

STATE OF ALABAMA

ADCNR Grant #: S1P11-LHSP

MONTGOMERY COUNTY

SUBAWARD GRANT AGREEMENT – AMENDMENT NO. 3

THIS SUBAWARD GRANT AGREEMENT, (“Agreement”) is made and entered into by and between the State of Alabama Department of Conservation and Natural Resources (hereinafter “ADCNR”) and the Baldwin County Commission (hereinafter “Subrecipient”). Pursuant to this Agreement, ADCNR and Subrecipient (collectively hereinafter “Parties”) agree as follows:

1. **PROJECT PURPOSE AND IDENTITY:** The purpose of this Agreement is to provide funding under the Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (hereinafter “RESTORE Act”) to Subrecipient for implementation of the RESTORE Act Spill Impact project titled “State Expenditure Plan #11: Lillian Park Beach Habitat and Shoreline Protection” (hereinafter “Project”). The purpose of this project is to improve the shoreline at Lillian Park; reduce the overall maintenance costs due to rapid sand and debris build up on the ramp; create a more stable and useable public beach; and, to protect adjacent properties from beach erosion, further described in the Federal Award GNSSP20AL0007. This Agreement between the Parties will be identified by the “ADCNR Grant Number” set forth above in the upper right corner of this Agreement. All invoices and other correspondence submitted to ADCNR in connection with this Agreement must be identified by said Grant Number.

This Amendment No. 3 is for an existing grant for the Alabama Department of Conservation and Natural Resources (ADCNR), Grant No. GNSSP20AL0007-01-03, State Expenditure Plan #11: Lillian Park Beach Habitat and Shoreline Protection. This amendment executes the following action:

1. Adds \$364,997.00 in federal funding, and
 2. Extends the period of performance (POP) to 4/30/2026.
2. **FEDERAL AWARD INFORMATION:** The Project’s Financial Assistance Award (hereinafter “Federal Award”) in its entirety is hereby incorporated into this Agreement by reference. Information as to the Federal Award associated with the Project includes the following:
 - a. Federal Award Identification Number (FAIN): [REDACTED]
 - b. Federal Award Period of Performance: 05/01/2020-04/30/2026
 - c. Total Amount of Federal Funds Obligated to Subrecipient: \$2,414,645.00
 - d. Subrecipient UEI: [REDACTED]
 - e. Total Amount of Federal Award: \$2,460,382.00
 - f. Name of Federal Awarding Agency: Gulf Coast Ecosystem Restoration Council (hereinafter “RESTORE”)
 - g. Pass-Through Entity & Awarding Official Contact Information:
Alabama Department of Conservation and Natural Resources
Commissioner Christopher M. Blankenship
64 N. Union Street; Suite 468
Montgomery, AL 36130
 - h. CFDA Number & Name: CFDA# 87.052 “Spill Impact Component Project Grants”
 - i. Indirect Cost Rate of Subrecipient: 0%
3. **AGREEMENT FUNDING AMOUNT:** ADCNR’s funding commitment under this Agreement shall be within the budgetary limits as described herein and pursuant to the Federal Award and shall not exceed a total of two million, four hundred fourteen thousand, six hundred forty-five and xx/100 dollars (\$2,414,645.00)

4. PROJECT PERIOD: The period allowed for Project completion by the Subrecipient (hereinafter “Project Period”) shall commence on May 1, 2020 and end on April 30, 2026.
5. AGREEMENT TERM: The term of this Agreement shall commence when the Agreement is executed by both Parties on May 1, 2020 and end on April 30, 2026 (hereinafter “Agreement Term”).
6. BOYCOTT: In compliance with Act 2016-312, Permittee hereby certifies that it is not currently engaged in, and will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which the State can enjoy open trade.

In compliance with Ala. Act No. 2023-409, by signing this contract, Contractor provides written verification that Contractor, without violating controlling law or regulation, does not and will not, during the term of the contract engage in economic boycotts as the term “economic boycott” is defined in Section 1 of the Act.

7. NOTICE: Contact information of Parties for purposes of providing notice pursuant to the terms of this Agreement are set forth below. In the event the designation of new contact information is necessary, such shall not require a formal amendment to this Agreement.

