

US EPA ARCHIVE DOCUMENT

# U.S. Environmental Protection Agency Tribal Resource Conservation Funds 2010 Request for Proposals

**Agency Name:** U.S. Environmental Protection Agency (EPA), Region 9

**Funding Opportunity Name:** Tribal Resource Conservation Funds

**Announcement Type:** Request for Proposals (RFP) - Initial Announcement

**Funding Opportunity Number:** EPA-R9-WST7-10-001

**Catalog of Federal Domestic Assistance Number:** 66.808

## Overview

The U.S. Environmental Protection Agency Region 9 is soliciting proposals to fund projects that address solid waste reduction and management. Funds will be awarded pursuant to Section 8001 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6981. Funding will be in the form of cooperative agreements and/or grants. Funds will be awarded to applicants carrying out projects that serve the lands in Indian Country belonging to over 140 federally recognized tribes which fall under EPA Region 9's geographic area of Arizona, California, Hawaii, and Nevada. **Only Tribes and Tribal Consortia are eligible to submit proposals for the Tribal Resource Conservation Funds announcement.**

The aim of this funding is to support innovative ideas with the goal of fostering positive change in reducing solid waste. Projects may include studies, surveys, investigations, demonstrations, training, and public education programs. All demonstration projects must demonstrate applications, technologies, methods, or approaches that are new, innovative, or experimental. A demonstration project that is carried out through a routine or established practice is not eligible for funding. This solicitation and additional EPA Region 9 Solid Waste and Pollution Prevention Program funding information is available on the Internet at:

<http://www.epa.gov/region09/waste/solid/funding.html>

Under this announcement, EPA Region 9 anticipates awarding approximately 3 to 5 cooperative agreements or grants ranging in size from \$20,000 to \$50,000 totaling approximately \$200,000.

**No Matching funds are required. However, if an applicant would like to propose voluntary matching funds in their proposal, the applicant may do so, but will be legally obligated to provide the voluntary match if the applicant receives the award (See Section III for further details).**

**Important Dates:**

**March 19, 2010** -- Proposals must be received in hard copy (through the mail or hand delivered) or emailed to [tribal.rcf@epa.gov](mailto:tribal.rcf@epa.gov) by 5 PM Pacific Standard Time.

**April 9, 2010** -- Initial approvals identified and sponsors of projects selected for funding will be requested to submit a formal application package.

**April 30, 2010** -- Application and workplan due.

**September 30, 2010** – Awards made no later than this date.

The above dates (other than the **March 19, 2010** submission date) are anticipated dates and may be subject to change.

**Contact:** Heather White

Phone: (415) 972-3384

Email: [white.heather@epa.gov](mailto:white.heather@epa.gov)

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# Tribal Resource Conservation Funds 2010 Request for Proposals

EPA-R9-WST7-10-001

## Full Text of Announcement

### I. Funding Opportunity Description

Funds will be awarded pursuant to Section 8001 of the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. §6981. The purpose of the Tribal Resource Conservation Funds program is to preserve and restore land by using innovative waste management practices and by reducing the risks posed by releases of harmful substances. Projects may include studies, surveys, demonstrations, training, and public education programs. All demonstration projects must demonstrate applications, technologies, methods or approaches that are new, innovative or experimental. A demonstration project that is carried out through a routine or established practice is not eligible for funding.

Funds will be awarded to applicants carrying out projects that serve the lands in Indian Country belonging to over 140 federally recognized tribes which fall under EPA Region 9's geographic area of Arizona, California, Hawaii, and Nevada.

