

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: COMMUNITY ACTION FOR A RENEWED ENVIRONMENT
(CARE) PROGRAM

ACTION: Request for Proposals (RFP)

RFA NO: EPA-OAR-IO-06-01

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO: 66.035

SUMMARY: Formal Agency responses to questions/comments regarding the
subject solicitation.

DATE: February 10, 2006

Questions and Answers about the CARE RFP

Getting an Application

Question 1: I am interested in submitting an initial proposal for a Level I grant from the recently announced CARE Program. I have accessed the RFP, but have been unable to find an application for financial assistance package (and grant application forms) on the EPA's Grants and Debarment website.

Answer: Applicant's are not required to complete an SF-424 or any other application forms at this time. Only applicants with accepted proposals need to submit an SF-424. Your proposal with a transmittal letter with original signature is sufficient at this time. This transmittal letter does not count towards the 10-page proposal limit.

Eligible Applicants

Question 2: I am curious to know whether or not a community group that is not a non-profit is eligible for the CARE grant? Does community organization have to be a 501c3? Are 501(c)(3)s eligible? Are local hospital foundations eligible?

Answer: According to the RFP, a 501(c)(3) is eligible. A community group or hospital foundation or other organization must be a non-profit as defined by OMB Circular A-122. The Circular defines a non-profit as:

“any corporation, trust, association, cooperative, or other organization which:

1) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;
(2) is not organized primarily for profit; and
(3) uses its net proceeds to maintain, improve, and/or expand its operations. For this purpose, the term "non-profit organization" excludes (i) colleges and universities; (ii) hospitals; (iii) State, local, and federally-recognized Indian tribal governments; and (iv) those non-profit organizations which are excluded from coverage of this Circular in accordance with paragraph 5.

Question 3: I am not an agency, only an individual but looking over the grant requirements it is to prevent pollution; well that is what I am trying to do also. Is it possible for me to apply?

Answer: Individuals are not eligible to apply for CARE Cooperative Agreements.

Question 4: Are local county health departments eligible to apply for CARE program funding?

Answer: If the county health department is an agency of the county or other local or tribal government entity they could apply. However, in some states the county health department is part of the State government. In those States they can not apply since State agencies are ineligible. They could of course be a partner working on a CARE project that has an eligible grantee.

Question 5: Is a Council of Governments eligible to be an applicant for the CARE Program? We are a regional planning organization that serves city and county governments who are members of the Council.

Answer: An organization of local government or local officials would be eligible to be an applicant.

Question 6: Will CARE consider funding a Level I and a Level II grant for a community? We would like to submit a Level I grant but do not want to interfere with the community's larger collaboration that may be seeking Level II funding.

Answer: According to the RFP an applicant (organization) can submit only one proposal. An organization could partner in more than one CARE project or proposal. However, you should be aware that it is EPA's intent, to the extent it can, provide geographic diversity in the CARE projects. As a practical matter, it is highly unlikely that we would have two CARE Cooperative Agreements in the same community.

Documentation

Question 7: What kind of documents do you require from a subaward/subcontract?

Answer: What EPA requires is outlined in Section IV, "Application and Submission Information", of the RFP. Letters of commitment from a proposed subcontract is sufficient.

Eligible entities/applicants whose initial proposals are tentatively selected for award will be requested to submit final applications. EPA may request additional documentation regarding subawards/subcontracts when final applications are submitted.

Question 8: We hope to work with EPA around some of the project ideas we have, so we don't have specific breakdown of costs in some cases (i.e. in terms of personnel, contract, supplies). How would you like us to proceed?

Answer: Your budget narrative is an estimate. Guidance on preparing a budget can be found at:

<http://www.epa.gov/ogd/recipient/tips.htm>

EPA may request additional, more specific budget information when final applications are requested from those entities/applicants whose proposals have been tentatively selected for award.

Question 9: In addressing the criteria "organizational capacity," it's not clear what information you want regarding prior EPA grants. Do you simply want to know that we are current with all required reports, or do you want to know what we have accomplished substantively?

