



Administrative Committee Regular Meeting

Laurie M. Hopkins

~Agenda~

City Clerk

www.ci.moscow.id.us

208.883.7015

Tuesday

3:00 PM

Council Chambers

May 29, 2018

206 E. Third St.

Action Items

1. Approval Of Administrative Committee May 14, 2018 Minutes – Laurie M. Hopkins

Documents:

[MINUTES OF ADMIN 5-14-18.PDF](#)

2. Resolution Accepting FAA Grant For Pullman-Moscow Regional Airport - Gary J. Riedner

It is desirable to apply for a grant from the U.S. Department of Transportation Federal Aviation Administration (FAA) Airport Improvement Program for the purpose of completing Phase 4 of the Runway Realignment Project. The amount of the grant is \$46,000,000 with a local match of \$3,735,200.00 from multiple sources, which includes a possible Washington State Department of Transportation (WSDOT) Aviation Division state grant. To facilitate the FAA grant, it is appropriate to preauthorize its acceptance. The attached resolution has been prepared for that purpose. The resolution also authorizes the execution of related assurances and certifications.

PROPOSED ACTIONS: Recommend adoption of the attached resolution preauthorizing the acceptance of grant offer AIP 3-53-0051-044 from the FAA Airport Improvement Program or provide staff further direction.

Documents:

[FAA GRANT ACCEPTANCE RESOLUTION.PDF](#)

3. Formal Resolution Adopting Farmers Market Handbook - Jen Pfiffner

Historically, as Moscow Farmers Market policies have been developed by staff and later by the Moscow Farmers Market Commission, the final document has been adopted by the Council via resolution. The last time policies were adopted via resolution was in 2012. Since that time no substantive changes were made to the policies until 2018. The Moscow Farmers Market 2018 Vendor Handbook which includes the current policies of the Market was

presented to Council on March 5, 2018 by Daniel Stewart. At that presentation it was noted that the handbook was developed per the adopted Moscow Farmers Market Strategic Plan. Updates to the 2018 season policies included more robust changes than in recent years in order to enhance transparency and understanding and to provide vendors with additional information for the reasoning behind policies. Specifically, the goal of the update was to increase the clarity, quality, consensus on and consistency of policies. The document was reviewed and recommended for approval by the Administrative Committee on February 26, 2018; presented and adopted by the City Council on March 5, 2018. This item is presented at this time to include a formal resolution adopting the current policies.

PROPOSED ACTIONS: Recommend approval of the attached resolution adopting the Farmers Market policies adopted by City Council on March 5, 2018 or provide staff further direction.

Documents:

[RESOLUTION ADOPTING FM HANDBOOK.PDF](#)

4. Moscow Farmers Market Commission Request For Nicotine Free Market - Jen Pfiffner

The Moscow Farmers Market Commission respectfully requests the adoption of a new resolution to prohibit all forms of nicotine use at the Market. This would include the use of vapor pens to eliminate the chance of Market patrons inhaling secondhand vapor as well as chewing tobacco given the residue and waste that can accompany the use of such substances. Specific concerns regarding the negative impact of non-smoking nicotine use in the market includes regular occurrences of broken vapor pens, chewing tobacco pouches and spitting.

PROPOSED ACTIONS: Recommend approval of the attached Resolution or provide staff further direction.

Documents:

[FARMERS MARKET NICOTINE FREE RESOLUTION.PDF](#)

5. Moscow Farmers Market Commission Request To Adjust Regulations Relating To Pets At The Market - Jen Pfiffner

The Moscow Farmers Market Commission respectfully requests the adoption of a new resolution to allow for dogs and other animals and pets to traverse the Market using both the eastern and western sidewalks on Main Street throughout the Market boundaries as opposed to the current policy allowing access only on the eastern sidewalk. As the former policy previously stated, the Commission is in full agreement to maintain the access of service animals throughout the Market, with this suggested amendment being proposed to better balance the intent and access of pets to Main Street during Market.

PROPOSED ACTIONS: Recommend approval of the attached Resolution or provide staff further direction.

Documents:

[FARMERS MARKET PET REGULATIONS RESOLUTION.PDF](#)

Reports

NOTICE: Moscow City Council and committee meetings are televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.



Administrative Committee

Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday
May 14, 2018**

3:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 3:00 PM

PRESENT: Gina Taruscio Chair, Art Bettge Councilmember, Anne Zabala Councilmember

OTHERS: Mayor Bill Lambert, Councilmember Brandy Sullivan, Councilmember Kathryn Bonzo (3:45), Councilmember Jim Boland (3:55)

STAFF: Gary J. Riedner, Mike Ray, Mia Vowels, Jen Pfiffner, Laurie M. Hopkins, James Fry (4:05)

1. Approval of Administrative Committee April 23, 2018 Minutes – Laurie M. Hopkins

RESULT:	ACCEPTED [UNANIMOUS]
AYES:	Gina Taruscio, Art Bettge, Anne Zabala

2. Medical Insurance Review and Direction – Gary J. Riedner

Healthcare costs for both the City and employees has risen year after year. As our employee base becomes more diverse with the various generations and preferences for service the model that has served us well for many years is being reviewed, given changes in the healthcare industry as well. Per the Human Resources Strategic Plan and in support of long-range planning initiatives, exploration of available options for managing the City's health insurance including, medical insurance costs for the City and the employees is being conducted.

Murray Group, the City's consultant for employee benefits, will provide an overview and presentation relating to self-funded health insurance options. City employee groups will view the presentation earlier in the day.

PROPOSED ACTIONS: Review presentation and provide staff direction.

Riedner introduced Chad Murray and Nellie Armstrong from Murray Group. Murray explained maintaining benefits so that it is affordable, sustainable and protects the option of benefits is their end goal. The question is can pursuing a self-insured model do this? Murray went through a benefit strategy development including business priorities. See attached presentation. Self-funding helps keep the employees engaged yet they won't see any changes in process. The Department of Insurance (DOI) will regulate the health plan and be sure it is running correctly. Riedner reiterated this because there are a lot of rules to follow including the creation of a trust. The Murray Group determines if the employer is ready for self-funding by running through questions, including risk tolerance, claim history, long-term perspective and promotion of wellness. Murray went through the pros and cons, a proposed schedule and a claim history from November 2014 through March 2018. Riedner said a reserve is required and Finance is looking into it and the prospect of proceeding. If it isn't the option the City wants, the Council can pull out.

Armstrong said the next step would be selection of trustees (5). After selection of trustees, the DOI would request a phone call to explain fiduciary responsibility and confirm financial security. Once actuaries review data, send application and actuarial analysis to DOI for them to review. During that time Murray Group gives options for insurance coverage. DOI will continue to ask for updated data. The

Minutes Acceptance: Minutes of May 14, 2018 3:00 PM (Regular Items)

proposed plan is to have the self-funded plan approved by November with a go-live date on January 1st.

Riedner said budget-wise, the City will renew the contract with Regence under the traditional plan. Pharmacy claims are up a bit but should not continue. The City's experience is trending down. This is a major challenge area in the strategic plan and staff is looking at the other benefits offered as well. Zabala would like to see more historical data and Riedner said they can put more info together. Riedner said the item will go forward to the full Council on May 21, 2018.

3. Public Hearing: Amendment of Title 4, Chapters 1, 2, 3, 4, 6, 11, and 12 of Moscow City Code Regarding the Use Table Ordinance – Michael Ray

As part of the ongoing work of the Planning and Zoning Commission and Community Development Department to update the Zoning Code, the Commission has been working on a code amendment to convert portions of the Zoning Code from a narrative format to a table format. In order to accommodate the conversion of these portions of the code there is restructuring and relocation of certain sections of the code for ease of use and also the creation of new sections for instruction or explanation. Also included within this amendment are: the conversion of commercial use definitions to the North American Industry Classification System (NAICS); minor amendments to the sign code; the insertion of standards for drive-through facilities; and the insertion of illustrations to more clearly convey requirements. The Planning and Zoning Commission conducted a public hearing on the proposed ordinance on April 11, 2018 and recommended approval of the ordinance to City Council with a slight modification. This was reviewed by the Administrative Committee on May 14, 2018.

PROPOSED ACTIONS: Conduct the public hearing and upon consideration of testimony presented, approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

Ray introduced the item and described the changes per chapter. See attached presentation. A lot of the changes are moving sections into areas that make more sense. Using a table format for some of the regulations will help with understanding the information. Illustrations and a definition of how to measure setbacks are also included to provide visualization with the narrative. Planning and Zoning Commission conducted a public hearing and had one change to the hierarchy of a bullet point but was not substantial. The Commission recommended approval. After P&Z's recommendation, staff made one more change to the ordinance for educational services. After more staff discussion, the ordinance was amended to exclude universities from residential zoning with the exception of multi-family.

Bettge said he has some suggestions for "word smithing" and will meet with Ray after the Committee meeting to discuss. Bonzo asked if the citizen survey question on educational conditions coordinate with the table. Ray said P&Z discussed and reaffirmed leaving it as a CUP in the Central Business Zoning District.

The Committee forwarded the item for public hearing at the May 21, 2018 Council meeting.

Adjourn

The meeting was closed at 4:24 PM

MOSCOW CITY COUNCIL AGENDA

Meeting Date: 06/04/2018

Title: Resolution Accepting FAA Grant for Pullman-Moscow Regional Airport

Responsible Staff: Gary J. Riedner

Information

DESCRIPTION: It is desirable to apply for a grant from the U.S. Department of Transportation Federal Aviation Administration (FAA) Airport Improvement Program for the purpose of completing Phase 4 of the Runway Realignment Project. The amount of the grant is \$46,000,000 with a local match of \$3,735,200.00 from multiple sources, which includes a possible Washington Department of Transportation (WSDOT) Aviation Division state grant. To facilitate the FAA grant, it is appropriate to preauthorize its acceptance. The attached resolution has been prepared for that purpose. The resolution also authorizes the execution of related assurances and certifications.

STAFF RECOMMENDATION: Recommend adoption of the attached resolution preauthorizing the acceptance of grant offer AIP 3-53-0051-044 from the FAA Airport Improvement Program.

PROPOSED ACTIONS: Recommend adoption of the attached resolution preauthorizing the acceptance of grant offer AIP 3-53-0051-044 from the FAA Airport Improvement Program or provide staff further direction.

Necessary Resources/Impacts

Attachments

DOT FAA Grant Monies; Airport Improvement

RESOLUTION NO. 2018 -

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PREAUTHORIZING THE ACCEPTANCE OF U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM GRANT MONIES, FOR MULTIPLE PULLMAN-MOSCOW REGIONAL AIRPORT PROJECTS SUPPORTING THE RELOCATION OF RUNWAY 6-24; PROVIDING THAT THIS RESOLUTION SHALL BE IN EFFECT UPON ITS PASSAGE, AND APPROVAL.

WHEREAS, Pullman-Moscow Regional Airport will be offered U.S. Department of Transportation Federal Aviation Administration Grant monies up to a maximum of forty-six million dollars (\$46,000,000) to be used for projects supporting the Relocation of Runway 6-24; and

WHEREAS, information about said grant monies and project elements is before the City Council of the City of Moscow, and attached hereto and marked as Exhibit "A"; and

WHEREAS, the turnaround time between receipt and return of executed grant authorization documents will be very limited; and

WHEREAS, this Council believes it to be in the best interests of the City of Moscow to preauthorize the acceptance of said grant monies;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow as follows:

That the Mayor and the Finance Director be and they are hereby preauthorized and directed to accept the U.S. Department of Transportation Federal Aviation Administration Grant monies.

That the Mayor and Finance Director are each hereby preauthorized and directed to take such further action as may be appropriate in order to effect the purpose of this Resolution.

That this Resolution shall become effective as of the ____ day of _____, 2018.

PASSED AND APPROVED by the Mayor of the City of Moscow, Idaho, this ____ day of _____, 2018.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

EXHIBIT “A”

PUW - Pullman/Moscow

AIP Development Application Checklist

3-53-0051-047/048/049-18

- ☐ 1. SF424
- ☐ 2. SF5100-100
- ☐ 3. CIP Data Sheet
- ☐ 4. Standard DOT Title VI Assurances
- ☐ 5. Certification for Contracts Grants Loans
- ☐ 6. Airport Sponsor Assurances
- ☐ 7. Current FAA Advisory Circulars
- ☐ 8. SF5100-134 Sponsor Certification for Selection of Consultants
- ☐ 9. SF5100-132 Sponsor Certification for Plans and Specs
- ☐ 10. SF5100-131 Sponsor Certification for Equipment/Construction Contracts
- ☐ 11. SF5100-129 Sponsor Certification for Project Final Acceptance
- ☐ 12. SF5100-130 Sponsor Certification for Drug Free Workplace
- ☐ 13. SF5100-133 Sponsor Certification for Land (Use only for Land Acquisition)
- ☐ 14. SF5100-135 Sponsor Certification for Conflict of Interest
- ☐ 15. Title VI Pre-Award Sponsor Checklist

Application for Federal Assistance SF-424		
* 1. Type of Submission: ☐ Preapplication ☒ Application ☐ Changed/Corrected Application		
* 2. Type of Application: ☒ New ☐ Continuation ☐ Revision		
* If Revision, select appropriate letter(s): * Other (Specify): 		
* 3. Date Received: 		4. Applicant Identifier:
5a. Federal Entity Identifier: AIP 3-53-0051-047-2018		5b. Federal Award Identifier:
State Use Only:		
6. Date Received by State: 		7. State Application Identifier:
8. APPLICANT INFORMATION:		
* a. Legal Name: Cities of Pullman, WA and Moscow, ID c/o PMRA		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 91-6001269		* c. Organizational DUNS: 0972521670000
d. Address:		
* Street1: 3200 Airport Complex N		
Street2:		
* City: Pullman		
County/Parish: Whitman		
* State: WA: Washington		
Province:		
* Country: USA: UNITED STATES		
* Zip / Postal Code: 99163		
e. Organizational Unit:		
Department Name: PMRA Airport Board		Division Name: Administrative
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: Mr. * First Name: Anthony		
Middle Name: Wayne		
* Last Name: Bean		
Suffix:		
Title: Executive Director		
Organizational Affiliation: 		
* Telephone Number: 509-338-3223		Fax Number: 509-334-5217
* Email: tony.bean@pullman-wa.gov		

Application for Federal Assistance SF-424			
* 9. Type of Applicant 1: Select Applicant Type: C: City or Township Government Type of Applicant 2: Select Applicant Type: Type of Applicant 3: Select Applicant Type: * Other (specify): 			
* 10. Name of Federal Agency: Federal Aviation Administration, Northwest Mountain Region			
11. Catalog of Federal Domestic Assistance Number: 20.106 CFDA Title: Airport Improvement Program			
* 12. Funding Opportunity Number: * Title: 			
13. Competition Identification Number: Title: 			
14. Areas Affected by Project (Cities, Counties, States, etc.): Add Attachment Delete Attachment View Attachment			
* 15. Descriptive Title of Applicant's Project: Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 and 9			
Attach supporting documents as specified in agency instructions. Add Attachments Delete Attachments View Attachments			

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant 5th	* b. Program/Project 5th
Attach an additional list of Program/Project Congressional Districts if needed.	
	Add Attachment Delete Attachment View Attachment
17. Proposed Project:	
* a. Start Date: 03/01/2018	* b. End Date: 08/30/2019
18. Estimated Funding (\$):	
* a. Federal	42,264,800.00
* b. Applicant	2,985,200.00
* c. State	750,000.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	46,000,000.00
* 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 in attachment.)	
☐ Yes ☒ No	
If "Yes", provide explanation and attach	
	Add Attachment Delete Attachment View Attachment
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: Mr.	* First Name: Anthony
Middle Name: Wayne	
* Last Name: Bean	
Suffix:	
* Title: Executive Director	
* Telephone Number: 509-338-3223	Fax Number: 509-334-5217
* Email: tony.bean@pullman-wa.gov	
* Signature of Authorized Representative:	* Date Signed: 5-10-18



U.S. Department
of Transportation
Federal Aviation
Administration

FAA Form 5100-100, Application for Federal Assistance (Development and Equipment Projects)

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 28 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200; no assurance of confidentiality is provided. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the FAA at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

INSTRUCTIONS FOR FORM 5100-100

PART I – Application for Federal Assistance

Part I of the Application for Federal Assistance consists of a completed Standard Form (SF) 424. The remaining parts of Form 5100-100 (Parts II, III and IV) represent continuation pages that the Sponsor must attach to the associated SF-424 form. The signature of the Sponsor's authorized representative on the SF-424 form represents acceptance of the representations and certifications made within the corresponding FAA 5100-100 form.

PART II – Project Approval Information

This information is necessary for the Federal Aviation Administration to evaluate this request for Federal assistance. Responses do not require an explanation unless explicitly requested by the question.

SECTION A. STATUTORY CONDITIONS

Item 1 – Indicate whether the Sponsor maintains an active registration in the Federal System for Award Management (SAM). Pursuant to 2 CFR §25.200(b), a Sponsor must maintain an active registration in the Central Contractor Registration repository (housed within SAM) with current information at the time of the application and during the active period of the Federal award.

Item 2 – Indicate whether the Sponsor can commence the project within the same fiscal year the grant is made or within 6 months of when the grant is made, whichever is later. Attach explanation for negative responses. This information is considered when allocating discretionary funds. (49 U.S.C. § 47115(d)(2))

Item 3 – Indicate whether the Sponsor can complete the project without unreasonable delays. If applicable, provide listing of foreseeable events (winter shutdown, land acquisition issues, non-aeronautical events, etc.) that have potential to delay completion of the project. (49 USC § 47106(a))

Item 4 – Indicate whether the environmental review (i.e. environmental assessment, mitigated FONSI, etc.) identified impacts or effects on the environment that require mitigating measures that lessen the impact or effect on the environment. If yes, provide a summary listing of mitigating measures. (49 U.S.C. § 47106(c))

Item 5 – Indicate whether the project covered by this request is also covered by an approved Passenger Facility Charge (PFC) application or other Federal assistance program by selecting all applicable check boxes (49 U.S.C. § 40117(d) and 2 CFR § 200.403). If the approved PFC application only addresses the Sponsor's AIP matching share, select the appropriate check box.

If the project, or portions thereof, is covered by another Federal assistance program, identify the Federal assistance program by name and the Catalog of Federal Domestic Assistance (CFDA) number.

Item 6 – Indicate whether the Sponsor intends to seek reimbursement of Sponsor indirect costs as defined by 2 CFR §200.414 and 2 CFR Appendix VII to Part 200. This information request **does not** include the indirect costs claimed by a for-profit entity (e.g. consultant).

- The de minimis rate may only be used if the Sponsor has not previously received a negotiated Indirect Cost Rate (ICR) and does not exceed the limitations prescribed in Appendix VII to Part 200.
- A Sponsor with an existing approved negotiated ICR must identify the ICR value, the name of the cognizant agency that approved the ICR and the date of approval.

Limitations of use: Per policy, Sponsor's may only apply an approved ICR to allowable direct salary expenses that are reasonable and necessary to carry-out the project.

SECTION B. CERTIFICATION REGARDING LOBBYING

This section addresses the Sponsor's declaration regarding lobbying activities. The declaration made in the section are under signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached.

Title 31 U.S.C. § 1352 establishes that no appropriated funds may be expended by a recipient of a Federal grant to pay any person for influencing or attempting to influence an officer or employee of any agency, Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this covered Federal assistance action. Pursuant to 40 CFR part 20, this certification attests that the Sponsor has not made, and will not make, any payment prohibited payment by 31 U.S.C. § 1352.

SECTION C. REPRESENTATIONS AND CERTIFICATION

1. **Compatible Land Use** (49 U.S.C. § 47107(a)(10)) – Identify actions the Sponsor has taken to assure land uses in close proximity to the airport are compatible with normal airport operations.
2. **Defaults** – Confirm that Sponsor is not in default on any obligation to the United States or any agency of the United States government.
3. **Possible Disabilities** – Confirm that Sponsor has no facts or circumstances (i.e. legal, financial or otherwise) that might adversely affect the Sponsor in completing the project and carrying out the provisions of the associated Grant Assurances.
4. **Consistency with Local Plans** (49 U.S.C. § 47106(a)) – Confirm project is consistent with plans (existing at the time the project is approved) of public agencies authorized by the State in which the airport is located to plan.
5. **Consideration of Local Interests** (49 U.S.C. § 47106(b)) – Confirm the Sponsor has given fair consideration to the community in and near the project.
6. **Consultation with Users** (49 U.S.C. § 47105(a)) – Confirm the Sponsor has consulted with airport users that will be affected by the project.
7. **Public Hearings** (49 U.S.C. § 47106(c)) – For projects involving the location of an airport, runway or major runway extension, confirm the Sponsor:
 - a. Provided an opportunity for a public hearing to consider economic, social and environmental effects of the project.
 - b. Has voting representation from the communities in which the project is located; or has advised the communities that they have the right to petition the Secretary about the proposed project.
8. **Air and Water Quality Standards** – Confirm Sponsor will comply with applicable air and water quality standards.
9. **Exclusive Rights** (49 U.S.C. § 47107(a)) – Identify all instances of exclusive rights to conduct aeronautical services at the airport.
10. **Land** (49 U.S.C. § 47106(b)) –
 - a. Identify property interests specific to the development project and/or land acquisition. The declaration of property interest is to be based upon a title opinion submitted by an attorney. When identifying the property interest, use the same parcel numbers as used to identify the property on the associated Exhibit A property map.
Example: "Sponsor maintains property interest as depicted within the property table on the Exhibit A property map dated __/__/__, originally filed with AIP Project ###."
 - b. Complete this subpart if the Sponsor proposes a project for which they have not yet obtained appropriate property interests. Note that the work may not commence until Sponsor obtains acceptable property interests. Identify such property by parcel number that corresponds to the associated Exhibit A property map.
 - c. Complete this subpart when acquiring property interests under the grant. Identify such property by parcel number that corresponds to the associated Exhibit A property map.

PART III – Budget Information

SECTION A. GENERAL

1. Federal Domestic Assistance Catalog Number - Show the Federal Domestic Assistance Catalog Number from which the assistance is requested.

2. Functional or Other Breakout: Indicate "Airport Improvement Program". Prepare a separate set of Part III forms for other Federal program categories.

SECTION B. CALCULATION OF FEDERAL GRANT

When applying for a new grant, use the Total Amount Column only. Use all columns when requesting revisions of previously awarded amounts.

Line 1 - Enter amounts needed for administration expenses, which may include such items as: legal fees, mailing/shipping expenses, audit fees and documented Sponsor employee time that is necessary to administer the grant.

Line 2 - Enter amounts pertaining to allowable preliminary expenses. These include such expenses as independent fee estimate preparation, advertising expenses and permits.

Line 3 - Enter amounts directly associated with the acquisition of land, existing structures, and related right-of-way.

Line 4 - Enter fees for architectural engineering basic services.

Line 5 - Enter amounts for architectural engineering special services (e.g. surveys, tests and borings).

Line 6 - Enter fees for inspection, testing and monitoring of construction and related programs.

Line 7 - Enter amounts associated with the development of land where the primary purpose of the grant is land improvement. Site work normally associated with major construction should be excluded from this category and shown on line 11.

Line 8 - Enter the dollar amounts needed to provide relocation advisory assistance, and the net amounts for replacement (last resort) housing. Do not include relocation administration expenses on this Line; include them on Line 1.

Line 9 - Enter the estimated amount of relocation payments to be made to displaced persons, business concerns, and non-profit organizations for moving expenses and replacement housing.

Line 10 - Enter the cost of demolition or removal of improvements on developed land. Reduce the costs on this line by the amount of expected proceeds from the sale of salvage, if so instructed by the Federal grantor agency. Otherwise, show the proceeds on Line 15.

Line 11 - Enter amounts for the actual construction of, addition to or restoration of a facility. Include in this category the amounts of project improvements such as grading, drainage, paving, marking, lighting, buildings, seeding/sodding, etc.

Line 12 - Enter amounts for equipment. Examples include ARFF vehicles, SRE equipment, AWOS equipment, interactive training, NAVAID equipment, etc.)

Line 13 - Enter miscellaneous amounts for items not specifically covered by previous categories.

Line 14 - Enter the sum of Lines 1-13.

Line 15 - Enter the estimated amount of program income that will be earned during the grant period and applied to the program. Examples include vehicle trade-in value, sale of millings resulting from project, credits passed on from contractor, etc. This line may be used to indicate applied liquidated damages.

Line 16 - Enter the difference between Line 14 and Line 15.

Line 17 - Enter the aggregate amount for those items, which are a part of the project but not subject to Federal participation. Refer to Section C, exclusions.

Line 18 - Enter the subtotal sum of Lines 16 and 17. (This is the amount to which the matching share ratio prescribed in program legislation is applied.)

Line 19 - Indicate the total amount of the Federal assistance requested. This value is determined by multiplying the grant participation rate by the amount indicated in line 18.

Line 20 - Indicate the amount of the Grantee's share (from Section D).

Line 21 - Indicate the amount of other shares (from Section D)

Line 22 - Indicate sum of Lines 19, 20 and 21.

SECTION C. EXCLUSIONS

Line 23 a-g - Identify and list those costs which are part of the project cost but are not subject to Federal participation because of program legislation or Federal grantor agency instructions. The total amount on Line g should agree with the amount shown on Line 17 of Section B.

SECTION D. PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE

Line 24 a-g - Show the source of the grantee's share. If cash is not immediately available, specify the actions completed to date and those actions remaining to make cash available under Section E - Remarks. Indicate also the period of time that will be required after execution of the grant agreement to obtain the funds. If there is a non-cash contribution, explain what this contribution will consist of.

Line 24h - Indicate total of Lines 24 a-g. This amount must equal the amount in Section B, Line 20.

Line 25a - Show the amount that will be contributed by a State or state agency, only if the applicant is not a State or state agency. If there is a non-cash or other contribution, explain what the contribution will consist of under Section E - Remarks.

Line 25b - Show the amount that will be contributed from other sources. If there is a non-cash contribution, explain what the contribution will consist of under Section E - Remarks.

Line 25c - Show the total of Lines 25a and 25b. This amount must be the same as the amount shown in Section B, Line 21.

Line 26 - Enter the totals of Lines 24h and 25c.

SECTION E. OTHER REMARKS

Make any remarks pertinent to the project and provide any other information required by these instructions or the grantor agency. Attach additional sheets, if necessary.

