



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

390 City Hall
15 West Kellogg Boulevard
Saint Paul, MN 55102

Telephone: 651-266-8510
Facsimile: 651-266-8513

June 24, 2009

Re: MN-City-Saint Paul-Assurances

To Whom It May Concern:

At a public hearing on June 17, 2009, the Saint Paul City Council authorized that the Mayor of Saint Paul or his designated representative submit, on behalf of the City of Saint Paul, the 2009 Energy Efficiency and Conservation Block Grant (Funding Opportunity Number DE-FOA-0000013, CFDA Number 81.128) application to the U.S. Department of Energy.

Please see attached Resolution Number 09-646 documenting eligibility and authority to implement the program.

Further, I assure that the City of Saint Paul does and will comply with the provisions of the Davis-Bacon Act.

Finally I designate that Luz Maria Frias, Director of the Human Rights and Equal Economic Opportunity Department, serve as the City of Saint Paul's Designated Responsible Employee for complying with national policies prohibiting discrimination. Ms Frias can be contacted at luz.frias@ci.stpaul.mn.us or 651.266.8903.

If you have any further questions about the application, please contact Anne Hunt, Deputy Policy Director-Environment at anne.hunt@ci.stpaul.mn.us or 651.266.8520. Thank you for your consideration of this application.

Sincerely,

Christopher B. Coleman
Mayor

**RESOLUTION
CITY OF SAINT PAUL, MINNESOTA**

Presented by

[Handwritten signatures: Kathy Karty, Boston, and others]

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**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SAINT PAUL, MINNESOTA
AUTHORIZING SUBMITTING THE ENERGY EFFICIENCY AND
CONSERVATION BLOCK GRANT APPLICATION**

WHEREAS, the City of Saint Paul (the "City") is committed to opportunities to make Saint Paul one of the most sustainable cities in the United States; and

WHEREAS, Congress passed and President Barack Obama signed the American Recovery and Reinvestment Act (ARRA) of 2009 which allocated \$3.2 billion for fiscal year 2009, of which \$1.8 billion is available to city and county governments in the form of direct formula energy efficiency and conservation grants, under the Energy Efficiency and Conservation Block Grant (EECBG) Program; and

WHEREAS, EECBG funds are intended to be used to create and implement strategies to reduce fossil fuel emissions; decrease total energy consumption ; enhance energy efficiency in the building, transportation, and other appropriate sectors; accelerate deployment of market-ready distributed renewable energy technologies; and create and retain jobs; and

WHEREAS, EECBG grantees will be expected to measure and report regularly to the U.S. Department of Energy (DOE) on jobs created and/or retained, energy saved, renewable energy capacity, green house gas emissions reduced and funds leveraged; and

WHEREAS, the City of Saint Paul is eligible to receive \$2,767,000 of one time funding from the DOE's EECBG Program; and

WHEREAS, the City of Saint Paul will utilize EECBG funds for the following initiatives: 1) Saint Paul Energy Smart Homes Program; 2) Saint Paul Port Authority's Trillion BTU Program; 3) Energy Efficiency Lighting and Energy Improvements for Local Government Facilities; 4) Electric Vehicle Charging Stations; 5) Public Education and Climate Change Challenge Grants; 6) Program Administration.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Saint Paul authorizes that, Mayor Chris Coleman, as Chief Executive Officer of the City of Saint Paul, is hereby authorized and directed to submit the 2009 Energy Efficiency and Conservation Block Grant application to the U.S. Department of Energy; and be it

FURTHER RESOLVED, that the Mayor or his designated representative, submit to the U.S. Department of Energy any assurances, certifications, technical changes or additional information that may be required by said Department; and be it

FURTHER RESOLVED, that upon notification of approval of the City of Saint Paul's 2009 Energy Efficiency and Conservation Block Grant program be award by the U.S. Department of Energy, the Council does hereby authorize the proper City officials to execute the grant agreements and contracts between the U.S. Department of Energy and the City of Saint Paul.

