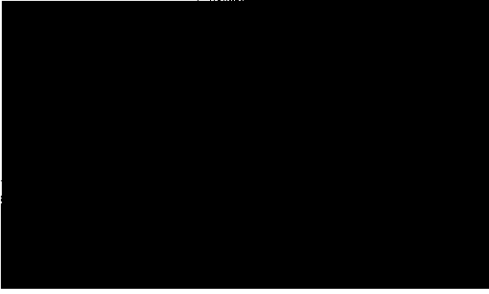


<b>Opportunity Title:</b>	FY 2012 Public Works and Economic Adjustment Assistance
<b>Offering Agency:</b>	Economic Development Administration
<b>CFDA Number:</b>	11.300
<b>CFDA Description:</b>	Investments for Public Works and Economic Development F
<b>Opportunity Number:</b>	FY2012EDAP111811
<b>Competition ID:</b>	1
<b>Opportunity Open Date:</b>	11/18/2011
<b>Opportunity Close Date:</b>	03/31/2013
<b>Agency Contact:</b>	Kerstin Millius E-mail: kmillius@eda.doc.gov



This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

\* Application Filing Name:

**Mandatory Documents**

Move Form to Complete

Move Form to Delete

**Mandatory Documents for Submission**

Application for Federal Assistance (SF-424)  
CD511 Form  
Assurances for Construction Programs (SF-424D)  
Budget Information for Construction Programs (S  
Economic Development Administration Application


**Optional Documents**

Move Form to Submission List


Move Form to Delete

**Optional Documents for Submission**


Attachments  
Disclosure of Lobbying Activities (SF-LLL)

- 

**Enter a name for the application in the Application Filing Name field.**

  - This application can be completed in its entirety offline; however, you will need to login to the Grants.gov website during the submission process.
  - You can save your application at any time by clicking the "Save" button at the top of your screen.
  - The "Save & Submit" button will not be functional until all required data fields in the application are completed and you clicked on the "Check Package for Errors" button and confirmed all data required data fields are completed.
  
- 

**Open and complete all of the documents listed in the "Mandatory Documents" box. Complete the SF-424 form first.**

  - It is recommended that the SF-424 form be the first form completed for the application package. Data entered on the SF-424 will populate data fields in other mandatory and optional forms and the user cannot enter data in these fields.
  - The forms listed in the "Mandatory Documents" box and "Optional Documents" may be predefined forms, such as SF-424, forms where a document needs to be attached, such as the Project Narrative or a combination of both. "Mandatory Documents" are required for this application. "Optional Documents" can be used to provide additional support for this application or may be required for specific types of grant activity. Reference the application package instructions for more information regarding "Optional Documents".
  - To open and complete a form, simply click on the form's name to select the item and then click on the => button. This will move the document to the appropriate "Documents for Submission" box and the form will be automatically added to your application package. To view the form, scroll down the screen or select the form name and click on the "Open Form" button to begin completing the required data fields. To remove a form/document from the "Documents for Submission" box, click the document name to select it, and then click the <= button. This will return the form/document to the "Mandatory Documents" or "Optional Documents" box.
  - All documents listed in the "Mandatory Documents" box must be moved to the "Mandatory Documents for Submission" box. When you open a required form, the fields which must be completed are highlighted in yellow with a red border. Optional fields and completed fields are displayed in white. If you enter invalid or incomplete information in a field, you will receive an error message.
  
- 

**Click the "Save & Submit" button to submit your application to Grants.gov.**

  - Once you have properly completed all required documents and attached any required or optional documentation, save the completed application by clicking on the "Save" button.
  - Click on the "Check Package for Errors" button to ensure that you have completed all required data fields. Correct any errors or if none are found, save the application package.
  - The "Save & Submit" button will become active; click on the "Save & Submit" button to begin the application submission process.
  - You will be taken to the applicant login page to enter your Grants.gov username and password. Follow all onscreen instructions for submission.

**Application for Federal Assistance SF-424**

Version 02

<b>* 1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	<b>* 2. Type of Application:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	<b>* If Revision, select appropriate letter(s):</b> <input type="text"/> <b>* Other (Specify)</b> <input type="text"/>
---	---	---

<b>* 3. Date Received:</b> Completed by Grants.gov upon submission.	<b>4. Applicant Identifier:</b> <input type="text"/>
--	---

<b>5a. Federal Entity Identifier:</b> <input type="text"/>	<b>* 5b. Federal Award Identifier:</b> <input type="text"/>
---	--

**State Use Only:**

<b>6. Date Received by State:</b> <input type="text"/>	<b>7. State Application Identifier:</b> <input type="text"/>
--	--

**8. APPLICANT INFORMATION:**

**\* a. Legal Name:**

<b>* b. Employer/Taxpayer Identification Number (EIN/TIN):</b> <input type="text" value="74-6001969"/>	<b>* c. Organizational DUNS:</b> <input type="text" value="081497075"/>
---	--

**d. Address:**

<b>* Street1:</b>	<input type="text" value="301 Jackson Street, Suite 719"/>
<b>Street2:</b>	<input type="text"/>
<b>* City:</b>	<input type="text" value="Richmond"/>
<b>County:</b>	<input type="text" value="Fort Bend"/>
<b>* State:</b>	<input type="text" value="TX: Texas"/>
<b>Province:</b>	<input type="text"/>
<b>* Country:</b>	<input type="text" value="USA: UNITED STATES"/>
<b>* Zip / Postal Code:</b>	<input type="text" value="77469"/>

**e. Organizational Unit:**

<b>Department Name:</b> <input type="text"/>	<b>Division Name:</b> <input type="text"/>
---	---

**f. Name and contact information of person to be contacted on matters involving this application:**

<b>Prefix:</b> <input type="text" value="Ms."/>	<b>* First Name:</b> <input type="text" value="Jenetha"/>
<b>Middle Name:</b> <input type="text"/>	
<b>* Last Name:</b> <input type="text" value="Jones"/>	
<b>Suffix:</b> <input type="text"/>	

**Title:**

**Organizational Affiliation:**

<b>* Telephone Number:</b> <input type="text" value="281-341-8608"/>	<b>Fax Number:</b> <input type="text" value="281-341-8609"/>
--	--

**\* Email:**

**Application for Federal Assistance SF-424**

Version 02

**9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

Economic Development Administration

**11. Catalog of Federal Domestic Assistance Number:**

11.300

CFDA Title:

Investments for Public Works and Economic Development Facilities

**\* 12. Funding Opportunity Number:**

FY2012EDAP111811

\* Title:

FY 2012 Public Works and Economic Adjustment Assistance Programs Opportunity

**13. Competition Identification Number:**

1

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

The City of Kendleton, Fort Bend County, and Surrounding area will be impacted by this project.

**\* 15. Descriptive Title of Applicant's Project:**

City of Kendleton Industrial and Business Development

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

\* a. Start Date:

\* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="1,250,000.00"/>
* b. Applicant	<input type="text" value="1,850,000.00"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="3,100,000.00"/>

\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

Yes

No

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

\* First Name:

Middle Name:

\* Last Name:


Suffix:

\* Title:

\* Telephone Number:

Fax Number:

\* Email:

\* Signature of Authorized Representative: 

\* Date Signed:

**Application for Federal Assistance SF-424**

**Version 02**

**\* Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

## CERTIFICATION REGARDING LOBBYING

Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 28, 'New Restrictions on Lobbying.' The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant, or cooperative agreement.

**LOBBYING**

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000 or a loan or loan guarantee over \$150,000 as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, 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 any 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 undersigned shall complete and submit Standard Form-LLL, 'Disclosure Form to Report Lobbying,' in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification.

