form ED-900 will not be considered valid.
- C.3. Drawings showing the general layout and location of the existing site conditions and of the project components as well as location of any project beneficiary identified in Section B.9 of Form ED-900 that provide economic justification for the project, if any. Rough dimensions and quantities for major project components should be shown and labeled on the drawings. Drawings should clearly identify the project components that are being proposed. Applicants are encouraged to clarify such drawings, for example, through color coding, labeling, and other appropriate methods.
- C.4. A feasibility analysis for the constructability of the project. Include a review of the existing conditions and note particular features, alignments, and circumstances affecting construction of project components.
- C.5. The proposed method of construction. Indicate whether construction procurement will be done through competitive bid or other method. Indicate if any portion of the project is to be done by design/build, construction management at risk, the applicant's own forces, or a third-party construction manager. If an alternate construction procurement method (other than traditional design/bid/build with sealed competitive bid process) is proposed, a construction services procurement plan must be provided to EDA for approval in accordance with EDA's regulation at 13 C.F.R. § 305.6(a).
- C.6. The number of construction contracts anticipated. If multiple contracts are proposed, describe the project components included in each contract. If separate contracts are anticipated for demolition or site work, the budget information cost classification should reflect the estimated costs for these components. If project phasing is proposed, a project phasing request must be provided to EDA for approval per EDA's regulation at 13 C.F.R. § 305.9(a).
- C.7. A current detailed construction cost estimate for each of the project components. Show quantities, unit prices, and total costs and provide a basis for the determination of construction contingencies. The total of this estimate should match the construction line item of the SF-424C.
- C.8. Real property acquisition. If the budget includes costs for acquisition of real property, include a current fair market value appraisal completed by a certified appraiser for the property to be purchased.

- C.9. A list of all permits required for the proposed project and their current status. Identify all permits required; include the timeline to obtain the permits and discuss how the permitting relates to the overall project schedule. If the project crosses a railroad right-of-way or is within a railroad right-of-way, explain any permitting or approvals that may be required from the railroad or other authority and the timeframe for obtaining these permits or approvals.
- C.10. An overall estimated project schedule. This schedule should agree with the project schedule outlined in the ED-900. Include the number of months for each of the following:
- i. design period;
  - ii. period of time to obtain required permits;
  - iii. period of time to obtain any required easements or rights-of-way;
  - iv. solicitation of bids and awarding of contracts, and
  - v. construction period.
- C.11. Overall project budget breakdown. For each "cost classifications" line item that the applicant indicates will be included in the project budget on Form SF-424C, the applicant must provide a breakdown of the proposed project costs and tasks that is consistent with the detailed construction cost estimate for the project provided in the PER.

Benson WTP - ED 900C PER wi

Add Attachment

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#### D. Title Requirements

D.1. Does the applicant currently hold title to all project facilities, underlying land, necessary easements, and rights-of-way required for the project?

Yes (go to question D.2)       No (explain below)

D.1.a. If No, does the applicant plan to obtain title?

D.1.a.i. Yes

How and when will the applicant obtain title? (After answering, go to question D.2)

D.1.a.ii. No

Please explain why not

D.1.b. If you indicated that the applicant does not currently have title and does not intend to obtain title, does the applicant hold a long-term lease or hold interest in project property for a period not less than the estimated useful life of the project?

D.1.b.i. Yes. Go to question D.2

D.1.b.ii. No. Please explain below how the applicant will satisfy EDA's title regulation at 13 C.F.R. § 314.7.

D.2. EDA regulations normally require recipients to provide a security interest and/or covenant of use in the real property or significant items of tangible personal property acquired or improved with EDA investment assistance (see 13 C.F.R. §§ 314.8 & 314.9). Will you be able to provide the required security interest?

Yes       No (explain how you will satisfy the requirements of 13 C.F.R. §§ 314.8 & 314.9)

D.3. Will real property or project facilities to be acquired or improved with EDA investment assistance, including any industrial or commercial park acreage, be mortgaged or used to collateralize any type of financing, including but not limited to bonds or tax credits, or is any real property to be used for the project currently mortgaged or being used as collateral?

Yes (explain below)       No

D.4. Describe any required State permits, easements, rights-of-way or leases necessary to construct, operate, and maintain the project.

See attached PER C.9

D.5. Describe any liens, mortgages, other encumbrances, reservations, reversionary interests or other restrictions on the applicant's interest in the property.

NA

D.6. Is the project located on a military or Department of Energy installation that is closed or scheduled for closure or realignment?

Yes  No

D.7. Does the project involve construction within a railroad's right-of-way or over a railroad crossing?

Yes (explain below)  No

The City will be required to permit for the new utility to be in BNSF's ROW even though it is a direct replacement of an existing facility. BNSF Railway - Application for Pipeline or Wire Line - Crossing And/Or Longitudinal. This permit process will need to be completed for the pipeline to cross BNSF ROW. The application is submitted to Jones Lang LaSalle Brokerage, Inc. who is BNSF's review agent. The approval process is expected to take between 60 and 120 days.

D.8. Does the project include construction of a highway owned by a State or local government (other than the applicant)?

Yes (explain below)  No

**E. Sale or Lease**

E.1. Does the applicant intend to sell, lease, transfer, dedicate or otherwise convey any interest in the project facilities, underlying land, or any land improved with EDA investment assistance?

Yes (explain below)  No

E.2. Is the purpose of the project to construct facilities to serve an industrial or commercial park or sites owned by the applicant for sale or lease to private parties?

No  Yes

Identify the owners of the acreage, provide an estimate of the number of acres benefiting from the proposed investment and explain how EDA's requirements will continue to be met after any sale or lease.

North American Fertilizer - 10ac.  
CVEC - 9ac.  
Nutrien Ag Solutions - 7ac.  
Nature Energy (Proposed) - 77ac.

No resultant project facilities contact subject properties therefore requirements should be met.

Note: Applicants may be asked to provide documentation that EDA's requirements will continue to be met after the sale or lease of project property.

E.3. Is the purpose of the project to construct facilities to serve a privately owned industrial or commercial party or other privately owned sites for sale or lease?

No  Yes

If Yes, identify the owners of the acreage, estimate the number of acres benefiting from the proposed investment, and explain below how EDA's requirements will continue to be met after the sale or lease. Note that EDA may require that the private owner agree to certain restrictions on the use of the property and may require that those restrictions survive any sale or transfer of the property. In addition, EDA may require evidence that the private party has title to the park or site and may require the private party to provide other assurance that EDA determines are necessary to ensure that the property is used in a manner consistent with the project purpose. See 13 C.F.R. § 314.3(c) and § 314.7.

