



## Public Works Service Operations

**DATE:** February 27, 2024

**FROM:** Steven Salwei, Director Public Works Services

**ITEM:** North Dakota Forest Service Grant

**REQUEST:**

Permission for the Forestry Division to accept the North Dakota Forest Service Grant awards from the North Dakota Forest Service.

**BACKGROUND INFORMATION:**

The Forestry Division has received two grant awards from the North Dakota Forest Service.

The first grant is the America the Beautiful Tree Planting Grant. This grant will provide funds to plant trees on the north side of Memorial Highway. The Forestry Division received a similar grant in 2014 where trees were planted between Summit Boulevard and Memorial Highway. This grant will continue this project to the intersection of Memorial Highway and West Main. This grant has a 50:50 match and will be met with in-kind labor. The City has received an award of \$15,805.

The second grant is the 2023 Tree Equity (IRA) Grant. This grant will provide funds to plant trees in an area of the City that has a low Tree Equity Score. Tree Equity Score reflects the amount of canopy cover over a portion of the City. The City has been awarded up to \$28,000 to plant trees in an area of town that has little canopy cover. There is no match for this grant.

**RECOMMENDED CITY COMMISSION ACTION:**

Accept two grant awards from the North Dakota Forest Service for tree planting projects.

**STAFF CONTACT INFORMATION:**

Douglas Wiles, City Forester, 701-355-1722, [dwiles@bismarcknd.gov](mailto:dwiles@bismarcknd.gov)

**ATTACHMENTS:**

1. 2023 Fall Tree Equity TP application\_signed
2. IRA grant award\_docusign
3. 2023 Fall ATBTP Grant Application\_signed
4. Memorial HWY Grant Award\_Docusign





# North Dakota Forest Service TREE EQUITY (IRA) Grant Application

Eligible projects may request up to \$25,000 with no required match. To assist in the successful completion of this application, reference [Supporting Documents](#).

**Grant Type Requested** *select one:*

- Tree Planting
- Planning and Program Development
- Storm Damage Response
- Workforce Training and Development
- Tree Maintenance including Removal

Entity: City of Bismarck

Community: Bismarck, ND

**Unique Entity ID (UEI):**

\*must have at time of application

H	H	E	6	B	W	3	2	J	L	P	3
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To learn how to view your Unique Entity ID, click [HERE](#)

**Disadvantaged Category:**

*Map used to determine disadvantaged status: include screenshot with submission*

- Climate & Economic Justice Screening Tool
- Environmental Justice Screening & Mapping Tool
- American Forests Tree Equity Score

**Primary Contact:**

*Person who will manage project*

Name: Doug Wiles

Title: City Forester

Mailing Address: 601 S. 26th St

City: Bismarck

Day Phone: 701-355-1722

Zip Code: 58504

Email: dwiles@bismarcknd.gov

Cellphone: 605-415-7998

**Secondary Contact:**

Name: Christy Ames-Davis

Title: Forestry Programs Coordinator

Day Phone: 701-355-1723

Email: cames@bismarcknd.gov

**Applicant MUST contact NDFS personnel to coordinate project planning efforts during the process of completing this application.**

NDFS Community Forestry staff contacted:

- Gerri Makay
- Joel Allen
- Beth Peske

Date of Initial Contact: 11/7/2023

Click here for calendar.

**Projects must be on publicly owned or publicly controlled property.**

Is the project on publicly owned or controlled property?

- Yes
- No

Provide the **LEGAL LAND DESCRIPTION** of your project location. This information is used to conduct Class I Cultural Resource reviews through the [ND State Historical Preservation Office \(SHPO\)](#) and/or [Tribal Historic Preservation Office \(THPO\)](#).

To assist with your Legal Land Description, click [here](#).

County Name	Township Number	Range Number	Section Number	Quarter NE, NW, SE, SW
Burleigh	138N	80W	3,4	3-NW,SW, 4-NE,SE

# Tree Planting

Please provide thorough information for the Review Committee to understand your project.

\*A planting plan/design must be attached to show existing trees, proposed trees, utilities, infrastructure, waterways, etc.

List the plant materials to be used – Estimate the cost of plant materials to complete your project.

Species	Size	Qty	Cost per	Total
Triumph Elm	8' LB BR	20	\$ 80.00	\$ 1,600.00
Northern Empress Elm	8' LB BR	20	\$ 80.00	\$ 1,600.00
Harvest Gold Linden	8' LB BR	30	\$ 80.00	\$ 2,400.00
Kentucky Coffeetree	8' LB BR	20	\$ 80.00	\$ 1,600.00
Bur Oak	# 7 Container	30	\$ 170.00	\$ 5,100.00
Common Hackberry	# 7 Container	30	\$ 170.00	\$ 5,100.00
Northern Acclaim Honeylocust	8' LB BR	30	\$ 80.00	\$ 2,400.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00
				\$ 0.00

- 1) Size examples: 6' Bareroot (BR), 1 ½" (BR), #5 container.
- 2) No person may engage in the business nor act in the capacity of a contractor within the State of North Dakota when the cost, value, or price per job exceeds the sum of four thousand dollars without first having a license (NDCC 43-07-02).
- 3) Locates shall be made by calling 811 by contractor/entity prior to planting.

Estimated plant material cost:	\$ 19,800.00
Estimated contracted services cost:	\$ 0.00
Name of Business (if known):	
Number of trees:	180
How will trees be planted? *Refer to Figure 1 for proper planting depth.	<input checked="" type="checkbox"/> Shovel <input checked="" type="checkbox"/> Auger <input type="checkbox"/> Other
How will trees be watered?	<input type="checkbox"/> Garden hose on site <input checked="" type="checkbox"/> Water truck <input type="checkbox"/> Water tank on site <input type="checkbox"/> Other

Person or group responsible for watering trees:	City of Bismarck
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List of supplies that will be purchased to complete this project:

Item Purchased	Qty	Cost per	Total
tree diaper	145	\$ 35.00	\$ 5,075.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00

- 1) Cost can include mulch, tree stakes and ties, water bags, etc.
- 2) Food and refreshments are not eligible.

Estimated supplies cost:	\$ 5,075.00
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<b>Estimated grand total cost:</b> *Includes plant material + contracted services + supplies.	\$ 24,875.00
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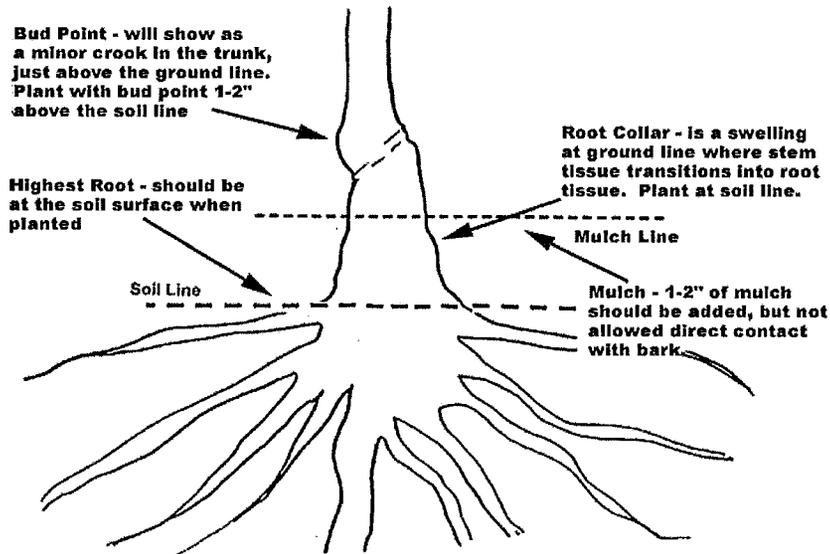


Figure 1: Proper Planting Depth

image credit: friendsoftrees.org

Describe the project, explain where it will be located in your community, and clearly outline its purpose and goals.