**\* NAME OF APPLICANT**

Fort Bend County/ City of Kendleton

**\* AWARD NUMBER****\* PROJECT NAME**

City of Kendleton Industrial And Business

**Prefix:**

Mr.

**\* First Name:**

Robert

**Middle Name:****\* Last Name:**

Hebert

**Suffix:****\* Title:** Fort Bend County Judge**\* SIGNATURE:***Robert Hebert***\* DATE:**

5/24/2012

## ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
Expiration Date: 06/30/2014

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

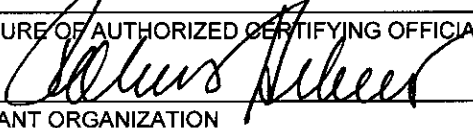
**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL  5-22-2012	* TITLE <input type="text" value="Fort Bend County Judge"/>
* APPLICANT ORGANIZATION <input type="text" value="Fort Bend County/ City of Kendleton"/>	* DATE SUBMITTED <input type="text" value="Completed on submission to Grants.gov"/>

**BUDGET INFORMATION - Construction Programs**

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost			b. Costs Not Allowable for Participation		c. Total Allowable Costs (Columns a-b)	
1. Administrative and legal expenses	\$	50,000.00	\$		\$	50,000.00	
2. Land, structures, rights-of-way, appraisals, etc.	\$	50,000.00	\$		\$	50,000.00	
3. Relocation expenses and payments	\$		\$		\$	0.00	
4. Architectural and engineering fees	\$	250,000.00	\$		\$	250,000.00	
5. Other architectural and engineering fees	\$		\$		\$	0.00	
6. Project inspection fees	\$	50,000.00	\$		\$	50,000.00	
7. Site work	\$	200,000.00	\$		\$	200,000.00	
8. Demolition and removal	\$		\$		\$	0.00	
9. Construction	\$	2,000,000.00	\$		\$	2,000,000.00	
10. Equipment	\$	100,000.00	\$	100,000.00	\$	0.00	
11. Miscellaneous	\$	100,000.00	\$	100,000.00	\$	0.00	
12. SUBTOTAL (sum of lines 1-11)	\$	2,800,000.00	\$	200,000.00	\$	2,600,000.00	
13. Contingencies	\$	300,000.00	\$		\$	300,000.00	
14. SUBTOTAL	\$	3,100,000.00	\$	200,000.00	\$	2,900,000.00	
15. Project (program) income	\$		\$		\$	0.00	
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$	3,100,000.00	\$	200,000.00	\$	2,900,000.00	

**FEDERAL FUNDING**

17. Federal assistance requested, calculate as follows:  
 (Consult Federal agency for Federal percentage share.) Enter eligible costs from line 16c Multiply X  %  
 Enter the resulting Federal share.

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Standard Form 424C (Rev. 7-97)  
Prescribed by OMB Circular A-102

### General Instructions

Please answer all questions completely and accurately and provide a concise narrative statement for each question below. Most narratives need not exceed one paragraph. Any attachments to this application may either be attached electronically through [www.Grants.gov](http://www.Grants.gov) or submitted in hardcopy to the Regional Office ([www.eda.gov/AboutEDA/Regions.xml](http://www.eda.gov/AboutEDA/Regions.xml)) that processes applications for your state. Applicants should consult EDA's program requirements and evaluation criteria set forth in 13 C.F.R. Chapter III (EDA's regulations), as supplemented by the applicable Federal Funding Opportunity Announcement (FFO) on [www.Grants.gov](http://www.Grants.gov), when completing this application. (EDA's regulations begin on page 20 of the Federal Register notice posted at [www.eda.gov/ImageCache/EDA Public/documents/pdfdocs2006/2006final\\_20rule\\_2epdf/v1/2006final\\_20rule.pdf](http://www.eda.gov/ImageCache/EDA%20Public/documents/pdfdocs2006/2006final_20rule_2epdf/v1/2006final_20rule.pdf).) Applicants are encouraged to contact an EDA representative (see list of Regional Offices above) for assistance in completing this application. Preparation of an application may involve coordination with other local, state and federal agencies. Public Works and Economic Adjustment Assistance projects must satisfy regional eligibility requirements (see 13 C.F.R. § 304.1). Legal citations referencing EDA's regulations are included for the applicant's information; however, all of the information needed to complete this application is contained within the form itself or within the web links included in this form. Legal assistance is not generally required to complete this form, although applicants may need to consult with an attorney concerning any legal issues implicated by the receipt of federal assistance.

Please indicate the type of EDA investment assistance for which you are applying. If you change the type of EDA Investment Assistance for which you are applying, make sure you save the application under a different file name.

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Public Works            | <i>(Complete Sections A, B, and M and Exhibits A, D and E.)</i>  |
| <input type="checkbox"/> Economic Adjustment                | <i>(Complete Sections A, B, and K and Exhibit C. Also Complete Sections M and Exhibits A, D, and E if request has construction components, and Section N if request has only design/engineering requirements. Complete Section E if request has no construction components.)</i> |
| <input type="checkbox"/> Partnership Planning               | <i>(Complete Sections A, C, E, and F and Exhibit C.)</i>   |
| <input type="checkbox"/> Short-term Planning                | <i>(Complete Sections A, C, E, and G and Exhibit C.)</i>   |
| <input type="checkbox"/> State Planning                     | <i>(Complete Sections A, C, E, G, and H and Exhibit C.)</i>  |
| <input type="checkbox"/> University Center                  | <i>(Complete Sections A, C, E, and J and Exhibit C.)</i>   |
| <input type="checkbox"/> Local Technical Assistance         | <i>(Complete Sections A, C, E, and I and Exhibit C.)</i>   |
| <input type="checkbox"/> National Technical Assistance      | <i>(Complete Sections A, C, E, and I and Exhibit B.)</i>   |
| <input type="checkbox"/> Research and Evaluation Assistance | <i>(Complete Sections A, C, E and Exhibit B.)</i>  |
| <input type="checkbox"/> Revolving Loan Fund                | <i>(Complete Sections A, B, E, K, and L and Exhibit C.)</i>  |
| <input type="checkbox"/> Design and Engineering             | <i>(Complete Sections A, B, and N and Exhibit C.)</i>  |

Please indicate which type of applicant you are:

- Governmental (or quasi-governmental, to include District Organizations, universities, or public institutions of higher learning)
- Non-governmental (e.g. private or public non-profit organizations, for-profit organizations)

*In addition to the sections specific to the program for which you are applying (see above), non-governmental applicants also must complete Section D.*

### **A.1. Investment (Project) Region**

Identify and describe the region where the project will be located, identify and describe the region that will benefit from the project (if different from or in addition to the region in which the project will be located), and discuss the project's expected economic impact. For purposes of this application, a region is defined as "an economic unit of human, natural, technological, capital or other resources, defined geographically. Geographic areas comprising a region need not be contiguous or defined by political boundaries, but should constitute a cohesive area capable of undertaking self-sustained economic development." (See 13 C.F.R. § 300.3 for the definition of "Region.")

This project headquarters in Kendleton, Texas. Kendleton is a rural town of less than 1000 residents located near the Wharton and Fort Bend County line, Fort Bend county, Texas. The site is located in Commissioner Richard Morrison Pct.1 Fort Bend County and is in Congressional District 22- Pete Olsen. The City of Kendleton and surrounding communities will be the major benefactors, however other cities and towns benefiting includes: East Bernard, Wharton, Beasley, Needville, Hungerford, Boling, Rosenberg, and Richmond will all be impacted from this project. Recent studies confirm this project will not only impact Fort Bend County, but the entire state of Texas. Fort Bend County currently has a population of 585,375. The county is one of the 10 most populous Counties in the State of Texas. Kendleton is a distressed area of Fort Bend county. Job creation from this project will be paramount.