E.4. For privately owned land improved by the proposed project, is the private owner willing to enter into an agreement to limit the sale price of the improved land to its fair market value before the improvements for a reasonable period of time?

Yes (explain below)  No/Not applicable (no private owners)

E.5. Is the purpose of the project to construct, renovate or purchase a building?

Yes (explain below)  No

E.5.a. Will the building be leased in whole or in part?

Yes (explain below)  No

E.5.b. Is the purpose of the building to provide incubator space to new companies?

Yes (explain below)  No

E.5.c. Will there be limitations on the length of the lease term?

Yes (explain below)  No

E.5.d. Is the purpose of the project to provide building space to a single user or multiple users?

Yes  No

E.5.e. Explain below the terms of any proposed lease.

## F. State Historic Preservation Requirements

Have comments from the appropriate State Historic Preservation Officer (SHPO) already been received?

Yes (attach comments)       No

Note: If comments have not already been received, the applicant will be required to submit materials to SHPO. Regardless of whether the applicant believes historic or archaeological artifacts are present, the applicant will be required work with its SHPO. Specific requirements for states' SHPOs can generally be found on their websites. Applicants can also request additional information from EDA Regional Offices.

Please note that the SHPO clearance process can be lengthy. When submitting this material to the SHPO, the applicant must request that the SHPO submit comments on the proposed project to the EDA Regional Office processing the application.

## G. National Environmental Policy Act (NEPA) Requirements

G.1. Please attach an environmental narrative and applicant certification clause using the template found on [www.eda.gov](http://www.eda.gov).

Federal agencies are required by law to assess the expected environmental impacts associated with proposed federal actions. Depending on its analysis of information submitted by the applicant, EDA may request additional information to better understand the current environmental conditions and the project elements that will affect the environment.

Comprehensive information is required to complete an environmental review in accordance with NEPA. Information must be provided for the:

- (i) site where the proposed project facilities will be constructed and the surrounding areas affected by its operation; and
- (ii) areas to be affected by any primary beneficiaries of the project.
- (iii) The information submitted must be sufficient to evaluate all reasonable alternatives to the proposed project and the direct and indirect environmental impacts of the project, as well as the cumulative impacts on the environment as defined in the regulations for implementing the procedural provisions of NEPA. See 40 C.F.R. parts 1500-1508.

The level of detail should be commensurate with the complexity and size of the project and the magnitude of the expected impact. Previously completed environmental impact documentation (assessments, impact statements, etc.) for activities in the region in which the proposed project will be located may be used as documentation.

## H. Business Incubators and Accelerators

Does the applicant intend to construct or renovate a business incubator, accelerator, commercialization center, or similar project?

No

Yes

Please attach a feasibility study demonstrating the need for the Project and an operational plan based on industry best practices demonstrating the Eligible Applicant's plan for ongoing successful operations. See the applicable NOFO for additional information and guidance.

Add Attachment

Delete Attachment

View Attachment



## ED-900C – EDA Application Supplement for Construction Programs

### C. Preliminary Engineering Report

To be considered for assistance, all construction and design applications must include a **Preliminary Engineering Report (PER)** that at a minimum provides the following information:

- C.1. Description of project components. Provide a general description of all project components involved in the project. Indicate whether the project involves the construction of new infrastructure or facilities or the renovation or replacement of existing ones. Describe each of the project components in terms of dimensions, quantities, capacities, square footage, etc.

#### Project 1

The project involves constructing a new flood protection berm/levee around the existing wastewater treatment facility (WWTF) in the City of Benson, MN. Items included in the project the construction of a 1080' ring berm/levee to protect the facility that sits directly adjacent to the Chippewa River from flooding. The berm is proposed to be constructed to an elevation of 1034.6. On average the berm will be placing fill in a depth of 2' to 3' from where the native ground elevation is today to create the necessary berm height. Aside from the berm/levee construction, the project includes interior storm water drainage improvement to convey water during a closure event, closure structures (gate wells) on the river side of the levee for both the sanitary sewer and storm sewer discharges, and the construction of sanitary and storm sewer lift station structures to discharge respective effluent water that would normally flow by gravity pipes from the waste water treatment facility.

#### Project 2

The project involves replacing an existing 3" sanitary forcemain along State Hwy 9 that serves the Benson Industrial Park with a new 8" sanitary forcemain. The new forcemain is necessary to allow growth in the industrial park. The current facility is undersized and can no longer be adequately cleaned. This has led to a further reduction in pipe capacity and the ability of the City to provide service to the industrial park users.

- C.2. A statement verifying that the project components described in the engineering report are consistent with the EDA investment project description that is provided in Section B.2 of Form ED-900. Engineering reports that describe project components that are inconsistent with the EDA investment project description in Section B.2 of Form ED-900 will not be considered valid.

Project components described in the engineering report are consistent with the EDA investment project description provided in Section B.2. of Form ED-900.

- C.3. Drawings showing the general layout and location of the existing site conditions and of the project components as well as location of any project beneficiary identified in Section B.9 of Form ED-900 that provide economic justification for the project, if any. Rough dimensions and quantities for major project components should be shown and labeled on the drawings. Drawings should clearly identify the project components that are being proposed. Applicants are encouraged to clarify such drawings, for example, through color coding, labeling, and other appropriate methods.

#### Project 1

See attached Figures 2-5.

Figure 2 addresses identifies the site related items that would be removed for construction. Piping and

structures to be removed are colored. Other items are identified.

Figure 3 – Shows the proposed berm/levee improvements included with the project along with the associated utility and site improvements necessary to accommodate the levee.

Figure 4 – Shows a detail of the proposed gate well structures. A structure is needed at each of the sanitary sewer and storm sewer discharge locations.

Figure 5 – Shows the preliminary design of the sanitary lift station to convey the outfall of the wastewater treatment plant during a closure condition. Normally the plant discharges to the Chippewa River by gravity.

Project 2 - See attached figures 1 and 2.

Figure 1 – This figure shows the alignment of the forcemain that will serve the Benson Industrial Park.

- C.4. A feasibility analysis for the constructability of the project. Include a review of the existing conditions and note particular features, alignments, and circumstances affecting construction of project components.

#### Project 1

See attached report. In general, due to immediate proximity of the plant to the river and the increased severity and frequency of flooding a levee is needed to protect the facility from flooding. The smallest footprint of the levee necessary was analyzed to both save costs as well as minimize impacts to the existing floodway of the river. To construct a flood protection berm the floodway will need to be modified so that the WWTF is not located in the floodway. The results of the flood study show that the floodway boundary can be adjusted to be outside of the proposed flood protection berm (See Figure 1). The study also shows that the construction the berm will not adversely impact the 100-year water surface elevation. The State of Minnesota imposed a floodway surcharge limit of 0.5-ft. The adjustment in the floodway width through the study area does not result in floodway surcharges greater than 0.5-ft in any cross-section in the model. It was recommended that a Letter of Map Revision (LOMR) based on updated and more detailed data be submitted to adjust the floodway boundary if the project commences. Once the LOMR has been approved, a No-Rise Certificate can be submitted to show that the construction of the berm will not impact 100-yr flood levels. Adjacent roadways are maintained and the closures will be made through temporary sandbag or earthen closures.