This project will consist of planting boulevard trees in a single family residential neighborhood in south Bismarck. Specifically, this neighborhood is south of East Main St., west of Airport Rd, north of Bismarck Expressway and east of S. 9th St. This neighborhood has had many removals in the past due to Dutch elm disease. There are approximately 270 vacant planting locations in this neighborhood. Historically, the City of Bismarck Forestry Division has allowed citizens to electively plant trees on the boulevard in residential neighborhoods and has not consistently replaced trees that have been removed due to insect, disease or that were hazardous. This neighborhood has a Tree Equity Score of 58% and has 9% canopy cover. This project will allow the City to reinvest in a neighborhood that has had very little elective boulevard tree planting with the goal of increasing canopy cover and tree diversity.

Describe plans to maintain this project for long-term success. Community must follow a three-year maintenance requirement. Reference Supporting Documents.

The City of Bismarck is fortunate to have a Forestry Division that provides all scheduled and emergency work on our boulevard trees. Newly planted trees will receive watering for the first three years following planting. With this grant, the Forestry Division would like to invest in the Tree Diaper instead of utilizing water bags.

Structural pruning occurs every 3 years for two rotations on newly planted trees, except for elm trees, which will receive structural pruning every 1-2 years due to their vigorous growth habit. Once the trees are off our structural pruning schedule they will then roll into our regular rotational pruning schedule of once every 8 years.

How does this project directly benefit your community? How will the community be engaged in the project?

Increasing canopy cover and street trees provide many environmental benefits for the community, neighborhood and individual property owners. This neighborhood planting will allow for stormwater intercept and retention, filtering of pollutants from the air, create a buffer from traffic noises from the nearby Airport Rd and Bismarck Expressway, reduce cooling costs for the residents in the future due to canopy cover, produce a traffic calming effect and reduce speeds as the trees will produce a hallway affect, increase aesthetics and property values and increase species diversity which will result in a more resilient urban forest for future generations.

Individual property owners that have a boulevard that would qualify for a tree will be notified by letter. This letter will provide information regarding the grant project along with the choice of tree they may choose from. Property owners will be able to opt out of the project if they wish and will be able to select which species of tree(s) will be

Is there other information you would like the Grant Review Committee and North Dakota Forest Service to know?

As part of this project, the City of Bismarck would like to invest in the "Tree Diaper" as a means of watering. Typically, the City of Bismarck utilizes water bags for irrigation. Tree watering is often the limiting factor for the number of trees that the City can plant in a year. The tree bags have been an efficient way to water as they only take a few minutes to fill, however, they still require quite a bit of time from seasonal staff. In doing research, I have concluded that by utilizing the Tree Diaper instead of the watering bag the City will save money on seasonal labor and equipment as this system for watering will recharge itself with rainwater and adjacent irrigation. There have been several published case studies describing how the system is efficient in it's distribution of water as it only will release the water from the diaper when soil moisture reaches a certain point. If the soil is too wet the diaper will absorb the moisture from the soil and release it when appropriate.

There are 268 parcels in this neighborhood. The goal for this project is that each parcel will have at least one boulevard tree once this project is completed. Because we will be communicating with each of the parcel owners to determine if a tree will be planted and what species will be planted, it is very difficult to create a project design plan.

**Before completion of next page and submitting project, have the following documents been completed:**

- Photographs of proposed project site
- Vicinity maps indicating location of project in the community
- Project design plan

\*These items will need to be separately attached to the email that will open once **Submit Form** has been selected on the next page.

Project grant funds are distributed on a reimbursement basis. Reimbursement requests must be submitted for payment at the completion of the project and only upon passing inspection by NDFS Community Forestry Staff. Proof of payment in the form of cleared checks or receipts showing payment by a credit card are required to be submitted with reimbursement documents. All reimbursement documents must be received by NDFS no later than November 29, 2024.

**Project expenses for which you seek reimbursement  
must be incurred AFTER a contract is signed by the State Forester.**

<b>AUTHORIZING SIGNATURE</b>			
<i>By signing below, I certify that to the best of my knowledge the information is true. I acknowledge that I am authorized to accept Inflation Reduction Act Grant Funds for this project if approved by ND Community Forestry Council and the State Forester.</i>			
<u>Steven Selwei</u>	<u>Public Works Service Operations Director</u>		<u>11-29-23</u>
<i>Print Name</i>	<i>Print Title</i>	<i>Authorized Signature</i>	<i>Date</i>

**Email the following (or mail ORIGINAL ONLY- no copies):**

1. Completed application
2. Photographs of proposed project site
3. Vicinity maps indicating location of project
4. Project design plan

**Application must be received electronically by 4:30 p.m. CST on November 30, 2023 OR postmarked no later than November 30, 2023.**

**\*Please save applications as Year-Project Type-Entity (eg: 2023FALL Tree Equity TP Anytown)**

**Submit Form**

**OR Mail to:** Community Forestry Grants  
North Dakota Forest Service  
916 East Interstate Ave. Suite 4  
Bismarck, ND 58503-1227

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To file a program discrimination complaint, a complainant should complete a Form, AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at <https://www.ocio.usda.gov/document/ad-3027>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by: (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410; (2) Fax: (833) 256-1665 or (202) 690-7442; or (3) Email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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This publication is available in alternative formats upon request by calling (701) 328-9944.



# NORTH DAKOTA FOREST SERVICE

*"To care for, protect and improve forests and natural resources to enhance the quality of life for present and future generations."*

February 5, 2024

Doug Wiles  
City of Bismarck Forestry Division  
601 S 26th St  
Bismarck, ND 58504

Dear Doug:

The North Dakota Forest Service (NDFS) is pleased to announce that the City of Bismarck Forestry Division has been awarded up to \$28,000.00 for its 2023 Tree Equity (IRA) project. Enclosed is the contract for this award.

Using the enclosed envelope, please mail these items by **February 15, 2024**:

1. The original contract (all pages) with an authorized signature,
2. The completed W-9 (revised October 2018) form,
3. The completed Federal Audit Requirements form (with financial statement, letter or report), and
4. The completed AD-1048 form.

Once the NDFS has these items on file, a complete award packet will be sent to you, including a copy of the contract signed by the State Forester. Upon receipt of the award packet, you may begin the project. **Projects started prior to the contract being signed by the State Forester are not reimbursable.**

We appreciate your interest to involve the NDFS in your community forestry program. We look forward to continuing to work with the City of Bismarck Forestry Division.

Once again, congratulations on this grant award. Please contact me if you have any questions or concerns.

Sincerely,

Mary Fisk  
Office Manager

Enclosure

**SUBAWARD 2023F-IRA-001**  
**AGREEMENT BETWEEN THE NORTH DAKOTA FOREST SERVICE AND**

**City of Bismarck Forestry Division**  
**NORTH DAKOTA**

**FOR THE PROVISION OF BIPARTISAN INFRASTRUCTURE LAW (BIL)**  
**COMMUNITY CHALLENGE GRANT FUNDS**

**I. GENERAL**

This agreement is entered into between the North Dakota Forest Service, hereinafter referred to as the NDFS, and the above, named entity, hereinafter referred to as the COOPERATOR.

All application materials submitted by the COOPERATOR are listed in the Grant Application and are included within this agreement.

**II. PURPOSE**

The purpose of this agreement is to stimulate development of innovative and effective urban and community forestry projects and programs in North Dakota. The USDA-Forest Service provides grant funds to accomplish the project specified in this agreement.

The parties in this contract agree to jointly provide staff, financial, and in-kind resources necessary to fulfill the established program objective.

**III. TERM**

The budget period for the Agreement shall commence on the date the State Forester signs this contract and ending **November 28, 2025**. The budget period may be extended by written request from Cooperator followed by written approval from the NDFS.

**IV. ALLOWABLE COSTS AND PAYMENTS**

The COOPERATOR may incur costs as specified in the Grant Application – Project Budget and be reimbursed by the NDFS. NDFS will reimburse COOPERATOR upon completion and passing inspection of project. Proper documentation shall be submitted to NDFS as specified in the Reimbursement Guidelines document. The billing and match statement along with invoices shall be submitted prior to **November 28, 2025** to the North Dakota Forest Service, 916 East Interstate Ave, Ste 4, Bismarck, ND 58503-1227.

**Grant funds awarded to this project up to \$28,000**

**V. SUPERVISION**

Refer to Grant Application – Project Narrative.