### **A.2. Investment (Project) Description**

Provide a detailed description of the complete scope of work for the proposed EDA investment. If you are proposing a construction project, please include specific construction components. Also, for National Technical Assistance, Training and Research and Evaluation Projects, provide a description of the methodology to be used to complete the project.

This project main component will be infrastructure development which includes road development, drainage, and extension of water and sewer lines for business development. This project will be adjoining the Kansas City Railroad and CenterPoint Project. The city's goals are to construct roads, drainage, water and sewage extensions which will allow the city to recruit new businesses to the site as well as to provide needed transit and emergency options for local citizens. The construction priorities are as follows:

1. Road development from U S Highway 59 (Gin) to Pink Taylor Road
2. Road development extend King Road to Tavener Road
3. Road development extend Braxton Road to Tavener Road & bridge
4. Road development extend Tavener Road to FM 2919 (Northeast to Southwest
5. Extension of second street to FM 2919

These roads will be concrete with specs to accommodate large/heavy vehicles.

*Note: If EDA determines that your project merits further consideration, and if your project includes construction, you will be required to provide a USGS map of the site. You may provide this now using the 'Attachments' form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov) or in hard copy.*

### **A.3. Economic Development Needs**

- a. Does the region in which the project will be located have a Comprehensive Economic Development Strategy (CEDS)? (See [www.eda.gov/ImageCache/EDA Public/documents/pdfdocs2006/cedsflyer081706\\_2epdf/v1/cedsflyer081706.pdf](http://www.eda.gov/ImageCache/EDA%20Public/documents/pdfdocs2006/cedsflyer081706_2epdf/v1/cedsflyer081706.pdf).) (Note: Except for strategy grants as described in 13 C.F.R. § 303.7, the region in which Public Works or Economic Adjustment projects will be located must have a CEDS with which the project is consistent.)

Yes

No

If Yes, what is the source? *Note: If you are unsure if your region has a CEDS, please contact your local District Organization.*

Houston Galveston Area Council HGAC,  
City of Kendleton 20 year MasterPlan

If No, what alternate strategic planning document do you wish to govern this investment? *Note: You will be asked to provide a copy of this planning document if your project is selected for further consideration. You may provide this now using the 'Attachments' form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov) or in hard copy.*

- b. Briefly describe the economic development needs of the region and how the proposed investment addresses the goals and objectives of the CEDS for the region or the alternate strategic planning document as noted above. (See 13 C.F.R. part 303.)

This project is directly in line with CEDS for the region as well as those identified locally listed in the City 20 year MasterPlan. This project will create jobs, enhance local tax base, attract new companies to the area, develop needed infrastructure to accommodate new businesses, encourage and promote small businesses which will support the new industries moving to the area, which will include public/private partnerships. This project will support global competitiveness according to a most recent study. The City of Kendleton feels that it will provide a great opportunity to recruit companies from several other countries to the site. This project will provide outstanding support to the local area which is identified as a economically distressed and underserved area.

- c. Briefly describe the economic conditions of the region described in A.1, as well as the economic adjustment problems or economic dislocations the region has experienced (or is about to experience) and the regional impact of these conditions.

Currently, the area lacks jobs opportunities. The area has long been recognized as a farm community. Currently residents working in non-farmer jobs travel long distances to employment opportunities. The area is classified as a economically distressed area with no businesses to supply the most common consumer needs. This project will provide jobs, business

opportunities, educational opportunities, and the chance to provide suitable living conditions. According to our 20 year Master Plan, the project will provide a most needed financial ladder that will assist in changing the lives and living conditions for many. The area is currently going thru a major transition. We feel that this area will become the major industrial area for Kendleton, Texas, Fort Bend County. Fort Bend County projections, Economic Development, and Kendleton's Master Plan supports this position. The area is currently a Freeport Tax Zone. Other classification status and or special business districts along with an EB 5 statuses are currently being evaluated to see if they provide additional benefits to support this project.

#### **A.4. Investment (Project) Impact and Fit with EDA Funding Priorities**

Discuss how the proposed investment satisfies EDA's Investment Policy Guidelines as set forth in 13 C.F.R. § 301.8, as well as the EDA funding priorities set forth in the applicable Federal Funding Opportunity (FFO) announcement on [www.Grants.gov](http://www.Grants.gov).

#### **A.5. Applicant's Capability**

Briefly describe the applicant's capability to administer, implement, and attract private sector investments to the project.

The City has established an Economic Development Council. The Director is; Mr. Mike Flory whose major responsibilities include enhancing the city's business relationships with potential companies and investors. The city has developed a strong working relationship with Fort Bend County Economic Development Council. The EDC has been busy working with Planners, Engineers and TEEEX to finalize Kendleton's 20-year Master Plan; in addition have also established excellent relationships with other cities EDC's throughout the service area. The EDC will assist and serve as great resources in support of these goals. The city also works directly with the Mayor and City Council as well as other public officials including the County Commissioner, Congressman Pete Olson, 3-State Representatives and Senators. The Economic Development team is in direct contact with several countries through The Greater Houston Partnerships. Several countries and investors have expressed an interest in locating to the area. The County Commissioner is directly involved and has committed to providing County support to promote this project.

Kansas City Railroad is experiencing a 15-20 percent growth and project the growth rate to continue this upward trend. Several major companies are accessing the area presently moving product throughout the state. Several companies have been contacted and encouraged to locate to the area. The city has recently doubled its water capacity by installing a new water treatment plant. Its has improved its park to accommodate RV's which are currently full or near 100 percent occupied. Discussion is currently taking place with Volkswagon, Ford, Nissan and other auto makers to increase car shipment.

**A.6. Proposed Time Schedule for the Project**

Provide a proposed time schedule for completion of the project, including when (month/year) the project will begin and end. Explain any potential issues that could affect project implementation.

Proposed time schedule start date is September 2012 and ending; May 2013.

Currently, we do not foresee any issues that may affect the implementation of this project. It is possible that other funding sources in support of this project may cause a delay due to funding availability dates.

**A.7. Civil Rights**

- a. Does the applicant understand and agree to comply with all applicable civil rights requirements (see 13 C.F.R. § 302.20), including the requirement to provide signed assurances of compliance?  Yes  No (explain below)

- b. Do identified "Other Parties" as defined in 13 C.F.R. § 302.20(b) understand and agree to comply with all applicable civil rights requirements, including the requirement to provide signed assurances of compliance?  Yes  No (explain below)  Not Applicable (No Other Parties Identified)

**A.8. Proposed Project Budget**

- For Construction investments, complete Form SF-424C.  
 For Non-Construction investments, complete Form SF-424A.

Note: If you are applying in hardcopy, you may download these forms from [www.Grants.gov/techlib/SF424A-V1.0.pdf](http://www.Grants.gov/techlib/SF424A-V1.0.pdf) and [www.Grants.gov/techlib/SF424C-V1.0.pdf](http://www.Grants.gov/techlib/SF424C-V1.0.pdf), or go to EDA's website at [www.eda.gov](http://www.eda.gov).

**A.9. Non-EDA Funding for the Project**

- a. Identify the source, nature and amount of all non-EDA funds, including in-kind contributions (non-cash contributions of space, equipment, services, or assumptions of debt; see definition of "In-Kind Contribution(s)" in 13 C.F.R. § 300.3). Explain the status of all funding commitments, including the date the funds will be available from each source, and describe any conditions or restrictions on the use of such funds. If in-kind contributions are included, explain the basis on which they are valued.

