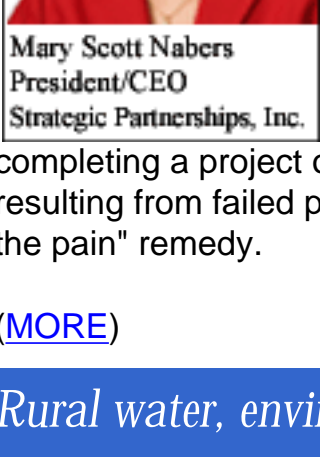


**Unlimited liquidated damage clauses - red flag for most government contractors**



Provisions for liquidated damages are fairly common in government contracts and are used by the public sector to incentivize contractors to provide quality products and services in a timely manner. However, seeing these particular terms and conditions in a bid document or contract often causes potential bidders to back away from the opportunity.

Liquidated damages could be compared to a "fine" leveled against contractors either for not completing a project on time or to make up for money and/or time lost resulting from failed performance of products or services. This is a "share the pain" remedy.

Mary Scott Nabers  
President/CEO  
Strategic Partnerships, Inc.

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**Rural water, environment projects funded by ARRA**

**\$117.3 million in loans, grants available to 17 states**

Almost three dozen rural water and environmental projects will share \$117.3 million in Recovery Act funds in the form of loans and grants aimed at improving infrastructure in rural areas of 17 states. Rebuilding and revitalizing the nation's water infrastructure, particularly in rural areas, is the goal of the loan and grant program.

Some examples of how the funds are to be used: the Tri County RWD District-Bluffton Ext in Arkansas will receive a \$1.238 million loan and a \$2.938 million grant to extend water lines to the community; the city of City of Swainsboro, Georgia, will receive a \$6.413 million loan and \$7.267 million grant for wastewater treatment plant improvements including installing a new main line, repairing a pump station and collection lines; and the City of Gustine, Colorado, will get a \$4 million loan and a \$999,500 grant for water system improvements.

USDA has announced a total of \$1.96 billion for water and environmental project loans and grants, benefiting people throughout the country. For details on these grants, click [HERE](#) and look under "Recent Reports."

For information about these and other funding opportunities, contact Reagan Weil or Richard Hartmann at 512-531-3900.

**32 Smart Grid demonstration projects awarded funds**

**Goal is to upgrade nation's electrical grid, save energy**

Looking to a future that includes a more efficient and more reliable electrical grid nationwide, the U.S. Department of Energy has awarded \$620 million in Recovery Act funds for projects throughout the country to demonstrate Smart Grid technologies. Thirty-two demonstration projects were funded for a range of activities - energy storage, smart meters, distribution and transmission system monitoring devices and more. The funding being made available will be leveraged by \$1 billion more in private sector funds.

The demonstration projects are aimed at benchmarks that can be applied throughout whole systems to promote energy conservation among consumers and increase energy efficiency while fostering the growth of renewables. Sixteen awards totaling \$435 million in the first group will support fully integrated, regional Smart Grid demonstrations in 21 states, including streamlined communication technologies that allow different parts of the grid to "talk" to each other in real time. It also includes sensing and control devices that help grid operators monitor and control the flow of electricity to avoid disruptions and outages, smart meters and in-home systems that encourage consumers to reduce their energy use and save money, energy storage options and on-site and renewable energy sources that can be integrated onto the electrical grid. In the second group, an additional 16 awards for a total of \$185 million will help fund utility-scale energy storage projects that will enhance the reliability and efficiency of the grid while reducing the need for new electricity plants.

Among those funded were the Pecan Street Project, Inc., in Austin, garnering \$10.4 million to develop and implement an Energy Internet microgrid, located in a large mixed-use infill development site and the Pacific Northwest Smart Grid Demonstration Project that spans five states and affects more than 60,000 consumers to demonstrate and validate new smart grid technologies. To view the complete list of awardees, click [HERE](#) and look under "Recent Reports."

For information about these and other funding opportunities, contact Reagan Weil or Richard Hartmann at 512-531-3900.

**Stimulus briefs**

**Green job grants will support job training, finding places to work**

Green job grants totaling nearly \$55 million were announced recently by the U.S. Department of Labor. The grants, paid for by funding from the Recovery Act, will support job training and labor market information programs to help workers find jobs in expanded green industries and related occupations.

