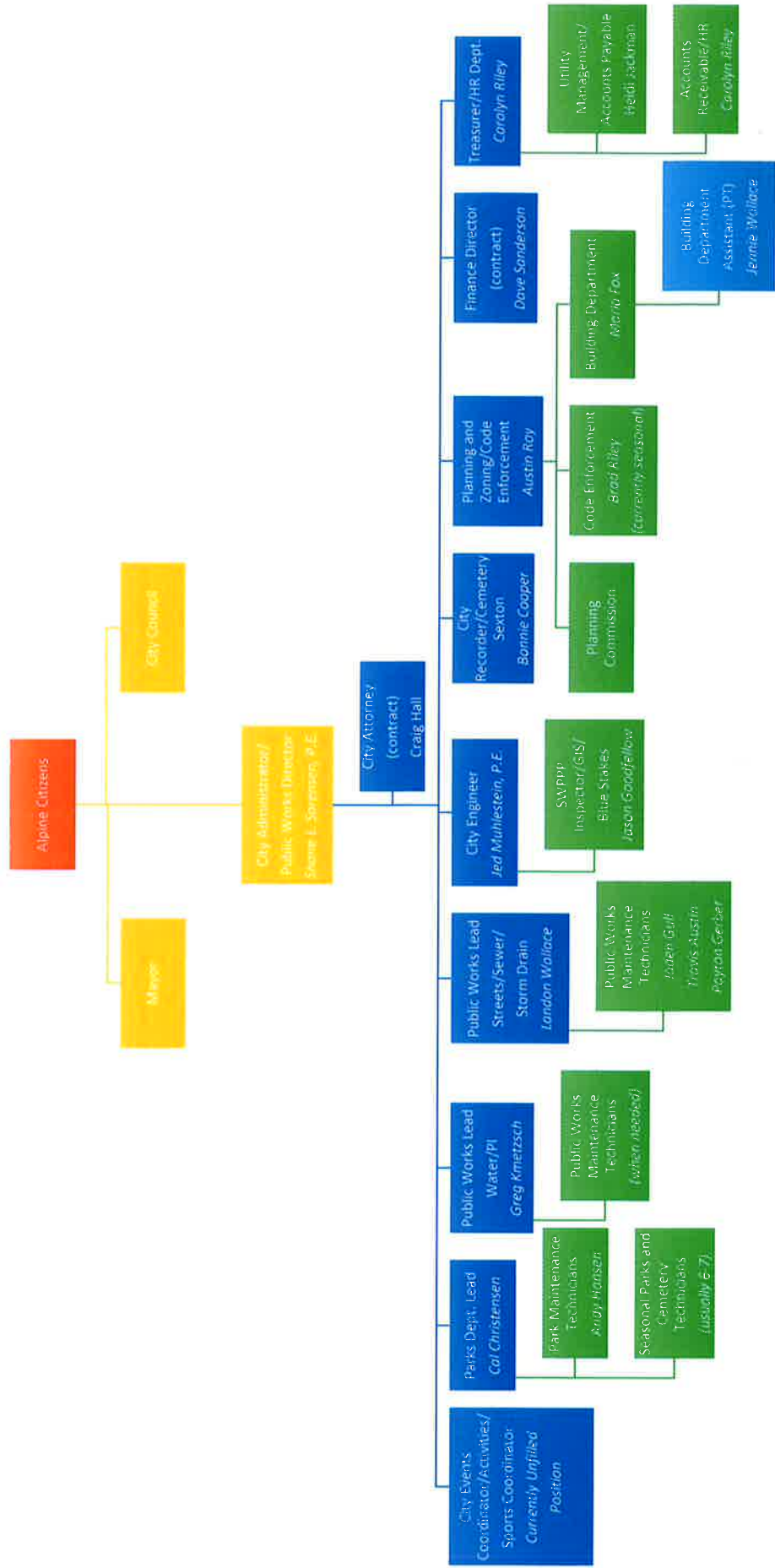


City Council Retreat Agenda

1. Organization Chart: An overview will be presented on the organization chart of the City.
2. Conservation Easement Executive Order to Create a Temporary Committee: Mayor Merrill is planning to create a temporary committee to look at options to protect Lambert Park. The committee would include elected and appointed officials, citizens, staff and a legal advisor.
3. ARPA Funds: Discussion on how to spend \$1,242,445 of ARPA funds that have been allocated to Alpine City. The City received half of the funds in 2021 and anticipate receiving the other half in 2022. The City has through December 31, 2024, to spend the funds. Funds can be used for the following:
 - a. Replace lost public sector revenue.
 - b. Support the COVID-19 public health and economic response.
 - c. Provide premium pay for eligible workers performing essential work.
 - d. Invest in water, sewer, and broadband infrastructure.
4. Lambert Park Improvements – discuss the implementation of the Lambert Park Master Plan and other potential improvements including the following:
 - a. Lambert Park Master Plan
 - b. Bowery Improvements
 - c. Concept for Turnaround on Box Elder Way
5. Cemetery Expansion: Based on a recent approval of the Cemetery Concept and Phasing plan, we are moving forward with detailed plans for phase 1. A preliminary cost estimate will be presented. Additional options for expanding cemetery capacity will also be presented.
6. Peterson Park: The City and some council members have received inquiries from residents about improvements to Peterson Park. Different master plans have been prepared several years ago, but none of them have been implemented. This discussion will focus on the future of Peterson Park.
7. Fire Station: The City has started the process of planning for an addition/remodel of the fire station. Babcock Design was recently hired to perform a concept feasibility study. The feasibility study has been provided, including a preliminary cost estimate. The discussion will focus on the direction we are going and how the project could be funded.
8. Fiber Optics Installation: The City has had very preliminary discussions on installing a fiber optic network throughout the City. Cedar Hills has moved forward on a similar project. The RFP used by Cedar Hills will be reviewed.
9. Burgess Park Pavilion: Money was included in the FY2022 budget for improvement of the Lower Burgess Park Pavilion. Several ideas have been presented. The discussion will focus on how to move forward.
10. Pickleball Courts: The City had previously planned to construct four pickle ball courts and other improvements at Healey Park. After the approval, some citizens voiced concerns over the proposal. Staff has been in a holding pattern on how to move forward. This discussion will focus on options for adding additional pickle ball courts into the City's park system.

Alpine City Organizational Chart 2021



Draft January 10, 2022

Alpine City
Executive Order 2022-01

Establishment of Temporary Committee to Study and Issue a Report Regarding Feasibility of
Implementing a Conservation Easement and Management Plan

Pursuant to the authority given to me as the duly elected mayor of Alpine City, I hereby issue and execute this executive order regarding Lambert Park.

Background: Alpine City owns approximately 250 acres of open space known as Lambert Park. This property provides outdoor recreation opportunities for residents and outdoor enthusiasts to enjoy hiking, walking, mountain biking, horseback riding and other similar activities while enjoying the incredible vistas of Utah County. Some concerns have been expressed to the City's elected officials regarding the long-term viability of such resources with the increasing development pressure the city and the surrounding area are experiencing.

Purpose: The purpose of this committee is to explore the various options to ensure that this outdoor recreation amenity is protected for generations to come. Additionally, the committee shall submit a written report to the mayor and city council containing its findings and recommendations for the future of Lambert Park.

Composition: The composition of the committee is as follows:

- 2 present city council members
- 2 sitting members of the Alpine Planning Commission
- 2 citizens of Alpine City
- 1 City staff

An additional individual shall serve as legal advisor to the committee.

Questions to be considered:

1. What is the best method or process to protect Lambert Park as an "open space" amenity for the citizens of Alpine City?
2. If a conservation easement ("CE") is determined by the committee to be the best option for protecting this property, what should be the scope of the easement?
Factors such as the following should be considered:
 - a. Length of time of existence of the CE
 - b. Should there be a periodic time for re-examination of the easement
 - c. What should the management plan contain?
 - d. Should the management plan also be re-examined periodically?
3. (Other questions?)

Public input: All meetings of the committee shall comply with the requirement of the Open & Public Meetings Act as set forth in the Utah Code. The committee is encouraged to engage the public in its discussions.

Deadline for submitting the report: July 1, 2022. At the committee's discretion, interim reports may be prepared.

Issued this ____ day of January 2022.

Alpine City

Carla Merrill
Mayor



Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule

U.S. DEPARTMENT OF THE TREASURY

January 2022



The Overview of the Final Rule provides a summary of major provisions of the final rule for informational purposes and is intended as a brief, simplified user guide to the final rule provisions.

The descriptions provided in this document summarize key provisions of the final rule but are non-exhaustive, do not describe all terms and conditions associated with the use of SLFRF, and do not describe all requirements that may apply to this funding. Any SLFRF funds received are also subject to the terms and conditions of the agreement entered into by Treasury and the respective jurisdiction, which incorporate the provisions of the final rule and the guidance that implements this program.



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Introduction

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF), a part of the American Rescue Plan, delivers \$350 billion to state, local, and Tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency. The program ensures that governments have the resources needed to:

- Fight the pandemic and support families and businesses struggling with its public health and economic impacts,
- Maintain vital public services, even amid declines in revenue, and
- Build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity.

EARLY PROGRAM IMPLEMENTATION

In May 2021, Treasury published the Interim final rule (IFR) describing eligible and ineligible uses of funds (as well as other program provisions), sought feedback from the public on these program rules, and began to distribute funds. The IFR went immediately into effect in May, and since then, governments have used SLFRF funds to meet their immediate pandemic response needs and begin building a strong and equitable recovery, such as through providing vaccine incentives, development of affordable housing, and construction of infrastructure to deliver safe and reliable water.

As governments began to deploy this funding in their communities, Treasury carefully considered the feedback provided through its public comment process and other forums. Treasury received over 1,500 comments, participated in hundreds of meetings, and received correspondence from a wide range of governments and other stakeholders.

KEY CHANGES AND CLARIFICATIONS IN THE FINAL RULE

The final rule delivers broader flexibility and greater simplicity in the program, responsive to feedback in the comment process. Among other clarifications and changes, the final rule provides the features below.

Replacing Lost Public Sector Revenue

The final rule offers a standard allowance for revenue loss of \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount – in many cases their full award – for government services, with streamlined reporting requirements.

Public Health and Economic Impacts

In addition to programs and services, the final rule clarifies that recipients can use funds for capital expenditures that support an eligible COVID-19 public health or economic response. For example, recipients may build certain affordable housing, childcare facilities, schools, hospitals, and other projects consistent with final rule requirements.



In addition, the final rule provides an expanded set of households and communities that are presumed to be “impacted” and “disproportionately impacted” by the pandemic, thereby allowing recipients to provide responses to a broad set of households and entities without requiring additional analysis. Further, the final rule provides a broader set of uses available for these communities as part of COVID-19 public health and economic response, including making affordable housing, childcare, early learning, and services to address learning loss during the pandemic eligible in all impacted communities and making certain community development and neighborhood revitalization activities eligible for disproportionately impacted communities.

Further, the final rule allows for a broader set of uses to restore and support government employment, including hiring above a recipient’s pre-pandemic baseline, providing funds to employees that experienced pay cuts or furloughs, avoiding layoffs, and providing retention incentives.

Premium Pay

The final rule delivers more streamlined options to provide premium pay, by broadening the share of eligible workers who can receive premium pay without a written justification while maintaining a focus on lower-income and frontline workers performing essential work.

Water, Sewer & Broadband Infrastructure

The final rule significantly broadens eligible broadband infrastructure investments to address challenges with broadband access, affordability, and reliability, and adds additional eligible water and sewer infrastructure investments, including a broader range of lead remediation and stormwater management projects.

FINAL RULE EFFECTIVE DATE

The final rule takes effect on April 1, 2022. Until that time, the interim final rule remains in effect; funds used consistently with the IFR while it is in effect are in compliance with the SLFRF program.

However, recipients can choose to take advantage of the final rule’s flexibilities and simplifications now, even ahead of the effective date. Treasury will not take action to enforce the interim final rule to the extent that a use of funds is consistent with the terms of the final rule, regardless of when the SLFRF funds were used. Recipients may consult the *Statement Regarding Compliance with the Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule and Final Rule*, which can be found on Treasury’s website, for more information on compliance with the interim final rule and the final rule.



Overview of the Program

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program provides substantial flexibility for each jurisdiction to meet local needs within the four separate eligible use categories. This Overview of the Final Rule addresses the four eligible use categories ordered from the broadest and most flexible to the most specific.

Recipients may use SLFRF funds to:

- **Replace lost public sector revenue**, using this funding to provide government services up to the amount of revenue loss due to the pandemic.
 - Recipients may determine their revenue loss by choosing between two options:
 - A standard allowance of up to \$10 million in aggregate, not to exceed their award amount, during the program;
 - Calculating their jurisdiction’s specific revenue loss each year using Treasury’s formula, which compares actual revenue to a counterfactual trend.
 - Recipients may use funds up to the amount of revenue loss for government services; generally, services traditionally provided by recipient governments are government services, unless Treasury has stated otherwise.
- **Support the COVID-19 public health and economic response** by addressing COVID-19 and its impact on public health as well as addressing economic harms to households, small businesses, nonprofits, impacted industries, and the public sector.
 - Recipients can use funds for programs, services, or capital expenditures that respond to the public health and negative economic impacts of the pandemic.
 - To provide simple and clear eligible uses of funds, Treasury provides a list of enumerated uses that recipients can provide to households, populations, or classes (i.e., groups) that experienced pandemic impacts.
 - Public health eligible uses include COVID-19 mitigation and prevention, medical expenses, behavioral healthcare, and preventing and responding to violence.
 - Eligible uses to respond to negative economic impacts are organized by the type of beneficiary: assistance to households, small businesses, and nonprofits.
 - Each category includes assistance for “impacted” and “disproportionately impacted” classes: impacted classes experienced the general, broad-based impacts of the pandemic, while disproportionately impacted classes faced meaningfully more severe impacts, often due to preexisting disparities.
 - To simplify administration, the final rule presumes that some populations and groups were impacted or disproportionately impacted and are eligible for responsive services.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



- Eligible uses for assistance to impacted households include aid for re-employment, job training, food, rent, mortgages, utilities, affordable housing development, childcare, early education, addressing learning loss, and many more uses.
- Eligible uses for assistance to impacted small businesses or nonprofits include loans or grants to mitigate financial hardship, technical assistance for small businesses, and many more uses.
- Recipients can also provide assistance to impacted industries like travel, tourism, and hospitality that faced substantial pandemic impacts, or address impacts to the public sector, for example by re-hiring public sector workers cut during the crisis.
- Recipients providing funds for enumerated uses to populations and groups that Treasury has presumed eligible are clearly operating consistently with the final rule. Recipients can also identify (1) other populations or groups, beyond those presumed eligible, that experienced pandemic impacts or disproportionate impacts and (2) other programs, services, or capital expenditures, beyond those enumerated, to respond to those impacts.
- **Provide premium pay for eligible workers performing essential work**, offering additional support to those who have and will bear the greatest health risks because of their service in critical sectors.
 - Recipients may provide premium pay to eligible workers – generally those working in-person in key economic sectors – who are below a wage threshold or non-exempt from the Fair Labor Standards Act overtime provisions, or if the recipient submits justification that the premium pay is responsive to workers performing essential work.
- **Invest in water, sewer, and broadband infrastructure**, making necessary investments to improve access to clean drinking water, to support vital wastewater and stormwater infrastructure, and to expand affordable access to broadband internet.
 - Recipients may fund a broad range of water and sewer projects, including those eligible under the EPA’s Clean Water State Revolving Fund, EPA’s Drinking Water State Revolving Fund, and certain additional projects, including a wide set of lead remediation, stormwater infrastructure, and aid for private wells and septic units.
 - Recipients may fund high-speed broadband infrastructure in areas of need that the recipient identifies, such as areas without access to adequate speeds, affordable options, or where connections are inconsistent or unreliable; completed projects must participate in a low-income subsidy program.

While recipients have considerable flexibility to use funds to address the diverse needs of their communities, some restrictions on use apply across all eligible use categories. These include:

- **For states and territories:** No offsets of a reduction in net tax revenue resulting from a change in state or territory law.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



- **For all recipients except for Tribal governments:** No extraordinary contributions to a pension fund for the purpose of reducing an accrued, unfunded liability.
- **For all recipients:** No payments for debt service and replenishments of rainy day funds; no satisfaction of settlements and judgments; no uses that contravene or violate the American Rescue Plan Act, Uniform Guidance conflicts of interest requirements, and other federal, state, and local laws and regulations.

Under the SLFRF program, funds must be used for costs incurred on or after March 3, 2021. Further, funds must be obligated by December 31, 2024, and expended by December 31, 2026. This time period, during which recipients can expend SLFRF funds, is the “period of performance.”

In addition to SLFRF, the American Rescue Plan includes other sources of funding for state and local governments, including the [Coronavirus Capital Projects Fund](#) to fund critical capital investments including broadband infrastructure; the [Homeowner Assistance Fund](#) to provide relief for our country’s most vulnerable homeowners; the [Emergency Rental Assistance Program](#) to assist households that are unable to pay rent or utilities; and the [State Small Business Credit Initiative](#) to fund small business credit expansion initiatives. Eligible recipients are encouraged to visit the Treasury website for more information.



Replacing Lost Public Sector Revenue

The Coronavirus State and Local Fiscal Recovery Funds provide needed fiscal relief for recipients that have experienced revenue loss due to the onset of the COVID-19 public health emergency. Specifically, SLFRF funding may be used to pay for “government services” in an amount equal to the revenue loss experienced by the recipient due to the COVID-19 public health emergency.

Government services generally include any service traditionally provided by a government, including construction of roads and other infrastructure, provision of public safety and other services, and health and educational services. Funds spent under government services are subject to streamlined reporting and compliance requirements.

In order to use funds under government services, recipients should first determine revenue loss. They may, then, spend up to that amount on general government services.

DETERMINING REVENUE LOSS

Recipients have two options for how to determine their amount of revenue loss. Recipients must choose one of the two options and cannot switch between these approaches after an election is made.

1. Recipients may elect a “standard allowance” of \$10 million to spend on government services through the period of performance.

Under this option, which is newly offered in the final rule Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss, particularly for SLFRF’s smallest recipients.

All recipients may elect to use this standard allowance instead of calculating lost revenue using the formula below, including those with total allocations of \$10 million or less. Electing the standard allowance does not increase or decrease a recipient’s total allocation.

2. Recipients may calculate their actual revenue loss according to the formula articulated in the final rule.

Under this option, recipients calculate revenue loss at four distinct points in time, either at the end of each calendar year (e.g., December 31 for years 2020, 2021, 2022, and 2023) or the end of each fiscal year of the recipient. Under the flexibility provided in the final rule, recipients can choose whether to use calendar or fiscal year dates but must be consistent throughout the period of performance. Treasury has also provided several adjustments to the definition of general revenue in the final rule.

To calculate revenue loss at each of these dates, recipients must follow a four-step process:



- a. Calculate revenues collected in the most recent full fiscal year prior to the public health emergency (i.e., last full fiscal year before January 27, 2020), called the *base year revenue*.
- b. Estimate *counterfactual revenue*, which is equal to the following formula, where n is the number of months elapsed since the end of the base year to the calculation date:

$$\text{base year revenue} \times (1 + \text{growth adjustment})^{\frac{n}{12}}$$

The *growth adjustment* is the greater of either a standard growth rate—5.2 percent—or the recipient’s average annual revenue growth in the last full three fiscal years prior to the COVID-19 public health emergency.

- c. Identify *actual revenue*, which equals revenues collected over the twelve months immediately preceding the calculation date.

Under the final rule, recipients must adjust actual revenue totals for the effect of tax cuts and tax increases that are adopted after the date of adoption of the final rule (January 6, 2022). Specifically, the estimated fiscal impact of tax cuts and tax increases adopted after January 6, 2022, must be added or subtracted to the calculation of actual revenue for purposes of calculation dates that occur on or after April 1, 2022.

Recipients may subtract from their calculation of actual revenue the effect of tax increases enacted prior to the adoption of the final rule. Note that recipients that elect to remove the effect of tax increases enacted before the adoption of the final rule must also remove the effect of tax decreases enacted before the adoption of the final rule, such that they are accurately removing the effect of tax policy changes on revenue.

- d. Revenue loss for the calculation date is equal to *counterfactual revenue* minus *actual revenue* (adjusted for tax changes) for the twelve-month period. If actual revenue exceeds counterfactual revenue, the loss is set to zero for that twelve-month period. Revenue loss for the period of performance is the sum of the revenue loss on for each calculation date.

The supplementary information in the final rule provides an example of this calculation, which recipients may find helpful, in the Revenue Loss section.



SPENDING ON GOVERNMENT SERVICES

Recipients can use SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the above approach. **Government services generally include *any service traditionally provided by a government***, unless Treasury has stated otherwise. Here are some common examples, although this list is not exhaustive:

- ✓ Construction of schools and hospitals
- ✓ Road building and maintenance, and other infrastructure
- ✓ Health services
- ✓ General government administration, staff, and administrative facilities
- ✓ Environmental remediation
- ✓ Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)

Government services is the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements. Recipients should be mindful that certain restrictions, which are detailed further in the Restrictions on Use section and apply to all uses of funds, apply to government services as well.



Responding to Public Health and Economic Impacts of COVID-19

The Coronavirus State and Local Fiscal Recovery Funds provide resources for governments to meet the public health and economic needs of those impacted by the pandemic in their communities, as well as address longstanding health and economic disparities, which amplified the impact of the pandemic in disproportionately impacted communities, resulting in more severe pandemic impacts.

The eligible use category to respond to public health and negative economic impacts is organized around the types of assistance a recipient may provide and includes several sub-categories:

- public health,
- assistance to households,
- assistance to small businesses,
- assistance to nonprofits,
- aid to impacted industries, and
- public sector capacity.

In general, to identify eligible uses of funds in this category, recipients should (1) identify a COVID-19 public health or economic impact on an individual or class (i.e., a group) and (2) design a program that responds to that impact. Responses should be related and reasonably proportional to the harm identified and reasonably designed to benefit those impacted.

To provide simple, clear eligible uses of funds that meet this standard, Treasury provides a non-exhaustive list of enumerated uses that respond to pandemic impacts. Treasury also presumes that some populations experienced pandemic impacts and are eligible for responsive services. In other words, recipients providing enumerated uses of funds to populations presumed eligible are clearly operating consistently with the final rule.¹

Recipients also have broad flexibility to (1) identify and respond to other pandemic impacts and (2) serve other populations that experienced pandemic impacts, beyond the enumerated uses and presumed eligible populations. Recipients can also identify groups or “classes” of beneficiaries that experienced pandemic impacts and provide services to those classes.

¹ However, please note that use of funds for enumerated uses may not be grossly disproportionate to the harm. Further, recipients should consult the Capital Expenditures section for more information about pursuing a capital expenditure; please note that enumerated capital expenditures are not presumed to be reasonably proportional responses to an identified harm except as provided in the Capital Expenditures section.



Step	1. Identify COVID-19 public health or economic impact	2. Design a response that addresses or responds to the impact
Analysis	<ul style="list-style-type: none"> • Can identify impact to a specific household, business or nonprofit or to a class of households, businesses, or nonprofits (i.e., group) • Can also identify disproportionate impacts, or more severe impacts, to a specific beneficiary or to a class 	<ul style="list-style-type: none"> • Types of responses can include a program, service, or capital expenditure • Response should be related and reasonably proportional to the harm • Response should also be reasonably designed to benefit impacted individual or class
Simplifying Presumptions	<ul style="list-style-type: none"> • Final Rule presumes certain populations and classes are impacted and disproportionately impacted 	<ul style="list-style-type: none"> • Final Rule provides non-exhaustive list of enumerated eligible uses that respond to pandemic impacts and disproportionate impacts

To assess eligibility of uses of funds, recipients should first determine the sub-category where their use of funds may fit (e.g., public health, assistance to households, assistance to small businesses), based on the entity that experienced the health or economic impact.² Then, recipients should refer to the relevant section for more details on each sub-category.

While the same overall eligibility standard applies to all uses of funds to respond to the public health and negative economic impacts of the pandemic, each sub-category has specific nuances on its application. In addition:

- Recipients interested in using funds for capital expenditures (i.e., investments in property, facilities, or equipment) should review the Capital Expenditures section in addition to the eligible use sub-category.
- Recipients interested in other uses of funds, beyond the enumerated uses, should refer to the section on “Framework for Eligible Uses Beyond Those Enumerated.”

² For example, a recipient interested in providing aid to unemployed individuals is addressing a negative economic impact experienced by a household and should refer to the section on assistance to households. Recipients should also be aware of the difference between “beneficiaries” and “sub-recipients.” Beneficiaries are households, small businesses, or nonprofits that can receive assistance based on impacts of the pandemic that they experienced. On the other hand, sub-recipients are organizations that carry out eligible uses on behalf of a government, often through grants or contracts. Sub-recipients do not need to have experienced a negative economic impact of the pandemic; rather, they are providing services to beneficiaries that experienced an impact.



RESPONDING TO THE PUBLIC HEALTH EMERGENCY

While the country has made tremendous progress in the fight against COVID-19, including a historic vaccination campaign, the disease still poses a grave threat to Americans' health and the economy. Providing state, local, and Tribal governments the resources needed to fight the COVID-19 pandemic is a core goal of the Coronavirus State and Local Fiscal Recovery Funds, as well as addressing the other ways that the pandemic has impacted public health. Treasury has identified several public health impacts of the pandemic and enumerated uses of funds to respond to impacted populations.

- **COVID-19 mitigation and prevention.** The pandemic has broadly impacted Americans and recipients can provide services to prevent and mitigate COVID-19 to the general public or to small businesses, nonprofits, and impacted industries in general. Enumerated eligible uses include:
 - ✓ Vaccination programs, including vaccine incentives and vaccine sites
 - ✓ Testing programs, equipment and sites
 - ✓ Monitoring, contact tracing & public health surveillance (e.g., monitoring for variants)
 - ✓ Public communication efforts
 - ✓ Public health data systems
 - ✓ COVID-19 prevention and treatment equipment, such as ventilators and ambulances
 - ✓ Medical and PPE/protective supplies
 - ✓ Support for isolation or quarantine
 - ✓ Ventilation system installation and improvement
 - ✓ Technical assistance on mitigation of COVID-19 threats to public health and safety
 - ✓ Transportation to reach vaccination or testing sites, or other prevention and mitigation services for vulnerable populations
 - ✓ Support for prevention, mitigation, or other services in congregate living facilities, public facilities, and schools
 - ✓ Support for prevention and mitigation strategies in small businesses, nonprofits, and impacted industries
 - ✓ Medical facilities generally dedicated to COVID-19 treatment and mitigation (e.g., ICUs, emergency rooms)
 - ✓ Temporary medical facilities and other measures to increase COVID-19 treatment capacity
 - ✓ Emergency operations centers & emergency response equipment (e.g., emergency response radio systems)
 - ✓ Public telemedicine capabilities for COVID-19 related treatment



- **Medical expenses.** Funds may be used for expenses to households, medical providers, or others that incurred medical costs due to the pandemic, including:
 - ✓ Unreimbursed expenses for medical care for COVID-19 testing or treatment, such as uncompensated care costs for medical providers or out-of-pocket costs for individuals
 - ✓ Paid family and medical leave for public employees to enable compliance with COVID-19 public health precautions
 - ✓ Emergency medical response expenses
 - ✓ Treatment of long-term symptoms or effects of COVID-19

- **Behavioral health care, such as mental health treatment, substance use treatment, and other behavioral health services.** Treasury recognizes that the pandemic has broadly impacted Americans' behavioral health and recipients can provide these services to the general public to respond. Enumerated eligible uses include:
 - ✓ Prevention, outpatient treatment, inpatient treatment, crisis care, diversion programs, outreach to individuals not yet engaged in treatment, harm reduction & long-term recovery support
 - ✓ Enhanced behavioral health services in schools
 - ✓ Services for pregnant women or infants born with neonatal abstinence syndrome
 - ✓ Support for equitable access to reduce disparities in access to high-quality treatment
 - ✓ Peer support groups, costs for residence in supportive housing or recovery housing, and the 988 National Suicide Prevention Lifeline or other hotline services
 - ✓ Expansion of access to evidence-based services for opioid use disorder prevention, treatment, harm reduction, and recovery
 - ✓ Behavioral health facilities & equipment

- **Preventing and responding to violence.** Recognizing that violence – and especially gun violence – has increased in some communities due to the pandemic, recipients may use funds to respond in these communities through:
 - ✓ Referrals to trauma recovery services for victims of crime
 - ✓ Community violence intervention programs, including:
 - Evidence-based practices like focused deterrence, with wraparound services such as behavioral therapy, trauma recovery, job training, education, housing and relocation services, and financial assistance
 - ✓ In communities experiencing increased gun violence due to the pandemic:
 - Law enforcement officers focused on advancing community policing
 - Enforcement efforts to reduce gun violence, including prosecution
 - Technology & equipment to support law enforcement response



RESPONDING TO NEGATIVE ECONOMIC IMPACTS

The pandemic caused severe economic damage and, while the economy is on track to a strong recovery, much work remains to continue building a robust, resilient, and equitable economy in the wake of the crisis and to ensure that the benefits of this recovery reach all Americans. While the pandemic impacted millions of American households and businesses, some of its most severe impacts fell on low-income and underserved communities, where pre-existing disparities amplified the impact of the pandemic and where the most work remains to reach a full recovery.

The final rule recognizes that the pandemic caused broad-based impacts that affected many communities, households, and small businesses across the country; for example, many workers faced unemployment and many small businesses saw declines in revenue. The final rule describes these as “impacted” households, communities, small businesses, and nonprofits.

At the same time, the pandemic caused disproportionate impacts, or more severe impacts, in certain communities. For example, low-income and underserved communities have faced more severe health and economic outcomes like higher rates of COVID-19 mortality and unemployment, often because pre-existing disparities exacerbated the impact of the pandemic. The final rule describes these as “disproportionately impacted” households, communities, small businesses, and nonprofits.

To simplify administration of the program, the final rule presumes that certain populations were “impacted” and “disproportionately impacted” by the pandemic; these populations are presumed to be eligible for services that respond to the impact they experienced. The final rule also enumerates a non-exhaustive list of eligible uses that are recognized as responsive to the impacts or disproportionate impacts of COVID-19. Recipients providing enumerated uses to populations presumed eligible are clearly operating consistently with the final rule.

As discussed further in the section Framework for Eligible Uses Beyond Those Enumerated, recipients can also identify other pandemic impacts, impacted or disproportionately impacted populations or classes, and responses.