**VI. RESPONSIBILITIES**

The NDFS agrees to:

- Submit appropriate payment(s) to the COOPERATOR not to exceed the total amount of the grant award.

The COOPERATOR agrees to:

- Expend the grant award in the manner specified in the Grant Application.
- Contact **Joel Allen (701) 934-0244**,
- **Beth Peske (701) 389-7503** immediately following project completion for an inspection. An inspection must be completed prior to any reimbursements.
- Submit copy of completed project (design plan, inventory, etc.), if applicable.
- Submit before and after pictures of any tree removals.
- Submit tree inspection list, if applicable.
- If planting, assure that plant materials and plant installation meet standards outlined in the NDFS Community Forestry Tree Planting and Three-Year Maintenance Plan.
- Maintain project in accordance with the Three-Year Maintenance Plan.
- Include the statement “This publication is made possible through a grant from the USDA Forest Service and the North Dakota Forest Service.” in any publications or outreach materials related to this project.

**VII. Unique Entity ID Number**

The COOPERATOR is required to identify their organization’s Unique Entity ID. The federal government has adopted the use of Unique Entity ID to track how federal grant money is allocated and is assigned free to all businesses/entities required to register with the US Federal Government for contracts or grants. If you do not know your organization’s Unique Entity ID, visit the SAM.gov webpage at <https://sam.gov/content/entity-registration>. **This is the UEI supplied on your application: HHE6BW32JLP3.**

If this is not correct, cross it off and write the correct UEI.

All entities receiving subawards greater than \$30,000 shall be registered in the Central Contractor Registration (CCR) or System for Award Management (SAM). <https://www.sam.gov/SAM/>

NDSU is required to comply with the Federal Funding Accountability and Transparency Act of 2006 and associated 2008 amendment thereto (FFATA) which is Public Law 109-282. FFATA requires NDSU to report certain first-tier subcontract greater than \$30,000 and executive compensation data. The law requires all reported information to be made publicly available, including all information reported to NDSU by Recipient. For subcontract greater than \$30,000 the recipient will fully complete and return the enclosed **Federal funding accountability and Transparency Act (FFATA) Request Form**. This form should be submitted with the signed agreement/contract and no later than 30 days from the date of the fully executed contract. Recipient must notify NDSU immediately if there is any change in Recipient’s data as supplied in the FFATA Request Form.

**VIII. PROGRAM OBJECTIVES**

Refer to Grant Application – Project Narrative.

**IX. INCORPORATING PROVISIONS OF THE PRIME AWARD**

The effort being performed under this subaward is part of the Prime Award received from:

<i>Agency</i>	<i>FAIN #</i>	<i>Amount</i>	<i>Assistance Listing #</i>	<i>Assistance Listing Name</i>	<i>Award Year</i>	<i>NDSU Proj</i>
USDA-FS	22-DG-11010000-023	\$486,000	10.664	Cooperative Forestry Assistance	2022	FAR0036136
USDA-FS	23-DG-11010000-010	\$527,000	10.664	Cooperative Forestry Assistance	2023	FAR0037165

Consequently, the terms and conditions specified by the Prime Award and general provisions are hereby incorporated as part of this subaward and take precedence in the case of any inconsistencies with this subaward. Any changes to the prime award amount or expiration date are automatically incorporated into this award, as appropriate.

This agreement is subject to the following Office of Management and Budget (OMB) Circular:

- OMB Circular 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements For Federal Awards; Final Rule.
- The OMB Circular is available on the Internet at <http://www.ecfr.gov> and select Title 2 “Grants & Agreements.”

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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Funding for these contracted services come from the U.S Forest Service which requires contractors and sub-contractors performing work on federal grants and contracts to abide by the Davis Bacon Act. DAVIS BACON WAGES FOR CONSTRUCTION. Following the requirement in Section 41101 of the Bipartisan Infrastructure Law, P.L. 117-58, Davis-Bacon wage rates must be applied for all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration, or repair work on a project assisted in whole or in part by funding made available under this Act. Laborers and mechanics shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the “Davis-Bacon Act”).

#### **X. INDEPENDENT CONTRACTOR**

COOPERATOR herein is an Independent Contractor, not a partner or joint venturer, and shall not act as an agent or employee of the NDFS. COOPERATOR shall not have any authority, either express or implied, to enter any agreement, incur any obligations on NDFS's behalf, or commit NDFS in any manner without NDFS's expressed prior written consent.

#### **XI. LIABILITY**

In accordance with North Dakota state law, COOPERATOR agrees to defend, indemnify and hold NDFS harmless from any and all claims, injuries, damages or other liabilities arising in tort or breach of contract and resulting directly or indirectly from any intentional or negligent (including grossly negligent) acts or failure to act by COOPERATOR's officers, agents or employees, arising in favor of any person or entity.

#### **XII. TERMINATION**

In the event of default by COOPERATOR under this subaward, or in the event that the prime sponsor terminates work by NDFS on this subject matter, then performance by COOPERATOR may be terminated by NDFS at any time by giving written notice. Such notice shall be effective upon the receipt of written notice by the COOPERATOR. COOPERATOR shall take all reasonable steps to minimize termination costs.

#### **XIII. AUDIT**

This agreement is subject to the provisions of the Single Audit Act Amendments of 1996, as implemented by OMB Circular A-133 "Audits of States, Local governments and Non-Profit Organization."

- COOPERATOR shall, upon written request of sponsor, provide a copy of COOPERATOR's most recent audit report. COOPERATOR agrees to provide copies of subsequent audit reports if requested by sponsor.
- Financial reports, supporting documents and other records pertinent to this subaward shall be retained by the COOPERATOR for a period of three (3) years from the date of final expenditures, reports; except records that relate to audits, appeals, litigation of the settlement of claims arising out of performance of this subaward shall be retained until such audits appeals, litigation or claims have been disposed of.
- COOPERATOR shall permit independent auditors (as defined in the OMB circulars) to have access to the records and financial statement as necessary to comply with the appropriate OMB circulars and this article.
- Following the awarding of grants, the NDFS will conduct project inspections to assure compliance with project contracts.

#### **XIV. SERVICES AND EQUIPMENT**

Pursuant to 2 CFR 200.216, COOPERATOR will not obligate or expend funds received under this Subaward to: (1) procure or obtain; (2) extend or renew a contract to procure or obtain; or (3) enter into a contract (or extend or a renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services (as described in Public Law 115- 232, section 889) as a substantial or essential component or any system, or as a critical technology as part of any system.

#### **XV. CERTIFICATION**

A. Acceptance of this Subaward constitutes certification that the COOPERATOR is not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this project by any Federal department or agency.

B. Acceptance of this Subaward constitutes certification that the COOPERATOR is not delinquent on any Federal debt.

C. Acceptance of this Subaward constitutes certification that to the best of the COOPERATOR's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the COOPERATOR, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the COOPERATOR will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," to NDFS in accordance with its instructions.

D. Acceptance of this Subaward constitutes certification that COOPERATOR: has and will continue to advise it employees working on any federal awards that they are subject to the whistleblower rights and remedies of the pilot program; will inform their employees in writing of the employee whistleblower protections under 41 U.S.C.§4712 in the predominant language of the workforce; and include such requirements in any agreement made with any subcontractor.

**XVI. GOVERNING LAW**

The laws of the State of North Dakota, United States of America shall govern the interpretation of this subaward. The only appropriate venue for resolution of disputes to this subaward shall be in the State of North Dakota, United States of America.

IN WITNESS WHEREOF, the parties to this Agreement do hereby execute this contract and agree to abide by its terms.

City of Bismarck Forestry Division

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Entity	Authorized Signature	Print Signature Name	Date
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ND Forest Service

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Entity	Tom Claeys, State Forester		Date
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**NDSU** does not discriminate in its programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or veteran status, as applicable. Direct inquiries to Vice Provost, Title IX/ADA Coordinator, Old Main 201, **(701) 231-7708**, [ndsu.eoaa@ndsu.edu](mailto:ndsu.eoaa@ndsu.edu).

## Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>City of Bismarck</b>	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only <b>one</b> of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input checked="" type="checkbox"/> Other (see instructions) ▶ <b>City Government</b>	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) <b>3</b> Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>	
	5 Address (number, street, and apt. or suite no.) <b>221 N 5th St</b>	Requester's name and address (optional)
	6 City, state, and ZIP code <b>Bismarck ND 58501</b>	
	7 List account number(s) here (optional) <b>All City of Bismarck Departments Inclusive</b>	

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

<b>Social security number</b>									
-	-								
or									
<b>Employer identification number</b>									
4	5	-	6	0	0	2	0	3	6

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ <b>1/22/14</b>
------------------	----------------------------	-----------------------

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.  
**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.*

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

Name City of Bismarck  
Address 221 N 5th St  
City, ST Zip Bismarck ND 58501

**Subject: Federal Audit Requirements**

Because your organization is a subrecipient of Federal Funds awarded to North Dakota State University, Federal Uniform Guidance 2 CFR 200 subpart F require us to ensure that you are in compliance with their requirements. Please check the appropriate box below and provide the requested documentation/information.

- Our Federal Uniform Guidance 2 CFR 200 Subpart F audit report for fiscal year 2022 is not yet completed. Upon completion, we will provide you with written notification and, if material findings related to any subaward from North Dakota State University are reported, we will provide a copy of our audit report along with a corrective action plan within 30 days. We expect that the report will be completed by (date)\_\_\_\_\_.
- Our Federal Uniform Guidance 2 CFR 200 Subpart F audit for fiscal year 2022 has been completed. The audit presented no material weakness, no material instances of noncompliance, or findings related to any subaward from North Dakota State University. Accordingly, we are not enclosing a copy of the report.
- Our Federal Uniform Guidance 2 CFR 200 Subpart F audit for fiscal year 2022 has been completed. The audit noted material weaknesses, material instances of noncompliance, or findings related to a subaward from North Dakota State University. Accordingly, we are enclosing a copy of the report and our response. Relevant findings, responses and corrective action plans are discussed on pages:\_\_\_\_\_.

We are not subject to the requirements of Federal Uniform Guidance 2 CFR Part 200 because:

- Our organization is for profit.
- Our organization expended less than \$750,000 as described in Federal Uniform Guidance 2 CFR Part 200 in **Federal funds**
- We are a non-U.S entity
- Other (please explain): City

Because we are not subject to Federal Uniform Guidance 2 CFR Part 200 Subpart F, we have enclosed (required to accompany this form):

- An Audited Financial Statement;
- An Independent auditor's management letter; or,
- Some other reviewed financial statement or report

I certify that the above checked boxes accurately represent the organization of which I am an authorized representative. Furthermore, I certify that all relevant material findings in the audit report have been disclosed.

Signature: Kim Ohnell Date: 2/13/2024

Name & Title (please print): Kim Ohnell, Grants Coordinator

Web Site address of audit report or financial statements: kimohnell@bismarcknd.gov

Thank you for your assistance in complying with these requirements. If you have any questions, please contact me at (701) 231-5133 or e-mail [teresa.driscoll@ndsu.edu](mailto:teresa.driscoll@ndsu.edu).

Sincerely,

Teresa Driscoll  
Grant and Contract Officer  
North Dakota State University

**Please mail completed form to: ND Forest Service  
916 E Interstate Ave Ste 4  
Bismarck, ND 58503-1227**



**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion  
 Lower Tier Covered Transactions**

*The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a, as amended). This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, and 2 CFR §§ 180.300, 180.335, Participants' responsibilities. The regulations were amended and published on August 31, 2005, in 70 Fed. Reg. 51865-51880. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.*

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal or civil fraud, privacy, and other statutes may be applicable to the information provided.*

***(Read instructions on page two before completing certification.)***

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency;
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ORGANIZATION NAME

*City of Bismarck*

PR/AWARD NUMBER OR PROJECT NAME

*2023F-IRA-001*

NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S)

SIGNATURE

DATE

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

USDA is an equal opportunity provider, employer, and lender.



# North Dakota Forest Service AMERICA THE BEAUTIFUL TREE PLANTING Grant Application

## Application Deadline: October 31, 2023

Entity: City of Bismarck

Community: Bismarck, ND

### **Primary Contact Person:** \*Individual who will manage this project

Name: Doug Wiles

Mailing Address: 601 S. 26th St

Day Phone: (701) 355-1722

Email: dwiles@bismarcknd.gov

### **Important documents for reference during application process:**

[Supporting Documents](#)

[Scoring Guidelines](#)

Title: City Forester

City: Bismarck Zip: 56504

Cell: (605) 415-7998

### **Secondary Contact Person:**

Name: Christy Ames-Davis

Mailing Address: 601 S. 26th St

Day Phone: (701) 355-1723

Email: comes@bismarcknd.gov

Title: Forestry Programs Specialist

City: Bismarck Zip: 58504

Cell: \_\_\_\_\_

Projects must be on publicly owned or publicly controlled property.

Is the project on publicly owned or controlled property?  YES  NO \*If NO, the project is not eligible.

Eligible projects may request up to \$25,000. To assist in the successful completion of this application reference Supporting Documents.

### **Applicant MUST contact NDFS personnel to coordinate project planning efforts during the process of completing this application.**

Name of NDFS Community Forestry Staff: Beth Peske

Date(s) of Contact: 10/9/2023

Provide the legal land description of the project location. This information is used to conduct Class I Cultural Resource reviews through the [ND State Historical Preservation Office \(SHPO\)](#).  
To assist with your legal land description, [click here](#).

County Name	Township Number	Range Number	Section Number	Quarter NE, NW, SE, SW
Burleigh	138N	80W	5	NE,NW

### **The Unique Entity Identifier (UEI).** \*Must have at time of application.

How to get the UEI: Each entity is registered in [SAM.gov](#), including inactive registrations. Your Unique Entity ID has already been assigned and is viewable in [SAM.gov](#). Remember, you must sign in to your [SAM.gov](#) account to view entity records. To learn how to view or obtain your Unique Entity ID go to this [help article](#).

**Please identify your organization's 12-character (alpha-numeric) code:**

H	H	E	6	B	W	3	2	J	L	P	3
---	---	---	---	---	---	---	---	---	---	---	---



# North Dakota Forest Service AMERICA THE BEAUTIFUL TREE PLANTING Grant Overview

ATB Tree Planting Grant is a competitive grant program available to North Dakota communities, administered by NDSU - North Dakota Forest Service in cooperation with the USDA Forest Service. Associated documents are available at <https://www.ag.ndsu.edu/ndfs/programs-and-services/community-forestry-grants>.

**Applicant MUST contact one of these NDFS personnel to coordinate project planning efforts and to obtain a grant application:**

**Gerri Makay**  
Community Forestry Manager  
Carrington Office  
(701) 652-2951  
[Gerri.Makay@ndsu.edu](mailto:Gerri.Makay@ndsu.edu)

**Joel Allen**  
Community Forestry Specialist  
Bismarck Office  
(701) 328-9941  
[Joel.Allen@ndsu.edu](mailto:Joel.Allen@ndsu.edu)

**Beth Peske**  
Community Forestry Assistant  
Bismarck Office  
(701) 389-7503  
[Beth.Peske@ndsu.edu](mailto:Beth.Peske@ndsu.edu)

## PROGRAM OVERVIEW

<b>PROGRAM PURPOSE</b>	To stimulate the development of innovative and effective community forestry tree planting projects that promote the diversity of trees in the community.
<b>ELIGIBLE APPLICANTS</b>	Applicant must contact NDFS personnel to coordinate project planning efforts at which time they will receive the grant application. Public entities that own or control the land where the project will be located must submit the application.
<b>FUNDS AVAILABLE</b>	A public entity is eligible to receive a maximum grant award of <b>\$25,000</b> . Bids or price quotes will be required for successful applicants. Grant funds will be distributed on a reimbursement basis.
<b>MATCH REQUIREMENTS</b>	<b>At least 50% of the total cost of the project must be contributed by the applicant from sources other than federal funds, in the form of cash and/or in-kind contributions.</b>
<b>APPLICATION DEADLINE</b>	<b>4:30 p.m. CST/October 31, 2023-</b> Applications must be sent by electronic format ( <b>preferred</b> ) OR postmarked by this time/date. Applications sent electronically/postmarked after October 31 will not be accepted. <b>Email your completed application to <a href="mailto:cfgrants@ndsu.edu">cfgrants@ndsu.edu</a>.</b>
	<b>*Please save applications as Year-Project Type-Entity (eg: 2023Fall ATB TP Anytown)</b>
	If you are submitting by mail, please mail the ORIGINAL application (no copies needed) to: <b>Community Forestry Grants North Dakota Forest Service 916 East Interstate Ave Suite 4 Bismarck, ND 58503-1227</b>
<b>PROJECT COMPLETION</b>	Projects must be completed and all reimbursement forms submitted by <b>November 29, 2024</b> .