The local match requirement of 1,850,000.00 from Fort Bend County will consist of \$950,000 from 2007 mobility bond funds and the remaining amount will be an in-kind contribution from Fort Bend County Road and Bridge. Braxton Street will have a bridge which has been submitted for funding through the Federal bridge fund. Bridge cost is 750,000.00  
The City of Kendleton and Fort Bend County will construct the following:  
1500 feet of road from Second Street to FM 2919: Cost is \$750,000.00  
5000 feet of road extension of King Road to Tavener Road: Cost-1,000,000.00

- b. Are all non-EDA funds committed to the project, available as needed, and not conditioned or encumbered in any way that would preclude their use consistent with the purpose of the project? (See 13 C.F.R. § 301.5.)  Yes  No (explain below)

*Note: If EDA determines that your project merits further consideration, and if your project includes construction, you will be required to provide letters of commitment. You may provide these now using the 'Attachments' form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov) or in hard copy.*

- c. Discuss the actions that need to be taken and the timing required to secure the non-EDA funds.

Bond funds will be provided as per approval of Fort Bend County Commissioners Court for the City of Kendleton.

- d. Does the applicant plan to seek other federal financial assistance as part of or in connection with this project? If so, please describe the source, amount and any terms and conditions of the funding, and when the funding will be available for use by the applicant.  
 Yes (explain below)  No

- e. Is the requested EDA investment assistance available from any other federal economic development program?  Yes (explain below)  No (explain below)

If Yes, identify the source and provide an explanation of why EDA investment assistance is required.

If No, explain your efforts to identify and obtain funding from other sources.

The city and County reviewed several funding agencies in search of financial support for similar type projects.

### A.10. Lobbying Certifications

**All applicants** for federal financial assistance must certify that federal funds have not been used and will not be used for lobbying in connection with this request for federal financial assistance (Form CD-511). If non-federal funds have been or are planned to be used for lobbying in connection with this request for federal financial assistance, Form SF-LLL also must be completed. Please certify to the following:

- Applicant's "Certifications Regarding Lobbying" (Form CD-511) is completed. (If applicant is applying in hardcopy, access the form at [www.Grants.gov](http://www.Grants.gov) or at EDA's website at [www.eda.gov](http://www.eda.gov).)
- Applicant's "Disclosure of Lobbying Activities" (Form SF-LLL) is attached, if required. (If not required by law, also check the box. If applicant is applying in hardcopy, access the form at [www.whitehouse.gov/omb/grants/sfillin.pdf](http://www.whitehouse.gov/omb/grants/sfillin.pdf).)

*Note: Applicants must comply with 13 C.F.R. 302.10 regarding attorneys' and consultants' fees and the employment of expeditors. This regulation requires that applicants identify and disclose the amount of fees paid to anyone engaged to assist the applicant in obtaining assistance under the Public Works and Economic Development Act of 1965 (PWEDA), as amended.*

### A.11. Compliance with Executive Order 12372, State Single Point of Contact (SPOC)

- a. Does the state in which the project will be located have a project review process that requires submission to a Single Point of Contact (SPOC)? (See 13 C.F.R. § 302.9(b) .) *Note: If you are unsure if your state has a Single Point of Contact, or do not know who this individual is, please refer to OMB's SPOC list ([www.whitehouse.gov/omb/grants/spoc.html](http://www.whitehouse.gov/omb/grants/spoc.html)).*
  - Yes
  - No (go to A.12)
- b. If **Yes** to A.11(a) above, does this request for EDA investment assistance meet the SPOC process established by the state?
  - Yes
  - No (go to question A.11.d)
- c. If **Yes** to A.11(b) above, were SPOC comments/clearance received?
  - Yes, and the comments/clearance are attached.
  - No, the review period has expired and no comments were received.
- d. If **No** to question A.11(b) above, please explain any known reason for the lack of comments.

### A.12. Justification for Sole Source Procurement

- a. Will you subcontract work to complete part or all of this project?
  - Yes
  - No
- b. If **Yes**, will contracts be awarded by competitive bid?
  - Yes
  - No
- c. If contracts will **not** be awarded by competitive bid, please provide a justification. A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders. (See 15 C.F.R. § 14.40-14.48 or § 24.36, as applicable.)

**A.13. Assurances**

For Construction investments, complete Form SF-424D.  
For Non-Construction investments, complete Form SF-424B.

*Note: If you are applying in hardcopy, you may access these forms as part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov), from [www.Grants.gov/techlib/SF424B-V1.1.pdf](http://www.Grants.gov/techlib/SF424B-V1.1.pdf) and [www.Grants.gov/techlib/SF424D-V1.1.pdf](http://www.Grants.gov/techlib/SF424D-V1.1.pdf), or go to EDA's website at [www.eda.gov](http://www.eda.gov).*

Public Works and Economic Adjustment Assistance projects (including Revolving Loan Fund Assistance and Design and Engineering Assistance) must satisfy regional eligibility requirements (see 13 C.F.R. part 301). This section will assist EDA in determining if the proposed project satisfies these eligibility requirements. Please answer all questions completely and accurately and attach explanations and supporting documentation where applicable.

1. Identify the region upon which the applicant is basing the eligibility calculation.

This region is located in Kendleton, Texas Fort Bend County.

a. If this region is **different** from the region described in Section A of this application, please explain.

Same region as Section A

b. If this region is **not** defined by political boundaries (e.g., it is a neighborhood within a large city rather than an autonomous town), provide a description of the project region and documentation to show that: (i) the region is of sufficient size appropriate for the proposed project, and (ii) the area used for regional eligibility is the same as the area that will benefit from the proposed project.

This project is located in Congressional District 22- Pete Olsen Pct. 1 Commissioner Richard Morrison Fort Bend County and in the City of Kendleton on US Highway 59 South.

2. **Source of data provided for regional eligibility determination:** Check the source of data used to determine regional eligibility, and **attach an explanation and a copy of this data** (additional documentation or information applicants must provide may be submitted as electronic attachments using the 'Attachments' form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov)). The explanation must: (i) identify the data used (e.g., American Community Survey (ACS)); (ii) if the data used are other than the ACS, explain why ACS data were not used; and (iii) if the data used are other than federal data, explain why federal data were not used and identify the source of the non-federal data. ACS data ([www.census.gov/acs](http://www.census.gov/acs)) should be used whenever possible, but if such data are not available, the order of data preference is as listed below.

- a. The most recent ACS data published by the U.S. Census Bureau.
- b. The most recent other federal data for the region in which the project is located (e.g., U.S. Census Bureau or the Bureaus of Economic Analysis, Labor Statistics, Indian Affairs, etc.)
- c. If no federal data are available, the most recent data available through the state government for the region in which the project is located.
- d. Other data to substantiate regional eligibility based on a "Special Need" as defined in 13 C.F.R. § 300.3.

3. **Economic Distress:** Check all that apply in establishing regional eligibility (see 13 C.F.R. § 301.3 (a)(1)):

- A. **Unemployment rate:** The project is located in a region that has an unemployment rate that is, for the most recent 24-month period for which data are available, at least one percentage point above the national unemployment rate.
- B. **Per capita income:** The project is located in a region that has a per capita income that is, for the most recent period for which data are available, 80 percent or less of the national average per capita income.
- C. **Special need:** The project is located in a region that has experienced or is about to experience a "Special Need" (as defined in 13 C.F.R. § 300.3) arising from actual or threatened severe unemployment or economic adjustment problems resulting from severe short-term or long-term changes in economic conditions, including:
  - Substantial out-migration or population loss;
  - Underemployment; that is, employment of workers at less than full-time or at less skilled tasks than their training or abilities perm it;
  - Military base closure or realignment, defense contractor reductions-in-force, or U.S. Department of Energy defense-related funding reductions;
  - Natural or other major disasters or emergencies;
  - Extraordinary depletion of natural resources;
  - Closing or restructuring of an industrial firm or loss of other major employer;
  - Negative effects of changing trade patterns; or
  - Other circumstances set forth in the applicable FFO ( please explain below).