Assistance to Households

Impacted Households and Communities

Treasury presumes the following households and communities are impacted by the pandemic:

- ✓ Low- or-moderate income households or communities
- ✓ Households that experienced unemployment
- ✓ Households that experienced increased food or housing insecurity
- ✓ Households that qualify for the Children's Health Insurance Program, Childcare Subsidies through the Child Care Development Fund (CCDF) Program, or Medicaid
- ✓ *When providing affordable housing programs:* households that qualify for the National Housing Trust Fund and Home Investment Partnerships Program
- ✓ *When providing services to address lost instructional time in K-12 schools:* any student that lost access to in-person instruction for a significant period of time

Low- or moderate-income households and communities are those with (i) income at or below 300 percent of the Federal Poverty Guidelines for the size of the household based on the most recently published poverty guidelines or (ii) income at or below 65 percent of the area median income for the county and size of household based on the most recently published data. For the vast majority of communities, the Federal Poverty Guidelines are higher than the area's median income and using the Federal Poverty Guidelines would result in more households and communities being presumed eligible. Treasury has provided an easy-to-use spreadsheet with Federal Poverty Guidelines and area median income levels on its website.

Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community.

The income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$65,880 per year.³ In other words, recipients can always presume that a household earning below this level, or a community with median income below this level, is impacted by the pandemic and eligible for services to respond. Additionally, by following the steps detailed in the section Framework for Eligible Uses Beyond Those Enumerated, recipients may designate additional households as impacted or disproportionately impacted beyond these presumptions, and may also pursue projects not listed below in response to these impacts consistent with Treasury's standards.

³ For recipients in Alaska, the income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$82,350 per year. For recipients in Hawaii, the income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$75,780 per year.



Treasury recognizes the enumerated projects below, which have been expanded under the final rule, as eligible to respond to impacts of the pandemic on households and communities:

- ✓ Food assistance & food banks
- ✓ Emergency housing assistance: rental assistance, mortgage assistance, utility assistance, assistance paying delinquent property taxes, counseling and legal aid to prevent eviction and homelessness & emergency programs or services for homeless individuals, including temporary residences for people experiencing homelessness
- ✓ Health insurance coverage expansion
- ✓ Benefits for surviving family members of individuals who have died from COVID-19
- ✓ Assistance to individuals who want and are available for work, including job training, public jobs programs and fairs, support for childcare and transportation to and from a jobsite or interview, incentives for newly-employed workers, subsidized employment, grants to hire underserved workers, assistance to unemployed individuals to start small businesses & development of job and workforce training centers
- ✓ Financial services for the unbanked and underbanked
- ✓ Burials, home repair & home weatherization
- ✓ Programs, devices & equipment for internet access and digital literacy, including subsidies for costs of access
- ✓ Cash assistance
- ✓ Paid sick, medical, and family leave programs
- ✓ Assistance in accessing and applying for public benefits or services
- ✓ Childcare and early learning services, home visiting programs, services for child welfare-involved families and foster youth & childcare facilities
- ✓ Assistance to address the impact of learning loss for K-12 students (e.g., high-quality tutoring, differentiated instruction)
- ✓ Programs or services to support long-term housing security: including development of affordable housing and permanent supportive housing
- ✓ Certain contributions to an Unemployment Insurance Trust Fund⁴

⁴ Recipients may only use SLFRF funds for contributions to unemployment insurance trust funds and repayment of the principal amount due on advances received under Title XII of the Social Security Act up to an amount equal to (i) the difference between the balance in the recipient's unemployment insurance trust fund as of January 27, 2020 and the balance of such account as of May 17, 2021, plus (ii) the principal amount outstanding as of May 17, 2021 on any advances received under Title XII of the Social Security Act between January 27, 2020 and May 17, 2021. Further, recipients may use SLFRF funds for the payment of any interest due on such Title XII advances. Additionally, a recipient that deposits SLFRF funds into its unemployment insurance trust fund to fully restore the pre-pandemic balance may not draw down that balance and deposit more SLFRF funds, back up to the pre-pandemic balance. Recipients that deposit SLFRF funds into an unemployment insurance trust fund, or use SLFRF funds to repay principal on Title XII advances, may not take action to reduce benefits available to unemployed workers by changing the computation method governing regular unemployment compensation in a way that results in a reduction of average weekly benefit amounts or the number of weeks of benefits payable (i.e., maximum benefit entitlement).

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Disproportionately Impacted Households and Communities

Treasury presumes the following households and communities are disproportionately impacted by the pandemic:

- ✓ Low -income households and communities
- ✓ Households residing in Qualified Census Tracts
- ✓ Households that qualify for certain federal benefits⁵
- ✓ Households receiving services provided by Tribal governments
- ✓ Households residing in the U.S. territories or receiving services from these governments

Low-income households and communities are those with (i) income at or below 185 percent of the Federal Poverty Guidelines for the size of its household based on the most recently published poverty guidelines or (ii) income at or below 40 percent of area median income for its county and size of household based on the most recently published data. For the vast majority of communities, the Federal Poverty Guidelines level is higher than the area median income level and using this level would result in more households and communities being presumed eligible. Treasury has provided an easy-to-use spreadsheet with Federal Poverty Guidelines and area median income levels on its website.

Recipients can measure income for a specific household or the median income for the community, depending on whether the service they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community.

The income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$40,626 per year.⁶ In other words, recipients can always presume that a household earning below this level, or a community with median income below this level, is disproportionately impacted by the pandemic and eligible for services to respond.

⁵ These programs are Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Free- and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs, Medicare Part D Low-Income Subsidies, Supplemental Security Income (SSI), Head Start and/or Early Head Start, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Section 8 Vouchers, Low-Income Home Energy Assistance Program (LIHEAP), and Pell Grants. For services to address educational disparities, Treasury will recognize Title I eligible schools as disproportionately impacted and responsive services that support the school generally or support the whole school as eligible.

⁶ For recipients in Alaska, the income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$50,783 per year. For recipients in Hawaii, the income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$46,731 per year



Treasury recognizes the enumerated projects below, which have been expanded under the final rule, as eligible to respond to disproportionate impacts of the pandemic on households and communities:

- ✓ Pay for community health workers to help households access health & social services
- ✓ Remediation of lead paint or other lead hazards
- ✓ Primary care clinics, hospitals, integration of health services into other settings, and other investments in medical equipment & facilities designed to address health disparities
- ✓ Housing vouchers & assistance relocating to neighborhoods with higher economic opportunity
- ✓ Investments in neighborhoods to promote improved health outcomes
- ✓ Improvements to vacant and abandoned properties, including rehabilitation or maintenance, renovation, removal and remediation of environmental contaminants, demolition or deconstruction, greening/vacant lot cleanup & conversion to affordable housing⁷
- ✓ Services to address educational disparities, including assistance to high-poverty school districts & educational and evidence-based services to address student academic, social, emotional, and mental health needs
- ✓ Schools and other educational equipment & facilities

⁷ Please see the final rule for further details and conditions applicable to this eligible use. This includes Treasury's presumption that demolition of vacant or abandoned residential properties that results in a net reduction in occupiable housing units for low- and moderate-income individuals in an area where the availability of such housing is lower than the need for such housing is ineligible for support with SLFRF funds.



Assistance to Small Businesses

Small businesses have faced widespread challenges due to the pandemic, including periods of shutdown, declines in revenue, or increased costs. The final rule provides many tools for recipients to respond to the impacts of the pandemic on small businesses, or disproportionate impacts on businesses where pre-existing disparities like lack of access to capital compounded the pandemic's effects.

Small businesses eligible for assistance are those that experienced negative economic impacts or disproportionate impacts of the pandemic and meet the definition of "small business," specifically:

1. Have no more than 500 employees, or if applicable, the size standard in number of employees established by the Administrator of the Small Business Administration for the industry in which the business concern or organization operates, and
2. Are a small business concern as defined in section 3 of the Small Business Act⁸ (which includes, among other requirements, that the business is independently owned and operated and is not dominant in its field of operation).

Impacted Small Businesses

Recipients can identify small businesses impacted by the pandemic, and measures to respond, in many ways; for example, recipients could consider:

- ✓ Decreased revenue or gross receipts
- ✓ Financial insecurity
- ✓ Increased costs
- ✓ Capacity to weather financial hardship
- ✓ Challenges covering payroll, rent or mortgage, and other operating costs

Assistance to small businesses that experienced negative economic impacts includes the following enumerated uses:

- ✓ Loans or grants to mitigate financial hardship, such as by supporting payroll and benefits, costs to retain employees, and mortgage, rent, utility, and other operating costs
- ✓ Technical assistance, counseling, or other services to support business planning

Disproportionately Impacted Small Businesses

Treasury presumes that the following small businesses are disproportionately impacted by the pandemic:

⁸ 15 U.S.C. 632.



- ✓ Small businesses operating in Qualified Census Tracts
- ✓ Small businesses operated by Tribal governments or on Tribal lands
- ✓ Small businesses operating in the U.S. territories

Assistance to disproportionately impacted small businesses includes the following enumerated uses, which have been expanded under the final rule:

- ✓ Rehabilitation of commercial properties, storefront improvements & façade improvements
- ✓ Technical assistance, business incubators & grants for start-up or expansion costs for small businesses
- ✓ Support for microbusinesses, including financial, childcare, and transportation costs



Assistance to Nonprofits

Nonprofits have faced significant challenges due to the pandemic’s increased demand for services and changing operational needs, as well as declines in revenue sources such as donations and fees. Nonprofits eligible for assistance are those that experienced negative economic impacts or disproportionate impacts of the pandemic and meet the definition of “nonprofit”—specifically those that are 501(c)(3) or 501(c)(19) tax-exempt organizations.

Impacted Nonprofits

Recipients can identify nonprofits impacted by the pandemic, and measures to respond, in many ways; for example, recipients could consider:

- ✓ Decreased revenue (e.g., from donations and fees)
- ✓ Financial insecurity
- ✓ Increased costs (e.g., uncompensated increases in service need)
- ✓ Capacity to weather financial hardship
- ✓ Challenges covering payroll, rent or mortgage, and other operating costs

Assistance to nonprofits that experienced negative economic impacts includes the following enumerated uses:

- ✓ Loans or grants to mitigate financial hardship
- ✓ Technical or in-kind assistance or other services that mitigate negative economic impacts of the pandemic

Disproportionately Impacted Nonprofits

Treasury presumes that the following nonprofits are disproportionately impacted by the pandemic:

- ✓ Nonprofits operating in Qualified Census Tracts
- ✓ Nonprofits operated by Tribal governments or on Tribal lands
- ✓ Nonprofits operating in the U.S. territories

Recipients may identify appropriate responses that are related and reasonably proportional to addressing these disproportionate impacts.



Aid to Impacted Industries

Recipients may use SLFRF funding to provide aid to industries impacted by the COVID-19 pandemic. Recipients should first designate an impacted industry and then provide aid to address the impacted industry's negative economic impact.

This sub-category of eligible uses does not separately identify disproportionate impacts and corresponding responsive services.

1. **Designating an impacted industry.** There are two main ways an industry can be designated as "impacted."
 1. If the industry is in the travel, tourism, or hospitality sectors (including Tribal development districts), the industry is impacted.
 2. If the industry is outside the travel, tourism, or hospitality sectors, the industry is impacted if:
 - a. The industry experienced at least 8 percent employment loss from pre-pandemic levels,⁹ or
 - b. The industry is experiencing comparable or worse economic impacts as the national tourism, travel, and hospitality industries as of the date of the final rule, based on the totality of economic indicators or qualitative data (if quantitative data is unavailable), and if the impacts were generally due to the COVID-19 public health emergency.

Recipients have flexibility to define industries broadly or narrowly, but Treasury encourages recipients to define narrow and discrete industries eligible for aid. State and territory recipients also have flexibility to define the industries with greater geographic precision; for example, a state may identify a particular industry in a certain region of a state as impacted.

2. **Providing eligible aid to the impacted industry.** Aid may only be provided to support businesses, attractions, and Tribal development districts operating prior to the pandemic and affected by required closures and other efforts to contain the pandemic. Further, aid should be generally broadly available to all businesses within the impacted industry to avoid potential conflicts of interest, and Treasury encourages aid to be first used for operational expenses, such as payroll, before being used on other types of costs.

⁹ Specifically, a recipient should compare the percent change in the number of employees of the recipient's identified industry and the national Leisure & Hospitality sector in the three months before the pandemic's most severe impacts began (a straight three-month average of seasonally-adjusted employment data from December 2019, January 2020, and February 2020) with the latest data as of the final rule (a straight three-month average of seasonally-adjusted employment data from September 2021, October 2021, and November 2021). For parity and simplicity, smaller recipients without employment data that measure industries in their specific jurisdiction may use data available for a broader unit of government for this calculation (e.g., a county may use data from the state in which it is located; a city may use data for the county, if available, or state in which it is located) solely for purposes of determining whether a particular industry is an impacted industry.

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Treasury recognizes the enumerated projects below as eligible responses to impacted industries.

- ✓ Aid to mitigate financial hardship, such as supporting payroll costs, lost pay and benefits for returning employees, support of operations and maintenance of existing equipment and facilities
- ✓ Technical assistance, counseling, or other services to support business planning
- ✓ COVID-19 mitigation and infection prevention measures (see section Public Health)

As with all eligible uses, recipients may pursue a project not listed above by undergoing the steps outlined in the section Framework for Eligible Uses Beyond Those Enumerated.



PUBLIC SECTOR CAPACITY

Recipients may use SLFRF funding to restore and bolster public sector capacity, which supports government’s ability to deliver critical COVID-19 services. There are three main categories of eligible uses to bolster public sector capacity and workforce: Public Safety, Public Health, and Human Services Staff; Government Employment and Rehiring Public Sector Staff; and Effective Service Delivery.

Public Safety, Public Health, and Human Services Staff

SLFRF funding may be used for payroll and covered benefits for public safety, public health, health care, human services and similar employees of a recipient government, for the portion of the employee’s time spent responding to COVID-19. Recipients should follow the steps below.

1. Identify eligible public safety, public health, and human services staff. Public safety staff include:

- ✓ Police officers (including state police officers)
- ✓ Sheriffs and deputy sheriffs
- ✓ Firefighters
- ✓ Emergency medical responders
- ✓ Correctional and detention officers
- ✓ Dispatchers and supervisor personnel that directly support public safety staff

Public health staff include:

- ✓ Employees involved in providing medical and other physical or mental health services to patients and supervisory personnel, including medical staff assigned to schools, prisons, and other such institutions
- ✓ Laboratory technicians, medical examiners, morgue staff, and other support services essential for patient care
- ✓ Employees of public health departments directly engaged in public health matters and related supervisory personnel

Human services staff include:

- ✓ Employees providing or administering social services and public benefits
- ✓ Child welfare services employees
- ✓ Child, elder, or family care employees

2. Assess portion of time spent on COVID-19 response for eligible staff.

Recipients can use a variety of methods to assess the share of an employees’ time spent responding to COVID-19, including using reasonable estimates—such as estimating the share of time based on discussions with staff and applying that share to all employees in that position.

For administrative convenience, recipients can consider public health and safety employees entirely devoted to responding to COVID-19 (and their payroll and benefits fully covered by SLFRF) if the



employee, or his or her operating unit or division, is “primarily dedicated” to responding to COVID-19. Primarily dedicated means that more than half of the employee, unit, or division’s time is dedicated to responding to COVID-19.

Recipients must periodically reassess their determination and maintain records to support their assessment, although recipients do not need to track staff hours.

3. **Use SLFRF funding for payroll and covered benefits for the portion of eligible staff time spent on COVID-19 response.** SLFRF funding may be used for payroll and covered benefits for the portion of the employees’ time spent on COVID-19 response, as calculated above, through the period of performance.

Government Employment and Rehiring Public Sector Staff

Under the increased flexibility of the final rule, SLFRF funding may be used to support a broader set of uses to restore and support public sector employment. Eligible uses include hiring up to a pre-pandemic baseline that is adjusted for historic underinvestment in the public sector, providing additional funds for employees who experienced pay cuts or were furloughed, avoiding layoffs, providing worker retention incentives, and paying for ancillary administrative costs related to hiring, support, and retention.

- **Restoring pre-pandemic employment.** Recipients have two options to restore pre-pandemic employment, depending on the recipient’s needs.
 - *If the recipient simply wants to hire back employees for pre-pandemic positions:* Recipients may use SLFRF funds to hire employees for the same positions that existed on January 27, 2020 but that were unfilled or eliminated as of March 3, 2021. Recipients may use SLFRF funds to cover payroll and covered benefits for such positions through the period of performance.
 - *If the recipient wants to hire above the pre-pandemic baseline and/or would like to have flexibility in positions:* Recipients may use SLFRF funds to pay for payroll and covered benefits associated with the recipient increasing its number of budgeted FTEs up to 7.5 percent above its pre-pandemic baseline. Specifically, recipients should undergo the following steps:
 - a. Identify the recipient’s budgeted FTE level on January 27, 2020. This includes all budgeted positions, filled and unfilled. This is called the *pre-pandemic baseline*.
 - b. Multiply the pre-pandemic baseline by 1.075. This is called the *adjusted pre-pandemic baseline*.
 - c. Identify the recipient’s budgeted FTE level on March 3, 2021, which is the beginning of the period of performance for SLFRF funds. Recipients may, but are not required to, exclude the number of FTEs dedicated to responding to the COVID-19 public health emergency. This is called the *actual number of FTEs*.
 - d. Subtract the *actual number of FTEs* from the *adjusted pre-pandemic baseline* to calculate the number of FTEs that can be covered by SLFRF funds. Recipients do not have to hire for the same roles that existed pre-pandemic.

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Recipients may use SLFRF funds to cover payroll and covered benefits through the period of performance; these employees must have begun their employment on or after March 3, 2021. Recipients may only use SLFRF funds for additional FTEs hired over the March 3, 2021 level (i.e., the *actual number of FTEs*).

- **Supporting and retaining public sector workers.** Recipients can also use funds in other ways that support the public sector workforce.¹⁰ These include:
 - **Providing additional funding for employees who experienced pay reductions or were furloughed** since the onset of the pandemic, up to the difference in the employee’s pay, taking into account unemployment benefits received.
 - **Maintaining current compensation levels to prevent layoffs.** SLFRF funds may be used to maintain current compensation levels, with adjustments for inflation, in order to prevent layoffs that would otherwise be necessary.
 - **Providing worker retention incentives, including reasonable increases in compensation** to persuade employees to remain with the employer as compared to other employment options. Retention incentives must be entirely additive to an employee’s regular compensation, narrowly tailored to need, and should not exceed incentives traditionally offered by the recipient or compensation that alternative employers may offer to compete for the employees. Treasury presumes that retention incentives that are less than 25 percent of the rate of base pay for an individual employee or 10 percent for a group or category of employees are reasonably proportional to the need to retain employees, as long as other requirements are met.
- **Covering administrative costs associated with administering the hiring, support, and retention programs above.**

Effective Service Delivery

SLFRF funding may be used to improve the efficacy of public health and economic programs through tools like program evaluation, data, and outreach, as well as to address administrative needs caused or exacerbated by the pandemic. Eligible uses include:

- **Supporting program evaluation, data, and outreach through:**

¹⁰ Recipients should be able to substantiate that these uses of funds are substantially due to the public health emergency or its negative economic impacts (e.g., fiscal pressures on state and local budgets) and respond to its impacts. See the final rule for details on these uses.



- ✓ Program evaluation and evidence resources
 - ✓ Data analysis resources to gather, assess, share, and use data
 - ✓ Technology infrastructure to improve access to and the user experience of government IT systems, as well as technology improvements to increase public access and delivery of government programs and services
 - ✓ Community outreach and engagement activities
 - ✓ Capacity building resources to support using data and evidence, including hiring staff, consultants, or technical assistance support
- **Addressing administrative needs, including:**
 - ✓ Administrative costs for programs responding to the public health emergency and its economic impacts, including non-SLFRF and non-federally funded programs
 - ✓ Address administrative needs caused or exacerbated by the pandemic, including addressing backlogs caused by shutdowns, increased repair or maintenance needs, and technology infrastructure to adapt government operations to the pandemic (e.g., video-conferencing software, data and case management systems)



CAPITAL EXPENDITURES

As described above, the final rule clarifies that recipients may use funds for programs, services, and capital expenditures that respond to the public health and negative economic impacts of the pandemic. Any use of funds in this category for a capital expenditure must comply with the capital expenditure requirements, in addition to other standards for uses of funds.

Capital expenditures are subject to the same eligibility standard as other eligible uses to respond to the pandemic’s public health and economic impacts; specifically, they must be related and reasonably proportional to the pandemic impact identified and reasonably designed to benefit the impacted population or class.

For ease of administration, the final rule identifies enumerated types of capital expenditures that Treasury has identified as responding to the pandemic’s impacts; these are listed in the applicable sub-category of eligible uses (e.g., public health, assistance to households, etc.). Recipients may also identify other responsive capital expenditures. Similar to other eligible uses in the SLFRF program, no pre-approval is required for capital expenditures.

To guide recipients’ analysis of whether a capital expenditure meets the eligibility standard, recipients (with the exception of Tribal governments) must complete and meet the requirements of a written justification for capital expenditures equal to or greater than \$1 million. For large-scale capital expenditures, which have high costs and may require an extended length of time to complete, as well as most capital expenditures for non-enumerated uses of funds, Treasury requires recipients to submit their written justification as part of regular reporting. Specifically:

If a project has total capital expenditures of	and the use is enumerated by Treasury as eligible, then	and the use is beyond those enumerated by Treasury as eligible, then
Less than \$1 million	No Written Justification required	No Written Justification required
Greater than or equal to \$1 million, but less than \$10 million	Written Justification required but recipients are not required to submit as part of regular reporting to Treasury	Written Justification required and recipients must submit as part of regular reporting to Treasury
\$10 million or more	Written Justification required and recipients must submit as part of regular reporting to Treasury	

A Written Justification includes:

- *Description of the harm or need to be addressed.* Recipients should provide a description of the specific harm or need to be addressed and why the harm was exacerbated or caused by the public health emergency. Recipients may provide quantitative information on the extent and the type of harm, such as the number of individuals or entities affected.



- *Explanation of why a capital expenditure is appropriate.* For example, recipients should include an explanation of why existing equipment and facilities, or policy changes or additional funding to pertinent programs or services, would be inadequate.
- *Comparison of proposed capital project against at least two alternative capital expenditures and demonstration of why the proposed capital expenditure is superior.* Recipients should consider the effectiveness of the capital expenditure in addressing the harm identified and the expected total cost (including pre-development costs) against at least two alternative capital expenditures.

Where relevant, recipients should consider the alternatives of improving existing capital assets already owned or leasing other capital assets.

Treasury presumes that the following capital projects are generally ineligible:

- ✘ Construction of new correctional facilities as a response to an increase in rate of crime
- ✘ Construction of new congregate facilities to decrease spread of COVID-19 in the facility
- ✘ Construction of convention centers, stadiums, or other large capital projects intended for general economic development or to aid impacted industries

In undertaking capital expenditures, Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.



FRAMEWORK FOR ELIGIBLE USES BEYOND THOSE ENUMERATED

As described above, recipients have broad flexibility to identify and respond to other pandemic impacts and serve other populations that experienced pandemic impacts, beyond the enumerated uses and presumed eligible populations. Recipients should undergo the following steps to decide whether their project is eligible:

Step	1. Identify COVID-19 public health or economic impact	2. Design a response that addresses or responds to the impact
Analysis	<ul style="list-style-type: none"> • Can identify impact to a specific household, business or nonprofit or to a class of households, businesses or nonprofits (i.e., group) • Can also identify disproportionate impacts, or more severe impacts, to a specific beneficiary or to a class 	<ul style="list-style-type: none"> • Types of responses can include a program, service, or capital expenditure • Response should be related and reasonably proportional to the harm • Response should also be reasonably designed to benefit impacted individual or class

1. Identify a COVID-19 public health or negative economic impact on an individual or a class.

Recipients should identify an individual or class that is “impacted” or “disproportionately impacted” by the COVID-19 public health emergency or its negative economic impacts as well as the specific impact itself.

- “Impacted” entities are those impacted by the disease itself or the harmful consequences of the economic disruptions resulting from or exacerbated by the COVID-19 public health emergency. For example, an individual who lost their job or a small business that saw lower revenue during a period of closure would both have experienced impacts of the pandemic.
- “Disproportionately impacted” entities are those that experienced disproportionate public health or economic outcomes from the pandemic; Treasury recognizes that pre-existing disparities, in many cases, amplified the impacts of the pandemic, causing more severe impacts in underserved communities. For example, a household living in a neighborhood with limited access to medical care and healthy foods may have faced health disparities before the pandemic, like a higher rate of chronic health conditions, that contributed to more severe health outcomes during the COVID-19 pandemic.

The recipient may choose to identify these impacts at either the individual level or at a class level. If the recipient is identifying impacts at the individual level, they should retain documentation supporting the impact the individual experienced (e.g., documentation of lost revenues from a small business). Such documentation can be streamlined in many cases (e.g., self-attestation that a household requires food assistance).

Recipients also have broad flexibility to identify a “class” – or a group of households, small businesses, or nonprofits – that experienced an impact. In these cases, the recipients should



first identify the class and the impact that it faced. Then, recipients only need to document that the individuals served fall within that class; recipients do not need to document a specific impact to each individual served. For example, a recipient could identify that restaurants in the downtown area faced substantial declines in revenue due to decreased foot traffic from workers; the recipient could develop a program to respond to the impact on that class and only needs to document that the businesses being served are restaurants in the downtown area.

Recipients should keep the following considerations in mind when designating a class:

- **There should be a relationship between the definition of the class and the proposed response.** Larger and less-specific classes are less likely to have experienced similar harms, which may make it more difficult to design a response that appropriately responds to those harms.
 - **Classes may be determined on a population basis or on a geographic basis,** and the response should be appropriately matched. For example, a response might be designed to provide childcare to single parents, regardless of which neighborhood they live in, or a response might provide a park to improve the health of a disproportionately impacted neighborhood.
 - **Recipients may designate classes that experienced disproportionate impact,** by assessing the impacts of the pandemic and finding that some populations experienced meaningfully more severe impacts than the general public. To determine these disproportionate impacts, recipients:
 - May designate classes based on academic research or government research publications (such as the citations provided in the supplementary information in the final rule), through analysis of their own data, or through analysis of other existing data sources.
 - May also consider qualitative research and sources to augment their analysis, or when quantitative data is not readily available. Such sources might include resident interviews or feedback from relevant state and local agencies, such as public health departments or social services departments.
 - Should consider the quality of the research, data, and applicability of analysis to their determination in all cases.
 - **Some of the enumerated uses may also be appropriate responses to the impacts experienced by other classes of beneficiaries.** It is permissible for recipients to provide these services to other classes, so long as the recipient determines that the response is also appropriate for those groups.
 - **Recipients may designate a class based on income level, including at levels higher than the final rule definition of "low- and moderate-income."** For example, a recipient may identify that households in their community with incomes above the final rule threshold for low-income nevertheless experienced disproportionate impacts from the pandemic and provide responsive services.
- 2. Design a response that addresses or responds to the impact.** Programs, services, and other interventions must be reasonably designed to benefit the individual or class that experienced



the impact. They must also be related and reasonably proportional to the extent and type of impact experienced. For example, uses that bear no relation or are grossly disproportionate to the type or extent of the impact would not be eligible.

“Reasonably proportional” refers to the scale of the response compared to the scale of the harm, as well as the targeting of the response to beneficiaries compared to the amount of harm they experienced; for example, it may not be reasonably proportional for a cash assistance program to provide a very small amount of aid to a group that experienced severe harm and a much larger amount to a group that experienced relatively little harm. Recipients should consider relevant factors about the harm identified and the response to evaluate whether the response is reasonably proportional. For example, recipients may consider the size of the population impacted and the severity, type, and duration of the impact. Recipients may also consider the efficacy, cost, cost-effectiveness, and time to delivery of the response.

For disproportionately impacted communities, recipients may design interventions that address broader pre-existing disparities that contributed to more severe health and economic outcomes during the pandemic, such as disproportionate gaps in access to health care or pre-existing disparities in educational outcomes that have been exacerbated by the pandemic.



Premium Pay

The Coronavirus State and Local Fiscal Recovery Funds may be used to provide premium pay to eligible workers performing essential work during the pandemic. Premium pay may be awarded to eligible workers up to \$13 per hour. Premium pay must be in addition to wages or remuneration (i.e., compensation) the eligible worker otherwise receives. Premium pay may not exceed \$25,000 for any single worker during the program.

Recipients should undergo the following steps to provide premium pay to eligible workers.

- 1. Identify an “eligible” worker.** Eligible workers include workers “needed to maintain continuity of operations of essential critical infrastructure sectors.” These sectors and occupations are eligible:

- | | |
|--|---|
| ✓ Health care | ✓ State, local, or Tribal government workforce |
| ✓ Emergency response | ✓ Workers providing vital services to Tribes |
| ✓ Sanitation, disinfection & cleaning | ✓ Educational, school nutrition, and other work required to operate a school facility |
| ✓ Maintenance | ✓ Laundry |
| ✓ Grocery stores, restaurants, food production, and food delivery | ✓ Elections |
| ✓ Pharmacy | ✓ Solid waste or hazardous materials management, response, and cleanup |
| ✓ Biomedical research | ✓ Work requiring physical interaction with patients |
| ✓ Behavioral health | ✓ Dental care |
| ✓ Medical testing and diagnostics | ✓ Transportation and warehousing |
| ✓ Home and community-based health care or assistance with activities of daily living | ✓ Hotel and commercial lodging facilities that are used for COVID-19 mitigation and containment |
| ✓ Family or child care | |
| ✓ Social services | |
| ✓ Public health | |
| ✓ Mortuary | |
| ✓ Critical clinical research, development, and testing necessary for COVID-19 response | |

Beyond this list, the chief executive (or equivalent) of a recipient government may designate additional non-public sectors as critical so long as doing so is necessary to protecting the health and wellbeing of the residents of such jurisdictions.

- 2. Verify that the eligible worker performs “essential work,”** meaning work that:

- Is not performed while teleworking from a residence; and
- Involves either:
 - a. regular, in-person interactions with patients, the public, or coworkers of the individual that is performing the work; or
 - b. regular physical handling of items that were handled by, or are to be handled by, patients, the public, or coworkers of the individual that is performing the work.