Answer: Your response should describe other projects that you have successfully managed, or organizational features and controls that will help ensure the project can be effectively managed and successfully completed. You must describe and provide substantiation of your ability to manage a project such as the one proposed. Please also describe the system(s) that will be used to appropriately manage, expend, and account for Federal funds. If you are, or have been, a recipient of an EPA grant/cooperative agreement in the last 3 years the applicant must provide information regarding compliance reporting measures, and annual financial status reporting. If for some reason you have problems complying with some of the requirements of previous federal grants, you may also want to include how those problems were resolved and what measures have been put in place to avoid the same problems to happen in the future.

Question 10: Regarding the letters of commitment from collaborating organizations,

agencies, or entities, what level of commitment is required? For example, do we need to obtain a memorandum of understanding or is it fine to have a letter of commitment signed by the representative that will be collaborating with us on the project?

Answer: A letter of commitment by a representative of the organization is sufficient. Please remember that EPA reserves the right to contact organizations to verify their commitment.

Speaking to Someone

Question 11: I understand that formal questions are requested in writing, but it would be quite helpful to learn more informally about the genesis of the program and the results EPA hopes for. Is there a contact officer I can speak with to ask further detailed questions about the program or the details of my proposal?

Answer: Because this is an open competitive opportunity, in the interest of fairness, we are unable to meet with individual potential applicants to discuss details of the program or proposal development. Specific questions regarding the solicitation to the must be submitted as stated in the RFP:

“All questions or comments must be communicated in writing via postal mail, facsimile, or by using our website listed above. Answers will be posted, bi-weekly, until the closing date of this announcement at the OAR Grants/Funding webpage (http://www.epa.gov/air/grants_funding.html).

Send mail to:
US EPA
Attn: CARE Program
Mail Code 8001A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Send fax to:
202-564-7739 (attention CARE program)

Go to our website, and click on the words contact us at the bottom of the screen:
www.epa.gov/care”

Of course additional information about the program can be accessed at www.epa.gov/care.

Question 12: We have a specific idea and want to submit a question to the website to see if it is something that is eligible for CARE technical assistance? Can

you provide any information?

Answer: Because this is a competitive process, we can not answer specific questions about whether one idea or another is eligible for funding. In addition, it is hard to evaluate projects based on short descriptions. However, in order to give you some guidance we would remind everyone that, as stated in the RFP, CARE will “form collaborative partnerships, develop a comprehensive understanding of all sources of risk from toxics and environmental pollutants, set priorities, and identify and carry out projects to reduce risks through collaborative action at the local level. CARE’s long term goal is to help communities build self-sustaining, community-based partnerships that will continue to improve local environments into the future.”

Costs and Funding

Question 13: Is the funding awarded per year or is the total amount to cover both years?

Answer: Funding for the project is awarded for a 2-year period, but the money is provided incrementally. Funding for the second year is contingent on the performance of the award recipient.

Question 14: Will indirect costs be allowed with the CARE grants? If so, is there a limit on the amount of indirect costs?

Answers: Yes, indirect costs are allowed. Any organization claiming indirect costs in its budget, must submit a copy of their approved indirect cost rate, if selected for award. The government would only reimburse indirect costs up to the approved rate

Question 15: What projects or project costs are considered ineligible for the CARE grant?

Answer: All costs associated with any project must be eligible, allowable, allocable and reasonable. Allowable costs must be consistent with the appropriate OMB cost principles. These are: OMB Cost Principles A_21 for Educational Institutions (<http://www.whitehouse.gov/omb/circulars/a021/a021.html>); OMB Cost Principles A_87 for State, Local and Tribal Governments (http://www.whitehouse.gov/omb/circulars/a087/a087_all.html); and OMB Cost Principles A_122 for Non-Profit Organizations (<http://www.whitehouse.gov/omb/circulars/a122/a122.htm>).