4. **Substantial Direct Benefit:** A project located within an Economic Development District (EDD) that is located in a region that does not meet the economic distress criteria set forth in section B.3 above, is also eligible for EDA investment assistance if EDA determines that the project will be of "substantial direct benefit" to a geographic area within the EDD that meets the distress criteria set forth in question B.3 above by providing significant employment opportunities for unemployed, underemployed, or low-income residents of the distressed geographic area within the EDD. If applicable, identify the EDD in which the proposed project will be located, as well as the geographic area within the EDD that meets the economic distress criteria detailed in section B.3. above, and explain how the proposed project will provide a substantial direct benefit to this geographic area within the EDD. (See 13 C.F.R. § 301.3 (a)(2).)

- No, not applicable.** The project is located in a region that meets the economic distress criteria in section B.3.
- Yes, this project will provide a "substantial direct benefit" to residents of an area meeting the economic distress criteria. Please provide an explanation below.**

If Yes, explain:

The City of Kendleton is in an economically distressed area according to Community Development Block Grant (CDBG) Agency statistical data for Fort Bend County. This project will provide a major economic boost to the area providing most importantly jobs and new business opportunities.

5. **Project Beneficiaries:** Identify private sector employers that will benefit from the project, and attach letters of commitment electronically (using the 'Attachments' form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov)) or in hardcopy, if available. In the last column, select 'Committed' if the company has committed to being a partner in the project or 'Interest Only' if it has merely expressed interest. PLEASE NOTE: Exhibit A must be completed for EACH beneficiary listed in the chart below. The applicant must send an electronic or hard copy of Exhibit A to each beneficiary. Each beneficiary should then complete Exhibit A and return to the applicant. Once received, the applicant can attach Exhibit A (all copies) electronically using the 'Attachments' form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov) or the applicant can submit Exhibit A (all copies) as part of a hard copy application.

If none, check this box, do not complete this chart, and go to Section C.

Company	Product Code	Product Name	Quantity	Value	Commitment
Texas Concrete			25	2,000,000.00	Committed
SNR Properties			35	5,000,000.00	Interest Only
KCS Railroad			2,500	350,000,000.00	Committed
GBI				5,000,000.00	Interest Only
PhanInvestments				1,000,000.00	Committed

Note: If EDA determines that your project merits further consideration, you will be required to provide letters of commitment from the project's beneficiaries, verifying the above information.

Are you applying for Construction Assistance?

Yes

No

### M.1. Metropolitan Area Review

a. Projects involving the development of hospitals, airports, libraries, water supply and distribution facilities, sewage and waste treatment works, highways, transportation facilities, water development, or land conservation within a metropolitan statistical area (MSA), require comments from the metropolitan area clearinghouse/agency. Does the proposed project involve any of the above identified developments within an MSA?

Yes

No

b. If Yes, please indicate which of the following you will be able to provide:

Comments from the responsible metropolitan area clearinghouse/agency and a statement that such comments have been considered; or

An explanation as to why comments are not available; or

A statement indicating the date the application was made available to the appropriate metropolitan area clearinghouse/agency and units of general local government for review and certifying that the application has been before the metropolitan area clearinghouse/agency for a period of 60 days without comments or recommendations.

### M.2. District Organization Project Administration

Will the District Organization for the region in which the project will be located administer the project for the applicant?  Yes  No

If Yes, you must certify to all of the following and indicate your certification by checking each box:

The administration of the project is beyond the capacity of the applicant's current staff and would require hiring additional staff or contracting for such services;

No local organization/ business exists that could administer the project in a more efficient or cost-effective manner than the District Organization; and

The District Organization will administer the project without subcontracting the work.

If the project will be administered by the District Organization and you did not certify to all of the above, explain below.

### M.3. Engineering Report

An engineering report must be submitted if EDA selects the project for further consideration and must include (at a minimum) the following information:

1. A statement of project components. Indicate if the proposed project involves the construction of a new facility or facilities or the enlargement, expansion, renovation, or replacement of an existing facility or facilities. Describe the existing facility and proposed project components in terms of dimensions, capacities, quantities, etc.
2. Clear copies of sketches or schematics showing the general layout and location of the project components.
3. A feasibility analysis. Include a review of existing conditions. Discuss any potential problems that might delay construction and affect project components.
4. A proposed method of construction. Indicate whether the project will be constructed by competitive bid, single contract, or multiple contracts. Indicate if any portion of the construction work is proposed to be done by design/build, construction management at risk, or by the applicant's own forces.
5. An estimate of useful life of the facility and an explanation of basis on which it is determined.
6. A current detailed construction cost estimate for each of project component, showing quantities, unit prices, and total costs.
7. A list of all permits required for the proposed project and the status of each permit.
8. An estimate of the number of months for each of the following: (i) design period, (ii) solicitation of bids and awarding of contracts, and (iii) construction period.

Will you be able to provide this information?  Yes

No (explain below)

*Note: If this information is available at this time, you may submit it as an electronic attachment through [www.Grants.gov](http://www.Grants.gov) or in hardcopy.*

### M.4. Title Requirements

- a. Does the applicant currently hold title to all project facilities, underlying land, necessary easements, and rights-of-way required for the project?

Yes (go to question M.4.d)  No (explain below)

The City currently has acquired approximately 50 percent of the total properties or easements required for this project. This percentage will change if road recommended path changes.

- b. If No, does the applicant plan to obtain title?

Yes

How and when will the applicant obtain title? (After answering this, go to question M.4(d))

Work in progress by City Mayor and Council. Land owners have been contacted and rights-of-ways are being acquired. Currently, the city has obtained rights-of-ways at little or no cost.

No

Please explain why not (and answer question M.4(c))

c. If you indicated that the applicant does not currently have title and does not intend to obtain title, does the applicant hold a long-term lease or hold interest in project property for a period not less than the estimated useful life of the project?

Yes

No

If No, Please explain below why EDA should not require the applicant to have title to or a long-term leasehold interest in the property.

d. Describe any required State permits, easements, rights-of-way or leases necessary to construct, operate, and maintain the project.

There are a minimum number of easements that remain to be acquired to complete this project. There are no State permits to knowledge required. Fort Bend County Engineering, Fort Bend Drainage Dept., and City of Kendleton will require permits for work to be completed in designated area. Permits will be coordinated through Commissioner Richard Morrison Pct. 1

e. Describe any liens, mortgages, other encumbrances, reservations, reversionary interests or other restrictions on the applicant's interest in the property.

None exist that we are aware of today.

f. Is the project located on a military or Department of Energy installation that is closed or scheduled for closure or realignment?

Yes

No

g. Does the project involve construction within a railroad's right-of-way or over a railroad crossing?

Yes (explain below)

No

h. Does the project include construction of a highway owned by a State or local government (other than the applicant)?

Yes (explain below)

No

#### M.5. Sale or Lease

a. Does the applicant intend to sell, lease, transfer, dedicate or otherwise convey any interest in the project facilities, underlying land, or any land improved with EDA investment assistance?

Yes (explain below)

No

b. Is the purpose of the project to construct facilities to serve industrial or commercial parks or sites owned by the applicant for sale or lease to private parties?

- Yes                       No

If **Yes**, identify the owners of the acreage, provide an estimate of the number of acres benefiting from the proposed investment and explain how EDA's requirements will continue to be met after any sale or lease.

*Note: If EDA determines the project merits further consideration, the applicant will be asked to provide documentation that EDA's requirements will continue to be met after the sale or lease.*

c. Is the purpose of the project to construct facilities to serve privately-owned industrial or commercial parks or sites for sale or lease?