In accordance with the Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410;  
(2) fax: (202) 690-7442; or (3) [email: program.intake@usda.gov](mailto:program.intake@usda.gov).

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North Dakota Forest Service (NDFS) is a department of NDSU. NDSU does not discriminate in its programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or veteran status, as applicable. Direct inquiries to Vice Provost, Title IX/ADA Coordinator, Old Main 201, 701-231-7708, [ndsu.eoaa@ndsu.edu](mailto:ndsu.eoaa@ndsu.edu).

Did you use the ND TIP Tool in planning this project?  YES  NO \*If YES, explain briefly how it was used.

**Please provide thorough information for the review committee to understand your project. Projects will be ranked according to the quality of the application as a whole and how well the specified scoring criteria are addressed. Refer to the Grant Scoring Guidelines.**

Describe the type of project and clearly outline its purpose and goals. \*Include a planting plan or design which contains existing trees, proposed trees, all utilities, infrastructure, waterways, etc. (reference Supporting Documents)

In 2015 the City of Bismarck applied for a NDFS ATBTP Grant to plant trees in two areas directly adjacent to the project being proposed. The previous grant project consisted of two planting beds. One of the planting areas is on the south side of Memorial Highway, which consisted of a variety of ornamental trees. The other planting area of the 2015 project is on the north side of Memorial Highway and consisted of 29 conifers, which have provided a nice buffer for the residents along Summit Boulevard.

The project the City of Bismarck is proposing for this grant cycle will consist of planting 68 boulevard trees over 1500 ft of Right of Way that will extend the plantings from the 2015 Grant Project, specifically the planting bed between Memorial Highway and Summit Boulevard.

If awarded this grant, the City of Bismarck Forestry Division will be removing about 25 trees in preparation of the tree planting project, 20 of which are ash trees. The removal of these ash trees will help the city as we continually prepare for the arrival of EAB. This tree planting project is located in an area of town that would be classified as being of a lower socioeconomic demographic. Over the last several decades, there have been many trees removed in this portion of town due to Dutch Elm Disease and there has had very little elective tree plantings by the residents living in the neighborhood to replace what has been lost. This planting will continue what was started in 2015 and provide a very nice buffer for the residents living north of Memorial Highway, decrease the number of ash trees on our boulevards, increase species diversity and eventually increase canopy cover in the City of Bismarck.

The City plans to have a contractor plant the conifers and the City staff will plant the shade trees.

\*see attached documents for pictures of current site, planting plans

Did you do a soil test at the planting site?  YES  NO \*If YES, please include the test results.

How many trees are you planting?

If you are also planting shrubs, how many shrubs?

*Add additional pages as needed for any of the questions*

How did you choose your tree species?

Trees selected have proven to be hardy in the City of Bismarck

If any of the trees are not 1-2" caliper for hardwoods or 3' tall for conifers, please explain.

How are you preparing your site? This can include tree removal, stump grinding, and similar activities.

\*Do not include digging the holes for trees. That comes next.

There are many volunteer trees and shrubs on the site that will be removed and stumps ground prior to tree planting. There are also 10 green ash trees on the boulevard that will be removed to prep for this tree planting.

Are you digging the holes by hand?  YES  NO

If NO, please explain how you will dig the holes:

An auger attach for a skid steer or a stump router will be used to dig holes for tree planting. Once initial hole is dug with attachment the crew will make sure hole diameter is appropriate (2-3x root ball) and that planting hole walls are scarified.

If not planting by hand, please explain how you will prevent the trees from being planted too deeply.

Once root balls have been inspected and root pruning or root correcting has occurred, the root ball will be measured to determine the depth of hole. If the hole is too deep it will be backfilled and tamped for firmness to ensure the trees will not settle.

If removing trees, list the name and title of the individuals who decide which trees should be removed:

Doug Wiles, Bismarck City Forester, will determine which trees will be removed for this project.

How many trees are you removing?  
(Considered In-Kind or Cash Site-Prep)

25

\*Include a map showing each tree to be removed.

*Add additional pages as needed for any of the questions*

Where will the project be located? *\*Include maps of the community showing the location of the project and a detailed map of the project site (reference Supporting Documents). Remember to consider the location of above ground and below ground utilities.*

This project will occur in the City of Bismarck. Specifically, in the boulevard between Memorial Highway and Summit Boulevard.

See attached documents showing specific location in the City of Bismarck

What entity owns the property?

City of Bismarck

If a board or council is responsible, name the board or council:

Are overhead lines in the area where trees are to be planted?  YES  NO

Are underground utilities in the area where trees are to be planted?  YES  NO

Why is the project important to the community?

This project is important for the City of Bismarck for several reasons.

- 1) If awarded this grant, the City of Bismarck Forestry Division will be removing about 25 trees in preparation of the tree planting project, 20 of which are ash trees. The removal of these ash trees will help the city as we continually prepare for the arrival of EAB.
- 2) This tree planting project is located in an area of town that would be classified as being of a lower socioeconomic demographic. Over the last several decades, there have been many trees removed in this portion of town due to Dutch Elm Disease and there has had very little elective tree plantings by the residents living in the neighborhood to replace what has been lost.
- 3) This planting will continue what was started in 2015 and provide a very nice buffer for the residents living north of Memorial Highway, decrease the number of ash trees on our boulevards, increase species diversity and eventually increase canopy cover in the City of Bismarck.

*Add additional pages as needed for any of the questions*

Please identify by name and/or title the individuals who will be involved with the project and explain what they will do.

City of Bismarck Forestry Division Staff  
Doug Wiles, City Forester - grant administration, planning  
Christy Ames-Davis, Forestry Programs Coordinator - grant administration  
Jerry Henke, Eric Gabbert, Carter Moran, Katie Nagel, Rachel Jensen (Forestry Division Arborists) - tree removals, tree planting and ongoing maintenance  
  
Tree planting contractor - tree planting

How are volunteers involved with the project?

N/A

What is your plan of work and project schedule?

- 1) Early Winter 2023 - Grant award
- 2) Early Winter 2023 - Request quote from local contractors for plant material and planting of conifers
- 3) Winter/Early Spring 2024 - Tree removal and stump grinding
- 4) Late May/Early June - Tree planting
- 5) Summer 2024 - water trees in project area once every 10-14 days throughout growing season

*Add additional pages as needed for any of the questions*

Describe your plans to maintain the project for long-term success.

All trees planting on City of Bismarck property/ROW have regular, scheduled maintenance by City of Bismarck Forestry Division staff. The trees will be water every 10-14 days during the summer growing season, for the first 3 years after planting. After 3 years they fall off our watering schedule unless we are in a severe drought. Mulch depth is inspected annual to determine if mulch should be reapplied. Staking will be inspected annually to determine when stakes shall be removed. Boulevard trees will be structurally pruned 2 years after planting and again at 5 years after planting and then fall into our pruning rotation based on the pruning zone they are in. The conifer bed planting will be pruned and inspected annually to determine maintenance needs and managed by our landscape arborist.

Who is responsible for watering the trees?

City of Bismarck

What is the frequency the trees will be watered?

Once every 10-14 days for first three growing seasons, depending on weather and soil moisture

Will trees be staked?  YES  NO

If trees will be staked, when will the support ties be removed?

staking will be evaluated annually to determine when stakes shall be removed

How will you mulch your trees and how often will you re-mulch?

3-4", mulch depth will be evaluated annually and the conifer bed will be completely mulched with no grass between trees.

Describe the steps you will take to prevent damaging trees during mowing and string trimming:

mulch and education.

What additional information would you like to share with the review committee to help them understand the project?

