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Article I. Award Information

Section 1.01 Recipient Information

BERKSHIRE REGIONAL PLANNING COMMISSION
1 Fenn Street Suite 201
Pittsfield MA 01201-0000
DUNS: 123924367

Primary Contact: Melissa Provencher, mprovencher@berkshireplanning.org, (413) 442-1521 ext.22

Section 1.02 Awarding Agency Information

U.S. Department of Transportation (US DOT)
Pipeline and Hazardous Materials Safety Administration (PHMSA)
1200 New Jersey Avenue, SE
Room E22-317
Washington, D.C. 20590

Primary Contact: Mahua Mazumdar, mahua.mazumdar@dot.gov, (202) 366-1282

Section 1.03 Basic Award Information

Funding Opportunity Title: "Technical Assistance Grants (TAG)"
Funding Opportunity Number: DTPH5614SN000003
CFDA Number: 20.710
Award Type: Grant Agreement
Award Number: DTPH5614GPPT03
Project Title: 2014 Technical Assistance Grant for Berkshire Regional Planning Commission
Project/Performance Period: Twelve (12) months from the effective date of award.
Grant Amount: \$50,000.00

Article II. Background

Section 2.01 Background

Experience shows that informed communities play a vital role in the safety and reliability of pipeline operations. The Technical Assistance Grants (TAG) program, first authorized in the Pipeline Safety Improvement Act of 2002 (Act) (P. L. 107-355, codified at 49 U.S.C. 60130), offers opportunities to strengthen the depth and quality of public participation in pipeline safety matters. Section 9 of the Act, titled: "Pipeline Safety Information Grants to Communities" authorized the Secretary of Transportation to make grants to local communities and organizations for technical assistance relating to pipeline safety issues. The TAG program has been amended by Section 5 of the PIPES Act of 2006 (P.L. 109-468) and Section 32 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112-90).

These grants will allow communities and groups of individuals to obtain funding for technical assistance in the form of engineering or other scientific analysis of pipeline safety issues and help promote public participation in official proceedings. For purposes of grant eligibility, communities are defined as cities, towns, villages, counties, parishes, townships, and similar governmental subdivisions,

or consortiums of such subdivisions. A nongovernmental group of individuals is eligible for a grant under the TAG program if its members are affected or potentially affected individuals who are incorporated as a non-profit organization in the state where they are located.

Section 2.02 Statement of Purpose

PHMSA awards grant funds to local communities and groups of individuals (not including for-profit entities) for technical assistance in the form of engineering or other scientific analysis of pipeline safety issues affecting the local community or to help promote public participation in official proceedings (excluding nonofficial proceedings) pertaining to pipeline safety issues.

Section 2.03 Specific Objective(s) of the Agreement

Under this grant award Berkshire Regional Planning Commission (BRPC) will partner with the Franklin Regional Council of Governments (FRCOG), Pioneer Valley Planning Commission (PVPC), Montachusett Regional Planning Commission (MRPC), and Northern Middlesex Council of Governments (NMCOG) to provide technical assistance through education, outreach, training, and engineering review and land use analysis of pipeline safety issues. This project will focus on affected communities in Berkshire, Franklin, Hampshire, Worcester and Middlesex Counties that have existing or proposed pipelines and, among other results, will help promote public participation in official proceedings pertaining to pipeline safety issues.

Article III. Expected Program Outputs

Under the terms of this agreement, the Recipient must demonstrate completion of the work through the actions it has specified in its Application.

- *Education & Awareness Program:*
 1. *Engage the community and local officials*
 2. *Develop a multi-faceted education and awareness program with regard to an introduction to pipelines, the roles and responsibilities of local officials from proposal through the lifetime of the pipelines, and potential environmental and safety impacts from pipelines during both construction and operation*
 3. *Conduct four (4) public workshops with speakers and distribute educational information in affected counties*
 4. *Compile web based resources for citizens and municipalities on best practices, model ordinances, and emergency response procedures*
- *Deliverables:*
 - o *PowerPoint Presentations*
 - o *Distribution List for Public Workshops*
 - o *Sign-in Sheets from Public Workshops*
 - o *Compilation of educational material*
 - o *Survey Results*
- *Environmental Review & Land Use Analysis:*
 1. *Create model review and analysis of potential land use impacts (including safety and emergency management considerations, population density, rare and endangered species, historic resources, wetlands and water quality, public water supplies, and ACECs) from the proposed Tennessee Gas Pipeline Northeast Expansion Project path in Berkshire County and potential alternatives.*
- *Deliverables:*
 - o *Summary report of environmental review and land use analysis including methodology and findings*

- *Pipeline Failure Emergency Response Training:*
 1. *Conduct a day-long emergency response training in Berkshire County to raise awareness and improve response abilities of emergency responders*
- *Deliverables:*
 - o *Training Materials/Presentation*
 - o *Distribution List for Training*
 - o *Sign-in Sheets from Training.*

Article IV. Deliverables

The Recipient must submit the following reports:

- Progress Report;
- Federal Financial Status Report;
- Final Report; and
- Final Financial Report.