#### Project 2

A feasibility report was not prepared for this project. The project was analyzed for the feasibility of constructing the project as it relates to engineering matters. The existing sanitary forcemain that serves the industrial park is a 3" PVC pipe. The pipe connects to the sanitary collection system SE of the Benson public pool on the north side of the State Highway 9. The pipe extends NE and follows the Highway 9 ROW for approximately 3800'. From there it crosses under Highway 9 and the BNSF RR tracks and extends 300' to reach the industrial park. The size of the pipe is undersized to meet current demands of the users and does not allow for growth. The new 8" forcemain is proposed to replace the existing forcemain in its current location. The pipe will be directionally drilled in order to limit disruption of the existing corridor surface. This will save both construction time and expense as well as minimize project impacts and the need for surface restoration.

- C.5. The proposed method of construction. Indicate whether construction procurement will be done through competitive bid or other method. Indicate if any portion of the project is to be done by design/build, construction management at risk, the applicant's own forces, or a third-party construction manager. If an alternate construction procurement method (other than traditional design/bid/build with sealed competitive bid process) is proposed, a construction services procurement plan must be provided to EDA for approval in accordance with EDA's regulation at 13 C.F.R. § 305.6(a).

Project 1

The project is proposed to employ the traditional design/bid/build with sealed competitive bid process.

Project 2

The project is proposed to employ the traditional design/bid/build with sealed competitive bid process.

C.6. The number of construction contracts anticipated. If multiple contracts are proposed, describe the project components included in each contract. If separate contracts are anticipated for demolition or site work, the budget information cost classification should reflect the estimated costs for these components. If project phasing is proposed, a project phasing request must be provided to EDA for approval per EDA's regulation at 13 C.F.R. § 305.9(a).

Project 1

The project intends to let one construction contract for the entire project including removals, levee construction, sanitary sewer and storm sewer improvements along with the necessary site improvements and restoration.

Project 2

The project intends to let one construction contract for the entire project including removals, sanitary sewer forcemain, lift station modifications along with necessary site improvements and restoration.

C.7. A current detailed construction cost estimate for each of the project components. Show quantities, unit prices, and total costs and provide a basis for the determination of construction contingencies. The total of this estimate should match the construction line item of the SF-424C.

Project 1

See Attached Opinion of Probable Cost (Appendix A of the Feasibility Report) for detailed Total project costs. In general, the components of the project are:

WWTP Flood Protection Project Costs

Levee and Site Improvements .....	\$399,169.00
Gate Well Structures.....	\$75,000.00
Storm Sewer Lift Station Improvements .....	\$198,875.00
Sanitary Sewer Lift Station Improvements .....	\$291,750.00
TOTAL ESTIMATED PROJECT COSTS .....	\$964,794.00

Project 2

See Attached Opinion of Probable Cost. In general, the components of the project are:

WWTP Flood Protection Project Costs

Forcemain Replacement Construction Costs .....	\$583,500
Contingency .....	\$58,350

Engineering, Administration and Legal..... \$160,462.50

TOTAL ESTIMATED PROJECT COSTS ..... \$802,312.50

C.8. Real property acquisition. If the budget includes costs for acquisition of real property, include a current fair market value appraisal completed by a certified appraiser for the property to be purchased.

Project 1

No property is needed to be acquired for the project. The city of Benson owns all affected property.

Project 2

No property is needed to be acquired for the project. The City will be required to permit for the new utility to be in MNDOT's as well as BNSF's ROW even though it is a direct replacement of an existing facility.

C.9. A list of all permits required for the proposed project and their current status. Identify all permits required; include the timeline to obtain the permits and discuss how the permitting relates to the overall project schedule. If the project crosses a railroad right-of-way or is within a railroad right-of-way, explain any permitting or approvals that may be required from the railroad or other authority and the timeframe for obtaining these permits or approvals.

Project 1

- A LOMR needs to be completed. It can take 90-150 days to get FEMA approval. This process has not been started.
- MnDNR must review all LOMRs, which can be done concurrently with the FEMA review and are usually completed within 30 days after receipt of a complete submittal.
- The LOMR will also be reviewed and approved by Swift County. This is usually completed within 30 days after receipt of a complete submittal.
- Once the LOMR has been approved, a No-Rise Certificate can be submitted to show that the construction of the berm will not impact 100-yr flood levels. No-Rise Certificates are reviewed and approved by Swift County, and it is recommended that a copy be sent to the MnDNR Area Hydrologist or the MnDNR Floodplain Staff for record keeping purposes.
- MPCA NPDES/SDS Permit – A minor modification to the wastewater treatment facility operation and discharge permit during a high water emergency (river flooding) is likely needed. This has not been applied for at this time. The City will communicate with MPCA if the modification is required during design. If permit medication is necessary, the expected timeline for approval is approximately 4 months.
- Wetland Conservation Act/404 Permit – Verification that no wetlands exist that would be impacted by fill. Identification of wetlands would need to be made and delineated if present during the growing season. If impacts to wetlands are found, they will be permitted for during the design process. The permitting and approval process is 60-90 days and finalized after the bidding process. Purchase wetland bank credits may be necessary
- NPDES Permit – The construction storm water and erosion control permit will be prepared during the design and finalized after the bidding process. The permit approval process will 1 to 7 days depending on application and fee payment method.

Project 2

- MnDOT Utility Accommodation Form 2525 – Application for Utility Accommodation On Trunk Highway Right of Way. This is needed for the replacement of the existing forcemain within MnDOT's ROW. The permit approval process is generally less than 30 days but could take up to 60 days.
- BNSF Railway – Application for Pipeline or Wire Line – Crossing And/Or Longitudinal. This permit process will need to be completed for the pipeline to cross BNSF ROW. The application is submitted to Jones Lang LaSalle Brokerage, Inc. who is BNSF's review agent. The approval process is expected to take between 60 and 120 days.
- MN DNR – License to Cross. This permit may be needed as the pipeline will cross the Chippewa River. The MN DNR may elect to waive this requirement as the pipeline will be replacing the existing pipeline crossing without any disturbance to the river. At a minimum an engineering review of the project will be required by the DNR staff. If the full permit process is required, the expected timeline for review and approval is 90-120 days.
- NPDES Permit – The construction storm water and erosion control permit will be prepared during the design and finalized after the bidding process. The permit approval process will 1 to 7 days depending on application and fee payment method.