- Yes                       No

If **Yes**, identify the owners of the acreage, provide an estimate of the number of acres benefiting from the proposed investment, and explain below how EDA's requirements will continue to be met after the sale or lease. Note that EDA may require evidence that the private party has title to the park or site prior to such sale or lease and condition the award of investment assistance upon assurances given by the private party that EDA determines are necessary to ensure consistency with the project purpose(s). (See 13 C.F.R. § 314.7.)

d. For privately-owned land, is the private owner willing to enter into an agreement to limit the sale price of the improved land to its fair market value before the improvements for a reasonable period of time?

- Yes (explain below)       No                       Not applicable (no private owners)

e. Is the purpose of the project to construct, renovate or purchase a building?

- Yes (explain below)       No (go to M.6)

f. Will the building be leased in whole or in part?

- Yes (explain below)       No

g. Is the purpose of the building to provide incubator space to new companies?

- Yes (explain below)       No

h. Will there be limitations on the length of the lease term?

Yes (explain below)       No

i. Is the purpose of the project to provide building space to a single user or multiple users?  
In either case, explain below the terms of the proposed lease.

N/A

**M.6. Ownership, Operation, Maintenance and Management**

a. Briefly describe plans for the ownership, operation, maintenance and management of all project facilities, including any land, improved land, structures, appurtenances thereto, other improvements, or personal property.

N/A

*Note: You will be asked to provide a legal opinion verifying your answers to these questions if EDA selects the project for further consideration.*

b. Will real property or project facilities to be acquired or improved with EDA investment assistance be owned, operated, or maintained by an entity other than the applicant?  
(See 13 C.F.R. § 314.7.)       Yes (explain below)       No

c. Will real property or project facilities to be acquired or improved with EDA investment assistance, including any industrial or commercial park acreage, be mortgaged or used to collateralize any type of financing, including but not limited to bonds or tax credits, or is any real property to be used for the project currently mortgaged or being used as collateral?  
 Yes (explain below)       No

Easements will be acquired for road, drainage, and utility development

d. Will the applicant provide EDA a security interest or other statement of EDA's interest in the real property or in significant items of tangible personal property acquired or improved with EDA investment assistance? (See 13 C.F.R. §§ 314.8 and 314.9.)  
 Yes       No (explain below)

Real property will be granted to City specifically for the purpose of road development and water sewer development.

e. Is (or was) any real property to be acquired or improved with the proposed EDA investment assistance subject to eminent domain proceedings or the threat of such proceedings?  
 Yes (explain below)       No

f. Does the project include the acquisition or improvement of significant items of tangible personal property (i.e., items that are moveable and not permanently attached to the land, such as business equipment, furniture or vehicles)?

- Yes (explain below)       No

### M.7. Calculation of Estimated Relocation and Land Acquisition Expenses

All applicants must complete the "Calculation of Estimated Relocation and Land Acquisition Expenses" form (see Exhibit E), and enter the estimated total for "costs incidental to land acquisition" (line item 1) on line item 3 ("relocation expenses and payments") of Form SF-424C, 'Budget Information - Construction Programs.' This is separate from the estimated purchase price of the property.

a. Are relocation expenses part of the proposed project's EDA budget?

- Yes       No

b. Will the proposed project cause the displacement of individuals, families, businesses or farms?

- Yes       No

If Yes, explain how relocation procedures will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1990 (13 C.F.R. § 302.5 ; see Certification #11 on Form SF-424D, 'Assurances - Construction Programs, for an explanation of this requirement.)

### M.8. Environmental Requirements

a. Provide a brief physical description of the project site, noting topography, vegetation, bodies of water, and location and condition of any man-made structures or buildings. If available, provide a Geographic Information System (GIS) analysis of the sensitive environmental areas, including contaminated sites, archeological sites, properties or sites listed on the National Register of Historic Places, and wetlands that are within a two-mile radius of the project site.

Project site consist of property being farmed. There are no bodies of water, structures, protective vegetation, buildings, archeological sites, wetlands, or any other sensitive environmental areas. City will change land from farm land status to Industrial development status.

b. Will the project be located in or adjacent to a floodplain or wetland area?

- Yes (explain)

- No

c. Will the project be located in or adjacent to an area with known hazardous or toxic contamination?

- Yes (explain)

- No

d. Will there be any toxic or hazardous waste or asbestos removal associated with the project?  
 Yes (explain)   
 No

e. Will the project impact any archeological sites, buildings or structures older than 50 years, or any properties listed or eligible for listing on the National Register of Historic Places?  
 Yes (explain)   
 No

*Note: If EDA determines that the applicant's project merits further consideration, the applicant will be required to submit materials to the appropriate State Historic Preservation Officer (SHPO).*

*Regardless of whether the applicant believes historic or archaeological artifacts are present, the applicant will be required to provide the SHPO with: (i) a narrative description of the project's elements and its location; (ii) a map of the area surrounding the project that identifies the project site, adjacent streets, and other identifiable objects; (iii) line drawings or sketches of the project; and (iv) photographs of the affected properties if building demolition or renovation is involved.*

*Please note that the clearance process can be lengthy. When submitting this material to the SHPO, the applicant must request that the SHPO submit comments on the proposed project to the EDA Regional Office processing the application. If the applicant has already received comments from the SHPO, please provide as an electronic attachment (using the 'Attachments' form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov)) or in hardcopy.*

f. Will this project result in any other adverse environmental impacts that could affect endangered or threatened species, scenic rivers, or other sensitive ecological habitats?  
 Yes (explain)   
 No

g. Has an environmental impact statement or other similar analysis been completed for this proposed project or for other activities in the region?  
 Yes (explain)   
 No (explain)

Federal agencies are required by law to assess the expected environmental impacts associated with proposed federal actions.

**IF EDA SELECTS THE PROJECT FOR FURTHER CONSIDERATION**, EDA may request additional information to obtain an understanding of the current environmental conditions and the project elements that will affect the environment.

It is important to understand the comprehensive nature of the information required to complete an environmental review in accordance with the National Environmental Policy Act (NEPA). Information must be provided for the: (i) site(s) where the proposed project facilities will be constructed and the surrounding areas affected by its operation; and (ii) areas to be affected by any primary beneficiaries of the project. The information submitted must be sufficient to evaluate all reasonable alternatives to the proposed project and the direct and indirect environmental impacts of the project, as well as the cumulative impacts on the environment as defined in the regulations for implementing the procedural provisions of NEPA (see 40 C.F.R. parts 1500- 1508). The level of detail should be commensurate with the complexity and size of the project and the magnitude of the expected impact. Previously completed environmental impact documentation (assessments, impact statements, etc.) for activities in the region in which the proposed project will be located may be used as documentation.

h. Will you be able to provide the above information?  Yes  No (explain)

*Note: If EDA selects the project for further consideration, the template for the environmental narrative that the applicant will be required to submit is available at the 'Funding Opportunities' portion of [www.eda.gov](http://www.eda.gov). If you currently have this information, you may submit it as an electronic attachment (using the 'Attachments' form that is part of the application package downloaded from [www.Grants.gov](http://www.Grants.gov)) or in hardcopy.*

**Exhibit A.**

**ASSURANCES OF COMPLIANCE  
With Civil Rights and Other Legal Requirements  
(To Be Executed by "Other Parties")**

"Other Party" is herein defined as an entity that creates and/or saves (or intends to create/and or save) 15 or more permanent jobs as a result of the Economic Development Assistance (EDA) investment assistance, provided that such entity is also either specifically named in the application as benefiting from the project or is or will be located in a building, port, facility, or industrial, commercial, or business park constructed or improved in whole or in part with EDA investment assistance prior to EDA's final disbursement of funds. See 13 C.F.R. § 302.20.