This program supports EPA’s strategic goal of land preservation and restoration. The grant program funds Region 9 priorities listed below. This funding opportunity links to EPA’s Strategic Plan through sub-objective 3.1.1: Reduce Waste Generation and Increase Recycling. It also supports EPA’s strategic goal of promoting environmental compliance and stewardship, referenced in Objective 5.2. Improve Environmental Performance Through Pollution Prevention and Innovation. For more information see: [http://www.epa.gov/ocfo/plan/2006/entire\\_report.pdf](http://www.epa.gov/ocfo/plan/2006/entire_report.pdf)

### Region 9 – Program Priorities for Proposals submitted for the Tribal Resource Conservation Funds:

Tribes and Tribal Consortia seeking funding under the Tribal Resource Conservation Funds should address, in an innovative way, one or more of the following goals and priorities or goals/priorities that are substantively similar, in their proposals:

- Innovative solutions to barriers to sustainable tribal integrated solid waste management programs, including market research or feasibility studies for recycling and composting programs.
- A sustainable closed loop organics system by developing a pilot project to design and implement an organics (e.g. biosolids, yard, food, manure, and cardboard/soiled paper) waste collection and recycling program. Projects should demonstrate a beneficial use of the resulting compost. Examples of beneficial use include: bioremediation of oil contaminated soils; storm water management; use in a community garden; and ecosystem restoration.

- Integrated Solid Waste Management Plans.
- Collaboration with other tribal departments, such as housing, maintenance and economic development departments, to promote sustainable, green building principles that reduce waste in tribal residences, facilities and businesses.
- Use of the EPA/USDA food waste hierarchy preferred options to promote better management and reduction of food waste at tribal casinos/resorts and other tribal facilities. <http://www.epa.gov/osw/consERVE/materials/organics/food/fd-gener.htm#food-hier>
- Compliance with solid waste management codes and ordinances. Projects could include, but are not limited to: developing a tribal enforcement program, developing tribal solid waste codes/ordinances, developing a program for a circuit rider code enforcement officer for a specific geographic area, providing training on open dumping enforcement mechanisms, or organizing a code development course.
- Reduction of the burning of residential waste (trash) through outreach, education, ordinance development and enforcement, provision of alternative solid waste disposal methods, or other innovative approaches.
- Conducting training, demonstrations, and public education programs related to solid and household hazardous waste management strategies, including zero waste programs, recycling, composting, or other waste reduction programs, that are protective of human health and the environment.
- Development planning documents and dumping prevention and enforcement programs that promote the development of cleanup, closure, and post-closure programs for open dump waste sites on tribal lands. **Note: Tribal Resource Conservation Grant funds cannot pay for cleanup or construction costs.**

#### **Environmental Results--Outputs and Outcomes for Proposals submitted for the Tribal Resource Conservation Funds:**

Pursuant to EPA Order 5700.5, “*Environmental Results under EPA Assistance Agreements*,” EPA requires that all grant and cooperative agreement recipients adequately address environmental outputs and outcomes. Outputs and outcomes differ both in their nature, and in how they are measured.

**OUTPUTS:** The term “output” means an environmental activity, effort, and/or associated work products related to an environmental goal and objective, that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.

Anticipated outputs from this program include but are not limited to the following:

- Educational and outreach materials developed for the community;
- Development of an integrated waste management plan; and
- Development of a recycling feasibility study for the community;
- Development of an organics waste closed loop protocol.

**OUTCOMES:** The term “outcome” means the result, effect or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, but must be quantitative. They may not necessarily be achievable within an assistance agreement funding period.

Expected outcomes from this program include, but are not limited to the following:

- Increased amount of material being recycled or composted;
- Increased understanding of waste being generated in the community through a waste characterization study;
- Reduction in burning of waste through the development of waste disposal alternatives; and
- Increased technical capacity of tribal environmental staff by attending solid waste related trainings.

To estimate the anticipated outputs and outcomes of your proposal, EPA encourages you to review the Measurement Fact Sheet at:

[http://www.epa.gov/region09/funding/rcra\\_measurements.html](http://www.epa.gov/region09/funding/rcra_measurements.html)

## II. Award Information

Under this announcement, EPA Region 9 anticipates awarding approximately 3 to 5 cooperative agreements or grants ranging in size from \$20,000 to \$50,000 totaling approximately \$200,000.

A cooperative agreement is a type of grant. Under a cooperative agreement, EPA provides financial assistance and is substantially involved in the project. While EPA’s role will vary from project to project, EPA expects to have substantial technical interaction with the recipient throughout the performance of the project. For such projects, such involvement may include but is not limited to: reviewing and approving project phases, reviewing and providing input on provisions within proposed subgrants and contracts, collaborating with the recipient on the scope of work and mode of operation of the project, closely monitoring the recipient’s performance, approving any proposed changes to work plan and/or budget, approving qualifications of key personnel, and reviewing and commenting on reports prepared under the assistance agreement.