3. Confirm that the premium pay “responds to” workers performing essential work during the COVID-19 public health emergency. Under the final rule, which broadened the share of eligible workers who can receive premium pay without a written justification, recipients may meet this requirement in one of three ways:

- Eligible worker receiving premium pay is earning (with the premium included) at or below 150 percent of their residing state or county’s average annual wage for all occupations, as defined by the Bureau of Labor Statistics’ [Occupational Employment and Wage Statistics](#), whichever is higher, on an annual basis; or
- Eligible worker receiving premium pay is not exempt from the Fair Labor Standards Act overtime provisions; or
- If a worker does not meet either of the above requirements, the recipient must submit written justification to Treasury detailing how the premium pay is otherwise responsive to workers performing essential work during the public health emergency. This may include a description of the essential worker’s duties, health, or financial risks faced due to COVID-19, and why the recipient determined that the premium pay was responsive. Treasury anticipates that recipients will easily be able to satisfy the justification requirement for front-line workers, like nurses and hospital staff.

Premium pay may be awarded in installments or lump sums (e.g., monthly, quarterly, etc.) and may be awarded to hourly, part-time, or salaried or non-hourly workers. Premium pay must be paid in addition to wages already received and may be paid retrospectively. A recipient may not use SLFRF to merely reimburse itself for premium pay or hazard pay already received by the worker, and premium pay may not be paid to volunteers.



Water & Sewer Infrastructure

The Coronavirus State and Local Fiscal Recovery Funds may be used to make necessary investments in water and sewer infrastructure. State, local, and Tribal governments have a tremendous need to address the consequences of deferred maintenance in drinking water systems and removal, management, and treatment of sewage and stormwater, along with additional resiliency measures needed to adapt to climate change.

Recipients may undertake the eligible projects below:

PROJECTS ELIGIBLE UNDER EPA'S CLEAN WATER STATE REVOLVING FUND (CWSRF)

Eligible projects under the CWSRF, and the final rule, include:

- ✓ Construction of publicly owned treatment works
- ✓ Projects pursuant to implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA)
- ✓ Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage
- ✓ Management and treatment of stormwater or subsurface drainage water
- ✓ Water conservation, efficiency, or reuse measures
- ✓ Development and implementation of a conservation and management plan under the CWA
- ✓ Watershed projects meeting the criteria set forth in the CWA
- ✓ Energy consumption reduction for publicly owned treatment works
- ✓ Reuse or recycling of wastewater, stormwater, or subsurface drainage water
- ✓ Security of publicly owned treatment works

Treasury encourages recipients to review the EPA handbook for the [CWSRF](#) for a full list of eligibilities.

PROJECTS ELIGIBLE UNDER EPA'S DRINKING WATER STATE REVOLVING FUND (DWSRF)

Eligible drinking water projects under the DWSRF, and the final rule, include:

- ✓ Facilities to improve drinking water quality
- ✓ Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements
- ✓ New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage
- ✓ Green infrastructure, including green roofs, rainwater harvesting collection, permeable pavement
- ✓ Storage of drinking water, such as to prevent contaminants or equalize water demands
- ✓ Purchase of water systems and interconnection of systems
- ✓ New community water systems

Treasury encourages recipients to review the EPA handbook for the [DWSRF](#) for a full list of eligibilities.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



ADDITIONAL ELIGIBLE PROJECTS

With broadened eligibility under the final rule, SLFRF funds may be used to fund additional types of projects— such as additional stormwater infrastructure, residential wells, lead remediation, and certain rehabilitations of dams and reservoirs — beyond the CWSRF and DWSRF, if they are found to be “necessary” according to the definition provided in the final rule and outlined below.

- ✓ Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure
- ✓ Infrastructure to improve access to safe drinking water for individual served by residential wells, including testing initiatives, and treatment/remediation strategies that address contamination
- ✓ Dam and reservoir rehabilitation if primary purpose of dam or reservoir is for drinking water supply and project is necessary for provision of drinking water
- ✓ Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act, such as lead testing, installation of corrosion control treatment, lead service line replacement, as well as water quality testing, compliance monitoring, and remediation activities, including replacement of internal plumbing and faucets and fixtures in schools and childcare facilities

A “necessary” investment in infrastructure must be:

- (1) responsive to an identified need to achieve or maintain an adequate minimum level of service, which may include a reasonable projection of increased need, whether due to population growth or otherwise,
- (2) a cost-effective means for meeting that need, taking into account available alternatives, and
- (3) for investments in infrastructure that supply drinking water in order to meet projected population growth, projected to be sustainable over its estimated useful life.

Please note that DWSRF and CWSRF-eligible projects are generally presumed to be necessary investments. Additional eligible projects generally must be responsive to an identified need to achieve or maintain an adequate minimum level of service. Recipients are only required to assess cost-effectiveness of projects for the creation of new drinking water systems, dam and reservoir rehabilitation projects, or projects for the extension of drinking water service to meet population growth needs. Recipients should review the supplementary information to the final rule for more details on requirements applicable to each type of investment.

APPLICABLE STANDARDS & REQUIREMENTS

Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



Broadband Infrastructure

The Coronavirus State and Local Fiscal Recovery Funds may be used to make necessary investments in broadband infrastructure, which has been shown to be critical for work, education, healthcare, and civic participation during the public health emergency. The final rule broadens the set of eligible broadband infrastructure investments that recipients may undertake.

Recipients may pursue investments in broadband infrastructure meeting technical standards detailed below, as well as an expanded set of cybersecurity investments.

BROADBAND INFRASTRUCTURE INVESTMENTS

Recipients should adhere to the following requirements when designing a broadband infrastructure project:

1. **Identify an eligible area for investment.** Recipients are encouraged to prioritize projects that are designed to serve locations without access to reliable wireline 100/20 Mbps broadband service (meaning service that reliably provides 100 Mbps download speed and 20 Mbps upload speed through a wireline connection), but are broadly able to invest in projects designed to provide service to locations with an identified need for additional broadband investment. Recipients have broad flexibility to define need in their community. Examples of need could include:

- ✓ Lack of access to a reliable high-speed broadband connection
- ✓ Lack of affordable broadband
- ✓ Lack of reliable service

If recipients are considering deploying broadband to locations where there are existing and enforceable federal or state funding commitments for reliable service of at least 100/20 Mbps, recipients must ensure that SLFRF funds are designed to address an identified need for additional broadband investment that is not met by existing federal or state funding commitments. Recipients must also ensure that SLFRF funds will not be used for costs that will be reimbursed by the other federal or state funding streams.

2. **Design project to meet high-speed technical standards.** Recipients are required to design projects to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds. In cases where it is not practicable, because of the excessive cost of the project or geography or topography of the area to be served by the project, eligible projects may be designed to reliably meet or exceed 100/20 Mbps and be scalable to a minimum of symmetrical 100 Mbps download and upload speeds.

Treasury encourages recipients to prioritize investments in fiber-optic infrastructure wherever feasible and to focus on projects that will achieve last-mile connections. Further, Treasury encourages recipients to prioritize support for broadband networks owned, operated by, or affiliated with local governments, nonprofits, and co-operatives.



3. **Require enrollment in a low-income subsidy program.** Recipients must require the service provider for a broadband project that provides service to households to either:

- ✓ Participate in the FCC's Affordable Connectivity Program (ACP)
- ✓ Provide access to a broad-based affordability program to low-income consumers that provides benefits commensurate to ACP

Treasury encourages broadband services to also include at least one low-cost option offered without data usage caps at speeds sufficient for a household with multiple users to simultaneously telework and engage in remote learning. Recipients are also encouraged to consult with the community on affordability needs.

CYBERSECURITY INVESTMENTS

SLFRF may be used for modernization of cybersecurity for existing and new broadband infrastructure, regardless of their speed delivery standards. This includes modernization of hardware and software.

APPLICABLE STANDARDS & REQUIREMENTS

Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.



Restrictions on Use

While recipients have considerable flexibility to use Coronavirus State and Local Fiscal Recovery Funds to address the diverse needs of their communities, some restrictions on use of funds apply.

OFFSET A REDUCTION IN NET TAX REVENUE

- **States and territories may not use this funding to directly or indirectly offset a reduction in net tax revenue resulting from a change in law, regulation, or administrative interpretation beginning on March 3, 2021, through the last day of the fiscal year in which the funds provided have been spent.** If a state or territory cuts taxes during this period, it must demonstrate how it paid for the tax cuts from sources other than SLFRF, such as by enacting policies to raise other sources of revenue, by cutting spending, or through higher revenue due to economic growth. If the funds provided have been used to offset tax cuts, the amount used for this purpose must be repaid to the Treasury.

DEPOSITS INTO PENSION FUNDS

- **No recipients except Tribal governments may use this funding to make a deposit to a pension fund.** Treasury defines a “deposit” as an extraordinary contribution to a pension fund for the purpose of reducing an accrued, unfunded liability. While pension deposits are prohibited, recipients may use funds for routine payroll contributions connected to an eligible use of funds (e.g., for public health and safety staff). Examples of extraordinary payments include ones that:
 - ✘ Reduce a liability incurred prior to the start of the COVID-19 public health emergency and occur outside the recipient's regular timing for making the payment
 - ✘ Occur at the regular time for pension contributions but is larger than a regular payment would have been

ADDITIONAL RESTRICTIONS AND REQUIREMENTS

Additional restrictions and requirements that apply across all eligible use categories include:

- **No debt service or replenishing financial reserves.** Since SLFRF funds are intended to be used prospectively, recipients may not use SLFRF funds for debt service or replenishing financial reserves (e.g., rainy day funds).
- **No satisfaction of settlements and judgments.** Satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring in a judicial, administrative, or regulatory proceeding is itself not an eligible use. However, if a settlement requires the recipient to provide services or incur other costs that are an eligible use of SLFRF funds, SLFRF may be used for those costs.
- **Additional general restrictions.** SLFRF funds may not be used for a project that conflicts with or contravenes the purpose of the American Rescue Plan Act statute (e.g., uses of funds that

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



U.S. DEPARTMENT OF THE TREASURY

undermine COVID-19 mitigation practices in line with CDC guidance and recommendations) and may not be used in violation of the Award Terms and Conditions or conflict of interest requirements under the Uniform Guidance. Other applicable laws and regulations, outside of SLFRF program requirements, may also apply (e.g., laws around procurement, contracting, conflicts-of-interest, environmental standards, or civil rights).



Program Administration

The Coronavirus State and Local Fiscal Recovery Funds final rule details a number of administrative processes and requirements, including on distribution of funds, timeline for use of funds, transfer of funds, treatment of loans, use of funds to meet non-federal match or cost-share requirements, administrative expenses, reporting on use of funds, and remediation and recoupment of funds used for ineligible purposes. This section provides a summary for the most frequently asked questions.

TIMELINE FOR USE OF FUNDS

Under the SLFRF, funds must be used for costs incurred on or after March 3, 2021. Further, costs must be obligated by December 31, 2024, and expended by December 31, 2026.

TRANSFERS

Recipients may undertake projects on their own or through subrecipients, which carry out eligible uses on behalf of a recipient, including pooling funds with other recipients or blending and braiding SLFRF funds with other sources of funds. Localities may also transfer their funds to the state through section 603(c)(4), which will decrease the locality's award and increase the state award amounts.

LOANS

Recipients may generally use SLFRF funds to provide loans for uses that are otherwise eligible, although there are special rules about how recipients should track program income depending on the length of the loan. Recipients should consult the final rule if they seek to utilize these provisions.

NON-FEDERAL MATCH OR COST-SHARE REQUIREMENTS

Funds available under the "revenue loss" eligible use category (sections 602(c)(1)(C) and 603(c)(1)(C) of the Social Security Act) generally may be used to meet the non-federal cost-share or matching requirements of other federal programs. However, note that SLFRF funds may not be used as the non-federal share for purposes of a state's Medicaid and CHIP programs because the Office of Management and Budget has approved a waiver as requested by the Centers for Medicare & Medicaid Services pursuant to 2 CFR 200.102 of the Uniform Guidance and related regulations.

SLFRF funds beyond those that are available under the revenue loss eligible use category may not be used to meet the non-federal match or cost-share requirements of other federal programs, other than as specifically provided for by statute. As an example, the Infrastructure Investment and Jobs Act provides that SLFRF funds may be used to meet the non-federal match requirements of authorized Bureau of Reclamation projects and certain broadband deployment projects. Recipients should consult the final rule for further details if they seek to utilize SLFRF funds as a match for these projects.

ADMINISTRATIVE EXPENSES

SLFRF funds may be used for direct and indirect administrative expenses involved in administering the program. For details on permissible direct and indirect administrative costs, recipients should refer to Treasury's [Compliance and Reporting Guidance](#). Costs incurred for the same purpose in like circumstances must be treated consistently as either direct or indirect costs.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



REPORTING, COMPLIANCE & RECOUPMENT

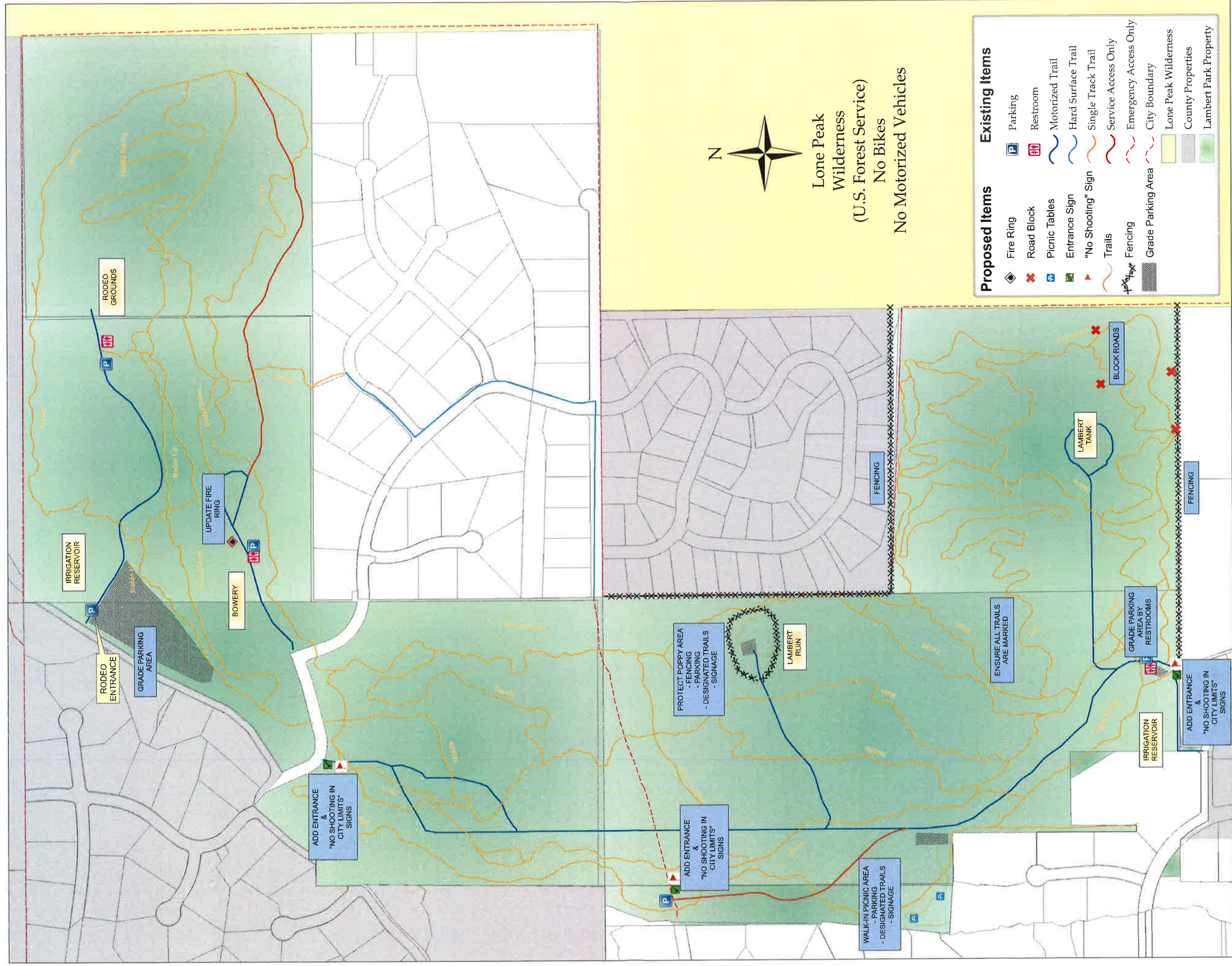
Recipients are required to comply with Treasury's [Compliance and Reporting Guidance](#), which includes submitting mandatory periodic reports to Treasury.

Funds used in violation of the final rule are subject to remediation and recoupment. As outlined in the final rule, Treasury may identify funds used in violation through reporting or other sources. Recipients will be provided with an initial written notice of recoupment with an opportunity to submit a request for reconsideration before Treasury provides a final notice of recoupment. If the recipient receives an initial notice of recoupment and does not submit a request for reconsideration, the initial notice will be deemed the final notice. Treasury may pursue other forms of remediation and monitoring in conjunction with, or as an alternative to, recoupment.

History of Bowery Master Plan

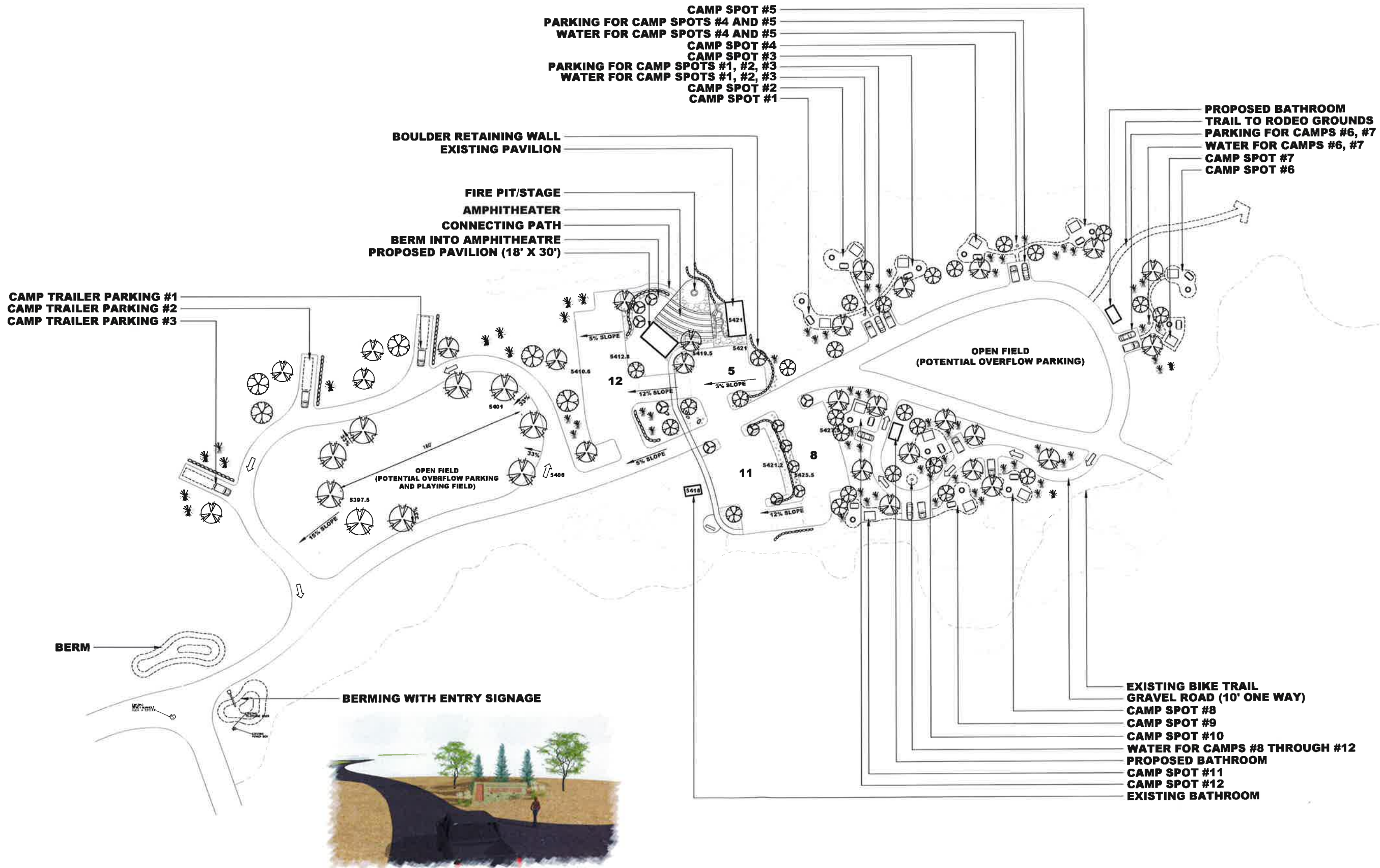
- In spring of 2018 the Planning Commission was working with Will Jones and Ginger Belnap of Meadow Brook Design to create a concept plan for the Bowery in Lambert Park.
- Early discussions were centered on "what would you like to see".
- In May of 2018 Will presented two concept plans prepared by Ginger, know as "Concept A" and "Concept B".
- Planning Commission scheduled an on site field trip to discuss the two concepts and determine what they wanted in a final concept.
- The Planning Commission liked some elements of "Concept A" and some elements of "Concept B", and wanted those blended together, along with some elements they discussed at the on site field trip, i.e. camping spots.
- In July of 2018 the concept plan (attached plan) was presented to the Planning Commission. The Planning Commission unanimously recommended approval of the proposed concept plan.
- Plan was supposed to go to City Council for review but it appears that it was put an the backburner and subsequently never made it on the City Council agenda until it was discussed in November of 2021 during the review of the draft General Plan.

FIGURE 6



LAMBERT PARK
LANDSCAPE CONCEPT

ALPINE, UT



Date: 07-17-2018
 Drawn by: GB/AH
 Phone: 801.471.3900
 Scale: 1:40 on 24x36 sheet



Shane Sorensen

From: Jed Muhlestein
Sent: Tuesday, December 14, 2021 3:15 PM
To: Shane Sorensen
Subject: Box Elder Way Turnaround
Attachments: 3 percent concept.pdf; 6 percent concept.pdf

This is a very quick and dirty comparison of what a 3% vs 6% running slope design would look like at the end of Box Elder Way.

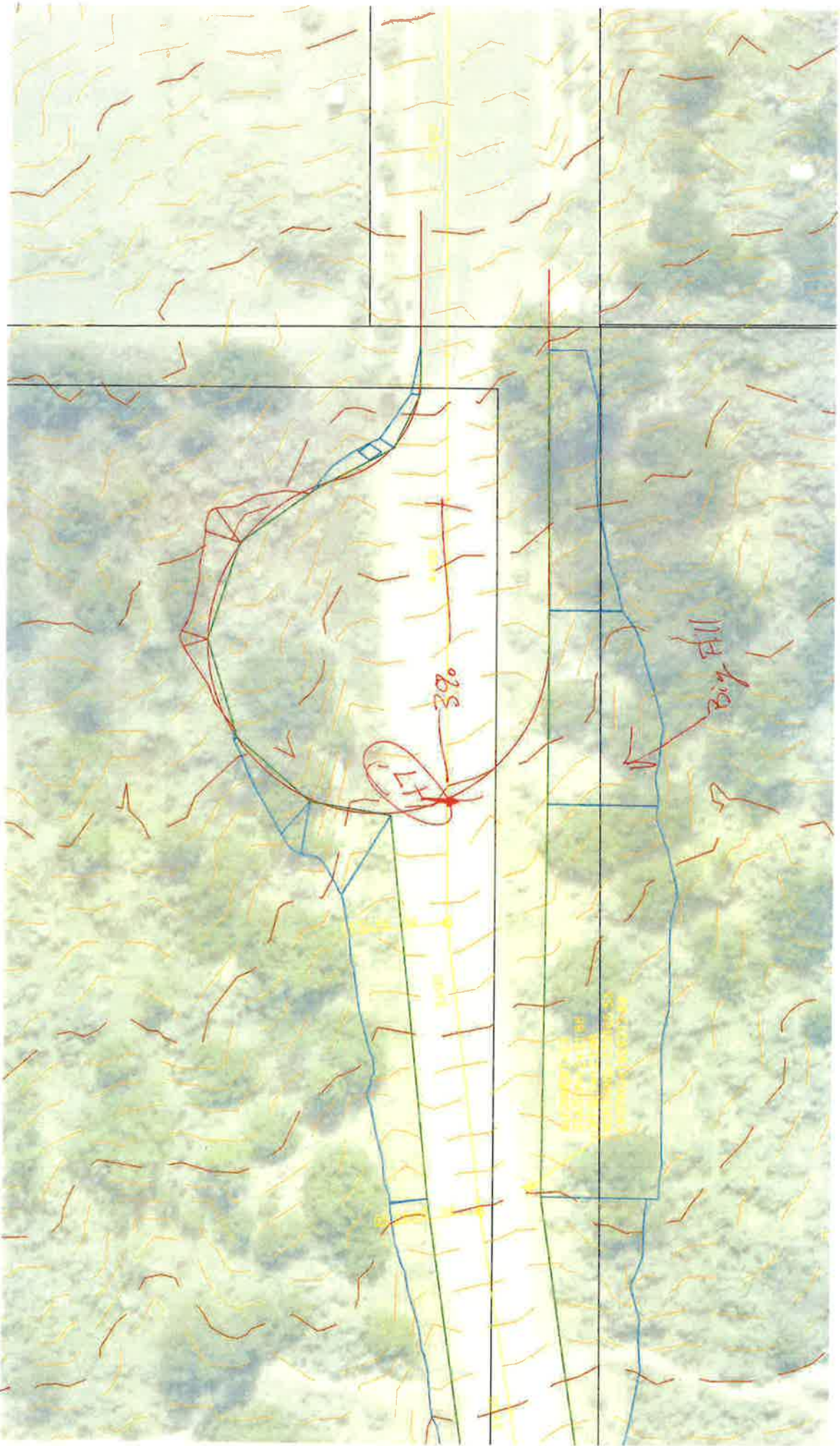
A 3% running slope would be more desirable for turnaround traffic, but it creates a 7' fill and 150' of slope at 15% to catch back up to existing grade. Don't think a fire truck would like that... Don't think the Lambert park folks would enjoy all the area it wipes out either with the fill slopes.

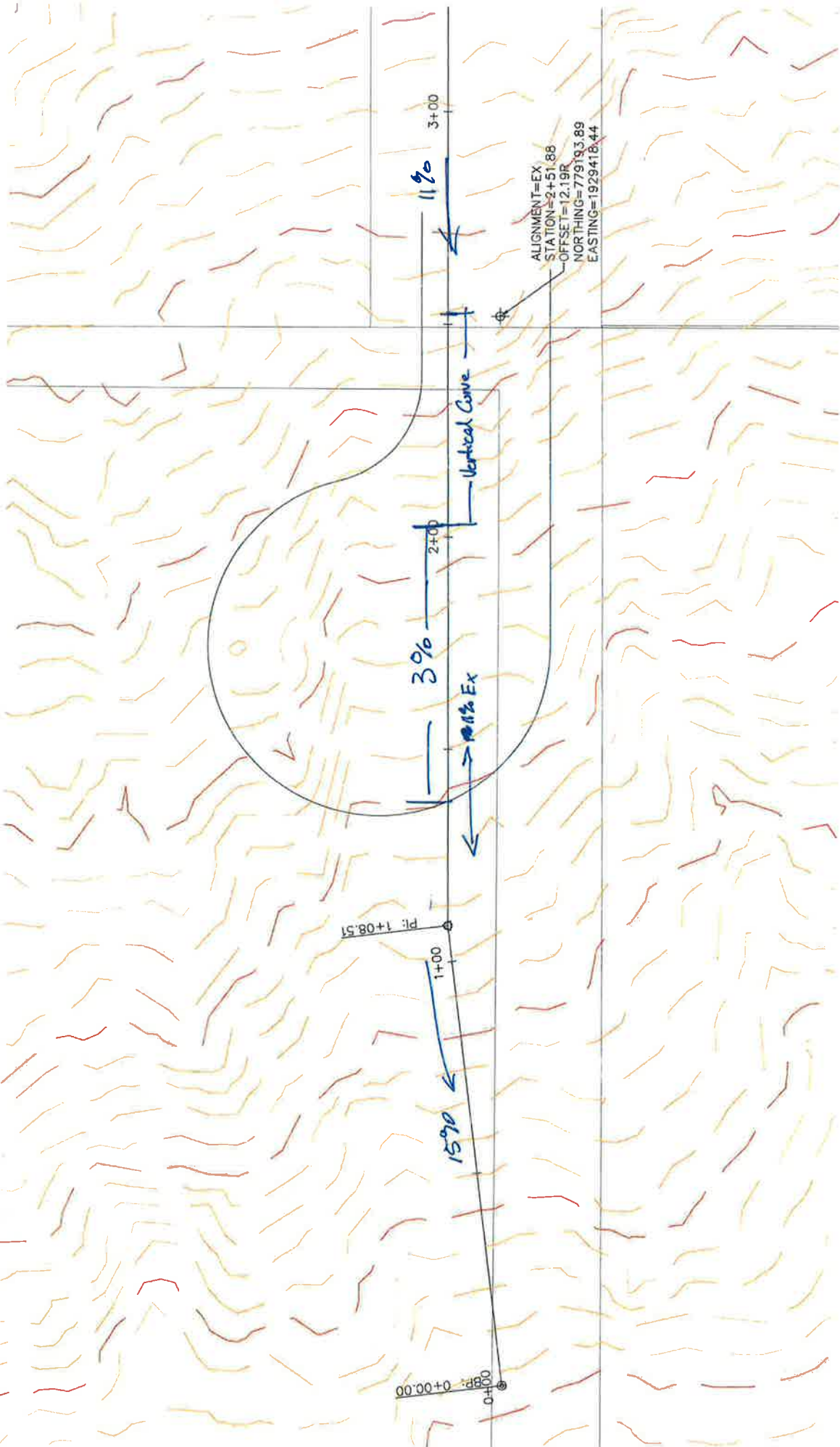
A 6% running slope design creates a ~4' fill and 13% of slope for 150' to catch back up to existing grade. A fire truck would like this more, but everyday turnaround traffic may not like the 6% slope to slow down and turn around on. Obviously less fill/damage to Lambert park with this version.

Sorry the exhibits are ugly, I could spend more time to doll them up if needed.

