



**STATE OF NORTH CAROLINA
OFFICE OF STATE BUDGET AND MANAGEMENT**

BEVERLY EAVES PERDUE
GOVERNOR

ANDY WILLIS
STATE BUDGET DIRECTOR

November 16, 2012

MEMORANDUM

TO: Senator Phil Berger, President Pro-Tempore of the Senate
Representative Thom Tillis, Speaker of the House of Representatives

FROM: Andy Willis *AW*
State Budget Director

SUBJECT: Consultation on Expenditure of Grant Awards

Pursuant to Section 5.2 of Session Law 2011-0145 (House Bill 200), the Office of State Budget and Management is to report to the Joint Legislative Commission on Governmental Operations prior to expending funds received from grant awards. Funding is anticipated to be received and expended for grants included in the attached Notifications of Application for Grant Funds/Awards.

If you have any questions or concerns, please contact me by telephone 919-807-4717 or email to andy.willis@osbm.nc.gov.

Thank you.

AW\kl



Notification of Application for Grant Funds/Awards, 2012-13

Office of State Budget and Management, 116 West Jones Street, Raleigh, NC 27603-8005, 919-807-4700.
Instructions at http://www.osbm.state.nc.us/files/pdf_files/grants_inst.pdf

1	Department
2	Division (except in DHHS)
3	DHHS only, choose division from drop down list
4	Contact person (name)
5	Phone number
6	E-mail
7	Funding Entity (grantor)
8	CFDA number
9	Grant title
10	Grant application deadline (MM/DD/YY)
11	Start date of grant (MM/DD/YY)
12	End date of grant (MM/DD/YY)
13	Application type
14	Is this grant already in agency's continuation budget?
15	Budget code the grant will be expended in (XXXX)
16	Fund code (XXXX or NA)
17	Is there a state matching requirement?
18	If yes, what is the matching requirement?
19	If yes, what is the source of state funds being used to match grant funds?
20	Is there a maintenance of effort (MOE) requirement?
21	If yes, what is the MOE?
22	Is an additional General Fund appropriation required to meet the state match requirement?
23	Will any of these funds be passed through to local governments or non-state entities?
24	If yes, identify affected entities by type
25	Will additional state monies be required to continue the program if grant expires or is reduced?
26	If yes, is this a requirement of the grant?
27	Are new FTEs funded through the grant?
28	If yes, give the number by type for each year
29	Permanent
30	Time-Limited
31	Comments

Department of Commerce
Utilities Commission

Pat Jeler
(919) 733-0832
pieler@ncuc.net
US Department of Transportation (DOT)

20 72

State Damage Prevention Program

08/16/12

09/01/12

08/31/13

Continuation/renewal

No

54600

5217

No

No

No

No

No

No

For 2012-13

SFY 2011-12

Complete either Authorized or Proposed

Actual

Authorized

SFY 2012-13

Proposed

SFY 2013-14

Proposed

SFY 2014-15

Proposed

SFY 2015-16

Proposed

28 Amount of grants funds applied for in each year

29 Amount of grants funds awarded in each year

30 Purpose of grant or amendment

PLEASE NOTE: THE CFDA# FOR THIS GRANT IS 20.720. THE LINE 7 FIELD IS TRUNCATING THE NUMBER

Section 2 of the PIPES Act added a new State Damage Prevention Program Grant program to the Federal Pipeline Safety Law, codified at 49 USC #60134. The purpose of these grants is to establish comprehensive State programs designed to prevent damage to underground pipelines.



U.S. Department
of Transportation

Pipeline and Hazardous
Materials Safety Administration

1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

AUG 31 2012

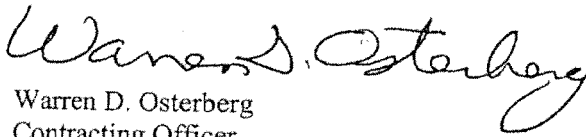
Mr. Christopher Isley
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699

Subject: Grant Agreement #DTPH56-12-G-PHPS22

Dear Mr. Isley:

Enclosed is one (1) executed copy of the above referenced Grant Agreement for your file.
If you have any questions or concerns regarding this matter, please do not hesitate to contact
Alicia Henderson at alicia.henderson@dot.gov.

Sincerely,


Warren D. Osterberg
Contracting Officer

Enclosure
Grant Agreement

GRANT AGREEMENT DTPH56-12-G-PHPS22

GRANT AGREEMENT

BETWEEN

North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699

AND

THE U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
1200 New Jersey Avenue, SE, E22-229
Washington, D.C. 20590-0001

CONCERNING

"2012 State Damage Prevention Program"

Agreement No.: DTPH56-12-G-PHPS22

Total Amount of the Grant Agreement: \$6,831.00

Government Funds Obligated: \$6,831.00

PHMSA Line of Appropriation:

5172311DA0/2012/PSGRT03020/50D0204000/41050 \$1,039 PR#: 956-12-0016

5172312DA0/2012/PSGRT03020/50D0204000/41050 \$5,792 PR#: 956-12-0016

Authority: This agreement is entered into between the United States of America, represented by the U.S. Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA), and the North Carolina Utilities Commission, pursuant to and under Section 2 (State Damage Prevention Programs) of the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (PIPES Act), Public Law 109-468 (December 29, 2006), codified at 49 U.S.C. §60134.