PART IV – Program Narrative

Prepare the program narrative statement in accordance with the following instructions for all new grant programs. Requests for supplemental assistance should be responsive to Item 5b only. Requests for continuation or refunding or other changes of an approved project should be responsive to Item 5c only.

1. OBJECTIVES AND NEED FOR THIS ASSISTANCE

Provide a short and concise description of the proposed improvement. Include a narrative on why this improvement is needed.

2. RESULTS OR BENEFITS EXPECTED

Identify results and benefits to be derived. For example, include a description of who will occupy the facility and show how the facility will be used. For land acquisition or development projects, explain how the project will benefit the public.

3. APPROACH

- a. Outline a plan of action pertaining to the scope and detail of how the Sponsor proposes to accomplish the work.
- b. Cite factors, which might accelerate or decelerate the work, and your reason for taking this approach as opposed to others. Describe any unusual features of the project such as construction approach, reductions in cost or time or extraordinary social and community involvements.
- c. Provide projections of project milestone dates. As a minimum, identify target dates for defining project costs (i.e. bid opening or completion of negotiations), anticipated issuance of notice-to-proceed and anticipated project completion date.
- d. Identify monitoring and oversight mechanisms the Sponsor proposes to implement.
- e. List key individuals and entities such as consultant, Sponsor personnel and contractor who will work on the project. Provide a short description of the nature of their effort or contribution.

4. GEOGRAPHIC LOCATION

Identify location of the project. This will typically be the name of the airport.

5. IF APPLICABLE, PROVIDE THE FOLLOWING INFORMATION:

- a. Describe the relationship between this project and other work planned, anticipated or underway under the Federal Assistance listed under Part II, Section A, Item 5.
- b. Explain the reason for all requests for supplemental assistance and justify the need for additional funding.
- c. If there have been significant changes in the project objectives, location, approach or time delays, explain and justify. For other requests for changes or amendments, explain the reason for the change(s). If the scope, budget, or objectives have changed or an extension of time is necessary, explain the circumstances and justify.

6. SPONSOR'S REPRESENTATIVE

Identify contact information of Sponsor's representative.

Application for Federal Assistance (Development and Equipment Projects)

PART II – PROJECT APPROVAL INFORMATION

Part II - SECTION A	
The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.	
Item 1. Does Sponsor maintain an active registration in the System for Award Management (www.SAM.gov)?	☒ Yes ☐ No
Item 2. Can Sponsor commence the work identified in the application in the fiscal year the grant is made or within six months after the grant is made, whichever is later?	☒ Yes ☐ No ☐ N/A
Item 3. Are there any foreseeable events that would delay completion of the project? If yes, provide attachment to this form that lists the events.	☐ Yes ☒ No ☐ N/A
Item 4. Will the project(s) covered by this request have impacts or effects on the environment that require mitigating measures? If yes, attach a summary listing of mitigating measures to this application and identify the name and date of the environmental document(s).	☐ Yes ☒ No ☐ N/A
Item 5. Is the project covered by this request included in an approved Passenger Facility Charge (PFC) application or other Federal assistance program? If yes, please identify other funding sources by checking all applicable boxes.	
☒ The project is included in an <i>approved</i> PFC application. If included in an approved PFC application, does the application <i>only</i> address AIP matching share? ☒ Yes ☐ No	
☐ The project is included in another Federal Assistance program. Its CFDA number is below.	
Item 6. Will the requested Federal assistance include Sponsor indirect costs as described in 2 CFR Appendix VII to Part 200, States and Local Government and Indian Tribe Indirect Cost Proposals?	
☐ Yes ☒ No ☐ N/A	
If the request for Federal assistance includes a claim for allowable indirect costs, select the applicable indirect cost rate the Sponsor proposes to apply:	
☐ De Minimis rate of 10% as permitted by 2 CFR § 200.414.	
☐ Negotiated Rate equal to	% as approved by _____ (the Cognizant Agency) on _____ (Date) (2 CFR part 200, appendix VII).
<i>Note: Refer to the instructions for limitations of application associated with claiming Sponsor indirect costs.</i>	

PART II - SECTION B

Certification Regarding Lobbying

The declarations made on this page are under the signature of the authorized representative as identified in box 21 of form SF-424, to which this form is attached. The term "Sponsor" refers to the applicant name provided in box 8 of the associated SF-424 form.

The Authorized Representative certifies, 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 Sponsor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If 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 Authorized Representative shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The Authorized Representative shall require that the language of this certification be included in the award documents for all sub-awards 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.

PART II – SECTION C
The Sponsor hereby represents and certifies as follows:
1. Compatible Land Use – The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport: Pullman, WA and Whitman County, WA have adopted comprehensive plans that protect from incompatible land use.
2. Defaults – The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith: None
3. Possible Disabilities – There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of the Grant Assurances, either by limiting its legal or financial ability or otherwise, except as follows: None
4. Consistency with Local Plans – The project is reasonably consistent with plans existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport. Yes
5. Consideration of Local Interest – It has given fair consideration to the interest of communities in or near where the project may be located. Yes
6. Consultation with Users – In making a decision to undertake an airport development project under Title 49, United States Code, it has consulted with airport users that will potentially be affected by the project (§ 47105(a)(2)). Yes
7. Public Hearings – In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project. N/A
8. Air and Water Quality Standards – In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary. N/A

PART II – SECTION C (Continued)

9. Exclusive Rights – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

None

10. Land – (a) The sponsor holds the following property interest in the following areas of land, which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

See Exhibit A Property Map dated 4/25/2018 on file with FAA

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

N/A

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit "A". [1]

N/A

¹ State the character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.

PART III – BUDGET INFORMATION – CONSTRUCTION

SECTION A – GENERAL	
1. Federal Domestic Assistance Catalog Number:	20.106
2. Functional or Other Breakout:	Airport Improvement Program

SECTION B – CALCULATION OF FEDERAL GRANT			
Cost Classification	Latest Approved Amount (Use only for revisions)	Adjustment + or (-) Amount (Use only for revisions)	Total Amount Required
1. Administration expense			\$ 100,000
2. Preliminary expense			
3. Land, structures, right-of-way			500,000
4. Architectural engineering basic fees			1,000,000
5. Other Architectural engineering fees			
6. Project inspection fees			4,000,000
7. Land development			
8. Relocation Expenses			
9. Relocation payments to Individuals and Businesses			
10. Demolition and removal			
11. Construction and project improvement			40,400,000
12. Equipment			
13. Miscellaneous			
14. Subtotal (Lines 1 through 13)			\$ 46,000,000
15. Estimated Income (if applicable)			
16. Net Project Amount (Line 14 minus 15)			
17. Less: Ineligible Exclusions (Section C, line 23 g.)			
18. Subtotal (Lines 16 through 17)			\$ 46,000,000
19. Federal Share requested of Line 18			42,264,800
20. Grantee share			2,985,200
21. Other shares			750,000
22. TOTAL PROJECT (Lines 19, 20 & 21)			\$ 46,000,000

SECTION C – EXCLUSIONS	
23. Classification (Description of non-participating work)	Amount Ineligible for Participation
a.	
b.	
c.	
d.	
e.	
f.	
g. Total	

SECTION D – PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE	
24. Grantee Share – Fund Categories	Amount
a. Securities	
b. Mortgages	
c. Appropriations (by Applicant)	2,985,200
d. Bonds	
e. Tax Levies	
f. Non-Cash	
g. Other (Explain):	
h. TOTAL - Grantee share	\$ 2,985,200
25. Other Shares	Amount
a. State	750,000
b. Other	
c. TOTAL - Other Shares	\$ 750,000
26. TOTAL NON-FEDERAL FINANCING	\$ 3,735,200

SECTION E – REMARKS (Attach sheets if additional space is required)

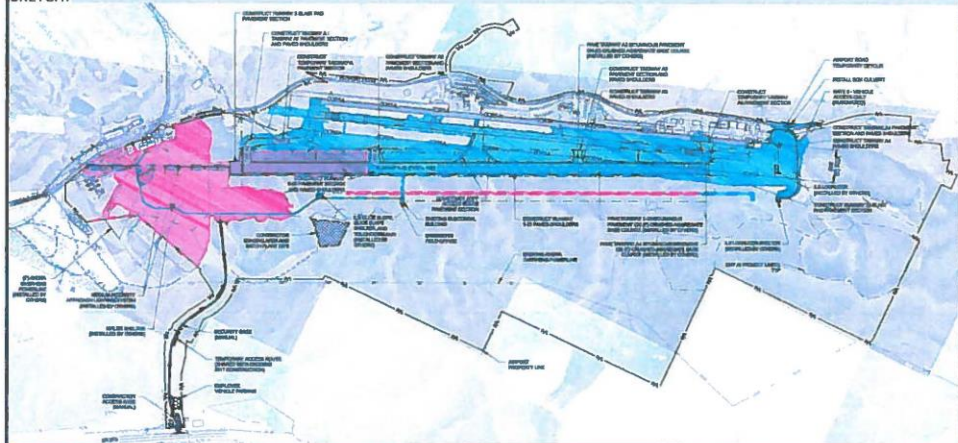
PART IV – PROGRAM NARRATIVE
(Suggested Format)

PROJECT: Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 and 9
AIRPORT: Pullman-Moscow Regional Airport
1. Objective: This project will fund a major Runway 6/24 (future designation 5/23) - taxiway realignment project to meet separation standards at Pullman-Moscow Regional Airport (PUW). The airport is currently at 200' separation between the runway and parallel taxiway, and needs 400'. In addition, the airport also needs a longer and wider runway. The realigned runway will be extended 400 feet for a total length of 7,100 feet. The runway is being realigned in lieu of reconstruction. The work included under this application is anticipated to include Phases 7 thru 9 of 12 phases.
2. Benefits Anticipated: The runway realignment will allow the airfield to meet FAA design standards for aircraft the Airport is seeing more frequently. Widening and lengthening the runway and taxiway, and providing the associated lighting, NAVAIDS, utilities, etc., will create an airport ready to meet the growing demands of the communities surrounding it.
3. Approach: (See approved Scope of Work in Final Application) The construction portion of this project will have a bid opening in mid-April 2018, with construction beginning in June 2018. Land acquisition will consist of construction easements during the work on storm crossings for Airport Road. Design of the overall project will be ongoing throughout the grant cycle.
4. Geographic Location: The Airport is located in part of Sections 34, 35, and 36 in T15N R45E, WM Pullman, Whitman County, WA
5. If Applicable, Provide Additional Information: Grants are anticipated to breakdown as Grant 047 (Phase7) is for phase 2 of the Category I Instrument Landing System, for construction, Grant 048 (Phase 8) is for phase 1 of runway construction and final utility relocation, and Grant 049 (Phase 9) is for phase 2 of runway construction and acquisition of lighting equipment.
6. Sponsor's Representative: (include address & telephone number) Anthony Bean, Executive Director Pullman-Moscow Regional Airport 3200 Airport Complex North Pullman, WA 99163 509-338-3223

CIP DATA SHEET

REPORT	Pullman-Moscow Reginal Airport	CDN	PUW	LOCAL PRIORITY	1
PROJECT DESCRIPTION	Runway Realignment Project Phases 7-9			PLANNED YEAR TO COME	2018-2019

SKETCH:



This project will fund a major Runway 6/24 (future designation 5/23) - taxiway realignment project to meet separation standards at Pullman-Moscow Regional Airport (PUW). The airport is currently at 200' separation between the runway and parallel taxiway, and needs 400'. In addition, the airport also needs a longer and wider runway. The realigned runway will be extended 400 feet for a total length of 7,100 feet. The runway is being realigned in lieu of reconstruction.

COST ESTIMATE:

ADMINISTRATION:	\$ 100,000	1. Construction	\$ 40,400,000	4 \$
ENGINEERING:	\$ 1,000,000	2	\$ 500,000	5 \$
INSPECTION:	\$ 4,000,000	3	\$	TOTAL: \$ 46,000,000

Federal (1 - 5%)	\$ 42,264,800	State	\$ 750,000	Local (1 - 2%)	\$ 2,985,200
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SPONSOR VERIFICATION:

Date (see instruction sheet or attached comments for more information)

For each and every project as applicable

5/24/17	-Date of approved ALP with project shown
12/11/14	-Date of environmental determination (ROD, FONSI, CatEx)
NA	-Date of land acquisition or signed purchase agreement
NA	-Date of pavement maintenance program
NA	-Date of Benefit Cost Analysis (BCA) as required

SPONSOR'S SIGNATURE:

DATE: 5-10-18

PRINTED NAME:

Anthony Bean

TITLE: Executive Director

PHONE NUMBER:

509-338-3223

EMAIL: tony.bean@pullman-wa.gov

FAA USE ONLY

REPORT NUMBER	GRANT NUMBER	ABSTRACT	WORK CODE	FAA PRIORITY	FEDERAL ID

INSTRUCTIONS FOR COMPLETING
CAPITAL IMPROVEMENT PLAN DATA SHEET

A Capital Improvement Plan (CIP) Data Sheet must be submitted for each major work item that is requesting Federal assistance over the next 5 years. Submittal of this information is necessary to effectively administer the Airport Improvement Program.

HEADER INFORMATION - Include the name of the airport, the LOCID, the local priority of the requested work, the project description and the desired Federal fiscal year (October 1st to September 30th) that you desire the project.

SKETCH - Color-coded sketch that depicts and identifies the scope of the proposed project. An aerial photo can be used as long as it shows the proposed project information.

JUSTIFICATION - Answers the questions of what it is, why is it needed and what is the benefit. This is a very important part of your Capital Improvement Plan. The information is required to accurately determine the eligibility of your project and its priority for funding. Projects without adequate justification cannot be added to the CIP. To help you prepare solid justification we have compiled the following list of suggestions, which you can use to support your assessment of the need for this project. Be sure to list all reasons and needs for your project and include a detailed description of existing conditions. Use extra pages if needed.

- For pavement rehabilitation include the age of the pavement, distresses, Pavement Condition Index (PCI) Rating (may be able to obtain this info from ODA), or any other factor that would affect pavement life. Include type of pavement (apron, runway) and dimensions (linear feet and width or square footage). Also include what you have done to maintain the pavement over its lifetime and the date of the last major rehabilitation (i.e. overlays, sealcoats, etc.)
- New taxiways/taxilanes – what will this taxiway/taxilane serve? Does it serve a hangar area? Is it a parallel taxiway? What width are you proposing? If you propose a width that is wider than FAA standards, indicate how that additional pavement will be funded.
- For Apron Expansion indicate the current size of the apron and what you plan to add. Indicate why you need more apron space and how the apron area will be used (tie down area, etc).
- For fencing projects – indicate the height of the fence and lineal footage. Also, explain why the fence is needed (i.e. deer fencing, security, etc)
- Land acquisition explain what the land is needed for – approach protection? Development such as a new hangar area? Also include if it is fee or easement. Include parcel numbers and acreage of those parcels. Please state if residences or businesses will be acquired.
- For Arrival/Departure Building, provide what type of facility you currently have and what you plan to build (square footage, types of rooms)

COST ESTIMATE - The estimate of total cost including the Federal, State and Local shares. For first year projects, attach a detailed cost estimate showing unit costs; aggregate in square yards (S.Y.), concrete paving in square yards (S.Y.) and asphaltic paving in tons. Separate the costs for land acquired in fee and land acquired in easement. Note if the project is dependent on other sources of funding (i.e. other agency grants)

SPONSOR VERIFICATION - The verification that the project is properly planned and is ready to "go" within the first year of the CIP for applicable projects. Except for equipment acquisition, proposed development and land acquisition must be shown on an approved ALP, have cleared environmental processing, and the land already acquired or have a signed purchase agreement. These requirements must be completed before a project can be considered for upcoming year funding. For the 2nd and 3rd years of the CIP program, the sponsor should be working towards satisfying these requirements. Date each item verifying that all project requirements are satisfied (check marks are not acceptable).

STANDARD DOT TITLE VI ASSURANCES

Cities of Pullman, WA and Moscow, ID c/o Pullman-Moscow Regional Airport Board(hereinafter referred to as the Sponsor) hereby agrees that as a condition to receiving Federal financial assistance from the Department of Transportation (DOT), it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and all requirements imposed by 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation -- Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. Without limiting the above general assurance, the Sponsor agrees concerning this grant that:

1. Each "program" and "facility" (as defined in Section 21.23(a) and 21.23(b)) will be conducted or operated in compliance with all requirements of the Regulations.
2. It will insert the clauses of Attachment 1 of this assurance in every contract subject to the Act and the Regulations.
3. Where Federal financial assistance is received to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
4. Where Federal financial assistance is in the form or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
5. It will include the appropriate clauses set forth in Attachment 2 of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Sponsor with other parties:
 - (a) for the subsequent transfer of real property acquired or improved with Federal financial assistance under this project; and
 - (b) for the construction or use of or access to space on, over, or under real property acquired or improved with Federal financial assistance under this Project.
6. This assurance obligates the Sponsor for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Sponsor or any transferee for the longer of the following periods:
 - (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - (b) the period during which the Sponsor retains ownership or possession of the property.
7. It will provide for such methods of administration for the program as are found by the Secretary of transportation of the official to whom he delegates specific authority to give reasonable guarantees that it, other sponsors, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the act, the Regulations, and this assurance.

Page 1 of 2

STANDARD DOT TITLE VI ASSURANCES (Continued)

8. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining Federal financial assistance for this Project and is binding on its contractors, the Sponsor, subcontractors, transferees, successors in interest and other participants in the Project. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Sponsor.

DATED 5-10-18

**Cities of Pullman, WA and Moscow, ID c/o
Pullman-Moscow Regional Airport Board
(Sponsor)**


(Signature of Authorized Official)

Page 2 of 2

**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS,
AND COOPERATIVE AGREEMENTS**

The undersigned certifies, 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, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal Grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If 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 of Lobby Activities", 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.

Signed



Sponsor's Authorized Representative

Date

5-10-18

Title

Executive Director, Pullman-Moscow Regional Airport

**REQUIRED STATEMENTS
AIRPORT IMPROVEMENT PROGRAM PROJECTS**

AIRPORT: Pullman-Moscow Regional Airport

LOCATION: Pullman, WA

AIP PROJECT NO.: 3-53-0051-047-2018

STATEMENTS APPLICABLE TO THIS PROJECT Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 & 9

- ☒ a. **INTEREST OF NEIGHBORING COMMUNITIES:** In formulating this project, consideration has been given to the interest of communities that are near (Exact name of airport)_____.
- ☒ b. **THE DEVELOPMENT PROPOSED IN THIS PROJECT** will not require the use of publicly owned land from a public park, recreation area, wildlife and fowl refuge, or a historical site under Federal, State, or Local jurisdiction.
- ☒ c. **FBO COORDINATION:** The airport development proposed in this project has been coordinated with the Fixed Base Operator(s) utilizing (Exact name of airport) _____, and they have been informed regarding the scope and nature of this project.
- ☒ d. **THE PROPOSED PROJECT IS CONSISTENT** with existing approved plans for the area surrounding the airport.

The above statements have been duly considered and are applicable to this project. (Provide comment for any statement not checked).

BY:  **DATE:** 5-10-18

TITLE: Executive Director, Pullman-Moscow Regional Airport

SPONSORING AGENCY: Cities of Pullman, WA and Moscow, ID c/o Pullman-Moscow Regional Airport

NOTE: Where opposition is stated to an airport development project, whether expressly or by proposed revision, the following specific information concerning the opposition to the project must be furnished.

- a. Identification of the Federal, state, or local governmental agency, or the person or persons opposing the project;
- b. The nature and basis of opposition;
- c. Sponsor's plan to accommodate or otherwise satisfy the opposition;
- d. Whether an opportunity for a hearing was afforded, and if a hearing was held, an analysis of the facts developed at the hearing as they relate to the social, economic, and environmental aspects of the proposed project and its consistency with the goals and objectives of such urban planning as has been carried out by the community.
- e. If the opponents proposed any alternatives, what these alternatives were and the reason for nonacceptance;
- f. Sponsor's plans, if any, to minimize any adverse effects of the project;
- g. Benefits to be gained by the proposed development; and
- h. Any other pertinent information which would be of assistance in determining whether to proceed with the project.

CONTRACTOR CONTRACTUAL REQUIREMENTS

ATTACHMENT 1

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations.** The contractor shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. **Nondiscrimination.** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. the contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or lease of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. **Information and Reports.** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Sponsor or the Federal Aviation Administration (FAA) to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contract is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the sponsor or the FAA, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance.** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the sponsor shall impose such contract sanctions as it or the FAA may determine to be appropriate, including, but not limited to:

- a. Withholding of payments to the contractor under the contract until the contractor complies, and/or
- b. Cancellation, termination, or suspension of the contract, in whole or in part.

6. **Incorporation of Provisions.** The contractor shall include the provisions of paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the sponsor or the FAA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Sponsor to enter into such litigation to protect the interests of the sponsor and, in addition, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

CLAUSES FOR DEEDS, LICENSES, LEASES, PERMITS OR SIMILAR INSTRUMENTS

ATTACHMENT 2

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the Sponsor pursuant to the provisions of Assurances 5(a) and 5(b).

1. The (grantee, licensee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a DOT program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.
2. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.



ASSURANCES

Airport Sponsors

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. Airport Planning Undertaken by a Sponsor.

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements.

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

Federal Legislation

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.¹
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act - 5 U.S.C. 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.^{1, 2}
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).¹
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.¹
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.¹
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 - 42 U.S.C. 4151, et seq.¹
- s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.¹
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.¹
- u. Copeland Anti-kickback Act - 18 U.S.C. 874.1
- v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

Executive Orders

- a. Executive Order 11246 - Equal Employment Opportunity¹
- b. Executive Order 11990 - Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 - Intergovernmental Review of Federal Programs
- e. Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 - Environmental Justice

Federal Regulations

- a. 2 CFR Part 180 - OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].^{4, 5, 6}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment
- d. 14 CFR Part 13 - Investigative and Enforcement Procedures14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- e. 14 CFR Part 150 - Airport noise compatibility planning.
- f. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.
- g. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.¹
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).¹
- l. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.³
- m. 49 CFR Part 20 - New restrictions on lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.

- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.^{1 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- t. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

Specific Assurances

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

Footnotes to Assurance C.1.

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- ⁴ On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.

⁵ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.

⁶ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and

has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans,

specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal,

state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

- 1) Operating the airport's aeronautical facilities whenever required;
 - 2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 - 3) Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or

to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-

- 1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 - 2) charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
 - d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
 - e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
 - f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
 - g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
 - h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
 - i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 - 1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or

operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.

- 2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
 - 3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
 - c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and

- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. It will keep up to date at all times an airport layout plan of the airport showing
 - 1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 - 2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and

roads), including all proposed extensions and reductions of existing airport facilities;

- 3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon; and
 - 4) all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
- b. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.
- b. Applicability
 - 1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 - 2) Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.

- 3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.
- c. Duration.
- The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:
- 1) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
 - 2) So long as the sponsor retains ownership or possession of the property.
- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:
- “The (Name of Sponsor), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”
- e. Required Contract Provisions.
- 1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
 - 2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
 - 3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
 - 4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a

covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:

- a) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.
- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another

eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.

- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated 01/24/2017 (the latest approved version as of this grant offer) and included in this grant, and in accordance

with applicable state policies, standards, and specifications approved by the Secretary.

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its DBE and ACDBE programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
 - 1) Describes the requests;
 - 2) Provides an explanation as to why the requests could not be accommodated; and
 - 3) Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.