*Add additional pages as needed for any of the questions*

## Project Cost In-Kind Contributions

### 1. Community's In-Kind Contribution

Donated items must be used for the project; no peripheral expenses can be used as match, such as food, refreshments, or other items outside the scope of the project.

#### A. In-Kind Labor – Volunteers

Estimate the community's "In-Kind Labor Contribution" to complete this project.

*Suggested Volunteer Labor Value: \$20.00 per hour .*

ACTIVITY	VOLUNTEER GROUP'S NAME (IF APPLICABLE)	# OF PEOPLE	# OF HOURS	TOTAL HOURS	VALUE PER/HR.	GRAND TOTAL
tree removal/stump grinding	COB arborist	5	32.00	160.00	\$ 46.00	\$ 7,360.00
	COB forestry tech	2	32.00	64.00	\$ 38.00	\$ 2,432.00
tree watering		1	80.00	80.00	\$ 18.00	\$ 1,440.00
tree planting	COB arborist	5	16.00	80.00	\$ 46.00	\$ 3,680.00
	COB forestry tech	2	16.00	32.00	\$ 38.00	\$ 1,216.00
				0.00		\$ 0.00
				0.00		\$ 0.00
Copy amount to In-Kind Labor on Project Budget Estimate - <b>TOTAL VALUE OF IN-KIND LABOR</b>						<b>\$ 16,128.00</b>

#### B. In-Kind Equipment

What donated equipment will be used to complete this project?

*See Equipment Values in Supporting Documents.*

ACTIVITY	EQUIPMENT USED	# OF HOURS	VALUE PER HR.	TOTAL VALUE
tree removal	log truck	24.00	\$ 64.86	\$ 1,556.64
stump grinding	stump grinder	8.00	\$ 60.21	\$ 481.68
	pickup	32.00	\$ 35.87	\$ 1,147.84
	pickup	32.00	\$ 35.87	\$ 1,147.84
tree removal	chipper	24.00	\$ 137.84	\$ 3,308.16
tree removal	chip truck	24.00	\$ 55.98	\$ 1,343.52
				\$ 0.00
Copy amount into In-Kind Equipment on Project Budget Estimate - <b>TOTAL VALUE IN-KIND EQUIPMENT</b>				<b>\$ 8,985.68</b>

#### C. In-Kind Supplies

What supplies or other donated items of value will be used to complete your project?

*Food and refreshments are not eligible.*

SUPPLIES	VALUE
Place the value of the in-kind item in the appropriate category on Budget Estimate <b>TOTAL VALUE OTHER IN-KIND CONTRIBUTIONS</b>	
<b>\$ 0.00</b>	

**Project Cost Cash Expenses** - grant funds and applicant cash-match expenditures

**2. Cash expenses for your project.**

**A. Site Preparation** - What is the estimated cost of preparing the site for the project?

ACTIVITY	TOTAL
<b>TOTAL ESTIMATED COST OF SITE PREPARATION</b>	\$0.00

**B. Supplies** - What is the estimated cost of non-plant materials needed for completing this project?

ITEM PURCHASED	QTY	X COST PER	= TOTAL COST
t-post	60	\$ 6.00	\$ 360.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
<b>TOTAL ESTIMATED COST OF SUPPLIES</b>			\$ 360.00

**C. List the plant materials to be used** - Estimate the cost of plant materials to complete your project.

*Size examples – 6' Bare Root (BR), 1½" (BR), #5 container, 1½" Balled and Burlapped (B&B)*

SPECIES	SIZE	QTY	X COST PER	= TOTAL COST
Ponderosa Pine	4' BB	8	\$ 150.00	\$ 1,200.00
Scotch Pine	4' BB	5	\$ 150.00	\$ 750.00
Swiss Stone Pine (\$350)	4' CG	5	\$ 1.00	\$ 5.00
Colorado Blue Spruce	4' BB	5	\$ 175.00	\$ 875.00
Black Hills Spruce	4' BB	5	\$175.00	\$ 875.00
Rocky Mountain Juniper	4' BB	5	\$175.00	\$ 875.00
Taylor Juniper	4' BB or CG	5	\$175.00	\$ 875.00
Northern Empress Elm	8' LB BR	12	\$80.00	\$ 960.00
Princeton Elm	8' LB BR	13	\$80.00	\$ 1,040.00
Common Hackberry	#10 CG	5	\$170.00	\$ 850.00
				\$ 0.00
				\$ 0.00
<b>TOTAL COST OF PLANT MATERIALS</b>				\$ 8,305.00

**Community must follow a three-year maintenance requirement. Reference Supporting Documents.**

*No person may engage in the business nor act in the capacity of a contractor within the State of North Dakota when the cost, value, or price per job exceeds the sum of four thousand dollars without first having a license. (NDCC 43-07-02).*

**D. Contracted Planting Services.** What is the estimated cost for contracted services:           \$ 7,500.00          

Place in 6B and/or 6C  
PROJECT BUDGET ESTIMATES on pg 9

## PROJECT BUDGET ESTIMATES

At least 50% of the total cost of the project must be contributed by the applicant in the form of cash, services, and/or in-kind contributions.

PROJECT EXPENSES	APPLICANT IN-KIND MATCH A	APPLICANT CASH MATCH B	GRANT FUNDS C	TOTAL D
Labor 1	Question-1A \$ 16,128.00		NOT ALLOWED	A+B=D \$ 16,128.00
Equipment 2	Question-1B \$ 8,985.68		NOT ALLOWED	A+B=D \$ 8,411.76
Site Preparation 3		Question-2A	Question-2A	A+B+C=D \$ 0.00
Supplies 4	Question-1C \$ 0.00	Question-2B \$ 360.00	Question-2B	A+B+C=D \$ 360.00
Plant Materials 5		Question-2C	Question-2C \$ 8,305.00	A+B+C=D \$ 8,305.00
Contracted Planting Services 6		Question-2D	Question-2D \$ 7,500.00	A+B+C=D \$ 7,500.00
<b>TOTAL 7</b>	Sum A1-A6 \$ 24,539.76	Sum B1-B6 \$ 360.00	Sum C3-C6 \$ 15,805.00	Sum D1-D6=Sum A7+B7+C7 \$ 40,704.76

Applicant's In-Kind Match Contribution (A7) \$ 24,539.76

Applicant's Cash Match Contribution (B7) \$ 360.00

Grant Funds Requested (may not be more than maximum allowable grant award) (C7) \$ 15,805.00

Total Project Cost (D7) \$ 40,704.76

### CHECK LIST - Please check appropriate boxes

Please indicate here if you are a **Tree City USA**.

#### Proposed Projects

**Email the following (or mail ORIGINAL ONLY-no copies):**

Completed application.

Photographs of proposed project site.

Vicinity maps indicating location of project;

1. A map identifying project location within the city; and
2. A map of the project location identifying highways, streets, and properties surrounding the project (residential, business, education, etc.) See examples in Supporting documents.

Project design plan. (Examples in Supporting Documents.)

Project grant funds are distributed on a reimbursement basis. Reimbursement requests must be submitted for payment at the completion of the project and only upon passing inspection by NDFS Community Forestry Staff. Proof of payment in the form of cleared checks or receipts showing payment by a credit card are required to be submitted with reimbursement documents. All reimbursement documents must be received by NDFS no later than November 29, 2024.

**Project expenses for which you seek reimbursement  
must be incurred AFTER a contract is signed by the State Forester.**

**AUTHORIZING SIGNATURE**

*By signing below, I certify that to the best of my knowledge the information is true. I acknowledge that I am authorized to commit funding and accept America the Beautiful Tree Planting Grant Funds for this project if approved by ND Community Forestry Council and the State Forester.*

Steven Selwei	Public Works Service Operations Director		10-30-23
Print Name	Print Title	Authorized Signature	Date

**Email the following (or mail ORIGINAL ONLY- no copies):**

1. Completed application
2. Photographs of proposed project site
3. Vicinity maps indicating location of project
4. Project design plan

**\*Please save applications as Year-Project Type-Entity (eg: 2023Fall ATB TP Anytown)**

**Application must be received electronically by 4:30 p.m. CST on October 31, 2023.**

**Option 1:** Email to NDFS Community Forestry Staff:

[Submit Form](#)

**OR**

**Option 2:** Mail ORIGINAL ONLY (no copies) postmarked no later than October 31, 2023 to:

Community Forestry Grants  
North Dakota Forest Service  
916 East Interstate Ave. Suite 4  
Bismarck, ND 58503-1227

USDA "In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

USDA is an equal opportunity provider, employer, and lender.