C.10. An overall estimated project schedule. This schedule should agree with the project schedule outlined in the ED-900. Include the number of months for each of the following:

Project 1

- i. design period; 30 - 45 Days
- ii. period of time to obtain required permits; 90 to 150 days.
- iii. period of time to obtain any required easements or rights-of-way; - N/A
- iv. solicitation of bids and awarding of contracts, and – Approximately 30 days
- v. construction period. 180 - 270 days. Construction timeline is largely dependent on when the project is bid, environmental conditions as well as the actual time for delivery and installation of the new sanitary and storm sewer lift station components

Project 2

- vi. design period; 60-80 Days
- vii. period of time to obtain required permits; 90 to 120 days.
- viii. period of time to obtain any required easements or rights-of-way; - N/A
- ix. solicitation of bids and awarding of contracts, and – Approximately 30 days
- x. construction period. 150 - 240 days. Construction timeline is largely dependent on when the project is bid, environmental conditions as well as the actual time for delivery and installation of components for the lift station to be modified at the industrial park.

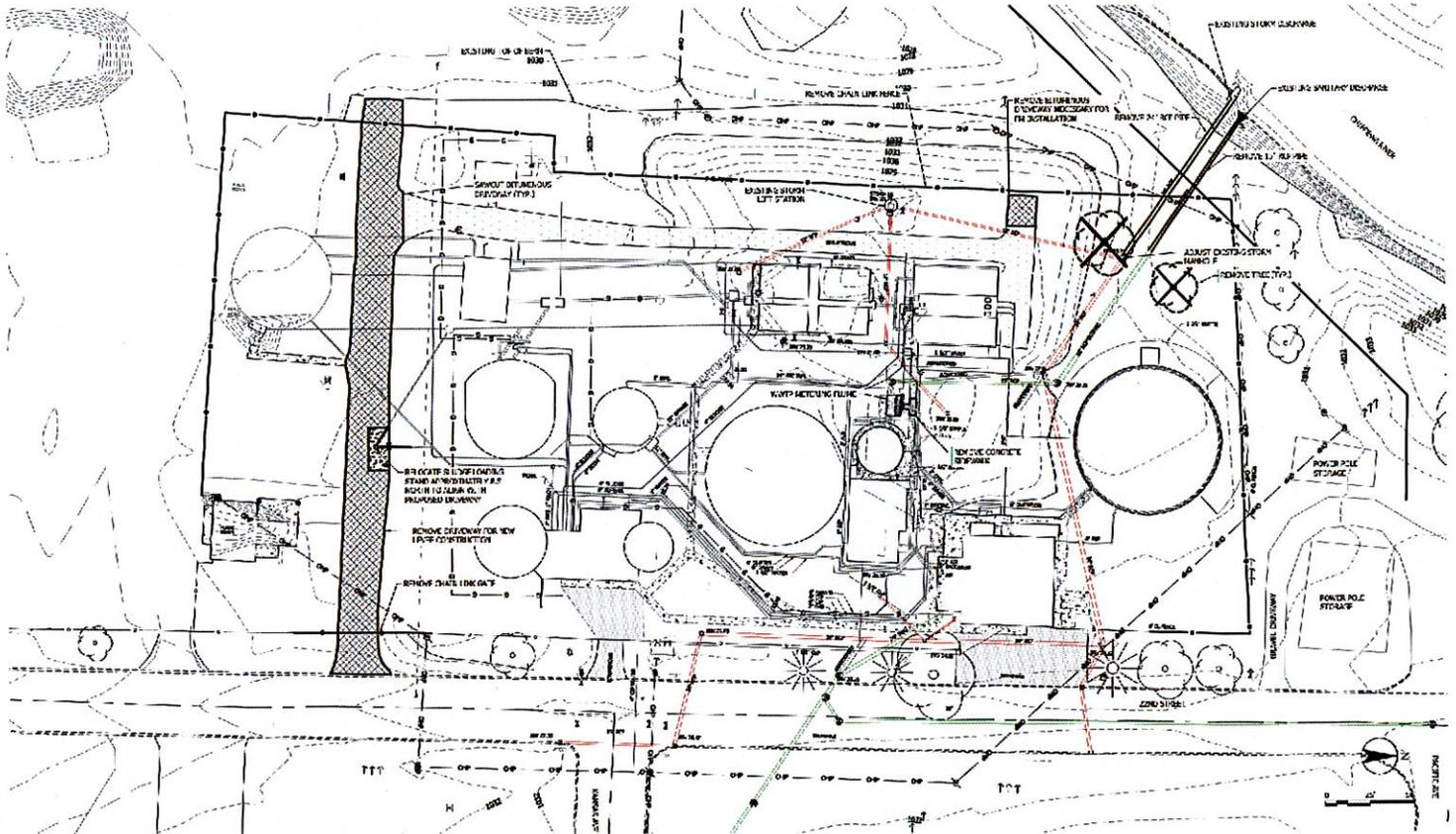
APPENDIX A  
ESTIMATED OPINION OF PROBABLE COSTS  
BENSON WWTP FLOOD PROTECTION IMPROVEMENTS  
PROJECT NO. 193804917  
BENSON, MINNESOTA  
January, 2020