Jed Muhlestein, P.E.
City Engineer
Office (801) 756-6347x116
Cell (801) 473-0076
jed@alpinecity.org







ALIGNMENT=EX
STATION=2+51.88
OFFSET=12.19R
NORTHING=779193.89
EASTING=1929418.44

PI: 1+08.51

0+00
0+00.00

15%

1+00

3%

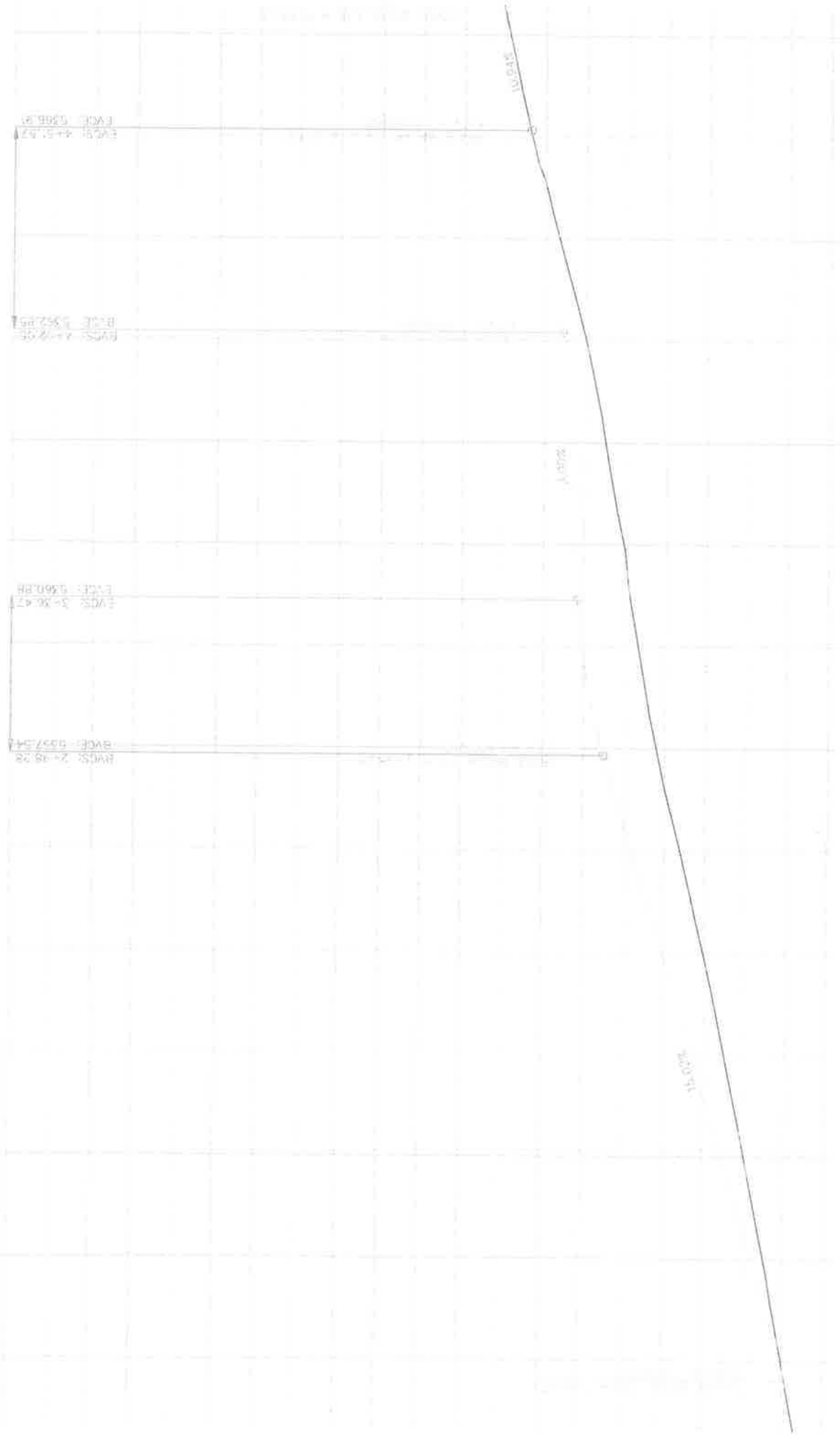
2+00

11%

3+00

Vertical Curve

11% Ex



528.24

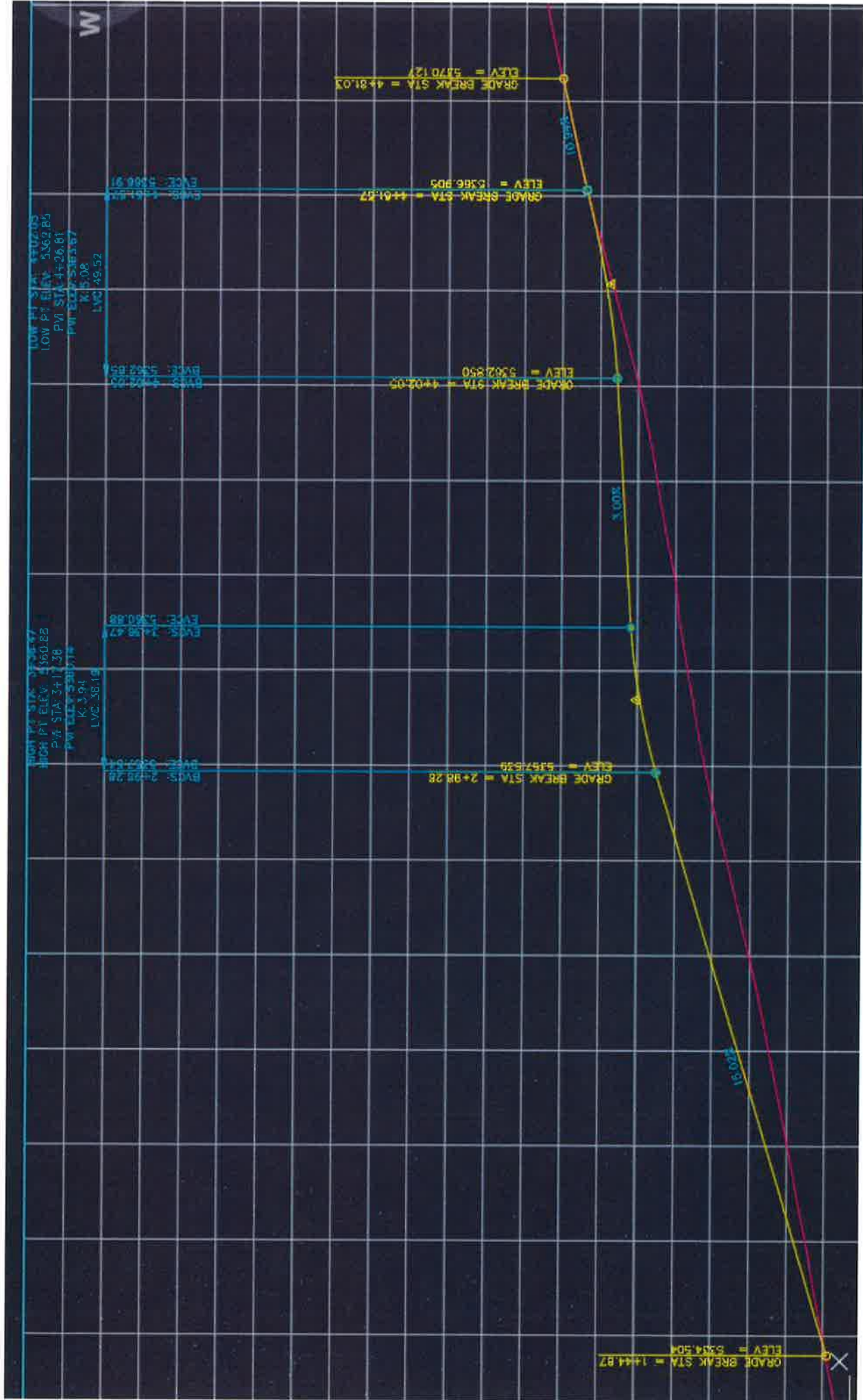
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BENCH: 528.24

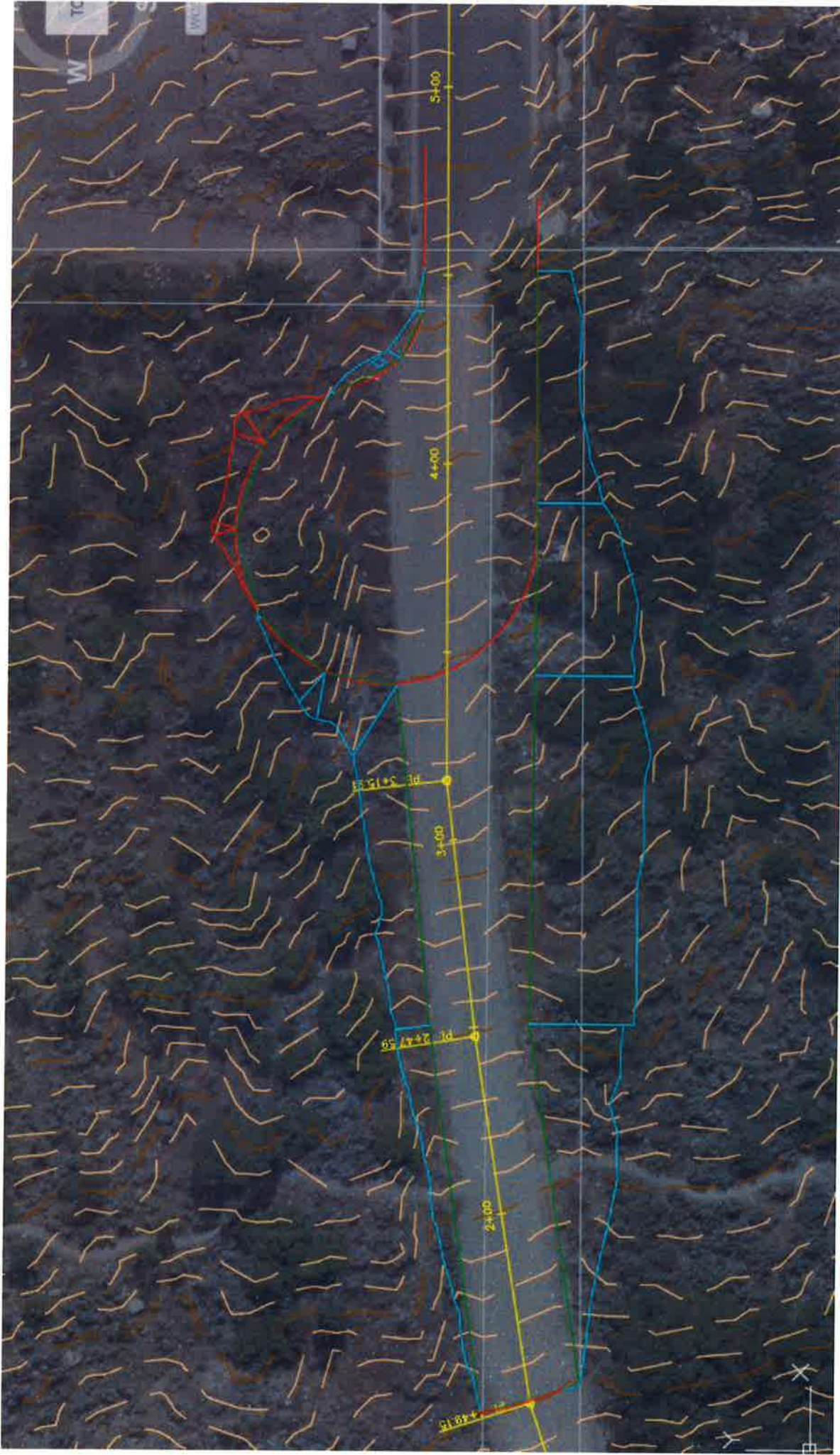
BENCH: 522.85
ELEV: 417.95

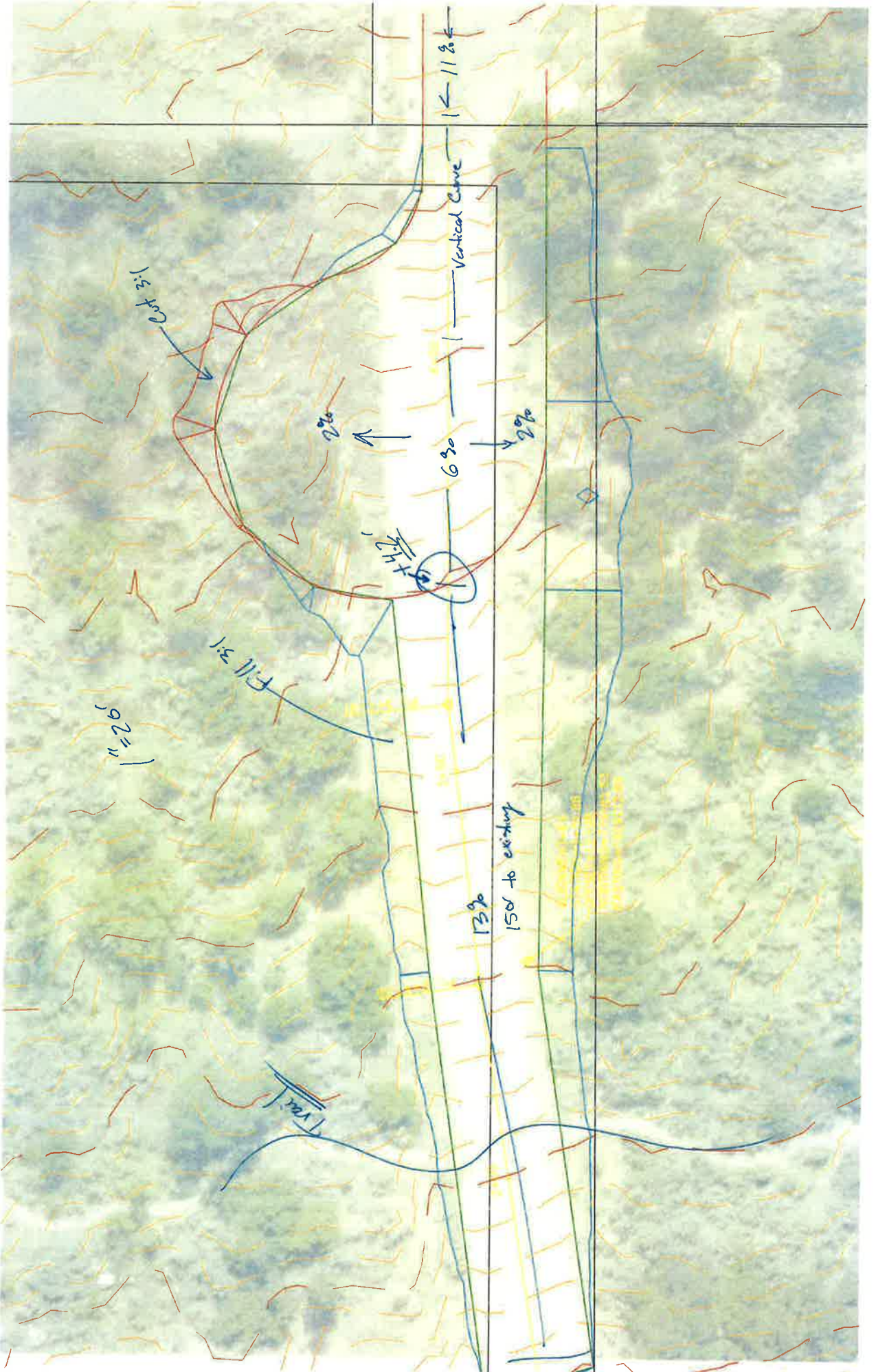
ELEV: 550.88
BENCH: 536.47

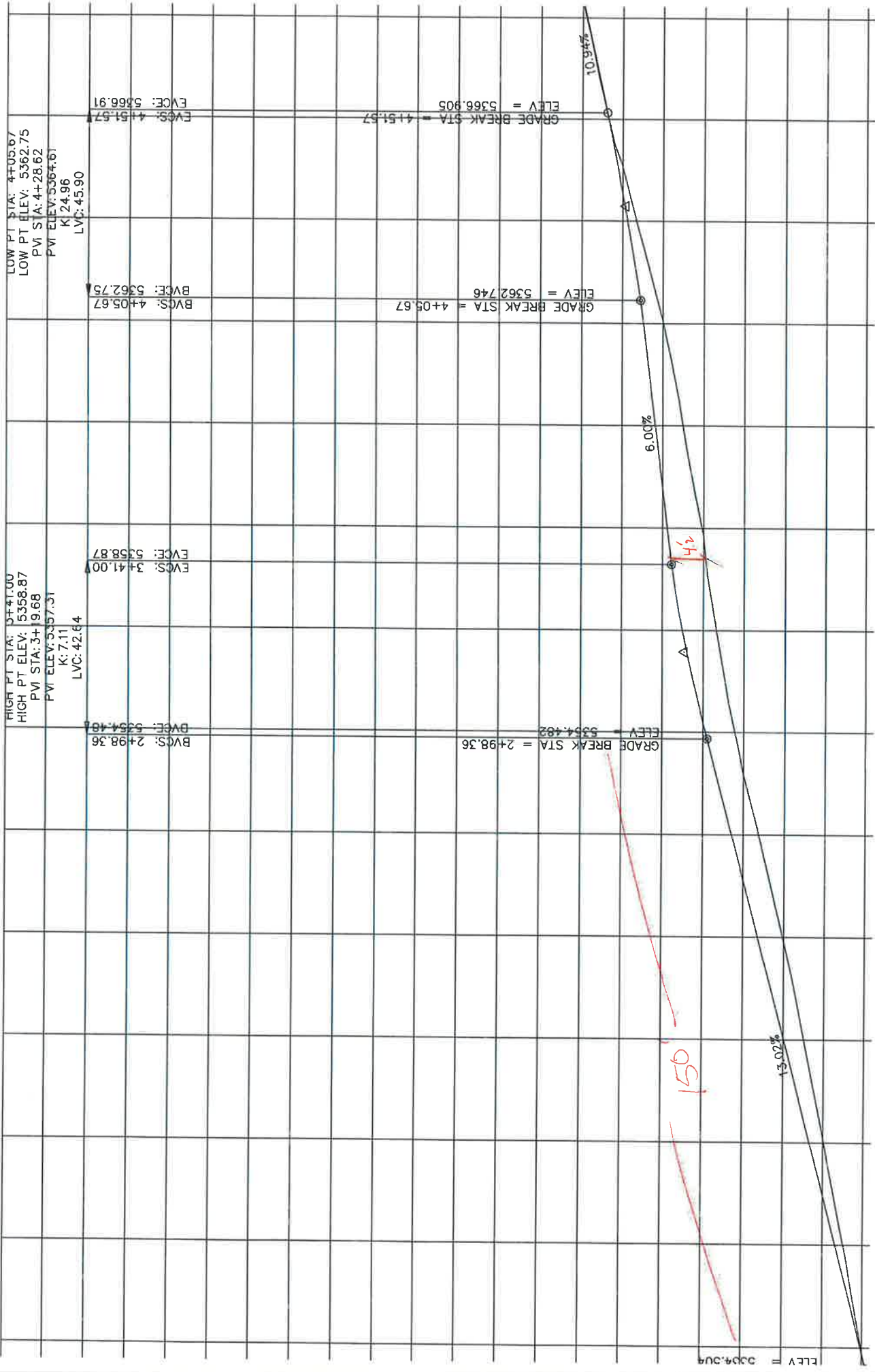
BENCH: 537.34
ELEV: 519.28

11.00









LOW PT STA: 4+05.67
 LOW PT ELEV: 5362.75
 PVI STA: 4+28.62
 PVI ELEV: 5364.81
 K: 24.96
 LVC: 45.90

HIGH PT STA: 0+31.00
 HIGH PT ELEV: 5358.87
 PVI STA: 3+19.68
 PVI ELEV: 5357.31
 K: 7.11
 LVC: 42.64

GRADE BREAK STA = 4+51.57
 ELEV = 5366.805

GRADE BREAK STA = 4+05.67
 ELEV = 5362.746

GRADE BREAK STA = 2+98.36
 ELEV = 5354.82

BVCS: 4+05.67
 BVCS: 5362.75
 BVCS: 2+98.36
 BVCS: 5354.82
 BVCS: 3+41.00
 BVCS: 5358.87

ELEV = 5364.04

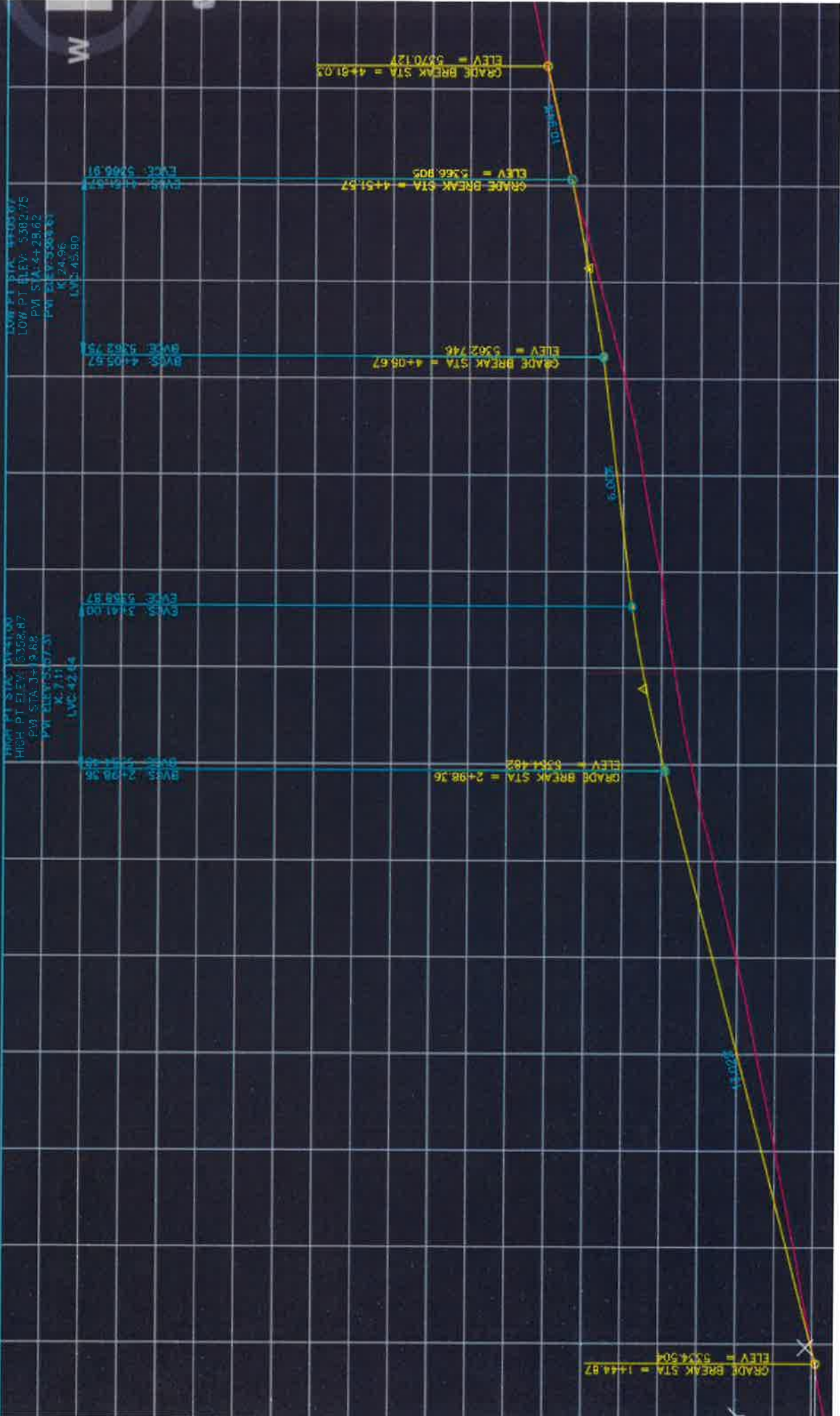
150

14

10.94%

6.00%

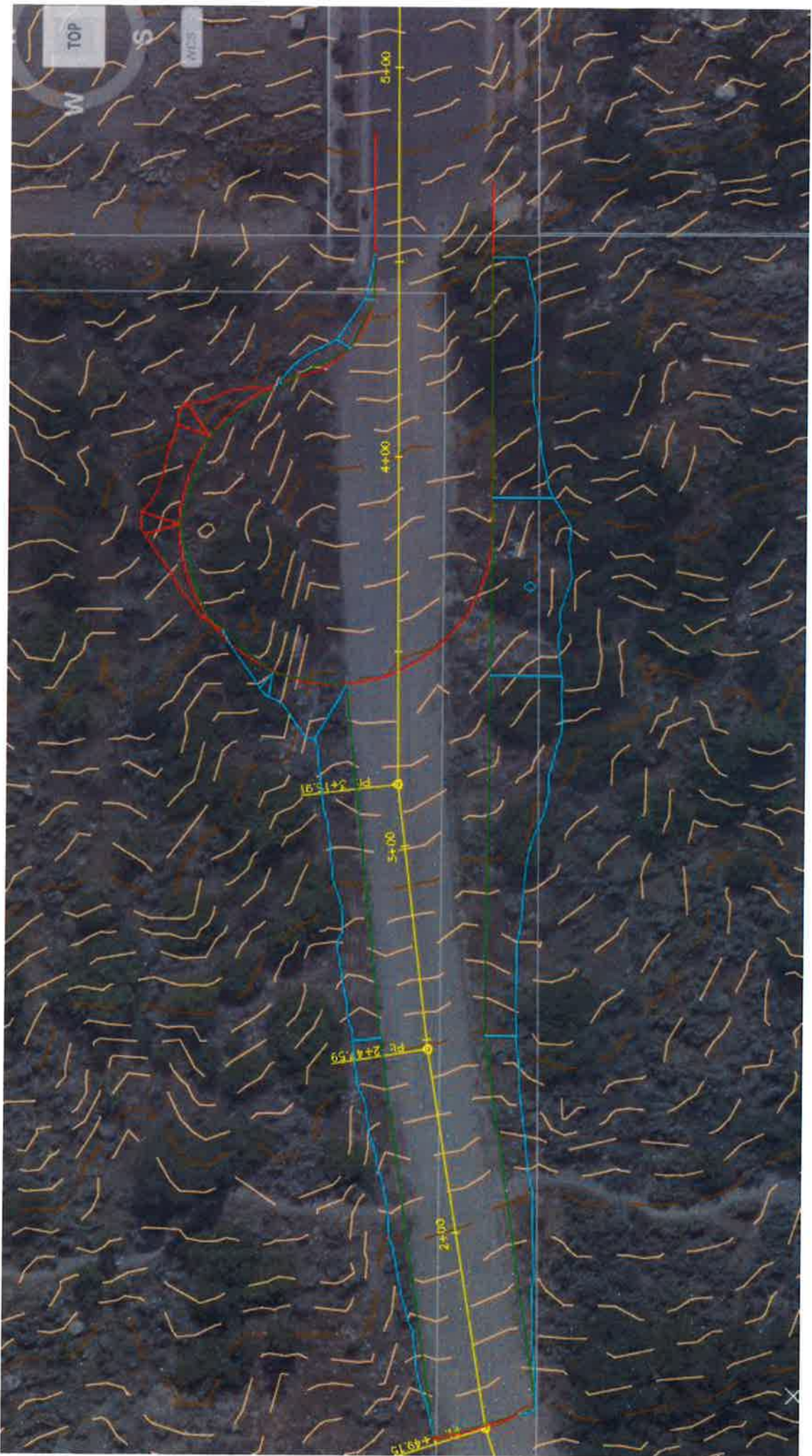
13.02%

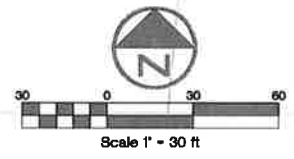


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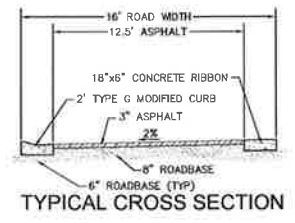




WILDING
ENGINEERING

14721 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84065
801.555.8112
WWW.WILDINGENGINEERING.COM

DRAWING NOTES:



DATA TABLE

NEW PLOTS SHOWN= 1,239

SURFACE CUT= 4,030 CY*

SURFACE FILL= 5,175 CY*

SURFACE NET= 1,145 CY (FILL)*

* DOES NOT INCLUDE ROAD CROSS SECTION

ROAD LENGTH= 1,300'

ROAD CROSS SECTION= 16.23 SF

ROAD CUT VOLUME= 781 CY

OVERALL NET= 364 CY

NO.	REVISION	DATE

PROJECT INFORMATION

ALPINE CITY CEMETERY

PHASE 1 CONCEPTUAL GRADING

ALPINE, UTAH

DRAWN MEC	CHECKED	PROJECT # 21278
DATE 12/17/21		SCALE 1" = 30'
SHEET 1 OF 1		ENGINEER'S STAMP



G:\DATA\21278 Alpine City Cemetery\dwg\REF\VR-Site-21278 Alpine Cemetery Ph 1.dwg
PLOT DATE: Dec 17, 2021



WILDING
ENGINEERING

14731 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84065
801.553.8113
WWW.WILDINGENGINEERING.COM

DRAWING NOTES:

NEW PLOTS SHOWN= 2,354

NO.	REVISION	DATE

PROJECT INFORMATION

ALPINE CITY CEMETERY

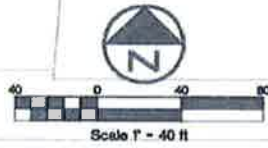
CONCEPTUAL GRADING 2

ALPINE, UTAH

DRAWN	CHECKED	PROJECT #
MEC		21278
DATE	11/18/21	
SCALE	1" = 40'	
SHEET	1 OF 1	

C:\DATA\21278 Alpine City Cemetery\Drawings\21278 Alpine Cemetery.dwg
PLOT DATE: Nov 18, 2021

ENGINEER'S STAMP



PHASE 1
1,239 PLOTS

PIONEER ROAD

LOWER ROAD

MIDDLE ROAD

UPPER ROAD

PHASE 2
831 PLOTS

PHASE 3
294 PLOTS

TOTAL
2,364 PLOTS

GROVE DR



DRAWING NOTES:

11/18/21 14781 Alpine City Cemetery (eng) V005 V02 - 21278 Alpine Cemetery.dwg
 PLOT DATE: Nov-18, 2021

NEW PLOTS SHOWN= 2,354

NO.	REVISION	DATE

PROJECT INFORMATION:
ALPINE CITY CEMETERY
 CONCEPTUAL GRADING 2
 ALPINE, UTAH

DRAWN MEC	CHECKED	PROJECT # 21278
DATE 11/18/21		SHEET 1 OF 1
SCALE 1" = 40'		

ENGINEER'S STAMP

Shane Sorensen

From: Jed Muhlestein
Sent: Wednesday, December 1, 2021 12:00 PM
To: Shane Sorensen
Subject: Cemetery at Peterson
Attachments: Peterson Park Cemetery (698 PLOTS)-Model.pdf; Peterson Park Cemetery (920 PLOTS)-Model.pdf; Peterson Park Cemetery (1072 PLOTS)-Model.pdf

Threw a couple concepts together for a cemetery layout at Peterson Park.