An applicant may submit more than one proposal if the proposals are for different projects.

All projects should have an anticipated start date of October 1, 2010. Proposed project periods may be up to two (2) years.

Selected applicants may be offered funds in an amount less than the proposal requests. In

appropriate circumstances, EPA reserves the right to partially fund proposals by funding discrete portions or phases of proposed projects. If EPA decides to partially fund a proposal, it will do so in a manner that does not prejudice any applicants or affect the basis upon which the proposal or portion thereof, was evaluated and selected for award, and therefore maintains the integrity of the competition and selection process.

EPA reserves the right to make additional awards under this announcement, consistent with Agency policy and guidance, if additional funding becomes available after the original selections are made. Any additional selections for awards will be made no later than six months after the original selection decisions.

Funding for these projects is not guaranteed and is subject to the availability of funds. EPA reserves the right to reject all proposals and make no awards under this announcement.

### **III. Eligibility Information**

#### **Applicant Eligibility**

Proposals will only be accepted from federally recognized Indian Tribes and Tribal Consortia.

#### **Threshold Eligibility**

In addition to the applicant eligibility criteria described above, proposals must also meet the following threshold criteria. Failure to meet any of the following criteria in the proposal submission will result in disqualification of the proposal for funding consideration. Ineligible applicants will be notified within 15 calendar days from the date of the finding that the applicant was not eligible for award consideration based on the threshold criteria.

1. Proposals must substantially comply with the proposal submission instructions and requirements set forth in Section IV of this announcement or else they will be rejected. However, where a page limit is expressed in Section IV with respect to the proposal and/or parts of the proposal, pages in excess of the page limitation will not be reviewed.
2. In addition, proposals must be received by the proposal submission deadline as specified in Section IV.D of this announcement. Proposals received after the submission deadline will be considered late and returned to the sender without further consideration. Applicants should confirm receipt of their proposal with Heather White ([white.heather@epa.gov](mailto:white.heather@epa.gov) or (415) 972-3384) as soon as possible after the submission deadline—failure to do so may result in your proposal not being reviewed.
3. Proposals submitted via fax are NOT eligible and will not be reviewed or considered.
4. Scientific research projects are ineligible for funding.
5. Solid and hazardous waste cleanups are ineligible for funding.
6. Proposals for demonstration projects must demonstrate applications, technologies, methods or



approaches that are new, innovative or experimental. Proposals for demonstration projects that are carried out through routine or established practices will not be considered.

7. Projects must be carried out within EPA Region 9's geographic area, which includes Arizona, California, Hawaii, and Nevada.

### **Funding Restrictions**

a) The following are ineligible costs:

- Purchase of capital equipment (e.g., trucks, tractors, front-loaders, etc.);
- Construction costs or construction planning costs;
- Acquisition of land costs or interest in land costs; and
- Subsidy for the price of recovered resources costs.

b) Management fees: When formulating budgets for proposals/applications, applicants must not include management fees or similar charges in excess of the direct costs and indirect costs at the rate approved by the applicants cognizant audit agency, or at the rate provided for by the terms of the agreement negotiated with EPA. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs that are not allowable under EPA assistance agreements. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

**No matching funds are required under this RFP.** Although cost-sharing/matching is not required as a condition of eligibility under this competition, under Section V of this announcement EPA will evaluate proposals based on a leveraging criterion.

Leveraging is generally when an applicant proposes to provide its own additional funds/resources or those from third party sources to support or complement the project they are awarded under the competition which are above and beyond the EPA grant funds awarded. Any leveraged funds/resources, and their source, must be identified in the proposal. Leveraged funds and resources may take various forms as noted below.