No.	Item	Units	TOTAL QTY	Unit Price	Total Price
<b>WWTP FLOOD PROTECTION IMPROVEMENTS</b>					
1	MOBILIZATION	LS	1	\$15,000.00	\$15,000.00
2	TRAFFIC CONTROL	LS	1	\$1,500.00	\$1,500.00
3	REMOVE GALVANIZED CHAIN LINK FENCE	LF	1080	\$9.00	\$9,720.00
4	SALVAGE AND REINSTALL GALVANIZED CHAIN LINK GATE	LS	2	\$2,000.00	\$4,000.00
5	REMOVE TREE	EA	2	\$500.00	\$1,000.00
6	COMMON BORROW (LV)	CY	4200	\$15.00	\$63,000.00
7	COMMON EXCAVATION	CY	510	\$20.00	\$10,200.00
8	REMOVE RC STORM/FM PIPE	LF	200	\$10.00	\$2,000.00
9	REMOVE CONCRETE SIDEWALK	SY	10	\$2.00	\$20.00
10	REMOVE BITUMINOUS PAVEMENT	SY	820	\$5.00	\$4,100.00
11	SAWING BITUMINOUS PAVEMENT	LF	45	\$4.00	\$180.00
12	4" CONCRETE SIDEWALK	SY	10	\$7.00	\$70.00
13	6' GALVANIZED CHAIN LINK FENCE	LF	1,150	\$30.00	\$34,500.00
14	24' GATE FOR 6' CHAIN LINK FENCE	EA	1	\$5,000.00	\$5,000.00
15	BITUMINOUS ENTRANCE ROAD AND GATE WELL PAD	SY	1,050	\$50.00	\$52,500.00
16	SELECT GRANULAR BORROW (CV)	CY	120	\$22.00	\$2,640.00
17	GEOTEXTILE FABRIC, TYPE V	SY	1,050	\$2.00	\$2,100.00
18	AGGREGATE BASE CLASS 5, 100% CRUSHED	TN	360	\$20.00	\$7,200.00
19	RELOCATED SLUDGE LOADING STAND AND MH	LS	1	\$20,000.00	\$20,000.00
20	27" DIAMETER CB, INCL R-4342 CSTG AND CONC ADJ RINGS	EA	3	\$2,200.00	\$6,600.00
21	CONNECT TO EXISTING STRUCTURE	EA	5	\$1,200.00	\$6,000.00
22	6" PVC FM PIPE, C-900	LF	30	\$40.00	\$1,200.00
23	8" PVC FM PIPE, C-900	LF	160	\$45.00	\$7,200.00
24	12" PVC FM PIPE, C-900	LF	30	\$50.00	\$1,500.00

No.	Item	Units	TOTAL QTY	Unit Price	Total Price
25	16" PVC FM PIPE, C-900	LF	140	\$60.00	\$8,400.00
26	15" RCP STORM PIPE, CLASS 5	LF	190	\$65.00	\$12,350.00
27	15" RCP EFFLUENT PIPE, CLASS 5	LF	100	\$65.00	\$6,500.00
28	24" RCP EFFLUENT PIPE, CLASS 5	LF	105	\$75.00	\$7,875.00
29	15" RC PIPE APRON, CL III WITH TRASH GUARD	EA	1	\$2,000.00	\$2,000.00
30	24" RC PIPE APRON, CL III WITH TRASH GUARD	EA	1	\$2,500.00	\$2,500.00
31	RANDOM RIP RAP, CL III	CY	16	\$125.00	\$2,000.00
32	7' DIAMETER SANITARY SEWER LIFT STATION WET WELL STRUCTURE, PUMPS, AND CONTROLS	EA	1	\$215,000.00	\$215,000.00
33	EXISTING STORM SEWER LIFT STATION MODIFACTIONS, PUMPS, AND CONTROLS	EA	1	\$140,000.00	\$140,000.00
34	4' DIAMETER SANITARY SEWER VALVE VAULT STRUCTURE	EA	1	\$10,000.00	\$10,000.00
35	4' DIAMETER STORM SEWER VALVE VAULT STRUCTURE	EA	1	\$10,000.00	\$10,000.00
36	7' DIAMETER GATE WELL MANHOLE STRUCTURE	EA	2	\$30,000.00	\$60,000.00
37	SEED MIXTURE 36-211	ACRE	2	\$1,500.00	\$2,400.00
38	EROSION CONTROL BLANKET, CATEGORY 3	SY	7,400	\$4.00	\$29,600.00
39	CONSTRUCTION ENTRANCE	EA	1	\$1,000.00	\$1,000.00
40	SILT FENCE, MACHINE SLICED	LF	1,500	\$3.00	\$4,500.00
41	STORM DRAIN INLET PROTECTION (AFTER CURB)	EA	4	\$120.00	\$480.00
<b>WWTP FLOOD PROTECTION IMPROVEMENTS COST</b>					<b>\$771,835.00</b>
25% Contingency, Engineering, Administration, Legal					\$192,958.75
<b>TOTAL - WWTP FLOOD PROTECTION IMPROVEMENTS COST</b>					<b>\$964,794.00</b>

**ESTIMATED PROJECT COSTS**  
 BENSON POWER SANITARY SEWER  
 PROJECT NO.  
 BENSON, MINNESOTA  
 DECEMBER 2019

No.	Item	Units	Qty	Unit Price	Total Price
1	CONNECT TO EXISTING SANITARY	EA	2	\$2,000.00	\$4,000.00
2	8" HDPE SANITARY FORCEMAIN, DIRECTIONAL DRILL	LF	4000	\$45.00	\$180,000.00
3	8" HDPE SANITARY FORCEMAIN, DIRECTIONAL DRILL UNDER RIVER	LF	300	\$85.00	\$25,500.00
4	8" SANITARY THROUGH EXISTING STEEL CASING PIPE	LF	300	\$55.00	\$16,500.00
5	4' DIAMETER MANHOLE AND CASTING	EA	4	\$7,500.00	\$30,000.00
6	DUPLEX SANITARY LIFTSTATION INCLUDING CONTROLS	LS	1	\$300,000.00	\$300,000.00
7	TURF RESTORATION	SY	3000	\$2.50	\$7,500.00
8	EROSION CONTROL	LS	1	\$20,000.00	\$20,000.00
9	TRAFFIC CONTROL	LS	1	\$15,000.00	\$15,000.00
<b>TOTAL</b>					<b>\$583,500.00</b>
10% Contingency					\$58,350.00
25% Engineering, Administration, Legal					\$160,462.50
<b>TOTAL</b>					<b>\$802,312.50</b>