Question 16: If a university and community are applying for this grant together, is there a specific percentage that has to be allocated to each of the partners?

Answer: No, the percentage is for the partners to decide.

Question 17: Can you explain a little more what you mean by "successful applicant cannot use subgrants or subawards to avoid requirements in EPA Grant regulations for competitive procurement by using these instruments to acquire commercial services...." (Section IID).

Answer: In the past, some organizations have tried to characterize contractual relationships as one of assistance (or subgrants), thereby getting around the competition requirements. This is only a reminder that it is the nature of the relationship that determines whether a contract or subgrant is the appropriate mechanism.

Question 18: A staffer at the federal agency is hoping to work with a local group on a Level I grant. Can a portion of the budget include salary and equipment for their contribution? This is not a pass through.

Answer: While Federal agencies are not eligible to get CARE agreements they can receive reimbursement from the recipient of a CARE agreement for providing services to CARE partnerships. EPA hopes to work with other Federal agencies to encourage them to support communities that receive CARE agreements at no charge.

Question 19: Our goal is to work with all sectors of the community to draft state legislation that will allow the creation of an Aquifer Protection Area for a sole-source aquifer. Is this even eligible for CARE?

Answer: EPA grant funds can not be used for lobbying as the drafting of state legislation would entail.

Bidding Requirements

Question 20: As the lead sponsor of our application, we are collaborating and proposing to pay for deliverables by a local on the ground not for profit group with whom we have a long working relationship; it is a local member of our national organization. This local group, with strong grassroots connections, is uniquely positioned as a trusted convener locally, but does not have the precise expertise in the issues our proposal will address in their community. We see this as a strong partnership, not subject to putting out to bid.

A follow up question. To ensure that we reach consensus with a set of grassroots and institutional stakeholders in a well-known and troubled major urban area, we want to include another nonprofit as facilitator with whom we have worked during the last three years. As the prime application sponsor, we need the mentoring and need large group

facilitation; our grassroots partner agrees. Does the proposed facilitation work by a nonprofit need to go to bid? (*Received via e-mail*)

Answer: EPA grant regulations requires that procurement transactions be conducted in a manner that provides, to the maximum extent practical, open and free competition. Non-profit organizations and universities whose proposals are tentatively selected for award will be required to follow the procurement standards as outlined in 40 *CFR 30.41 through 30.48. Local and tribal governmental agencies will be required to follow the procurement standards as outlined in 40 *CFR 31.36. EPA may request additional documentation regarding subawards/subcontracts when final applications are submitted. (* = Code of Federal Regulations).

For a copy of 40 CFR, please go to:

http://www.access.gpo.gov/cgi_bin/cfrassemble.cgi?title=200240

Question 21: If we want to use the services of an employee of one of our partner groups, do we have to go through the competitive procurement process?

Answer: EPA is unable to answer this question without more information as to the status of this partner group employee. If this employee will be paid as a contractor, then that contract would be subject to the competition procedures outlined by the contracting organization. Typically, competition would occur or a satisfactory sole source justification and accompanying cost reasonableness determination would have to be conducted.

CARE Definitions

Question 22: How do you define "risk" as mentioned in the CARE request for initial proposals?

Answer: Risk is the possibility of a person suffering harm to their health or to the quality of their environment. Risk comes from the exposure of the person or their environment to a toxic substance or pollutant or to the combination several threats. In some cases a substance may be harmful not because it is intrinsically hazardous but because the amount may be so large as to disrupt the natural ecological or biological systems.

Question 23: Listed under background the paragraph mentions toxic concerns. Could you define toxic concerns?

Would harmful algal blooms and toxic phytoplankton fall under the *other substances in the environment that can cause negative health or environmental impacts*?

Do you consider nitrogen and phosphorous or their toxic outcomes as toxic substances?

Answer: We define toxics as:

“environmental pollutants that cause negative health or environmental impacts. These environmental pollutants can be in the air, water and/or land or in the indoor environment. We are not limiting the term toxics to chemicals listed in one or more statutes or regulations.”