**Voluntary cost share** is a form of leveraging. Voluntary cost sharing is when an applicant voluntarily proposes to legally commit to provide costs or contributions to support the project when a cost share is not required. Applicants who propose to use a voluntary cost share **must** include the costs or contributions for the voluntary cost share in the project budget on the SF-424. If an applicant proposes a voluntary cost share, the following apply:

- A voluntary cost share is subject to the match provisions in the grant regulations (40 CFR 30.23 or 40 CFR 31.24, as applicable).
- A voluntary cost share may only be met with eligible and allowable costs.
- The recipient may not use other sources of federal funds to meet a voluntary cost share unless the statute authorizing the other federal funding provides that the federal funds may be used to meet a cost share requirement on a federal grant.



- The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget.

**Other leveraged funding/resources that are not identified as a voluntary cost share.** This form of leveraging may be met by funding from another federal grant, from an applicant's own resources, or resources from other third party sources. This form of leveraging should not be included in the budget or workplan and the costs need not be eligible and allowable project costs under the EPA assistance agreement. If applicants propose to provide this form of leveraging, EPA expects them to make the effort to secure the leveraged resources described in their proposals. If the proposed leveraging does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 40 CFR Parts 30 or 31 as applicable.

## IV. Proposal and Submission Information

### A. General Information: Only Tribes and Tribal Consortia are allowed to submit proposals.

Applicants can download individual grant proposal/application forms from EPA's Office of Grants and Debarment website at: [http://www.epa.gov/ogd/grants/how\\_to\\_apply.htm](http://www.epa.gov/ogd/grants/how_to_apply.htm) or by calling the Region 9 Grants Management Office at (415) 972-3702.

All proposals must be formatted for 8 1/2" x 11" paper using no smaller than 11 point font with 1" margins, single spaced. A page equals one side of paper. Hard copy submissions should be submitted on post-consumer recycled content paper and should be double-sided to reduce waste.

Proposals are limited to 10 pages; excess pages submitted with proposals will not be reviewed or considered. Both the SF 424 and SF 424A **do not count towards the 10-page limitation**. Proposals that do not substantially comply with the following format are NOT eligible and will not be reviewed or considered. Fax submissions are NOT eligible and will not be reviewed or considered.

### B. Mode of Proposal Submission

Applicants may choose to apply under this announcement in *one of two ways*. If you wish to apply with a hard copy submission, please follow the instructions under "Hard Copy Submissions" below. If you wish to apply electronically, please follow the instructions under "Electronic Submissions" below.

#### 1. Hard Copy Submissions

Please provide one original of the proposal package (including signed and completed SF 424 and SF 424A forms) and one copy of your proposal package **—no binders or spiral binding—**to:

**Hard Copy via US Mail or Commercial Delivery (FedEx, UPS, DHL, USPS, etc)**

Heather White  
Tribal Resource Conservation Funds Proposals  
U.S. Environmental Protection Agency, Region 9  
75 Hawthorne Street (WST-7)  
San Francisco, CA 94105

**Hard Copy Proposal Submission Deadline**

**All hard copies of proposal packages must be received by Heather White by 5:00 p.m. PST, on March 19, 2010**

**2. Electronic Submissions**

E-mail submissions must be submitted to [tribal.rcf@epa.gov](mailto:tribal.rcf@epa.gov) and be received by 5:00 p.m. PST on **March 19, 2010**. All required documents listed in Section IV.C of this announcement must be attached to the e-mail as separate Adobe PDF files. Please note that if you choose to submit your materials via e-mail, you are accepting all risks attendant to e-mail submission including server delays and transmission difficulties. E-mail submissions exceeding 15MB will experience transmission delays that will affect when they are received by the Agency. For these size submissions, applicants should submit their application materials via hardcopy or else they may be received late and not considered for funding. Applicants submitting their application materials through e-mail should confirm receipt of the materials with **Heather White** ([white.heather@epa.gov](mailto:white.heather@epa.gov) or (415) 972-3384) as soon as possible after submission.

**C. Contents of Proposal Submission**

**There is a 10-page limit. Please note that proposal package must include all the information below, no matter what mode of submission is used, email or hardcopy.**

**Narrative Proposal**

1. Applicant's name, primary contacts, address, phone and fax numbers, and e-mail (if available).
2. Background information about lead organization, and other participants/partners. Background should focus on experience related to the project proposal and grant management abilities.
3. Summary of the project. In addition to describing the purpose of the project and how it will be implemented applicants must describe how the project relates to Region 9 priorities.