**BENSON WWTP FLOOD PROTECTION**

**REMOVALS**

FIGURE 2

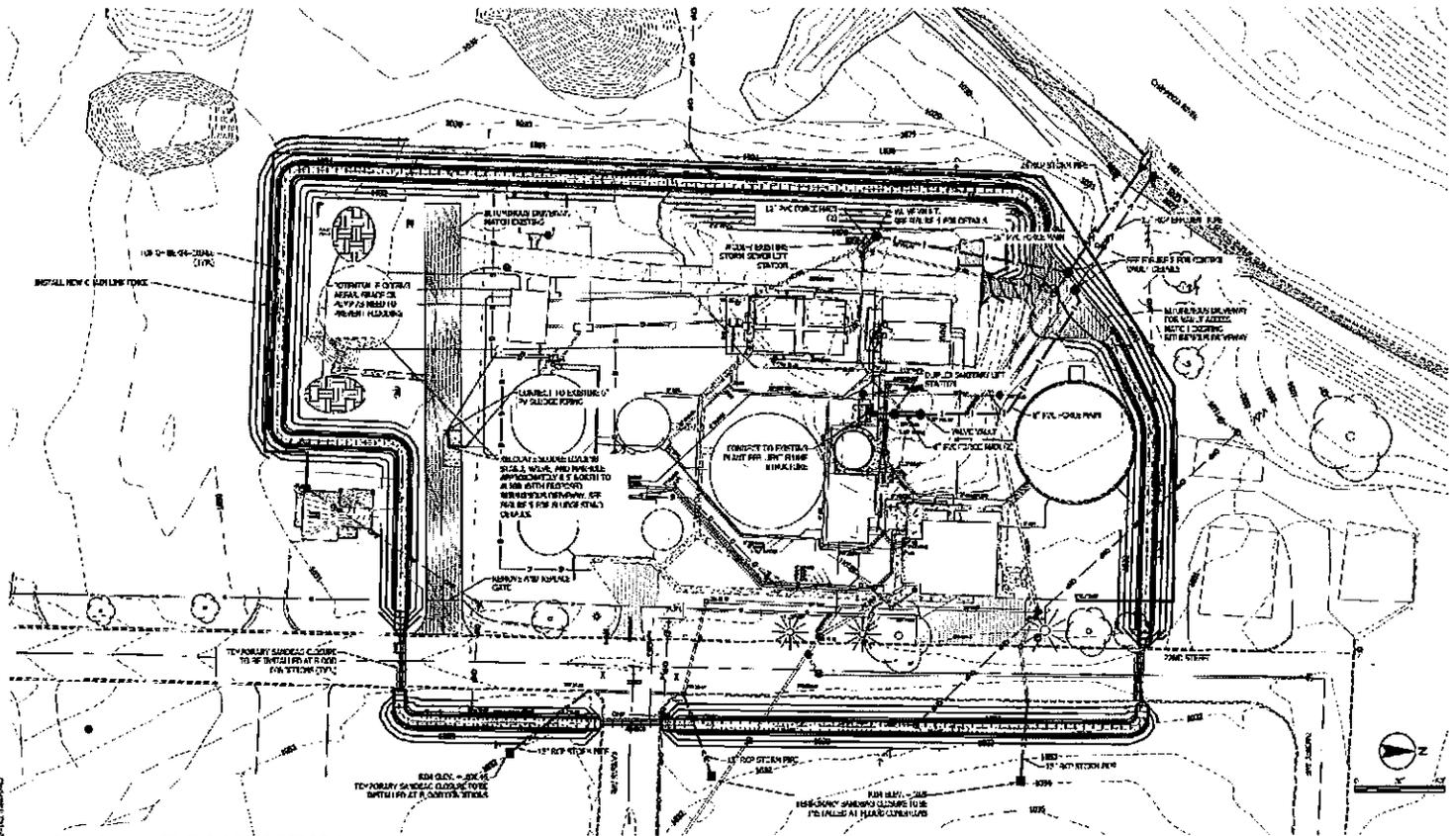


Issue Date: Aug 26, 2020

Workspace ID: W50059440 Funding Opportunity Number: EA-2015-D16ARMA

DAI: 01/2/2020

PKCJ.NC.17383471



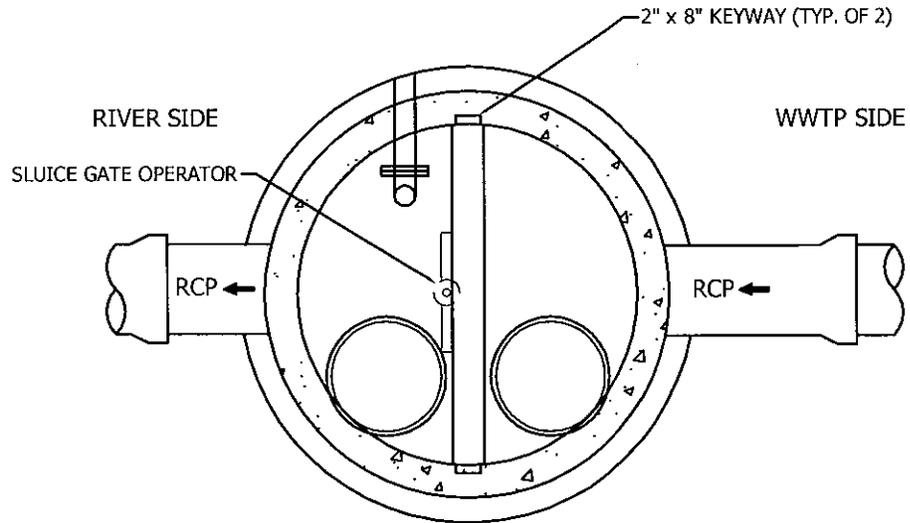
**BENSON WWTP FLOOD PROTECTION**

**PIPE NETWORK AND LEVEE**

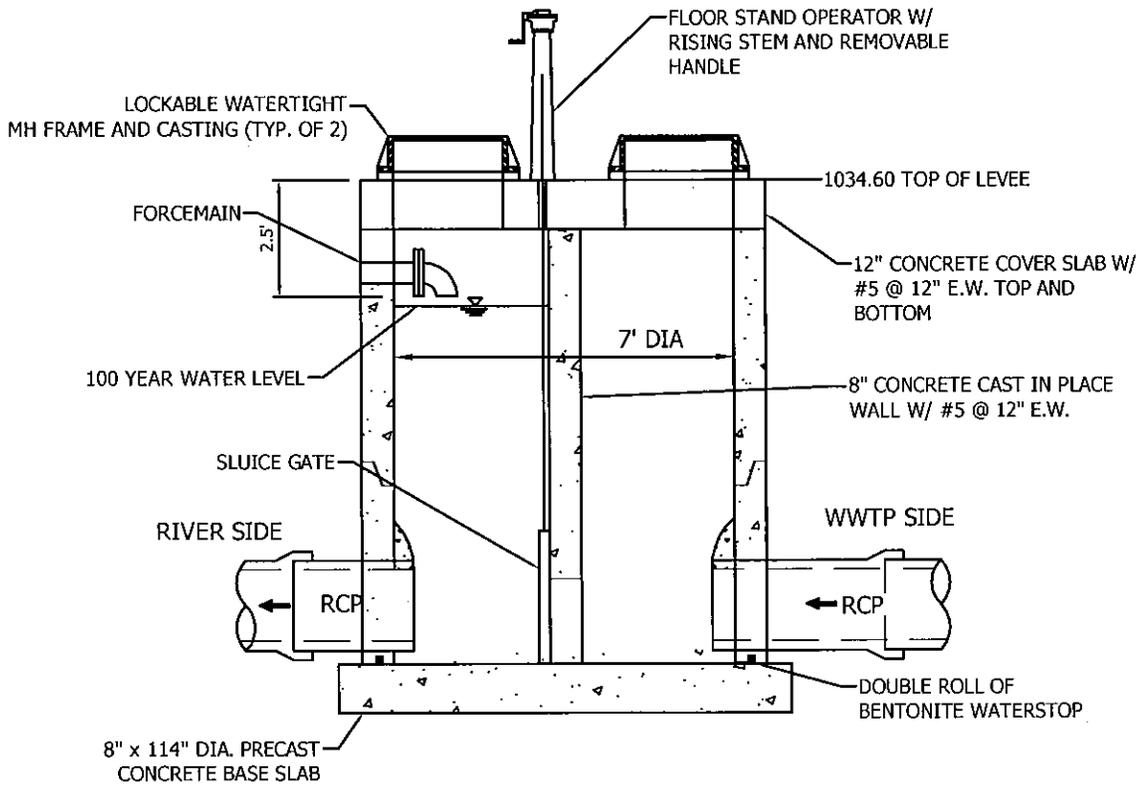
FIGURE 3



No Date: 01/27/2020 - 5:04am  
 Project Name: 193804917 - Benson WWTP Flood Protection  
 File: 193804917 - Benson WWTP Flood Protection - 193804917 - Sluice Gate Manhole.dwg



**PLAN**



**SECTION**

## BENSON WWTP FLOOD PROTECTION

### GATE WELL MANHOLE

FIGURE 4



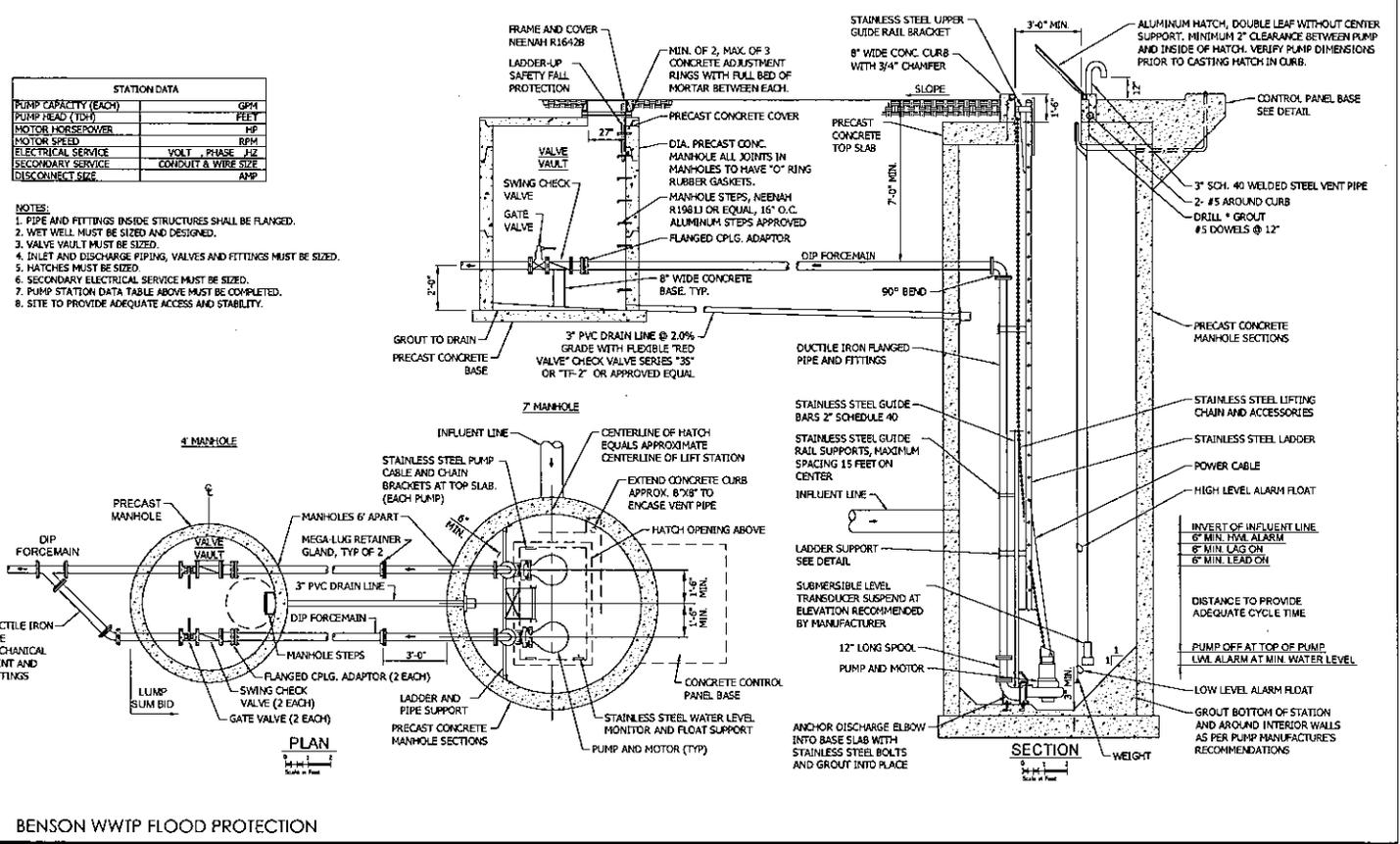
733 Marquette Avenue, Suite 1000  
 Minneapolis, MN 55402  
 www.stantec.com

DATE 01/27/2020

PROJ. NO. 193804917

STATION DATA		
PUMP CAPACITY (EACH)		GPM
PUMP HEAD (TYP)		FEET
MOTOR HORSEPOWER		HP
MOTOR SPEED		RPM
ELECTRICAL SERVICE	VOLT PHASE #	
SECONDARY SERVICE	CONDUIT & WIRE SIZE	
DISCONNECT SIZE		AMP

- NOTES:
1. PIPE AND FITTINGS INSIDE STRUCTURES SHALL BE FLANGED.
  2. WET WELL MUST BE SIZED AND DESIGNED.
  3. VALVE VAULT MUST BE SIZED.
  4. INLET AND DISCHARGE PIPING, VALVES AND FITTINGS MUST BE SIZED.
  5. HATCHES MUST BE SIZED.
  6. SECONDARY ELECTRICAL SERVICE MUST BE SIZED.
  7. PUMP STATION DATA TABLE ABOVE MUST BE COMPLETED.
  8. SITE TO PROVIDE ADEQUATE ACCESS AND STABILITY.