**FAA
Airports**

Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

Updated: 1/24/2017

View the most current versions of these ACs and any associated changes at:
http://www.faa.gov/airports/resources/advisory_circulars_and
http://www.faa.gov/regulations_policies/advisory_circulars/

NUMBER	TITLE
70/7460-1L Change 1	Obstruction Marking and Lighting
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Changes 1 - 2	Airport Master Plans
150/5070-7 Change 1	The Airport System Planning Process
150/5100-13B	Development of State Standards for Nonprimary Airports
150/5200-28F	Notices to Airmen (NOTAMs) for Airport Operators
150/5200-30D	Airport Field Condition Assessments and Winter Operations Safety
150/5200-31C Changes 1 - 2	Airport Emergency Plan
150/5210-5D	Painting, Marking, and Lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Rescue and Fire Fighting Communications
150/5210-13C	Airport Water Rescue Plans and Equipment
150/5210-14B	Aircraft Rescue Fire Fighting Equipment, Tools and Clothing
150/5210-15A	Aircraft Rescue and Firefighting Station Building Design

NUMBER	TITLE
150/5210-18A	Systems for Interactive Training of Airport Personnel
150/5210-19A	Driver's Enhanced Vision System (DEVs)
150/5220-10E	Guide Specification for Aircraft Rescue and Fire Fighting (ARFF) Vehicles
150/5220-16D	Automated Weather Observing Systems (AWOS) for Non-Federal Applications
150/5220-17B	Aircraft Rescue and Fire Fighting (ARFF) Training Facilities
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20A	Airport Snow and Ice Control Equipment
150/5220-21C	Aircraft Boarding Equipment
150/5220-22B	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Debris Detection Equipment
150/5220-25	Airport Avian Radar Systems
150/5220-26, Changes 1 - 2	Airport Ground Vehicle Automatic Dependent Surveillance - Broadcast (ADS-B) Out Squitter Equipment
150/5300-7B	FAA Policy on Facility Relocations Occasioned by Airport Improvements or Changes
150/5300-13A, Change 1	Airport Design
150/5300-14C	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17C	Standards for Using Remote Sensing Technologies in Airport Surveys
150/5300-18B Change 1	Survey and Data Standards for Submission of Aeronautical Data Using Airports GIS
150/5320-5D	Airport Drainage Design
150/5320-6F	Airport Pavement Design and Evaluation

NUMBER	TITLE
150/5320-12C, Changes 1 - 8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-15A	Management of Airport Industrial Waste
150/5325-4B	Runway Length Requirements for Airport Design
150/5335-5C	Standardized Method of Reporting Airport Pavement Strength - PCN
150/5340-1L	Standards for Airport Markings
150/5340-5D	Segmented Circle Airport Marker System
150/5340-18F	Standards for Airport Sign Systems
150/5340-26C	Maintenance of Airport Visual Aid Facilities
150/5340-30H	Design and Installation Details for Airport Visual Aids
150/5345-3G	Specification for L-821, Panels for the Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7F	Specification for L-824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10H	Specification for Constant Current Regulators and Regulator Monitors
150/5345-12F	Specification for Airport and Heliport Beacons
150/5345-13B	Specification for L-841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	FAA Specification For L-823 Plug and Receptacle, Cable Connectors
150/5345-27E	Specification for Wind Cone Assemblies
150/5345-28G	Precision Approach Path Indicator (PAPI) Systems
150/5345-39D	Specification for L-853, Runway and Taxiway Retroreflective Markers
150/5345-42H	Specification for Airport Light Bases, Transformer Housings, Junction Boxes, and Accessories
150/5345-43H	Specification for Obstruction Lighting Equipment
150/5345-44K	Specification for Runway and Taxiway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures

FAA Advisory Circulars Required for Use in
AIP Funded and PFC Approved Projects

Updated 1/24/2017
ARP

Page 3 of 5

THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY

Updated: 1/24/2017

NUMBER	TITLE
150/5100-14E, Change 1	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-17, Changes 1 - 6	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5300-15A	Use of Value Engineering for Engineering and Design of Airport Grant Projects
150/5320-17A	Airfield Pavement Surface Evaluation and Rating Manuals
150/5370-12B	Quality Management for Federally Funded Airport Construction Projects
150/5380-6C	Guidelines and Procedures for Maintenance of Airport Pavements
150/5380-7B	Airport Pavement Management Program
150/5380-9	Guidelines and Procedures for Measuring Airfield Pavement Roughness



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-134, Selection of Consultants – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

FAA Form 5100-134

Selection of Consultants Airport Improvement Program Sponsor Certification

Sponsor: Cities of Pullman, WA and Moscow, ID c/o PMRA Board

Airport: Pullman-Moscow Regional Airport

Project Number: 3-53-0051-47/48/49-2018

Description of Work: Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 & 9

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements for selection of consultant services within federal grant programs are described in 2 CFR §§ 200.317-200.326. Sponsors may use other qualifications-based procedures provided they are equivalent to standards of Title 40 chapter 11 and FAA Advisory Circular 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. Sponsor acknowledges their responsibility for the settlement of all contractual and administrative issues arising out of their procurement actions (2 CFR § 200.318(k)).
☒ Yes ☐ No ☐ N/A
2. Sponsor procurement actions ensure or will ensure full and open competition that does not unduly limit competition (2 CFR § 200.319).
☒ Yes ☐ No ☐ N/A
3. Sponsor has excluded or will exclude any entity that develops or drafts specifications, requirements, or statements of work associated with the development of a request-for-qualifications (RFQ) from competing for the advertised services (2 CFR § 200.319).
☒ Yes ☐ No ☐ N/A

4. The advertisement describes or will describe specific project statements-of-work that provide clear detail of required services without unduly restricting competition (2 CFR § 200.319).
☒ Yes ☐ No ☐ N/A
5. Sponsor has publicized or will publicize a RFQ that:
a. Solicits an adequate number of qualified sources (2 CFR § 200.320(d)); and
b. Identifies all evaluation criteria and relative importance (2 CFR § 200.320(d)).
☒ Yes ☐ No ☐ N/A
6. Sponsor has based or will base selection on qualifications, experience, and disadvantaged business enterprise participation with price not being a selection factor (2 CFR § 200.320(d)).
☒ Yes ☐ No ☐ N/A
7. Sponsor has verified or will verify that agreements exceeding \$25,000 are not awarded to individuals or firms suspended, debarred or otherwise excluded from participating in federally assisted projects (2 CFR § 180.300).
☒ Yes ☐ No ☐ N/A
8. A/E services covering multiple projects: Sponsor has agreed to or will agree to:
a. Refrain from initiating work covered by this procurement beyond five years from the date of selection (AC 150/5100-14); and
b. Retain the right to conduct new procurement actions for projects identified or not identified in the RFQ (AC 150/5100-14).
☒ Yes ☐ No ☐ N/A
9. Sponsor has negotiated or will negotiate a fair and reasonable fee with the firm they select as most qualified for the services identified in the RFQ (2 CFR § 200.323).
☒ Yes ☐ No ☐ N/A
10. The Sponsor's contract identifies or will identify costs associated with ineligible work separately from costs associated with eligible work (2 CFR § 200.302).
☒ Yes ☐ No ☐ N/A
11. Sponsor has prepared or will prepare a record of negotiations detailing the history of the procurement action, rationale for contract type and basis for contract fees (2 CFR § 200.318(i)).
☒ Yes ☐ No ☐ N/A
12. Sponsor has incorporated or will incorporate mandatory contract provisions in the consultant contract for AIP-assisted work (49 U.S.C. Chapter 471 and 2 CFR part 200 Appendix II)
☒ Yes ☐ No ☐ N/A

13. For contracts that apply a time-and-material payment provision (also known as hourly rates, specific rates of compensation, and labor rates), the Sponsor has established or will establish:

- a. Justification that there is no other suitable contract method for the services (2 CFR §200.318(j));
- b. A ceiling price that the consultant exceeds at their risk (2 CFR §200.318(j)); and
- c. A high degree of oversight that assures consultant is performing work in an efficient manner with effective cost controls in place 2 CFR §200.318(j).

☒ Yes ☐ No ☐ N/A

14. Sponsor is not using or will not use the prohibited cost-plus-percentage-of-cost (CPPC) contract method. (2 CFR § 200.323(d)).

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this 5th day of May, 2018.

Name of Sponsor: Cities of Pullman, WA Moscow, ID c/o PMRA Board

Name of Sponsor's Authorized Official: Anthony Bean

Title of Sponsor's Authorized Official: Executive Director

Signature of Sponsor's Authorized Official: _____

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-132, Project Plans and Specifications – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

FAA Form 5100-132

Project Plans and Specifications

Airport Improvement Program Sponsor Certification

Sponsor: Cities of Pullman, WA and Moscow, ID c/o PMRA Board

Airport: Pullman-Moscow Regional Airport

Project Number: 3-53-0051-47/48/49-2018

Description of Work: Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 & 9

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). Labor and civil rights standards applicable to AIP are established by the Department of Labor (www.dol.gov/). AIP Grant Assurance C.1—General Federal Requirements identifies applicable federal laws, regulations, executive orders, policies, guidelines and requirements for assistance under AIP. A list of current advisory circulars with specific standards for procurement, design or construction of airports, and installation of equipment and facilities is referenced in standard airport sponsor Grant Assurance 34 contained in the grant agreement.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The plans and specifications were or will be prepared in accordance with applicable federal standards and requirements, so that no deviation or modification to standards set forth in the advisory circulars, or FAA-accepted state standard, is necessary other than those explicitly approved by the Federal Aviation Administration (FAA) (14 USC § 47105).
☒ Yes ☐ No ☐ N/A

2. Specifications incorporate or will incorporate a clear and accurate description of the technical requirement for the material or product that does not contain limiting or proprietary features that unduly restrict competition (2 CFR §200.319).
☒ Yes ☐ No ☐ N/A

3. The development that is included or will be included in the plans is depicted on the current airport layout plan as approved by the FAA (14 USC § 47107).
- ☒ Yes ☐ No ☐ N/A
4. Development and features that are ineligible or unallowable for AIP funding have been or will be omitted from the plans and specifications (FAA Order 5100.38, par. 3-43).
- ☒ Yes ☐ No ☐ N/A
5. The specification does not use or will not use "brand name" or equal to convey requirements unless sponsor requests and receives approval from the FAA to use brand name (FAA Order 5100.38, Table U-5).
- ☒ Yes ☐ No ☐ N/A
6. The specification does not impose or will not impose geographical preference in their procurement requirements (2 CFR §200.319(b) and FAA Order 5100.38, Table U-5).
- ☒ Yes ☐ No ☐ N/A
7. The use of prequalified lists of individuals, firms or products include or will include sufficient qualified sources that ensure open and free competition and that does not preclude potential entities from qualifying during the solicitation period (2 CFR §319(d)).
- ☒ Yes ☐ No ☐ N/A
8. Solicitations with bid alternates include or will include explicit information that establish a basis for award of contract that is free of arbitrary decisions by the sponsor (2 CFR § 200.319(a)(7)).
- ☒ Yes ☐ No ☐ N/A
9. Concurrence was or will be obtained from the FAA if Sponsor incorporates a value engineering clause into the contract (FAA Order 5100.38, par. 3-57).
- ☒ Yes ☐ No ☐ N/A
10. The plans and specifications incorporate or will incorporate applicable requirements and recommendations set forth in the federally approved environmental finding (49 USC §47106(c)).
- ☒ Yes ☐ No ☐ N/A
11. The design of all buildings comply or will comply with the seismic design requirements of 49 CFR § 41.120. (FAA Order 5100.38d, par. 3-92)
- ☐ Yes ☐ No ☒ N/A
12. The project specification include or will include process control and acceptance tests required for the project by as per the applicable standard:
- a. Construction and installation as contained in Advisory Circular (AC) 150/5370-10.
- ☒ Yes ☐ No ☐ N/A

b. Snow Removal Equipment as contained in AC 150/5220-20.

☐ Yes ☐ No ☒ N/A

c. Aircraft Rescue and Fire Fighting (ARFF) vehicles as contained in AC 150/5220-10.

☐ Yes ☐ No ☒ N/A

13. For construction activities within or near aircraft operational areas(AOA):

a. The Sponsor has or will prepare a construction safety and phasing plan (CSPP) conforming to Advisory Circular 150/5370-2.

b. Compliance with CSPP safety provisions has been or will be incorporated into the plans and specifications as a contractor requirement.

c. Sponsor will not initiate work until receiving FAA's concurrence with the CSPP (FAA Order 5100.38, Par. 5-29).

☒ Yes ☐ No ☐ N/A

14. The project was or will be physically completed without federal participation in costs due to errors and omissions in the plans and specifications that were foreseeable at the time of project design (49 USC §47110(b)(1) and FAA Order 5100.38d, par. 3-100).

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 5th day of MAY, 2018.

Name of Sponsor: Cities of Pullman, WA and Moscow, ID c/oPMRA Board

Name of Sponsor's Authorized Official: Anthony Bean

Title of Sponsor's Authorized Official: Executive Director

Signature of Sponsor's Authorized Official: _____

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-131, Equipment and Construction Contracts – Airport Improvement Sponsor Certification

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

FAA Form 5100-131

Equipment and Construction Contracts Airport Improvement Sponsor Certification

Sponsor: Cities of Pullman, WA and Moscow, ID c/o PMRA Board

Airport: Pullman-Moscow Regional Board

Project Number: 3-53-0051-47/48/49-2018

Description of Work: Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 & 9

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General procurement standards for equipment and construction contracts within Federal grant programs are described in 2 CFR §§ 200.317-200.326. Labor and Civil Rights Standards applicable to the AIP are established by the Department of Labor (www.dol.gov) AIP Grant Assurance C.1—General Federal Requirements identifies all applicable Federal Laws, regulations, executive orders, policies, guidelines and requirements for assistance under the AIP. Sponsors may use state and local procedures provided the procurement conforms to these federal standards.

This certification applies to all equipment and construction projects. Equipment projects may or may not employ laborers and mechanics that qualify the project as a "covered contract" under requirements established by the Department of Labor requirements. Sponsor shall provide appropriate responses to the certification statements that reflect the character of the project regardless of whether the contract is for a construction project or an equipment project.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A written code or standard of conduct is or will be in effect prior to commencement of the project that governs the performance of the sponsor's officers, employees, or agents in soliciting, awarding and administering procurement contracts (2 CFR § 200.318).

☒ Yes ☐ No ☐ N/A

2. For all contracts, qualified and competent personnel are or will be engaged to perform contract administration, engineering supervision, construction inspection, and testing (Grant Assurance C.17).
☒ Yes ☐ No ☐ N/A
3. Sponsors that are required to have a Disadvantage Business Enterprise (DBE) program on file with the FAA have included or will include clauses required by Title VI of the Civil Rights Act and 49 CFR Part 26 for Disadvantaged Business Enterprises in all contracts and subcontracts.
☒ Yes ☐ No ☐ N/A
4. Sponsors required to have a DBE program on file with the FAA have implemented or will implement monitoring and enforcement measures that:
- a. Ensure work committed to Disadvantaged Business Enterprises at contract award is actually performed by the named DBEs (49 CFR § 26.37(b));
 - b. Include written certification that the sponsor has reviewed contract records and has monitored work sites for performance by DBE firms (49 CFR § 26.37(b)); and
 - c. Provides for a running tally of payments made to DBE firms and a means for comparing actual attainments (i.e. payments) to original commitments (49 CFR § 26.37(c)).
- ☒ Yes ☐ No ☐ N/A
5. Sponsor procurement actions using the competitive sealed bid method (2 CFR § 200.320(c)). was or will be:
- a. Publicly advertised, allowing a sufficient response time to solicit an adequate number of interested contractors or vendors;
 - b. Prepared to include a complete, adequate and realistic specification that defines the items or services in sufficient detail to allow prospective bidders to respond;
 - c. Publicly opened at a time and place prescribed in the invitation for bids; and
 - d. Prepared in a manner that result in a firm fixed price contract award to the lowest responsive and responsible bidder.
- ☒ Yes ☐ No ☐ N/A
6. For projects the Sponsor proposes to use the competitive proposal procurement method (2 CFR § 200.320(d)), Sponsor has requested or will request FAA approval prior to proceeding with a competitive proposal procurement by submitting to the FAA the following:
- a. Written justification that supports use of competitive proposal method in lieu of the preferred sealed bid procurement method;
 - b. Plan for publicizing and soliciting an adequate number of qualified sources; and
 - c. Listing of evaluation factors along with relative importance of the factors.
- ☒ Yes ☐ No ☐ N/A
7. For construction and equipment installation projects, the bid solicitation includes or will include the current federal wage rate schedule(s) for the appropriate type of work classifications (2 CFR Part 200, Appendix II).
☒ Yes ☐ No ☐ N/A

8. Concurrence was or will be obtained from the Federal Aviation Administration (FAA) prior to contract award under any of the following circumstances (Order 5100.38D):
- a. Only one qualified person/firm submits a responsive bid;
 - b. Award is to be made to other than the lowest responsible bidder; and
 - c. Life cycle costing is a factor in selecting the lowest responsive bidder.
- ☒ Yes ☐ No ☐ N/A
9. All construction and equipment installation contracts contain or will contain provisions for:
- a. Access to Records (§ 200.336)
 - b. Buy American Preferences (Title 49 U.S.C. § 50101)
 - c. Civil Rights - General Provisions and Title VI Assurances (41 CFR part 60)
 - d. Federal Fair Labor Standards (29 U.S.C. § 201, et seq)
 - e. Occupational Safety and Health Act requirements (20 CFR part 1920)
 - f. Seismic Safety – building construction (49 CFR part 41)
 - g. State Energy Conservation Requirements - as applicable (2 CFR part 200, Appendix II)
 - h. U.S. Trade Restriction (49 CFR part 30)
 - i. Veterans Preference (49 USC § 47112(c))
- ☒ Yes ☐ No ☐ N/A
10. All construction and equipment installation contracts exceeding \$2,000 contain or will contain the provisions established by:
- a. Davis-Bacon and Related Acts (29 CFR part 5)
 - b. Copeland "Anti-Kickback" Act (29 CFR parts 3 and 5)
- ☒ Yes ☐ No ☐ N/A
11. All construction and equipment installation contracts exceeding \$3,000 contain or will contain a contract provision that discourages distracted driving (E.O. 13513).
- ☒ Yes ☐ No ☐ N/A
12. All contracts exceeding \$10,000 contain or will contain the following provisions as applicable:
- a. Construction and equipment installation projects - Applicable clauses from 41 CFR Part 60 for compliance with Executive Orders 11246 and 11375 on Equal Employment Opportunity;
 - b. Construction and equipment installation - Contract Clause prohibiting segregated facilities in accordance with 41 CFR part 60-1.8;
 - c. Requirement to maximize use of products containing recovered materials in accordance with 2 CFR § 200.322 and 40 CFR part 247; and
 - d. Provisions that address termination for cause and termination for convenience (2 CFR Part 200, Appendix II).
- ☒ Yes ☐ No ☐ N/A

13. All contracts and subcontracts exceeding \$25,000: Measures are in place or will be in place (e.g. checking the System for Award Management) that ensure contracts and subcontracts are not awarded to individuals or firms suspended, debarred, or excluded from participating in federally assisted projects (2 CFR parts 180 and 1200).

☒ Yes ☐ No ☐ N/A

14. Contracts exceeding the simplified acquisition threshold (currently \$150,000) include or will include provisions, as applicable, that address the following:

- a. Construction and equipment installation contracts - a bid guarantee of 5%, a performance bond of 100%, and a payment bond of 100% (2 CFR § 200.325);
- b. Construction and equipment installation contracts - requirements of the Contract Work Hours and Safety Standards Act (40 USC 3701-3708, Sections 103 and 107);
- c. Restrictions on Lobbying and Influencing (2 CFR part 200, Appendix II);
- d. Conditions specifying administrative, contractual and legal remedies for instances where contractor or vendor violate or breach the terms and conditions of the contract (2 CFR §200, Appendix II); and
- e. All Contracts - Applicable standards and requirements issued under Section 306 of the Clean Air Act (42 USC 7401-7671q), Section 508 of the Clean Water Act (33 USC 1251-1387, and Executive Order 11738.

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 5th day of May, 2018.

Name of Sponsor: Cities of Pullman, WA and Moscow, ID c/o PMRA Board

Name of Sponsor's Authorized Official: Anthony Bean

Title of Sponsor's Authorized Official: Executive Director

Signature of Sponsor's Authorized Official: _____

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-129, Construction Project Final Acceptance – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

FAA Form 5100-129

Construction Project Final Acceptance Airport Improvement Program Sponsor Certification

Sponsor: Cities of Pullman, WA and Moscow, ID - c/o PMRA Board

Airport: Pullman-Moscow Regional Airport

Project Number: 3-53-0051-47/48/49-2018

Description of Work: Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 & 9

Application

49 USC § 47105(d), authorizes the Secretary to require me certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program. General standards for final acceptance and close out of federally funded construction projects are in 2 CFR § 200.343 – Closeout and supplemented by FAA Order 5100.38. The sponsor must determine that project costs are accurate and proper in accordance with specific requirements of the grant agreement and contract documents.

Certification Statements

Except for certification statements below marked not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgment and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The personnel engaged in project administration, engineering supervision, project inspection, and acceptance testing were or will be determined to be qualified and competent to perform the work (Grant Assurance).
☒ Yes ☐ No ☐ N/A
2. Construction records, including daily logs, were or will be kept by the resident engineer/construction inspector that fully document contractor's performance in complying with:
 - a. Technical standards (Advisory Circular (AC) 150/5370-12);
 - b. Contract requirements (2 CFR part 200 and FAA Order 5100.38); and
 - c. Construction safety and phasing plan measures (AC 150/5370-2).☒ Yes ☐ No ☐ N/A
3. All acceptance tests specified in the project specifications were or will be performed and documented. (AC 150/5370-12).
☒ Yes ☐ No ☐ N/A

4. Sponsor has taken or will take appropriate corrective action for any test result outside of allowable tolerances (AC 150/5370-12).
☒ Yes ☐ No ☐ N/A
5. Pay reduction factors required by the specifications were applied or will be applied in computing final payments with a summary made available to the FAA (AC 150/5370-10).
☒ Yes ☐ No ☐ N/A
6. Sponsor has notified, or will promptly notify the Federal Aviation Administration (FAA) of the following occurrences:
- a. Violations of any federal requirements set forth or included by reference in the contract documents (2 CFR part 200);
 - b. Disputes or complaints concerning federal labor standards (29 CFR part 5); and
 - c. Violations of or complaints addressing conformance with Equal Employment Opportunity or Disadvantaged Business Enterprise requirements (41 CFR Chapter 60 and 49 CFR part 26).
- ☒ Yes ☐ No ☐ N/A
7. Weekly payroll records and statements of compliance were or will be submitted by the prime contractor and reviewed by the sponsor for conformance with federal labor and civil rights requirements as required by FAA and U.S. Department of Labor (29 CFR Part 5).
☒ Yes ☐ No ☐ N/A
8. Payments to the contractor were or will be made in conformance with federal requirements and contract provisions using sponsor internal controls that include:
- a. Retaining source documentation of payments and verifying contractor billing statements against actual performance (2 CFR § 200.302 and FAA Order 5100.38);
 - b. Prompt payment of subcontractors for satisfactory performance of work (49 CFR § 26.29);
 - c. Release of applicable retainage upon satisfactory performance of work (49 CFR § 26.29); and
 - d. Verification that payments to DBEs represent work the DBE performed by carrying out a commercially useful function (49 CFR §26.55).
- ☒ Yes ☐ No ☐ N/A
9. A final project inspection was or will be conducted with representatives of the sponsor and the contractor present that ensure:
- a. Physical completion of project work in conformance with approved plans and specifications (Order 5100.38);
 - b. Necessary actions to correct punch list items identified during final inspection are complete (Order 5100.38); and
 - c. Preparation of a record of final inspection and distribution to parties to the contract (Order 5100.38);
- ☒ Yes ☐ No ☐ N/A
10. The project was or will be accomplished without material deviations, changes, or modifications from approved plans and specifications, except as approved by the FAA (Order 5100.38).
☒ Yes ☐ No ☐ N/A

11. The construction of all buildings have complied or will comply with the seismic construction requirements of 49 CFR § 41.120.

☐ Yes ☐ No ☒ N/A

12. For development projects, sponsor has taken or will take the following close-out actions:

- a. Submit to the FAA a final test and quality assurance report summarizing acceptance test results, as applicable (Grant Condition);
- b. Complete all environmental requirements as established within the project environmental determination (Order 5100.38); and
- c. Prepare and retain as-built plans (Order 5100.38).

☒ Yes ☐ No ☐ N/A

13. Sponsor has revised or will revise their airport layout plan (ALP) that reflects improvements made and has submitted or will submit an updated ALP to the FAA no later than 90 days from the period of performance end date. (49 USC § 47107 and Order 5100.38).

☒ Yes ☐ No ☐ N/A

Attach documentation clarifying any above item marked with "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 5th day of May, 2018.

Name of Sponsor: Cities of Pullman, WA and Moscow, ID c/o PMRA Board

Name of Sponsor's Authorized Official: Anthony Bean

Title of Sponsor's Authorized Official: Executive Director

Signature of Sponsor's Authorized Official: _____



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

FAA Form 5100-130, Drug-Free Workplace – Airport Improvement Program Sponsor Certification

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

FAA Form 5100-130

Drug-Free Workplace Airport Improvement Program Sponsor Certification

Sponsor: Cities of Pullman, WA and Moscow, ID c/o PMRA Board

Airport: Pullman-Moscow Regional Airport

Project Number: 3-53-0051-47/48/49-2018

Description of Work: Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 & 9

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on the drug-free workplace within federal grant programs are described in 2 CFR part 182. Sponsors are required to certify they will be, or will continue to provide, a drug-free workplace in accordance with the regulation. The AIP project grant agreement contains specific assurances on the Drug-Free Workplace Act of 1988.

Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A statement has been or will be published prior to commencement of project notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sponsor's workplace, and specifying the actions to be taken against employees for violation of such prohibition (2 CFR § 182.205).

☒ Yes ☐ No ☐ N/A

2. An ongoing drug-free awareness program (2 CFR § 182.215) has been or will be established prior to commencement of project to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The sponsor's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

☒ Yes ☐ No ☐ N/A

3. Each employee to be engaged in the performance of the work has been or will be given a copy of the statement required within item 1 above prior to commencement of project (2 CFR § 182.210).
- ☒ Yes ☐ No ☐ N/A
4. Employees have been or will be notified in the statement required by item 1 above that, as a condition employment under the grant (2 CFR § 182.205(c)), the employee will:
- a. Abide by the terms of the statement; and
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
- ☒ Yes ☐ No ☐ N/A
5. The Federal Aviation Administration (FAA) will be notified in writing within 10 calendar days after receiving notice under item 4b above from an employee or otherwise receiving actual notice of such conviction (2 CFR § 182.225). Employers of convicted employees must provide notice, including position title of the employee, to the FAA (2 CFR § 182.300).
- ☒ Yes ☐ No ☐ N/A
6. One of the following actions (2 CFR § 182.225(b)) will be taken within 30 calendar days of receiving a notice under item 4b above with respect to any employee who is so convicted:
- a. Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; and
 - b. Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation programs approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- ☒ Yes ☐ No ☐ N/A
7. A good faith effort will be made, on a continuous basis, to maintain a drug-free workplace through implementation of items 1 through 6 above (2 CFR § 182.200).
- ☒ Yes ☐ No ☐ N/A

Site(s) of performance of work (2 CFR § 182.230):

Location 1

Name of Location: Pullman-Moscow Regional Airport

Address: 3200 Airport Complex North, Pullman, WA 99163

Location 2 (if applicable)

Name of Location:

Address:

Location 3 (if applicable)

Name of Location:

Address:

Attach documentation clarifying any above item marked with a "No" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 5th day of May, 2010.

Name of Sponsor: Cities of Pullman, WA and Moscow, ID c/o PMRA Board

Name of Sponsor's Authorized Official: Anthony Bean

Title of Sponsor's Authorized Official: Executive Director

Signature of Sponsor's Authorized Official: _____



I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



U.S. Department
of Transportation
**Federal Aviation
Administration**

**FAA Form 5100-135, Certification and Disclosure Regarding
Potential Conflicts of Interest – Airport Improvement Program
Sponsor Certification**

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0569. Public reporting for this collection of information is estimated to be approximately 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are required under 49 U.S.C. Section 47105 to retain a benefit and to meet the reporting requirements of 2 CFR 200. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Federal Aviation Administration at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, ASP-110.

FAA Form 5100-135

Certification and Disclosure Regarding Potential Conflicts of Interest Airport Improvement Program Sponsor Certification

Sponsor: Cities of Pullman, WA and Moscow, ID c/o PMRA Board

Airport: Pullman-Moscow Regional Airport

Project Number: 3-53-0051-47/48/49-2018

Description of Work: Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 & 9

Application

Title 2 CFR § 200.112 and § 1201.112 address Federal Aviation Administration (FAA) requirements for conflict of interest. As a condition of eligibility under the Airport Improvement Program (AIP), sponsors must comply with FAA policy on conflict of interest. Such a conflict would arise when any of the following have a financial or other interest in the firm selected for award:

- a) The employee, officer or agent,
- b) Any member of his immediate family,
- c) His or her partner, or
- d) An organization which employs, or is about to employ, any of the above.