Applicant's Name: Fort Bend County/ City of Kendleton	"Other Party" Name: N/A
--	----------------------------

Address:

Street 1: 301 Jackson Street, Suite 719

Street 2:

City: Richmond County: Fort Bend

State: TX: Texas

Province:

Country: USA: UNITED STATES

Zip/Postal Code: 77469 Phone Number: 281-341-8608

The obligations incurred under this form apply only to the building, port, facility, or industrial, commercial or business park constructed or improved in whole or in part with investment assistance from the EDA. This form must be executed by an "Other Party" who satisfies the following conditions:

- The "Other Party" will (or intends to) create and/or save fifteen (15) or more permanent jobs (estimated number of jobs ) as a result of the EDA investment assistance; and (check applicable section below)
- (a) is specifically named in the application for EDA investment assistance as benefiting from the project; or
- (b) is or will be located in a building, port, facility, or industrial, commercial or business park constructed or improved in whole or in part with EDA investment assistance before EDA has made its final disbursement of EDA funds.

**ASSURANCES OF COMPLIANCE WITH THE U.S. DEPARTMENT OF COMMERCE AND EDA REGULATIONS (13 C.F.R. § 302.20) UNDER SECTION 601 OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 112 OF PUBLIC LAW 92-65, TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, SECTION 504 OF THE REHABILITATION ACT OF 1973, AND THE AGE DISCRIMINATION ACT OF 1975, ALL AS AMENDED.**

The "Other Party" assures that it will comply with Section 601 of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and the U.S. Department of Commerce's implementing regulations found at 15 C.F.R. part 8, and any amendments thereto.

The "Other Party" agrees to comply with the provisions of Section 112 of Public Law 92-65 (42 U.S.C. 3123) and 42 U.S.C. 6709, and the U.S. Department of Commerce's implementing regulations found at 15 C.F.R. §§ 8.7-8.15, and any amendments thereto.

The "Other Party" agrees to comply with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and the U.S. Department of Commerce's implementing regulations found at 15 C.F.R. part 8b; Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.); the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) and the U.S. Department of Commerce's implementing regulations found at 15 C.F.R. part 20, and the non-discrimination on the basis of age regulations found at 45 C.F.R. part 90.

Such requirements hold that no person in the United States shall on the ground of race, color, national origin, sex, handicap, or age be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity for which federal financial assistance has been extended.

In accordance with these assurances and without limiting the above, the "Other Party" agrees that these assurances shall be binding upon it and any grantees, assignees, transferees, lessees, and successors in interest. These assurances shall also be binding through any modification or amendment to the financial assistance award or to the project.

The "Other Party" acknowledges that it is aware that if there appears to be a failure or threatened failure to comply with these assurances and the noncompliance or threatened noncompliance cannot be corrected by informal means, compliance may be effected by the suspension or termination of, or refusal to grant or to continue, federal financial assistance or by any other means authorized by law.

### NOTICE

This form must be executed by an official authorized to make the aforementioned assurances, with full authority to bind the "Other Party" identified herein. If the "Other Party" is a corporation, this form must be executed by a corporate officer or person so authorized to make such assurances, and the title block must clearly indicate such authority. Assurance forms executed by employees other than corporate officers will not be accepted unless they are accompanied by a separate certification signed by a corporate officer or corporate counsel stating that the assessor has full authority to legally bind the "Other Party" identified below. In the case of an individual executing this assurance form as a sole owner, the sole owner's title must be indicated. For circumstances other than those discussed herein, contact the EDA Regional Office for instructions.

### ACCEPTANCE OF ASSURANCES OF COMPLIANCE

These assurances are made binding for:

Name of "Other Party":

Address:

Street 1:

Street 2:

City:

County:

State:

Province:

Country:

Zip/Postal Code:

Telephone Number:

By:

Prefix:

First Name:

Middle Name:

Last Name:

Suffix:

\*(Title of Corporate Officer)

(Signature of Official)

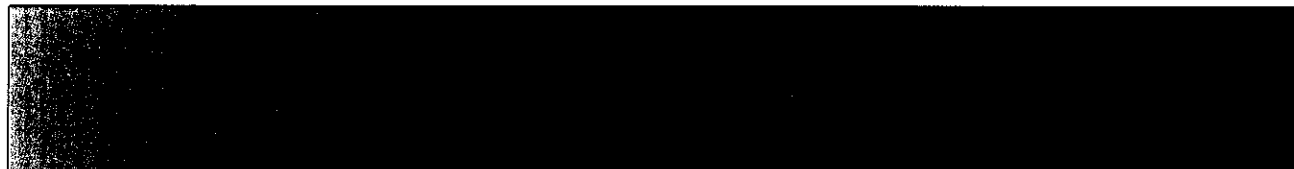
(Date)

\* If the person signing this form is not a corporate officer, the company's corporate officer or corporate counsel must certify in writing that the signatory is authorized to legally bind the company. Such written certification should be included as an electronic signature through [www.Grants.gov](http://www.Grants.gov) or in hardcopy.


### --WARNING--

False statements or representations made in connection with the "ASSURANCES OF COMPLIANCE" are a violation of federal law punishable by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both (see 42 U.S.C. 3220; 18 U.S.C. 1001).

Exhibit D.



1. Will operate and maintain the facility in accordance with at least the minimum standards as may be required or prescribed by applicable federal, State and local agencies for the maintenance and operation of such facilities.
2. Will require the facility to be designed to comply with the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. 12101 *et seq.*), the Architectural Barriers Act of 1968 (42 U.S.C. 4151 *et seq.*) and the Accessibility Guidelines for Buildings and Facilities regulations, as amended (36 CFR part 1191), and will be responsible for conducting inspections to insure compliance with these requirements.
3. For the two-year period beginning on the date EDA investment assistance is awarded, will refrain from employing, offering any office or employment to, or retaining for professional services any person who, on the date on which the investment assistance is awarded or within the one-year (1) period ending on that date, served as an officer, attorney, agent or employee of the Department of Commerce and occupied a position or engaged in activities that EDA determines involved discretion with respect to the award of investment assistance under PWEDA. See section 606 of PWEDA and 13 C.F.R. §302.10(b).
4. Will have no facilities under ownership, lease or supervision to be utilized in this project that are listed or under consideration for listing on EPA's List of Violating Facilities.
5. Will comply with Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," which imposes requirements that federally-assisted facilities be designed and constructed in accordance with the most current local building codes determined by the awarding agency or by the Interagency Committee for Seismic Safety in Construction (ICSSC) and the most recent edition of the American National Standards Institute Standards A58, Minimum Design Loads for Buildings and Other Structures.
6. Will observe and comply with federal procurement rules, as set forth in 15 CFR parts 14 or 24, as applicable, for award of any contracts for architectural engineering, grant administration services, or construction financed with EDA investment assistance.
7. Understands that attorneys' or consultants' fees, whether direct or indirect, expended for securing or obtaining EDA investment assistance are not eligible costs. See 13 C.F.R. § 302.10(a).
8. Understands that conflicts of interest or appearances of conflicts of interest are prohibited and may jeopardize this application, or result in the forfeiture of investment funds. A conflict of interest occurs, for example, where a representative, official, employee, architect, attorney, engineer or inspector of the applicant, or a representative or official of the Federal, State or local government, has a direct or indirect financial interest in the acquisition or furnishing of any materials, equipment or services to or in connection with the project. See 13 C.F.R. § 302.17.
9. Will comply with the reporting requirements under the Government Performance and Results Act of 1993 (GPRA) for measuring and reporting project performance.