NORTH CAROLINA UTILITIES COMMISSION

Signature

E. S. Finley, Jr.

Name and Title

E. S. Finley, Jr.

Date

8-29-12

U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS
SAFETY ADMINISTRATION (PHMSA)

Signature

Warren D. Osterberg

Warren D. Osterberg
Contracting Officer

Date

8/31/12

Effective Date

9/1/12

Notification of Application for Grant Funds/Awards, 2012-13

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- 25 Will additional state monies be required to continue the program if grant expires or is reduced?
- 26 If yes, is this a requirement of the grant?
- 27 Are new FTEs funded through the grant?
- 28 If yes, give the number by type for each year: Permanent
- 29 Amount of grants funds applied for in each year: Time-Limited
- 30 Amount of grants funds awarded in each year
- 31 Purpose of grant or amendment
- 32 Comments

Department of Commerce	Community Development	Olivia Collier	919-733-2850	ocollier@nccommerce.com	Appalachian Regional Commission	23.011	Consolidated Technical Assistance Grant	05/08/12	10/01/12	09/29/13	Continuation/renewal	No	24600	2621	Yes	\$522,029 of cash, in-kind, or contributed services	In Kind	No	No	Yes	local govt AND private non-profit AND other state agency	No	No
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For 2012-13

SFY 2011-12

Complete either Authorized or Proposed

Authorized

Proposed

SFY 2013-14

Proposed

SFY 2014-15

Proposed

SFY 2015-16

Proposed

Actual

Authorized

Proposed

Proposed

Proposed

Proposed

Proposed

Time-Limited

\$514,635.00

\$514,635.00

This project underwrites direct technical assistance related to housing, telecommunications, and water and sewer issues.



**APPALACHIAN
REGIONAL
COMMISSION**

*A Proud Past,
A New Vision*

**Grant Agreement
Between
Appalachian Regional Commission
and
North Carolina Department of Commerce**

ARC Contract Number: NC-7780-C33

Project Title: Consolidated Technical Assistance Grant

Grantee: North Carolina Department of Commerce

4313 Mail Service Center
Raleigh, NC 27699

Grantee's EIN: 56-1611847

Project Director: Olivia Collier

Telephone Number: 919-733-2853

Grantee's Email: ocollier@nccommerce.com

ARC Project Coordinator:

Lauren Faber

Telephone: 202-884-7682

Fax: 202-884-7682

Email: lfaber@arc.gov

State Administration/Liaison Officer:

Olivia Collier

919-571-4965 x 222

ocollier@nccommerce.com

Part I - Special Provisions

1. Statement of Purpose - Incorporation of Proposal:

This agreement implements a grant made under the authorities of Section 302 of the Appalachian Regional Development Act of 1965 (ARDA), as amended, (40 USC 14321) to provide funding for technical assistance services and coordination efforts necessary to continue to implement the ARC program in the State of North Carolina. Direct technical assistance will be provided to the LDDs, local government and agencies, non-profit organizations, state and Federal agencies, the Alternate and the Governor. This project underwrites direct technical assistance related to housing, telecommunications, and water and sewer issues.

This project shall be carried out in general accord with Grantee's proposal, received at ARC on May 08, 2012. Grantee's proposal is incorporated by this reference as a supplement to Part I. To the extent the Articles of this grant agreement conflict with the incorporated proposal, the Articles shall control.

2. Order of Precedence:

This grant agreement is subject to the provisions of the ARDA, the ARC Code and Project Guidelines, the Special Provisions (Part I), the attached Grant Agreement: General Provisions (Part II), the attached Grant Administration Manual, and any incorporated Supplements. Any conflict among these provisions shall be resolved giving precedence to these authorities in the order in which they are listed above.

3. Reports.

A progress report for each 120-day period and a final report are required under this agreement (see Part II, Article 4).

4. Consideration and Method of Payment:

A. Total.

For the complete and satisfactory performance of this grant agreement, as determined by ARC, Grantee shall be paid by ARC a total sum not to exceed \$514,635 of actual, reasonable and eligible project costs. Grantee shall pay, or cause to be paid, the non-ARC share of \$522,029 in cash, contributed services, or in-kind contributions as approved by ARC.

B. Method.

Progress and advance payments not to exceed 90% of total ARC-approved funds are authorized under this agreement. Upon Grantee's satisfactory completion of the Agreement, Grantee shall receive the balance of funds which may be due under the Agreement (see Part II, Article 11).

1666 CONNECTICUT AVENUE, N.W., SUITE 700 WASHINGTON, DC 20009-1666 (202) 884-7700 FAX (202) 884-7691 www.arc.gov

Alabama
Georgia

Kentucky
Maryland

Mississippi
New York

North Carolina
Ohio

Pennsylvania
South Carolina

Tennessee
Virginia

West Virginia

5. **Budget:**

Costs will be determined in general accord with the budget submitted on May 08, 2012, which is hereby incorporated into this agreement as a supplement to Part I, subject to the terms of this Grant Agreement and to pertinent ARC Code Provisions.

6. **Period of Performance.**

The grant period of performance shall be October 01, 2012 through September 30, 2013.

Charles Howard-Jun 6 2012 2:20PM 6/6/2012 2:21:00 PM

Charles Howard
General Counsel

Date

Dale Carroll-Sep 21 2012 2:59PM

9/21/2012 2:59:00 PM

Dale Carroll
Deputy Secretary

Date