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RESOLUTION

46 FINALLY RESOLVED, that the proposed financing for the EECBG Program is utilized in the following
47 manner:

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49	Saint Paul Energy Smart Homes Program	\$ 600,000
50	Saint Paul Port Authority's Trillion BTU Program	\$ 500,000
51	Energy Efficiency Lighting and Energy Improvements for Local Government Facilities	\$1,050,000
52	Electric Vehicle Charging Stations	\$ 260,000
53	Public Education and Climate Change Challenge Grants	\$ 81,000
54	Program Administration.	\$ 276,000
55		
56		

58 Adopted by the City Council of the City of Saint Paul on _____, 2009
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WHEREAS, the City of Saint Paul (the "City") is committed to opportunities to make Saint Paul one of the most sustainable cities in the United States; and
WHEREAS, Congress passed and President Barack Obama signed the American Recovery and Reinvestment Act (ARRA) of 2009 which allocated \$2.3 billion for fiscal year 2009, of which \$1.8 billion is available to city and county governments in the form of direct formula energy efficiency and conservation grants under the Energy Efficiency and Conservation Block Grant (EECBG) Program; and
WHEREAS, EECBG funds are intended to be used to create and implement strategies to reduce fossil fuel emissions; decrease total energy consumption; enhance energy efficiency in the building, transportation, and other appropriate sectors; accelerate deployment of market-ready distributed renewable energy technologies; and create and retain jobs; and
WHEREAS, EECBG grants will be expected to measure and report regularly to the U.S. Department of Energy (DOE) on jobs created and/or retained, energy saved, renewable energy capacity, green house gas emissions reduced and funds leveraged; and
WHEREAS, the City of Saint Paul is eligible to receive \$2,767,000 of one-time funding from the DOE's EECBG Program; and
WHEREAS, the City of Saint Paul will utilize EECBG funds for the following initiatives: (1) Saint Paul Energy Smart Homes Program; (2) Saint Paul Port Authority's Trillion BTU Program; (3) Energy Efficiency Lighting and Energy Improvements for Local Government Facilities; (4) Electric Vehicle Charging Stations; (5) Public Education and Climate Change Challenge Grants; (6) Program Administration.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Saint Paul, that the following be done:

	Yeas	Nays	Absent
Bostrom	✓		
Carter	✓		
Harris			✓
Helgen	✓		
Lantry	✓		
Stark			✓
Thune	✓		
	5	0	2

Requested by Department of: Mayor's Office

By: [Signature]

Form Approved by City Attorney
By: [Signature]

Adopted by Council: Date 6/17/09
Adoption Certified by Council Secretary

By: [Signature]

Approved by Mayor: Date _____
By: [Signature]

Form Approved by Mayor for Submission to Council
By: [Signature]

Approved by the Office of Financial Services
By: [Signature]

To: Saint Paul City Council
From: Anne Hunt, Mayor Chris Coleman's Office
Re: Energy Efficient and Conservation Block Grant (EECBG)
Date: 10 June 2009

Background Information

In February 2009 Congress passed and President Barack Obama signed the American Recovery and Reinvestment Act (ARRA) which allocated \$3.2 billion for fiscal year 2009, of which \$1.8 billion is available to city and county governments in the form of direct formula energy efficiency and conservation grants, under the Energy Efficiency Conservation Block Grant (EECBG) Program. The City of Saint Paul is eligible to receive \$2,767,000 of one time funding.

According to the Department of Energy (DOE) guidelines, the purpose of the EECBG Program is to reduce fossil fuel emissions and energy use in an environmentally sustainable manner; to maximize benefits for local and regional communities by reducing the total energy use; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors; accelerate deployment of market-ready distributed renewable energy technologies; and create and retain jobs.

EECBG funds may be used for purposes such as planning, technical consultant services, energy audits, financial incentives, energy efficiency retrofits, transportations programs that conserve energy, building codes and inspections, energy distribution, material conservation, reduction and capture of methane and green house gases from landfills, energy efficient traffic signals and street lighting, renewable energy technologies on or in government buildings, and other approved related activities.