Additional information about the reporting requirements are in Article X, Reports.

Article V. Dissemination of Technical Findings

The Recipient must make available any technical findings to the relevant operators in the Recipient's area and have open communication with local operators, local communities and other interested parties.

Article VI. Delineation of Tasks/Deliverables

Section 6.01 Incorporation of Recipient's Application

The Recipient's application and Project Plan dated **03/31/2014** is incorporated by reference into this Agreement.

The Recipient is responsible for accomplishing the objectives, tasks and deliverables of this Grant Agreement, and performing the tasks and the deliverables outlined in the Recipient's Project Plan.

Article VII. Agreement Officials

Refer to the Award Terms and Conditions (Attachment 1), Section 1, for a detailed description of each official's responsibilities below.

Agreement Officer (AO)

Mr. Warren D. Osterberg
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Pipeline and Hazardous Materials Safety Administration
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Agreement Administrator (AA)

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Agreement Officer's Representative (AOR)

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Pipeline and Hazardous Materials Safety Administration
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E-mail: sam.hall@dot.gov

Principal Investigator (PI)

Ms. Melissa Provencher
1 Fenn Street Suite 201
Pittsfield MA 01201-0000
Telephone: (413) 442-1521 ext.22

E-mail: mprovencher@berkshireplanning.org

Article VIII. Terms and Conditions

The Recipient must comply with and spend funds consistent with all the terms and conditions of this award, including the Award Terms and Conditions in **Attachment 1** and any other terms and conditions spelled out in this document. Attachment 1, Award Terms and Conditions is incorporated into this Agreement.

Article IX. Special Terms and Conditions

Section 9.01 Modifications

Modifications to this Grant Agreement may be made only in writing, signed by both the Recipient and the AO, and specifically referred to as a modification to this Grant Agreement.

Section 9.02 Travel

Any travel necessary to carry out the objectives of this agreement must use the most economical form of transportation available. All travel is to be scheduled sufficiently in advance, to the extent practicable, to take advantage of offered discount rates. Travel and Per Diem authorized under this agreement must be incurred in accordance with the Government Travel Regulations currently in effect. Current per diem rates are listed at: <http://www.gsa.gov/perdiem>.

Article X. Reports

Section 10.01 Progress Report / Mid-Term Report

During the performance of the grant, the Recipient must provide a letter-type written report to the AOR and the AA. The report must include the following:

1. A comparison of actual accomplishments to the objectives established for the period;
2. Where the output of the project can be quantified, a computation of the cost per unit of output; and
3. The reasons for slippage if established objectives were not met.

This report must be submitted to the AOR and the AA in electronic form via e-mail no later than thirty (30) days after the reporting period. The reporting period for the Mid-Term Report, is half-way through the grant Project/Period of Performance, as outlined in the grant agreement.

Section 10.02 Federal Financial Status Report

During the performance of the grant, the Recipient must submit a mid-term Federal Financial Report, Standard Form 425 (SF-425), to report the status of funds. In addition to SF-425, the Recipient should provide a breakdown of costs for each object class category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual, Other, and Indirect Charges). This report must be submitted to the AA in electronic form via e-mail no later than thirty (30) days after the reporting period. The reporting period for the Federal Financial Status Report, is half-way through the grant Project/Period of Performance, as outlined in the grant agreement.

Section 10.03 Final Report

At the end of the grant period of performance, the Recipient must deliver a letter-type final report to the AOR and the AA that describes the results of all activities undertaken as a result of this grant. The report to PHMSA must demonstrate completion of the work as outlined in the grant agreement.

This report must be submitted to the AOR and the AA in electronic form via e-mail no later than 90 days after the end of the period of performance.

Section 10.04 Final Federal Financial Report

At the end of the grant period, the Recipient must submit a Federal Financial Report, Standard Form 425 (SF-425), to report the status of all funds. In addition to the SF-425, the Recipient should provide the breakdown of costs for each object class category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual, Other, and Indirect Charges). This report must be submitted to the AA in electronic form via e-mail no later than 90 days after the end of the period of performance.

Article XI. Consideration and Payment

Section 11.01 Request for Advance/Reimbursement

Subject to the requirements in 49 CFR 18 being met (refer to Award Terms and Conditions, Section 11, "Payments") payments will be made after receipt of "Request for Advance or Reimbursement," SF-270 through iSupplier. Upon the execution of the award, recipients, in accordance with their project plan, may request up to 50% of the total federally funded amount of the award. The remaining amount may be requested, upon receipt and approval, (by the PHMSA Agreement Officer) of the "Mid-Term Reports."

Section 11.02 Registration requirement

- All Recipients must submit payment requests via the DOT eInvoicing System. For details on how to invoice, refer to Award Terms and Conditions, Section 10, "eInvoicing."

All Recipients must be registered in the System for Award Management (SAM) to receive payments on their invoices. For information on how to register, visit <https://www.sam.gov>.

See Attachment 1 "Award Terms and Conditions" for additional payment requirements.

Article XII. Attachments

Attachment 1 - DTPH5614GPPT03 - Award Terms and Conditions