Selecting "Yes" represents sponsor or sub-recipient acknowledgement and confirmation of the certification statement. Selecting "No" represents sponsor or sub-recipient disclosure that it cannot fully comply with the certification statement. If "No" is selected, provide support information explaining the negative response as an attachment to this form. This includes whether the sponsor has established standards for financial interest that are not substantial or unsolicited gifts are of nominal value (2 CFR § 200.318(c)). The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance.

Certification Statements

1. The sponsor or sub-recipient maintains a written standards of conduct governing conflict of interest and the performance of their employees engaged in the award and administration of contracts (2 CFR § 200.318(c)). To the extent permitted by state or local law or regulations, such standards of conduct provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the sponsor's and sub-recipient's officers, employees, or agents, or by contractors or their agents.

☒ Yes ☐ No

2. The sponsor's or sub-recipient's officers, employees or agents have not and will not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements (2 CFR § 200.318(c)).

☒ Yes ☐ No

3. The sponsor or sub-recipient certifies that it has disclosed and will disclose to the FAA any known potential conflict of interest (2 CFR § 1200.112).

☒ Yes ☐ No

Attach documentation clarifying any above item marked with "no" response.

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and have the explanation for any item marked "no" is correct and complete.

Executed on this 5th day of May, 2018.

Name of Sponsor: Pullman, WA and Moscow, ID c/o PMRA Board

Name of Sponsor's Authorized Official: Anthony Bean

Title of Sponsor's Authorized Official: Executive Director

Signature of Sponsor's Authorized Official: _____

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

TITLE VI PRE-AWARD SPONSOR CHECKLIST

Airport/Sponsor: Cities of Pullman, WA & Moscow, ID, c/o Pullman-Moscow Regional Airport Board

AIP #: 3-53-0051-047/048/049-2018

Project Description(s): Realign Runway 6/24 (Future Designation 5/23) Phases 7, 8 & 9

1) Please describe any of the following IF they apply to your project: Title VI issues raised at public hearing(s) and the conclusions made; EIS data concerning the race, color, or national origin of the affected community; steps taken or proposed to guard against unnecessary impact on persons on the basis of race, color or national origin.

☒ None

2) Please list any airport related Title VI lawsuits or complaints filed in the preceding year against the sponsor. Include a summary of the findings.

☒ None (If "None", continue with questions 3 and 4).

3) Please list any current applications for federal funding (other than FAA) of airport related projects which exceed the amount for this grant.

☒ None

4) Please list any airport related Title VI compliance review(s) received by the sponsor in the preceding two years. Include who conducted the review and any findings of noncompliance.

☒ None

To be completed by the Civil Rights Staff

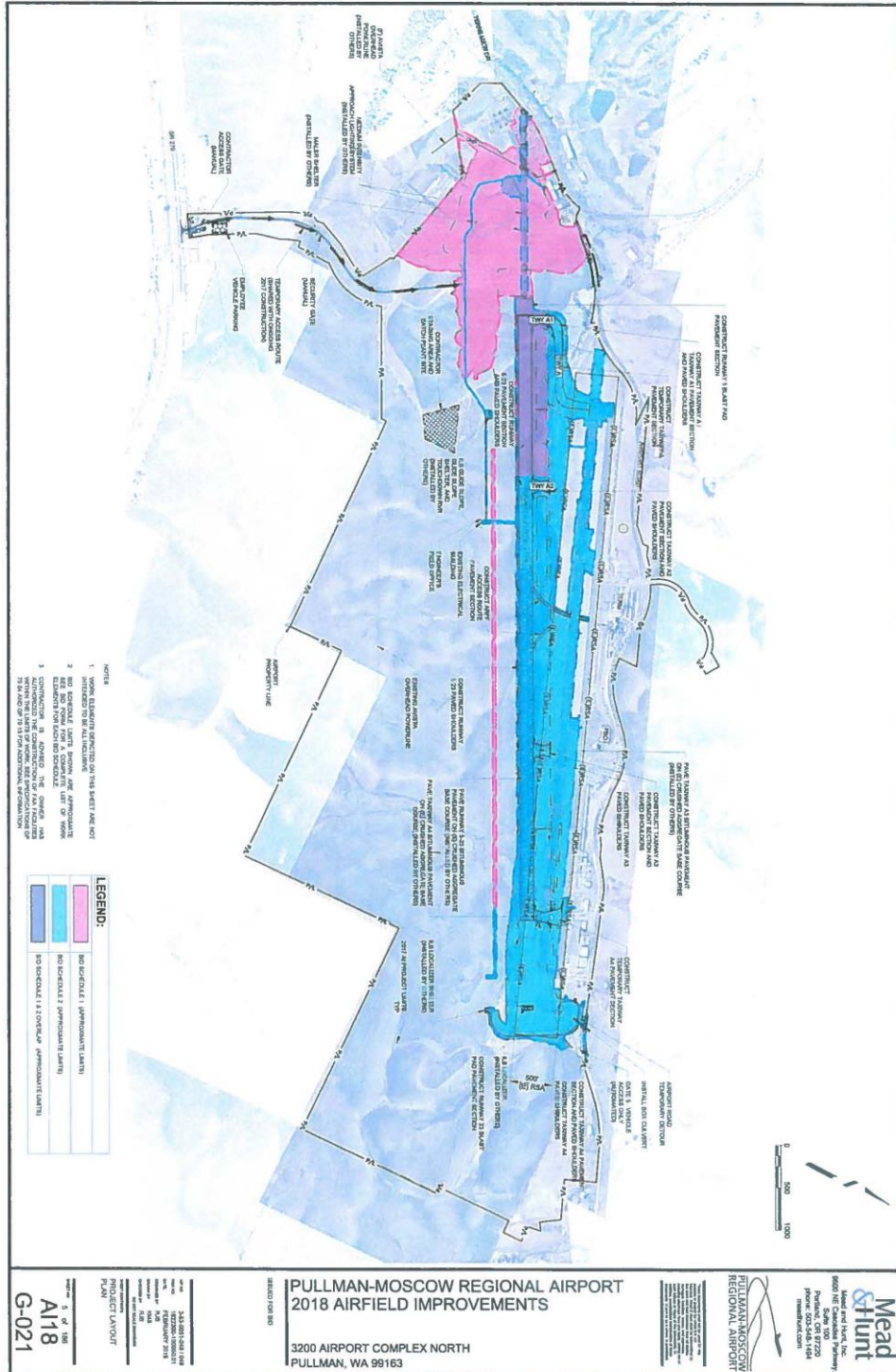
Review completed and approved: _____

Signature

Date: 5-10-18

This checklist is only required for projects that involve one of the following: Environmental Assessment or Impact Statement (EIS); airport or runway relocation; major runway extension; relocation of any structure of person; or impact to access or preservation of any burial ceremonial or other sacred or historical structures or lands of any indigenous or ethnic population.

Return to: FAA, Civil Rights, Northwest Mountain Region; 1601 Lind Ave. SW; Renton, WA 98057-3356. FAX: (425) 227-1009 Phone (425) 227-2009



MOSCOW CITY COUNCIL AGENDA

Meeting Date: 06/04/2018

Title: Formal Resolution Adopting Farmers Market Handbook

Responsible Staff: Jen Pfiffner

Information

DESCRIPTION: Historically, as Moscow Farmers Market policies have been developed by staff and later by the Moscow Farmers Market Commission, the final document has been adopted by the Council via resolution. The last time policies were adopted via resolution was in 2012. Since that time no substantive changes were made to the policies until 2018. The Moscow Farmers Market 2018 Vendor Handbook which includes the current policies of the Market was presented to Council on March 5, 2018 by Daniel Stewart. At that presentation it was noted that the handbook was developed per the adopted Moscow Farmers Market Strategic Plan. Updates to the 2018 season policies included more robust changes than in recent years in order to enhance transparency and understanding and to provide vendors with additional information for the reasoning behind policies. Specifically, the goal of the update was to increase the clarity, quality, consensus on and consistency of policies. The document was reviewed and recommended for approval by the Administrative Committee on February 26, 2018; presented and adopted by the City Council on March 5, 2018.

This item is presented at this time to include a formal resolution adopting the current policies.

STAFF RECOMMENDATION: Recommend approval of the attached resolution adopting the Farmers Market policies adopted by City Council on March 5, 2018.

PROPOSED ACTIONS: Recommend approval of the attached resolution adopting the Farmers Market policies adopted by City Council on March 5, 2018 or provide staff further direction.

Necessary Resources/Impacts:

N/A

Attachments

Market Policies 2018 Final
FarmersMarketHandbook(2018)pm2

RESOLUTION NO. –2018 -

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING THE MOSCOW FARMERS MARKET 2018 VENDOR HANDBOOK INCLUDED HERewith AND INCORPORATED HEREIN BY THIS REFERENCE; PROVIDING THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Moscow’s Farmers Market (hereinafter “the Market”) has been in existence since 1976; and

WHEREAS, the Market is an integral part of Moscow’s vibrant downtown bringing together people from all viewpoints, walks of life, and interests;

WHEREAS, the Council wishes to continue to support and promote the Market; and

WHEREAS, establishment of the Moscow Farmers Market 2018 Vendor Handbook (hereinafter “Handbook”) will allow for an efficient, effective, predictable and fair administration of Market activities during the 2018 Market Season; and

WHEREAS, this Handbook has been developed and recommended by the Moscow Farmers Market Commission, with input from City staff members, and made available for review by vendors and the public through public Commission meetings; and

WHEREAS, this Handbook enhances transparency and understanding, and provides vendors with additional information for the reasoning behind policies, as the goal of the Handbook was to increase the clarity, quality, consensus on and consistency of policies; and

WHEREAS, the Council believes that this Handbook and the policies contained herein are appropriate, will support the Market Vendors, and will enhance the Market experience for all of those who participate in this great City activity;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow as follows:

The attached Moscow Farmers Market 2018 Vendor Handbook is hereby adopted for the 2018 Market Season.

PASSED AND APPROVED by the Mayor of the City of Moscow, Idaho, this _____ day of May, 2018.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

MOSCOW FARMERS MARKET

2018 VENDOR HANDBOOK



City of Moscow

206 E THIRD STREET | MOSCOW, IDAHO

WWW.CI.MOSCOW.ID.US | 208.883.7132 | FARMERSMARKET@CI.MOSCOW.ID.US

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Moscow Farmers Market Overview

The Moscow Farmers Market has been a treasured and vibrant part of the community since its inception as a small, grassroots gathering over 40-years-ago. It serves to provide locally grown produce and quality wares, as well as bring the community together in ways no other event or service does. Whether Market goes visit to purchase their weekly groceries or simply to enjoy the music and socialize, the experience of the Market promotes a sense of place and helps citizens feel tied to the community. The Moscow Farmers Market is unique in its ability to stay rooted to the original purpose and charm of a local market, while growing and progressing with trends and needs. The variety of stakeholders invested in the Moscow Farmers Market means that each decision can have great impact on our residents, vendors, local business, city staff, and more.

Market Leadership is formed by a collaboration of City of Moscow Staff and The Moscow Farmers Market Commission. City staff manages the operational and regulatory aspects of the Market while the Commission guides the vision and values of the market.

It is the duty of the Commission to suggest ways to promote and improve the Farmers Market, propose and/or review Market policies, keep abreast of trends and opportunities for advancing Market interests, products, standards, and offerings, and to otherwise act in an advisory role to

Moscow Farmers Market Commission Members

Vendor Representatives

Adam Reed, Commission Chair
Produce Vendor Representative

Jeremy Ritter
Specialty Food Vendor Representative

Linda Heath
Crafts Vendor Representative

Community Representatives

Erin Carroll
At-Large Representative

Jamie Hill, Commission Vice-Chair
At-Large Representative

Joann Muneta
At-Large Representative

David Pierce
At-Large Representative

Specialty Representatives

Colette DePhelps
University of Idaho Extension Representative

Jenny Ford
Chamber of Commerce Representative

A

the Moscow City Council. Commission members are also charged with representing the various constituencies their position represents.

The Commission meets regularly to discuss Market concerns; review and/or propose Market policies; report annually to the City Council; work with City staff to suggest ways to promote and improve the Market; advise City staff as needed; keep abreast of trends and opportunities for advancing Market interests, products, standards, and offerings; and create increased awareness of Market needs and opportunities to insure sustainability and responsible management and growth.

This work is summarized in the Commission's mission statement and core values statements as noted below:

Mission Statement

The Moscow Farmers Market celebrates life on the Palouse by providing the community with the opportunity to buy and sell locally farmed and/or created agricultural products (e.g., crops, meat, cheese, wine, etc.), distinctive handmade goods, artisan pieces and original-recipe cuisine. This venue is meant to encourage and support sustainable economic, social and environmental practices.

Core Values

Access: Providing access to locally grown produce, foods, unique hand-made goods and their producers.

Economic Opportunity: Contributing to the greater Moscow economy with emphasis on assisting local, small, independently owned, and start-up enterprises.

Community: Building community by welcoming all residents and visitors, and providing a safe space and opportunity for community engagement, interaction, entertainment, and cultural enrichment.

Information: Increasing awareness of and providing education about and in support of health and wellness practices, regional agriculture, sustainability, and sound environmental practices.

Moscow Farmers Market Staff

Jen Pfiffner
Assistant City Supervisor

Daniel Stewart
Community Events Manager

Zack Ellis
Videographer/ Sound Technician

Jenine Estlick, AmeriCorps
Volunteer/ Program Coordinator

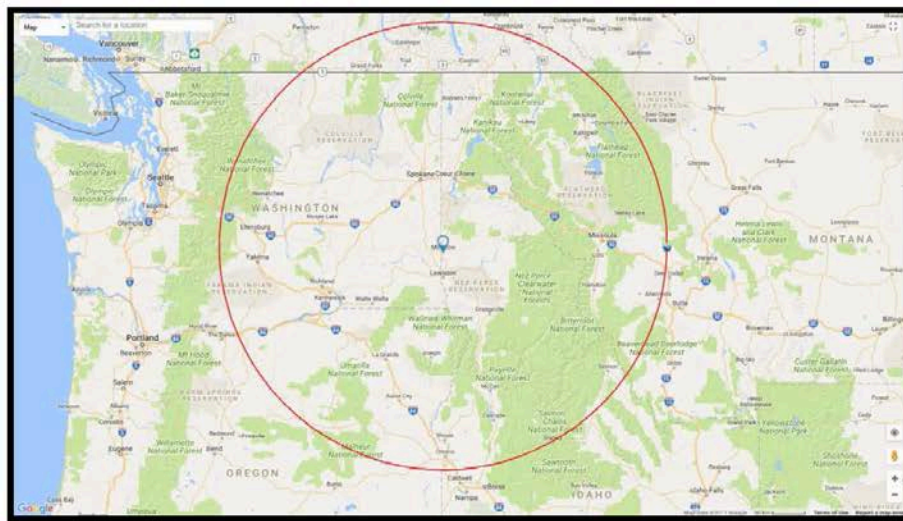
DJ Scallorn
Administrative Assistant

Philosophies

In addition to the mission and core values of the market, there are several important philosophies that have been adopted in order to maintain the integrity of the Market. These concepts have provided operational guidelines for the Market for many years. Each of these items are noted more specifically in the policy section of this Handbook that follow and are highlighted here as well given their importance.

Local Production

All Vendors shall be the grower/ producer and conduct their operation in a location not more than two hundred (200) air miles from City of Moscow, Idaho.



200 AIR MILES FROM THE CITY OF MOSCOW, IDAHO

Product Mix

It is the goal of the Moscow Farmers Market to have fifty percent (50%) of all approved Vendors selling agricultural products.

Vending

Those who participate in selling at the Market must qualify in at least one vending category as defined within this Handbook. All Vendors are approved through either the jury process or site visit as defined in this Handbook (see Appendix 6 – Jury Process & Site Visits) to ensure compliance with Market Policy and Philosophies.

Definition of Terms

These definitions are included to provide a background for terms used throughout this document.

Agriculture: The science, art, or practice of cultivating the soil, producing crops, and raising livestock and in varying degrees the preparation and marketing of the resulting products.

Approved Vendor: An individual or a group that qualify to participate in selling at the Market in at least one of the listed vending categories, as defined in this Handbook. Agricultural Vendors are approved through an interview and trial period, followed by a site visit. All other Vendors are approved through a jury process as outlined in Appendix 6. These vetting processes are in place to ensure compliance with Market Policy and Philosophies. All Vendors are subject to site visit.



Local: The Moscow Farmers Market recognizes the many possible definitions of this term, for the purposes of Market operation and regulation “local” is defined as follows: *No more than two hundred (200) air miles from the City of Moscow, Idaho.* Please see the visual aid on page iii.

Local Sourcing: The purchase of goods directly from local growers/ producers for use in creating a product for sale at the Moscow Farmers Market.

Product Mix: A range of associated products, strategically collected, that when marketed together, yields larger sales revenue than if they were marketed individually or in isolation from others.

Sustainable Practices: An integrated system of plant and animal production practices that are capable of maintaining their productivity and usefulness to society indefinitely. These systems incorporate the most efficient use of nonrenewable resources and on-farm resources, and where appropriate, natural biological cycles and controls, maintain agricultural productivity, promote economic viability in both the short and long term, and maintain stable rural communities and quality of life.

Vending Categories

Specific Requirements for each of these categories can be found in more depth in Appendix 6.

In efforts to support regional agriculture and small business, The Moscow Farmers Market encourages all Vendors to utilize local sourcing that is direct from producer, whenever possible. The Market strongly encourages hygienic and sustainable practices in the planting, growing, cultivating, harvesting, transporting, and offering of such items for sale. All processed foods must be made in accordance with relevant State of Idaho regulations. Commercial kitchens must be used to prepare certain foods, as required by relevant State Codes. Copies of all relevant 3rd party, city, state, and/ or federal licenses, certifications and/ or permits required are to be submitted prior to vending. It is the responsibility of the Vendor to know and understand what regulations may apply to their operation.

Agriculture Vendors

Fresh Produce and Nursery Vendors: Market Vendors who grow or produce the fresh produce, herbs, grains, fruits, vegetables, cut flowers, potted plants, and other plants, seeds, shrubs, raw nuts, tree and vine starts they bring to the Market.

Meat / Poultry Vendors: Market Vendors with the majority of products sold being Meat / Poultry products such as cuts of meat and “off the hoof” sales and byproducts such as milk, eggs, etc.

Apiarist Vendors: Market Vendors who are bee keepers and the majority of products sold are the honey, honeycomb, and wax from their hives.

Value-Added: Market Vendors who produce the majority of supplies or ingredients for their processed goods and/or foods including fibers, wood products, preserves, jams, jellies, ciders, beer, wine, syrups, salsas, smoked meats, cheeses, dried fruits and herbs, flours, oils, etc. The significant constituents of the product must be grown or raised on the producer’s farm, ranch or market garden and subsequently processed by the grower.

Forager Vendors: Market Vendors who sell qualified items harvested from the wild.

Non-Agriculture Vendors

Prepared Food

Processed Foods Market Vendors who process foods including preserves, jams, jellies, ciders, beer, wine, syrups, salsas, smoked meats, cheeses, dried fruits and herbs, flours, oils, roasted nuts etc. with all such ingredients not grown or raised by the producer. These products are not intended for immediate consumption.

Ready to Eat Foods. The majority of products sold at the Market are ready-to-eat foods that are made on-site Market day or prepared in advance and served on Market day with the intent of immediate consumption.

Craft and/or Artisan

Craft/Artisan products must be hand-crafted/designed by the Vendor. Craft/Artisan Vendors are not allowed to carry items made by others unless it is a part of the product design as a whole i.e. a ceramic honey pot and wooden honey dipper, pendant and chain, etc.

Craft/Artisan items must be the product of a home or cottage-type industry using an intermediate type technology rather than industrial-type production.

To be considered "hand-crafted," the item must show evidence of manual skills obtainable only through a significant period of experience and dedication of one's own design and making – this includes but is not limited to:

Fine Arts such as painting, drawings, sculpture, pottery, ceramics, etc.

Heritage Arts such as basket-making, soap-making (known as cosmetics see below), candle-making, woodworking, blacksmithing, knitting, crocheting, etc.

Cosmetics are considered crafts and include creams, lotions, shampoos, and some soap products. Cosmetics must be in compliance with the Federal Food, Drug, and Cosmetic Act, the Fair Packaging and Labeling Act, and must follow rules set by the FDA. Soap products consisting primarily of alkali salts and of fatty acids and which make no label claim (other than the cleansing of the human body) are not considered cosmetics for purposes of these Market policies, but can still be available for sale as craft.

Decorative Arts for self, home and garden, such as jewelry, birdhouses, furniture from recycled materials, mosaics, stained-glass items, lawn sculpture, photography etc.

Examples of unacceptable items would be, but not limited to tracings, paint by number, wood or metal product using duplicating machines, kits in any form, and any other items which clearly do not reflect originality of design as determined by the jury process or Farmers Market Manager.

Youth Vendors

The Market encourages and supports early entrepreneurial interest of farming, gardening, crafts, and food preparation. The general rules of the Market apply to the Youth Market (e.g., complete registration forms, pay appropriate fee(s) as determined by City Council; produce must be grown, cultivated, and harvested by the youth; crafts must be made by the youth; and all items must be pre-approved by the Market Manager).

- Youth must be younger than seventeen (17) years of age to participate in the Market as a Youth Vendor.
- Youth under the age of 14 must be supervised by an adult at all times during the Market.
- Youth Vendors will be limited to groups of no more than three (3) youth participants per group.
- Youth Vendors need to request Market space by the Friday prior to Market day.

Performance Vendors (Busker)

Any person or group of persons who plays musical instruments, sings, dances, speaks, offers face painting, balloon tying, or otherwise provides entertainment in the Market, other than in designated Vendor spaces. Performance Vendors may seek tips or donations for such performances. Commercial vending of products is not considered a "performance" and, as such, does not qualify as "performers" under Market Policy. The Market reserves the right to designate locations for these activities.

Table of Policies

Market Policies shall apply to the Moscow Farmers Market and its Vendors. These Policies have been developed by the Farmers Market Commission, with City Staff and community input and have been reviewed and approved by the City Council.

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Market Operating Policies

1. **Market Location.** The Market is located generally on Main Street south of Third Street and north of Sixth Street in downtown Moscow, and east of Main Street on the 4th Street right-of-way (west) of the cul-de-sac, east on 5th Street from Main Street to the alley, and Friendship Square, unless temporarily located or extended elsewhere when found to be in the best interest of the City. *Most generally, the market moves off Main Street for University of Idaho's Homecoming Parade.* See Appendix I (Moscow Farmers Market Map & Boundaries).
2. **Vendor Production and Location Rule.** All Vendors shall be the grower/ producer and conduct their operation in a location not more than two hundred (200) air miles from the City of Moscow, Idaho.
3. **Market Schedule**
 - a. Market Season is every Saturday in the months of May through October, annually.
 - b. Market sales occur between the hours of 8:00 a.m. and 1:00 p.m.
 - c. Main Street will be closed by City of Moscow Staff beginning at 5:00 a.m. and re-opened by 2:00p.m. by City of Moscow Staff.
 - d. The City of Moscow Police Department will have any non-market related vehicles removed from Main Street by 5:00 a.m.
4. **Becoming a Market Vendor**
 - a. Vending at the Moscow Farmers Market for new participants or those who have been absent from market for two or more consecutive seasons requires an approval process followed by registration. These processes are specific for different vending categories. To become an approved Vendor at the Moscow Farmers Market please follow the steps outlined in Appendix 6.
 - b. Returning Vendors will need to register for the upcoming season and submit relevant required documents as indicated in Appendix 6.
5. **Market Vendor Space**
 - a. Most Market Vendor spaces will be marked as an eleven foot by fifteen foot (11' x 15') space. A Market Vendor's business must be conducted within Market Vendor's assigned space. Market Vendors may not extend beyond the limits of the assigned space or into the pedestrian area at the entrance of the Market Vendor space unless specifically authorized by Market Management. Canopies and umbrellas cannot extend outside a Market Vendor space. Requests for additional adjacent Market Vendor space will be granted at the discretion of Market Manager, where possible. The Moscow Fire Department conducts unscheduled inspections for compliance with relevant safety regulations throughout the Market Season to assure public safety and emergency vehicle accessibility. Market Vendors who use tents must comply with Fire Department safety regulations. See Appendix 3.
 - b. The Market recognizes the value of Vendors maintaining a consistent location for the development of a healthy customer base. Without compromising quality, preference will be given to the most local grower / producer when space becomes available.

Vending space allocation is decided at the discretion of the Market Manager and based on the level of commitment chosen by the Vendor as defined in the fee schedule (see Appendix 2), historical occupation and availability as it pertains to Market Product Mix. Vendors that have consistently occupied a specific space(s) in Market during the previous Market Season and purchase the Tier 3 vending package for the upcoming market season will be given the opportunity to remain in that same location for the duration of that market season. Agricultural based Vendors whose product readiness is determined by the growing seasons will be given special consideration by Market Management on a case by case basis.