EECBG Funding Guidelines and Requirements

DOE has developed the following core principles to guide entities during the program and project planning process:

- Prioritize energy efficiency and conservation first as the cheapest, cleanest, and fastest ways to meet energy demand.
- To maximize benefits over the longest possible terms, entities should look for ways to link their energy efficiency efforts to long-term priorities (especially community economic development, community stabilizations and poverty reduction efforts).
- Invest funds in programs and projects that create and/or retain jobs and stimulate the economy while meeting long term energy goals.
- Target programs and projects that will provide substantial, sustainable and measurable energy savings, job creation and economic stimulus effects.
- Give priority to programs and projects that leverage federal funds with other public and private resources, including coordinated efforts involving other Federal programs targeting community development funded through the Recover Act as the Community Development Block Grant program, HOME, and job training programs.
- To the extent possible, develop programs and strategies that will continue beyond that funding period.

- Ensure oversight, transparency and accountability for all program activities.
- Enact policies that transform markets, increase investments and support program goals.
- Develop comprehensive plans that benchmark current performance and set aggressive goals.

EECBG grantees will be expected to measure and report regularly on the following:

- Jobs created and/or retained
- Energy saved
- Renewable energy
- Green House Gas emissions reduced
- Funds leveraged

Cities must submit grant applications to the Department of Energy (DOE) by June 25, 2009 in order to receive an allocation of EECBG funds. Projects must start within 180 days of the grant award.

The grant requires development of an Energy Efficiency and Conservation Strategy (EECS), which can be submitted with the application, or within 120 days after the grant is awarded. The energy strategy must include goals for increasing energy efficiency and conservation and a plan to for using funds to achieve those goals.

Other federal guidelines and restrictions on the EECBG funds are:

- No more than 10% can be used for administrative costs
- No more than 20% can be used for revolving loan funds
- No more than 20% can be subgranted to nongovernmental organizations for the purpose of assisting in the implementation of the energy efficiency and conservation strategy and
- Funds must be obligated within 18 months of the award and spent within 36 month.

EECBG Proposed Recommendations

Mayor Chris Coleman's office monitored discussion of the ARRA funds at the Minnesota legislature and has consulted with the DOE, Department of Commerce's Office of Energy Security (OES), Minnesota League of Cities, City of Minneapolis, Ramsey County, Community Action Partnership of Ramsey and Washington Counties, Xcel Energy, District Energy Saint Paul and numerous community partners including the Center for Energy and Environment, Neighborhood Energy Connection and the Saint Paul Port Authority. The Mayor's office solicited and reviewed project proposals from City departments and has made the following recommendations to the City Council for consideration of expenditures from the EECBG funds:

1. Saint Paul Energy Smart Homes Program - \$600,000

The City of Saint Paul's Department of Planning and Economic Development (PED) will develop the Smart Homes Program to provide funds to approximately 150-200 homes for energy conservation improvements. PED will coordinate with the Neighborhood Energy Connection (NEC) and the community development corporations to identify eligible households in need of substantial energy efficiency improvements. \$550,000 of EECBG funds will leverage

approximately \$695,000 of non stimulus dollars which includes Federal tax credits, Xcel Energy rebates and other funds and result in an annual estimated savings of 135,800 kilo watt hours (kWh) and 72,000 therms and a total annual reduction of 1,030,000 pounds of greenhouse gas (GHG) emissions. This translates into a total annual savings to Saint Paul homeowners of \$86,382 or \$432 for each home. Referrals for eligible low-income homeowners will be made to Community Action Partnership of Ramsey and Washington Counties. PED will also use \$50,000 to work with nonprofit energy service providers to develop a pilot project targeting multi-family buildings and leveraging appliance rebates.
Recommendation: up to \$600,000

2. Saint Paul Port Authority's Trillion BTU Program - \$500,000

The City of Saint Paul will sub grant \$500,000 to the Saint Paul Port Authority to establish a revolving loan program to fund energy efficiency improvements for commercial and industrial business. The Port Authority will use the EEBCG funds to design, finance and installation of energy efficiency improvements and renewable energy systems in commercial and industrial facilities. The Port's "Trillion BTU" program is the first in the nation to use energy conservation as an economic development tool. According to the Port Authority, the program "would expand Minnesota's green jobs and energy-conservation expertise, and reduce the state's reliance of fossil fuels, while enabling utilities to meet their energy-savings goals."

This project will leverage not only Xcel Energy's Conservation Improvement Program (CIP) funds but approximately \$5 million of MN State Energy Program funds and additional private capital.