4. Project goals and objectives:
- What you will achieve?
  - What the project impact will be?
  - Whom the project will benefit?
  - How you plan on determining the project's effectiveness?
  - What is your plan for tracking and measuring the project results, how will such results be measured and how will that relate to environmental improvements, specifically outputs and/or outcomes as described in Section I of the announcement?
  - Does the project address the evaluation criteria in section V?

5. Project budget. Estimates should be made for personnel, travel, supplies, contracts, and any indirect costs.

**6. Environmental Results--Outcomes and Outputs:** Identify the expected quantitative and qualitative outcomes of the project (**See Section I**), including what measurements will be used to track your progress towards achieving the expected outcomes and how the results of the project will be evaluated. Identify the expected project outputs and how progress towards achieving the expected outputs will be tracked and measured.

**7. Programmatic Capability and Past Performance:** Submit a list of federally funded assistance agreements (assistance agreements include Federal grants and cooperative agreements but not Federal contracts) similar in size, scope and relevance to the proposed project that your organization performed within the last three years (no more than 5 agreements, and preferably EPA agreements) and describe (i) whether, and how, you were able to successfully complete and manage those agreements and (ii) your history of meeting the reporting requirements under those agreements including whether you adequately and timely reported on your progress towards achieving the expected outputs and outcomes of those agreements (and if not, explain why not) and whether you submitted acceptable final technical reports under the agreements. In evaluating applicants under these factors in Section V, EPA will consider the information provided by the applicant and may also consider relevant information from other sources, including information from EPA files and from current/prior grantors (e.g., to verify and/or supplement the information provided by the applicant). If you do not have any relevant or available past performance or reporting information, please indicate this in the proposal and you will receive a neutral score for these factors (a neutral score is half of the total points available in a subset of possible points). If you do not provide any response for these items, you may receive a score of 0 for these factors.

In addition, provide information on your organizational experience and plan for timely and successfully achieving the objectives of the proposed project, and your staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project.

**8. Leveraging:** Demonstrate how you will coordinate the use of EPA funding with other Federal and/or non Federal sources of funds/resources to leverage additional resources to

carry out the proposed project(s) and/or that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources. Describe the type of leveraging proposed, how you will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, and what role it will play in the overall project. Selected applicants are expected to abide by their proposed leveraging commitments during grant performance and the failure to do so may affect the legitimacy of the award.

The proposal package *must* also include the following materials:

**Standard Form (SF) 424, Application for Federal Assistance**

Complete the form. There are no attachments. Please be sure to include organization fax number and email address in Block 5 of the Standard Form SF 424.

**Standard Form SF 424A – Budget Information**

Complete the form. There are no attachments. The total amount of federal funding requested for the project period should be shown on line 5(e) and on line 6(k) of SF-424A. If indirect costs are included, the amount of indirect costs should be entered on line 6(j). The indirect cost rate (i.e., a percentage), the base (e.g., personnel costs and fringe benefits), and the amount should also be indicated on line 22. Both the SF 424 and SF 424A **do not count towards the 10-page limitation**.

**D. Submission Dates and Times**

The closing date and time for receipt of proposals, regardless of mode of submission, is March 19, 2010, 5:00 p.m., Pacific Standard Time (PST). All hard copies of proposal packages must be received by Heather White by March 19, 2010, 5:00 p.m., PST. Electronic submissions must be addressed to [tribal.rcf@epa.gov](mailto:tribal.rcf@epa.gov) and include, “Tribal Resource Conservation Funds” – [name of applicant] in the subject line and must be received by March 19, 2010, 5:00 p.m., PST. Proposals received after the closing date and time will not be considered for funding.

**E. Confidential Business Information**

We do not recommend that you include confidential business information (CBI) in your proposal. However, if CBI is included, it will be treated in accordance with 40 CFR Part 2. Applicants must clearly mark which portions of their proposal they are claiming as CBI. If no claim of CBI is made, EPA is not required to make the inquiry to the applicant otherwise required by 40 CFR 2.204(c)(2) prior to disclosure. However, the Agency protects competitive proposals/applications from disclosure under applicable provisions of the Freedom of Information Act prior to the completion of the competitive selection process.