North Dakota Forest Service (NDFS) is a department of NDSU. NDSU does not discriminate in its programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or veteran status, as applicable. Direct inquiries to Vice Provost, Title IX/ADA Coordinator, Old Main 201, 701-231-7708, [ndsu.eoaa@ndsu.edu](mailto:ndsu.eoaa@ndsu.edu).

This publication is available in alternative formats upon request by calling (701) 328-9944.





# NORTH DAKOTA FOREST SERVICE

*"To care for, protect and improve forests and natural resources to enhance the quality of life for present and future generations."*

February 1, 2024

Doug Wiles  
City of Bismarck  
601 S 26th St  
Bismarck, ND 58504

Dear Doug:

The North Dakota Forest Service (NDFS) is pleased to announce that the City of Bismarck has been awarded up to \$15,805.00 for its 2023 Fall America the Beautiful Tree Planting (ATBTP) project. Enclosed is the contract for this award.

Using the enclosed envelope, please mail these items by **February 15, 2024**

1. The original contract (all pages) with an authorized signature,
2. The completed W-9 (revised October 2018) form,
3. The completed Federal Audit Requirements form (with financial statement, letter or report), and
4. The completed AD-1048 form.

Once the NDFS has these items on file, a complete award packet will be sent to you, including a copy of the contract signed by the State Forester. Upon receipt of the award packet, you may begin the project. **Projects started prior to the contract being signed by the State Forester are not reimbursable.**

We appreciate your interest to involve the NDFS in your community forestry program. We look forward to continuing to work with the City of Bismarck.

Once again, congratulations on this grant award. Please contact me if you have any questions or concerns.

Sincerely,

Mary Fisk  
Office Manager

Enclosure

**SUBAWARD 2023F-ATB-TP001  
AGREEMENT BETWEEN THE NORTH DAKOTA FOREST SERVICE AND**

**City of Bismarck  
NORTH DAKOTA**

**FOR THE PROVISION OF AMERICA THE BEAUTIFUL TREE PLANTING (ATBTP)  
COMMUNITY CHALLENGE GRANT FUNDS**

**I. GENERAL**

This agreement is entered into between the North Dakota Forest Service, hereinafter referred to as the NDFS, and the above, named entity, hereinafter referred to as the COOPERATOR.

All application materials submitted by the COOPERATOR are listed in the Grant Application and are included within this agreement.

**II. PURPOSE**

The purpose of this agreement is to stimulate development of innovative and effective urban and community forestry projects and programs in North Dakota. The USDA-Forest Service provides grant funds to accomplish the project specified in this agreement.

The parties in this contract agree to jointly provide staff, financial, and in-kind resources necessary to fulfill the established program objective.

**III. TERM**

The budget period for the Agreement shall commence on the date the State Forester signs this contract and ending **November 28, 2025**. The budget period may be extended by written request from Cooperator followed by written approval from the NDFS.

**IV. ALLOWABLE COSTS AND PAYMENTS**

Required cost share is 50/50. A minimum of 50% of the total cost of the project must be contributed by the COOPERATOR in the form of cash, services, and/or in-kind contributions. The COOPERATOR may incur costs as specified in the Grant Application – Project Budget and be reimbursed by the NDFS. Unless otherwise noted, only those costs specifically set forth in Grant Application – Project Budget shall be allowable costs under this Agreement. All costs incurred shall be accounted for in accordance with COOPERATOR'S established rates, policy and procedures, including the payment of salaries, wages and fringe benefits for any employees paid from this Agreement. COOPERATOR shall establish and maintain books, records, documents, and other evidence, accounting procedures and practices, sufficient to reflect properly all costs of whatever nature that COOPERATOR claims to have incurred in the performance of this Agreement, including cost sharing or program income, if any.

The NDFS will reimburse COOPERATOR upon completion and passing inspection of project. Proper documentation shall be submitted to the NDFS as specified in the Reimbursement Guidelines document. The billing and match statement along with invoices shall be submitted prior to **November 28, 2025**, to the North Dakota Forest Service, 916 East Interstate Ave, Ste 4, Bismarck, ND 58503-1227.

**Grant funds awarded to this project up to \$15,805**

## V. SUPERVISION

Refer to Grant Application – Project Narrative.

## VI. RESPONSIBILITIES

The NDFS agrees to:

- Submit appropriate payment(s) to the COOPERATOR not to exceed the total amount of the grant award.

The COOPERATOR agrees to:

- Expend the grant award in the manner specified in the Grant Application.
- Contact **Beth Peske (701) 389-7503** immediately following project completion for an inspection. An inspection must be completed prior to any reimbursements.
- Assure that plant materials and plant installation meet standards outlined in the NDFS Community Forestry Tree Planting and Three-Year Maintenance Plan.
- Maintain project in accordance with the Three-Year Maintenance Plan.
- Submit before and after pictures of any tree removals.
- Submit tree inspection list.
- Include the statement “This publication is made possible through a grant from the USDA Forest Service and the North Dakota Forest Service.” in any publications or outreach materials related to this project.

## VII. Unique Entity ID Number

The COOPERATOR is required to identify their organization’s Unique Entity ID. The federal government has adopted the use of Unique Entity ID to track how federal grant money is allocated and is assigned free to all businesses/entities required to register with the US Federal Government for contracts or grants. If you do not know your organization’s Unique Entity ID, visit the SAM.gov webpage at <https://sam.gov/content/entity-registration>. **This is the UEI supplied on your application: HHE6BW32JLP3**

If this is not correct, cross it off and write the correct UEI.

All entities receiving subawards greater than \$30,000 shall be registered in the Central Contractor Registration (CCR) or System for Award Management (SAM). <https://www.sam.gov/SAM/>

NDSU is required to comply with the Federal Funding Accountability and Transparency Act of 2006 and associated 2008 amendment thereto (FFATA) which is Public Law 109-282. FFATA requires NDSU to report certain first-tier subcontract greater than \$30,000 and executive compensation data. The law requires all reported information to be made publicly available, including all information reported to NDSU by Recipient. For subcontract greater than \$30,000 the recipient will fully complete and return the enclosed **Federal funding accountability and Transparency Act (FFATA) Request Form.** This form should be submitted with the signed agreement/contract and no later than 30 days from the date of the fully executed contract. Recipient must notify NDSU immediately if there is any change in Recipient’s data as supplied in the FFATA Request Form.

## VIII. PROGRAM OBJECTIVES

Refer to Grant Application – Project Narrative.

## IX. INCORPORATING PROVISIONS OF THE PRIME AWARD

The effort being performed under this subaward is part of the Prime Award received from:

Agency	FAIN #	Amount	Assistance Listing #	Assistance Listing Name	Award YR	NDSU Proj
USDA-FS	21-DG-11010000-018	\$1,686,810	10.664	Cooperative Forestry Assistance	2021	FAR0035130
USDA-FS	22-DG-11010000-011	\$1,758,284	10.664	Cooperative Forestry Assistance	2022	FAR0036088
USDA-FS	23-DG-11010000-039	\$1,876,726	10.664	Cooperative Forestry Assistance	2023	FAR0037178

Consequently, the terms and conditions specified by the Prime Award and general provisions are hereby incorporated as part of this subaward and take precedence in the case of any inconsistencies with this subaward. Any changes to the prime award amount or expiration date are automatically incorporated into this award, as appropriate.

This agreement is subject to the following Office of Management and Budget (OMB) Circular:

- OMB Circular 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements For Federal Awards; Final Rule.
- The OMB Circular is available on the Internet at <http://www.ecfr.gov> and select Title 2 "Grants & Agreements."

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

USDA is an equal opportunity provider, employer, and lender.