Recommendation: up to \$500,000

3. Energy Efficiency Lighting and Improvements for Local Government Facilities - \$1,050,000

The City of Saint Paul will use the majority of the EEBCG funds to make energy efficiency and renewable energy improvements for City owned facilities and replace street lights with energy efficient lighting technologies. The City intends to fully utilize the Center for Energy and Environment's (CEE) One-Stop Efficiency Shop Lighting Efficiency Program in the City's recreation center, libraries, police, fire, public works, and other publicly-owned facilities. Xcel Energy offers cash rebates to customers who purchase and install qualifying energy-efficient lighting products in existing buildings. The City proposes investing approximately \$400,000 of EEBCG funds, which will leverage approximately \$200,000 in rebates from Xcel Energy, with an estimated payback under three years and over two million kWh saved.

The Department of Public Works proposes to replace third of the 3,000 globe style decorative pedestrian level street lights in downtown Saint Paul with the more energy efficient Light Emitting Diode (LED) lamps. The use of approximately \$300,000 of EEBCG funds would leverage approximately \$120,000 Traffic Division Operating Funds and potential rebates from Xcel Energy.

Finally \$350,000 of EEBCG funds would be used to make cost-effective energy efficiency improvements in City-owned facilities. Recommissioning studies have been completed for 16 City-owned buildings including Lowertown Parking Ramp, Robert Street Ramp, RiverCentre

Parking Ramp, Eastern District Team Police Office, Public Safety Equipment Garage, Public Works Service Garage, Public Works Central Service Garage, Traffic Operations Building, Central Library, Battle Creek Rec Center, Dayton's Bluff Rec Center, Eastview Rec Center, Hazel Park Rec Center, North Dale Rec Center, Hillcrest Rec Center, and Martin Luther King Center. The majority of these improvements would pay for themselves in less than three years.

The City's Office of Financial Services proposes using EECBG funds to finance 35% of the total project costs. The remaining 2/3 will be financed through the City's Energy Conservation Investment Fund and rebates from Xcel Energy. EECBG funds will provide a large incentive and reduce the City's overall energy use and expenses.

EECBG funds explicitly excludes zoos, swimming pools and aquariums.
Recommendation: up to \$1,050,000

4. Electric Vehicle Charging Stations - \$260,000

The City of Saint Paul is a supporting partner with Xcel Energy, Ford Motor Company, City of Minneapolis, Ramsey and Hennepin Counties, Neighborhood Energy Connection and other community partners to submit an application to the DOE's Transportation Electrification grant program for 13 plug-in electric vehicles valued at approximately \$845,000 and 36 plug-in electric charging stations. EECBG funds will be used to develop four marquee charging stations, 12 on-street parking locations, and 20 parking ramp charging stations as part of the City's match for Transportation Electrification grant. Recommendation: up to \$260,000

5. Public Education and Climate Change Challenge Grants - \$81,000

The City of Saint Paul will develop public educational materials promoting the City's Energy Efficiency and Conservation Strategy and outlining ways that residents and businesses can reduce energy and greenhouse gas emissions and fully utilize programs offered by the City, Xcel Energy, OES, Community Action Partnership, CEE, NEC and other public agencies and nonprofits.

The City of Saint Paul will also utilize approximately \$50,000 to develop small grants for local groups to take concrete action to reduce their carbon footprint. The project will be similar to Minneapolis' Climate Change Grants where each proposal must use the Minnesota Energy Challenge and focus on meaningful and measurable climate change actions. Participants will be encouraged to take simple steps in their daily lives to cut down their energy use, reduce water, and stop global warming and save money.

Recommendation: up to \$81,000

6. Program Administration - \$276,000

Ten percent of the EECBG award may be used for the program administration, including costs associated with developing the Energy Efficiency and Conservation Strategy (EECS), the strategy plan required by the DOE to access the funds. Recommendation is to use up to 10% for development of the strategy plan, contract compliance, building code enforcement and compliance, financial reporting and monitoring, education and website development.