- c. Use of a Market Vendor space for purposes other than those outlined in this Handbook is prohibited, unless specifically authorized.
 - d. Any proposal by Market Vendors to share a Vendor space must be approved by the Market Manager.
 - e. The City reserves the right to make the final decision on vending space and Tier package allocation based upon Overall Market and Market Product Mix needs.
6. **Market Fee Packages.** Vendor fees for the Moscow Farmers Market are adopted annually by the City Council by resolution. Fees for the current season include an annual registration fee, a daily per booth fee, and any additional optional fees as outlined in Appendix 2 – Moscow Farmers Market Fees.
- a. Three different Tiers allow for Vendors to self-select their level of participation in the Market. Each Tier offers different benefits and levels of flexibility (listed below). The Vendor chooses the preferred Tier based on the number of Markets they plan to attend during a Market Season. Packages are non-transferrable and non-refundable. *Please note - peak season occurs late June through the end of September, space for Tier 1 & 2 remains available on a limited basis and may be located on 5th Street.*
 - Tier-3/Season Vendor
 - Vendor chooses to attend between 18 to 26 consecutive Market days
 - Highest registration fee
 - Lowest daily per booth fee
 - Provides full season option
 - Guaranteed same location at each Market
 - Tier-2
 - Vendor chooses to attend between 9 to 17 Markets
 - Mid-Range registration & daily fees
 - Same location as available
 - Tier-1
 - Vendor chooses to attend between 1 to 8 Markets
 - Lowest registration fee
 - Highest daily per booth fee
 - No guaranteed same location at each Market

- b. Registration will open annually in March with notice sent to all Vendors.
 - c. Additional Market days may be added throughout the season by contacting the Market Manager by the Tuesday 5 p.m. prior to the Market day to be added.
 - d. Vendors may request additional Market days or cancel planned Market attendance resulting in more or fewer days than their selected Tier. Tiers cannot be changed during the months which Market occurs.
 - Tier 1 & 2 packages are required to pay the registration fee at the time of registration. Daily fees need to be paid in full by 5p.m. the Thursday prior to the requested market day. Accepted forms of payment are cash, credit/debit card, or check. Failure to submit payment will result in cancelation of the Vendor's Market Space request for that week.
 - All Tier 3 package Fees are due at the time of registration and include the applicable annual registration fee and the combined daily booth space fees for the minimum number of consecutive days the Vendor plans to attend Market in addition to any requested amenities.
 - e. Any Vendor scheduled for a Market that will not be able to attend is required to notify the Market Manager in person, by phone, or email on or before the Friday before the Market day that will be missed. Market Vendors who do not notify the Market Manager of their absence will be in violation of policy and subject to penalties as provided in the Policy Violations section of these policies. Refunds are not provided for days canceled or missed.
7. **Regulation of Certain Activities during Market Operations.** Because it is important for the continuing success of the Market to preserve its character and appearance and because the Market was established and remains primarily a local growers Market, certain activities that otherwise occur during non-Market hours are regulated in the public right-of-way during the Market hours as follows:
- a. **"Cart" Vendors.** Vendors who are licensed pursuant to Moscow City Code Title 9, Chapter 11 shall not be allowed in the Market Location during Market hours unless they qualify as a current authorized Farmers Market Vendor, independently of their Vending license. See M.C.C. § 9-11-13.
 - b. **Licensed Sidewalk Cafes.** The possessor of a current, valid sidewalk café license from the City may operate a sidewalk café in the Market during Market hours pursuant to regulations contained within Moscow City Code Title 9, Chapter 12. Council recognizes and reaffirms that the purpose of the sidewalk café license is to allow the contiguous storefront restaurant to extend its typical and customary service into the portion of the public right-of-way shown in the license. Independent contractors, sub-contractors, sub-lessees, agents, or others who are not part of the day-to-day business of the contiguous restaurant owner shall not be allowed to sell or promote in the Market, unless they otherwise qualify as a Farmers Market Vendor

and meet all of the Farmers Market Vendor's requirements in this Policy. See, M.C.C. § 9-12-6(B).

- c. **Downtown Businesses Other Than Sidewalk Cafes.** Downtown businesses may continue their operations during Market hours. The areas in the Market that are contiguous with non-retail business(es) or business(es) that are closed during Market hours are not to be used for the display or sale or promotion of produce, products, goods or services by such business(es) or by any person or group other than as specifically authorized by the Council or by this Policy. Sales, promotions tables, and displays placed contiguous with the front of downtown business(es) are allowed as long as those sales or displays are an extension of what is available for sale or promotion by and within the contiguous business and such sales or promotions are carried out by the owners or their employees. No activity which directly interferes with or competes with Market and/or its Vendors shall be allowed within the public right-of-way during Market hours unless that activity occurs by and within the contiguous business on a day-to-day basis as an integral part of such business. Independent contractors, sub-contractors, sub-lessees, agents, or others who are not part of the day-to-day business of the contiguous owner shall not be allowed to sell or promote in the Market unless they otherwise qualify as a Farmers Market Vendor and meet all of the Farmers Market Vendor's requirements in this Policy. Sales tables, clothes racks, free-standing displays, etc., shall be placed contiguous with the storefront in a manner that allows the preservation of an unobstructed pedestrian access on the sidewalk of not less than four contiguous feet (4') and as approved by the City Fire Marshall.
- d. **Universities, Colleges or Other Educational Institutions Participation in Farmers Market.** Universities, colleges, or other educational institutional departments and retail outlets are not allowed to apply as Market Vendors. Student organizations, if qualified, may participate as Vendors.
- e. **First Amendment Activities.** Because of the importance the City places on First Amendment rights and activities, the Council has adopted specific regulations relative to downtown First Amendment activities during Farmers Market hours. The City has established reasonable time, place, and manner restrictions and has designated Friendship Square as the location for such activities in the downtown area during Farmers Market hours. See Resolution No. 2012-12. No separate, additional, or expanded First Amendment activities shall be allowed within the Market during Market hours, unless specifically authorized by Council or required by the United States or Idaho Constitutions.
- f. **Smoking.** Smoking is prohibited within the boundaries of the Farmers Market during the hours of operation and through the duration of the Farmers Market season, the first Saturday in May through and including the last Saturday in October. Resolution No. 2015-16, .
- g. **Animals Prohibited in the Market.** Only ADA Service Animals, as defined in the Americans with Disabilities Act 2014 final regulations, main thoroughfare of the Moscow Farmers Market (as shown in Appendix 1). Resolution No. 2015-02.

Vendor Operating Policies

1. **Market Vendor Requirements.** Those who participate in selling at the Market must be an approved Vendor of at least one vending category as defined within this Handbook and as approved through a jury process or site visit as outlined in Appendix 6.
2. **Hawking.** Hawking (to offer for sale by calling aloud in public) is prohibited.
3. **Sale and Distribution of Non-Approved Items.** The sale of non-approved items (such as canned or bottled water and soda etc.) is prohibited. The Market Manager has the authority to stop the sale of any non-approved item(s). Distribution by Vendors of literature, information or signage not related to Vendor's products or services is prohibited.
4. **Cleanliness & Waste Management.** All Vendors must minimize container waste. Market Vendors are responsible for the set-up, clean-up and safe operation of their Market booth space. State and local health and safety requirements, particularly those in the food area of the Market, will be enforced by the Market Manager and/or the Health Department. Market Vendors should have their own receptacles/bags to manage waste, then must take with them at the end of the Market day. Failure by a Market Vendor to remove waste will result in violation of Market policies and subject to penalties as stated in Appendix 4. The waste receptacles in the Market are for use by Market customers and should not be used by Market Vendors for waste at the end of the Market day. The dumpsters in the Jackson Lot are privately owned and are not for Market use. Vendors are required, when applicable, by Idaho State law to deposit grey water waste in the receptacle provided at the Market. No grey water or other waste water, fat, grease, oil, or other liquid shall be placed in the gutter or in a City storm-water catch basin or other City water collection system. Note: the City will provide grey water dump stations for use by Vendors. Vendors must take with them their non grey water waste at the end of Market day.
5. **Generators.** In efforts to minimize noise and exhaust pollution, generators may not be in use during Market operational hours (5:00 a.m. – 2:00 p.m.)
6. **Decorum / Etiquette.** The Market requires and expects considerate, polite, common sense and friendly cooperation among all Market Vendors and towards other Market participants, and patrons. Market Vendors shall respect the authority of the Market Manager and Staff. Vendors shall respect the rights of the other Vendors, participants, and patrons. If a Market Vendor feels that he or she is being treated unfairly or in an unprofessional manner by the Market Manager, such a complaint shall be made only to the Assistant City Supervisor.
7. **Participation in Market Promotion.** All Vendors give permission to the City to release the Market Vendor's contact information (name, business name, address, and phone numbers) to requesting patrons and other organizations. This is intended for resource to the public in need of contacting a Vendor, promotional purposes and for publication by print

media, video, or motion picture. Participation in the Market acts as a grant of permission to the City to use photographs and other images of Market Vendors for promotional purposes without compensation.

8. **Signage.** All Market Vendors must post clear signage identifying Vendor's business and City/State of operation during sales period of the Market (8a.m. - 1p.m.). Vendors subject to signage requirements as listed under any Federal, State or City regulation, must comply.
9. **Pricing.** Market Vendors shall post clearly visible pricing for each item.
10. **Packaging and Labeling.** The Market encourages the use of recyclable packaging, Styrofoam packaging is not permitted. All packaged food products (e.g., jams, jellies, salsa, nuts, etc.) must be labeled. Labels must include the Market Vendor's name; Market Vendor's address; ingredients listed in order of volume (most to least); and potential allergenic ingredients. Market Vendor's phone number on the label is recommended.
11. **Annual Gross Sales Reporting.** All Market Vendors are required to report their Annual Gross Sales by November 15th, immediately following the current Farmers Market Season, utilizing the online management software they register with. Failure of Market Vendors to report Annual Gross Sales, as required under this Policy, will result in said Vendor being disqualified to participate in the following Market Season. This information will be kept confidential and be used for future grant proposals and economic impact data collection.
12. **Idaho Sales Tax Reporting.** Market Vendors must complete an Idaho Sales Tax Form ST-124 as required by the Idaho State Tax Commission. If you have questions, contact the Department of Revenue and Taxation, Idaho State Tax Commission (208) 799 3491. The State Tax Commission reserves the right to perform unscheduled inspections for tax compliance throughout the Market Season. All Market Vendors are required by law to have a copy of Form ST-124 in their Vendor space at all times.
13. **Agreement to Hold Harmless, Defend, and Indemnify.** In order to participate in the Market, all Vendor shall sign agreement that holds the City harmless for any and all actions or inactions of every Market Vendor or person associated with such Market Vendor and that agrees to defend and indemnify the City for any claim filed against the City related to any and all activities which are associated with the Market Vendor, the Market, or the Market Vendor's business.
14. **Permits and Licenses.** All Vendors shall provide, at the time of application, current copies of any permits and licenses applicable and necessary for the sale of their products. Specific requirements related to the Fire Department, sampling, and other common permits, can be found in Appendix 3 – Fire Inspection Requirements and Appendix 5 – Permits, Resources & Contacts.
15. **Certifications.** All Market Vendors presenting products as 3rd party certified, such as organic or certified naturally grown, etc. shall include the authorized certification form with their Market Vendor application, unless otherwise exempt under Idaho Code. Certification will be checked for compliance by the State that granted certification. Certification shall be posted in the Market Vendor's space at all times. Vendors not in compliance may

constitute a violation of policy. They will be required to remove signage stating the certification(s) and may be subject to the terms of policy violation. The See Appendix 5 – Resources & Contacts for contact information to learn more about organic certification.

16. **Annual Vendor Orientation.** Vendors are required to attend the mandatory annual Market orientation meeting prior to start of Market Season, at date and time set by the Market Manager.
17. **Approved Market Vendor Substitution.** Only Tier 3 Market Vendors will be allowed to have a substitute of their choice operate their business for up to two (2) Market days per Market Season with the approval of the Market Manager. Notification of Vendors absence and contact information for the substitute must be provided prior to the market to be missed.
18. **Non-Attendance.** Market Vendors are required to call or email the Market Manager on or before the Friday before the Market day that will be missed. If illness or emergency forces non-attendance, the Market Vendor must contact the Market Manager as soon as they are able (see appendix 5). Market Vendors who do not notify the Market Manager of their imminent absence will be in violation of policy and subject to penalties as provided in the Policy Violations section of these policies.
19. **Setup.** Vendors are to utilize 5th Street as the entrance, pull into their space, unload their items to the sidewalk, exit via 3rd street or 6th street, park their vehicle a minimum 2 city blocks away from the Market (parking is available at Moscow City Hall). Vendors can then return to their space to begin setting up for the Market. Large vehicles and trailers should arrive early to allow sufficient time for unloading during setup. Vendors must allow for traffic flow and may not block the main thoroughfare. 5th Street will be closed to all vehicles at 7:15 a.m. Market Vendors must be in their assigned Market Vendor space and be unloaded by 7:30 a.m. on Market day. If not in compliance, the assigned Market Vendor space may be forfeited. All vehicles must be off Main Street by 7:30 a.m., unless otherwise specifically allowed by the Market Manager. Vendor parking is available in the City Hall lot and the adjacent Jefferson lot. All tents must be placed as close to the adjacent curb as is physically possible, unless specifically authorized by the Market Manager. Reference appendix 3 for setup safety requirements.
20. **Take-Down.** Market Vendors may stay in their Market Vendor's space until 1:00 p.m. The City requires that the Market Location be completely vacated by the Market and its Market Vendors by 2:00 p.m., ensuring that the Market Location and parking can be available to the public. Market Vendors should use extreme caution when exiting. Market Vendors requiring early departure must inform the Market Manager of plans for early departure and must carry goods, supplies and equipment out of the Market Location without using a vehicle. No vehicle may enter or leave the Market Location until after 1:00 p.m. unless directed to do so by the Market Manager, a peace officer, or an emergency services provider in the course of their employment. Vendors must begin disassembling their booth to the sidewalk by no later than 1:00 p.m. once readied for loading, Vendors may then retrieve their vehicle. Vendors must allow for traffic flow and may not block the main

thoroughfare. Vendors with large vehicles and trailers are encouraged to allow their neighbors to vacate prior to loading their vehicle in order to keep traffic flow as open as possible. Vendors may continue loading their items from the sidewalk after 2:00 p.m. if their vehicle is off Main Street, in the parking stall, and facing the direction of traffic flow.

21. **Vendor Space Walk-Through.** All Vendors are subject to a Market space walk-through by the Market Manager and/or members of the Farmers Market Commission. The purpose of the on-site walk-through is to ensure all Vendors are current on required permits and licenses and also to inspect the Vendor's goods and operations. Vendors will be notified of any policy and/or procedure violations and will be required to correct any violation as directed by the Market Manager. Failure to allow an on-site walk-through is grounds to revoke Vendor's ability to participate in Moscow Farmers Market.

22. **Resale Produce.**

- a. No wholesale or resale products of any kind are allowed except for the following: if approved in advance by the Market Manager, Produce Vendors may resell blueberries and/or asparagus grown within two hundred (200) air miles from the City of Moscow, Idaho. The Market Manager has discretion for Vendors to provide for resale of blueberries and/or asparagus grown outside two hundred (200) air miles from the City of Moscow, Idaho. Such Vendors must display a sign which will be provided by the City stating they are authorized to resell these items and the name and location of the farm where the items are obtained. Farms supplying blueberries and asparagus will be held to the same site visits, standards, and guidelines as current Produce Vendors.
- b. With some exceptions, the sale, sampling, tasting or give-away of resale items at the Market is prohibited. This includes bulbs, plants, and produce not specifically grown at the time and expense of the Market Vendor.

Policy Violations

The purpose of penalties imposed upon those who do not conform to Market Policies is to encourage communication between Market Vendor(s) and Market Management to correct the action so that the Market Vendor, where possible, can continue to sell goods within the Market. Penalties are cumulative whether the same policy has been violated multiple times or multiple policies violated multiple times. Nothing related to Farmers Market penalties shall affect, in any way, other laws and/or regulations with which Market Vendors must comply (e.g., health, tax, police, fire, etc.). Upon receipt of any penalty, the Market Vendor shall be required to communicate with the Market Management in order to discuss the action which made the basis of the penalty and consider ways to change that complies with the Market Policies.

Note: No Market Vendor will be allowed to participate in the Market after receiving any penalty until after the Market Vendor communicates with the Market Management. Where the Market Vendor believes the penalty imposed is based upon inaccurate or incomplete information or would constitute an unfair action if imposed, the Vendor may use the appeals process listed on the following page.

- A written explanation of any discipline of a Market Vendor for failure to abide by Market rules shall be given to the Market Vendor by the Market Manager within a reasonable timeframe of the action or report of the action. (Appendix 4 – Moscow Farmers Market Notice of Policy Violation).
- Upon receipt of the written explanation, the Market Vendor will be provided an opportunity to be heard by the Farmers Market Commission orally or in writing before any expulsion or termination from the Market

Consequences of the Penalty

- **First Penalty.** A verbal and written warning shall be given to the Market Vendor and Market Vendor shall meet with the Market Manager to review the deviation from Market Policies and to discuss a change in behavior to avoid further deviations
- **Second Penalty.** Prohibition of the Market Vendor from selling goods for at least one (1) Market day (commonly the Market day immediately following receipt of the Second Penalty).
- **Third Penalty.** Prohibition from participating in the Market for the remainder of the Market Season. The Market Vendor must discuss actions and correction plan with The Moscow Farmers Market Commission for approval to return to any future season.

Appeals Process

If Vendor has been found in violation of Farmers Market Policies by the *Market Manager*, said Vendor may appeal the *Market Manager's* decision to the Assistant City Supervisor by filing a written contest containing a detailed statement of the alleged violation and a detailed reasoned statement as to why the subject of the violation did not violate the Farmers Market Policies.

Any aggrieved Vendor who has been penalized for an alleged violation of the Farmers Market Policies by Market Manager and/or Assistant City Supervisor may appeal the decision within five (5) business days of violation as follows:

Any decision on the appeal will be rendered within five (5) business days. Vendor can only appeal the alleged violation one (1) time, and the decision rendered by the Market Manager or Assistant City Supervisor shall be final.

Effective Date & Enforcement

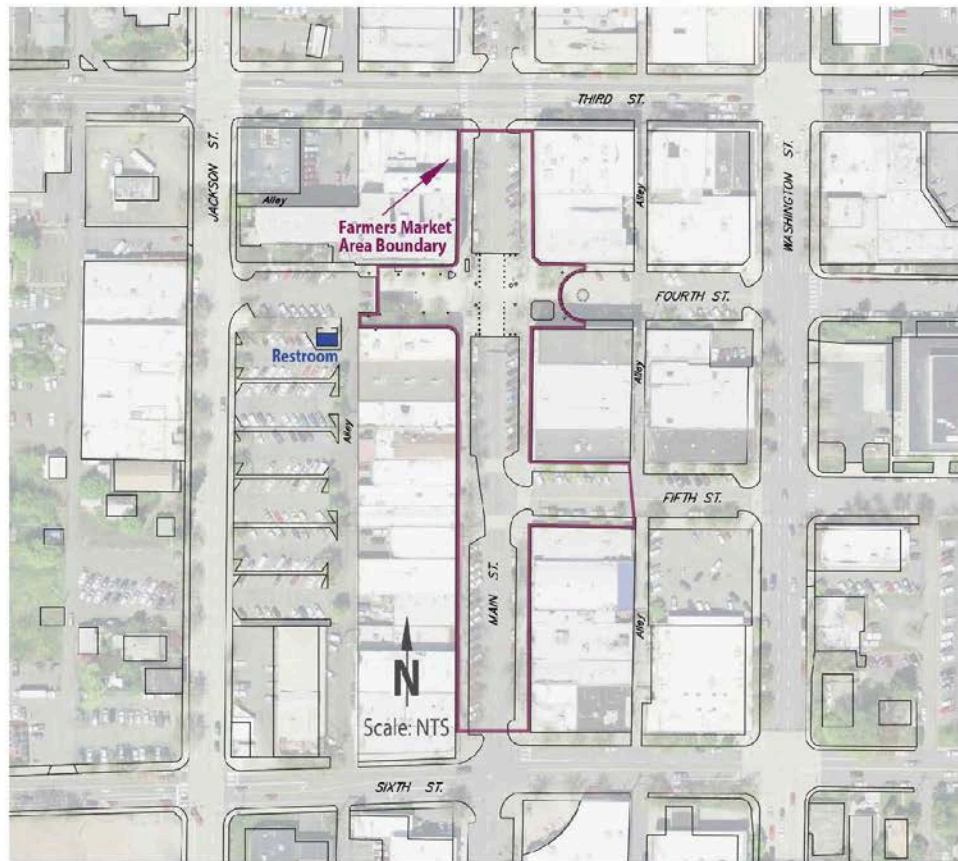
These policies shall be effective upon approval by the Moscow City Council.

The City of Moscow Farmers Market ("Market") Policies will be enforced by the on-site Market Manager and/or in consultation with the Assistant City Supervisor, depending on circumstances. Market Vendors are expected to be selling their own wares (produce and products) and to be in attendance at all times, except in emergency situations. All Market Vendors agree to abide by Market Policies upon signing the Market application form. All Market Vendors will be evaluated for compliance with Market Policies. Failure of Market Vendors to follow Market Policies will result in actions set out in Appendix 4.

Because the Market is located entirely on public right-of-way or City controlled property, the City reserves its right to regulate activities which occur within such public property.

Appendices

Appendix 1 – Moscow Farmers Market Map & Boundaries



Appendix 2 – Moscow Farmers Market Vendor Fees

Fees	Tier – 1 (1 – 8 Market Days)	Tier – 2 (9 – 17 Market Days)	Tier – 3/Season (18 – 26 days)
Annual Registration Fee	\$15	\$50	\$125
Daily Full Booth Space Fee 11' x 15'	\$30	\$20	\$15
Daily Shared Booth Space 5' x 15'	\$15	\$12	\$9
Daily Table Space 3' x 3'	\$10	\$8	\$6
Daily Electricity <i>Limited outlets, 16 amp max</i>	\$10	\$10	\$10
Daily Truck Parking	\$25	\$20	\$15
Daily Corner Space	\$5	\$5	\$5
Daily Youth Vendor	\$6	\$6	\$6
Daily Performance Art	\$7	\$7	\$7

Fee Schedule Worksheet

Fee Applied	\$ Dollar Amount	Number of times applied	Subtotal
Annual Registration		X 1	=
Daily Booth Fee		X	=
Additional Amenities		X	=

Season Total _____

Appendix 3 – Fire Inspection Requirements

MOSCOW VOLUNTEER FIRE DEPARTMENT INSPECTION REQUIREMENTS

The following items will be inspected by the Moscow Fire Department on an irregular basis. Each Market Vendor must follow all requirements at all times.

1. Fire Extinguishers
 - a. A minimum of one (1) five pound (5 lb.) ABC type portable fire extinguisher is required for each Vendor with any type of cooking device or warming plate.
 - b. A class K rated portable extinguisher is required for deep-vat fry cooking equipment involving vegetable or animal oils and fats.
2. Portable Cooking devices
 - a. Each Vendor with a cooking device under a canopy or tent shall provide the Moscow Fire Department with a certificate executed by an approved testing laboratory certifying that the canopy or tent is composed of material meeting the flame propagation performance criteria of NFPA 701 or shall be treated with a flame retardant in an approved manner and meet the flame propagation performance criteria of NFPA 701.
 - b. No combustible material shall be within five feet (5') of any cooking device.
 - c. If the portable cooking device has a smoke stack the stack shall be a minimum of five feet (5') from any combustible material.
 - d. All compressed gas cylinders shall be secured by an approved method, including chained to a stable structure or item, to prevent tipping-over and damaging its stem and/or regulator.
3. Electrical cords.
 - a. All electrical cords shall be U/L Approved.
 - b. All electrical cords shall be covered to prevent a tripping hazard.
4. Fire Lanes
A minimum fire lane of twenty five feet (25') shall be maintained at all times
5. Vendor Tents.
 - a. All tents, umbrellas or coverings are required to be weighted to prevent blow down. Each canopy leg must have no less than twenty four pounds (24 lbs.) anchoring. Weights should be secured in a manner that does not create its own safety hazard or cause a tripping hazard. The weights should: be tethered with lines that are clearly visible, have soft edges (to avoid causing cuts and scrapes), be securely attached, and be on the ground (and not above people's heads).
 - b. Tent poles in walkways shall have red or florescent tape applied in order to prevent tripping hazards.

Appendix 4 – Moscow Farmers Market Notice of Penalty

CITY OF MOSCOW, IDAHO
FARMERS MARKET
NOTICE OF PENALTY

☐ 1st Penalty
 ☐ 2nd Penalty
 ☐ 3rd Penalty
 Date of Penalty: _____

Vendor: _____ Date of Notice to Vendor: _____

Explanation of Infraction (reference to specific Farmers Market Policy): _____

Vendor's response/explanation (optional): _____

USE REVERSE OR OTHER PAPER IF NECESSARY

Appendix 5 – Permits, Resources, & Contacts

CONTACT INFORMATION – PERMITS AND LICENSING RESOURCES

Food & Drug Administration (FDA) Food Safety Modernization Act (FMSA) Preventative Controls in Human Food Rule – Value-added projects and processed products made on-farm and in licensed commercial kitchens

<https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/ucm525201.htm>

Public Health – Idaho North Central District

333 East Palouse River Drive
Moscow, ID 83843
(208) 882-7506 OR (208) 799-3100
<https://www.latah.id.us/ncdhd/>

Idaho State Seed Lab (ISDA) Seeds

2240 Kellogg Lane
Boise, ID 83712
(208) 332-8630
www.agri.idaho.gov

Idaho State Tax Commission

800 Park Blvd, Plaza IV
Boise, ID 83701
(800) 972-7660 OR (208) 334-7660
www.tax.idaho.gov

Moscow Fire Department

229 Pintail Lane
603 South Main
Moscow, ID 83843
(208) 882-2831
jwilliams@ci.moscow.id.us

Self-guided tool to determine if FMSA Produce Safety Rule applies to your farm

https://vidaho.col.qualtrics.com/jfe/form/SV_8D1ucSIEeq749AF

State of Idaho Alcohol Beverage Control

Idaho State Police

700 S. Stratford Dr. STE. 115
Meridian, ID 83642
(208) 884-7060
<https://www.isp.idaho.gov/abc/>

State of Idaho – Department of Agriculture (ISDA) Bedding plants, landscape plants, fresh or cut flowers

2270 Old Penitentiary Road
PO Box 790
Boise, ID 83701-0790
(208) 332-8620
www.idahoag.us

State of Idaho – Department of Agriculture – Dairy Bureau – Mary Patten

2270 Old Penitentiary Road
PO Box 790
Boise, ID 83701
(208) 332-8550

State of Idaho – Department of Agriculture (ISDA) Egg handler/dealer

2270 Old Penitentiary Road
PO Box 790
Boise, ID 83701-0790
(208) 332-8500
www.agri.idaho.gov
<https://adminrules.idaho.gov/>

State of Idaho – Department of Agriculture (ISDA) Food Safety Modernization Act (FMSA) Produce Safety Rule – Fresh produce (fruits, vegetables, herbs, and other food crops)

2270 Old Penitentiary Road
PO Box 790
Boise, ID 83701
(208) 332-8698
<https://agri.idaho.gov/main/inspections/fmsa-main/>

State of Idaho – Department of Agriculture (ISDA)

Organic

2270 Old Penitentiary Road
PO Box 790
Boise, ID 83701-0790
(208) 332-8673
www.idahoag.us

State of Idaho – Nursery

Plant Industries Division
PO Box 790
Boise, ID 83701
(208) 332-8620
www.agri.idaho.gov

State of Idaho Weights and Measures

2270 Old Penitentiary Road
PO Box 790
Boise, ID 83701-0790
(208) 332-8620
www.idahoag.us

University of Idaho Community Food Systems

Educator Colette DePHELPS
Ag Science 333
875 Perimeter Dr.
MS2338
Moscow, ID 83843
(208) 883-4003
cdepheps@uidaho.edu

**University of Idaho Extension FMSA Food Safety
for Produce Growers**

322 E Front Street Suite 190
Boise, ID 83702
(435) 287-8773
<http://www.uidaho.edu/extension/food-safety-for-produce-growers>

University of Idaho Latah County Extension

Small Farmers Educator, Iris Mayes

200 S. Almon St. Suite 201
Moscow, ID 83843
(208) 883-2267
latah@uidaho.edu
www.uidaho.edu/extension

x

Permits and licensing information for different Vendor categories.
The following is not an exhaustive list, and is provided for user education purposes.