## F. DUNS:

All applicants applying for funding must have a Dun and Bradstreet Universal Data Numbering System (DUNS) number. Applicants who do not already have a DUNS number may find instructions for obtaining one at the following website: <http://fedgov.dnb.com/webform>. A DUNS number may also be obtained by calling 1-866-705-5711.

## G. Pre-Proposal Assistance and Communications:

In accordance with EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1), EPA staff will not meet with individual applicants to discuss draft proposals, provide informal comments on draft proposals, or provide advice to applicants on how to respond to ranking criteria. Applicants are responsible for the contents of their proposals. However, consistent with the provisions in the announcement, EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about the announcement.

## H. Contracts and Subawards:

### 1. Use of Funds for Subawards/Subgrants, Contracts, and Partnerships

EPA awards funds to one eligible applicant as the recipient even if other eligible entities are named as partners or co-applicants or members of a “coalition,” “consortium,” or “partnership.” The recipient is accountable to EPA for the proper expenditure of funds. If a successful applicant intends to use EPA assistance agreement funds to purchase goods or services under the assistance agreement, such applicants must compete the contracts for those goods and services and conduct cost and price analyses to the extent required by the procurement provisions of 40 CFR Parts 30 or 31, as appropriate. The regulations also contain limitations on consultant compensation. **While applicants are not required to identify contractors or consultants in their proposal, if they do so it does not relieve the applicant of its obligations to comply with competitive procurement requirements, nor does it guarantee that costs incurred for such contractor/consultant will be eligible under the assistance agreement.**

**NOTE:** Applicants may not award sole source contracts to consulting, engineering, or other firms assisting applicants with the proposal based solely on the firm’s role in preparing the proposal.

Successful applicants may award subgrants (also referred to as subawards) of financial assistance to fund partnerships under the EPA assistance agreement provided the recipient complies with applicable requirements for subgrants/subawards, including those contained in 40 CFR Parts 30 or 31, as appropriate. Subgrants/subawards do not have to be competed; **however, successful applicants cannot use subgrants/subawards to avoid requirements in EPA grant regulations for competitive procurement by using subgrants/subawards to acquire commercial services or products from for-profit organizations.** EPA will not be a party to subgrant/subaward agreements.

## 2. Consideration of Proposed Subawardees/Subgrantees and Contractors during Proposal Evaluation

Section V of the announcement describes the evaluation criteria and evaluation process that will be used by EPA to make selections under this announcement. During this evaluation, except for those criteria that relate to the applicant's own qualifications, past performance, and reporting history, the review panel will consider, as appropriate and relevant, the qualifications, expertise, and experience of:

- a. An applicant's named subawardees/subgrantees identified in the proposal if the applicant demonstrates in the proposal that if it receives an award that the subaward/subgrant will be properly awarded consistent with the applicable regulations in 40 CFR Parts 30 or 31. For example, applicants must not use subawards/subgrants to obtain commercial services or products from for-profit firms or individual consultants;
  - b. An applicant's named contractor(s), including consultants, identified in the proposal if the applicant demonstrates in its proposal that the contractor(s) was selected in compliance with the competitive procurement standards in 40 CFR Parts 30 or 31, as appropriate. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper noncompetitive sole-source award consistent with the regulations will be made to the contractor(s), efforts were made to provide small and disadvantaged businesses with opportunities to compete, and that some form of cost or price analysis was conducted. EPA may not accept sole source justifications for contracts for services or products that are otherwise readily available in the commercial marketplace.
- that

EPA will not consider the qualifications, experience, and expertise of named subawardees/subgrantees and/or named contractor(s) during the proposal evaluation process unless the applicant complies with these requirements.

I. Congress has prohibited EPA from using its FY 2010 appropriations to award grants to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries and therefore in order to be eligible for funding consideration under this competition all applicants must affirmatively indicate in their proposal that they are not subject to this prohibition. In addition, since this funding prohibition applies to subawards/subgrants and contracts awarded by grantees, applicants must consider it when preparing proposals.