 Robert Hebert	Fort Bend County Judge
SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Fort Bend County/ City of Kendleton	5/24/2012
APPLICANT ORGANIZATION	DATE

**Exhibit E.**

**CALCULATION OF ESTIMATED RELOCATION  
AND LAND ACQUISITION EXPENSES**

Are you applying for Construction Assistance?     **Yes**             **No**

**ITEM 1. COSTS INCIDENTAL TO LAND ACQUISITION - ESTIMATES**

Number of land transactions involved (including options, easements and rights-of-way):

Recording fees, transfer taxes, surveys, appraisals, title search and similar expenses-Section 303(1)	_____	50,000.00
Penalty costs-Section 303(2)	_____	
Real Property taxes-Section 303(3)	_____	
Litigation expenses-Section 304(a)	_____	
Total - Estimated costs incidental to transfer of title	_____	50,000.00

**ITEM 2. RELOCATION - ESTIMATES**

**a. TENANTS - Estimates: Number of Claims**

(1) Moving Expenses:

Actual Expenses-Section 202(a)(1)	_____
In lieu payments-Section 202(b)	_____
Total - Moving Expenses	_____

(2) Replacement housing payments:

Rental payments-Section 204(1)	_____
Down payment-Section 204(2)	_____
Total - Replacement housing payments	_____

Total - Estimated Tenants \_\_\_\_\_

**b. OWNER-OCCUPANTS - Estimates: Number of Claims**

(1) Moving expenses:

Actual Expenses-Section 202(a)(1)	_____
In lieu payments-Section 202(b)	_____
Total - Moving Expenses	_____

(2) Replacement housing payments:

Purchase payments-Section 203(a)(1)	_____
Reasonable replacement costs-Section 203(a)(1)(A)	_____
Increased interest costs-Section 203(a)(1)(B)	_____
Closing costs-Section 203(a)(1)(C)	_____
Rental payments-Section 204(1)	_____
Down payment-Section 204(2)	_____
Total - Replacement housing payments	_____

Total - Estimated Owner-Occupants \_\_\_\_\_

**c. BUSINESS - Estimates: Number of Claims**

Moving Expenses:

Actual Expenses-Section 202(a)(1) \_\_\_\_\_

Actual loss of tangible personal property-Section 202(a)(2) \_\_\_\_\_

Actual searching expenses-Section 202(a)(3) \_\_\_\_\_

In lieu payments-Section 202(c) \_\_\_\_\_

Total - Estimated Business \_\_\_\_\_

**d. NONPROFIT ORGANIZATIONS - Estimates: Number of Claims**

Moving Expenses:

Actual Expenses-Section 202(a)(1) \_\_\_\_\_

Actual loss of tangible personal property-Section 202(a)(2) \_\_\_\_\_

Actual searching expenses-Section 202(a)(3) \_\_\_\_\_

In lieu payments-Section 202(c) \_\_\_\_\_

Total - Estimated Nonprofit Organizations \_\_\_\_\_

**e. FARM OPERATIONS - Estimates: Number of Claims**

Moving Expenses:

Actual Expenses-Section 202(a)(1) \_\_\_\_\_

Actual loss of tangible personal property-Section 202(a)(2) \_\_\_\_\_

Actual searching expenses-Section 202(a)(3) \_\_\_\_\_

In lieu payments-Section 202(c) \_\_\_\_\_

Total - Estimated Farm Operations \_\_\_\_\_

**f. ADVISORY SERVICES - Estimates: Number of Claims**

Total - Expenses of grantee/borrower-Section 205 \_\_\_\_\_

**g. ADMINISTRATION - Estimates: Number of Claims**

Contracting with individual, firm, association, or corporation-  
Section 212 \_\_\_\_\_ 50,000.00

Agreement w/ Federal or State government agency or  
instrumentality- Section 212 \_\_\_\_\_

Total - Estimated Administration \_\_\_\_\_ 50,000.00

**ITEM 3. GRAND TOTAL**

Enter the sum of Items 1 and 2 (parts (a) through (g)) in this Item

**GRAND TOTAL RELOCATION EXPENSES** \_\_\_\_\_ 100,000.00

**Appendix A: Applicant Certification Clause**

The applicant represents and certifies that it has used due diligence to determine that the description of the project site described herein is accurate with respect to the presence or absence of contamination from toxic and hazardous substances. The term "site" includes the entire scope of the project, including future phases of the project and all areas where construction will occur.

1. Is the site currently, or has it in the past 50 years, been used for any of the following operations or activities:

a. Generation of hazardous substances or waste?

\_\_\_\_\_ Yes  x  No

b. Treatment, storage (temporary or permanent), or disposal of solid or hazardous substances or waste?

\_\_\_\_\_ Yes  x  No

c. Storage of petroleum products?

\_\_\_\_\_ Yes  x  No

d. Used/waste oil storage or reclamation units?

\_\_\_\_\_ Yes  x  No

e. Research or testing laboratory?

\_\_\_\_\_ Yes  x  No

f. Ordinance research, testing, production, use, or storage?

\_\_\_\_\_ Yes  x  No

g. Chemical manufacturing or storage?

\_\_\_\_\_ Yes  x  No

h. Weapons or ammunition training, use, or testing?

\_\_\_\_\_ Yes  x  No

i. Iron works/foundry?

\_\_\_\_\_ Yes  x  No

j. Railroad yard?

\_\_\_\_\_ Yes  x  No

k. Industrial or manufacturing operation?

\_\_\_\_\_ Yes  x  No

If any of the above operations ever occurred at the site, and if appropriate cleanup or other mitigation actions were performed in accordance with the local, State, and federal laws, please attach documentation of these actions.

2. Do wells draw from an underlying aquifer to provide the local domestic water supply?

\_\_\_\_\_ Yes  x  No

3. Has a federal, State, or local regulatory authority ever conducted an environmental assessment, environmental impact statement, or a preliminary assessment/site inspection, or similar environmental surveyor inspection report at the site? If yes, please list here and attach copies of these reports or results.

\_\_\_\_\_ Yes  x  No

**Appendix A: Applicant Certification Clause**

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_
- 5) \_\_\_\_\_

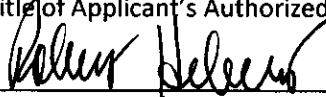
- 4. Have any environmental or OSHA citations or notices of violation been issued to a facility at the site? If yes, please attach copies.  
 Yes  No
- 5. Have any unauthorized releases of hazardous substances occurred at any facility at the site which resulted in notification of the EPA's National Response Center?  
 Yes  No
- 6. Is any material containing asbestos or lead paint located at the site? If yes, please attach information concerning State and federal regulatory compliance.  
 Yes  No
- 7. Is there any equipment (electrical transformers, etc.) containing polychlorinated biphenyls (PCB) on the site? If yes, please attach a description of the equipment.  
 Yes  No
- 8. Are there underground or above ground storage tanks on the site? If yes, please attach a detailed description, including the number of underground storage tanks on the site, whether the tanks have been inspected (or removed) and the results of such inspections.  
 Yes  No
- 9. Has the site been tested for radon? If yes, please attach results.  
 Yes  No
- 10. Have there been, or are there now any environmental investigations by federal, State or local government agencies that could affect the site in question? If yes, please attach available information.  
 Yes  No

The applicant acknowledges that this certification regarding hazardous substances and/or waste is a material representation of fact upon which EDA relies when making and executing an award. EDA reserves the right to terminate any award made in conjunction with the representations contained herein if, at any time during the useful life of the project, EDA becomes aware of the presence of hazardous materials or waste at the site, or that hazardous materials or waste have been inappropriately handled thereon.

Further, if it is determined at any time that the presence of hazardous materials or waste, or handling thereof, has been misrepresented, EDA may pursue other available legal remedies against the applicant.

Fort Bend County  
Applicant's Name

Robert Hebert, County Judge  
Name and Title of Applicant's Authorized Representative

  
Signature of Applicant's Authorized Representative

5/24/2012  
Date