The 698 version could be redrawn several different ways and you'd come up with approximately the same number of lots. The idea there is to have a looped road. No matter what way you loop it, it'll take up space and kill the developability of the area.

The 1072 version maximizes space but leaves no buffer between the northerly lots and requires a lot of tree removal.

The 920 version leaves a few trees for a buffer and space where we could do our own landscaping. I like this version because you don't really have to build the road going south and it maximizes the space fairly well.

It would probably be smart to have roads that were in the range of 20-24' wide instead of 16' if we intended on having two-way traffic on them. Just a thought.

Jed Muhlestein, P.E.

City Engineer

Office (801) 756-6347x116

Cell (801) 473-0076

jed@alpinecity.org



698 plots

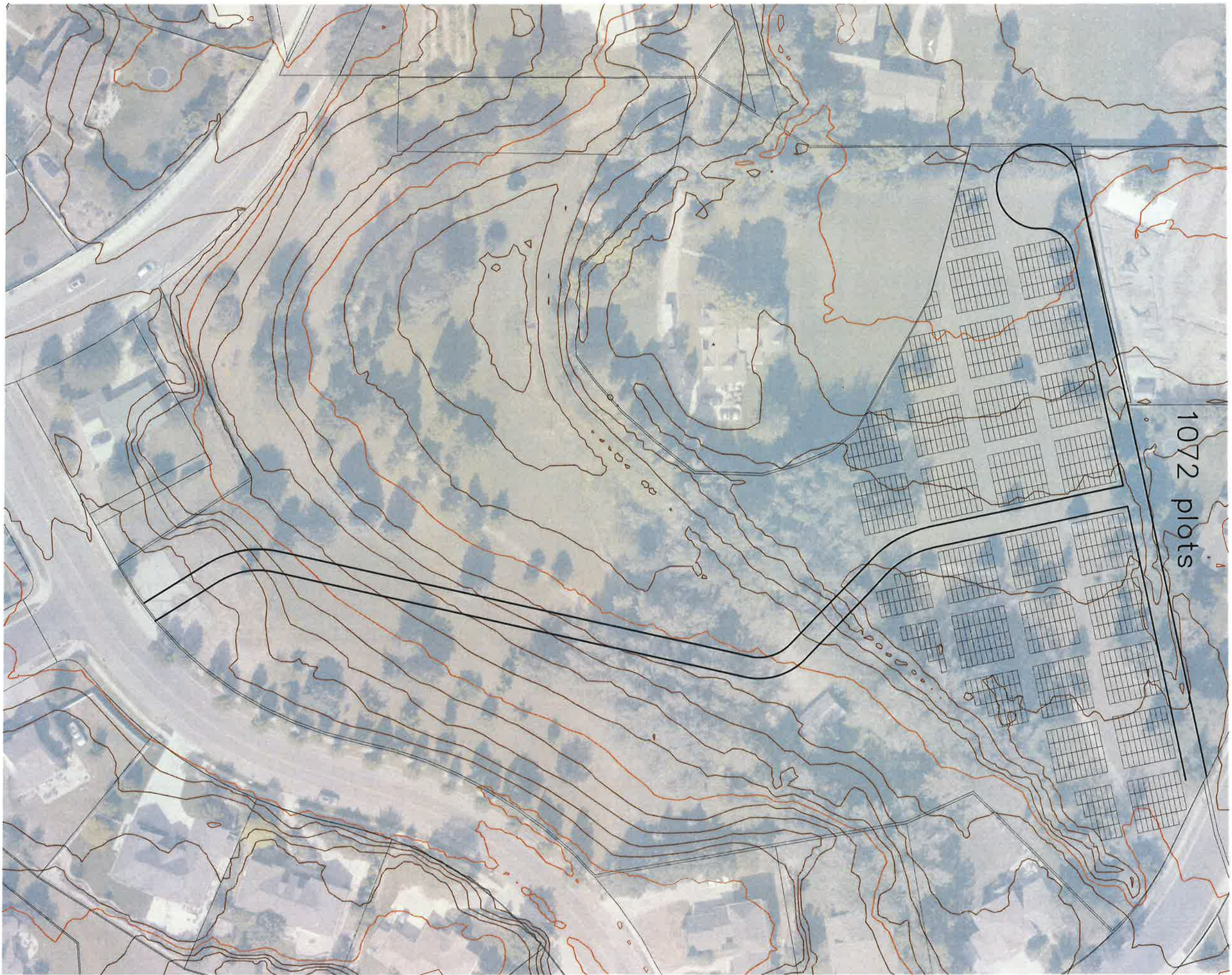




920 plots

NEW LANDSCAPING TREES

THIS ROAD COULD BE A FUTURE CONNECTION



1072 plots

ALPINE'S

'PETERSEN ARBORETUM'

Arboretum History

The history of Alpine's Petersen Arboretum began in Skebsteed, Denmark in the mid 1800's. Christina Beck Petersen was born in May 1851 to Christian J. Beck and Hannah M. Krants Beck. Her family lived on a large estate named "Fuegholt" (which means "Home of the Birds"). This estate (and farm) was located in one of the most fertile districts of Denmark.

Christina's mother, Hannah, was an ardent Bible reader and when the missionaries came to her door, she could see the truth in their teachings. Christina's father, Christian, was unable to grasp it so readily. Hannah labored with her husband to see it as she did, but at that time he was unable to do so. (He was baptized into the Church, two years after they emigrated to Utah.) Hannah was thoroughly converted and wished for the promises and blessings of the restored gospel and therefore, without her husband's knowledge, was baptized and confirmed a member of the Church of Jesus Christ of Latter Day Saints. Christian Beck heard rumors that his wife had joined the "despised" Mormon Church. He returned home and asked her about it. She said, "Yes". His comment was, "Well, let us keep it as quiet as possible, so we can sell the farm and get something for it, then we will go to Zion."

At this time, the LDS converts were persecuted and driven from their homes for accepting the gospel, so Christian and Hannah Beck, sacrificed all they had acquired, for their religion. The money from the sale of their home and farm was used in helping six other families, who had embraced the gospel, to emigrate to America.

On May 20, 1866, the Beck family bid farewell to relatives, friends, their native country and all that was near and dear to them, and commenced their journey to Utah. Christina was 14 years old at that time.

As with most of the converts to the Mormon Church in the 1800's, the Beck family had a heart-wrenching experience trying to get to Utah. Leaving Denmark, they crossed the Atlantic in an old sailing ship. During the voyage, the ship caught fire three times, and was so badly burned that it was condemned in N.Y. harbor and never made another voyage. It was, also, very crowded so there was much sickness on board. Their 5 month old baby boy died and was buried at sea. He was wrapped in a sheet and slid off a board into the ocean. It took the sailing ship eight weeks and 3 days to cross the Atlantic.

On reaching New York, the weather was extremely hot and many of the emigrants were overcome with the heat and died. To escape the heat, the rest of them were rushed to Boston, by rail, and from Boston to Omaha, Nebraska - all in cattle cars. This grueling trip was 14 days in duration.

At Council Bluffs, the Beck family was told that there was a shortage of ox teams and wagons and so all those, who were able, would be forced to walk to Utah. This was, indeed, another heartbreak for a family that was used to living on a lovely, large estate in Denmark. The Beck family had given up much, to follow their hearts. They reached Salt Lake City on September 20, 1866, footsore and weary, having been on the way since May 20th, of that year, exactly four months since they left their native home.

The Becks settled in Lehi for two years. Several Danish families were living in Alpine and they encouraged the Becks to move here (Alpine) where the father, Christian Beck and his wife, Hannah, took up a homestead and raised their children. The Alpine Art Center, the Alpine Stake Center, and the antique store (Authentique) are today located on this original homestead. Christina Beck, now 15 years old, found work at the Yankee mine, in American Fork Canyon, as a cook. At age 16, she met Louis Petersen, age 18, who was

working at the Yankee mine. Louis and his brother Andrew, two years younger, had also come to America from Denmark. Their parents and the rest of the family had stayed in Scandinavia.

Christina was married to Louis Petersen May 25, 1874, in the Old Endowment House in Salt Lake City by Daniel H. Wells.

In April 1888, Louis and Christina took up a homestead just east of the Becks homestead. (A copy of the homestead certificate is enclosed in this history.) The President of the United States, Grover Cleveland, signed the certificate. It is upon this homestead that the Petersen Arboretum is located.

Six children were born to the Petersens.

- (1) Charles, born Oct. 7, 1874. Died Jan 28, 1877.
- (2) Anna Soffie, born Jan. 20, 1877. Died Jan. 23, 1877.
- (3) Etta
- (4) Amanda
- (5) Clarence
- (6) Conrad

The last four of their children lived to adulthood.

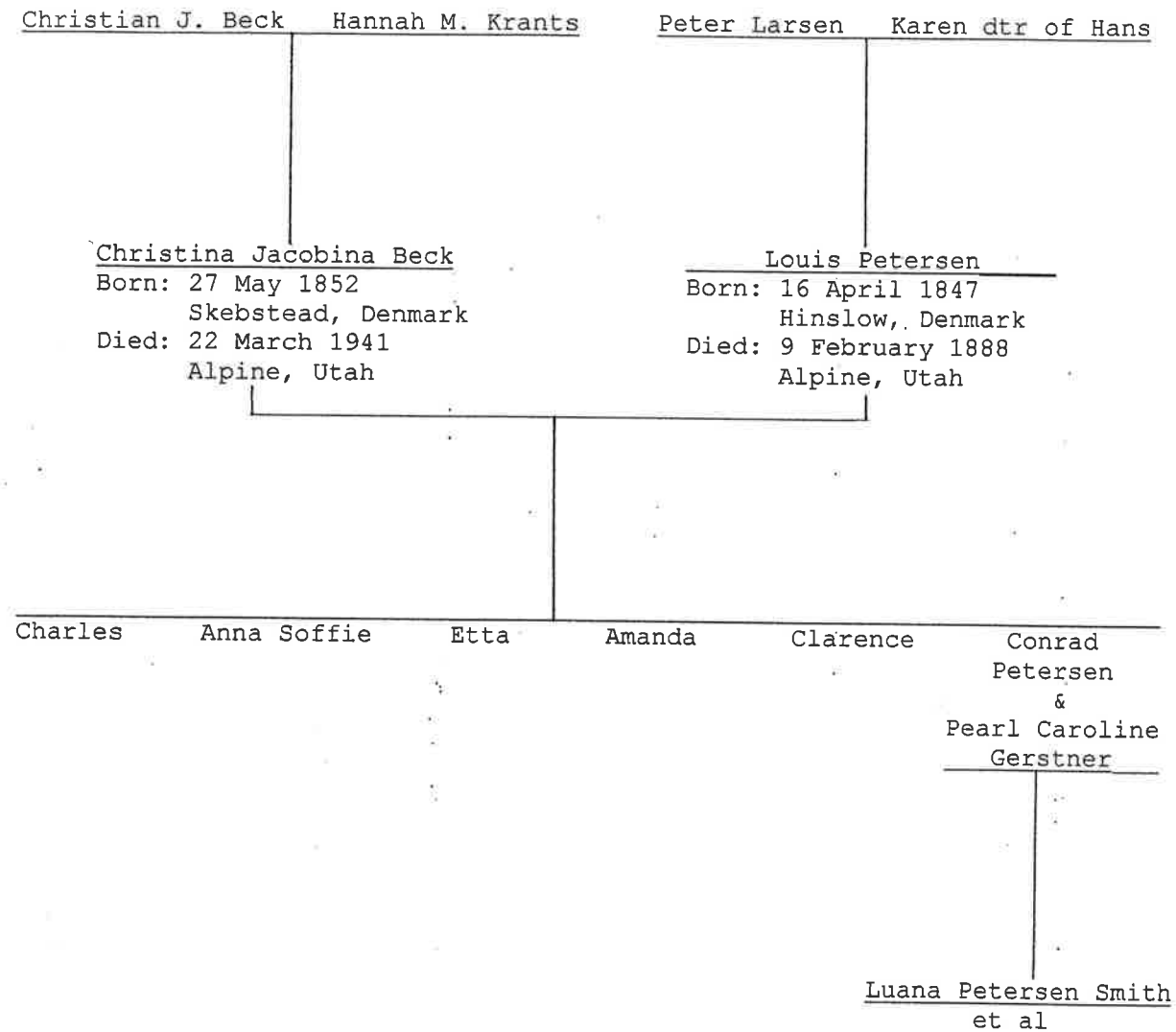
When Conrad Petersen was 2 years old, his father, Louis, fell on a pitchfork and was killed. Louis was 44 years old, at the time. He had built a home, on the arboretum land, a log house of 2 rooms, with logs hauled out of Preston Canyon. He also built a fine milk house, over a spring of canyon water. They milked 12 cows, the milk being placed in cans in a trough filled with cold water. A daughter of Conrad Petersen, Luana Smith, says that she remembers the milk man, Waldo Bateman, picking up the fresh milk each morning and taking it to the Meadow Gold Dairy in S.L.C.

In addition to the cows, they also raised chickens and grew alfalfa and grain. Louis Peterson had planted Silver Leaf Poplars along the main ditch, east of the barn. Some of those trees are now 112 years old. His son, Conrad, also added poplars along the upper ditch.

On the arboretum property, there are also 5 or 6 very old apple trees and one very old pear tree. Each of these trees were probably planted from seed.

Family Photos and History
Courtesy of Luana Smith

Geraldine W. Lewis
February 20, 2002





(4-405.)

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

Homestead Certificate No. 3684

APPLICATION 4587

of the LAND OFFICE at Salt Lake City, Utah Territory }
whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Samuel Peterson

is hereby established and duly consummated, in conformity to law, for the south-east quarter of the north-west quarter and the lot numbered one and two of section thirty in township four south of range two east of Salt Lake Meridian in Utah Territory containing one hundred and twenty acres and sixteen hundredths of an acre

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the SURVEYOR GENERAL:

Now know ye, That there is, therefore, granted by the United States unto the said Samuel Peterson

thereof, unto the said Samuel Peterson the tract of Land above described: To have and to hold the said tract of Land, with the appurtenances heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof I, James Buchanan, President of the United States of America, have caused these letters to be made Patent, and the seal of the GENERAL LAND OFFICE to be hereunto affixed.



Given under my hand, at the City of Washington, the Twenty-eighth day of June, in the year of our Lord one thousand eight hundred and eighty-eight, and of the Independence of the United States the one hundred and twelfth

By the President: Charles Doolittle
By Mr. M. M. Moore, Secretary.



Louis Petersen



Christina Beck Petersen



Christina Beck Peterson Robertson

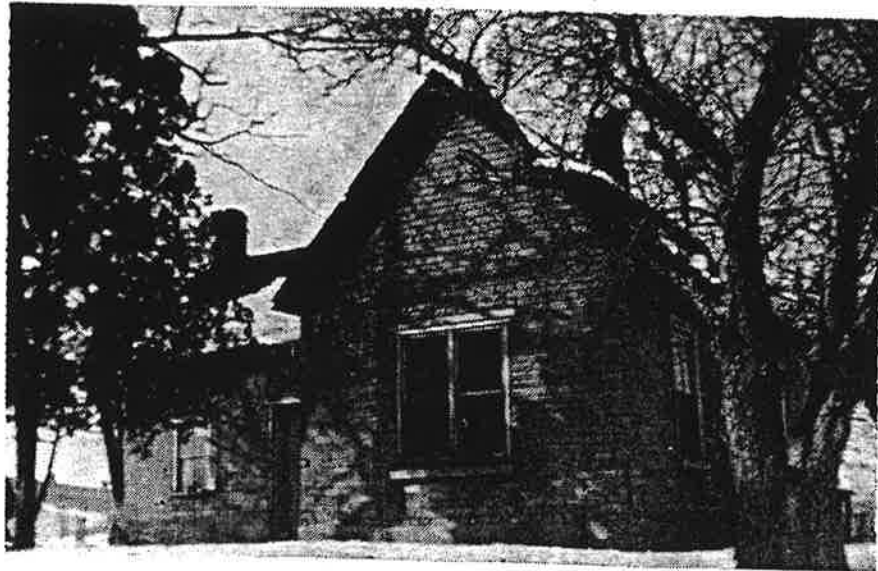


Louis Peterson

Christina Beck Peterson Robertson and Louis Peterson

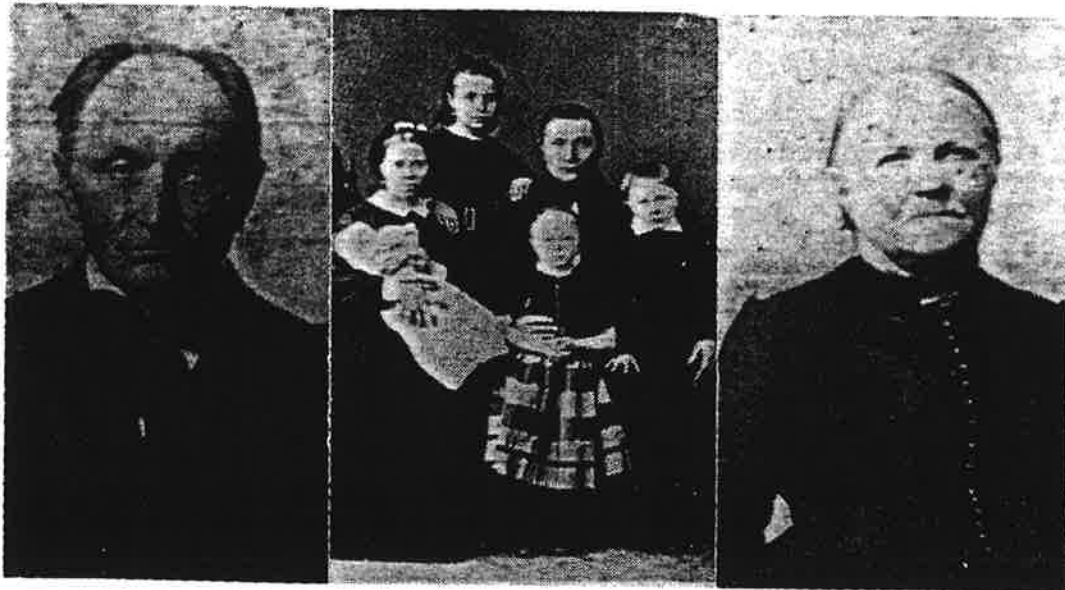
(sic) Petersen

(sic) Petersen



Christian J. Beck Home at Alpine

Christina Beck
Back Row
Center

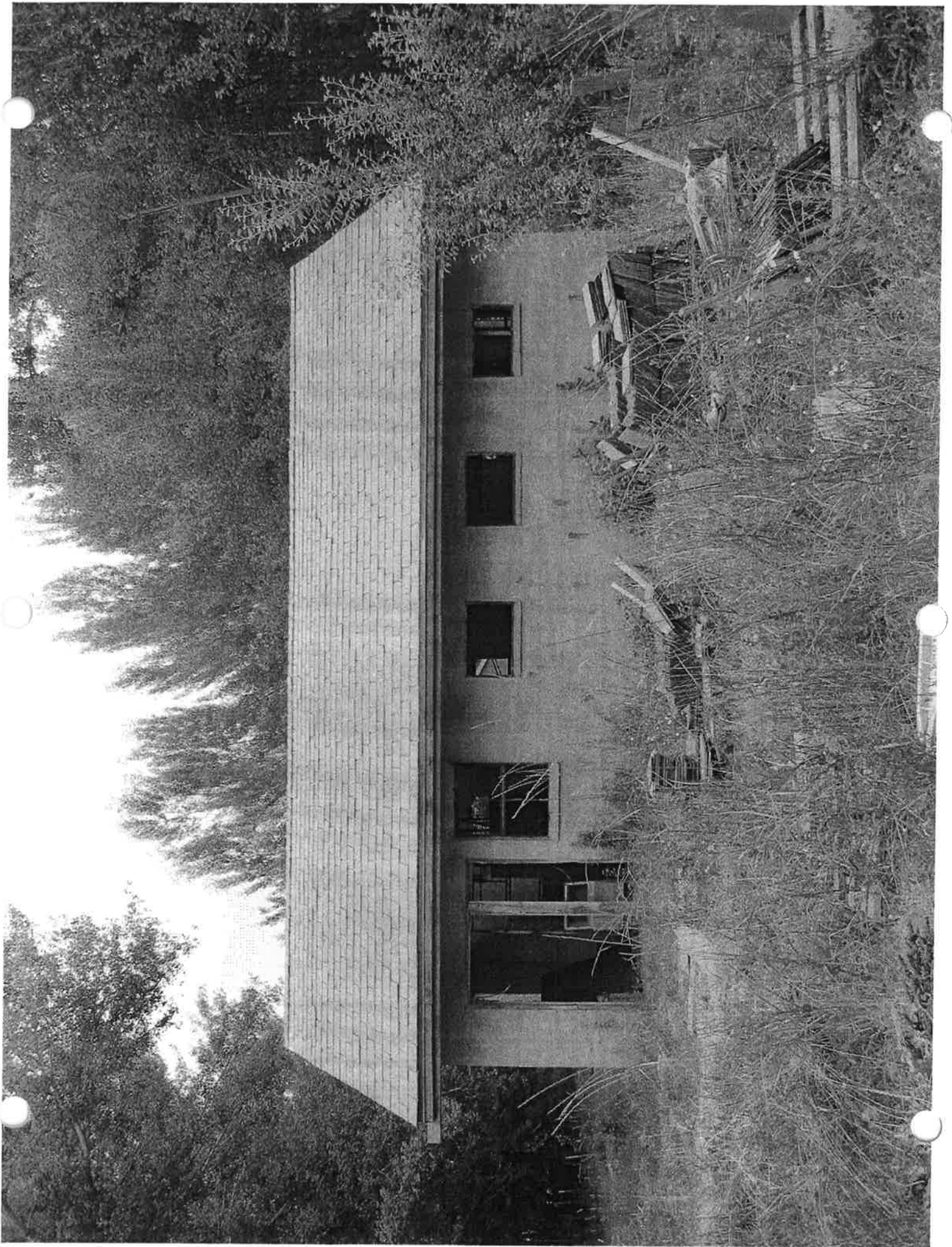


Christian J. Beck

Hannah M. Krants Beck

Christian J. Beck and Hannah M. Krants Beck





Draft 8-01-2000

Alpine City's Petersen Park Arboretum

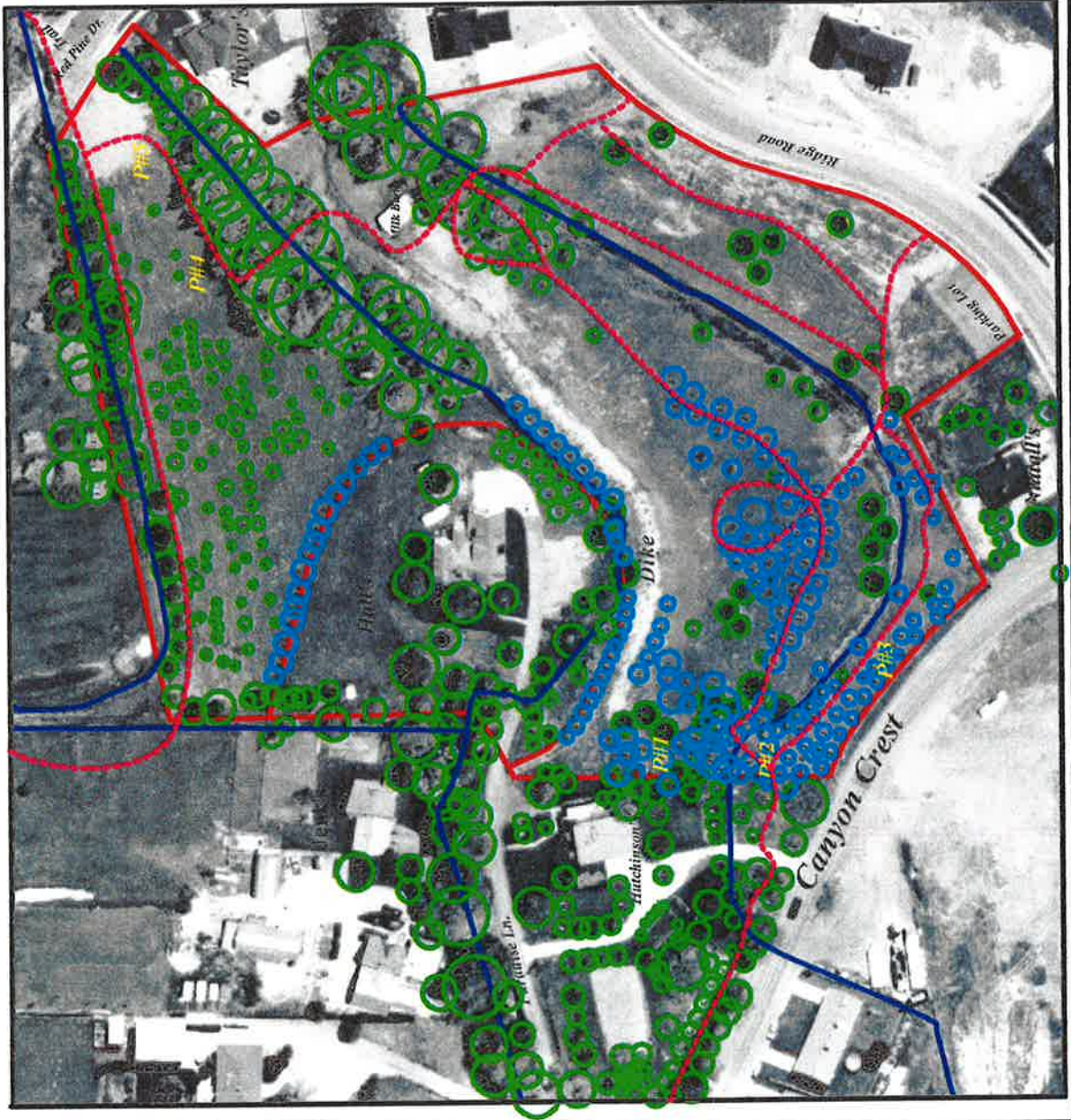
PRESENTED
TO
CITY COUNCIL
10-10-00
APPROVED

Key

- 1 American Elm
- 2 California Blue Spruce
- 3 Cedar
- 4 Silver Leaf Poplar
- 5 Apple
- 6 Aspen
- 7 Dogwoods

- A Ash
- Ac Acorn Maple
- Ar Red Sweet Maple
- B Box Oak
- BG Bar Gambel
- Ch Cherry
- C Canyon Oak
- E English Oak
- ec Eng. Oak Columnar Oak
- G Giant Sequoia Redwood
- K Kirkman King Maple
- P Gambel Oak
- W White Oak (Swamp Oak)
- WP White Fir
- PK PINK Rose

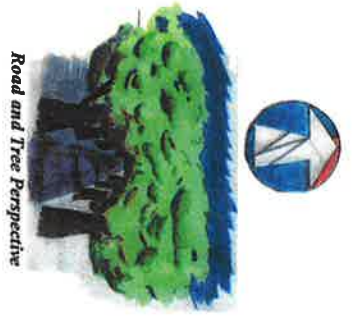
- Gas Line
- Trails
- Pipeline
- Property Boundary
- Dike
- Existing Trees
- Newly Planted Trees
- last 3 years
- Proposed
- 2000-2001 Plantings



Drawn by: Harry Bushkowsky, R.E.