## V. Proposal Review Information

Only eligible entities whose proposal(s) meet the threshold criteria in Section III of this announcement will be evaluated and scored by reviewers using the criteria listed below. Applicants should explicitly address this criterion as part of their proposal package submittal.



Each proposal will be rated under a points system, with a total of 100 points possible.

## Evaluation Criteria

### 1. Proposal Evaluation Criteria (100 points total):

#### a) Project Description/Goals (10)

Under this criterion, the Agency will evaluate the extent and quality to which the narrative proposal includes a well-conceived strategy for addressing how you intend to meet one or more of the objectives, or have identified goals/priorities that are substantively similar to those listed under the Program Priorities listed in Section I, and whether the narrative proposal sets forth a realistic timeline /budget for the execution of the tasks associated with the project(s)..

#### b) Project Benefits/Impacts (30)

Under this criterion, the Agency will evaluate the following factors:

- How the project will achieve goals and objectives through a well-conceived strategy (5 points);
- How the project will use innovative methods to achieve results and serve as a model for other areas (5 points);
- How partnerships will be formed as a result of the project (5 points);
- How the project will become self-sustaining beyond EPA funding (5 points);
- How the results of the project can be transferred to other tribes for incorporation into their programs (5 points); and
- How the project will implement an effective communication plan (5 points).

#### c) Leveraging (10)

Under this criterion, applicants will be evaluated based on the extent they demonstrate (i) how they will coordinate the use of EPA funding with other Federal and/or non Federal sources of funds/resources to leverage additional resources to carry out the proposed project(s) and/or (ii) that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources. Applicants will also be evaluated based on the type of leveraging proposed, how the applicant will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, and what role it will play in the overall project.

#### d) Measurability of Project Results (30)

Describe how you will achieve environmental results and the expected outcomes/outputs identified in Section I. In addition, you will be evaluated on your plan for tracking and measuring progress towards achieving the expected outcomes/outputs identified in Section I of this announcement.



**e) Past Performance and Programmatic Capability (20)**

Under this criterion, applicants will be evaluated based on their ability to successfully complete and manage the proposed project taking into account the applicant's:

- (i) (4 points)** past performance in successfully completing and managing federally funded assistance agreements (assistance agreements include Federal grants and cooperative agreements but not Federal contracts) similar in size, scope, and relevance to the proposed project performed within the last 3 years;
- (ii) (4 points)** history of meeting reporting requirements under federally funded assistance agreements (assistance agreements include Federal grants and cooperative agreements but not Federal contracts) similar in size, scope, and relevance to the proposed project performed within the last 3 years and submitting acceptable final technical reports under those agreements;
- (iii) (4 points)** extent and quality to which you adequately documented and/or reported on your progress towards achieving the expected results (e.g., outcomes and outputs) under Federal agency assistance agreements (assistance agreements include Federal grants and cooperative agreements but not Federal contracts) performed within the last three years, and if such progress was not being made whether you adequately documented and/or reported why not.
- (iv) (4 points)** organizational experience and plan for timely and successfully achieving the objectives of the proposed project;
- (v) (4 points)** staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project.

Note: In evaluating applicants under this criterion, the Agency will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). Applicants with no relevant or available past performance or reporting history (items i, ii, and iii above), will receive a neutral score for those elements of this criterion

**2. Review and Selection Process:**

A panel comprised of EPA Region 9 staff and management will review proposals against the threshold eligibility factors in Section III. Those proposals that are deemed eligible will then be evaluated and ranked by the panel against the proposal criteria stated above. The panel will recommend to the Regional Selection Official which proposals should be funded in order of ranking. The Regional Selection Official will consider the review panel rankings and recommendations and, in addition, may consider the following factors in selecting proposals for funding: 1.) the geographic distribution of funds, and 2.) programmatic diversity. Selected applicants will be notified and requested to submit a final application.

**VI. Award Administration Information**

**If your proposal is selected for funding, you will need to complete a formal application, including a detailed workplan. An application kit containing financial and administrative forms and general information on Federal grants can be obtained at: <http://www.epa.gov/region9/funding/applying.html>.**

Receipt of an application kit is not a guarantee of funding, nor is it an authorization to begin performance on the selected project. Deadlines must be met and the application and work plan must be approved by EPA for funding to occur.