There were two categories of grants - \$48.8 million in State Labor Market Information Improvement Grants to support the collection and dissemination of labor market information, and to enhance the labor exchange infrastructure to provide career opportunities within clean energy industries. Thirty awards ranging from about \$763,000 to \$4 million were made to state workforce agencies to utilize data for workforce development strategies. The second class of grants are Green Capacity Building Grants, totaling \$5.8 million, to increase the training capacity of 62 current Labor Department grant recipients through a variety of strategies. They will offer training opportunities to help individuals acquire jobs in expanding green industries in underserved communities.

The grants are part of a \$500 million Recovery Act initiative to promote economic growth. The Department of Labor expects to release funding for an additional three green grant award categories over the next several months. To view a full listing of project descriptions of each grant recipient, click [HERE](#) and look under "Recent Reports."

**Recovery Act funds to beef up small businesses**

Research, development and deployment of clean energy technologies by small businesses got a boost from the American Recovery and Reinvestment Act when it was announced that \$18 million in funding in the form of 125 grants of up to \$150,000 each will be awarded to 107 American firms.

The funding will ensure that small businesses have their place at the trough to compete to develop new technologies to decrease carbon pollution and increase energy efficiency. The companies named to receive the funding were chosen from 950 applicants. Companies that are successful in development of their technology will be eligible for \$60 million more in a second round of grant applications in the summer of next year.

The topic areas for the grants ranged from advanced building air conditioning and refrigeration to power plant cooling to advanced water power technology development. To view the list of recipients, click [HERE](#) and look under "Recent Reports."

**Funds available for health IT workforce training**

To better meet the needs of the health information technology workforce, the U.S. Department of Health and Human Services is making \$80 million in Recovery Act funding available to community colleges. Some \$70 million of the funds will be used for community college training programs and the remaining \$10 million will be set aside for developing educational materials for the training programs.

One of the goals of the Recovery Act is the adoption of electronic health records, which allow information exchange among health care providers and public health authorities. To do so, however, requires an expansion of the current workforce in that area. By training more workers in the field of electronic health records, the network can be expanded - helping improve patient health care and helping to eliminate mistakes relative to health care.

The training will include intensive, non-degree programs that can be completed within six months by those with a background in either health care or IT fields. There will be five regional consortiums across the country to help coordinate efforts. The consortiums must include a community college. For more information, click [HERE](#).

**Two SBA loan programs see money drying up**

Thousands of small businesses across the country that planned to apply for loan programs with temporarily reduced fees and higher guarantee percentages on Small Business Administration-backed loans could be out of luck. The SBA recently announced that stimulus funds for its most popular loan programs have been expended. Some \$375 million in Recovery Act funds was set aside for use in 7(a) and 504 loan programs. The program saved small businesses up to \$60,000 in fees. SBA officials are looking at ways to continue the programs that have resulted in more than 40,000 loans to small businesses facing economic hardships.

The programs were authorized through Feb. 16, and funds are being sought to extend them until that date. Small businesses traditionally drive the nation's economic engines. Those businesses that can wait out the funding drought can enter into a transition period called the Recovery Loan Queue. The current administration recently offered its support for increasing the maximum size of an SBA (7a) loan to \$5 million from the current \$2 million.

**New Orleans looking at bond election for streets**

A \$40 million bond sale could be in New Orleans' future - with most of the proceeds dedicated to high-profile street projects. Another \$40 million sale could come as early as the second half of next year. City voters approved a pre-Katrina bond issue for \$260 million. In 2007, the first \$75 million of that was sold for roads, public infrastructure and other work.

**Laboratories to share \$104.7 million for energy projects**

Eight U.S. Department of Energy National Laboratories will share in \$104.7 million in Recovery Act funding for projects aimed at establishing critical research and testing facilities relating to clean energy and energy efficient technologies of national interest. The funds will go to projects whose goals are to reduce the production cost of carbon fiber manufacturing, help reduce the weight of vehicles, improve efficiency and lower costs for car batteries and improve net-zero energy building technologies.

The projects selected cover three areas: carbon fiber manufacturing and processing technologies, advanced battery prototype fabrication and testing facilities and development of integrated and building systems. To view the complete list of laboratories selected for funding, the amount of the funding and how the funding will be used, click [HERE](#) and look under "Recent Reports."

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**What the states are doing**

Equipment and personal protective gear will be purchased for police departments in Virg County, **Virginia**, from more than \$579,000 in federal stimulus funds. Purchases are likely to include computers, vests, guns and vehicle camera systems. The funds will be shared by departments in the City of York, Hanover, Fairview, Hellam, Newberry, Penn, Springettsbury, Spring Garden, West Manchester, Southwestern Regional, York Area Regional and the County of York.

