

# Agenda Items



**Billie Guenther**  
**City Clerk**

P.O. Box 1178  
Billings, MT 59103  
(406) 657-8210 FAX (406) 657-8390  
email: guentherb@ci.billings.mt.us

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## ***MEMORANDUM***

**FROM:** Billie Guenther, City Clerk  
**SUBJECT:** **State of Montana Haz-Mat Grant**  
**DATE:** January 4, 2016

Please find attached copies of documents relating to the State of Montana Haz-Mat Grant to be approved by Council at the January 11, 2016 Regular Meeting.

**DEPARTMENT OF MILITARY AFFAIRS  
DISASTER & EMERGENCY SERVICES DIVISION**

www.dma.mt.gov/des

Steve Bullock, Governor



**STATE OF MONTANA**

(406) 324-4777

1956 Mt. Majo Street, P.O. Box 4789

Fort Harrison, Montana 59636-4789

10/01/2015

Dear Ms. Volek  
210 N. 27<sup>th</sup> St  
Billings, MT 59101

Congratulations. The Disaster and Emergency Services Division (DES), Montana Department of Military Affairs has approved your 2015 Homeland Security Grant (HSG) application for City of Billings Montana State Hazardous Materials Emergency Response Teams, EMS Advanced Life Support and Railroad Derailment Response Equipment. This grant is a 100% federal share. The amount approved for this sub-grant is \$353,175.05. The CFDA number associated with this award is 97.067.

We at Disaster and Emergency Services (DES) share in your enthusiasm about this grant and recognize your hard work and perseverance in the preparation of your application. We look forward to assisting you throughout your project.

Outlined within the enclosures of this letter are specific HSG administrative instructions for financial management of all funds associated with this grant. We request you thoroughly review these instructions, which include several Federal requirements.

We also request that any changes in your work schedule and/or scope of work be submitted to the MTDES Grant Bureau as soon as possible. Additional changes, updates and/or modifications to your financial budgeted plans must also be submitted to MTDES Grants Bureau as soon as possible, and all updated information included in your quarterly reports.

Please find the following enclosed in the Award Packet:

- State's Award Letter
- Applicant's Agent Letter
- State-Local Grant Award Agreement
- Grants Bureau Points of Contact Handout

Your point of contact at the DES office is Eric Kiltz, Grant Program Manager. Eric can be reached at 406-324-4751. He can also be contacted by e-mail at [ekiltz@mt.gov](mailto:ekiltz@mt.gov). If you have questions about the HSG grant, do not hesitate to contact MTDES.

Sincerely,

A handwritten signature in blue ink that reads "Kent Atwood".

Kent Atwood  
Grants Bureau Chief, SHMO  
cc: Casey Fuller, Eric Kiltz, Timothy Stavnes

October 30, 2015

RE: Applicant's Agent for 2015 Homeland Security Grant No. EMW-2015-SS-00005-S01

Department of Military Affairs  
ATTN: DES- Kent Atwood, Grants Bureau Chief  
1956 Mt. Majo Street  
P.O. Box 4789  
Fort Harrison, MT 59636-4789

Dear Kent:

I hereby appoint TIM STAVINS as my Applicant's Agent for the City of Billings Montana State Hazardous Materials Emergency Response Teams, EMS Advanced Life Support and Railroad Derailment Response Equipment 2015 Homeland Security Grant project.

This individual is empowered to act on behalf of the City of Billings with regard to all aspects of this Homeland Security Grant Project.

Sincerely,

*Christina Fleck*  
City Administrator

## STATE-LOCAL ASSISTANCE AGREEMENT HOMELAND SECURITY GRANT PROGRAM

This agreement between the State of Montana State Administrative Authority (SAA) and City of Billings will be effective on the date signed by the state and the applicant. It shall apply to all Homeland Security Grant Program funds provided by or through the state from HSG Grant No. EMW-2015-SS-00005-S01 to the applicant for the purpose of Montana State Hazardous Materials Emergency Response Teams, EMS Advanced Life Support and Railroad Derailment Response Equipment Project.

The designated representative of the applicant certifies that:

1. He/she has legal authority to apply for assistance on behalf of the applicant.
2. The applicant will appoint by resolution/letter an Applicant's Local Agent to act on the jurisdiction's behalf and will establish and maintain a proper accounting system to record expenditures of disaster assistance funds in accordance with generally accepted accounting standards or as directed by the Governor's Authorized Representative.
3. The applicant will provide all necessary financial and managerial resources to meet the terms and conditions of receiving federal and state Homeland Security assistance.
4. The applicant agrees to provide any necessary local share of funding for completion of the project if there is a cost over-run.
5. Any local cost share funding will be available within the specified time prior to grant expiration.
6. The applicant will use Homeland Security Grant funds solely for the purposes for which these funds are provided and as approved by the SAA to include utilizing qualified and experienced contractors.
7. The applicant will give state and federal agencies designated by the SAA access to and the right to examine all records and documents related to use of Homeland Security Grant funds.
8. The applicant will return to the state, within 15 days of such request by the SAA any funds which are not supported by audit or other federal or state review of documentation maintained by the applicant or which are deemed in excess and subject to de-obligation.
9. The applicant will comply with all applicable codes and standards as it pertains to this project and agrees to provide any ongoing future maintenance for this project as appropriate.
10. The applicant will comply with all applicable provisions of federal and state law and regulation in regard to procurement of goods and services.
11. The applicant will begin project work within 30 days of award of the sub-grant and complete all items of work prior to 9/30/2016 unless an exception is granted by SAA/DHS to extend the time frame.
12. The applicant will submit to MT DES no later than the 1st of June each year the jurisdiction's accruals.
13. The applicant will comply with all federal and state statutes and regulations relating to non-discrimination.
14. The applicant will comply with the provisions of the Hatch Act (Revised) limiting the political activities of public employees.

15. If participating the applicant will comply with all National Flood Insurance Program requirements.
16. The applicant will not enter into cost-plus-percentage-of-cost contracts for completion of Homeland Security Grant Projects.
- ✓ 17. The applicant will not enter into contracts for which payment is contingent upon receipt of state or local funds.
18. The applicant will not enter into any contract with any party that is disbarred or suspended from participating in federal assistance programs.
19. The applicant will comply with one of the following (as appropriate for the type of applicant) for all audit requirements: OMB CIRCULAR NO. A-128 (Single Audit Act); or A-133 (for Private Non-profit Organizations); or 7 CFR Ch. XVII Subpart B-REA Audit Requirements Subsection 1773(d).
20. The applicant will comply, as applicable, with provisions of the Davis-Bacon Act relating to labor standards.
21. The State reserves the right to withhold 10% (if deemed necessary to ensure project completion) of the total Federal Funds until the project is complete and approved by the SAA/DHS.
22. Either the State as Grantee and or the Sub-grantee may terminate this sub-grant award by giving the other party 30 calendar days formal written notice prior to the effective date of termination.

**SIGNED FOR THE APPLICANT:**

Name/  
Title/  
**Timothy Stavnes**  
Applicant's Agent for the  
City of Billings MT

  
Signature

10-30-15  
Date

**SIGNED FOR THE STATE:**

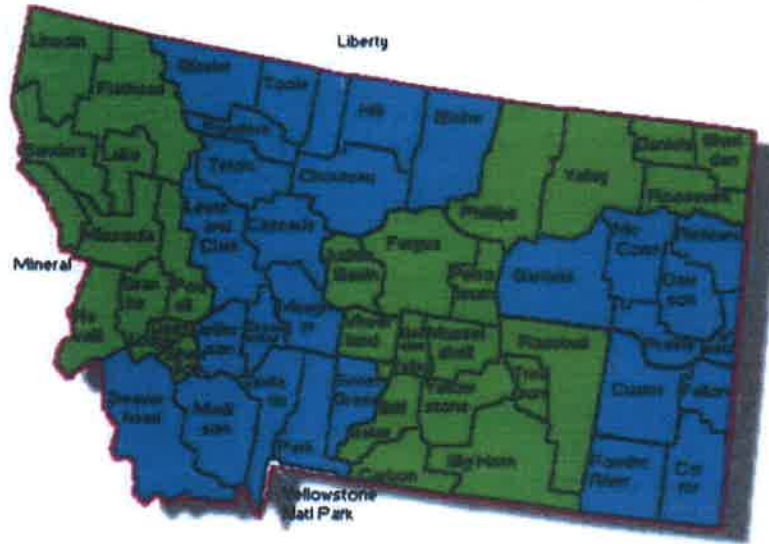
**Delila Bruno**  
State Administrative Authority (SAA)

  
Signature

10/2/15  
Date

# Grants Bureau County Points of Contact

- - Casey
- - Eric



Source: dymaps.net (c)

Casey Fuller			Eric Kiltz		
cfuller2@mt.gov, 406-324-4758 (ext 127)			ekiltz@mt.gov, 406-324-4751 (ext 135)		
Districts 3, 2, 4			Districts 1, 5, 6		
Beaverhead	Garfield	Park	Big Horn	Lincoln	Rosebud
Blaine	Glacier	Pondera	Carbon	Mineral	Sanders
Broadwater	Hill	Powder River	Daniels	Missoula	Sheridan
Carter	Jefferson	Prairie	Deer Lodge	Musselshell	Silver Bow
Cascade	Lewis & Clark	Richland	Fergus	Petroleum	Stillwater
Chouteau	Liberty	Sweetgrass	Flathead	Phillips	Treasure
Custer	Madison	Teton	Golden Valley	Powell	Valley
Dawson	McCone	Toole	Granite	Ravalli	Wheatland
Fallon	Meagher	Wibaux	Judith Basin	Roosevelt	Yellowstone
Gallatin			Lake		

# Other Items



## FY 16 Change Orders and Amendments

Project #	Project Description	Date	Change Order Description	Original Contract Amount	Previous Change Orders	Current Change Order	Percent Increase All Change Orders
WO 11-19	Landfill Phase 5	1-Oct	Cancel Remaining	291900.00	(56700.00)	(0.45)	-19.4%
WO 12-31	East End Storm Drain	1-Jul	Repair Costs of a storm water blow out	7622290.00	0.00	19226.95	0.3%
WO 12-31	East End Storm Drain	1-Sep	Rehabilitate the two existing power plant spur culverts; rehabilitate 66" CMP culvert, delete annular space grout.	7622290.00	19226.95	110315.43	1.7%
WO 12-31	East End Storm Drain	1-Oct	Lower electrical box and install a new utility pole; remove existing pedestal & control cabinet, install new ones; modify bore pit; install flowable fill and steel plate at the culvert crossing	7622290.00	129542.38	41425.51	2.2%
<b>WO 12-31</b>	<b>East End Storm Drain</b>	<b>14-Dec</b>	<b>Rescind portion of CO#2</b>	<b>7622290.00</b>	<b>170967.89</b>	<b>(54406.93)</b>	<b>1.5%</b>
<b>WO 12-31</b>	<b>East End Storm Drain</b>	<b>14-Dec</b>	<b>Cancel - Test Failures &amp; Backcharges</b>	<b>7622290.00</b>	<b>116560.96</b>	<b>(8865.43)</b>	<b>1.4%</b>
WO 12-31	Yegen Drain Improvements	1-Sep	Change to temporary fence, several changes to permanent fence, add two gates to enhance access.	551760.50	0.00	7840.88	1.4%
WO 12-31	Yegen Drain Improvements	1-Nov	Reconciling change order	551760.50	7840.88	24167.93	5.8%
WO 13-15	Calhoun Lane Improvements	1-Aug	Repair of valve box extensions at the intersection of Mitchell and Calhoun Lane, & repair storm drain joint just north of the Calhoun Mitchell intersection.	2515778.83	0.00	11665.00	0.5%
WO 13-15	Calhoun Lane Improvements	1-Oct	Concrete R/W Strips, Tank Structure Removal, Sanitary sewer MH Removal & Pipe Repair, Replace SS MH Cone Section W/ Flat Top Section.	2515778.83	11665.00	10910.00	0.9%
WO 13-15	Calhoun Lane Improvements	1-Nov	Reconcile Qty	2515778.83	22575.00	10259.41	1.3%
<b>WO 13-15</b>	<b>Calhoun Lane Improvements</b>	<b>28-Dec</b>	<b>Reconcile Qty</b>	<b>18360.00</b>	<b>0.00</b>	<b>(3402.29)</b>	<b>-18.5%</b>
WO 13-20	Arrowhead School Path	1-Sep	Repair and replace irrigation line in conflict with trail section construction	69313.00	0.00	4949.00	7.1%
WO 13-20	Arrowhead School Path	1-Sep	Reconcile quantities	69313.00	4949.00	1663.40	9.5%
WO 13-20	Arrowhead School Path	1-Oct	Additional Topsoil Needed	69313.00	6612.40	2605.00	13.3%
WO 13-22	Poly Drive School Walks	1-Sep	Existing subgrade unsuitable & needs stabilization prior to paving	109885.00	0.00	8500.00	7.7%
WO 13-22	Poly Drive School Walks	1-Sep	Add pavement markings & reconcile qty	109855.00	8500.00	(5674.00)	2.6%
WO 14-13	Mullowney/Elysisan Rd	1-Nov	Cancel Remaining	3181527.61		(50433.78)	-1.6%
WO 14-14	Reflections Detention Pond	1-Oct	Delete sand/oil separator & associated piping and manholes	87921.00	0.00	(12769.25)	-14.5%
WO 14-14	Reflections Detention Pond	1-Oct	Reconciling change order	87921.00	(12769.25)	1066.00	-13.3%
<b>WO 15-01</b>	<b>2015 Water Sch 1</b>	<b>22-Dec</b>	<b>Cancel Remaining</b>	<b>1200645.00</b>	<b>84193.60</b>	<b>(26419.69)</b>	<b>4.8%</b>
WO 15-01	Sanitary Sewer Main, sched 2	1-Sep	Removal & replacement of 3-inch asphalt	1509574.50	(29150.00)	23540.00	-0.4%
<b>WO 15-01</b>	<b>Sanitary Sewer Main, sched 2</b>	<b>22-Dec</b>	<b>Cancel Remaining</b>	<b>1509574.50</b>	<b>(5610.00)</b>	<b>(123928.25)</b>	<b>-8.6%</b>
<b>WO 15-01</b>	<b>Sanitary Sewer Main, sched 2</b>	<b>28-Dec</b>	<b>Cancel Remaining</b>	<b>700240.00</b>	<b>0.00</b>	<b>(106789.06)</b>	<b>-15.3%</b>
WO 15-01	Water & Sewer Prj - Sch3	1-Oct	Cancel Remaining	551055.00	0.00	(149719.61)	-27.2%
<b>WO 15-01</b>	<b>Water &amp; Sewer Prj - Sch3</b>	<b>22-Dec</b>	<b>Cancel Remaining</b>	<b>1753263.00</b>	<b>0.00</b>	<b>(214096.00)</b>	<b>-12.2%</b>
WO 15-02	Cutting along Various streets	1-Aug	Cancel Remaining	9900.00	0.00	(2435.40)	-24.6%

### FY 16 Change Orders and Amendments

WO 15-02	2015 Misc Developer	1-Nov	Cancel Remaining	394775.00		(67807.18)	-17.2%
WO 15-03	2015 Street Maint Chip Seal	1-Nov	Cancel Remaining	1211559.35		(37109.30)	-3.1%
WO 15-05	Poly Drive Bike/Ped	1-Jul	Replace existing sidewalk adjacent to the project intersection	340915.26	0.00	30639.00	9.0%
<b>WO 15-10</b>	<b>WTP Chemical Building</b>	<b>14-Dec</b>	<b>Add'l engineering services added to original scope of work</b>	<b>1193100.00</b>	<b>35300.00</b>	<b>0.00</b>	<b>3.0%</b>
WO 15-15	Shawnee Drive	1-Oct	Cancel Remaining	87244.74	0.00	(1507.50)	-1.7%
WO 15-27	19th Street West Sidewalks	1-Nov	Add fence along sidewalk near ditch	134414.10	0.00	1485.00	1.1%
WO 15-27	19th Street West Sidewalks	1-Nov	Reconcile Quantities	134414.10	1485.00	3645.43	3.8%
WO 15-29	Wicks Lane Trail	1-Oct	Reconciling change order	214880.00	9847.20	0.00	4.6%
WO 15-31	19th St W Sidewalks	1-Nov	Cancel Remaining	59502.90		(4736.90)	-8.0%
WO 15-33	Landfill Outbound Scale	1-Oct	Install rain gutters & revise interior cabinet layout	130839.04	573.00	1134.00	1.3%
WO 15-33	Landfill Outbound Scale	1-Jul	1.5 ton of additional rebar needed in the scale foundation; additional labor to install	130839.04	0.00	573.00	0.4%
WO 15-38	Solid Waste CNG Fueling Station	1-Nov	Add'l engineering services added to original scope of work	49850.00	0.00	12150.00	24.4%
<b>WO 15-38</b>	<b>CNG Fueling Station</b>	<b>14-Dec</b>	<b>Install additional bollards around the equipment pad to meet Bldg Codes</b>	<b>528000.00</b>	<b>0.00</b>	<b>1240.00</b>	<b>0.2%</b>