Bees (Apiary). Idaho Bee Inspection Program. All beekeepers are required to register their bees with the Idaho State Department of Agriculture (ISDA) and pay a registration fee as well as a honey advertising tax on each colony of bees. <https://agri.idaho.gov/main/plants/bee-apiary-inspection/>

Dairy. Selling raw milk; information on small herd exemptions and selling shares of raw milk Idaho State Department of Agriculture, Dairy Bureau (208) 332-8550
<https://agri.idaho.gov/main/animals/dairy-bureau/>

Eggs. It is a requirement under [Title 37, Chapter 15](#), Idaho Code, "Egg and Egg Products" and [IDAPA 02.02.11](#) "Rules Governing Egg and Egg Products" to comply with the laws and rules if you are a distributor of egg and/or egg products or if you have three hundred (300) or more birds. If an individual **has less than three hundred (300) birds**, the eggs can be sold without complying with the requirements; however, the eggs must be clean and the container must be labeled with the individual's name, address, phone number, and the words "UNGRADED EGGS" <https://agri.idaho.gov/main/animals/avian-species/eggs/>

Fresh Produce. The Food Safety Modernization Act (FSMA) Produce Safety Rule was made final on January 26, 2016, and establishes science-based minimum standards for the safe growing, harvesting, packing and holding of fruits and vegetables grown for human consumption. Many, if not all farms will be impacted by at least part of the FSMA Produce Safety Rule, even those that are very small. Compliance dates for some parts of the rule are already underway, with full compliance for many farms starting in January 2018. The FDA has a brief summary of the key requirements for the final Produce Safety Rule (pdf) available on their website. <https://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472887.pdf>. The University of Idaho has developed a self-guided tool to determine if FSMA Produce Safety Rule applies to your farm https://uidaho.co1.qualtrics.com/jfe/form/SV_8D1ucSIEq749AF. For regulatory compliance in Idaho, visit: <https://agri.idaho.gov/main/inspections/fsma-main/>. For regulatory compliance in Washington, visit: https://agr.wa.gov/FoodAnimal/FSMA/FSMA_food.aspx

Meat. Idaho does not have any State inspected meat processing facilities so all meat sold by the cut at the Farmers Market needs to be processed in a USDA approved facility. Contact your local Health Department at (208) 882-7506 for any food license requirements and additional information on best practices for selling meat in the Market.
<https://agri.idaho.gov/main/animals/>

Nursery, Florists, and Landscaping. Anyone who engages in, conducts, or carries on the business of propagating, growing, selling, dealing in, or importing into Idaho, for sale or distribution, any nursery or florist stock, or engages in the installation of landscape plants, or acts as an agent, salesman, or solicitor for any nurseryman, florist, landscape contractor, or dealer in nursery or florist stock, must first obtain a license to do so from the Idaho State Department of Agriculture.

Pursuant to Idaho Code § 2305(2), sellers with less than \$500 gross annual sales are exempt from licensing. <https://agri.idaho.gov/main/plants/nurseries-florists-and-landscaping/>

Organic. The Idaho State Department of Agriculture's Organic Certification Program is an accredited certifying agent of the USDA's National Organic Program. We provide certification services for crops, wild crops, livestock, and handlers/processors. We also provide material registration for manufacturers who produce inputs used in organic production. <https://www.usda.gov/topics/organic>

Poultry. Poultry sales and processing regulations fall under Idaho Health and Welfare, but your local Health Department (Idaho North Central Health District) is your contact for making sure you are in compliance at (208) 882-7506 or (208) 799-3100. <http://idahopublichealth.com/79-environmental-health/92-food-protection>.

Processed and Value-Added Foods. The Food Safety Modernization Act (FSMA) Preventative Controls for Human Food Rule was finalized in 2016. Compliance dates for some businesses began in September 2016 and additional compliance dates for farms and very small businesses will begin in September 2018. It is important to understand how the PCHF Rule applies to your business. FDA website on the FSMA Final Rule for Preventive Controls for Human Food <https://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334115.htm>. See pages 7 and 20 of the FDA PCHF Compliance Guide to determine if you have to comply with the rule <https://www.fda.gov/downloads/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/UCM526507.pdf>. Please note, all facilities are required to notify FDA about their compliance status. To learn more about notifying FDA, see page 18 of the Compliance Guide.

Soil and Plant Amendments. Registration with ISDA is required in order to distribute soil or plant amendments in the State of Idaho. <https://agri.idaho.gov/main/plants/>

Weights and Measures. ISDA W&M requires any weighing or measuring instrument or device used for commercial purposes in the State of Idaho to be licensed annually. This includes scales to measure produce at the Market. <https://agri.idaho.gov/main/weights-and-measures/>

Appendix 6 – Jury Process, Site Visits & Specific Requirements

Congratulations on taking the first step to joining the Moscow Farmers Market! Whether this is your first time with a new venture, you have an established business to introduce or you're simply seeking a unique, social opportunity to engage with the community, we are here for you every step of the way. This guide to the Craft and Food Jury is intended to walk you through the first steps of the application process for Vending at the Moscow Farmers Market. Our most basic requirements are that you are the grower / producer and your operation is within 200 air miles of the City of Moscow, Idaho. Any items that are **not** produce, meat, milk or eggs, must be submitted to the Jury for review by our evaluation panel. Please take the time necessary to review our Vendor Handbook and Policies prior to completing the Jury Reservation Form.

Please Note: Unfortunately, not all Vendors who apply will be approved, however, Vendors may resubmit applications. If approved, space is not always guaranteed.

Additional Specific Requirements

- Those qualifying as Agricultural Vendors (produce, nursery, meat/poultry products, dairy, honey and value added) need to begin by contacting the market manager for a brief interview.
- Forager Vendors are required to disclose where product was harvested (disclose area to within a five [5] square mile description), provide all required State or Federally issued permits. The Market reserves the right to require a signed disclosure that no laws were violated in harvesting or selling of wild mushrooms, plants, or berries, under penalty of perjury.
- Those specializing in arts, crafts and prepared foods (including processed foods and food ready-to-eat at market), must submit products to the Moscow Farmers Market Jury.
- **ALL FOOD VENDORS:** For those without a permit issued by Idaho Public Health, a Food Risk Assessment must be completed by an inspector. Contact information can be found in Appendix 5. *There is a turnaround period of 4 business days, this **must** be completed the week prior to jury.*

Site Visits

- All Vendors are subject to site visits
- A site visit is the vetting process in which the Moscow Farmers Market conducts an on-site visit to the operation. Most generally site visits are conducted with Agricultural Vendors. Site visits are scheduled in advance and accompanied by City staff, Agriculture / Ag-Science Professional(s), and Moscow Farmers Market Commission Members.
- Market Staff works with the Commission and members of the scientific / agricultural community to develop questionnaires to guide site visits. Topics range from policy specific to more general operational inquiries.

Jury Process

Three jury dates are set at the beginning of the year, a pre-season, mid-season and late season. Jury dates, times and locations are announced through Press Release and online at the City of Moscow website and social media.

Before you Jury:

- 1) Review the Vendor Handbook.
- 2) Submit completed reservation form- available at the Moscow Farmers Market office in City Hall or on the City of Moscow website (enter hyperlink here).
- 3) **ALL FOOD VENDORS:** With your reservation form, submit a copy of your current permit or the Food Risk Assessment completed by an inspector with the Idaho Public Health. Contact information can be found in Appendix 5. There is a turnaround period of 4 business days, this **must** be completed the week prior to jury.

Day of Jury:

The Moscow Farmers Market will host Juries three times for each season. Participants are provided with space and one 6ft table for set up. There is a one hour set-up period prior to the Jury and a one hour take-down period after. All supplies must be collected by the participants or they will be discarded.

All Participants will need to provide the following:

- a. Your products!! We need to see all you plan to sell and if it's a food product, we want to taste it!
- b. An Itemized price list of your products.
- c. An information sheet for each product. Include a description of where the supplies came from, how the item is made, and where the item is produced.
- d. An 8X10 photo showing how your booth will look at the Moscow Farmers Market. (Practice setting up your display in the yard or living room and snap a pic!)
- e. All food Vendors must submit examples of packaging to be used (Styrofoam is prohibited) and include your name, business name, physical address and phone number. All ingredients **must** be listed by volume (most to least) and clearly indicate potentially allergenic items.

Evaluation Process:

The Moscow Farmers Market Jury invites a variety of local community members to participate on the evaluation panel. The Market's goal is to have an evaluation panel of approximately 20 participants. The Farmers Market Manager facilitates the Jury, but does not participate as an evaluator. Each evaluator will rotate from table to table, thoroughly examining products, completing a Moscow Farmers Market Jury Score Card (example provided on the next page). After all submitted products are reviewed, the Market Manager will tally the score cards. A minimum score of 60% is required to be considered an approved Vendor. Due to the limiting factor of the market vending spaces, the Farmers Market reserves the right to select fewer approved candidates based on availability of space and current market product mix needs. The Farmers Market will notify all participants and provide results within 48 hours of the Jury. Newly approved Vendors will need to complete the online registration and submit payments prior to vending. The market day directly following Jury will not be open to new Vendors.

Jury Score Card

Note to evaluators:

All scores should be given based on the entire entry. To provide feedback on individual product(s) use the comment section on the back of this form.

Space # _____

0 (Poor) 5 (Below Average) 10 (Average) 15 (Good) 20 (Excellent)

Booth Layout in the 8x10 Photo (*Neatness, Organization, Item Presentation*)

0 5 10 15 20

Appearance of display (*Ready to Use/Eat? Composition, Attractive?*)

0 5 10 15 20

Structure / Workmanship (*Technique, Complexity of Design, Originality*)

0 5 10 15 20

Local, Direct Sourcing of Supplies (*from the farm or nature vs. a store*)

0 5 10 15 20

Final Product (*Appealing, Unique, Appetizing- if food*)

0 5 10 15 20

Comments:

If in the event you do not pass the evaluation process, you will be provided with the evaluation panel's feedback and may reapply.

MOSCOW FARMERS MARKET

2018 VENDOR HANDBOOK



City of Moscow

206 E THIRD STREET | MOSCOW, IDAHO

WWW.CI.MOSCOW.ID.US | 208.883.7132 | FARMERSMARKET@CI.MOSCOW.ID.US



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Moscow Farmers Market Overview

The Moscow Farmers Market has been a treasured and vibrant part of the community since its inception as a small, grassroots gathering over 40-years-ago. It serves to provide locally grown produce and quality wares, as well as bring the community together in ways no other event or service does. Whether Market goes visit to purchase their weekly groceries or simply to enjoy the music and socialize, the experience of the Market promotes a sense of place and helps citizens feel tied to the community. The Moscow Farmers Market is unique in its ability to stay rooted to the original purpose and charm of a local market, while growing and progressing with trends and needs. The variety of stakeholders invested in the Moscow Farmers Market means that each decision can have great impact on our residents, vendors, local business, city staff, and more.

Market Leadership is formed by a collaboration of City of Moscow Staff and The Moscow Farmers Market Commission. City staff manages the operational and regulatory aspects of the Market while the Commission guides the vision and values of the market.

It is the duty of the Commission to suggest ways to promote and improve the Farmers Market, propose and/or review Market policies, keep abreast of trends and opportunities for advancing Market interests, products, standards, and offerings, and to otherwise act in an advisory role to

Moscow Farmers Market Commission Members

Vendor Representatives

Adam Reed, Commission Chair
Produce Vendor Representative

Jeremy Ritter
Specialty Food Vendor Representative

Linda Heath
Crafts Vendor Representative

Community Representatives

Erin Carroll
At-Large Representative

Jamie Hill, Commission Vice-Chair
At-Large Representative

Joann Muneta
At-Large Representative

David Pierce
At-Large Representative

Specialty Representatives

Colette DePhelps
*University of Idaho Extension
Representative*

Jenny Ford
Chamber of Commerce Representative

the Moscow City Council. Commission members are also charged with representing the various constituencies their position represents.

The Commission meets regularly to discuss Market concerns; review and/or propose Market policies; report annually to the City Council; work with City staff to suggest ways to promote and improve the Market; advise City staff as needed; keep abreast of trends and opportunities for advancing Market interests, products, standards, and offerings; and create increased awareness of Market needs and opportunities to insure sustainability and responsible management and growth.

This work is summarized in the Commission's mission statement and core values statements as noted below:

Mission Statement

The Moscow Farmers Market celebrates life on the Palouse by providing the community with the opportunity to buy and sell locally farmed and/or created agricultural products (e.g., crops, meat, cheese, wine, etc.), distinctive handmade goods, artisan pieces and original-recipe cuisine. This venue is meant to encourage and support sustainable economic, social and environmental practices.

Core Values

Access: Providing access to locally grown produce, foods, unique hand-made goods and their producers.

Economic Opportunity: Contributing to the greater Moscow economy with emphasis on assisting local, small, independently owned, and start-up enterprises.

Community: Building community by welcoming all residents and visitors, and providing a safe space and opportunity for community engagement, interaction, entertainment, and cultural enrichment.

Information: Increasing awareness of and providing education about and in support of health and wellness practices, regional agriculture, sustainability, and sound environmental practices.

Moscow Farmers Market Staff

Jen Pfiffner
Assistant City Supervisor

Daniel Stewart
Community Events Manager

Zack Ellis
Videographer/ Sound Technician

Jenine Estlick, AmeriCorps
Volunteer/ Program Coordinator

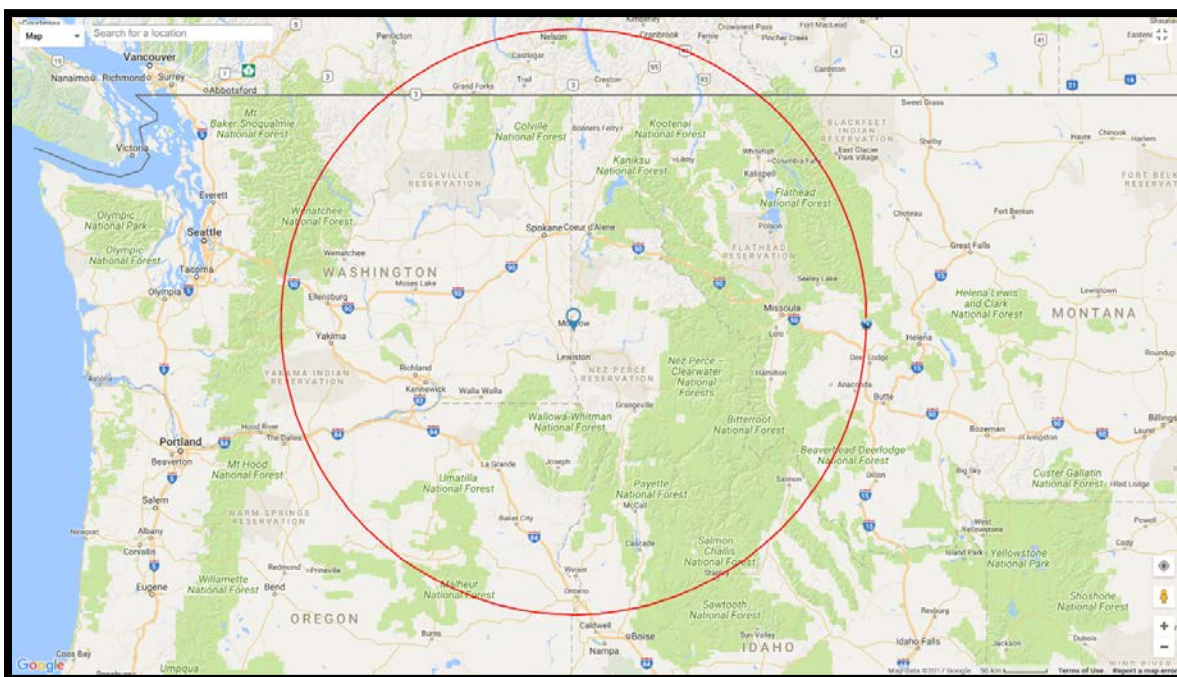
DJ Scallorn
Administrative Assistant

Philosophies

In addition to the mission and core values of the market, there are several important philosophies that have been adopted in order to maintain the integrity of the Market. These concepts have provided operational guidelines for the Market for many years. Each of these items are noted more specifically in the policy section of this Handbook that follow and are highlighted here as well given their importance.

Local Production

All Vendors shall be the grower/ producer and conduct their operation in a location not more than two hundred (200) air miles from City of Moscow, Idaho.



200 AIR MILES FROM THE CITY OF MOSCOW, IDAHO

Product Mix

It is the goal of the Moscow Farmers Market to have fifty percent (50%) of all approved Vendors selling agricultural products.

Vending

Those who participate in selling at the Market must qualify in at least one vending category as defined within this Handbook. All Vendors are approved through either the jury process or site visit as defined in this Handbook (see Appendix 6 – Jury Process & Site Visits) to ensure compliance with Market Policy and Philosophies.

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Definition of Terms

These definitions are included to provide a background for terms used throughout this document.

Agriculture: The science, art, or practice of cultivating the soil, producing crops, and raising livestock and in varying degrees the preparation and marketing of the resulting products.

Approved Vendor: An individual or a group that qualify to participate in selling at the Market in at least one of the listed vending categories, as defined in this Handbook. Agricultural Vendors are approved through an interview and trial period, followed by a site visit. All other Vendors are approved through a jury process as outlined in Appendix 6. These vetting processes are in place to ensure compliance with Market Policy and Philosophies. All Vendors are subject to site visit.



Local: The Moscow Farmers Market recognizes the many possible definitions of this term, for the purposes of Market operation and regulation “local” is defined as follows: *No more than two hundred (200) air miles from the City of Moscow, Idaho.* Please see the visual aid on page iii.

Local Sourcing: The purchase of goods directly from local growers/ producers for use in creating a product for sale at the Moscow Farmers Market.

Product Mix: A range of associated products, strategically collected, that when marketed together, yields larger sales revenue than if they were marketed individually or in isolation from others.

Sustainable Practices: An integrated system of plant and animal production practices that are capable of maintaining their productivity and usefulness to society indefinitely. These systems incorporate the most efficient use of nonrenewable resources and on-farm resources, and where appropriate, natural biological cycles and controls, maintain agricultural productivity, promote economic viability in both the short and long term, and maintain stable rural communities and quality of life.

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Vending Categories

Specific Requirements for each of these categories can be found in more depth in Appendix 6.

In efforts to support regional agriculture and small business, The Moscow Farmers Market encourages all Vendors to utilize local sourcing that is direct from producer, whenever possible. The Market strongly encourages hygienic and sustainable practices in the planting, growing, cultivating, harvesting, transporting, and offering of such items for sale. All processed foods must be made in accordance with relevant State of Idaho regulations. Commercial kitchens must be used to prepare certain foods, as required by relevant State Codes. Copies of all relevant 3rd party, city, state, and/ or federal licenses, certifications and/ or permits required are to be submitted prior to vending. It is the responsibility of the Vendor to know and understand what regulations may apply to their operation.

Agriculture Vendors

Fresh Produce and Nursery Vendors: Market Vendors who grow or produce the fresh produce, herbs, grains, fruits, vegetables, cut flowers, potted plants, and other plants, seeds, shrubs, raw nuts, tree and vine starts they bring to the Market.

Meat / Poultry Vendors: Market Vendors with the majority of products sold being Meat / Poultry products such as cuts of meat and “off the hoof” sales and byproducts such as milk, eggs, etc.

Apiarist Vendors: Market Vendors who are bee keepers and the majority of products sold are the honey, honeycomb, and wax from their hives.

Value-Added: Market Vendors who produce the majority of supplies or ingredients for their processed goods and/or foods including fibers, wood products, preserves, jams, jellies, ciders, beer, wine, syrups, salsas, smoked meats, cheeses, dried fruits and herbs, flours, oils, etc. The significant constituents of the product must be grown or raised on the producer’s farm, ranch or market garden and subsequently processed by the grower.

Forager Vendors: Market Vendors who sell qualified items harvested from the wild.

Non-Agriculture Vendors

Prepared Food

Processed Foods Market Vendors who process foods including preserves, jams, jellies, ciders, beer, wine, syrups, salsas, smoked meats, cheeses, dried fruits and herbs, flours, oils, roasted nuts etc. with all such ingredients *not* grown or raised by the producer. These products are not intended for immediate consumption.

Ready to Eat Foods. The majority of products sold at the Market are ready-to-eat foods that are made on-site Market day or prepared in advance and served on Market day with the intent of immediate consumption.

Craft and/or Artisan

Craft/Artisan products must be hand-crafted/designed by the Vendor. Craft/Artisan Vendors are not allowed to carry items made by others unless it is a part of the product design as a whole i.e. *a ceramic honey pot and wooden honey dipper, pendant and chain, etc.*

Craft/Artisan items must be the product of a home or cottage-type industry using an intermediate type technology rather than industrial-type production.

To be considered “hand-crafted,” the item must show evidence of manual skills obtainable only through a significant period of experience and dedication of one’s own design and making – this includes but is not limited to:

Fine Arts such as painting, drawings, sculpture, pottery, ceramics, etc.

Heritage Arts such as basket-making, soap-making (known as cosmetics see below), candle-making, woodworking, blacksmithing, knitting, crocheting, etc.

Cosmetics are considered crafts and include creams, lotions, shampoos, and some soap products. Cosmetics must be in compliance with the Federal Food, Drug, and Cosmetic Act, the Fair Packaging and Labeling Act, and must follow rules set by the FDA. Soap products consisting primarily of alkali salts and of fatty acids and which make no label claim (other than the cleansing of the human body) are not considered cosmetics for purposes of these Market policies, but can still be available for sale as craft.

Decorative Arts for self, home and garden, such as jewelry, birdhouses, furniture from recycled materials, mosaics, stained-glass items, lawn sculpture, photography etc.

Examples of unacceptable items would be, but not limited to tracings, paint by number, wood or metal product using duplicating machines, kits in any form, and any other items which clearly do not reflect originality of design as determined by the jury process or Farmers Market Manager.

Youth Vendors

The Market encourages and supports early entrepreneurial interest of farming, gardening, crafts, and food preparation. The general rules of the Market apply to the Youth Market (e.g., complete registration forms, pay appropriate fee(s) as determined by City Council; produce must be grown, cultivated, and harvested by the youth; crafts must be made by the youth; and all items must be pre-approved by the Market Manager).

- Youth must be younger than seventeen (17) years of age to participate in the Market as a Youth Vendor.
- Youth under the age of 14 must be supervised by an adult at all times during the Market.
- Youth Vendors will be limited to groups of no more than three (3) youth participants per group.
- Youth Vendors need to request Market space by the Friday prior to Market day.

Performance Vendors (Busker)

Any person or group of persons who plays musical instruments, sings, dances, speaks, offers face painting, balloon tying, or otherwise provides entertainment in the Market, other than in designated Vendor spaces. Performance Vendors may seek tips or donations for such performances. Commercial vending of products is not considered a “performance” and, as such, does not qualify as “performers” under Market Policy. The Market reserves the right to designate locations for these activities.

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Table of Policies

Market Policies shall apply to the Moscow Farmers Market and its Vendors. These Policies have been developed by the Farmers Market Commission, with City Staff and community input and have been reviewed and approved by the City Council.

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Market Operating Policies

1. **Market Location.** The Market is located generally on Main Street south of Third Street and north of Sixth Street in downtown Moscow, and east of Main Street on the 4th Street right-of-way (west) of the cul-de-sac, east on 5th Street from Main Street to the alley, and Friendship Square, unless temporarily located or extended elsewhere when found to be in the best interest of the City. *Most generally, the market moves off Main Street for University of Idaho's Homecoming Parade.* See Appendix I (Moscow Farmers Market Map & Boundaries).
2. **Vendor Production and Location Rule.** All Vendors shall be the grower/ producer and conduct their operation in a location not more than two hundred (200) air miles from the City of Moscow, Idaho.
3. **Market Schedule**
 - a. Market Season is every Saturday in the months of May through October, annually.
 - b. Market sales occur between the hours of 8:00 a.m. and 1:00 p.m.
 - c. Main Street will be closed by City of Moscow Staff beginning at 5:00 a.m. and re-opened by 2:00p.m. by City of Moscow Staff.
 - d. The City of Moscow Police Department will have any non-market related vehicles removed from Main Street by 5:00 a.m.
4. **Becoming a Market Vendor**
 - a. Vending at the Moscow Farmers Market for new participants or those who have been absent from market for two or more consecutive seasons requires an approval process followed by registration. These processes are specific for different vending categories. To become an approved Vendor at the Moscow Farmers Market please follow the steps outlined in Appendix 6.
 - b. Returning Vendors will need to register for the upcoming season and submit relevant required documents as indicated in Appendix 6.
5. **Market Vendor Space**
 - a. Most Market Vendor spaces will be marked as an eleven foot by fifteen foot (11' x 15') space. A Market Vendor's business must be conducted within Market Vendor's assigned space. Market Vendors may not extend beyond the limits of the assigned space or into the pedestrian area at the entrance of the Market Vendor space unless specifically authorized by Market Management. Canopies and umbrellas cannot extend outside a Market Vendor space. Requests for additional adjacent Market Vendor space will be granted at the discretion of Market Manager, where possible. The Moscow Fire Department conducts unscheduled inspections for compliance with relevant safety regulations throughout the Market Season to assure public safety and emergency vehicle accessibility. Market Vendors who use tents must comply with Fire Department safety regulations. See Appendix 3.
 - b. The Market recognizes the value of Vendors maintaining a consistent location for the development of a healthy customer base. Without compromising quality, preference will be given to the most local grower / producer when space becomes available.