**BENSON WWTP FLOOD PROTECTION**

**SANITARY SEWER LIFT STATION AND VALVE VAULT DETAIL**

FIGURE 5





Google Earth

© 2018 Google



Google Earth

© 2018 Google

600 ft



**The following attachment is not included in the view since it is not a read-only PDF file.**

**Upon submission, this file will be transmitted to the Grantor without any data loss.**

**EDA EnvNarrative\_Benson\_081320 with attachments.pdf**



# ED-900E – Calculation of Estimated Relocation and Land Acquisition Expenses

- a. Are relocation expenses part of the proposed project's EDA budget?  Yes  No
- b. Will the proposed project cause the displacement of individuals, families, businesses or farms?  Yes  No

If **Yes**, explain how relocation procedures will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1990 (13 C.F.R. § 302.5 ; see Certification #11 on Form SF-424D, 'Assurances - Construction Programs', for an explanation of this requirement.)

All applicants must complete the "Calculation of Estimated Relocation and Land Acquisition Expenses" form (below), and enter the estimated total for "costs incidental to land acquisition" (line item 1) on line item 3 ("relocation expenses and payments") of Form SF-424C, 'Budget Information - Construction Programs.' This is separate from the estimated purchase price of the property.

ITEM 1. COSTS INCIDENTAL TO LAND ACQUISITION - ESTIMATES	
Number of land transactions involved (including options, easements and rights-of-way):	
Recording fees, transfer taxes, surveys, appraisals, title search and similar expenses-Section 303(1)	
Penalty costs-Section 303(2)	
Real Property taxes-Section 303(3)	
Litigation expenses-Section 304(a)	
Total - Estimated costs incidental to transfer of title	
ITEM 2. RELOCATION - ESTIMATES	
a. TENANTS - Estimates: Number of Claims	
(1) Moving Expenses:	
Actual Expenses-Section 202(a)(1)	
In lieu payments-Section 202(b)	
Total - Moving Expenses	
(2) Replacement housing payments:	
Rental payments-Section 204(1)	
Down payment-Section 204(2)	
Total - Replacement housing payments	
Total - Estimated Tenants	

<b>b. OWNER-OCCUPANTS - Estimates: Number of Claims</b>	
<b>(1) Moving Expenses:</b>	
Actual Expenses-Section 202(a)(1)	
In lieu payments-Section 202(b)	
Total - Moving Expenses	
<b>(2) Replacement housing payments:</b>	
Purchase payments-Section 203(a)(1)	
Reasonable replacement costs-Section 203(a)(1)(A)	
Increased interest costs-Section 203(a)(1)(B)	
Closing costs-Section 203(a)(1)(C)	
Rental payments-Section 204(1)	
Down payment-Section 204(2)	
Total - Replacement housing payments	
Total - Estimated Owner-Occupants	
<b>c. BUSINESS - Estimates: Number of Claims</b>	
<b>Moving Expenses:</b>	
Actual Expenses-Section 202(a)(1)	
Actual loss of tangible personal property-Section 202(a)(2)	
Actual searching expenses-Section 202(a)(3)	
In lieu payments-Section 202(c)	
Total - Estimated Business	
<b>d. NONPROFIT ORGANIZATIONS - Estimates: Number of Claims</b>	
<b>Moving Expenses:</b>	
Actual Expenses-Section 202(a)(1)	
Actual loss of tangible personal property-Section 202(a)(2)	
Actual searching expenses-Section 202(a)(3)	
In lieu payments-Section 202(c)	
Total - Estimated Nonprofit Organizations	
<b>e. FARM OPERATIONS - Estimates: Number of Claims</b>	
<b>Moving Expenses:</b>	
Actual Expenses-Section 202(a)(1)	
Actual loss of tangible personal property-Section 202(a)(2)	
Actual searching expenses-Section 202(a)(3)	
In lieu payments-Section 202(c)	
Total - Estimated Farm Operations	
<b>f. ADVISORY SERVICES - Estimates: Number of Claims</b>	
Total - Expenses of grantee/borrower-Section 205	

<b>g. ADMINISTRATION - Estimates: Number of Claims</b>	
Contracting with individual, firm, association, or corporation-Section 212	
Agreement w/ Federal or State government agency or instrumentality-Section 212	
Total - Estimated Administration	
<b>ITEM 3. GRAND TOTAL</b>	
Enter the sum of Items 1 and 2 (parts (a) through (g)) in this Item	
<b>GRAND TOTAL RELOCATION EXPENSES</b>	

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
 Expiration Date: 02/28/2022

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.

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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.

<b>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</b> Completed on submission to Grants.gov	<b>TITLE</b> Administrator
<b>APPLICANT ORGANIZATION</b> CITY OF BENSON	<b>DATE SUBMITTED</b> Completed on submission to Grants.gov

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**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	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
2. Land, structures, rights-of-way, appraisals, etc.	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
3. Relocation expenses and payments	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
4. Architectural and engineering fees	\$ <input type="text" value="353,421.00"/>	\$ <input type="text"/>	\$ <input type="text" value="353,421.00"/>
5. Other architectural and engineering fees	\$ <input type="text" value="15,000.00"/>	\$ <input type="text"/>	\$ <input type="text" value="15,000.00"/>
6. Project inspection fees	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
7. Site work	\$ <input type="text" value="176,200.00"/>	\$ <input type="text"/>	\$ <input type="text" value="176,200.00"/>
8. Demolition and removal	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
9. Construction	\$ <input type="text" value="1,164,135.00"/>	\$ <input type="text"/>	\$ <input type="text" value="1,164,135.00"/>
10. Equipment	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
11. Miscellaneous	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
12. SUBTOTAL (sum of lines 1-11)	\$ <input type="text" value="1,708,756.00"/>	\$ <input type="text"/>	\$ <input type="text" value="1,708,756.00"/>
13. Contingencies	\$ <input type="text" value="58,350.00"/>	\$ <input type="text"/>	\$ <input type="text" value="58,350.00"/>
14. SUBTOTAL	\$ <input type="text" value="1,767,106.00"/>	\$ <input type="text"/>	\$ <input type="text" value="1,767,106.00"/>
15. Project (program) income	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ <input type="text" value="1,767,106.00"/>	\$ <input type="text"/>	\$ <input type="text" value="1,767,106.00"/>
<b>FEDERAL FUNDING</b>			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter eligible costs from line 16c Multiply X <input type="text" value="80"/> % Enter the resulting Federal share.			\$ <input type="text" value="1,413,684.80"/>

Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 28, 'New Restrictions on Lobbying.' The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant, or cooperative agreement.

**LOBBYING**

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000 or a loan or loan guarantee over \$150,000 as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that 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 undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, 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 undersigned 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 subrecipients 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 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 occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification.

**\* NAME OF APPLICANT**

CITY OF BENSON

**\* AWARD NUMBER**

**\* PROJECT NAME**

City of Benson WWTF Flood Mitigation & WW Main Upgrades

Prefix:  \* First Name:  Middle Name:

\* Last Name:  Suffix:

\* Title:

\* SIGNATURE:

\* DATE: