

Grant and Cooperative Agreement

CHOOSE ONE:

- COOPERATIVE AGREEMENT
 GRANT

CHOOSE ONE: EDUCATION FACILITIES RESEARCH SDCR TRAINING

1. GRANT/COOPERATIVE AGREEMENT NUMBER S16AF20020		2. SUPPLEMENT NUMBER		3. EFFECTIVE DATE 03/01/2016		4. COMPLETION DATE 02/28/2019	
5. ISSUED TO NAME/ADDRESS OF RECIPIENT (No., Street, City/County, State, Zip) PUBLIC SERVICE COMMISSION, NORTH DAKOTA Attn: ATTN GOVERNMENT POC 600 E BOULEVARD AVE FLR12 DEPT 408 BISMARCK ND 58505-0660				6. ISSUED BY OSM FA Western Region Denver, CO Mailing Address: 1951 Constitution Ave. N.W. Washington DC 20240-0001			
7. TAXPAYER IDENTIFICATION NO. (TIN)				9. PRINCIPAL INVESTIGATOR/ORGANIZATION'S PROJECT OR PROGRAM MGR. (Name & Phone) Jim Deutsch 701-328-2251			
8. COMMERCIAL & GOVERNMENT ENTITY (CAGE) NO.							
10. RESEARCH, PROJECT OR PROGRAM TITLE FA ND FY2016 AML							
11. PURPOSE 15.252 AML							
12. PERIOD OF PERFORMANCE (Approximately) 03/01/2016 through 02/28/2019							
13A.		AWARD HISTORY		13B.		FUNDING HISTORY	
PREVIOUS		\$0.00		PREVIOUS		\$0.00	
THIS ACTION		\$2,796,000.00		THIS ACTION		\$2,796,000.00	
CASH SHARE		\$0.00		TOTAL		\$2,796,000.00	
NON-CASH SHARE		\$0.00					
RECIPIENT SHARE		\$0.00					
TOTAL		\$2,796,000.00					
14. ACCOUNTING AND APPROPRIATION DATA See Schedule							
PURCHASE REQUEST NO.		JOB ORDER NO.		AMOUNT		STATUS	
0020093444							
15. POINTS OF CONTACT							
	NAME	MAIL STOP	TELEPHONE	E-MAIL ADDRESS			
TECHNICAL OFFICER	Steven Trujillo		(505) 761-8983	strujillo@osmre.gov			
NEGOTIATOR							
ADMINISTRATOR	Steven Trujillo		(505) 761-8983	strujillo@osmre.gov			
PAYMENTS							
16. THIS AWARD IS MADE UNDER THE AUTHORITY OF: The Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) as amended							
17. APPLICABLE STATEMENT(S), IF CHECKED: <input type="checkbox"/> NO CHANGE IS MADE TO EXISTING PROVISIONS <input type="checkbox"/> FDP TERMS AND CONDITIONS AND THE AGENCY-SPECIFIC REQUIREMENTS APPLY TO THIS GRANT				18. APPLICABLE ENCLOSURE(S), IF CHECKED: <input type="checkbox"/> PROVISIONS <input type="checkbox"/> SPECIAL CONDITIONS <input type="checkbox"/> REQUIRED PUBLICATIONS AND REPORTS			
UNITED STATES OF AMERICA				COOPERATIVE AGREEMENT RECIPIENT			
CONTRACTING/GRANT OFFICER Dawn Benavides		DATE 02/19/2016		AUTHORIZED REPRESENTATIVE		DATE	

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ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
	<p>CFDA Number: 15.252 DUNS Number: 802744946 The following are incorporated into this agreement by reference:</p> <ol style="list-style-type: none"> 1. Your complete application for this assistance agreement, including amendments to the application 2. The Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) as amended 3. OSM grant regulations (Code of Federal Regulations: 30 CFR Chapter VII, Parts 725, 735, 795, 870-887) 4. Your approved regulatory and/or reclamation program as listed in 30 CFR Chapter VII, Subchapter T. 5. OSM's Federal Assistance Manual, directive GMT-10 6. The standard Department of Interior Financial Assistance terms and conditions for this award are incorporated herein by reference with the same force and effect as if in full text. The full text can be found at: http://www.doi.gov/pam/programs/financial_assistance/TermsandConditions.cfm or can be obtained by contacting the Financial Assistance Administrator. 7. Recipient Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Sep 2013) <p>(a) This award and employees working on this financial assistance agreement will be subject to the whistleblower rights and remedies in the pilot program on Award Recipient employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239).</p> <p>(b) The Award Recipient shall inform its employees in writing, in the predominant language</p> <p>Continued ...</p>				

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ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
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	<p>of the workforce, of the employee whistleblower rights and protections under 41 U.S.C. 4712.</p> <p>(c) The Award Recipient shall insert the substance of this clause, including this paragraph (c), in all subawards or subcontracts over the simplified acquisition threshold. 42 CFR Â§ 52.203-17 (as referenced in 42 CFR Â§ 3.908-9).</p> <p>8. In accordance with Chapter 3-120 of the Federal Assistance Manual, you must obtain our approval before you provide financial assistance to a third party by subgrant or other means. Once we have given our approval, you must update the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS), accordingly.</p> <p>9. The Recipient must establish safeguards to prohibit its employees and Subrecipients from using their positions for purposes that constitute or present the appearance of a personal or organizational conflict of interest. The Recipient is responsible for notifying the grants officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the Recipient or its employees in a position of conflict, real or apparent, between their responsibilities under the agreement and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationship, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or making a decision affecting the award that a reasonable person with knowledge of the relevant facts would question the Recipient</p> <p>Continued ...</p>				

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ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
00010	<p>and/or Recipients employees and Subrecipients impartiality in the matter.</p> <p>The grants officer and the servicing ethics counselor will determine if a conflict of interest exists. If a conflict of interest exists, the grants officer will determine whether a mitigation plan is feasible. Mitigation plans must be approved by the grants officer in writing. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award.</p> <p>With certain exceptions found in Chapter 2-260 of the Federal Assistance Manual, you must keep these records for three years starting on the day you send us your final expenditure report to close the assistance agreement.</p> <p>This agreement takes effect at the time of approval by the Director of OSM or his authorized delegate. The recipient accepts the agreement including the terms and conditions by starting work or making its first request for Federal funds approved under this agreement.</p> <p>Legacy Doc #: OSM Delivery Location Code: 0003820475 OSM, Headquarters 1951 Constitution Ave, NW Washington DC 20240 US</p> <p>Period of Performance: 03/01/2016 to 02/28/2019</p> <p>FA ND FY2016 AML</p> <p>SS01 Mandatory Non Emerg Admi Obligated Amount: \$396,205.00 Continued ...</p>				396,205.00

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	<p>Delivery: 02/28/2019</p> <p>Accounting Info:</p> <p>01 Account Assignment: K G/L Account: 6100.411G0</p> <p>Business Area: S000 Commitment Item: 411G00 Cost Center: SS063300ND Functional Area: S2R2M0000.2M2100 Fund: 16XS501524 Fund Center: SS063300ND Project/WBS: SG.210.SS.01 PR Acct</p> <p>Assign Line: 01</p> <p>Funded: \$396,205.00</p> <p>The following are incorporated into this agreement by reference:</p> <ol style="list-style-type: none"> 1. Your complete application for this assistance agreement, including amendments to the application 2. The Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) as amended 3. OSM grant regulations (Code of Federal Regulations: 30 CFR Chapter VII, Parts 725, 735, 795, 870-887) 4. Your approved regulatory and/or reclamation program as listed in 30 CFR Chapter VII, Subchapter T. 5. OSM's Federal Assistance Manual, directive GMT-10 6. The standard Department of Interior Financial Assistance terms and conditions for this award are incorporated herein by reference with the same force and effect as if in full text. The full text can be found at: http://www.doi.gov/pam/programs/financial_assistance/TermsandConditions.cfm or can be obtained by contacting the Financial Assistance Administrator. 7. Recipient Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Sep 2013) <p>(a) This award and employees working on this</p> <p>Continued ...</p>				

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	<p>financial assistance agreement will be subject to the whistleblower rights and remedies in the pilot program on Award Recipient employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239).</p> <p>(b) The Award Recipient shall inform its employees in writing, in the predominant language of the workforce, of the employee whistleblower rights and protections under 41 U.S.C. 4712.</p> <p>(c) The Award Recipient shall insert the substance of this clause, including this paragraph (c), in all subawards or subcontracts over the simplified acquisition threshold. 42 CFR Â§ 52.203-17 (as referenced in 42 CFR Â§ 3.908-9).</p> <p>8. In accordance with Chapter 3-120 of the Federal Assistance Manual, you must obtain our approval before you provide financial assistance to a third party by subgrant or other means. Once we have given our approval, you must update the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS), accordingly.</p> <p>9. The Recipient must establish safeguards to prohibit its employees and Subrecipients from using their positions for purposes that constitute or present the appearance of a personal or organizational conflict of interest. The Recipient is responsible for notifying the grants officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the Recipient or its employees in a position of conflict, real or apparent, between their responsibilities under the agreement and</p> <p>Continued ...</p>				

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ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
00020	<p>any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationship, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or making a decision affecting the award that a reasonable person with knowledge of the relevant facts would question the Recipient and/or Recipients employees and Subrecipients impartiality in the matter.</p> <p>The grants officer and the servicing ethics counselor will determine if a conflict of interest exists. If a conflict of interest exists, the grants officer will determine whether a mitigation plan is feasible. Mitigation plans must be approved by the grants officer in writing. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award.</p> <p>With certain exceptions found in Chapter 2-260 of the Federal Assistance Manual, you must keep these records for three years starting on the day you send us your final expenditure report to close the assistance agreement.</p> <p>This agreement takes effect at the time of approval by the Director of OSM or his authorized delegate. The recipient accepts the agreement including the terms and conditions by starting work or making its first request for Federal funds approved under this agreement.</p> <p>SS03 Mandatory Nonwater Proj Continued ...</p>				684,101.00

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ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
	Obligated Amount: \$684,101.00 Delivery: 02/28/2019 Accounting Info: 01 Account Assignment: K G/L Account: 6100.411G0 Business Area: S000 Commitment Item: 411G00 Cost Center: SS063300ND Functional Area: S2R2M0000.2M2100 Fund: 16XS501524 Fund Center: SS063300ND Project/WBS: SG.210.SS.03 PR Acct Assign Line: 01 Funded: \$684,101.00				
00030	HC03 Mandatory Nonwater Spply Obligated Amount: \$497,936.00 Delivery: 08/28/2019 Accounting Info: 01 Account Assignment: K G/L Account: 6100.411G0 Business Area: S000 Commitment Item: 411G00 Cost Center: SS063300ND Functional Area: S2R2M0000.2M2100 Fund: 16XS501524 Fund Center: SS063300ND Project/WBS: SG.210.HC.03 PR Acct Assign Line: 01 Funded: \$497,936.00				497,936.00
00040	FE03 Mandatory Nonwater Spply Obligated Amount: \$1,217,758.00 Delivery: 02/28/2019 Accounting Info: 01 Account Assignment: K G/L Account: 6100.411G0 Business Area: S000 Commitment Item: 411G00 Cost Center: SS063300ND Functional Area: S2R2M0000.2M2100 Fund: 16XS501524 Fund Center: Continued ...				1,217,758.00

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	<p>SS063300ND Project/WBS: SG.210.FE.03 PR Acct Assign Line: 01 Funded: \$1,217,758.00</p> <p>The following are incorporated into this agreement by reference:</p> <ol style="list-style-type: none"> 1. Your complete application for this assistance agreement, including amendments to the application 2. The Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) as amended 3. OSM grant regulations (Code of Federal Regulations: 30 CFR Chapter VII, Parts 725, 735, 795, 870-887) 4. Your approved regulatory and/or reclamation program as listed in 30 CFR Chapter VII, Subchapter T. 5. OSM's Federal Assistance Manual, directive GMT-10 6. The standard Department of Interior Financial Assistance terms and conditions for this award are incorporated herein by reference with the same force and effect as if in full text. The full text can be found at: http://www.doi.gov/pam/programs/financial_assistance/TermsandConditions.cfm or can be obtained by contacting the Financial Assistance Administrator. 7. Recipient Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Sep 2013) <p>(a) This award and employees working on this financial assistance agreement will be subject to the whistleblower rights and remedies in the pilot program on Award Recipient employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239).</p> <p>Continued ...</p>				

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				UNIT PRICE (E)	AMOUNT (F)
	<p>(b) The Award Recipient shall inform its employees in writing, in the predominant language of the workforce, of the employee whistleblower rights and protections under 41 U.S.C. 4712.</p> <p>(c) The Award Recipient shall insert the substance of this clause, including this paragraph (c), in all subawards or subcontracts over the simplified acquisition threshold. 42 CFR Â§ 52.203-17 (as referenced in 42 CFR Â§ 3.908-9).</p> <p>8. In accordance with Chapter 3-120 of the Federal Assistance Manual, you must obtain our approval before you provide financial assistance to a third party by subgrant or other means. Once we have given our approval, you must update the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS), accordingly.</p> <p>9. The Recipient must establish safeguards to prohibit its employees and Subrecipients from using their positions for purposes that constitute or present the appearance of a personal or organizational conflict of interest. The Recipient is responsible for notifying the grants officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the Recipient or its employees in a position of conflict, real or apparent, between their responsibilities under the agreement and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationship, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or making a decision affecting the Continued ...</p>				

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	<p>award that a reasonable person with knowledge of the relevant facts would question the Recipient and/or Recipients employees and Subrecipients impartiality in the matter.</p> <p>The grants officer and the servicing ethics counselor will determine if a conflict of interest exists. If a conflict of interest exists, the grants officer will determine whether a mitigation plan is feasible. Mitigation plans must be approved by the grants officer in writing. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award.</p> <p>With certain exceptions found in Chapter 2-260 of the Federal Assistance Manual, you must keep these records for three years starting on the day you send us your final expenditure report to close the assistance agreement.</p> <p>This agreement takes effect at the time of approval by the Director of OSM or his authorized delegate. The recipient accepts the agreement including the terms and conditions by starting work or making its first request for Federal funds approved under this agreement.</p> <p>The total amount of award: \$2,796,000.00. The obligation for this award is \$2,796,000.00.</p>				