Alpine City's Peterson Park Arboretum

Roads, Trails and 2" Pipe System



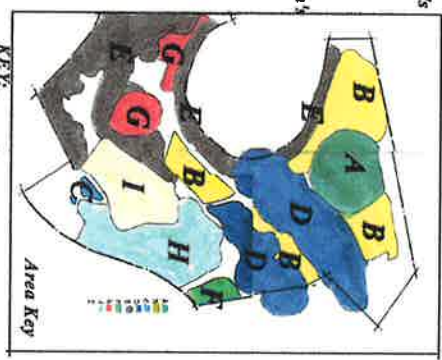
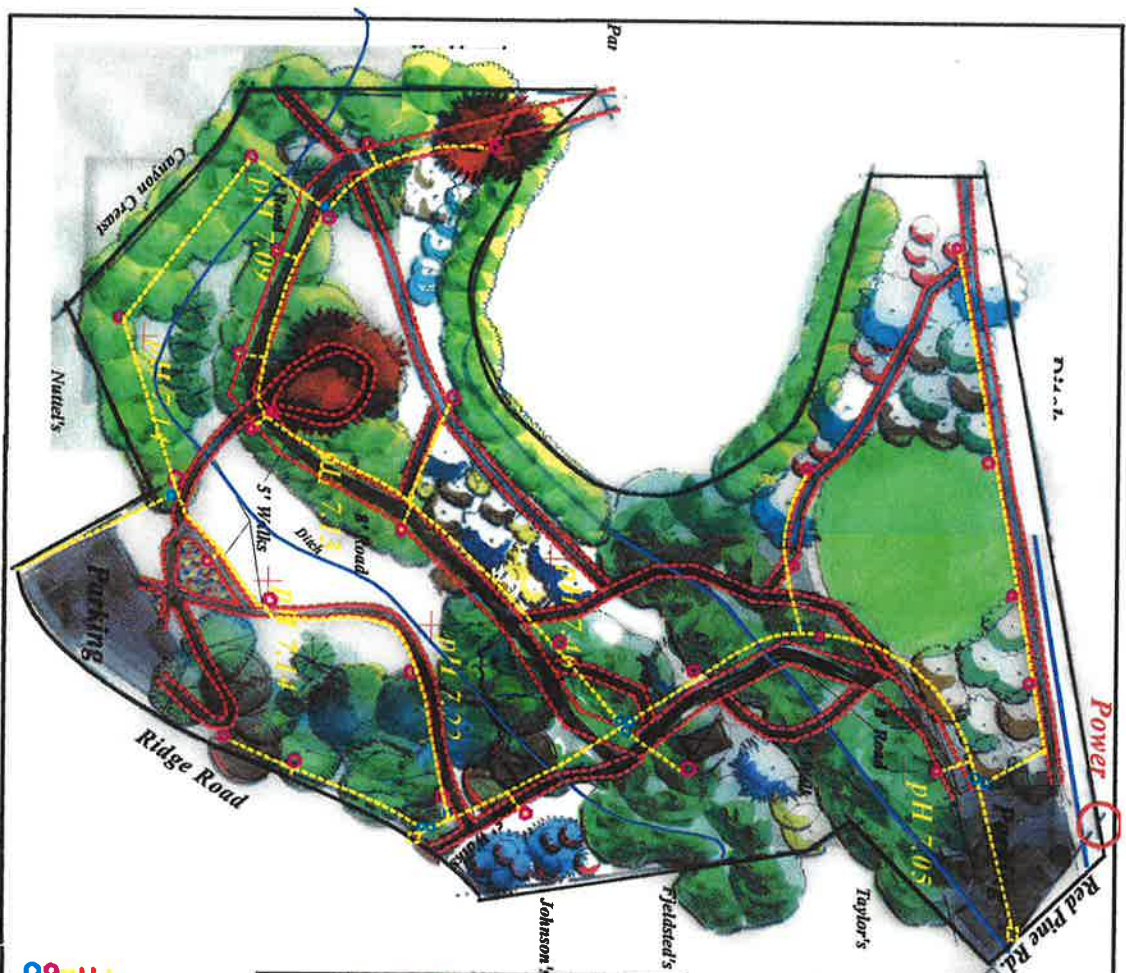
Road and Tree Perspective



Bridge and Stream Perspective



Annual/Perennial Memorial Garden



- KEY:**
- 1 - Lawn Area
 - 2 - Native Plant Area
 - 3 - Annual/Perennial Memorial Gardens
 - 4 - Upper-story Plants
 - 5 - Oak Forest
 - 6 - Oak Forest
 - 7 - Oak Forest
 - 8 - Oak Forest
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 - 99 - Oak Forest
 - 100 - Oak Forest

Scale 1"=113.2'

Drawn by: Jason Naess
June 8, 2001



PETERSEN
ARBORETUM
MASTER PLAN B



LARS ANDERSON DESIGNS
LANDSCAPE ARCHITECTS
6090 WEST 10150 NORTH
HIGHLAND, UTAH 84003
801-766-2060 ANDLAR@MSN.COM

SHEET TITLE:
LANDSCAPE
PLAN

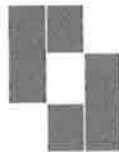
PROJECT TITLE:
PETERSEN
ARBORETUM

SCALE: 1" = 50'-0"
DATE: MARCH 2007
DRAWN BY: LDA
JOB NO: PETARD
FILE:

SHEET NO.

ALPINE FIRE STATION 22 FEASIBILITY STUDY

11 JANUARY 2022



Babcock Design



SUMMARY

Fire station design is unique. These are buildings that represent an area's commitment and service to their community. But it can also be a place of comfort and camaraderie. While in college, I lived in an apartment across the street from a local fire station. Looking for traditions with my family - we took baked goods, drinks, and well wishes to the company working thru Christmas Eve. We were welcomed with gratitude and shown a brief glimpse of their daily routines. As an architect, it is my hope to facilitate these routines while providing solutions that meet the needs and expectations of the residents.

Recently, I had the pleasure of meeting with some of the users of the Alpine Fire Station. Station 22 in Alpine is ready for renovation and expansion to accommodate it's growing population of residents. It is our intention by way of this feasibility study to investigate and look at potential solutions for this need. We hope to showcase for you these validations and offer some potential thoughts and concepts that Babcock Design could use to help make this project a reality.

Response times are crucial and seconds count in station design. With this in mind we have utilized the initial space plans presented to us by the users of the station and added some additional clarity and potential solutions given the unique re-use of the existing building. That said, there are some assumptions in this early stages of development. It is important to know that your concerns are our concerns. Most important to us is that your needs and goals are met. Babcock Design strives to set ourselves apart from other firms by being highly responsive and communicative throughout the project. We look forward to learn more about your values to ensure that we can incorporate a comprehensive design that will exceed the expectations for the city of Alpine. Our experienced team is ready to further develop this study and work closely with you to understand how we can turn your operations into a successful fire station.

Sincerely,



Chad Littlewood
Associate



South Jordan Fire Station 64

REFERENCES

SOUTH JORDAN FIRE STATION #64, POLICE & ADMIN. BUILDING

Jeremy Nielsen, PE
Deputy City Engineer
801.254.3742 office
801.253.5203 ext. 1353 direct
jnielsen@sjc.utah.gov

City of South Jordan
1600 W. Towne Center Drive, South Jordan, UT
84095

SOUTH JORDAN PUBLIC SAFETY BUILDING

Ken Short
Supervising Sr. Engineer
801.254.3742 office
kshort@sjc.utah.gov

City of South Jordan
1600 W. Towne Center Drive, South Jordan, UT
84095

KANE COUNTY PUBLIC SAFETY COMPLEX

Tracy Glover
Sheriff
435.644.4948
sheriffglover@kane.utah.gov

Kane County
971 East Kaneplex Drive, Kanab, UT 84741

SOUTH JORDAN CITY HALL

Burt Merrill
801.330.2693
bmerrill@sjc.utah.gov

City of South Jordan
1600 W. Towne Center Drive, South Jordan, UT
84095

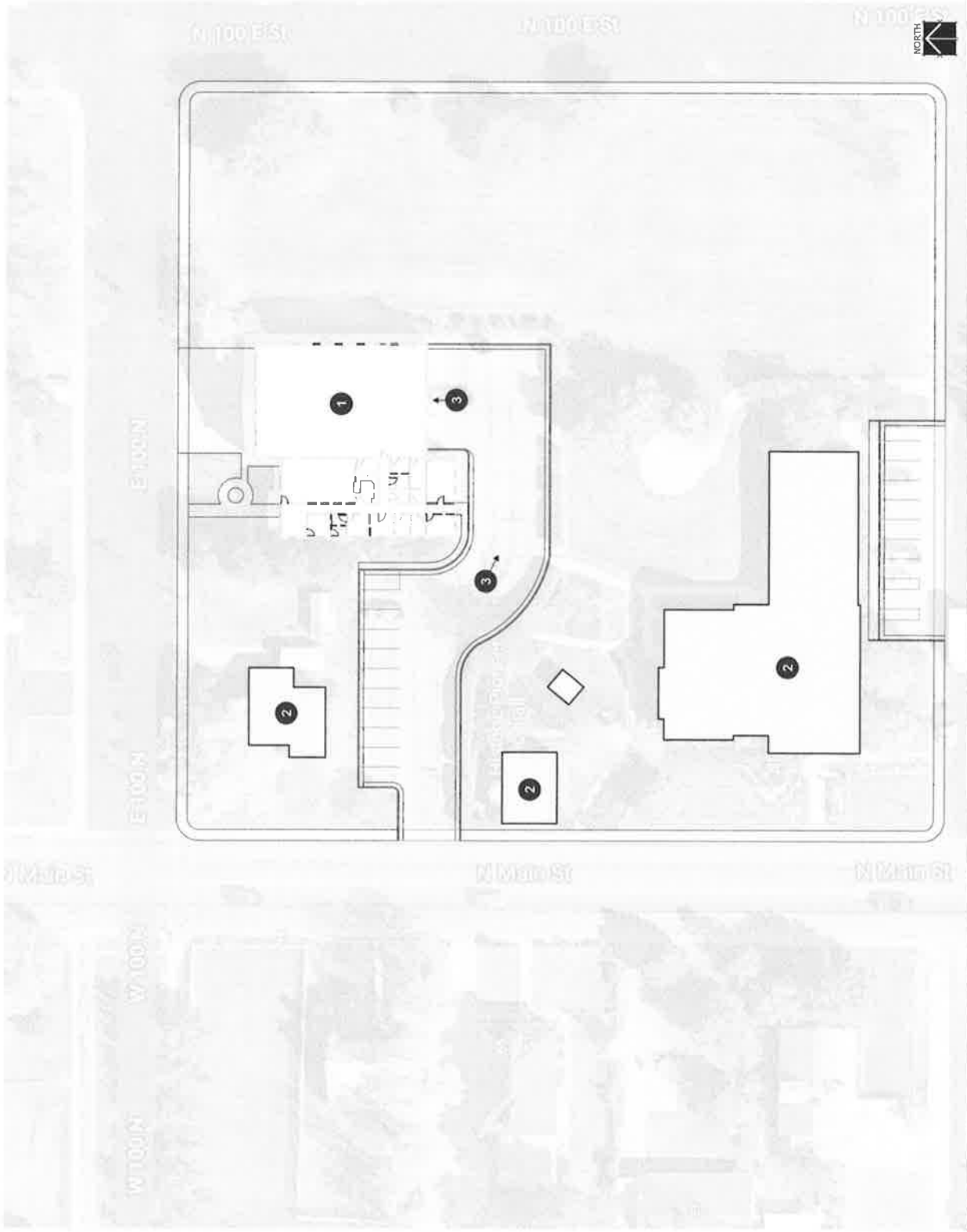
UTE TRIBE JUSTICE CENTER

Crystal Adams
Project Manager
435.823.1821
crystal@utetribe.com

Ute Indian Tribe
910 South 7500 East, Fort Duchesne, UT 84026

LEGEND

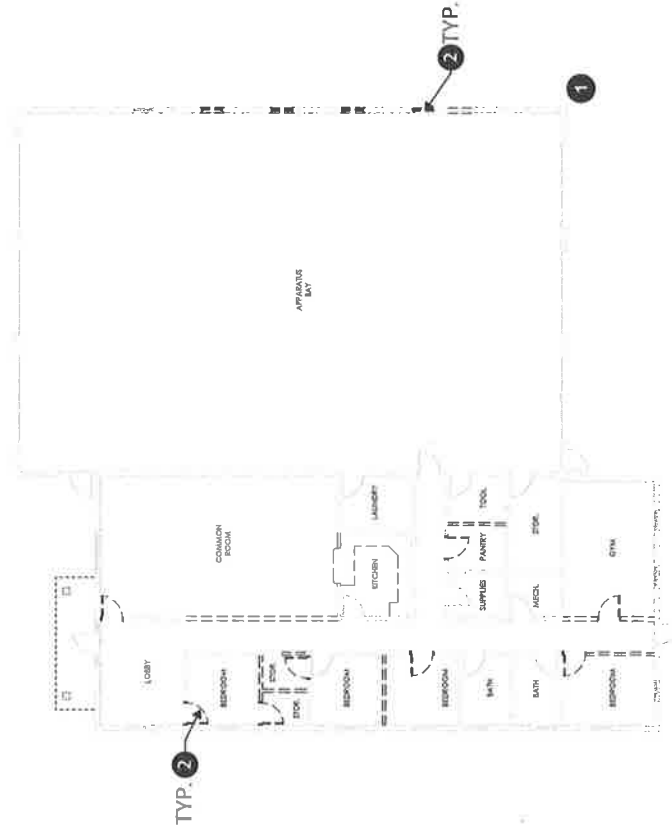
- 1 EXISTING FIRE STATION
- 2 ADJACENT BUILDINGS
- 3 EXISTING APPARATUS ENTRY



LEGEND

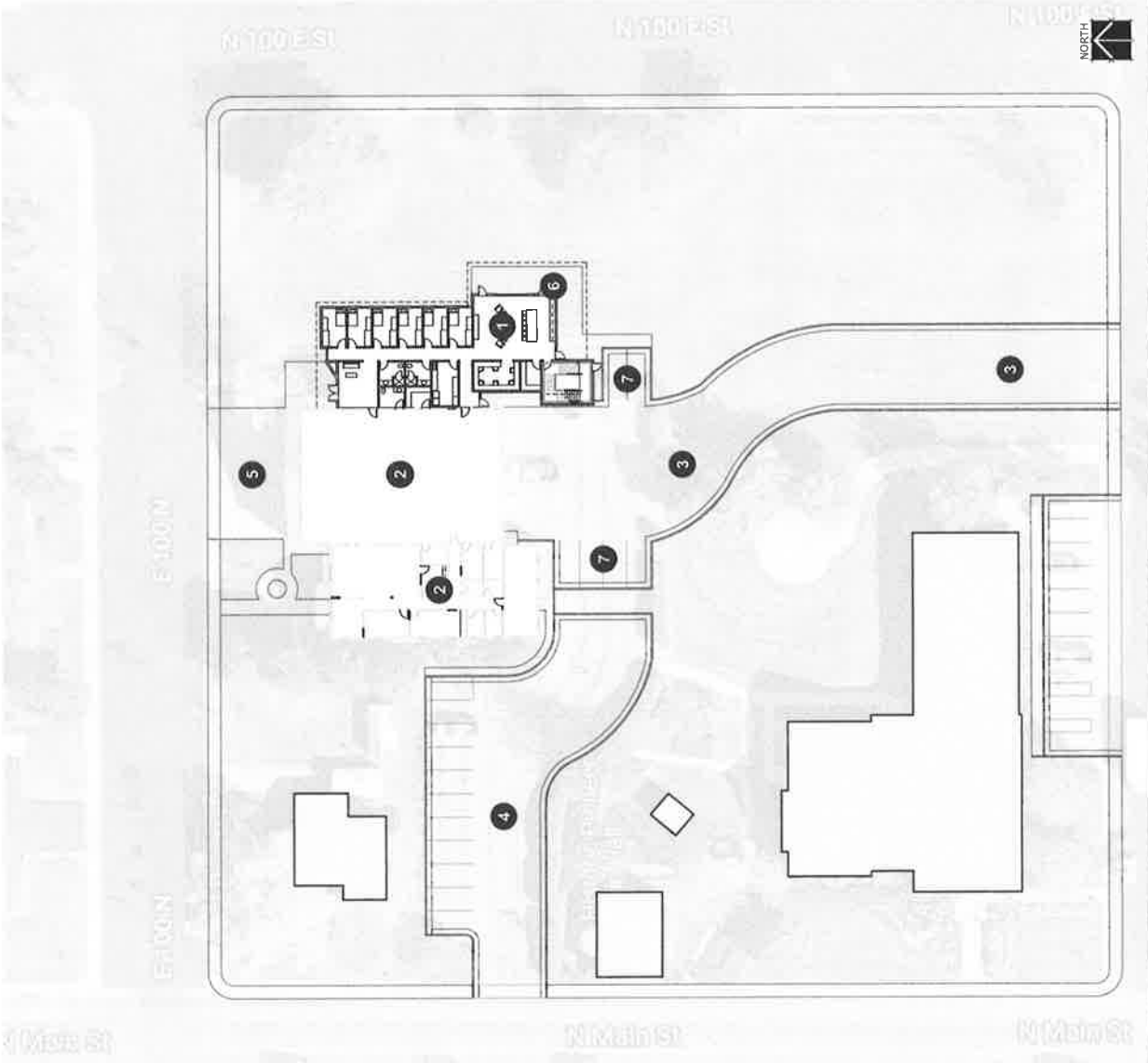
APPROXIMATELY 7,100 SF OF
1 EXISTING BUILDING (TO BE
VERIFIED)

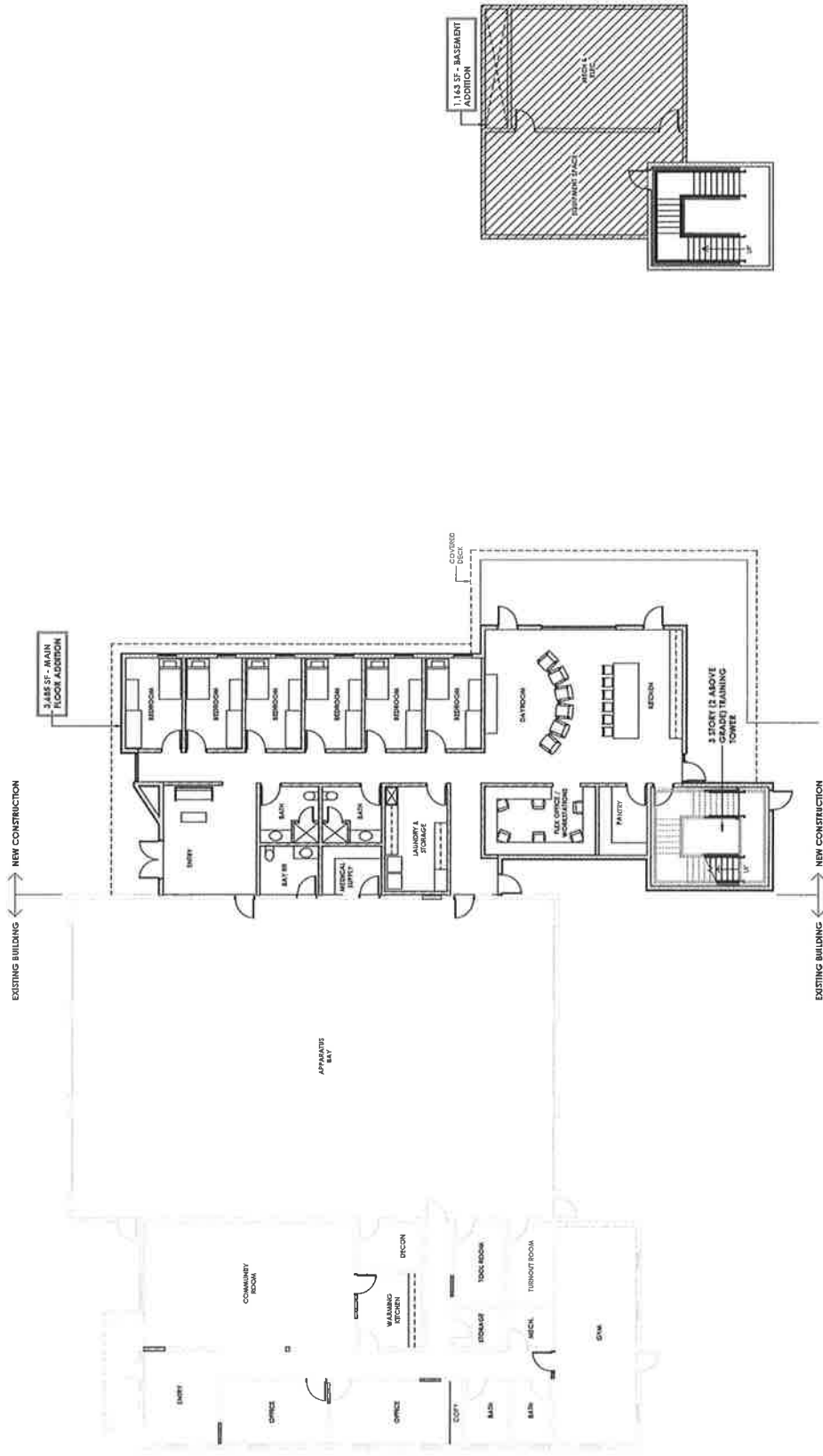
2 ITEMS SHOWN DASHED ARE
PROPOSED TO BE DEMOLISHED



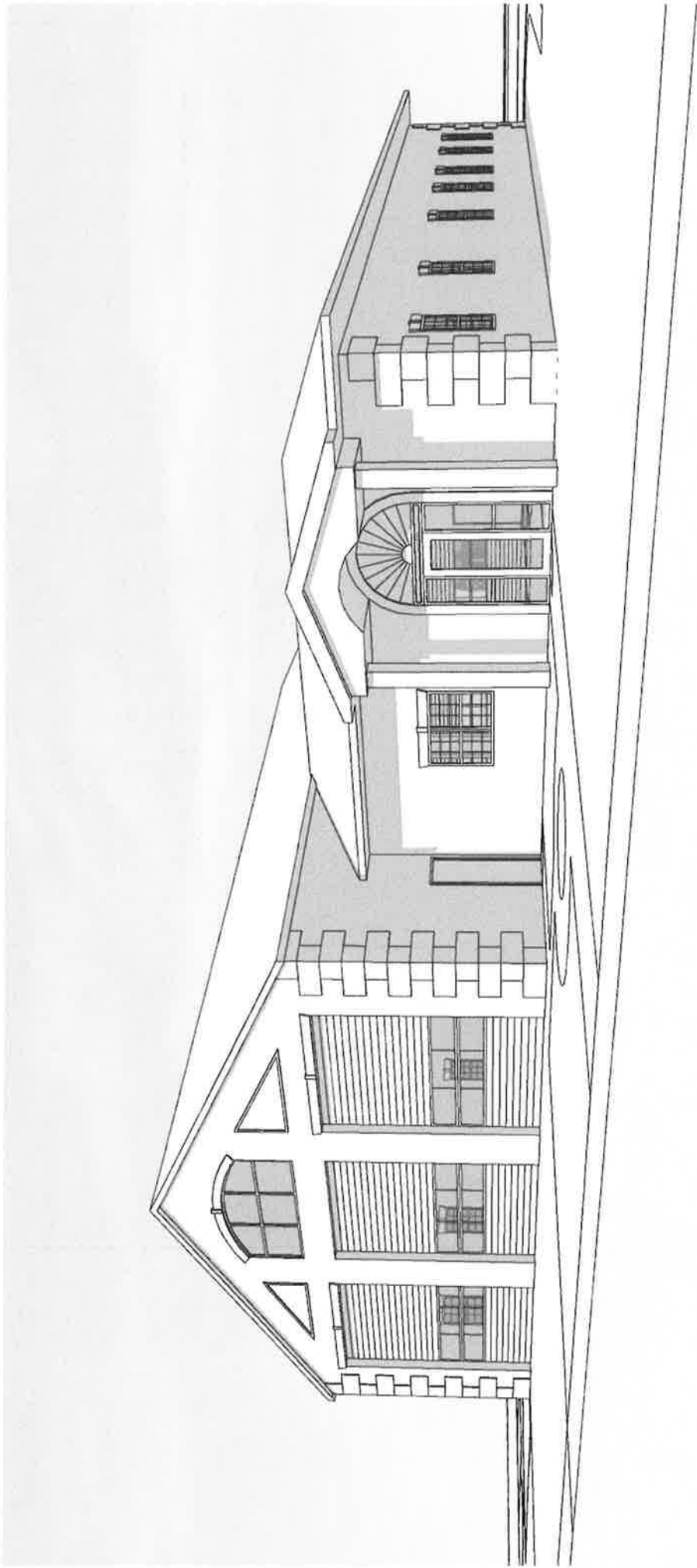
LEGEND

- 1 PROPOSED ADDITION OF FIRE STATION
- 2 EXISTING FIRE STATION (REMODELED)
- 3 PROPOSED NEW ROUTE OF APPARATUS ENTRY
- 4 PARKING AREA FOR COMMUNITY (SEPARATED FROM APPARATUS VEHICLES)
- 5 APPARATUS EXIT APRON - REPLACED
- 6 OUTDOOR COVERED PATIO
- 7 (6) ADDITIONAL STALLS RESERVED FOR FIRE CREW

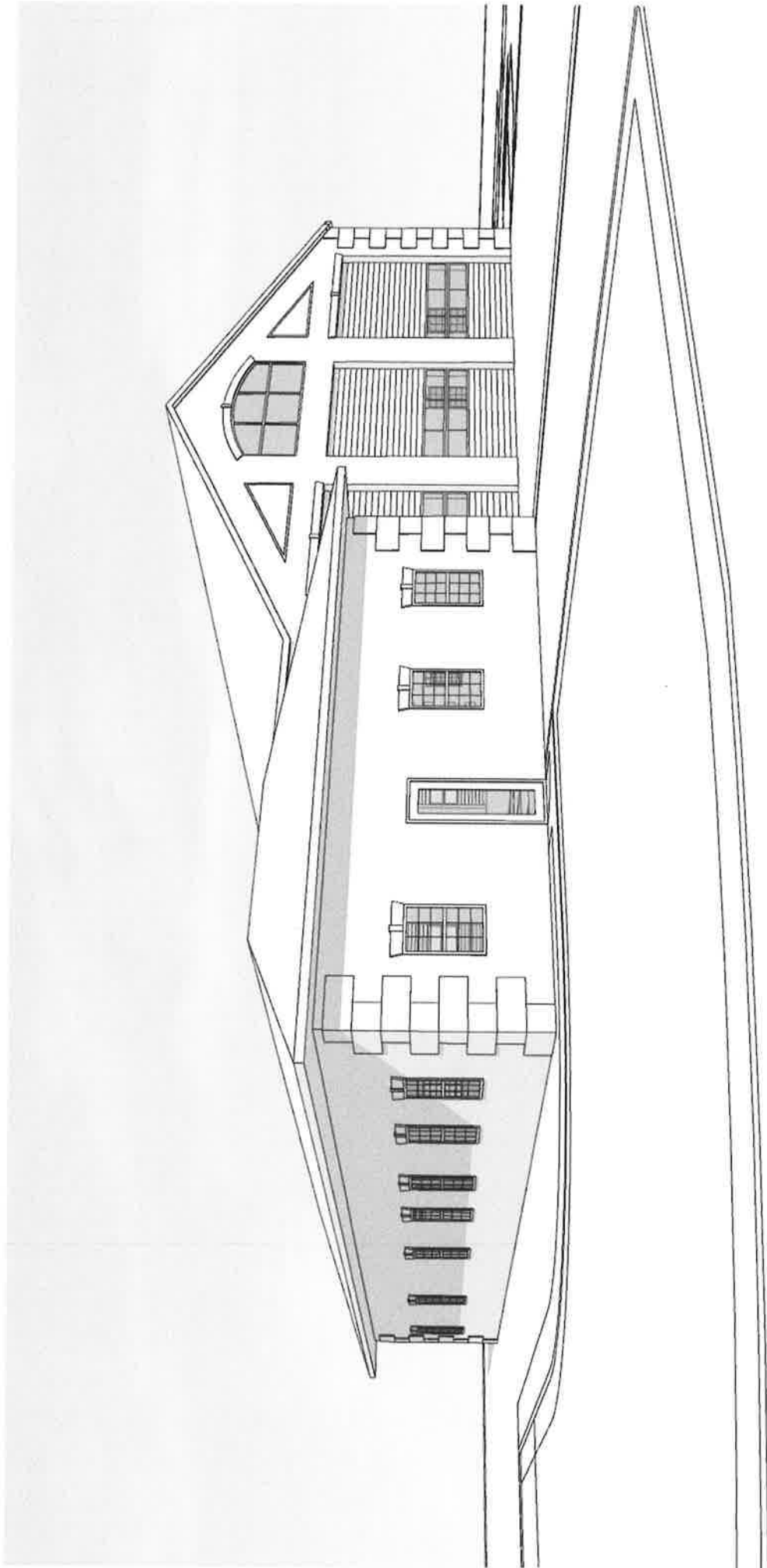




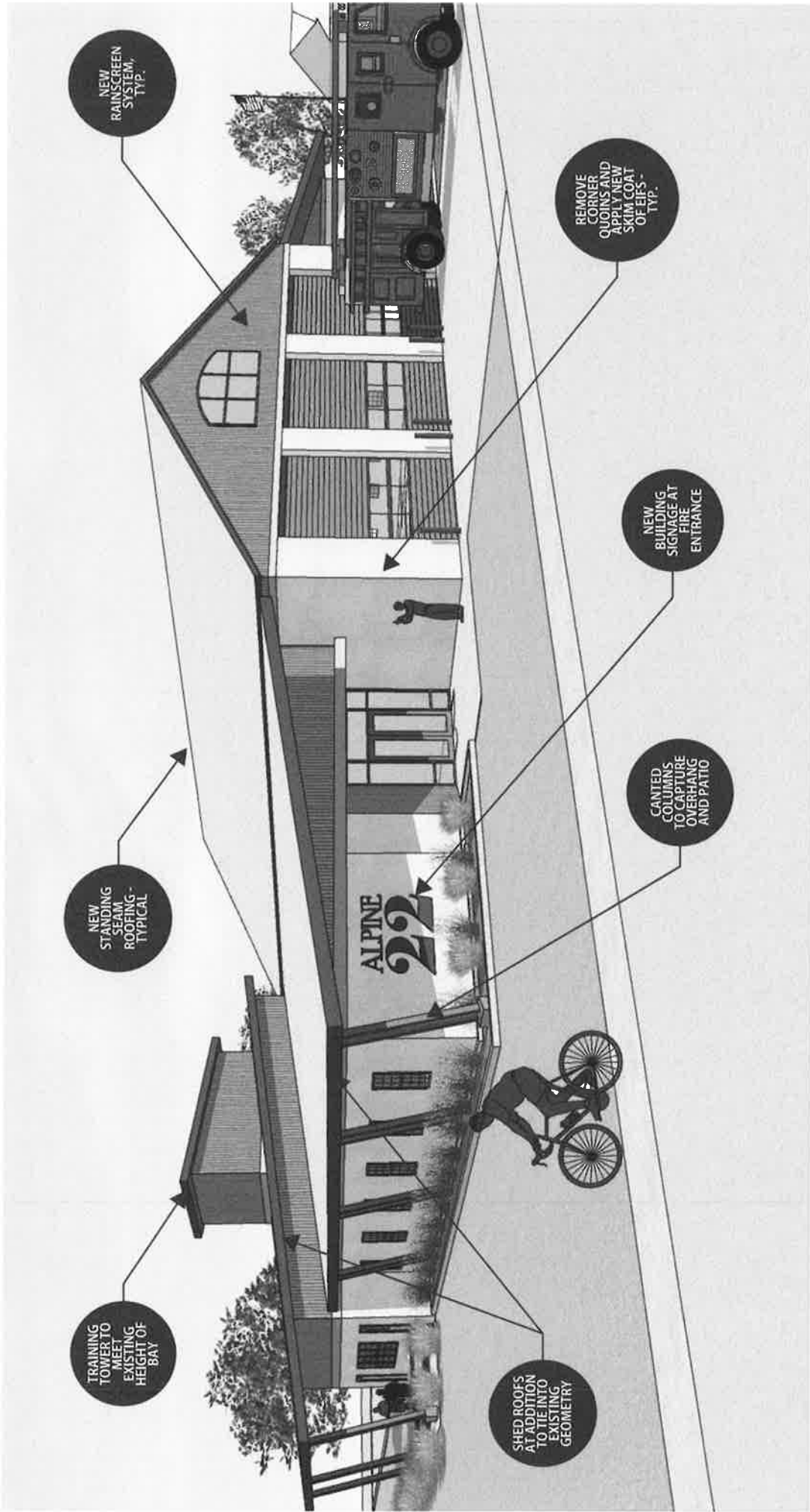
PROPOSED FLOOR PLANS (1/8" = 1'-0")
 ALPINE FIRE DEPARTMENT | ALPINE, UTAH
 11 JANUARY 2022



EXISTING BUILDING - PERSPECTIVE
ALPINE FIRE DEPARTMENT | ALPINE, UTAH
11 JANUARY 2022



EXISTING BUILDING - PERSPECTIVE
ALPINE FIRE DEPARTMENT | ALPINE, UTAH
11 JANUARY 2022



TRAINING TOWER TO MEET EXISTING HEIGHT OF BAY

NEW STANDING SEAM ROOFING - TYPICAL

NEW RAINSCREEN SYSTEM, TYP.

SHED ROOFS AT ADDITION TO TIE INTO EXISTING GEOMETRY

CANTED COLUMNS TO CAPTURE OVERHANG AND PATIO

NEW BUILDING SIGNAGE AT FIRE ENTRANCE

REMOVE CORNER QUOINS AND APPLY NEW SKIM COAT OF EIFS - TYP.

PROPOSED BUILDING - PERSPECTIVE

ALPINE FIRE DEPARTMENT | ALPINE, UTAH
11 JANUARY 2022

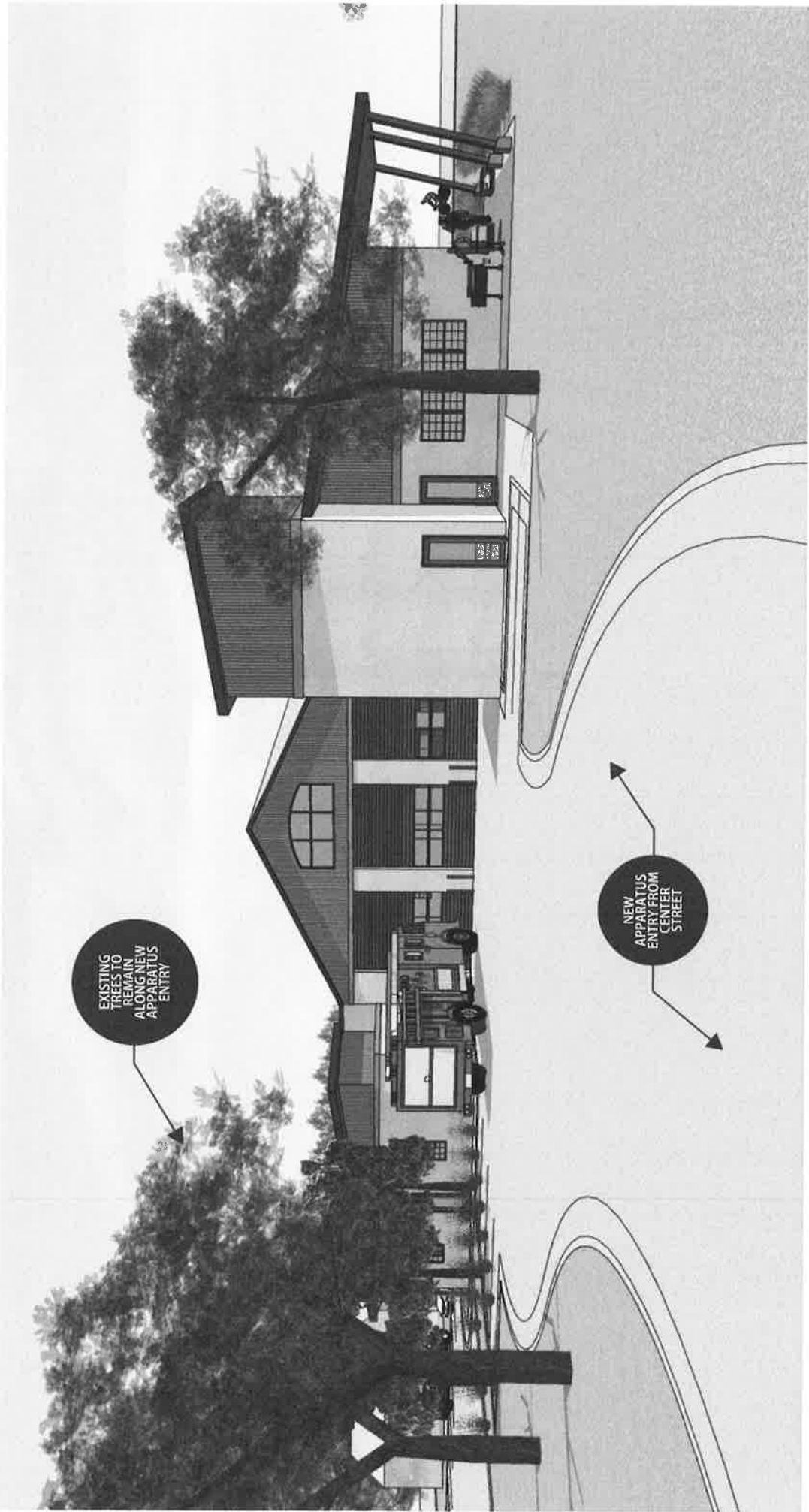


PROPOSED BUILDING - PERSPECTIVE

ALPINE FIRE DEPARTMENT | ALPINE, UTAH
11 JANUARY 2022



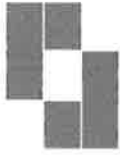
PROPOSED BUILDING - PERSPECTIVE
 ALPINE FIRE DEPARTMENT | ALPINE, UTAH
 11 JANUARY 2022



PROPOSED BUILDING - PERSPECTIVE

ALPINE FIRE DEPARTMENT | ALPINE, UTAH

11 JANUARY 2022



Babcock Design



Alpine Fire Station #22
Alpine, Utah

Conceptual Estimate

Plans Dated 12/20/2021
Project Size 10,292.00 sf
New Building 3,197.00 sf
Existing Remod 7,095.00 sf

	Quantity		Labor		Material		Subcontractor		Sub Total	
	Amount	UOM	Unit Rate	Amount	Unit Rate	Amount	Unit Rate	Amount	Unit Rate	Amount
01 00 00 General Requirements				\$ 218,003		\$ 41,070		\$ 6,500		\$ 265,572
01 00 00 General Requirements										
General Conditions	1.00	ls	218002.5	\$ 218,003	\$ 41,070	\$ 41,070	\$ 6,500	\$ 6,500	\$ 265,572	\$ 265,572
20 00 00 Demolition				\$ -		\$ -		\$ 77,392		\$ 77,392
02 100000 Selctive Demolition										
Sawcutting	1.00	ls	\$ -	\$ -	\$ -	\$ -	\$ 6,500	\$ 6,500	\$ 6,500	\$ 6,500
Break & Remove CMU	432.00	sf	\$ -	\$ -	\$ -	\$ -	\$ 9	\$ 3,672	\$ 9	\$ 3,672
Break & Remove Concrete/Site Concrete	625.00	sf	\$ -	\$ -	\$ -	\$ -	\$ 7	\$ 4,063	\$ 7	\$ 4,063
02 411300 Selective Site Demolition - Remove 6" Concrete Paving	1,854.00	sf	\$ -	\$ -	\$ -	\$ -	\$ 5	\$ 8,343	\$ 5	\$ 8,343
02 411300 Selective Site Demolition - Remove Sidewalk	515.00	sf	\$ -	\$ -	\$ -	\$ -	\$ 5	\$ 2,318	\$ 5	\$ 2,318
02 411900 02.01 Remove Existing Cabinets	27.00	lf	\$ -	\$ -	\$ -	\$ -	\$ 10	\$ 257	\$ 10	\$ 257
02 411900 02.01 Remove Existing Masonry Wall	17.00	sf	\$ -	\$ -	\$ -	\$ -	\$ 9	\$ 153	\$ 9	\$ 153
02 411900 02.01 Remove Existing Roofing Systems/Structure	3,093.00	sf	\$ -	\$ -	\$ -	\$ -	\$ 12	\$ 35,570	\$ 12	\$ 35,570
02 411900 02.01 Remove Existing Wall	775.00	lf	\$ -	\$ -	\$ -	\$ -	\$ 4	\$ 3,100	\$ 4	\$ 3,100
02 411900 02.02 Remove Ceiling Finishes	310.00	sf	\$ -	\$ -	\$ -	\$ -	\$ 2	\$ 682	\$ 2	\$ 682
02 411900 02.04 Remove & Dispose Door	7.00	ea	\$ -	\$ -	\$ -	\$ -	\$ 25	\$ 175	\$ 25	\$ 175
02 411900 02.10 Remove Flooring & Wall Finishes	2,749.00	sf	\$ -	\$ -	\$ -	\$ -	\$ 2	\$ 5,361	\$ 2	\$ 5,361
Temporary Protection	1.00	ls	\$ -	\$ -	\$ -	\$ -	\$ 4,200	\$ 4,200	\$ 4,200	\$ 4,200
Haul & Remove	1.00	ls	\$ -	\$ -	\$ -	\$ -	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
03 00 00 Concrete				\$ 38,926		\$ 59,173		\$ 30,190		\$ 128,288
03 06 30.13 Concrete Footings										
03 310100 CF 03.0	41.80	cy	98.00	\$ 4,096	125	\$ 5,225	100	\$ 4,180	323	\$ 13,501
03 310120 Matt Footings										
03 310120 Area*12"	3.30	cy	115.00	\$ 380	125	\$ 413	100	\$ 330	340	\$ 1,122
03 310200 Foundation Walls										
03 310200 cw1004 Fnd Wall 10" x 4'0"1	21.00	cy	250.00	\$ 5,250	300	\$ 6,300	100	\$ 2,100	650	\$ 13,650
03 310200 cw1006 Fnd Wall 8" x 6'0"	1.00	cy	250.00	\$ 250	300	\$ 300	100	\$ 100	650	\$ 650
03 310200 cw1010 Fnd Wall 10" x 10'0"	10.00	cy	250.00	\$ 2,500	300	\$ 3,000	100	\$ 1,000	650	\$ 6,500
03 310200 cw1010 Fnd Wall 8" x 10'0"	26.00	cy	251.00	\$ 6,526	301	\$ 7,826	101	\$ 2,626	653	\$ 16,978
03 310200 cw1015 Fnd Wall 10" x 15'0"	5.98	cy	252.00	\$ 1,506	302	\$ 1,805	102	\$ 610	656	\$ 3,920
03 310300 Slab on Grade										
03 310300 5-1/2" SOG	3,086.00	sf	0.55	\$ 1,697	0.65	\$ 2,006	3.5	\$ 10,801	4.7	\$ 14,504
Vapor Barrier	3,086.00	sf	0.15	\$ 463	0.05	\$ 154	0	\$ -	0.2	\$ 617
03 310310 5-1/2" SOD										
03 310320 15" Suspended Slab (mild reinf)	698.00	sf	4.25	\$ 2,967	4	\$ 2,792	0.75	\$ 524	9	\$ 6,282
03 350000 Concrete Finishing	698.00	sf	0.55	\$ 384	0.45	\$ 314	3.5	\$ 2,443	4.5	\$ 3,141
05 511300 Metal Pan Stairs										
05 310000 D3 18ga. 1 1/2"	84.00	sf		\$ -	6.5	\$ 546	0	\$ -	6.5	\$ 546
03 350000 Concrete Finishing										
03 354300 Polished Concrete Finishing	2,434.00	sf	2.25	\$ 5,477	2.25	\$ 5,477	2.25	\$ 5,477	6.75	\$ 16,430
03 320000 Concrete Reinforcmenet										
Concrete Reinforcmenet	19,556.26	lbs	0.38	\$ 7,431	0.98	\$ 19,165	0	\$ -	1.36	\$ 26,597
Masonry Reinforcement	3,929.00	lbs	0.00	\$ -	0.98	\$ 3,850	0	\$ -	0.98	\$ 3,850
04 00 00 Masonry				\$ -		\$ -		\$ 178,508		\$ 178,508
04 220000 CMU										
04 220001 CMU 08" - 12'0" - Standard	3,929.00	sf		\$ -		\$ -	22	\$ 86,438	22	\$ 86,438
05 00 00 Metals				\$ -		\$ 76,356		\$ 6,434		\$ 82,791
05 121000 HS Tube										
Tube Steel	12,788.00	lbs		\$ -	2.3	\$ 29,412	0.25	\$ 3,197	2.55	\$ 32,609
05 121100 C										
05 121100 C 15 x33.9	9,103.20	lbs		\$ -	2.77	\$ 25,216	0.25	\$ 2,276	3.02	\$ 27,492
05 121100 W Shapes										
05 121100 W 08 x 010	855.00	lbs		\$ -	2.62	\$ 2,240	0.25	\$ 214	2.87	\$ 2,454

09 512600	Wood Ceilings - Wood Slat Ceilings	2,989.00	sf		sf	\$	-		sf	\$	-	24.00	sf	\$	71,736	24.00	sf	\$	71,736	6.97	sf			
09 650000	Resilient Flooring																							
09 651900	Vinyl Composition Tile Flooring - Luxury	103.00	sf		sf	\$	-		sf	\$	-	5.10	sf	\$	525	5.10	sf	\$	525	0.09	sf			
09 650000	Resilient Flooring																							
09 651633	Rubber Sheet Flooring	466.00	sf		sf	\$	-		sf	\$	-	6.50	sf	\$	3,029	6.50	sf	\$	3,029	0.29	sf			
09 680000	Carpeting																							
09 680000	Carpeting	1,797.00	sf		sf	\$	-		sf	\$	-	3.35	sf	\$	6,020	3.35	sf	\$	6,020	0.58	sf			
09 900000	Painting																							
	Painting	10,292.00	sf		sf	\$	-		sf	\$	-	6.50	sf	\$	66,898	6.50	sf	\$	66,898	6.50	sf			
	Finish Remodel Allowance	3,197.00	sf		sf	\$	-		sf	\$	-	24.00	sf	\$	76,728	24.00	sf	\$	76,728	7.46	sf			
10 00 00	Specialties						\$	3,545			\$	715			\$	24,410			\$	28,670	2.79	sf		
10 140000	Signage																							
10 142600	Post and Panel/Pylon Signage	13.00	ea	25.00	ea	\$	325		55	ea	\$	715			ea	\$	-		80	ea	\$	1,040	0.10	sf
10 280000	Toilet,bath and laundry accessories																							
10 280000	Toilets	8.00	EA	34.00	EA	\$	272			EA	\$	-	224	EA	\$	1,792	258	EA	\$	2,064	0.20	sf		
10 28131300	Commercial Toilet Accessories - A 36" Grab Bar	8.00	EA	35.00	EA	\$	280			EA	\$	-	225	EA	\$	1,800	260	EA	\$	2,080	0.20	sf		
10 28131300	Commercial Toilet Accessories - B 42" Grab Bar	8.00	EA	35.00	EA	\$	280			EA	\$	-	250	EA	\$	2,000	285	EA	\$	2,280	0.22	sf		
10 28131300	Commercial Toilet Accessories - Stainless Shelf	2.00	EA	35.00	EA	\$	70			EA	\$	-	180	EA	\$	360	215	EA	\$	430	0.04	sf		
9 28131300	Commercial Toilet Accessories - Seat Cover Dispenser	8.00	EA	36.00	EA	\$	288			EA	\$	-	181	EA	\$	1,448	217	EA	\$	1,736	0.17	sf		
10 28131300	Commercial Toilet Accessories - F Mirror	8.00	EA	30.00	EA	\$	240			EA	\$	-	220	EA	\$	1,760	250	EA	\$	2,000	0.19	sf		
10 28131300	Guestroom Toilet Accessories - Towel Disp.	8.00	EA	25.00	EA	\$	200			EA	\$	-	75	EA	\$	600	100	EA	\$	800	0.08	sf		
10 28131300	Commercial Toilet Accessories - Liquid soap dispenser	8.00	EA	10.00	EA	\$	80			EA	\$	-	100	EA	\$	800	110	EA	\$	880	0.09	sf		
10 28131300	Commercial Toilet Accessories - Toilet dispenser	8.00	EA	40.00	EA	\$	320			EA	\$	-	125	EA	\$	1,000	165	EA	\$	1,320	0.13	sf		
10 28131300	Commercial Toilet Accessories - Stainless Shelf	8.00	EA	40.00	EA	\$	320			EA	\$	-	200	EA	\$	1,600	240	EA	\$	1,920	0.19	sf		
10 400000	Safety Specialties																							
10 441600	Fire Extinguisher Cabinet Semi-Recessed	2.00	ea	400	ea	\$	800			ea	\$	-		ea	\$	-	400	ea	\$	800	0.08	sf		
10 441600	Fire Extinguisher Cabinet Surface Mounted	2.00	ea	35	ea	\$	70			ea	\$	-		ea	\$	-	35	ea	\$	70	0.01	sf		
10 510000	Lockers																							
10 511300	Metal Lockers 20" x 24"	15.00	ea	0	ea	\$	-			ea	\$	-	750	ea	\$	11,250	750	ea	\$	11,250	1.09	sf		
12 00 00	Furnishings						\$	-			\$	-			\$	26,700			\$	26,700	2.59	sf		
12 360000	Countertops																							
12 364000	Metal Countertops	58.00	sf		sf	\$	-			sf	\$	-	75	sf	\$	4,350	75	sf	\$	4,350	0.42	sf		
12 364000	Quartz Countertops	62.00	sf		sf	\$	-			sf	\$	-	95	sf	\$	5,890	95	sf	\$	5,890	0.57	sf		
12 364000	Quartz backsplash	104.00	sf		sf	\$	-			sf	\$	-	65	sf	\$	6,760	65	sf	\$	6,760	0.66	sf		
12 364000	Solid Surface worktops	194.00	sf		sf	\$	-			sf	\$	-	50	sf	\$	9,700	50	sf	\$	9,700	0.94	sf		
14 00 00	Conveying Systems						\$	-			\$	-			\$	85,000			\$	85,000	8.26	sf		
14 10 1000	Elevator																							
	2 Stop Hydraulic	2.00	Stp		Stp	\$	-			Stp	\$	-	42500	Stp	\$	85,000	42500	Stp	\$	85,000	8.26	sf		
15 00 00	Fire Suppression						\$	-			\$	-			\$	46,314			\$	46,314	4.50	sf		
	Fire Suppression																							
	Fire Sprinklers	10,292.00	sf		sf	\$	-			sf	\$	-	4.5	sf	\$	46,314	4.5	sf	\$	46,314	4.50	sf		
22 00 00	Plumbing						\$	-			\$	-			\$	302,688			\$	302,688	29.41	sf		
	Plumbing Systems																							
	Plumbing	10,292.00	sf		sf	\$	-			sf	\$	-	29.41	sf	\$	302,688	29.41	sf	\$	302,688	29.41	sf		
23 00 00	Heating, Ventilating, and Air Conditioning (HVAC)						\$	-			\$	-			\$	330,785			\$	330,785	32.14	sf		
	HVAC Systems																							
	HVAC	10,292.00	sf		sf	\$	-			sf	\$	-	32.14	sf	\$	330,785	32.14	sf	\$	330,785	32.14	sf		
26 00 00	Electrical						\$	-			\$	-			\$	494,016			\$	494,016	48.00	sf		
	Electrical Systems																							
	Electrical	10,292.00	sf		sf	\$	-			sf	\$	-	48	sf	\$	494,016	48	sf	\$	494,016	48.00	sf		
27 00 00	Communications						\$	-			\$	-			\$	61,752			\$	61,752	6.00	sf		
	Data Communications																							
	Data/Comm	10,292.00	sf		sf	\$	-			sf	\$	-	6	sf	\$	61,752	6	sf	\$	61,752	6.00	sf		
31 00 00	Earthwork						\$	-			\$	-			\$	85,405			\$	85,405	8.30	sf		
	Structural Excavation for Minor Structures																							
	Structural Excavation	1,938.00	cy		cy	\$	-			cy	\$	-	18	cy	\$	34,884	18	cy	\$	34,884	3.39	sf		

Structural Backfill	400.00	cy		cy	\$ -		cy	\$ -	22	cy	\$ 8,800	22	cy	\$ 8,800	\$	0.86	sf
Underslab Gravel	140.48	cy		cy	\$ -		cy	\$ -	30	cy	\$ 4,214	30	cy	\$ 4,214	\$	0.41	sf
Fine Grade	19,780.00	sf		sf	\$ -		sf	\$ -	0.25	sf	\$ 4,945	0.25	sf	\$ 4,945	\$	0.48	sf
Misc. Site Prep	9,088.00	sf		sf	\$ -		sf	\$ -	1.45	sf	\$ 13,178	1.45	sf	\$ 13,178	\$	1.28	sf
Sub Rough	19,780.00	sf		sf	\$ -		sf	\$ -	0.98	sf	\$ 19,384	0.98	sf	\$ 19,384	\$	1.88	sf
32 00 00 Site Improvements					\$ -			\$ -			\$ 220,123			\$ 220,123	\$	21.39	sf
32 30000 Site Improvements															\$		sf
32 30000 Bike Rack	1.00	ea		ea	\$ -		ea	\$ -	2500	ea	\$ 2,500	2500	ea	\$ 2,500	\$	0.24	sf
32 30000 R1-1 Stop Sign	1.00	ea		ea	\$ -		ea	\$ -	400	ea	\$ 400	400	ea	\$ 400	\$	0.04	sf
32 120000 Flexible Paving															\$		sf
32 121200 Hot-Mix Asphalt Paving	14,807.00	sf		sf	\$ -		sf	\$ -	2.65	sf	\$ 39,239	2.65	sf	\$ 39,239	\$	3.81	sf
32 130000 Rigid Paving															\$		sf
32 131300 Concrete Paving 6" (On 6" aggregate base)	5,057.00	sf		sf	\$ -		sf	\$ -	8.5	sf	\$ 42,985	8.5	sf	\$ 42,985	\$	4.18	sf
32 160000 Curbs, Gutters, Sidewalks & Driveways															\$		sf
32 1613.13 Cast In Place Concrete Curbs 6"	1,072.00	lf		lf	\$ -		lf	\$ -	22	lf	\$ 23,584	22	lf	\$ 23,584	\$	2.25	sf
32 162300 Side Walks APWA 4" on 4"	2,415.00	sf		sf	\$ -		sf	\$ -	4.95	sf	\$ 11,954	4.95	sf	\$ 11,954	\$	1.15	sf
32 310000 Fences & Gates															\$		sf
32 311900 Decorative Metal Gate 6'0"	1.00	ea		ea	\$ -		ea	\$ -	4500	ea	\$ 4,500	4500	ea	\$ 4,500	\$	0.44	sf
32 900000 Landscaping															\$		sf
Landscaping	22,344.00	sf		sf	\$ -		sf	\$ -	4.25	sf	\$ 94,962	4.25	sf	\$ 94,962	\$	9.23	sf
32 00 00 Site Utilities					\$ -			\$ -			\$ 250,000			\$ 250,000	\$	24.29	sf
330507 Site Utilities ALLOWANCE	1.00	ls		ls	\$ -		ls	\$ -	250000	ls	\$ 250,000	250000	ls	\$ 250,000	\$	24.29	sf
Sub Total					\$ 319,094.03			\$ 285,962			\$ 2,912,159			\$ 3,517,215	\$	341.74	sf
Building Permit & Impact Fees	1	ls								By Owner	\$ -			\$ -	\$		sf
Bond	1%										\$ 45,784.77			\$ 45,784.77	\$	4.45	sf
General Liability	0.39%										\$ 13,681.97			\$ 13,681.97	\$	1.33	sf
Builders Risk	1	ls									\$ 12,310.25			\$ 12,310.25	\$	1.20	sf
Safety Allocation	0.025%										\$ 897.25			\$ 897.25	\$	0.09	sf
Contingency															\$		sf
Construction Contingency	6.00%										\$ 215,393.38			\$ 215,393.38	\$	20.93	sf
Fee															\$		sf
Profit	6.00%										\$ 228,316.98			\$ 228,316.98	\$	22.18	sf
Building Subtotal														\$ 4,033,600	\$	391.92	sf

**THE CITY OF CEDAR
HILLS, UTAH**



Request for Proposal
for
**Partnership for Deployment of Citywide
Fiber to the Premises (FTTP)**

Issued: March 31, 2021

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I. Introduction

The City of Cedar Hills (“the City”) issues this Request for Proposal (RFP) to gauge the interest of for-profit, nonprofit companies, and interlocal agencies in forming potential public–private partnerships with the City to make Gigabit-class bandwidth available to all Cedar Hills homes and businesses. The RFP also reviews the respondent’s qualifications and ability to assist the City in determining the respondent’s role in any next steps. This initiative envisions a citywide fiber-to-the-premises (FTTP) deployment capable of **enhancing the broadband connectivity of the City’s residents, businesses, interconnectivity between city facilities, and anchor institutions.**

The goal of this project is to provide improved communications services to residents, businesses, and visitors. Through this FTTP initiative, we seek to make Cedar Hills an even more attractive place for visitors, businesses, and residents who will see the quality-of-life benefits of broadband, both directly through home connections and through enhanced services provided by the business community. Broadband-enabled communities generally have higher property values, improved job creation and retention, and better quality of life.

Responses to this RFP should state how the respondent’s approach will further the City’s goals of attracting and retaining businesses and residents, enticing visitors, and encouraging economic development.

We encourage respondents to share their expertise, which may be used to shape the direction and form of the network. The City is open to creative solutions that will maximize investment while providing reliable and high-quality services to meet its citizens’ needs.

We welcome the responses of all prospective partners, including incumbent service providers, as well as competitive providers, nonprofit organizations, public cooperatives, and entities that are not traditional Internet Service Providers (ISPs), but are interested in offering service under innovative business models. Nontraditional providers may respond as part of a partnership with an ISP or may provide separate responses outlining their approaches.

The City will review and rank responses based on the respondents’ experience, how well the responses address the City’s objectives, how the proposed solutions balance and share risks and rewards, and other factors. Following the evaluation, the City may interview or initiate negotiations with one or more respondents by providing more detailed information on available City assets and asking selected respondents to refine their responses. The City may also cancel or delay plans to obtain an FTTP network in the City; or choose another direction that is deemed in the community’s best interest. Responding to the RFP is not a guarantee of a contract award. The City reserves the right to withdraw the RFP or decline to award a contract.

II. Background: City of Cedar Hills

The City of Cedar Hills incorporated in 1977, is located in the northern portion of Utah County, situated at the base of the Wasatch Mountains, American Fork Canyon and a short drive from the area known as Silicon Slopes in Lehi, as well as the metro areas of Orem, Provo, and Salt Lake City. The City experienced rapid growth in the late 1990's through the 2000's, and now is nearly built out, with only hillside and infill development remaining. The City covers an area of approximately 2.5 square miles, with a population of 10,400.

The City's staff operates under the mission of "Building Community." We recognize the many essential services that a municipality provides, and the services bring a sense of purpose to a community. Every staff member seeks to find ways to build community in their own area, thereby enriching the lives of all the residents who call Cedar Hills home. This FTTP RFP is meant to build on that mission, and thereby improve the quality of life for residents, businesses, and institution in Cedar Hills.

III. Project Needs

The City seeks a partner(s) ("Partner") to construct and operate fast, affordable broadband internet and data services over publicly and/or privately constructed fiber optics to meet the City's broadband goals. City officials have prioritized pursuing the deployment of an FTTP network that will connect to every home and business and will:

- Serve the growing demands in the private sector for affordable, reliable, and sophisticated broadband technology;
- Support a thriving business environment; and
- Provide city facility interconnectivity.

The City will consider a range of construction, operation, and ownership models for the FTTP network. The City and selected Partner(s) will collaboratively determine the most mutually beneficial partnership structure, which may include cost-sharing, infrastructure leasing, and profit-sharing arrangements. The City is prepared to consider various business models, which could include, but are not limited to, the following scenarios:

- Private construction, operation, and maintenance of privately owned fiber optic infrastructure;
- Public construction and private operation and maintenance of fiber optic infrastructure, and private operation of services over the public infrastructure; or
- Private provisioning of services over public infrastructure.

The City will also consider any combination of these models, as well as alternative suggestions proposed by respondents.

IV. Project Goals

Respondents to this RFP should indicate whether and how their proposals serve the following primary goals of the City:

- Provide infrastructure to every Cedar Hills home, business, public facility, and private institution to enable residents, workers, and visitors the opportunity to access affordable, high-speed broadband connections to the Internet and other networks;
- Offer non-discriminatory, open access to all users, service providers, content providers, and application providers connected to the citywide fiber network. Serving only limited areas of the City or specific types of customers is less desirable. Further, the network should be usable via all standard commercial devices;
- The FTTP network will deliver an unfettered data offering that does not impose caps or usage limits on one use of data over another (i.e., does not limit streaming). All application providers (data, voice, video, cloud services) are equally able to provide their services, and the consumer's access to advanced data opens up the marketplace;
- Consider ways for the City and prospective partners to share financial and operational risks;
- Provide cost-effective services for price-sensitive customers and flexible pricing plans to help narrow the digital divide and ensure access to all City residents; and
- Provide interconnection between city facilities.

For the network to have the intended economic and quality-of-life impacts, the City considers both cost and availability of service to be important and encourages responses that address both to maximize adoption of service.

V. General Network Design and Construction Parameters

Though the City is willing to consider all proposals for partnerships, we prefer that the Partner(s) perform network construction and installation and that required City resources be minimal. Given that we expect the Partner(s)—and potentially subcontractors—to perform construction and installation, the City will dedicate resources to support its Partner(s) through plan review, coordination, and inspection services to assure an expedited approach to construction and installation in the public right-of-way and public utility easements and will work with the Partner(s) to facilitate work.

The City is seeking a Partner willing to deliver a best-in-class technical approach. Respondents are urged to consider fully fiber-based architectures providing long-term scalability and reliability. It is important for broadband service to extend to new residents and businesses as the City continues to grow in population, and the network design and implementation should

take these growth factors into consideration.