Recommendation: up to \$276,000

Total Recommendations for EECBG funds: \$2,767,000

Saint Paul City Council Action Requested

The Mayor's office is requesting approval from the Saint Paul City Council for:

1. Authorize the Mayor's office to complete and submit the Energy Efficiency and Conservation Block Grant (EECBG) application to the United States Department of Energy (DOE), including a final version of the Energy Efficiency and Conservation Strategy (EECS);
2. Authorize the Mayor's office or designated representative to execute the EECB agreement with DOE and any assurances, certification, technical changes or additional information;
3. Authorize the Mayor's office to execute any necessary agreements, amendments and renewals related to the EECBG funds; and

Additional Funding Opportunities

Additional grant opportunities are available through the ARRA Bill. The DOE's EECBG Program also has approximately an additional \$400 million for competitive grants for eligible city and county governments. The City of Saint Paul will consider how to best position itself and will work with partners to secure additional funds through the competitive grant process as funds become available. The City Council will be advised and approve any additional funding requests.

The State of Minnesota through the Department of Commerce's Office of Energy Security (OES) also received a direct appropriation of \$54,172,000 from the DOE through the State Energy Program (SEP), \$10,644,000 from EECBG programs and an additional \$131,937,441 for the Weatherization Assistance Program (WEP) for low-income residential households. The Minnesota legislature approved funding priorities distribute through the EECBG, SEP and WEP programs which included: 1) \$5 million to develop a commercial and industrial energy conservation program implemented by the Saint Paul Port Authority; 2) \$7.9 million for grants and loans for residents through the Minnesota Housing Finance Agency; 3) \$6.5 million for renewable energy grants to local governments and school districts; 4) \$3 million grant for solar projects concentrated along the Central Corridor; 5) \$5 million for solar and geothermal rebates for residential and businesses and 6) \$2 million to support green jobs. The City of Saint Paul will seek additional grant opportunities offered by the OES.

The ARRA offers the City of Saint Paul an exciting opportunity to reduce its energy use, green house gas emissions and its overall costs as well as an opportunity to create and retain jobs in our community.

If you have any questions, please contact me at 651.266.8520 or anne.hunt@ci.stpaul.mn.us. Thank you for your consideration.



Green Sheet NO: 3071496

Department/Office/Council: MO - Mayor's Office	Date Initiated: 10-JUN-09
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Contact Person & Phone: Anne Hunt 266-8520
Must Be on Council Agenda by (Date): PH 6/17/09
Doc. Type: RESOLUTION W/\$ TRANSACTION
E-Document Required: N Document Contact: Contact Phone:

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Assign
Number
For
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Order

	Department	Sent To Person	Initial/Date
0	Mayor's Office		
1	Mayor's Office	Department Director	
2	Financial Services	Office Financial Services D	
3	City Attorney		
4	Mayor's Office	Mayor/Assistant	<i>AA</i>
5	Council	City Council	
6	City Clerk	City Clerk	

Total # of Signature Pages ____ (Clip All Locations for Signature)

Action Requested:
City Council approves of Mayor Chris Coleman and his staff to submit the 2009 Energy Efficiency and Conservation Block Grant application to the U.S. Department of Energy.

Recommendations: Approve (A) or Reject (R):

_____ Planning Commission

_____ CIB Committee

_____ Civil Service Commission

Personal Service Contracts Must Answer the Following Questions:

1. Has this person/firm ever worked under a contract for this department?
Yes No
2. Has this person/firm ever been a city employee?
Yes No
3. Does this person/firm possess a skill not normally possessed by any current city employee?
Yes No

Explain all yes answers on separate sheet and attach to green sheet.

Initiating Problem, Issues, Opportunity (Who, What, When, Where, Why):

Advantages If Approved:

Disadvantages If Approved:

Disadvantages If Not Approved:

Total Amount of Transaction: \$ 2,767,000	Cost/Revenue Budgeted:
Funding Source:	Activity Number:
Financial Information: (Explain)	

U.S. DEPARTMENT OF ENERGY

FINANCIAL ASSISTANCE
CERTIFICATIONS AND ASSURANCES
FOR USE WITH SF 424

Applicant: City of Saint Paul

Solicitation No.: DE-FOA-0000013

The following certifications and assurances must be completed and submitted with each application for financial assistance. The name of the person responsible for making the certifications and assurances must be typed in the signature block on the forms.

Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug Free Workplace Requirements

DOE F 1600.5, Assurance of Compliance Nondiscrimination in Federally Assisted Programs

**CERTIFICATIONS REGARDING LOBBYING;
DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS;
AND DRUG FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 10 CFR Part 601 "New Restrictions on Lobbying," 10 CFR Part 606 "Governmentwide Debarment and Suspension (Nonprocurement) and 10 CFR Part 607 "Governmentwide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Energy determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

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

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, 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 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.

2. ADDITIONAL LOBBYING REPRESENTATION

Applicant organizations which are described in section 501(c)(4) of the Internal Revenue Code of 1986 and engage in lobbying activities after December 31, 1995, are not eligible for the receipt of Federal funds constituting an award, grant, or loan.

As set forth in section 3 of the Lobbying Disclosure Act of 1995 as amended, (2 U.S.C. 1602), lobbying activities are defined broadly to include, among other things, contacts on behalf of an organization with specified employees of the Executive Branch and Congress with regard to Federal legislative, regulatory, and program administrative matters.

Check the appropriate block:

The applicant is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986? Yes No

If you checked "Yes" above, check the appropriate block:

The applicant represents that after December 31, 1995 it has has not engaged in any lobbying activities as defined in the Lobbying Disclosure Act of 1995, as amended.

3. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust

statutes or commission of embezzlement, theft, forgery, bribery; falsification or destruction of records, making false statements, or receiving stolen property;

- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

4. DRUG-FREE WORKPLACE

This certification is required by the Drug-Free Workplace Act of 1988 (Pub.L. 100-690, Title V, Subtitle D) and is implemented through additions to the Debarment and Suspension regulations, published in the Federal Register on January 31, 1989, and May 25, 1990.

ALTERNATE I (GRANTEES OTHER THAN INDIVIDUALS)

- (1) The grantee certifies that it will or will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an ongoing drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace not later than five calendar days after such conviction;
 - (e) Notifying the agency, in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
 - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency;
 - (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a),(b),(c),(d),(e), and (f).

- (2) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance: (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

ALTERNATE II (GRANTEES WHO ARE INDIVIDUALS)

- (1) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant.
- (2) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

5. SIGNATURE

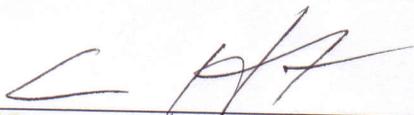
As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Name of Applicant: City of Saint Paul

Printed Name and Title of

Authorized Representative: Anne Hunt, Deputy Policy Director - Environment

SIGNATURE



DATE

June 24, 2009

U.S. Department of Energy
Assurance of Compliance

Nondiscrimination in Federally Assisted Programs

OMB Burden Disclosure Statement

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the 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 this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Office of Information Resources Management Policy, Plans, and Oversight, Records Management Division, HR-422 - GTN, Paperwork Reduction Project (1900-0400), U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20585; and to the Office of Management and Budget (OMB), Paperwork Reduction Project (1900-0400), Washington, DC 20503.

City of Saint Paul

(Hereinafter called the "Applicant")

HEREBY AGREES to comply with Title VI of the Civil Rights Act of 1964 (Pub. L.88-352), Section 16 of the Federal Energy Administration Act of 1974 (Pub.L.93-275), Section 401 of the Energy Reorganization Act of 1974 (Pub.L.93-438), Title IX of the Education Amendments of 1972, as amended (Pub.L.92-318, Pub.L.93-568, and Pub.L.94-482), Section 504 of the Rehabilitation Act of 1973 (Pub.L.93-112), the Age Discrimination Act of 1975 (Pub.L.94-135), Title VIII of the Civil Rights Act of 1968 (Pub.L.90-284), the Department of Energy Organization Act of 1977 (Pub.L.95-91), and the Energy Conservation and Production Act of 1976, as amended (Pub.L.94-385) and Title 10, Code of Federal Regulations, Part 1040. In accordance with the above laws and regulations issued pursuant thereto, the Applicant agrees to assure that no person in the United States shall, on the ground of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity in which the Applicant receives Federal assistance from the Department of Energy.