San Patricio County, **Texas**, will benefit from \$700,000 in federal grants for infrastructure repair. They include a more than \$322,000 grant to Aransas Pass to repair a portion of the bulkhead at Conn Brown Harbor damaged by Hurricane Ike, a \$141,418 to the city's Parks Department for photovoltaic systems totaling 170 kilowatts at more than a dozen sites, \$775,655 to the Greater Cincinnati Water Works for a 280-kilowatt rooftop system and \$652,932 to the Ohio Department of Mental Health to install a 233-kilowatt rooftop system at Summit Behavioral Healthcare in Bond Hill.

Two federal grants to the York, **Pennsylvania**, Housing Authority will provide for building renovations and energy upgrades. The Broad Park Manor facility will get new masonry and window aprons and a fresh coat of paint. These and other improvements will be paid for by a more than \$2 million grant. Another \$2.6 million grant will pay for energy upgrades at the facility that include a new heating and cooling system, solar collectors for hot water and possibly putting in meters for all of the apartments.

Clare County, **Michigan**, will spend part of the \$3.35 million in stimulus funds it received on a new 44,000-square-foot transit facility.

The Melbourne, **Florida**, International Airport is using \$33 million in stimulus funds to improve its taxiways and parking aprons, replace its lighting with more energy-efficient lights and replace safety equipment.

American Electric Power **Ohio** will use part of its \$75 million in federal stimulus funds for Smart Grid projects to install approximately 110,000 advanced electricity meters.

**Other national news**

**'Urban circular projects' can qualify for \$280M in transportation funds**

The nation's Livability Initiative, a joint venture of the U.S. Department of Transportation, the U.S. Department of Housing and Urban Development and the U.S. Environmental Protection Agency, has announced funding totaling \$280 million will be available for "urban circulator projects" that include streetcars, buses and bus facilities. The projects are geared toward supporting communities, expanding business opportunities and improving quality of life. The projects are also expected to create new jobs.

Projects will qualify for a maximum of \$25 million from the \$130 million in unallocated discretionary New Starts/Small Starts Program. Priority will be given to projects that connect destinations and foster redevelopment of unallocated funds from the Bus and Bus Facility program will be available to projects that foster preservation and enhancement of urban and rural communities by providing new mobility options to help access jobs, health care and education sites or that contribute to redeveloping neighborhoods into pedestrian-friendly areas.

The grant recipients will be announced in February, 2010, by the Federal Transit Administration.

**EPA Awards water pollution funds to Native American groups**

The U.S. Environmental Protection Agency (EPA) has awarded \$100,000 to the Delaware Nation of Oklahoma, \$157,106 to the Pueblo of Pojoaque in New Mexico and \$65,000 to the Pueblo of Sandia in New Mexico for support of their water pollution control programs. Surface water sampling on their lands will continue to determine if a more thorough watershed management program is needed to develop water quality standards. Data analysis after water sampling will help them determine if water quality needs are being met, note any changes in the quality or condition of their water and understand and define the function and health of water stream ecosystems.

**New Orleans Catholic schools awarded funding for damages**

Five Catholic schools in New Orleans Parish that were damaged by Hurricane Katrina will benefit from \$25 million in public assistance funding from the Federal Emergency Management Agency (FEMA) and the Louisiana Recovery Authority. The funding is a result of damages at 32 Archdiocesan facilities. An alternate project to use this money to repair eight buildings at five schools was presented. The money will be used at Cathedral Academy's main and secondary buildings, St. Leo the Great's main and secondary buildings, St. Peter Claver's main and kindergarten buildings and the main buildings at St. Rita and St. Stephen. To date, FEMA has obligated approximately \$183.8 million in Public Assistance to the Archdiocese of New Orleans for Katrina-related recovery work to its educational facilities. This funding has helped repair or rebuild Archdiocesan-owned schools in Orleans, St. Tammany and St. Bernard parishes.

**Roosevelt University planning 32-story building in Chicago**

Roosevelt University in Chicago is planning the university's first newly constructed building in school history - and the university is making a statement. The 32-story, \$110 million building will be in downtown Chicago and will include classrooms, labs, a student recreation center and resident suites for 600 students. The facility is slated to open in January 2012.

**EPA awards \$147,000 to the Eight Northern Indian Pueblo Council**

The U.S. Environmental Protection Agency (EPA) has awarded \$147,000 to the Eight Northern Indian Pueblo Council of New Mexico to develop and manage environmental programs to protect and improve the environment and public health of member Pueblos and Tribes (Nambé, Picuris, Pojoaque, Santa Clara, San Ildefonso, Ohkay Owingeh, Taos, Tesuque and Ysleta del Sur of Texas). The money will also be used to develop the capacity to manage specific activities including attending monthly meetings with consortia members, conducting strategic planning with consortia members to identify Pueblo and Tribal needs, provide technical assistance and training, dissemination of educational information to consortia communities, provide environmental education programs for youth and attend national meetings.

