

#339 - RESOLUTION NO. 09-06-2011

**A RESOLUTION ADOPTING COMPLIANCE GUIDELINES
TOWN OF ALPINE AND POLICY AND PROCEDURE HANDBOOK
(GUIDANCE DOCUMENT) FOR FUNDS RECEIVED FROM:
STATE LOAN INVESTMENT BOARD (SLIB)
OFFICE OF STATE LANDS & INVESTMENTS (OSLI)**

Whereas, the Town Council for the Town of Alpine recognizes the need to adopt the following rules and regulations for an efficient and effective payment procedure for proposed change orders on projects approved and funded by the State of Wyoming, Office of State Lands & State Loan Investment Board.

Whereas, Prior to the Loan/Draw payment request and processing any request for any additional work, to be done outside the original scope of work, shall be approved by the Office of State Lands & Investment and the Town of Alpine in formal written change order prior to commencement of any construction.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF ALPINE, LINCOLN, COUNTY, WYOMING; THAT:

The following rules and regulations attached hereto are approved by the Town of Alpine, Town Council, as the current policy for handling any change orders submitted for payment.

IT IS FURTHER RESOLVED THAT: These rules and regulations may be amended from time to time and made a part hereof are adopted as a guideline for the Town of Alpine.

This resolution passed and adopted on this 6th day of September, 2011.

VOTE: 3 Yes, 0 No, 0 Abstain, 1 Absent.



Signed: _____

W. Kennis Lutz, Mayor

ATTEST:

Pamela Poston, Clerk/Treasurer

Compliance Guidelines
Town of Alpine and
Policy and Procedure Handbook (guidance document)
For funds received from:
State Loan Investment Board (SLIB)
Office of State Lands & Investments (OSLI)

General Policy:

It is the responsibility of the Town Council and Town Staff to review current rules related to funding approved by the SLIB. Current rules are available on the Secretary of State's website: http://soswy.state.wy.us/Rules/Rule_Search_Main.asp

If assistance is required to locate rules, contact with OSLI staff is required by e-mail or phone. Contact information is available on the OLSI website: <http://lands.state.wy.us/> Select "Contact Us" and search in the Grants & Loans Division, with or without a name.

It is the responsibility of the Town Council and Town Staff to understand, implement, and enforce the rules of each program funding is approved.

Disbursement of Loan Proceeds

Prior to the submission of grant or loan draft request form (provided by OSLI) for reimbursement of expenditures from OSLI. Request for reimbursement shall only be for project costs which have been incurred and shall be subject to review by OSLI. Any costs not approved by OSLI for reimbursement according to the rules associated with the approved funding will become the sole responsibility of the Town. Any costs not included in the approved project shall be authorized by change order prior to construction as described below.

Procedure for Additional Work on Project:

Priority List: Means the list of additional projects expected to receive financial assistance under a grant or loan, such list will be developed by the Town Engineer and/or Project Engineer and ranked in accordance with a priority system developed and agree to by the Town with approval by the OSLI.

Funding: Project costs approved as part of the funding process through the SLIB and OSLI are eligible for reimbursement using said grant or loan funds. However, it is the Town's responsibility to ensure approved project costs (with assistance from OSLI) are eligible for funding.

Additional Funding: Any additional work to be included in the project shall be approved by formal change order prior to commencement of construction of said additional work, except in the event of an emergency which threatens the health, safety, or welfare of the citizens within the community. In the event an emergency occurs, work may be authorized with a Field Order, without prior approval from OLSI, for the immediate need. OLSI must be immediately notified of any emergency occurring on a project funded by programs administered by OSLI.

- The Contractor through the Project Engineer shall submit all proposed changes to the project, monetarily or non-monetarily, at the Alpine Town Council monthly meetings, for Council consideration.
- The Town of Alpine shall in turn submit all change orders to OSLI designated staff via e-mail or U.S.P.S, for written approval, prior to commencement of construction.
- Once written approval has been granted by OSLI designated staff, to the Town of Alpine, Engineer and Contractor, any construction on said project for additional work may commence.
- Costs for change orders that have not received written approval by OSLI designated staff (OSLI, Department of Environmental Quality (DEQ), Wyoming Water Development (WWD)), will not be eligible for reimbursement.

Audits and Inspections

Compliance: OSLI, DEQ or WWD staff may at any time inspect the project site, for compliance according to the rules and regulations applicable to the funding approved. Audit requirements related to Federal Funding approved from the State Revolving Fund (Clean Water or Drinking Water) are defined below:

The Board shall ensure compliance with the provisions of the Federal Single Audit Act, 1966 Amendments and Office of Management and Budget (OMB) Circular A-133. On an annual basis records of loan recipients shall be, at a minimum, compiled by an independent accounting firm. Notification of compliance shall be made to the Board in the form of a Compilation, Review, or Audited Financial Statement prepared by an independent accounting firm. On an annual basis, recipients receiving five hundred thousand dollars (\$500,000) or more in federal funds in any fiscal year shall have their records audited by an independent accounting firm. Notification of compliance shall be made to the Board in the form of an Audited Financial Statement. The Board may, at its expense, conduct an independent audit of the loan recipient's records and

inspect the construction and operation of the project. Loan recipients shall maintain project accounts in accordance with Generally Accepted Government Accounting Standards (GAAP).

Substantial Completion

Shall mean that stage in a project when the capital infrastructure constructed is capable of initiating operations or can be used for its intended purpose.

- The Town shall notify OSLI within thirty (30) days, in writing, of the date of substantial completion for each project that funding has been approved by SLIB and administered by OSLI.

Reports

The Town of Alpine will submit all the appropriate monthly, quarterly or yearly reports as required by OSLI, as defined in the applicable Rule, or as agreed to in the grantor loan agreement. Reports shall be submitted to the Director, or the Director's designee, for review and approval.

Program Compliance

Administration: The Town of Alpine shall administer funds approved by SLIB and administered by OSLI in accordance with all applicable local, state, and federal laws and regulations.

Agreements: The Town of Alpine shall enter into and periodically update; this policy and procedure handbook (guidance document) to implement programs and facilitate program compliance for funding approved by SLIB and administered by OSLI.