The following baseline technical attributes are preferred:

- Fully fiber-based connectivity to residential and business customers alike;
- Fiber strand capacity capable of providing direct homerun connections to businesses and residential “power” users; (proposals should include the provider’s definition of “power user” that would qualify for a direct homerun connection as well as the maximum allowed customer per strand ratio of regular residential users.)
- Fiber strand capacity and physical architecture (e.g., handhole placement, backbone routes, etc.) anticipating full deployment to all homes and businesses;
- Low latency to reduce the number of hops to the Internet backbone;
- Backbone topology capable of supporting connections over diverse paths from one or more central hub locations to fiber distribution cabinets distributed throughout the City to facilitate high-availability service offerings;
- Fiber distribution plant placed in underground conduit (as opposed to direct burial cable) to more readily facilitate repairs and capacity upgrades;
- Aerial fiber distribution plant constructed on utility poles where necessary;
- Active components placed in environmentally hardened shelters and/or cabinets equipped with backup power generation and/or batteries, as appropriate, capable of sustaining services in the event of extended power outages;
- Fiber path diversity to public facilities in order to maintain continuous service even if one path is broken;
- Underground communications conduit pathways that can be utilized by the City for future scalability; and
- Fiber routes that are aligned with existing City conduit and coincide with planned City utility, roadway, and related capital improvement projects to reduce cost and minimize disruption where possible.

VI. Contributions and Assets

While the City is in the early stage of defining its specific role in promoting enhanced broadband access for its businesses and residents, the City understands the critical role that broadband connectivity plays in its continued prosperity and quality of life for its residents. At this stage, the City itself does not wish to provide services to end users but will work with the Partner(s) to help facilitate broadband deployment.

Respondents should also identify any existing assets they may have in the City or surrounding area and how they intend to leverage those for assets for this project. Respondents may be

asked to pay various fees to the City, including, without limitation, permit fees, franchise fees, and pole attachment and conduit occupancy fees. Respondents should consider whether they propose to offset the fees by contributing assets such as conduit and public fiber connectivity.

VII. RFP Response Requirements

The City requests the following information—in concise and clear detail—from respondents.

Cover Letter: Please include company name, address of corporate headquarters, address of nearest local office, contact name for response, and that person’s contact information.

Overview: Provide an overview of your proposed partnership. For example, the proposed partnerships may include a variety of models, including, but not limited to:

- City owned FTTP network (fiber and electronics), partner leases network from City and offers retail services.
- City owned FTTP network (fiber only), partner licenses fiber and installs required electronics. Partner manages multiple service providers who offer retail services (open access).
- Partner owned and operated FTTP network, City assists in permitting, ROW access, and other activities.

Affirmation: Affirm that you are interested in this partnership and address the core project goals and requirements listed above (Sections IV and V). If you cannot meet any of those requirements, clearly indicate the requirements to which you take exception, and provide an explanation of the exceptions.

Experience: Provide a statement of experience discussing your past performance, capabilities, and qualifications. Identify other networks you have designed, built, maintained, or operated; include the levels of broadband speed, availability, and adoption among different categories of end users and unique capabilities or attributes. Discuss partnerships with other service providers, government, or nonprofit entities you have undertaken. For entities currently providing communication services in or near the City, describe your current service footprint in the City, including a description of the type of infrastructure and services you currently offer. Explain how your company is a suitable partner. As part of the RFP, please indicate who will have primary responsibility for the following tasks: technical analyses, engineering design, construction management, construction, training, post-construction measurement and verification, and other services.

Technical and Operations: At a high level, summarize the technological and operational approach you would use for this project:

- How would you use technology to meet the City's goals?
- What approach would you use to interconnect with the Internet and other public networks?
- How would you perform network management?
- At what sort of facility (or facilities) would you place network electronics?
- Provide a proposed network diagram.

Business Structure: Summarize the business approach you would use for the project:

- How would your business plan help to meet the City's goals?
- What are the key assumptions?
- What are your main areas of risk, and how can the City help reduce the risks?
- What are the City's main areas of risk, and how can you help reduce the risks?
- How might these shift in light of incumbent upgrades and/or the entrance of Google Fiber or another similar product into the market as a competitor?

Other Gigabit Providers: If other providers begin offering Gigabit services in the City, what is the impact to your interest in a partnership with the City? What is the impact to your proposed model?

Open Access: If you currently operate communications facilities, indicate whether they are operated on an open-access basis. Describe whether and, if so, how you would support open access to infrastructure in the City.

Schedule: Describe your proposed schedule for implementing service. Offer a timeline with key milestones. Would you be able to begin service before the entire network is constructed? Are there areas of the City you would recommend be constructed first? How would the presence of additional competitors offering Gigabit services impact your schedule? What is the committed time to deployment in new development areas? What is the financial expectation for implementing services in new development areas? i.e. If a new subdivision is constructed 6 months after the network construction is complete, how long until those residents are able to connect to the network and what will it cost the City? Following the award of a bid, what timeframe can your firm commit to in order to begin project development? Please provide a buildout timeline, not based upon take rate.

Maintenance: If you are proposing to perform fiber network maintenance, describe your ability to perform maintenance on an ongoing and as-needed basis. If you are not performing maintenance, who is? State your committed response time when maintenance is needed. If services are interrupted for users/residents how soon will you have a repair crew working on the problem?

Privacy: Describe your ability to provide secure network service or infrastructure that complies with public safety and other security and privacy regulations and requirements.

Financing and Funding: List any requirements the City must meet for you to partner with the City on this project. If your response does not address this question regarding financial requirements, we will assume that you are interested in the partnership but have no financial requirements of the City.

- What, if any, financial requirements do you have of the City in order to enter into a partnership?
- How do you propose to finance the network build-out? If you intend to borrow funds, how will those monies be secured, and by whom?
- How is the project funded? (Funding is the cash flow that includes investment funds, subscriber revenues, taxes, or other sources that are used to cover operation, maintenance, debt service, and other expenses).
- Please provide a flow chart that shows the flow of funds between all parties in your response. Include all sources and uses of funds.

Services: Describe the service options you plan to offer over this network (for example, data only; voice and data; a triple play of voice, data, and cable television, etc.). What download/upload or symmetrical speeds would you offer and guarantee to end users? How will your residential and business offerings differ? What types of service level agreements (for lit services: availability and packet delivery; repair time) would you be prepared to offer? What services will be offered to public entities in the City? How do your proposed services differ based on the potential presence of other competitors offering Gigabit services in the market?

Pricing: Provide your approach to pricing the proposed services. For managed services, please describe factors impacting non-recurring costs (estimated fiber path distances, equipment redundancy, etc.); recurring costs for varying capacity levels; and any key technical assumptions upon which prices are based. What will the pay structure look like for public entities in the City? Please include a clear description of how the presence of other Gigabit providers will impact any and all pricing.

Bid Summary Sheet: it is the contractor's responsibility to provide an itemized Bid Summary Sheet when responding to the RFP. It estimated that there are 2,520 connections in Cedar Hills; this includes residential, institutional, and commercial connections.

References: Provide a minimum of three (3) references, including contact information, from previous contracts or partnerships. Please also indicate an estimate of the project size and time from award to completion.

VIII. RFP Response Process and Deadline

Final RFP submissions must be received in electronic form by 3:00 PM MST on Friday May 7, 2021. Submissions can be emailed to Chandler Goodwin, City Manager at cgoodwin@cedarhills.org and Colleen Mulvey, City Recorder at cmulvey@cedarhills.org.

During the RFP process, questions may be submitted through the State's U3P System until April 29th at 5:00. [DATE HAS BEEN UPDATED AS OF APRIL 27] All answers to properly submitted questions will be posted to the project bid page.

Please identify any proprietary and/or confidential information as such.

IX. Response Evaluation and Evaluation Criteria

All proposals submitted in response to this RFP will be evaluated in a manner consistent with the Cedar Hills Municipal Code, and as otherwise set forth in this RFP.

As an initial step in the evaluation process, the City shall review all proposals received by the submission deadline. Next, any timely, yet non-responsive proposals (i.e., those proposals not conforming to the requirements set forth in this RFP or the Cedar Hills Municipal Code) will be eliminated. All remaining timely and responsive proposals shall then be cursorily reviewed by the City, and those whom the City appoints to make recommendations, to eliminate from further consideration those bids which, in the sole discretion and judgement of the City, fail to offer sufficient or substantive provisions which are required to warrant further consideration. The City reserves the right to disqualify any proposal that significantly deviates from the terms, conditions, and specifications contemplated by this RFP. Any remaining bids will then be reviewed and evaluated in detail. If the City discovers at any point in the evaluation process that a proposal is lacking required or requested information, the City may remove said proposal from further consideration.

Cedar Hills reserves the right to be the sole judge as to the overall acceptability of any response or to judge the individual merits of specific provisions within competing offers.

EVALUATION CRITERIA

In determining which proponent is the lowest responsible proponent, the City shall evaluate the proposals received in accordance with the following criteria:

- a) The applicant's capacity to perform the applicable contractual requirements, including, but not limited to, whether the applicant has available and appropriate financial, material, equipment, facility, and personnel resources and expertise;
- b) The applicant's legal capacity and ability to enter into an agreement with the City;
- c) The applicant's qualifications, ability, skill, and quality of performance in light of the required goods, services, or construction;
- d) The applicant's ability to provide warranties, maintenance, and service with respect to the subject matter or the contract to be awarded;
- e) The applicant's character, integrity, reputation, judgement, experience, and efficiency;
- f) The applicant's ability to work cooperatively with the City, including, but not

- limited to, prior interactions with the City or other similar entities;
- g) Litigation or prosecution, or other similar claims, by or against the applicant;
 - h) The cost of the applicant's proposal to the City;
 - i) The ability of a proponent to provide future maintenance and service with respect to the scope of work;
 - j) The proponent's ability, capacity, and skill to provide the scope of work;
 - k) Which proposal will provide the best economic advantage to the City.

AWARD OF CONTRACT

Upon completion of the evaluation process contemplated by the Cedar Hills Municipal Code and this RFP, the City may, but is not required to, negotiate with and award a contract for the construction of fiber to the premises project (scope of work) to the lowest responsible proponent whose proposal is determined in the sole discretion of the City to be in the best interests of the City.

The City reserves the right to reject any and all proposals and to waive any formality in the proposals received, to accept or reject any or all of the items in the proposal, and award the contract subject to this RFP, in whole or in part, if it is deemed in the City's best interest. The City reserves the right to negotiate any and all elements of the proposals if any such action is deemed in the best interest of the City.

Bid Form: Signature of Respondent

By submitting a proposal pursuant to this RFP, each proponent acknowledges that its proposal may be subject to public disclosure pursuant to the Government Records Access and Management Act, UTAH CODE ANN. Sec. 63F-2-101, et seq. (“GRAMA”), as the same may be amended from time to time. If a proponent desires to have specific information contained in its proposal protected from public disclosure, the proponent may provide a written claim and description of business confidentiality with respect to any such information. Filing a written claim and description of business confidentiality does not guarantee that any information will remain protected or private as the City will strictly comply with GRAMA. As a general rule, RFP pricing shall not be considered protected or private information.

I hereby acknowledge that I have received, read, and understand the foregoing City of Cedar Hills RFP for Fiber to the Premises. The proposal that has been submitted herewith complies with the requirements of said RFP and applicable provisions of the Cedar Hills Municipal Code.

Upon acceptance of this RFP, the undersigned agrees to complete all required work as described in this RFP according to the terms and conditions described herein.

Please complete this form and return no later than the RFP deadline, as indicated previously.

Company _____

By _____

Title _____

Address _____

Phone _____

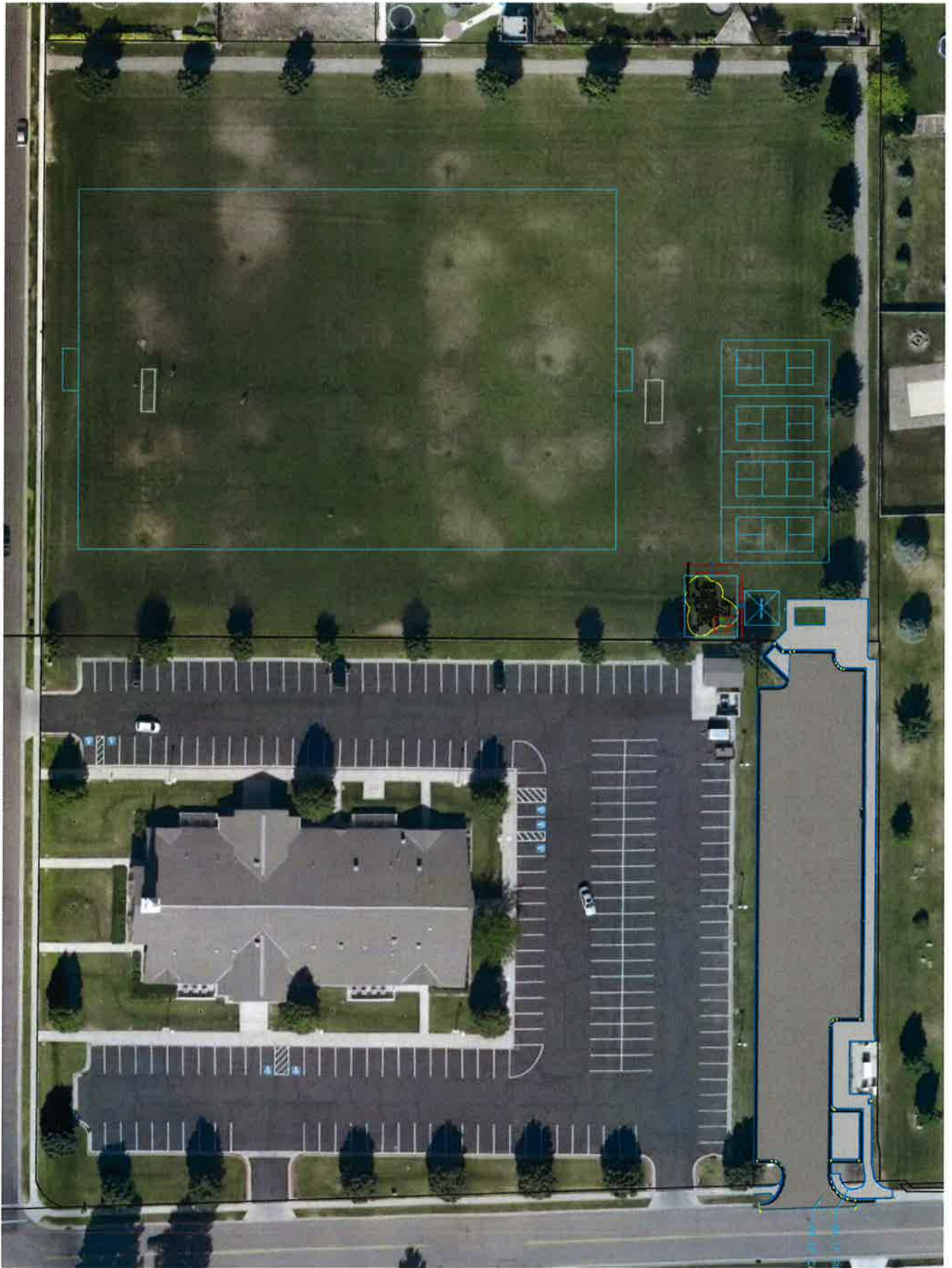
Email _____

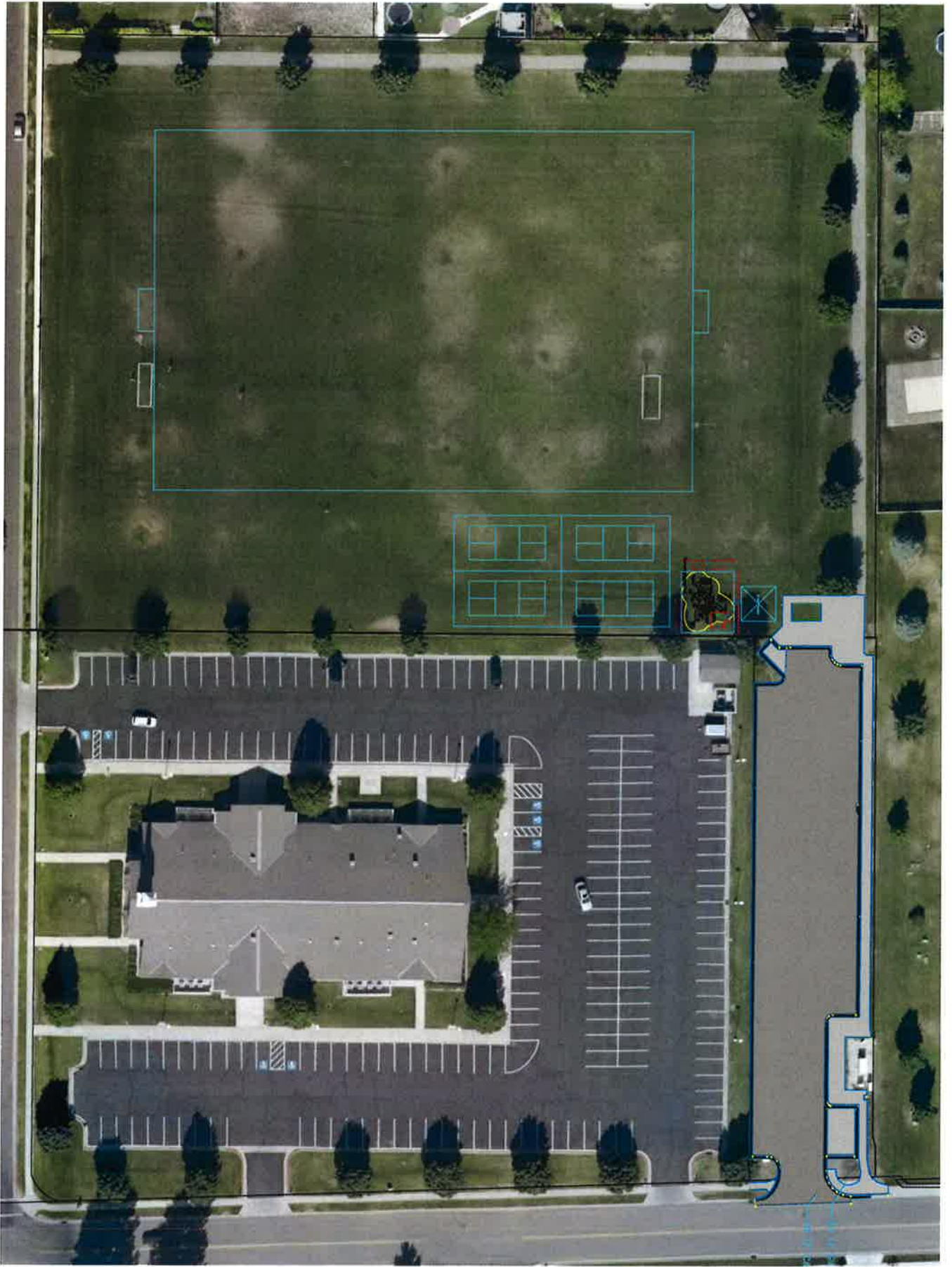
Signature _____

Date _____











3
0
① BIRCHES PARK

↑
North



3
2
City Ave

North
↑

North
↑

300 North Well

3



300 North



3
0
④ CREEKSIDE - NORTH

NORTH
↑



North
↑

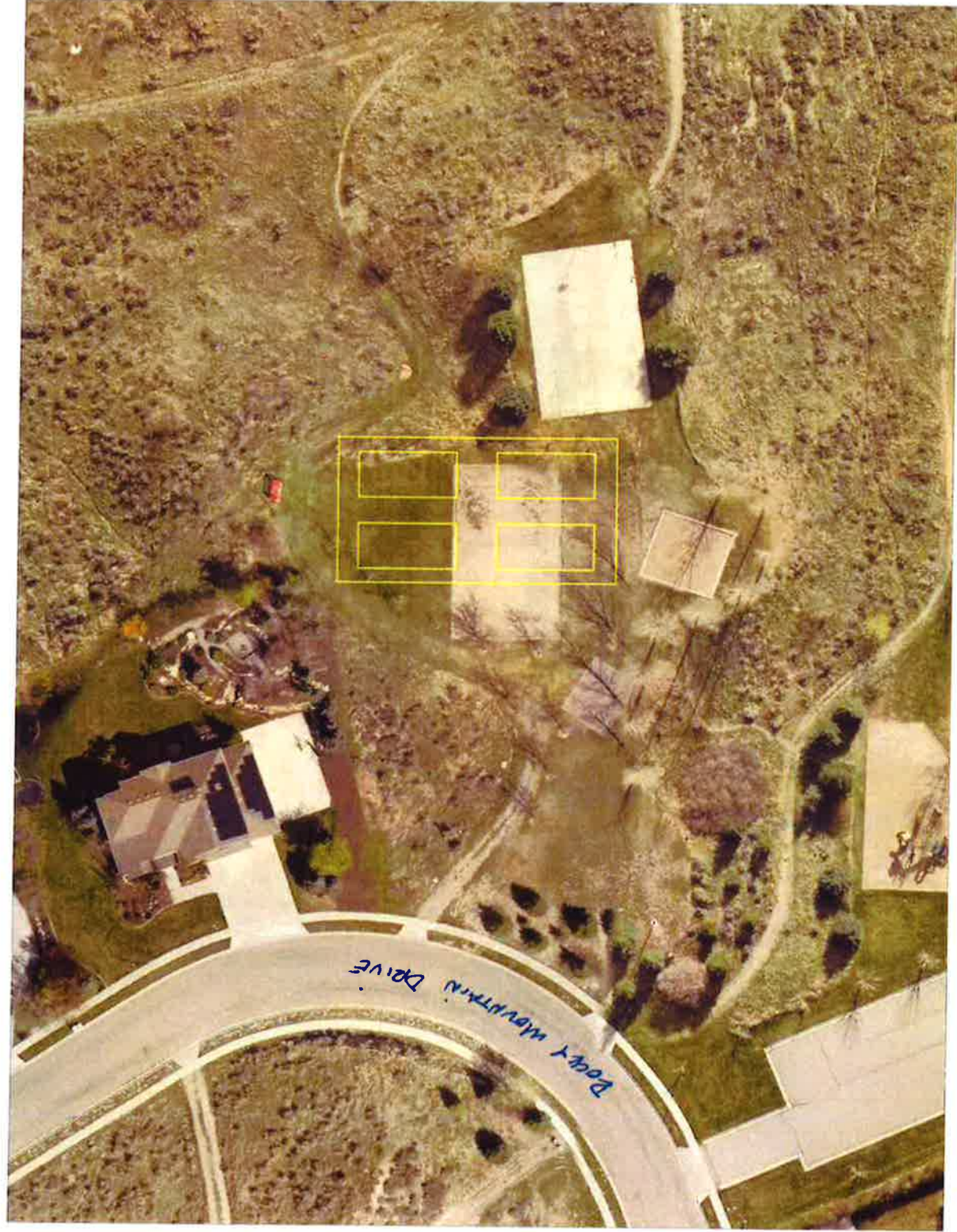
5 CREEKSIDE

5

3

3

3



NORTH
↑

⑥ SOUTH POINTE

3

01



NORTH
↑

HEALEY PARK

57

3

9

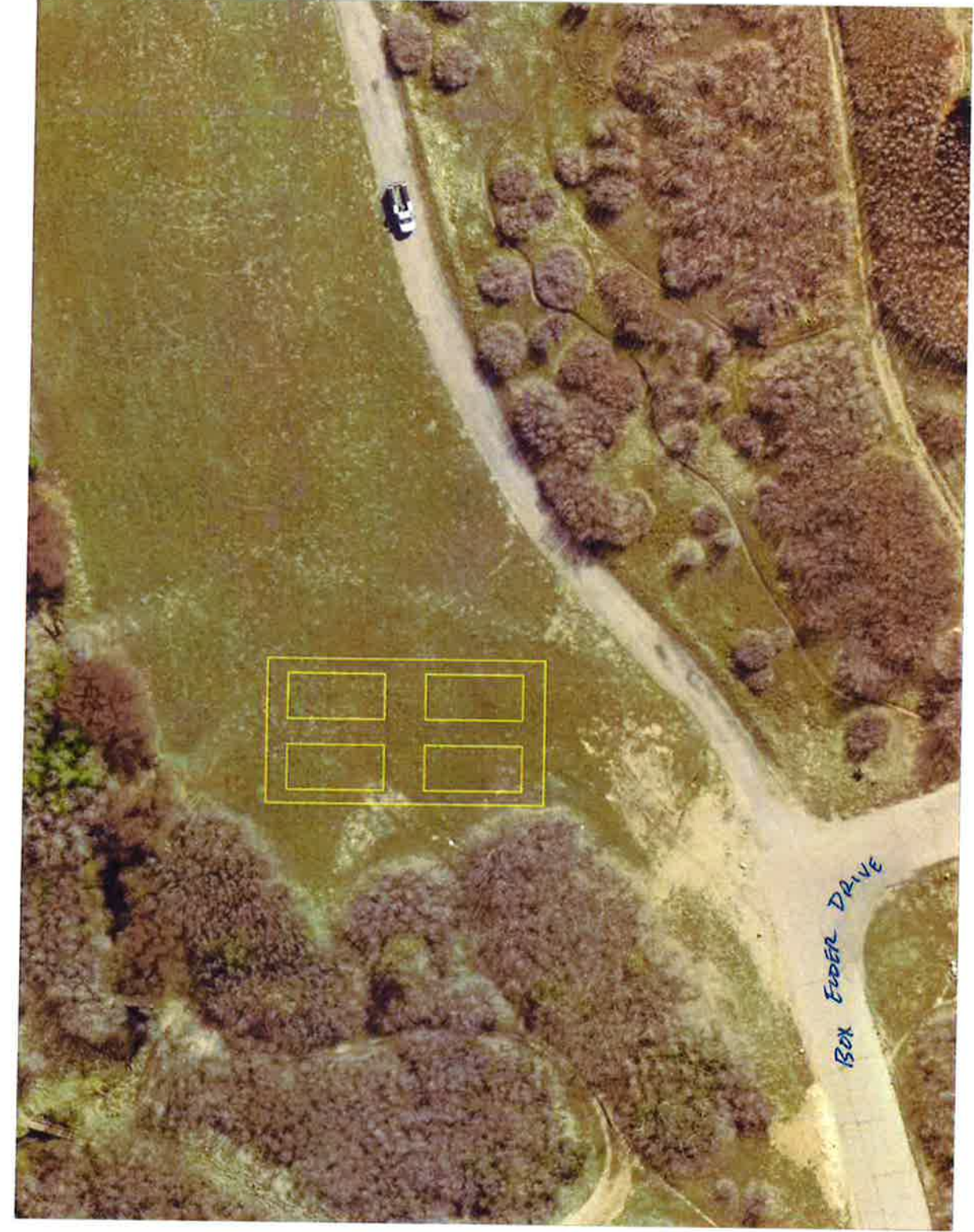
North
↑

⑧ Smooth Canyon Retention Basin

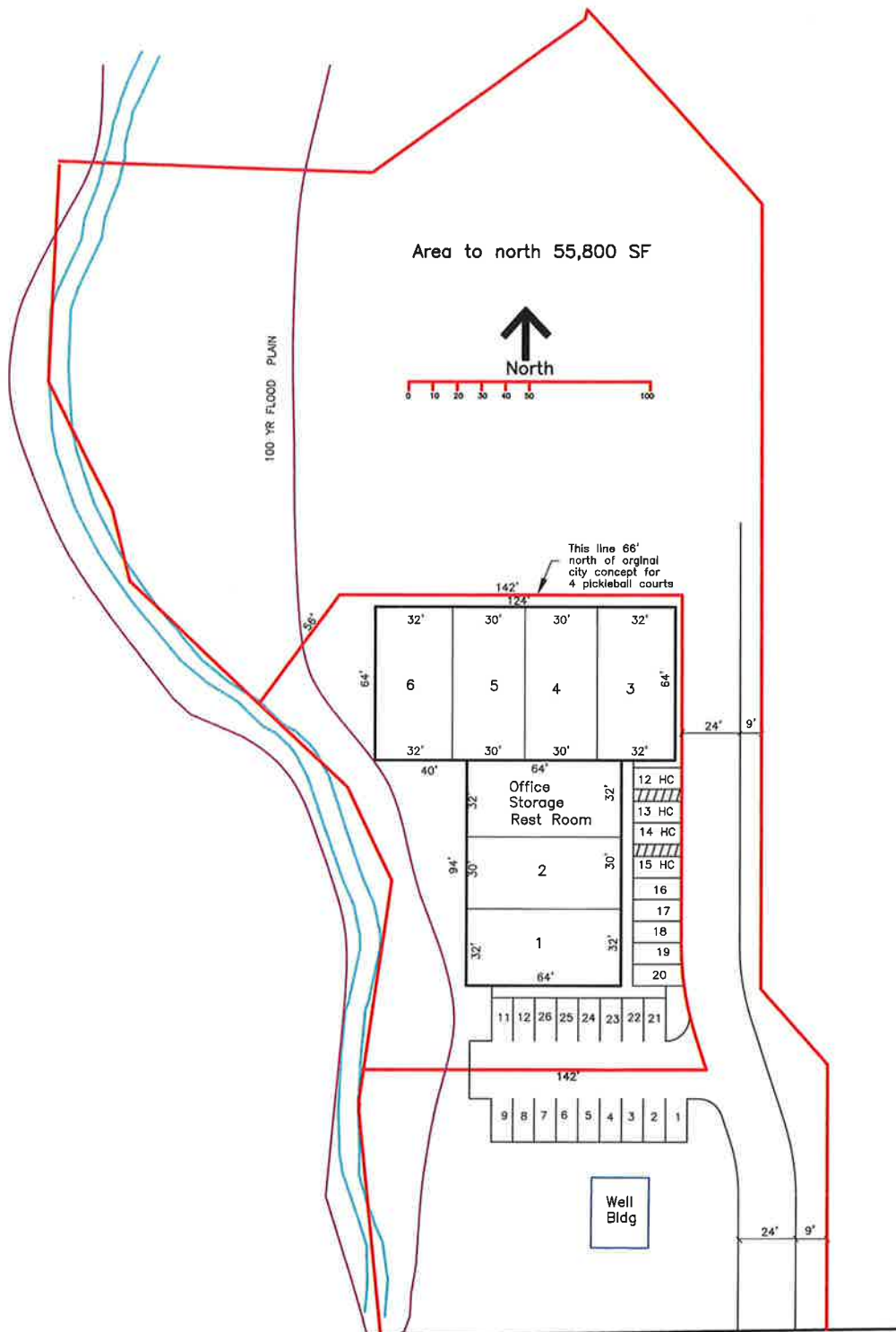


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⑨ LAMBERT PARK - BELOW BOWTICK



North
↑



North Alpine Pickleball Club Concept C

Notes:

1. Total Alpine City Area (without Survey) Approximately 2.575 Acres
2. Pickleball Site Approx. 27,900 SF
3. Remaining City Area north of Picklball Site 55,800 SF