

**BROWNFIELDS
CLEANUP COOPERATIVE AGREEMENT WORK PLAN**

FOR
265 MIDLAND AVENUE
June 17, 2009

Submitted by
COMMUNITY VENTURES CORPORATION
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1.0 PROJECT OVERVIEW

- **Project Description**

Acquisition, environmental remediation and redevelopment of 265 Midland Avenue is one of the next steps in CVC's and its partners' overall strategy to revitalize the historic, inner city, primarily African American, East End Lexington, Kentucky neighborhood in which the property is located. Brownfields Clean-Up funds will be utilized to assess and address groundwater contamination at the site. CVC will redevelop the property into mixed-use commercial, retail and residential use. CVC is in the process of conducting a comprehensive needs assessment to determine the best use of the re-developed property. The clean-up and redevelopment of this project will assist in the elimination of hazardous conditions in the neighborhood; increase property values; stimulate business development and job creation in the area; and bring economic growth to this distressed neighborhood.

- **Project Team Structure and Responsibilities**

The Project Team consists of the following members.

Community Ventures Corporation (CVC)

CVC's staff team responsible for management of the Brownfield project includes:

Kevin Smith, President/CEO. Mr. Smith is the ultimate authority for the agency who is responsible for effective clean-up and re-development of the property at focus, as well as ensuring the agency's compliance with all relevant federal and state regulations, EPA Brownfield requirements, and local laws during mitigation and redevelopment activities. Mr. Smith has lead the organization as CEO for the past 15 years. He has extensive experience in neighborhood revitalization, community development, economic development, and affordable housing and commercial construction projects. He oversaw the clean-up and re-development of 560 E. Third Street, Lexington (did not include Brownfield funds) – the anchor project that has lead to neighborhood-wide revitalization efforts implemented by CVC, City of Lexington, Lexington Housing Authority (HOPE VI Project) and other entities. Mr. Smith directly supervises Kevin Jones, Donna Major and Maria Hendrichs, whose responsibilities are described below.

Kevin Jones, CFO. Mr. Jones is a CPA responsible for all fiscal management functions relative to the grant and project, including compliance with federal, state and other regulations. Mr. Jones has over 25 years experience in accounting, working as CFO, Controller and Senior Accountants for various corporations.

Donna Major, Senior Executive Vice President for Program Operations. Ms. Major is responsible for oversight of all microenterprise development, affordable housing development and real estate development projects CVC implements in each of its satellite service areas. She will ensure effective management of the proposed Brownfield project. She has over 25 years experience in fiscal management, human resources management, retail, community development and economic development activities. She directly supervises James Coles, whose responsibilities are outlined below.

James Coles, Executive Vice President for Lexington. Mr. Coles is responsible for management of all microenterprise development, housing development and real estate development CVC implements in its Lexington market (17 counties). He will be responsible for managing all programmatic functions for the proposed project. He has over 20 years experience in management, manufacturing, education and business development. Mr. Coles directly supervises Myron Agnew, whose responsibilities are outlined below.

Myron Agnew, Director of Property Development/Management. Mr. Agnew is responsible for overseeing all of CVC's residential and commercial real estate construction/rehabilitation projects. He also is responsible for ongoing maintenance of CVC-owned facilities. He will directly oversee the clean-up and development of the property targeted under the proposed Brownfield project. Mr. Agnew has over 25 years experience in commercial and residential construction management.

Maria Hendrichs, Executive Vice President for Program Development. Ms. Hendrichs is responsible for grants administration and contract management functions. She will ensure the agency remains in compliance with federal/program/grant requirements, and will facilitate required reporting processes. She will serve as liaison between CVC, the state Brownfield contact and the EPA Project Officer. She has nearly 15 years experience in grant writing, contract management, and program development.

Consultant. CVC will follow proper federally-mandated procurement procedures to contract with a qualified consultant who will perform environmental and project development functions, including the establishment and oversight of the clean-up plan. This consultant will demonstrate experience in implementing EPA Brownfield or similar federal programs. This consultant will assist CVC in completing required reporting and monitoring processes.