Regulations governing the award and administration of this grant program can be found at 40 CFR Part 30 (for institutions of higher learning, hospitals, and non-profit organizations) and 40 CFR Part 31 (for States, Tribes, and local governments). Regulations may be viewed at <http://www.epa.gov/ogd/grants/regulations.htm>.

All costs incurred under this program must be allowable under the applicable Code of Federal Regulation (formerly Office of Management and Budget (OMB) Cost Circulars): 2 CFR 225 (formerly A-87) for States and local governments, or 2 CFR 230 (formerly A-122) for nonprofit organizations. Copies of these circulars can be found at <http://www.whitehouse.gov/omb/circulars/>. In accordance with EPA policy and the OMB circulars, as appropriate, any recipient of funding must agree not to use assistance funds for lobbying, fund-raising, or political activities (i.e., lobbying members of Congress or lobbying for other Federal grants, cooperative agreements, or contracts).

In certain circumstances costs incurred prior to the grant award may be eligible for reimbursement. However, this does not include any costs associated with responding to this solicitation or in finalizing the application package. If costs are incurred before the award, they are incurred at the applicant's or grantee's own risk.

**Non-profit Administrative Capability:** Nonprofit applicants that are recommended for funding under this announcement may be subject to pre-award administrative capability reviews consistent with Sections 8.b, 8.c, and 9.d of EPA Order 5700.8, 'EPA Policy on Assessing Capabilities of Non-Profit Applicants for Managing Assistance Awards' which can be found at [http://www.epa.gov/ogd/grants/award/5700\\_8.pdf](http://www.epa.gov/ogd/grants/award/5700_8.pdf). Nonprofit applicants that qualify for funding may, depending on the size of the award, be required to fill out and submit to the Grants Management Office the Administrative Capability Form, with supporting documents, contained in Appendix A of EPA Order 5700.8.

In addition, non-profit applicants who receive an award under this announcement will be required to have at least two of their employees complete the mandatory online training, "EPA Grant Management Training for Non-Profit Applicants and Recipients." One person must be the project manager, or equivalent, for the assistance agreement. The other individual must be the person authorized to draw down funds for the assistance agreement. The training must be completed by both employees prior to the acceptance of the award. The course can be accessed at: <http://www.epa.gov/ogd/training/index.htm>.

Quarterly project status reports and Federal Financial Reports will be required. Quarterly reports should describe project activities and provide the EPA Project Officer with information about project development. The Federal Financial Report must accurately account for all federal funds expended and identify appropriate use of federal funds.

**Disputes:** Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005) which can be found at: <http://www.epa.gov/ogd/competition/resolution.htm>. Copies of these procedures may also be requested by contacting the Agency Contact listed below.

**Data Access and Information Release:** The Office of Management and Budget (OMB) Circular A-110 has been revised to provide public access to research data through the Freedom of Information Act (FOIA) under some circumstances. Data that are (1) first produced in a project that is supported in whole or in part with Federal funds and (2) cited publicly and officially by a Federal agency in support of an action that has the force and effect of law (i.e., a regulation) may be accessed through FOIA. If such data are requested by the public, the EPA must ask for it, and the grantee must submit it, in accordance with A-110 and EPA regulations at 40 C.F.R. 30.36.

#### **Other Information**

Please refer to the Resource Conservation Funds Frequently Asked Questions at [http://www.epa.gov/region09/funding/rcra\\_faq.html](http://www.epa.gov/region09/funding/rcra_faq.html) or call (415) 972-3384 for additional information and/or questions.

For examples of projects funded in past years please see:

<http://www.epa.gov/region09/waste/solid/projects/tribal.html>

**For additional information about measurement, please see our Measurement Fact Sheet at:** [http://www.epa.gov/region09/funding/rcra\\_measurements.html](http://www.epa.gov/region09/funding/rcra_measurements.html)

## **VII. Agency Contacts**

### **Tribal Resource Conservation Funds:**

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