Therefore, “toxics concerns” means any interest, worry, anxiety that a community may have because of the existence of toxic substances in its environment and the risks they represent.

Harmful algal blooms, toxic phytoplankton, nitrogen and phosphorous or their toxic outcomes, would fall under that definition if they were of a sufficient magnitude to cause negative health or environmental impacts in that community.

Question 24: How do you define "community" and "local level?" Specifically, could we apply for work at a statewide level? What about work with a particular community of interest or subpopulation (e.g., children)?

Answer: As stated in the RFP:

“CARE is designed help place-based communities build collaborative partnerships that can work to understand and improve environments at the local level. Since the size of local level place-based communities varies, the Community for a Renewed Environment (CARE) program is not strictly defining the term community. A community is the people living in the same area sharing the same environment, including both residents and businesses. A community will often be in a relatively small area, but in rural locations a larger area such as a watershed would be considered a community. A tribal reservation would normally be considered a community. Eligible CARE partnerships can be formed at the neighborhood level or in larger place-based areas. For purposes of CARE program’s focus on building local level capacity, New York City or watersheds the size of the Missouri or the Columbia Rivers, would be considered too large to be a community. However, sections of New York City or the watershed of smaller rivers would be considered communities. Moreover, a subpopulation of a community (e.g., all the schools in a specific area) does not qualify as representing the entire community and would not be eligible for a CARE grant.”

Based on this definition, a State is too large of an area and could not be a community. Action at the “local level” means action taken in a community. While a CARE project could, and in many cases will, involve some work that is specific to a subpopulation within a community (such as daycares or schools), those subpopulations would not, by themselves constitute a community. There are certainly many communities that revolve around their local schools, but those schools are not, by themselves, communities.

In addition, a group of locations or subpopulations that are not co-located can not be “joined together” to form a community. For example, all the public housing spread throughout different locations in a city is not a community for purposes of CARE.

Leveraging

Question 25: If Level I applicants offer leveraged funds, does that make their application more competitive?

Answer: No

Question 26: For Level II applicants, is it better to provide cash or in-kind leveraged funds?

Answer: EPA does not weigh one type more highly than the other.

Question 27: I know it says no match required, but if we have matching funds, should we list them?

Answer: It is your decision whether or not to list matching funds. You should examine the evaluation criteria and see whether listing the matching funds help you demonstrate that you meet the criteria. If you do, you should be prepared to account for them during the project.

Working with EPA

Question 28: When EPA says we can lend technical expertise, what does that mean? What level of technical support will the EPA provide? For example, if we are interested in identifying multiple sources of exposure for a cumulative risk assessment, will EPA be able to provide modeling expertise to help us identify those sources of highest health risk? Or, would we need to bring on an academic partner that could provide that level of technical expertise? Do we need to specify in the application what type of assistance we might need from EPA?

Answer: You do not have to specify the type of assistance you might need. In

general EPA sees its role as providing tools, technical assistance and other support. That support can come in the all phases of the CARE project based on the needs of the community. One place you can go to find the kinds of information and tools that EPA has is the CARE Resource Guide which can be found on the CARE website.

Please note that the specific assistance provided will depend on the situation and needs of the community and will be worked out by the EPA Project Officer and the selected applicants in the performance of the work supported.

In some cases EPA's technical support could include modeling support. It should be noted that the CARE program has a bias for action. In general, we do not believe that full scale cumulative risk assessments are necessary or appropriate for CARE projects. They are usually too expensive and time consuming. We believe in using screening level assessments, which can include modeling, to help prioritize risks so that communities can move more quickly to take actions that will reduce risk.

Question 29: What is the list of EPA voluntary programs to choose from for the Level II awards?

Answer: EPA has produced the Voluntary Program Guide which can be found on the CARE website. However, for purposes of applying to the RFP, you do not need to include the specific set of voluntary programs you plan to carry out. It is expected that a community partnership will work with EPA and the State to examine possible voluntary programs that will address the community's priority risks.