Lexington-Fayette Urban County Government Planning/Engineering Division. This agency will provide CVC with support and technical assistance throughout the planning and clean-up processes to ensure compliance with local laws, regulations and requirements. This agency will also assist in informing local neighborhoods and soliciting input for project planning, development and implementation from their residents.

Kentucky Brownfield Program - Division of Compliance Assistance. This agency will provide consultant and technical assistance

to CVC regarding state and federal regulations/laws/requirements throughout the plan development, clean-up and project completion processes. CVC will communicate with the State Brownfields Program contact (Amanda LeFevre, Kentucky Brownfield Program - Division of Compliance Assistance) on a regular basis to make them aware of CVC's plans, implementation progress and project completion. CVC will make the State aware of all site-specific assessment activities and will provide the State an opportunity to review and comment on all technical reports, including Quality Assurance Project Plans (QAPPs), sampling plans, Analysis of Brownfields Cleanup Alternatives (ABCAs), cleanup plans, and other technical reports.

EPA Brownfield Division. This agency will commit/disburse funds for clean-up processes, will monitor project compliance with federal regulations, and will review reports submitted by CVC to ensure project progress is made in a timely manner and that activities fall within the required scope of work and meet all federal requirements. This agency will also provide CVC with ongoing technical assistance throughout all phases of planning, implementation and close-out.

Legal counsel. CVC will follow proper procurement processes to contract with qualified legal agencies to perform legal review and consultation regarding contract execution and other legal documents involved in the implementation of the project.

Following execution of the cooperative agreement between CVC and EPA, Maria Hendrichs (contract manager) will facilitate an initial contract management meeting for all team members to review all requirements of the agreement, including communication, reporting, documentation, budgetary, etc. The project team (CVC staff, consultant, City of Lexington, and state Brownfield agency) will then meet weekly during planning and start-up processes. Internal staff will meet bi-weekly following start-up to ensure required timelines are met. CVC will make contact with the state Brownfield office monthly to keep them apprised of project status. CVC will abide by EPA imposed reporting requirements.

CVC will utilize its existing system to create and maintain cooperative agreement documents/files. CVC has a centralized, standardized document storage system which ensures all relevant staff has access to review, modification, and submission of documents as required. This system is set-up in such a way that ensures the utmost security; specific staff is given access rights according to their authorization to review, modify or submit files.

Financial management functions will be implemented according to CVC's established internal fiscal policies and procedures and in compliance with all relevant federal and state laws.

- **Kick-off Meeting**

Once the contractor has been selected, the project team, EPA and State partners will have an on-site project kick-off meeting.

This will serve to orient all the partners to project expectations. During this meeting, the team will review roles and responsibilities and project schedules to ensure that everyone has what they need from one another to execute their roles appropriately.

2.0 PROJECT TASK DESCRIPTIONS

TASK 1 PROJECT MANAGEMENT AND REPORTING

- A. Contractor Procurement:** CVC will procure a qualified contractor via proper procedures in accordance with 40 CFR Part 30 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-profit Organizations.
- B. Federal Grant Compliance:** CVC will require program staff to participate in on-line management assistance training to assure their preparedness for managing the EPA Brownfield cooperative agreement.
- C. Quarterly Reporting:** CVC will submit quarterly progress reports within 30 days after the end of each federal fiscal quarter, or by the deadlines mandated below:

<u>Performance Period</u>	<u>Report Due</u>
July – Sept	Oct 30
Oct – Dec	Jan 30
Jan – March	April 30
April – June	July 30

The quarterly reports will be completed in the format required by EPA and will be sent to the following email addresses:

1. EPA Region 4 (project officer)
2. EPA's Brownfields Data Manager (bf_forms@epa.gov)
3. State Brownfields Coordinator (obtain from your project officer)

- D. Disadvantaged Business Enterprise (DBE) Reporting (also known as Minority Business Enterprise/Women-owned Business Enterprise – MBE/WBE)**

CVC will comply with MBE/WBE practices to ensure disadvantaged business enterprises have equal opportunity under federal

grants/cooperative agreements. CVC will complete and submit the EPA Form 5700-52A to report MBE/WBE outreach and contracts semi-annually with the quarterly report due **October 30** and **April 30**. This report will be mailed to the following address:

EPA Region 4
Grants Management Office
61 Forsyth St. 14th Fl.
Atlanta, GA 30303
Attn: Keva Lloyd

- E. ACRES/Property Profile Form:** CVC (or its consultant or appropriate partners) will update the on-line Assessment Cleanup Redevelopment Exchange System (ACRES) database when the following occur:
- a. Within 30 days of the cooperative agreement award
 - b. Upon initiation of Cleanup
 - c. Upon receipt of “No Further Action” letter from the State
- F. Final Performance Report:** CVC will submit the Final Quarterly Report (as the Final Performance Report) to the EPA Project Officer within 90 calendar days after the expiration or termination of the award. The final report will contain the same information as in the Quarterly Progress Reports but will ensure that copies of all site documents covering the entire project period are provided to EPA, including photos of the cleanup site. In addition, the Final Performance Report will specifically address lessons learned during the project both by the CAR and contractor(s) in implementing the Brownfields cleanup, as well as successes achieved.

TASK 2 PUBLIC INVOLVEMENT

CVC will continue facilitating neighborhood meetings where residents will have the opportunity to comment on the revitalization of the East End section of the City of Lexington. These meetings will be advertised in local newspapers and publications circulated in the target area, as well as via social services agencies, public housing authority, other affordable housing programs, community centers, medical facilities, schools, universities, etc. CVC will also make presentations and hold discussions at regular neighborhood association meetings. These meetings will also ensure the public is kept informed of project progress and results.

CVC will designate a spokesperson responsible for community outreach, and will establish and maintain an Information Repository (IR) convenient to the project site for public review of information relevant to the project. CVC will also post information about the project on

its website and will include information in its quarterly newsletter which is distributed throughout its target communities. CVC will create and disseminate fact sheets among community residents at the beginning and close-out to inform them about the project's outcomes and community impact.

TASK 3 CLEANUP

A. Additional Site Characterization

CVC will perform additional site characterization as part of cleanup planning in order to fully understand the site work. More details will be provided in an updated Work Plan to follow.

B. Cleanup Planning Documents

CVC will establish a site cleanup plan or an Analysis of Brownfields Cleanup Alternatives (ABCA) or equivalent State-required document which will describe the findings of the assessment phases, and presents an evaluation of cleanup alternatives. This document will include:

- 1) Information about the site and contamination issues (i.e. exposure pathways, identification of contaminants, contaminant levels and contaminant sources, source volume or other estimates as needed to compare relative costs between remedies);
- 2) Identification of the contaminants of concern.
- 3) A summary of Cleanup / protectiveness standards, applicable laws and regulations.
- 4) A description of the remedial alternatives considered.
- 5) Assessment of the effectiveness, implementability, and the cost of each alternative. As part of the evaluation of effectiveness, discuss whether/how each alternative would achieve cleanup / protectiveness standards and would comply with applicable laws and regulations.
- 6) A comparative analysis of the alternatives considered.
- 7) A selected or proposed alternative.

C. Endangered Species Act (ESA) and National Historic Preservation Act (NHPA) and Clean Water Act Section 404

CVC will work with the State Clearinghouse to provide EPA with information on the location of the project; any threatened or endangered species or habitat which may be affected by the project; whether the site is considered to be of concern by the State Historic Preservation officer; and, a list of Tribes who may believe the site or project could disturb cultural resources. CVC will also identify if there are any waters subject to Clean Water Act Section 404 that may be affected by the project.

D. Quality Assurance Project Plans (QAPPs)

CVC will prepare and submit a site specific Quality Assurance Project Plan to EPA and the State for review and approval at least 21 days prior to performance of any sampling

Health & Safety Plans: CVC will prepare and follow an OSHA-compliant Health and Safety Plan, and place a copy in the Cooperative Agreement file. CVC will submit this plan to EPA and the State for the project file.

3.0 WORKPLAN / REPORTING TEMPLATE (Attachment 1)

See attached for a Workplan/Reporting Template

4.0 DETAILED PROJECT SCHEDULE (Attachment 2)

Attachment 2: Detailed Project Schedule

Time from Notice of Selection	Actions
Grant Commitment and Planning Phase	
0 month	Notice of Selection, Conference Call held May, 2009
3 weeks	Grant Application Submitted with Draft Work Plan and detailed schedule CAR Internal Grants Management Team is in place with set roles
2-3 months	EPA executes grant award
2-3---> months	EPA works with CAR to finalize draft workplan (by 30 days after grant award date)
July 20 – 22, 2009	New Grantee Workshop in Asheville, NC www.ashevillerenaissance.com Group code: MCCMCCA

	Time from Grant Award	Actions
Getting Contractor on Board		
Planning	0 months	Grant award
	<---1 month	Workplan revisions beginning before grant award is final within 30 days after grant award date
	0 - 2	Request for Proposal (RFP) for contractor procurement is prepared
	3 months	Consultant contract executed and Contractor on-board / First Meeting with Community Advisory Board (CAB) (therein set meeting schedule amenable to CAB)/ Kick-off meeting held with Grantee, Contractor, EPA, State
	4 months	Quarterly Report 1 is due October 30, 2009 (30 days after 1 st quarter ends) Reimbursement Request Submitted; Disadvantaged Business Enterprise (DBE) due with October quarterly report
Grant Specific Schedule		
Year 1	November 16 – 18, 2009	National Brownfields Conference, New Orleans, LA www.Brownfields2009.org
	4 - 8 months	Completion and Public Notice of the ABCA.
	4 – 8 months	ACRES forms are completed within 30 days of site ID or grant execution
	7 months	Quarterly Report 2 is due January 30, 2010 (30 days after 2 nd quarter ends) Reimbursement Request Submitted/
	7 – 8 months	Develop ABCA
	7 – 8 months	Develop QAPP and submit to EPA/State for approval (EPA/State review 3 weeks)
	10 months	Quarterly Report 3 is due April 30, 2010 (30 days after 3 rd quarter ends) Reimbursement Request Submitted; Disadvantaged Business Enterprise (DBE) due with April quarterly report
	13 months	Quarterly Report 4 is due July 30, 2010 (30 days after 4 th quarter ends) Reimbursement Request Submitted
Year 2	12 months	Initiate Cleanup
	16 months	Quarterly Report 5 is due October 30, 2010 (30 days after 5 th quarter ends) Reimbursement Request Submitted/ Disadvantaged Business Enterprise (DBE) due with October quarterly report
	18 - 22 months	Make sure all work has been entered in ACRES so that credit is given for all of grantee's accomplishments
	18 months	Half of 3 year grant is complete; check-in with EPA/State for any modifications to workplan budget or scope of work
	19 months	Quarterly Report 6 is due January 30, 2011(30 days after 6 th quarter ends)

	22 months	Quarterly Report 7 is due April 30, 2011(30 days after 7 th quarter ends) Reimbursement Request Submitted
	25 months	Quarterly Report 8 is due July 30, 2011 (30 days after 8 th quarter ends) Reimbursement Request Submitted
Year 3	28 months	Quarterly Report 9 is due October 30, 2011 (30 days after 9 th quarter ends) Reimbursement Request Submitted/ Disadvantaged Business Enterprise (DBE) due with October quarterly report
	28 months	Make sure all work has been entered in ACRES so that credit is given for all of grantee's accomplishments
	30 months	6 months remain on the grant; Start winding down activities in preparation for grant closing;
	31 months	Quarterly Report 10 is due January 30, 2012(30 days after 10 th quarter ends) Reimbursement Request Submitted
	34 months	Quarterly Report 11 is due April 30, 2012 (30 days after 11 th quarter ends) Reimbursement Request Submitted/ Disadvantaged Business Enterprise (DBE) due with April quarterly report
	35 month	Reconcile accounts; collect remaining invoices for submission; gather deliverables for final close-out report
	36 months	Grant closes; no further costs can be incurred after final date
	37 months	Quarterly Report 12 is due July 30, 2012 (30 days after 12 th quarter ends); may serve as Final Close-out Report if all project documentation is complete and ready.
	37 – 39 months	Submit final request for reimbursement with Final FSR (Standard Form 269) All Close- out documentation and final deliverables due w/in 90 days after grant end date.