**Decision-makers on the move**

**Charlie Belk** has been named new police chief in Los Angeles County, replacing **William Bratton**, who left last month to join a security firm in New York...Incoming Albuquerque Mayor **Richard Betty** has named former secretary of the state Economic Development Department and the state Department of Tourism, **John Garcia**, director of economic development, former regional transit manager for the Mid-Region Council of Governments, **Bruce Rizzieri**, as head of the city's Transit Department and former community outreach liaison to a state representative, **Tito Madrid**, as director of constituent services...**Jelysne LeBlanc-Burley** has been named interim general manager of CPS Energy in San Antonio, following the resignation of former interim general manager **Steve Bartley**...Deputy Commissioner **Thaxter Trafton** has been sworn in as interim commissioner of Maine's economic development department...**Jean Holbrook**, superintendent for the county Office of Education in San Mateo County, is retiring at the end of January after only one year as schools chief. 31...**Dr. Barbara Coutsure**, former senior vice chancellor for Academic Affairs for the University of Nebraska-Lincoln has been appointed president of New Mexico State University...After 21 years at the helm, Los Angeles County Fire Chief **Michael Freeman** has announced he will retire in March...**Valeria Silva**, former chief academic officer of the St. Paul Public Schools, has been named superintendent...Arkansas prisons director **Larry Norris** will close the books on his 16-year career with the system when he retires in January...**Chris Traylor**, former associate commissioner for Texas Medicaid and the Children's Health Insurance Program at the Health and Human Services Commission, has been named commissioner of the Texas Department of Aging and Disability Services...California Gov. **Arnold Schwarzenegger** has appointed State **Sen. Abel Maldonado** to fill the vacant lieutenant governor's job...The Florida Board of Governors has approved the appointment of **John Pritchett** as interim president of Florida Atlantic University in Boca Raton to replace **Frank T. Brough**, who left FAU earlier this month to become chancellor of Florida's state university system...**Dennis Burns**, a 27-year veteran of the department, was recently sworn in as Palo Alto, California's, police chief, succeeding **Lynne Johnson**, who stepped down a year ago amid a controversy.

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**Calendar of events**

**Webinar explores becoming green community**

"Greening, Kansas, and Beyond" is the title of the U.S. Department of Energy's Building Technologies Program Webinar set for Tuesday, Dec. 15, from 12 to 1:30 p.m. (Eastern). It is the second in a series about the city of Greensburg, which has been seeking to become a model green community since recovering from a massive tornado in 2007. Some of the topics to be examined are the city's approach to wind-generated electricity and John Deere's plans for green dealership buildings throughout the country. The Webinar is geared toward federal agencies, state energy offices, renewable energy and energy efficiency associations, architects, residential and commercial builders, planning firms and utilities. This webinar is free, but you must register in advance to obtain a URL for the presentation and call-in phone number. For more information, click [HERE](#).

**Conference on Global Preparedness set in December**

The Third Annual Conference on Global Preparedness is set for Dec. 8-10 at the Melbourne Hilton Rialto Place in Melbourne, Fla. The event is hosted by the Florida Institute of Technology's Global Center for Preparedness. This year's event will feature speakers: Kay Goss, associate director of FEMA from 1994-2001 and now director of emergency management and crisis communications for SRA International; Yu-Ki Karakaz from the International Association of Emergency Managers; Terry Gillette, president of Raytheon/SI; Lou Kratz, vice president and managing director, Logistics and Sustainment, Lockheed Martin Corp.; and representatives of the Joint Chiefs of Staff, the Florida National Guard and the Department of Homeland Security. Major topics will include emergency response and interoperability, the economy and preparedness, cyber-security and information assurance, human factors and secure technology. Presentations will show how these areas are interconnected to identify today's challenges. To register, contact Conference Administration at (321) 674-8342 or email [cginfo@fit.edu](mailto:cginfo@fit.edu). For more information, click [HERE](#).

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**All 50 states have own recovery Web sites**

All 50 of the states and the District of Columbia now have their own "recovery" sites where citizens can track where ARRA dollars are being spent in their respective states. The states are charged with ensuring accountability and transparency in how the funds are spent and their Web sites show the projects being funded and the amount of ARRA funds allocated. For links to each of the state and District of Columbia recovery Web sites, [HERE](#).

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