#### **X. INDEPENDENT CONTRACTOR**

COOPERATOR herein is an Independent Contractor, not a partner or joint venturer, and shall not act as an agent or employee of the NDFS. COOPERATOR shall not have any authority, either express or implied, to enter any agreement, incur any obligations on the NDFS's behalf, or commit the NDFS in any manner without the NDFS's expressed prior written consent.

#### **XI. LIABILITY**

In accordance with North Dakota state law, COOPERATOR agrees to defend, indemnify and hold the NDFS harmless from any and all claims, injuries, damages or other liabilities arising in tort or breach of contract and resulting directly or indirectly from any intentional or negligent (including grossly negligent) acts or failure to act by COOPERATOR's officers, agents or employees, arising in favor of any person or entity.

#### **XII. TERMINATION**

In the event of default by COOPERATOR under this subaward, or in the event that the prime sponsor terminates work by NDFS on this subject matter, then performance by COOPERATOR may be terminated by the NDFS at any time by giving written notice. Such notice shall be effective upon the receipt of written notice by the COOPERATOR. COOPERATOR shall take all reasonable steps to minimize termination costs.

### **XIII. AUDIT**

This agreement is subject to the provisions of the Single Audit Act Amendments of 1996, as implemented by OMB Circular A-133 "Audits of States, Local governments and Non-Profit Organization."

- COOPERATOR shall, upon written request of sponsor, provide a copy of COOPERATOR's most recent audit report. COOPERATOR agrees to provide copies of subsequent audit reports if requested by sponsor.
- Financial reports, supporting documents and other records pertinent to this subaward shall be retained by the COOPERATOR for a period of three (3) years from the date of final expenditures, reports; except records that relate to audits, appeals, litigation of the settlement of claims arising out of performance of this subaward shall be retained until such audits appeals, litigation or claims have been disposed of.
- COOPERATOR shall permit independent auditors (as defined in the OMB circulars) to have access to the records and financial statement as necessary to comply with the appropriate OMB circulars and this article.
- Following the awarding of grants, the NDFS will conduct project inspections to assure compliance with project contracts.

### **XIV. SERVICES AND EQUIPMENT**

Pursuant to 2 CFR 200.216, COOPERATOR will not obligate or expend funds received under this Subaward to: (1) procure or obtain; (2) extend or renew a contract to procure or obtain; or (3) enter into a contract (or extend or a renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services (as described in Public Law 115- 232, section 889) as a substantial or essential component or any system, or as a critical technology as part of any system.

### **XV. CERTIFICATION**

- A. Acceptance of this Subaward constitutes certification that the COOPERATOR is not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this project by any Federal department or agency.
- B. Acceptance of this Subaward constitutes certification that the COOPERATOR is not delinquent on any Federal debt.
- C. Acceptance of this Subaward constitutes certification that to the best of the COOPERATOR's knowledge and belief:
  1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the COOPERATOR, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
  2. If funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the COOPERATOR will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," to NDFS in accordance with its instructions.

D. Acceptance of this Subaward constitutes certification that COOPERATOR: has and will continue to advise its employees working on any federal awards that they are subject to the whistleblower rights and remedies of the pilot program; will inform their employees in writing of the employee whistleblower protections under 41 U.S.C. §4712 in the predominant language of the workforce; and include such requirements in any agreement made with any subcontractor.

**XVI. GOVERNING LAW**

The laws of the State of North Dakota, United States of America shall govern the interpretation of this subaward. The only appropriate venue for resolution of disputes to this subaward shall be in the State of North Dakota, United States of America.

IN WITNESS WHEREOF, the parties to this Agreement do hereby execute this contract and agree to abide by its terms.

City of Bismarck

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Entity	Authorized Signature	Print Signature Name	Date
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ND Forest Service

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Entity	Tom Claeys, State Forester		Date
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**NDSU does not discriminate in its programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or veteran status, as applicable. Direct inquiries to Vice Provost, Title IX/ADA Coordinator, Old Main 201, 701-231-7708, <mailto:ndsueoaa@ndsuedu>**

## Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

**1** Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.  
**City of Bismarck**

**2** Business name/disregarded entity name, if different from above

**3** Check appropriate box for federal tax classification; check only **one** of the following seven boxes:  
 Individual/sole proprietor or single-member LLC  
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ \_\_\_\_\_  
**Note.** For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.  
 Other (see instructions) ▶ **City Government**

**4** Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  
 Exempt payee code (if any) **3**  
 Exemption from FATCA reporting code (if any) \_\_\_\_\_  
*(Applies to accounts maintained outside the U.S.)*

**5** Address (number, street, and apt. or suite no.)  
**221 N 5th St**

**6** City, state, and ZIP code  
**Bismarck ND 58501**

**7** List account number(s) here (optional)  
**All City of Bismarck Departments Inclusive**

Requester's name and address (optional)

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number									
-				-					
or									
Employer identification number									
4	5		6	0	0	2	0	3	6

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

**Sign Here**      Signature of U.S. person ▶      Date ▶ 1/22/24

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.*

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

Name City of Bismarck  
Address 221 N 5th St  
City, ST Zip Bismarck ND 58501

**Subject: Federal Audit Requirements**

Because your organization is a subrecipient of Federal Funds awarded to North Dakota State University, Federal Uniform Guidance 2 CFR 200 subpart F require us to ensure that you are in compliance with their requirements. Please check the appropriate box below and provide the requested documentation/information.

- Our Federal Uniform Guidance **2 CFR 200 Subpart F** audit report for fiscal year 2022 is not yet completed. Upon completion, we will provide you with written notification and, if material findings related to any subaward from North Dakota State University are reported, we will provide a copy of our audit report along with a corrective action plan within 30 days. We expect that the report will be completed by (date)\_\_\_\_\_.
- Our Federal Uniform Guidance **2 CFR 200 Subpart F** audit for fiscal year 2022 has been completed. The audit presented no material weakness, no material instances of noncompliance, or findings related to any subaward from North Dakota State University. Accordingly, we are not enclosing a copy of the report.
- Our Federal Uniform Guidance **2 CFR 200 Subpart F** audit for fiscal year 2022 has been completed. The audit noted material weaknesses, material instances of noncompliance, or findings related to a subaward from North Dakota State University. Accordingly, we are enclosing a copy of the report and our response. Relevant findings, responses and corrective action plans are discussed on pages:\_\_\_\_\_.

We are not subject to the requirements of Federal Uniform Guidance 2 CFR Part 200 because:

- Our organization is for profit.
- Our organization expended less than \$750,000 as described in Federal Uniform Guidance 2 CFR Part 200 in **Federal funds**
- We are a non-U.S entity
- Other (please explain): City

Because we are not subject to Federal Uniform Guidance 2 CFR Part 200 Subpart F, **we have enclosed (required to accompany this form):**

- An Audited Financial Statement;
- An Independent auditor's management letter; or,
- Some other reviewed financial statement or report

I certify that the above checked boxes accurately represent the organization of which I am an authorized representative. Furthermore, I certify that all relevant material findings in the audit report have been disclosed.

Signature: Kim Ohnell Date: 2/13/2024

Name & Title (please print): Kim Ohnell Grants Coordinator

Web Site address of audit report or financial statements: kimohnell@bismarcknd.gov

Thank you for your assistance in complying with these requirements. If you have any questions, please contact me at (701) 231-5133 or e-mail [teresa.driscoll@ndsu.edu](mailto:teresa.driscoll@ndsu.edu).

Sincerely,

Teresa Driscoll  
Grant and Contract Officer  
North Dakota State University

**Please mail completed form to: ND Forest Service  
916 E Interstate Ave Ste 4  
Bismarck, ND 58503-1227**



**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion  
 Lower Tier Covered Transactions**

*The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a, as amended). This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, and 2 CFR §§ 180.300, 180.335, Participants' responsibilities. The regulations were amended and published on August 31, 2005, in 70 Fed. Reg. 51865-51880. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.*

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal or civil fraud, privacy, and other statutes may be applicable to the information provided.*

***(Read instructions on page two before completing certification.)***

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency;
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ORGANIZATION NAME <i>City of Bismarck</i>	PR/AWARD NUMBER OR PROJECT NAME <i>2023F-ATB-TPOOL</i>
NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S)	
SIGNATURE	DATE

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Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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