To ADCNR:

Alabama Department of Conservation and Natural Resources
Attn: Christopher M. Blankenship, Commissioner
64 N. Union St., Suite 468
Montgomery, AL 36130

With a copy to:

Dr. Amy Hunter
Deepwater Horizon Restoration Coordinator
Alabama Department of Conservation and Natural Resources
31115 Five Rivers Boulevard
Spanish Fort, AL 36527
Email: amy.hunter@dcnr.alabama.gov

To Subrecipient:

Baldwin County Commission
Attn: Billie Jo Underwood
312 Courthouse Square
Bay Minette, Alabama 36507

Frank Lundy, Baldwin County Engineer
Baldwin County Commission
312 Courthouse Square
Bay Minette, Alabama 36507
flundy@baldwincounty.al.gov

8. PARTIES REPRESENT THAT THIS AGREEMENT SUPERSEDES ALL PROPOSALS, ORAL AND WRITTEN, ALL PREVIOUS CONTRACTS, AGREEMENTS, NEGOTIATIONS AND ALL OTHER COMMUNICATIONS BETWEEN THE PARTIES WITH RESPECT TO THE SUBJECT MATTER HEREOF.

9. DOCUMENTS: The documents which comprise this Agreement between ADCNR and the Subrecipient are:
1. This Subaward Agreement;
 2. The Amendment for the existing grant for the Alabama Department of Conservation and Natural Resources (ADCNR), Grant No. GNSSP20AL0007-01-03 and any RESTORE Council-specific Special Award Conditions.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective officers thereunto duly authorized as of the date entered below.

**STATE OF ALABAMA
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES**

Christopher M. Blankenship, Commissioner

Date: _____

BALDWIN COUNTY COMMISSION

Billie Jo Underwood, Commissioner

Date: _____

ATTACHMENT B - FEDERAL AWARD IDENTIFICATION – REV JANUARY 2024

The entity identified in this agreement for project: **Lillian Park Beach Habitat and Shoreline Protection** is a SUBRECIPIENT of a subaward, in accordance with 2 CFR 200.331. Be advised, the following information describes the Federal award and subaward:

(I) Federal Award Identification under 2 CFR 200.332.	
(i) Subrecipient's name (must match name associated with its UEID);	BALDWIN COUNTY COMMISSION
(ii) Subrecipient's unique entity identifier;	UEID # [REDACTED]
(iii) Federal Award Identification Number (FAIN);	[REDACTED]
(iv) Federal Award Date (date of award to the recipient by the Federal agency);	08/05/2024
(v) Subaward Period of Performance Start and End Date;	From 05/01/2020 through 04/30/2026
(vi) Subaward Budget Period Start and End Date;	From 05/01/2020 through 04/30/2026
(vii) Amount of Federal Funds Obligated in the subaward;	\$2,460,382.00
(viii) Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity, including the current financial obligation;	\$2,414,645.00
(ix) Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;	\$2,414,645.00
(x) Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);	"Lillian Park Beach Habitat and Shoreline Protection". The purpose of this project is to improve the shoreline at Lillian Park; reduce the overall maintenance costs due to rapid sand and debris build up on the ramp; create a more stable and useable public beach; and, to protect adjacent properties from beach erosion.
(xi) Name of Federal awarding agency Name of pass-through entity, and contact information for awarding official of the pass-through entity;	Gulf Coast Ecosystem Restoration Council Alabama Department of Conservation and Natural Resources: ADCNR CONTACT: Commissioner Chris M. Blankenship 64 N. Union Street, Room 458, Montgomery, Alabama 36130 Phone: 251.621.1216
(xii) Assistance Listings Title and Number (CFDA Number and Name); the pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number (CFDA number) at time of disbursement;	Assistance Listings Title and Number: <u>CFDA # 21.015</u> Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States - total Federal Award issued to ADCNR, which is registered in SAM with the UEI: [REDACTED], is \$2,460,382.00.
(xiii) Identification of whether the Federal award is for research and development; and	This is not a R&D award.
(xiv) Indirect cost rate for the Federal award (including if the de minimis rate is used in accordance with §200.414	ADCNR charges all costs directly, therefore the indirect cost rate is 24.09% for the Federal award.