Vending space allocation is decided at the discretion of the Market Manager and based on the level of commitment chosen by the Vendor as defined in the fee schedule (see Appendix 2), historical occupation and availability as it pertains to Market Product Mix. Vendors that have consistently occupied a specific space(s) in Market during the previous Market Season and purchase the Tier 3 vending package for the upcoming market season will be given the opportunity to remain in that same location for the duration of that market season. Agricultural based Vendors whose product readiness is determined by the growing seasons will be given special consideration by Market Management on a case by case basis.

- c. Use of a Market Vendor space for purposes other than those outlined in this Handbook is prohibited, unless specifically authorized.
 - d. Any proposal by Market Vendors to share a Vendor space must be approved by the Market Manager.
 - e. The City reserves the right to make the final decision on vending space and Tier package allocation based upon Overall Market and Market Product Mix needs.
6. **Market Fee Packages.** Vendor fees for the Moscow Farmers Market are adopted annually by the City Council by resolution. Fees for the current season include an annual registration fee, a daily per booth fee, and any additional optional fees as outlined in Appendix 2 – Moscow Farmers Market Fees.
- a. Three different Tiers allow for Vendors to self-select their level of participation in the Market. Each Tier offers different benefits and levels of flexibility (listed below). The Vendor chooses the preferred Tier based on the number of Markets they plan to attend during a Market Season. Packages are non-transferrable and non-refundable. *Please note - peak season occurs late June through the end of September, space for Tier 1 & 2 remains available on a limited basis and may be located on 5th Street.*
 - Tier-3/Season Vendor
 - Vendor chooses to attend between 18 to 26 consecutive Market days
 - Highest registration fee
 - Lowest daily per booth fee
 - Provides full season option
 - Guaranteed same location at each Market
 - Tier-2
 - Vendor chooses to attend between 9 to 17 Markets
 - Mid-Range registration & daily fees
 - Same location as available
 - Tier-1
 - Vendor chooses to attend between 1 to 8 Markets
 - Lowest registration fee
 - Highest daily per booth fee
 - No guaranteed same location at each Market

- b. Registration will open annually in March with notice sent to all Vendors.
 - c. Additional Market days may be added throughout the season by contacting the Market Manager by the Tuesday 5 p.m. prior to the Market day to be added.
 - d. Vendors may request additional Market days or cancel planned Market attendance resulting in more or fewer days than their selected Tier. Tiers cannot be changed during the months which Market occurs.
 - Tier 1 & 2 packages are required to pay the registration fee at the time of registration. Daily fees need to be paid in full by 5p.m. the Thursday prior to the requested market day. Accepted forms of payment are cash, credit/debit card, or check. Failure to submit payment will result in cancelation of the Vendor's Market Space request for that week.
 - All Tier 3 package Fees are due at the time of registration and include the applicable annual registration fee and the combined daily booth space fees for the minimum number of consecutive days the Vendor plans to attend Market in addition to any requested amenities.
 - e. Any Vendor scheduled for a Market that will not be able to attend is required to notify the Market Manager in person, by phone, or email on or before the Friday before the Market day that will be missed. Market Vendors who do not notify the Market Manager of their absence will be in violation of policy and subject to penalties as provided in the Policy Violations section of these policies. Refunds are not provided for days canceled or missed.
7. **Regulation of Certain Activities during Market Operations.** Because it is important for the continuing success of the Market to preserve its character and appearance and because the Market was established and remains primarily a local growers Market, certain activities that otherwise occur during non-Market hours are regulated in the public right-of-way during the Market hours as follows:
- a. **"Cart" Vendors.** Vendors who are licensed pursuant to Moscow City Code Title 9, Chapter 11 shall not be allowed in the Market Location during Market hours unless they qualify as a current authorized Farmers Market Vendor, independently of their Vending license. See M.C.C. § 9-11-13.
 - b. **Licensed Sidewalk Cafes.** The possessor of a current, valid sidewalk café license from the City may operate a sidewalk café in the Market during Market hours pursuant to regulations contained within Moscow City Code Title 9, Chapter 12. Council recognizes and reaffirms that the purpose of the sidewalk café license is to allow the contiguous storefront restaurant to extend its typical and customary service into the portion of the public right-of-way shown in the license. Independent contractors, sub-contractors, sub-lessees, agents, or others who are not part of the day-to-day business of the contiguous restaurant owner shall not be allowed to sell or promote in the Market, unless they otherwise qualify as a Farmers Market Vendor

and meet all of the Farmers Market Vendor's requirements in this Policy. See, M.C.C. § 9-12-6(B).

- c. **Downtown Businesses Other Than Sidewalk Cafes.** Downtown businesses may continue their operations during Market hours. The areas in the Market that are contiguous with non-retail business(es) or business(es) that are closed during Market hours are not to be used for the display or sale or promotion of produce, products, goods or services by such business(es) or by any person or group other than as specifically authorized by the Council or by this Policy. Sales, promotions tables, and displays placed contiguous with the front of downtown business(es) are allowed as long as those sales or displays are an extension of what is available for sale or promotion by and within the contiguous business and such sales or promotions are carried out by the owners or their employees. No activity which directly interferes with or competes with Market and/or its Vendors shall be allowed within the public right-of-way during Market hours unless that activity occurs by and within the contiguous business on a day-to-day basis as an integral part of such business. Independent contractors, sub-contractors, sub-lessees, agents, or others who are not part of the day-to-day business of the contiguous owner shall not be allowed to sell or promote in the Market unless they otherwise qualify as a Farmers Market Vendor and meet all of the Farmers Market Vendor's requirements in this Policy. Sales tables, clothes racks, free-standing displays, etc., shall be placed contiguous with the storefront in a manner that allows the preservation of an unobstructed pedestrian access on the sidewalk of not less than four contiguous feet (4') and as approved by the City Fire Marshall.
- d. **Universities, Colleges or Other Educational Institutions Participation in Farmers Market.** Universities, colleges, or other educational institutional departments and retail outlets are not allowed to apply as Market Vendors. Student organizations, if qualified, may participate as Vendors.
- e. **First Amendment Activities.** Because of the importance the City places on First Amendment rights and activities, the Council has adopted specific regulations relative to downtown First Amendment activities during Farmers Market hours. The City has established reasonable time, place, and manner restrictions and has designated Friendship Square as the location for such activities in the downtown area during Farmers Market hours. See Resolution No. 2012-12. No separate, additional, or expanded First Amendment activities shall be allowed within the Market during Market hours, unless specifically authorized by Council or required by the United States or Idaho Constitutions.
- f. **Smoking.** Smoking is prohibited within the boundaries of the Farmers Market during the hours of operation and through the duration of the Farmers Market season, the first Saturday in May through and including the last Saturday in October. Resolution No. 2015-16, .
- g. **Animals Prohibited in the Market.** Only ADA Service Animals, as defined in the Americans with Disabilities Act 2014 final regulations, main thoroughfare of the Moscow Farmers Market (as shown in Appendix 1). Resolution No. 2015-02.

Vendor Operating Policies

1. **Market Vendor Requirements.** Those who participate in selling at the Market must be an approved Vendor of at least one vending category as defined within this Handbook and as approved through a jury process or site visit as outlined in Appendix 6.
2. **Hawking.** Hawking (to offer for sale by calling aloud in public) is prohibited.
3. **Sale and Distribution of Non-Approved Items.** The sale of non-approved items (such as canned or bottled water and soda etc.) is prohibited. The Market Manager has the authority to stop the sale of any non-approved item(s). Distribution by Vendors of literature, information or signage not related to Vendor's products or services is prohibited.
4. **Cleanliness & Waste Management.** All Vendors must minimize container waste. Market Vendors are responsible for the set-up, clean-up and safe operation of their Market booth space. State and local health and safety requirements, particularly those in the food area of the Market, will be enforced by the Market Manager and/or the Health Department. Market Vendors should have their own receptacles/bags to manage waste, then must take with them at the end of the Market day. Failure by a Market Vendor to remove waste will result in violation of Market policies and subject to penalties as stated in Appendix 4. The waste receptacles in the Market are for use by Market customers and should not be used by Market Vendors for waste at the end of the Market day. The dumpsters in the Jackson Lot are privately owned and are not for Market use. Vendors are required, when applicable, by Idaho State law to deposit grey water waste in the receptacle provided at the Market. No grey water or other waste water, fat, grease, oil, or other liquid shall be placed in the gutter or in a City storm-water catch basin or other City water collection system. Note: the City will provide grey water dump stations for use by Vendors. Vendors must take with them their non grey water waste at the end of Market day.
5. **Generators.** In efforts to minimize noise and exhaust pollution, generators may not be in use during Market operational hours (5:00 a.m. – 2:00 p.m.)
6. **Decorum / Etiquette.** The Market requires and expects considerate, polite, common sense and friendly cooperation among all Market Vendors and towards other Market participants, and patrons. Market Vendors shall respect the authority of the Market Manager and Staff. Vendors shall respect the rights of the other Vendors, participants, and patrons. If a Market Vendor feels that he or she is being treated unfairly or in an unprofessional manner by the Market Manager, such a complaint shall be made only to the Assistant City Supervisor.
7. **Participation in Market Promotion.** All Vendors give permission to the City to release the Market Vendor's contact information (name, business name, address, and phone numbers) to requesting patrons and other organizations. This is intended for resource to the public in need of contacting a Vendor, promotional purposes and for publication by print

media, video, or motion picture. Participation in the Market acts as a grant of permission to the City to use photographs and other images of Market Vendors for promotional purposes without compensation.

8. **Signage.** All Market Vendors must post clear signage identifying Vendor's business and City/State of operation during sales period of the Market (8a.m. - 1p.m.). Vendors subject to signage requirements as listed under any Federal, State or City regulation, must comply.
9. **Pricing.** Market Vendors shall post clearly visible pricing for each item.
10. **Packaging and Labeling.** The Market encourages the use of recyclable packaging, Styrofoam packaging is not permitted. All packaged food products (e.g., jams, jellies, salsa, nuts, etc.) must be labeled. Labels must include the Market Vendor's name; Market Vendor's address; ingredients listed in order of volume (most to least); and potential allergenic ingredients. Market Vendor's phone number on the label is recommended.
11. **Annual Gross Sales Reporting.** All Market Vendors are required to report their Annual Gross Sales by November 15th, immediately following the current Farmers Market Season, utilizing the online management software they register with. Failure of Market Vendors to report Annual Gross Sales, as required under this Policy, will result in said Vendor being disqualified to participate in the following Market Season. This information will kept confidential and be used for future grant proposals and economic impact data collection.
12. **Idaho Sales Tax Reporting.** Market Vendors must complete an Idaho Sales Tax Form ST-124 as required by the Idaho State Tax Commission. If you have questions, contact the Department of Revenue and Taxation, Idaho State Tax Commission (208) 799 3491. The State Tax Commission reserves the right to perform unscheduled inspections for tax compliance throughout the Market Season. All Market Vendors are required by law to have a copy of Form ST-124 in their Vendor space at all times.
13. **Agreement to Hold Harmless, Defend, and Indemnify.** In order to participate in the Market, all Vendor shall sign agreement that holds the City harmless for any and all actions or inactions of every Market Vendor or person associated with such Market Vendor and that agrees to defend and indemnify the City for any claim filed against the City related to any and all activities which are associated with the Market Vendor, the Market, or the Market Vendor's business.
14. **Permits and Licenses.** All Vendors shall provide, at the time of application, current copies of any permits and licenses applicable and necessary for the sale of their products. Specific requirements related to the Fire Department, sampling, and other common permits, can be found in Appendix 3 – Fire Inspection Requirements and Appendix 5 – Permits, Resources & Contacts.
15. **Certifications.** All Market Vendors presenting products as 3rd party certified, such as organic or certified naturally grown, etc. shall include the authorized certification form with their Market Vendor application, unless otherwise exempt under Idaho Code. Certification will be checked for compliance by the State that granted certification. Certification shall be posted in the Market Vendor's space at all times. Vendors not in compliance may

constitute a violation of policy. They will be required to remove signage stating the certification(s) and may be subject to the terms of policy violation. The See Appendix 5 – Resources & Contacts for contact information to learn more about organic certification.

16. **Annual Vendor Orientation.** Vendors are required to attend the mandatory annual Market orientation meeting prior to start of Market Season, at date and time set by the Market Manager.
17. **Approved Market Vendor Substitution.** Only Tier 3 Market Vendors will be allowed to have a substitute of their choice operate their business for up to two (2) Market days per Market Season with the approval of the Market Manager. Notification of Vendors absence and contact information for the substitute must be provided prior to the market to be missed.
18. **Non-Attendance.** Market Vendors are required to call or email the Market Manager on or before the Friday before the Market day that will be missed. If illness or emergency forces non-attendance, the Market Vendor must contact the Market Manager as soon as they are able (see appendix 5). Market Vendors who do not notify the Market Manager of their imminent absence will be in violation of policy and subject to penalties as provided in the Policy Violations section of these policies.
19. **Setup.** Vendors are to utilize 5th Street as the entrance, pull into their space, unload their items to the sidewalk, exit via 3rd street or 6th street, park their vehicle a minimum 2 city blocks away from the Market (parking is available at Moscow City Hall). Vendors can then return to their space to begin setting up for the Market. Large vehicles and trailers should arrive early to allow sufficient time for unloading during setup. Vendors must allow for traffic flow and may not block the main thoroughfare. 5th Street will be closed to all vehicles at 7:15 a.m. Market Vendors must be in their assigned Market Vendor space and be unloaded by 7:30 a.m. on Market day. If not in compliance, the assigned Market Vendor space may be forfeited. All vehicles must be off Main Street by 7:30 a.m., unless otherwise specifically allowed by the Market Manager. Vendor parking is available in the City Hall lot and the adjacent Jefferson lot. All tents must be placed as close to the adjacent curb as is physically possible, unless specifically authorized by the Market Manager. Reference appendix 3 for setup safety requirements.
20. **Take-Down.** Market Vendors may stay in their Market Vendor's space until 1:00 p.m. The City requires that the Market Location be completely vacated by the Market and its Market Vendors by 2:00 p.m., ensuring that the Market Location and parking can be available to the public. Market Vendors should use extreme caution when exiting. Market Vendors requiring early departure must inform the Market Manager of plans for early departure and must carry goods, supplies and equipment out of the Market Location without using a vehicle. No vehicle may enter or leave the Market Location until after 1:00 p.m. unless directed to do so by the Market Manager, a peace officer, or an emergency services provider in the course of their employment. Vendors must begin disassembling their booth to the sidewalk by no later than 1:00 p.m. once readied for loading, Vendors may then retrieve their vehicle. Vendors must allow for traffic flow and may not block the main

thoroughfare. Vendors with large vehicles and trailers are encouraged to allow their neighbors to vacate prior to loading their vehicle in order to keep traffic flow as open as possible. Vendors may continue loading their items from the sidewalk after 2:00 p.m. if their vehicle is off Main Street, in the parking stall, and facing the direction of traffic flow.

21. **Vendor Space Walk-Through.** All Vendors are subject to a Market space walk-through by the Market Manager and/or members of the Farmers Market Commission. The purpose of the on-site walk-through is to ensure all Vendors are current on required permits and licenses and also to inspect the Vendor's goods and operations. Vendors will be notified of any policy and/or procedure violations and will be required to correct any violation as directed by the Market Manager. Failure to allow an on-site walk-through is grounds to revoke Vendor's ability to participate in Moscow Farmers Market.

22. **Resale Produce.**

- a. No wholesale or resale products of any kind are allowed except for the following: if approved in advance by the Market Manager, Produce Vendors may resell blueberries and/or asparagus grown within two hundred (200) air miles from the City of Moscow, Idaho. The Market Manager has discretion for Vendors to provide for resale of blueberries and/or asparagus grown outside two hundred (200) air miles from the City of Moscow, Idaho. Such Vendors must display a sign which will be provided by the City stating they are authorized to resell these items and the name and location of the farm where the items are obtained. Farms supplying blueberries and asparagus will be held to the same site visits, standards, and guidelines as current Produce Vendors.
- b. With some exceptions, the sale, sampling, tasting or give-away of resale items at the Market is prohibited. This includes bulbs, plants, and produce not specifically grown at the time and expense of the Market Vendor.

Policy Violations

The purpose of penalties imposed upon those who do not conform to Market Policies is to encourage communication between Market Vendor(s) and Market Management to correct the action so that the Market Vendor, where possible, can continue to sell goods within the Market. Penalties are cumulative whether the same policy has been violated multiple times or multiple policies violated multiple times. Nothing related to Farmers Market penalties shall affect, in any way, other laws and/or regulations with which Market Vendors must comply (e.g., health, tax, police, fire, etc.). Upon receipt of any penalty, the Market Vendor shall be required to communicate with the Market Management in order to discuss the action which made the basis of the penalty and consider ways to change that complies with the Market Policies.

Note: No Market Vendor will be allowed to participate in the Market after receiving any penalty until after the Market Vendor communicates with the Market Management. Where the Market Vendor believes the penalty imposed is based upon inaccurate or incomplete information or would constitute an unfair action if imposed, the Vendor may use the appeals process listed on the following page.

- A written explanation of any discipline of a Market Vendor for failure to abide by Market rules shall be given to the Market Vendor by the Market Manager within a reasonable timeframe of the action or report of the action. (Appendix 4 – Moscow Farmers Market Notice of Policy Violation).
- Upon receipt of the written explanation, the Market Vendor will be provided an opportunity to be heard by the Farmers Market Commission orally or in writing before any expulsion or termination from the Market

Consequences of the Penalty

- **First Penalty.** A verbal and written warning shall be given to the Market Vendor and Market Vendor shall meet with the Market Manager to review the deviation from Market Policies and to discuss a change in behavior to avoid further deviations
- **Second Penalty.** Prohibition of the Market Vendor from selling goods for at least one (1) Market day (commonly the Market day immediately following receipt of the Second Penalty).
- **Third Penalty.** Prohibition from participating in the Market for the remainder of the Market Season. The Market Vendor must discuss actions and correction plan with The Moscow Farmers Market Commission for approval to return to any future season.

Appeals Process

If Vendor has been found in violation of Farmers Market Policies by the Market Manager, said Vendor may appeal the Market Manager's decision to the Assistant City Supervisor by filing a written contest containing a detailed statement of the alleged violation and a detailed reasoned statement as to why the subject of the violation did not violate the Farmers Market Policies.

Any aggrieved Vendor who has been penalized for an alleged violation of the Farmers Market Policies by Market Manager and/or Assistant City Supervisor may appeal the decision within five (5) business days of violation as follows:

Any decision on the appeal will be rendered within five (5) business days. Vendor can only appeal the alleged violation one (1) time, and the decision rendered by the Market Manager or Assistant City Supervisor shall be final.

Effective Date & Enforcement

These policies shall be effective upon approval by the Moscow City Council.

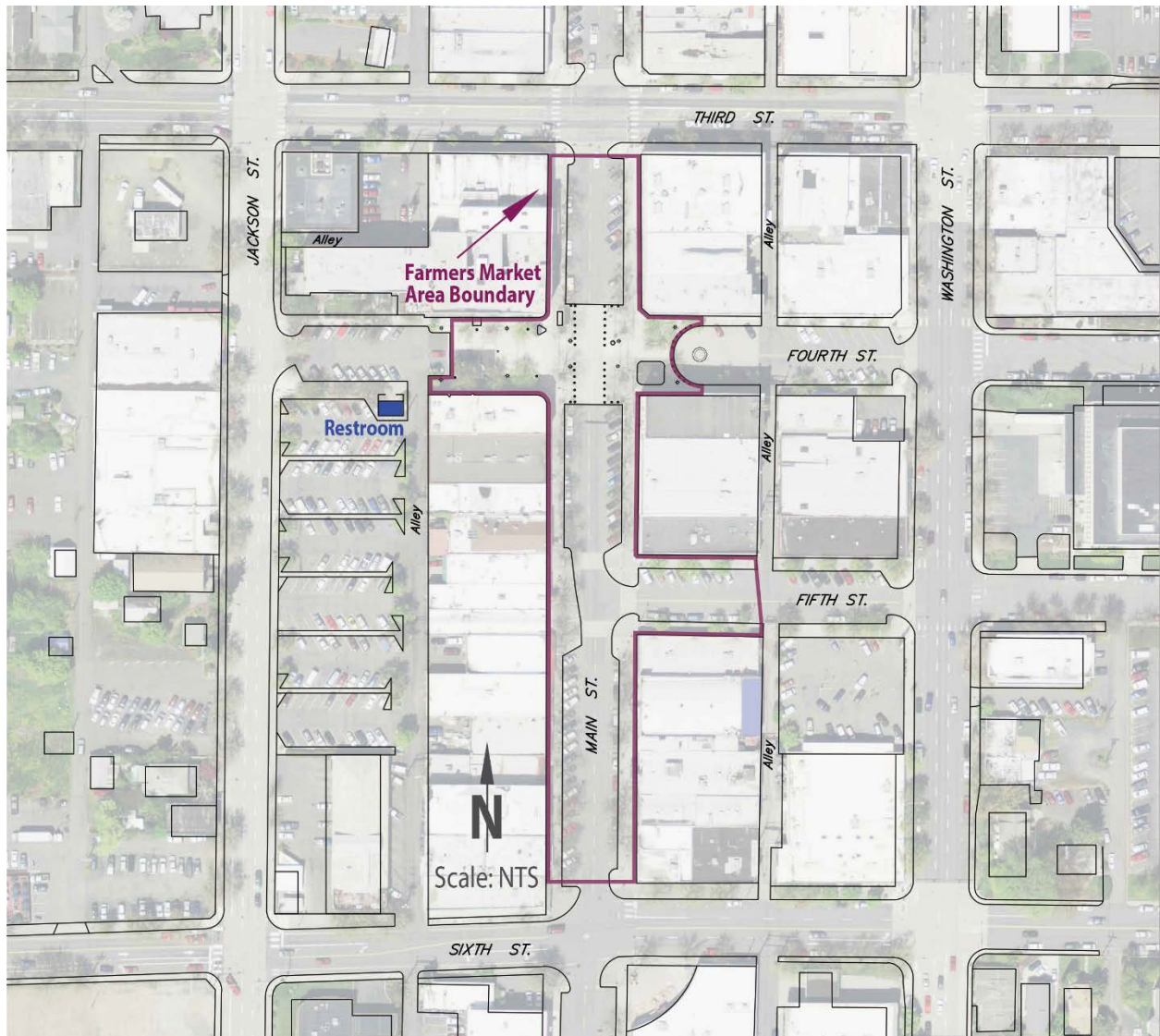
The City of Moscow Farmers Market (“Market”) Policies will be enforced by the on-site Market Manager and/or in consultation with the Assistant City Supervisor, depending on circumstances. Market Vendors are expected to be selling their own wares (produce and products) and to be in attendance at all times, except in emergency situations. All Market Vendors agree to abide by Market Policies upon signing the Market application form. All Market Vendors will be evaluated for compliance with Market Policies. Failure of Market Vendors to follow Market Policies will result in actions set out in Appendix 4.

Because the Market is located entirely on public right-of-way or City controlled property, the City reserves its right to regulate activities which occur within such public property.

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Appendices

Appendix 1 – Moscow Farmers Market Map & Boundaries



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Appendix 2 – Moscow Farmers Market Vendor Fees

Fees	Tier – 1 (1 – 8 Market Days)	Tier – 2 (9 – 17 Market Days)	Tier – 3/Season (18 – 26 days)
Annual Registration Fee	\$15	\$50	\$125
Daily Full Booth Space Fee 11' x 15'	\$30	\$20	\$15
Daily Shared Booth Space 5' x 15'	\$15	\$12	\$9
Daily Table Space 3' x 3'	\$10	\$8	\$6
Daily Electricity <i>Limited outlets, 16 amp max</i>	\$10	\$10	\$10
Daily Truck Parking	\$25	\$20	\$15
Daily Corner Space	\$5	\$5	\$5
Daily Youth Vendor	\$6	\$6	\$6
Daily Performance Art	\$7	\$7	\$7

Fee Schedule Worksheet

Fee Applied	\$ Dollar Amount	Number of times applied	Subtotal
Annual Registration		X 1	=
Daily Booth Fee		X	=
Additional Amenities		X	=

Season Total _____

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Appendix 3 – Fire Inspection Requirements

MOSCOW VOLUNTEER FIRE DEPARTMENT INSPECTION REQUIREMENTS

The following items will be inspected by the Moscow Fire Department on an irregular basis. Each Market Vendor must follow all requirements at all times.

1. Fire Extinguishers
 - a. A minimum of one (1) five pound (5 lb.) ABC type portable fire extinguisher is required for each Vendor with any type of cooking device or warming plate.
 - b. A class K rated portable extinguisher is required for deep-vat fry cooking equipment involving vegetable or animal oils and fats.
2. Portable Cooking devices
 - a. Each Vendor with a cooking device under a canopy or tent shall provide the Moscow Fire Department with a certificate executed by an approved testing laboratory certifying that the canopy or tent is composed of material meeting the flame propagation performance criteria of NFPA 701 or shall be treated with a flame retardant in an approved manner and meet the flame propagation performance criteria of NFPA 701.
 - b. No combustible material shall be within five feet (5') of any cooking device.
 - c. If the portable cooking device has a smoke stack the stack shall be a minimum of five feet (5') from any combustible material.
 - d. All compressed gas cylinders shall be secured by an approved method, including chained to a stable structure or item, to prevent tipping-over and damaging its stem and/or regulator.
3. Electrical cords.
 - a. All electrical cords shall be U/L Approved.
 - b. All electrical cords shall be covered to prevent a tripping hazard.
4. Fire Lanes

A minimum fire lane of twenty five feet (25') shall be maintained at all times
5. Vendor Tents.
 - a. All tents, umbrellas or coverings are required to be weighted to prevent blow down. Each canopy leg must have no less than twenty four pounds (24 lbs.) anchoring. Weights should be secured in a manner that does not create its own safety hazard or cause a tripping hazard. The weights should: be tethered with lines that are clearly visible, have soft edges (to avoid causing cuts and scrapes), be securely attached, and be on the ground (and not above people's heads).
 - b. Tent poles in walkways shall have red or florescent tape applied in order to prevent tripping hazards.