Applicability and Period of Obligation

In the case of any service, financial aid, covered employment, equipment, property, or structure provided, leased, or improved with Federal assistance extended to the Applicant by the Department of Energy, this assurance obligates the Applicant for the period during which Federal assistance is extended. In the case of any transfer of such service, financial aid, equipment, property, or structure, this assurance obligates the transferee for the period during which Federal assistance is extended. If any personal property is so provided, this assurance obligates the Applicant for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates the Applicant for the period during which the Federal assistance is extended to the Applicant by the Department of Energy.

Employment Practices

Where a primary objective of the Federal assistance is to provide employment or where the Applicant's employment practices affect the delivery of services in programs or activities resulting from Federal assistance extended by the Department, the Applicant agrees not to discriminate on the ground of race, color, national origin, sex, age, or disability, in its employment practices. Such employment practices may include, but are not limited to, recruitment advertising, hiring, layoff or termination, promotion, demotion, transfer, rates of pay, training and participation in upward mobility programs; or other forms of compensation and use of facilities.

Subrecipient Assurance

The Applicant shall require any individual, organization, or other entity with whom it subcontracts, subgrants, or subleases for the purpose of providing any service, financial aid, equipment, property, or structure to comply with laws cited above. To this end, the subrecipient shall be required to sign a written assurance form, however, the obligation or both recipient and subrecipient to ensure compliance is not relieved by the collection or submission of written assurance forms.

Data Collection and Access to Records

The Applicant agrees to compile and maintain information pertaining to programs or activities developed as a result of the Applicant's receipt of Federal assistance from the Department of Energy. Such information shall include, but is not limited to, the following: (1) the manner in which services are or will be provided and related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination; (2) the population eligible to be served by race, color, national origin, sex, age, and disability; (3) data regarding covered employment including use or planned use of bilingual public contact employees serving beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English; (4) the location of existing or proposed facilities connected with the program and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any person on the basis of prohibited discrimination; (5) the present or proposed membership by race, color, national origin, sex, age, and disability, in any planning or advisory body which is an integral part of the program; and (6) any additional written data determined by the Department of Energy to be relevant to its obligation to assure compliance by recipients with laws cited in the first paragraph of this assurance.

The Applicant agrees to submit requested data to the Department of Energy regarding programs and activities developed by the Applicant from the use of Federal assistance funds extended by the Department of Energy, Facilities of the Applicant (including the physical plants, building, or other structures) and all records, books, accounts, and other sources of information pertinent to the Applicant's compliance with the civil rights laws shall be made available for inspection during normal business hours on request of an officer or employee of the Department of Energy specifically authorized to make such inspections. Instructions in this regard will be provided by the Director, Office of Civil Rights, U.S. Department of Energy.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts (excluding procurement contracts), property, discounts or other Federal assistance extended after the date hereto, to the Applicants by the Department of Energy, including installment payments on account after such data of application for Federal assistance which are approved before such date. The Applicant recognizes and agrees that such Federal assistance will be extended in reliance upon the representation and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant, the successors, transferees, and assignees, as well as the person(s) whose signature appears below and who are authorized to sign this assurance on behalf of the Applicant.

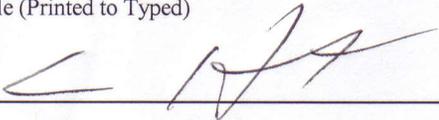
Applicant Certification

The Applicant certifies that it has complied, or that, within 90 days of the date of the grant, it will comply with all applicable requirements of 10 C.F.R. § 1040.5 (a copy will be furnished to the Applicant upon written request to DOE).

Designated Responsible Employee

Anne Hunt, Deputy Policy Director - Environment
Name and Title (Printed to Typed)

(651) 266 - 8520
Telephone Number


Signature

06/24/09
Date

City of Saint Paul
Applicant's Name

(651) 266 - 8520
Telephone Number

15 W. Kellogg Blvd; Room 390
Address:

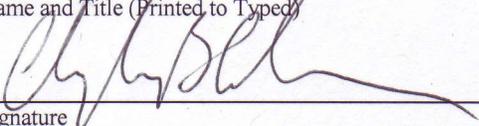
6/24/09
Date

St. Paul, MN 55102

Authorized Official:
President, Chief Executive Officer
or Authorized Designee

Christopher B. Coleman, Mayor
Name and Title (Printed to Typed)

(651) 266 - 8510
Telephone Number


Signature

06/24/09
Date