Question 30: Is it mandatory to promote or carry out only EPA's voluntary programs?

Answer: No. While we expect CARE projects to focus on voluntary programs to reduce the impact of toxics and environmental pollutants, we do not require or expect that only EPA voluntary programs will be used. EPA staff will work with the community partnership and provide information on EPA's and other programs. In addition, the other partners will also provide information on other voluntary programs they have or know about. The partnership will then select the programs that best meet their needs and resources.

CERCLA and Monitoring

Question 31: Your note, below, says that groups around sites that are CERCLA cleanup sites do not qualify. Can you explain? Do you mean that Superfund related PROJECTS would not be eligible (e.g., the kinds of projects that are eligible under the TAG program)? Or did you mean if the site is a CERCLA site, no matter what you propose in the community, it would not

be eligible? Or, put another way, would a project be eligible if it involved a Superfund site IF the project clearly was not about the Superfund cleanup of that site. For example, would sampling for potential airborne emissions (should the community desire that) downwind be a potentially eligible project -- as that has zero to do with the CERCLA cleanup at the site? Or perhaps a series of mediated meetings with site management on pollution prevention technologies -- as that is not related to CERCLA either???

I went through the guidelines and FAQs and other things, and didn't get a clear answer to this. Any help you can offer would be appreciated.

Answer: The CARE grants can't be used to fund work that is typically done under Superfund, e.g., funding cleanup work at a Superfund site or hiring a technical advisor to assist a community in understanding issues associated with a Superfund site cleanup. A community that has a Superfund site in it can be eligible for a CARE grant to assess toxic problems in their community beyond the Superfund site, and to identify ways to reduce the risks from these toxic problems.

Something like air sampling unrelated to the Superfund site could be covered by a CARE grant, but, a project that seek to use existing air emissions information from sources such as the EPA Toxics Release Inventory to prioritize toxic problems in a community may be a better CARE project. CARE projects are designed to use readily available information to set priorities and get quickly to risk reduction efforts as opposed to air emission sampling which can be very expensive and time consuming. Air sampling may be necessary for some communities, but funding for this kind of more detailed assessment activity would more likely come from the air monitoring program.

Threshold Criteria

Question 32: Does our project meet the Level II threshold eligibility if our stakeholder group was formed to address a known problem rather than our specific stakeholder group identifying the priority problem?

Answer: In order to meet the Level II threshold eligibility criteria, as stated in the RFP you must represent a partnership that has "... completed a detailed examination of toxics and environmental pollutants in the community which includes more than one environmental media, come to consensus on the specific community priorities for risk reduction, and be prepared to choose a risk reduction to address community priorities and mobilize the community and its partners to carry out this plan."

Based on the limited information provided, it does not appear that your

project meets the established threshold criteria.

Locations for CARE Communities

Question 33: Are the LEVEL I awards earmarked for big cities with large populations? With a population of 52,000 would our city be in the running for a Level I grant award?

Answer: None of the cooperative agreements are earmarked for any size of community. EPA is looking for a variety of projects in communities of different sizes with varying types of organizations.

Length of CARE Agreement

Question 34: Our organization is applying for a CARE grant- level I. Is it possible to complete the work in one year instead of two?

Answer: EPA expects that it will take more than a year for a community to achieve the goals of a Level I agreement - i.e. create a broad based stakeholder group, examine the toxics and environmental pollutants risks in the community and achieve consensus on priority risk, etc.. However, there is no problem if the community can achieve those results in a year or less.

Future CARE Competitions

Question 35: Will there be another round of similar CARE funding in '07?

Are you going to be running the grant competition every year?

Answer: It is our intent to continue the CARE program and fund additional cooperative agreements in the future but that will depend on future appropriations and budget decisions.

Question 36: Should I submit my grant this year with the hope that if it doesn't get funded this year, it might be funded next year or the year after that?

Answer: No. EPA will not save applications that are not awarded this year and use them in future competitions.