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Appendix 4 – Moscow Farmers Market Notice of Penalty

CITY OF MOSCOW, IDAHO FARMERS MARKET NOTICE OF PENALTY			
☐ 1 st Penalty	☐ 2 nd Penalty	☐ 3 rd Penalty	Date of Penalty: _____
Vendor: _____		Date of Notice to Vendor: _____	
Explanation of Infraction (reference to specific Farmers Market Policy): _____			

Vendor's response/explanation (optional): _____			

USE REVERSE OR OTHER PAPER IF NECESSARY			

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Appendix 5 – Permits, Resources, & Contacts

CONTACT INFORMATION – PERMITS AND LICENSING RESOURCES

Food & Drug Administration (FDA) Food Safety Modernization Act (FMSA) Preventative Controls in Human Food Rule – Value-added projects and processed products made on-farm and in licensed commercial kitchens

<https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/ucm525201.htm>

Public Health – Idaho North Central District

333 East Palouse River Drive

Moscow, ID 83843

(208) 882-7506 OR (208) 799-3100

<https://www.latah.id.us/ncdhd/>

Idaho State Seed Lab (ISDA) Seeds

2240 Kellogg Lane

Boise, ID 83712

(208) 332-8630

www.agri.idaho.gov

Idaho State Tax Commission

800 Park Blvd, Plaza IV

Boise, ID 83701

(800) 972-7660 OR (208) 334-7660

www.tax.idaho.gov

Moscow Fire Department

229 Pintail Lane

603 South Main

Moscow, ID 83843

(208) 882-2831

jwilliams@ci.moscow.id.us

Self-guided tool to determine if FMSA Produce Safety Rule applies to your farm

https://uidaho.col.qualtrics.com/jfe/form/SV_8D1ucSlEeq749AF

State of Idaho Alcohol Beverage Control

Idaho State Police

700 S. Stratford Dr. STE. 115

Meridian, ID 83642

(208) 884-7060

<https://www.isp.idaho.gov/abc/>

State of Idaho – Department of Agriculture (ISDA) Bedding plants, landscape plants, fresh or cut flowers

2270 Old Penitentiary Road

PO Box 790

Boise, ID 83701-0790

(208) 332-8620

www.idahoag.us

State of Idaho – Department of Agriculture – Dairy Bureau – Mary Patten

2270 Old Penitentiary Road

PO Box 790

Boise, ID 83701

(208) 332-8550

State of Idaho – Department of Agriculture (ISDA) Egg handler/dealer

2270 Old Penitentiary Road

PO Box 790

Boise, ID 83701-0790

(208) 332-8500

www.agri.idaho.gov

<https://adminrules.idaho.gov/>

State of Idaho – Department of Agriculture (ISDA) Food Safety Modernization Act (FMSA) Produce Safety Rule – Fresh produce (fruits, vegetables, herbs, and other food crops)

2270 Old Penitentiary Road

PO Box 790

Boise, ID 83701

(208) 332-8698

<https://agri.idaho.gov/main/inspections/fsma-main/>

State of Idaho – Department of Agriculture (ISDA)**Organic**

2270 Old Penitentiary Road

PO Box 790

Boise, ID 83701-0790

(208) 332-8673

www.idahoag.us

State of Idaho – Nursery

Plant Industries Division

PO Box 790

Boise, ID 83701

(208) 332-8620

www.agri.idaho.gov

State of Idaho Weights and Measures

2270 Old Penitentiary Road

PO Box 790

Boise, ID 83701-0790

(208) 332-8620

www.idahoag.us

University of Idaho Community Food Systems

Educator Colette DePhelps

Ag Science 333

875 Perimeter Dr.

MS2338

Moscow, ID 83843

(208) 883-4003

cdephelps@uidaho.edu

**University of Idaho Extension FMSA Food Safety
for Produce Growers**

322 E Front Street Suite 190

Boise, ID 83702

(435) 287-8773

<http://www.uidaho.edu/extension/food-safety-for-produce-growers>

University of Idaho Latah County Extension**Small Farmers Educator, Iris Mayes**

200 S. Almon St. Suite 201

Moscow, ID 83843

(208) 883-2267

latah@uidaho.edu

www.uidaho.edu/extension

Permits and licensing information for different Vendor categories.
The following is not an exhaustive list, and is provided for user education purposes.

Bees (Apiary). Idaho Bee Inspection Program. All beekeepers are required to register their bees with the Idaho State Department of Agriculture (ISDA) and pay a registration fee as well as a honey advertising tax on each colony of bees. <https://agri.idaho.gov/main/plants/bees-apiary-inspection/>

Dairy. Selling raw milk; information on small herd exemptions and selling shares of raw milk Idaho State Department of Agriculture, Dairy Bureau (208) 332-8550
<https://agri.idaho.gov/main/animals/dairy-bureau/>

Eggs. It is a requirement under [Title 37, Chapter 15](#), Idaho Code, "Egg and Egg Products" and [IDAPA 02.02.11](#) "Rules Governing Egg and Egg Products" to comply with the laws and rules if you are a distributor of egg and/or egg products or if you have three hundred (300) or more birds. If an individual **has less than three hundred (300) birds**, the eggs can be sold without complying with the requirements; however, the eggs must be clean and the container must be labeled with the individual's name, address, phone number, and the words "UNGRADED EGGS"
<https://agri.idaho.gov/main/animals/avian-species/eggs/>

Fresh Produce. The Food Safety Modernization Act (FSMA) Produce Safety Rule was made final on January 26, 2016, and establishes science-based minimum standards for the safe growing, harvesting, packing and holding of fruits and vegetables grown for human consumption. Many, if not all farms will be impacted by at least part of the FSMA Produce Safety Rule, even those that are very small. Compliance dates for some parts of the rule are already underway, with full compliance for many farms starting in January 2018. The FDA has a brief summary of the key requirements for the final Produce Safety Rule (pdf) available on their website. <https://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472887.pdf>. The University of Idaho has developed a self-guided tool to determine if FSMA Produce Safety Rule applies to your farm https://uidaho.co1.qualtrics.com/jfe/form/SV_8D1ucSIeEq749AF. For regulatory compliance in Idaho, visit: <https://agri.idaho.gov/main/inspections/fsma-main/>. For regulatory compliance in Washington, visit: https://agr.wa.gov/FoodAnimal/FSMA/FSMA_food.aspx

Meat. Idaho does not have any State inspected meat processing facilities so all meat sold by the cut at the Farmers Market needs to be processed in a USDA approved facility. Contact your local Health Department at (208) 882-7506 for any food license requirements and additional information on best practices for selling meat in the Market.
<https://agri.idaho.gov/main/animals/>

Nursery, Florists, and Landscaping. Anyone who engages in, conducts, or carries on the business of propagating, growing, selling, dealing in, or importing into Idaho, for sale or distribution, any nursery or florist stock, or engages in the installation of landscape plants, or acts as an agent, salesman, or solicitor for any nurseryman, florist, landscape contractor, or dealer in nursery or florist stock, must first obtain a license to do so from the Idaho State Department of Agriculture.

Pursuant to Idaho Code § 2305(2), sellers with less than \$500 gross annual sales are exempt from licensing. <https://agri.idaho.gov/main/plants/nurseries-florists-and-landscaping/>

Organic. The Idaho State Department of Agriculture's Organic Certification Program is an accredited certifying agent of the USDA's National Organic Program. We provide certification services for crops, wild crops, livestock, and handlers/processors. We also provide material registration for manufacturers who produce inputs used in organic production. <https://www.usda.gov/topics/organic>

Poultry. Poultry sales and processing regulations fall under Idaho Health and Welfare, but your local Health Department (Idaho North Central Health District) is your contact for making sure you are in compliance at (208) 882-7506 or (208) 799-3100. <http://idahopublichealth.com/79-environmental-health/92-food-protection>.

Processed and Value-Added Foods. The Food Safety Modernization Act (FSMA) Preventative Controls for Human Food Rule was finalized in 2016. Compliance dates for some businesses began in September 2016 and additional compliance dates for farms and very small businesses will begin in September 2018. It is important to understand how the PCHF Rule applies to your business. FDA website on the FSMA Final Rule for Preventive Controls for Human Food <https://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm334115.htm>. See pages 7 and 20 of the FDA PCHF Compliance Guide to determine if you have to comply with the rule <https://www.fda.gov/downloads/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/UCM526507.pdf>. Please note, all facilities are required to notify FDA about their compliance status. To learn more about notifying FDA, see page 18 of the Compliance Guide.

Soil and Plant Amendments. Registration with ISDA is required in order to distribute soil or plant amendments in the State of Idaho. <https://agri.idaho.gov/main/plants/>

Weights and Measures. ISDA W&M requires any weighing or measuring instrument or device used for commercial purposes in the State of Idaho to be licensed annually. This includes scales to measure produce at the Market. <https://agri.idaho.gov/main/weights-and-measures/>

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Appendix 6 – Jury Process, Site Visits & Specific Requirements

Congratulations on taking the first step to joining the Moscow Farmers Market! Whether this is your first time with a new venture, you have an established business to introduce or you're simply seeking a unique, social opportunity to engage with the community, we are here for you every step of the way. This guide to the Craft and Food Jury is intended to walk you through the first steps of the application process for Vending at the Moscow Farmers Market. Our most basic requirements are that you are the grower / producer and your operation is within 200 air miles of the City of Moscow, Idaho. Any items that are **not** produce, meat, milk or eggs, must be submitted to the Jury for review by our evaluation panel. Please take the time necessary to review our Vendor Handbook and Policies prior to completing the Jury Reservation Form.

Please Note: Unfortunately, not all Vendors who apply will be approved, however, Vendors may resubmit applications. If approved, spaced is not always guaranteed.

Additional Specific Requirements

- Those qualifying as Agricultural Vendors (produce, nursery, meat/poultry products, dairy, honey and value added) need to begin by contacting the market manager for a brief interview.
- Forager Vendors are required to disclose where product was harvested (disclose area to within a five [5] square mile description), provide all required State or Federally issued permits. The Market reserves the right to require a signed disclosure that no laws were violated in harvesting or selling of wild mushrooms, plants, or berries, under penalty of perjury.
- Those specializing in arts, crafts and prepared foods (including processed foods and food ready-to-eat at market), must submit products to the Moscow Farmers Market Jury.
- **ALL FOOD VENDORS:** For those without a permit issued by Idaho Public Health, a Food Risk Assessment must be completed by an inspector. Contact information can be found in Appendix 5. *There is a turnaround period of 4 business days, this **must** be completed the week prior to jury.*

Site Visits

- All Vendors are subject to site visits
- A site visit is the vetting process in which the Moscow Farmers Market conducts an on-site visit to the operation. Most generally site visits are conducted with Agricultural Vendors. Site visits are scheduled in advance and accompanied by City staff, Agriculture / Ag-Science Professional(s), and Moscow Farmers Market Commission Members.
- Market Staff works with the Commission and members of the scientific / agricultural community to develop questionnaires to guide site visits. Topics range from policy specific to more general operational inquiries.

Jury Process

Three jury dates are set at the beginning of the year, a pre-season, mid-season and late season. Jury dates, times and locations are announced through Press Release and online at the City of Moscow website and social media.

Before you Jury:

- 1) Review the Vendor Handbook.
- 2) Submit completed reservation form- *available at the Moscow Farmers Market office in City Hall or on the City of Moscow website (enter hyperlink here).*
- 3) **ALL FOOD VENDORS:** *With your reservation form, submit a copy of your current permit or the Food Risk Assessment completed by an inspector with the Idaho Public Health. Contact information can be found in Appendix 5. There is a turnaround period of 4 business days, this **must** be completed the week prior to jury.*

Day of Jury:

The Moscow Farmers Market will host Juries three times for each season. Participants are provided with space and one 6ft table for set up. There is a one hour set-up period prior to the Jury and a one hour take-down period after. All supplies must be collected by the participants or they will be discarded.

All Participants will need to provide the following:

- a. Your products!! We need to see all you plan to sell and if it's a food product, we want to taste it!
- b. An Itemized price list of your products.
- c. An information sheet for each product. Include a description of where the supplies came from, how the item is made, and where the item is produced.
- d. An 8X10 photo showing how your booth will look at the Moscow Famers Market. (Practice setting up your display in the yard or living room and snap a pic!)
- e. All food Vendors must submit examples of packaging to be used (Styrofoam is prohibited) and include your name, business name, physical address and phone number. All ingredients **must** be listed by volume (most to least) and clearly indicate potentially allergenic items.

Evaluation Process:

The Moscow Farmers Market Jury invites a variety of local community members to participate on the evaluation panel. The Market's goal is to have an evaluation panel of approximately 20 participants. The Farmers Market Manager facilitates the Jury, but does not participate as an evaluator. Each evaluator will rotate from table to table, thoroughly examining products, completing a Moscow Farmers Market Jury Score Card (example provided on the next page). After all submitted products are reviewed, the Market Manager will tally the score cards. A minimum score of 60% is required to be considered an approved Vendor. Due to the limiting factor of the market vending spaces, the Farmers Market reserves the right to select fewer approved candidates based on availability of space and current market product mix needs. The Farmers Market will notify all participants and provide results within 48 hours of the Jury. Newly approved Vendors will need to complete the online registration and submit payments prior to vending. The market day directly following Jury will not be open to new Vendors.

Jury Score Card

Note to evaluators:

All scores should be given based on the entire entry. To provide feedback on individual product(s) use the comment section on the back of this form.

Space # _____

0 (Poor) 5 (Below Average) 10 (Average) 15 (Good) 20 (Excellent)

Booth Layout in the 8x10 Photo (*Neatness, Organization, Item Presentation*)

0 5 10 15 20

Appearance of display (*Ready to Use/Eat? Composition, Attractive?*)

0 5 10 15 20

Structure / Workmanship (*Technique, Complexity of Design, Originality*)

0 5 10 15 20

Local, Direct Sourcing of Supplies (*from the farm or nature vs. a store*)

0 5 10 15 20

Final Product (*Appealing, Unique, Appetizing- if food*)

0 5 10 15 20

Comments:

If in the event you do not pass the evaluation process, you will be provided with the evaluation panel's feedback and may reapply.

MOSCOW CITY COUNCIL AGENDA**Meeting Date:** 05/29/2018**Title:** Moscow Farmers Market Commission Request for Nicotine Free Market**Responsible Staff:** Jen Pfiffner

Information

DESCRIPTION: The Moscow Farmers Market has worked diligently to update all vendor and Market policies over the past year. This review has included consideration of prohibition of smoking at the Market. Resolution 2015-16 passed in July of 2015 recognized the negative impacts of smoking in the Market. Since that time, the presence of other nicotine related products have become more prevalent. As such, the Moscow Farmers Market Commission respectfully requests the adoption of a new resolution to prohibit all forms of nicotine use at the Market. This would include the use of vapor pens to eliminate the chance of Market patrons inhaling secondhand vapor as well as chewing tobacco given the residue and waste that can accompany the use of such substances. Specific concerns regarding the negative impact of non-smoking nicotine use in the market includes regular occurrences of broken vapor pens, chewing tobacco pouches, and spitting.

The Department of Health and Welfare has developed a resource for nicotine free events and works with other markets by providing signage and information. The Commission has discussed this and unanimously approved the recommendation to request an update to the current resolution to prohibit all forms of nicotine in the Market. This approval followed a healthy discussion of the risk of secondhand smoke or vapor from vapor pens and issues of chewing tobacco and the impacts on all Market patrons, including children specifically.

The Commission also recommends providing educational materials for patrons in the change in the policy as well as information on how to quit nicotine for those interested. Two partners have been identified to potentially assist in this change, Gritman Medical Center and the Idaho Department of Health and Welfare.

STAFF RECOMMENDATION: Recommend approval of the attached Resolution.

PROPOSED ACTIONS: Recommend approval of the attached Resolution or provide staff further direction.

Necessary Resources/Impacts:

N/A

Attachments

Nicotine Free Cover Letter 0518
Smoking,NicotineUse,Prohibited;FarmersMarket(2018)pm2



Heart of the Arts



Farmers Market Commission

A Volunteer Commission
of the City of Moscow



Jen Pfiffner

Assistant City Supervisor
Staff Liaison

Gary J. Riedner

City Supervisor



Regular Meeting Time:

First Tuesday
of the month
4:00 p.m.

Council Chambers
of City Hall
.....

Please check with City Hall
to confirm meeting times or
to volunteer for this or
other City Commissions



Farmers Market Commission
c/o Kathleen Burns
P.O. Box 9203
Moscow, ID 83843-1703
Website: www.ci.moscow.id.us

City Hall
206 East 3rd Street
Phone (208) 883-7000
Fax (208) 883-7018

Hearing Impaired (208) 883-7019



100%
post consumer
content

May 24, 2018

Dear Mayor Lambert and City Council Members,

The Moscow Farmers Market has worked diligently to update all vendor and Market policies over the past year. This review has included consideration of prohibition of smoking at the Market. Resolution 2015-16 passed in July of 2015 recognized the negative impacts of smoking in the Market. Since that time, the presence of other nicotine related products have become more prevalent. As such, the Moscow Farmers Market Commission respectfully requests the adoption of a new resolution to prohibit all forms of nicotine use at the Market. This would include the use of vapor pens to eliminate the chance of Market patrons inhaling secondhand vapor as well as chewing tobacco given the residue and waste that can accompany the habit. Specific concerns regarding the negative impact of non-smoking nicotine use in the market includes regular occurrences of broken vape pens, chew pouches, and chew spit.

The Department of Health and Welfare has developed a resource for nicotine free events and works with other markets by providing signage and information. The Commission has discussed this and unanimously approved the recommendation to request an updated to the current resolution to prohibit all forms of nicotine in the Market. This approval followed a healthy discussion of the risk of secondhand smoke or vapor from vape pens and issues of chewing tobacco and the impacts on all Market patrons, including children specifically.

The Commission also recommended providing educational materials for patrons in the change in the policy as well as information on how to quit nicotine for those interested. Two partners have been identified to potentially assist in this change, Gritman Medical Center and the Idaho Department of Health and Welfare.

The Commission appreciates your consideration of this request and is willing to answer any questions or provide further information as needed. Thank you for your time and consideration.

Sincerely,

Adam Reed /jp/

Adam Reed, Moscow Farmers Market Commission Chair
Farmer Vendor Representative

Jamie Hill /jp/

Jamie Hill Moscow Farmers Market Commission Vice-Chair
Community Representative

City Commissions are advisory to the Mayor and City Council
and this communication does not represent the official position of the City of Moscow.

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, TO PROHIBIT ALL FORMS OF NICOTINE USE WITHIN THE BOUNDARIES OF THE FARMERS MARKET DURING THE HOURS OF OPERATION AND THROUGH THE DURATION OF THE FARMERS MARKET SEASON; PROVIDING THAT THIS RESOLUTION SHALL BE IN EFFECT UPON ITS PASSAGE, AND APPROVAL.

WHEREAS, Farmers Market has been in existence since 1976; and

WHEREAS, Farmers Market is an integral part of Moscow's vibrant downtown; and

WHEREAS, visitors to Farmers Market are in close proximity to each other and in a compact area; and

WHEREAS, the Farmers Market Commission has heard many complaints of cigarette smoke, vapor, chewing tobacco residue and waste throughout the Farmers Market, including near prepared food areas and areas where children are present; and

WHEREAS, nicotine use and the appearance of nicotine use via non-nicotine vape pens in the Farmers Market boundaries diminishes enjoyment for many visitors and vendors to the Farmers Market; and

WHEREAS, Public Health officials have found inhaling various forms of secondhand smoke, including vapor, causes many health problems and diseases, including lung disease, heart ailments, and cancer in non-smoking adults and children;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow as follows:

All types and kinds of nicotine use, including smoking, vaping in all forms (including nicotine-free vape pens), and chewing tobacco, are prohibited within the boundaries of the Farmers Market during the hours of operation and through the duration of the Farmers Market season (the first Saturday in May through and including the last Saturday in October).

That this Resolution shall become effective as of the ____ day of ____, 2018.

PASSED AND APPROVED by the Mayor of the City of Moscow, Idaho, this ____ day of _____, 2018.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

MOSCOW CITY COUNCIL AGENDA**Meeting Date:** 05/29/2018**Title:** Moscow Farmers Market Commission Request to Adjust Regulations Relating to Pets at the Market**Responsible Staff:** Jen Pfiffner

Information

DESCRIPTION: In 2012, the City Council passed Resolution 2012-13, limiting dogs and other animals and pets to the eastern side of Main Street within the Moscow Farmers Market boundaries. Since inception, conveying the restriction to the eastern side of the street has proved challenging. Staff has monitored the number of enforcement issues that have come to light under the current policy. On average 12 to 15 individuals are redirected during an average Market day, a total average of 312 - 390 per season.

In an effort to provide additional education to curb the confusion, throughout the 2017 Market season, the “Midas the Guide Dog” campaign was launched to positively and proactively promote the ability of service dogs to traverse the entirety of the Market as allowed by ADA guidelines and to highlight the restricted area where non-service animals, including dogs, pets and other animals are allowed.

The Moscow Farmers Market Commission has also reviewed the policies allowing permitted sidewalk cafés within the downtown, noting that dogs are allowed in those areas. Under the current Market policy regarding dogs and pets, access to sidewalk cafes is prohibited given the current restriction.

As such, the Moscow Farmers Market Commission respectfully requests the adoption of a new resolution to allow for dogs, pets and other animals to traverse the Market using both the eastern and western sidewalks on Main Street throughout the Market boundaries. As the current policy states, the Commission is in full agreement to maintain the ability of service animals throughout the Market, with this suggested amendment provided to better balance the intent and access of pets to Main Street during Market. The Commission discussed this issue at their April 3, 2018 meeting noting the reasoning listed herein and a motion to make the recommendation outlined was passed unanimously.

STAFF RECOMMENDATION: Recommend approval of the attached Resolution.

PROPOSED ACTIONS: Recommend approval of the attached Resolution or provide staff further direction.

Necessary Resources/Impacts:

N/A

Attachments

Pets in Market Cover Letter 0518

Dogs,Pets,OtherAnimals;FarmersMarket(2018)pm2



Heart of the Arts

Farmers Market Commission

A Volunteer Commission
of the City of Moscow

Jen Piffner
Assistant City Supervisor
Staff Liaison

Gary J. Riedner
City Supervisor

Regular Meeting Time:
First Tuesday
of the month
4:00 p.m.

Council Chambers
of City Hall

Please check with City Hall
to confirm meeting times or
to volunteer for this or
other City Commissions

Farmers Market Commission
c/o Kathleen Burns
P.O. Box 9203
Moscow, ID 83843-1703
Website: www.ci.moscow.id.us

City Hall
206 East 3rd Street
Phone (208) 883-7000
Fax (208) 883-7018

Hearing Impaired (208) 883-7019



May 24, 2018

Dear Mayor Lambert,

The Moscow Farmers Market Commission would like to make recommendation to the City Council the restrictions of animals as they are allowed in the Market. The current policy is to allow non-service animals on the eastern sidewalk adjacent to Main Street only.

In 2012, via Resolution 2012-13 the City Council passed a resolution limiting dogs and other animals and pets to the eastern side of Main Street within the Moscow Farmers Market boundaries. Since inception, conveying the restriction to the eastern side of the street has proved challenging. Staff has monitored the number of enforcement issues that have come to light under the current policy. On average 12 to 15 individuals are redirected during an average Market, a total average of 312 – 390 per season.

In an effort to provide additional education to curb the confusion, throughout the 2017 Market season, the “Midas the Guide Dog” campaign was launched to positively and proactively promote the ability of service dogs to traverse the entirety of the Market as allowed by ADA guidelines and to highlight the restricted area where non-service animals, including dogs and other animals and pets are allowed.

The Moscow Farmers Market Commission has also reviewed the policies allowing permitted sidewalk cafés within the downtown noting dogs are allowed in those areas. Under the current Market policy regarding dogs and pets, access to sidewalk cafes is prohibited given the restriction.

As such, the Moscow Farmers Market Commission respectfully requests the adoption of a new resolution to allow for dogs and other animals and pets to traverse the Market using both the eastern and western sidewalks on Main Street throughout the Market boundaries. As the policy previously stated the Commission is in full agreement to maintain the ability of service animals throughout the Market, with this suggested amendment provided to better balance the intent and access of pets to Main Street during Market. The Commission discussed this issue at their April 3, 2018 meeting noting the reasoning listed herein and a motion to make the recommendation outlined was passed unanimously.

We thank you for your consideration in advance and are happy to address any additional questions or concerns you or the Council may have.

Sincerely,

Adam Reed /jp/

Adam Reed, Moscow Farmers Market Commission Chair
Farmer Vendor Representative

Jamie Hill /jp/

Jamie Hill Moscow Farmers Market Commission Vice-Chair
Community Representative

*City Commissions are advisory to the Mayor and City Council
and this communication does not represent the official position of the City of Moscow.*

RESOLUTION NO. 2018 -

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, TO PROVIDE FOR ACCESS OF DOGS, PETS, AND OTHER ANIMALS WITHIN THE BOUNDARIES OF THE MOSCOW FARMERS MARKET DURING THE HOURS OF OPERATION, AND THROUGH THE DURATION OF THE MARKET SEASON; PROVIDING THAT THIS RESOLUTION SHALL BE IN EFFECT UPON ITS PASSAGE, AND APPROVAL.

WHEREAS, Farmers Market has been in existence since 1976; and

WHEREAS, Farmers Market is an integral part of Moscow's vibrant downtown; and

WHEREAS, visitors to Farmers Market are in close proximity to each other, and in a compact area; and

WHEREAS, since 2012, the Moscow Farmers Market has maintained policies restricting the areas available for dogs, pets, and other animals visiting the Market; and

WHEREAS, the Moscow Farmers Market has strived to make the inclusion of dogs, pets, and other animals amenable while balancing the general population of the Market, including interactions with pets, and activities that involve children and/or the preparation of food ; and

WHEREAS, current regulations allow pets only on the eastern most sidewalk of Main Street within the Farmers Market boundary; this regulation has proved to be difficult to convey, and enforce; and

WHEREAS, the Moscow Farmers Market would like to revise the regulations, as stated in Resolution No. 2012-13, regarding pets within the Market, to provide more flexibility while maintaining the health and safety for all who attend the Market;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow as follows:

Dogs, pets, and other animals are hereby allowed to traverse both eastern and western sidewalks through the Market boundaries, refraining from the main thoroughfare of the Market. "Service Animals" as defined in the Americans with Disabilities Act 2010 final regulations, are allowed throughout the Market boundaries, and are not restricted to the eastern and western sidewalks.

That this Resolution shall become effective as of the ____ day of _____, 2018.

PASSED AND APPROVED by the Mayor of the City of Moscow, Idaho, this ____ day of _____, 2018.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

Attachment: Dogs,Pets,OtherAnimals;FarmersMarket(2018)pm2 (1730 : Moscow Farmers Market Commission Request to Adjust Regulations