

## OVERVIEW SECTION

**AGENCY:** ENVIRONMENTAL PROTECTION AGENCY (EPA)

**TITLE:** OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE (OSWER)  
PROGRAM TRIBAL SUPPORT GRANTS

**ACTION:** Request for Proposals (RFP) – Initial Announcement

**RFP NO:** EPA-OSWER-IPCO-08-06

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NOS.:** 66.808;  
66.813; 66.814; 66.816.

**DATES:** The closing date and time for receipt of proposals is August 11, 2008, 5:00 p.m. EDT. Proposals submitted through <http://www.Grants.gov> must be received by August 11, 2008, 5:00 p.m. EDT. Proposals submitted in hard copy, as described in *Section 4(C)* of this announcement, must be received in the EPA program office via hand delivery, U.S. Postal Service, or express mail service by August 11, 2008, 5:00 p.m. EDT to receive consideration. Proposals received after the closing date and time of this announcement will be returned to sender without further consideration. Because of the unique situation involving U.S. mail screening, EPA highly recommends that applicants use an express mail or courier service option to transmit their proposals.

**SUMMARY:** This notice announces the availability of funds and solicits proposals to support training, technical assistance, research and studies that will support the participation of tribal co-regulators in the formulation of federal/tribal environmental policies in Indian country on EPA's Office of Solid Waste and Emergency Response (OSWER) related tribal programs. The recipient will conduct two separate projects that will promote discussion, collaboration and partnership among tribes and federal agency representatives. Project One will fund training, technical assistance, research and studies that will support the participation of tribal co-regulators, conducted within a "tribal framework" (i.e., a structure such as a council or workgroup composed of tribal co-regulators), to assist in promoting preservation and restoration of lands in Indian country, and addressing policy analysis needs of tribes at the national level. Funds awarded under Project Two will be used to conduct research on hazardous substance policy and technical issues in Indian country.

**FUNDING/AWARDS:** The estimated funding available under this competitive opportunity is approximately \$1,750,000, subject to the availability of funds and quality of proposals received. EPA anticipates award of two separate cooperative agreements to one successful applicant resulting from this competitive announcement. **All applicants are required to submit proposals for both projects described in Section I. Applicants are required to develop and submit separate proposals and applications for each project EPA will not consider combined proposals, single applications for both project proposals or, applications for one project area only.** Cooperative agreements awarded under this competition will be funded incrementally. The total estimated value for the Project One agreement is \$1,000,000. In FY08, the maximum value shall not exceed \$200,000. The total estimated value for the Project Two agreement is \$750,000. In FY08, the maximum value shall not exceed \$150,000.

## **CONTENTS BY SECTION:**

1. Funding Opportunity Description
2. Award Information
3. Eligibility Information
4. Application and Submission Information
5. Application Review Information
6. Award Administration Information
7. Agency Contact
8. Other Information

### **Section 1 - Funding Opportunity Description**

#### **A. Background**

There are over 500 tribal governments recognized as sovereign entities by the U.S. government. Approximately 70 million acres make up Indian country. While most tribes have access to an environmental presence through the EPA Indian General Assistance Program (GAP), many of these tribes are still at a fundamental level in developing waste management, cleanup and response, or emergency preparedness programs. Tribes may have unique challenges to effectively building their programs, such as limited dedicated tribal budgets to sustain a program over time, isolated or rural conditions, and the lack of a trained workforce in the community. This can translate into high employee turnover rates, large training needs, and managing many environmental issues through a small number of staff. Tribes often must leverage funding, equipment and technical work through many different programs and funding sources. Some tribes are located in remote locations, which can increase the complexity and cost of managing wastes, and conducting cleanup and other response activities.

The tribes work with OSWER and the EPA Regions under OSWER related tribal programs as co-regulators or co-implementors of joint federal/tribal programs to protect human health and the environment. This includes joint efforts between sovereigns to promote the safe management of solid and hazardous wastes; develop and operate underground storage tank programs, oversee Resource Conservation and Recovery Act facilities; prepare for, prevent and respond to chemical and oil spills, accidents, and emergencies; enhancing homeland security; respond to contamination on sites, and assessment, clean up and revitalization of brownfields. The proposed work to be conducted in a tribal co-regulator framework would enable tribes to establish a discussion arena that includes all of these areas so tribes can explore and gain from cross-programmatic discussions and optimize approaches to address their sites and improve their environmental programs.

OSWER's primary goal under this RFP is to help tribes build capacity to develop their own OSWER related tribal programs using tribal sovereign authority to promote compliance with

federal and tribal environmental statutes/regulations in Indian country, and upholding EPA's Indian Policy principles. Six program offices within OSWER regularly work with tribes as co-regulators or co implementers of OSWER related tribal programs. Personnel from these program offices will collaborate with the successful applicant as part of EPA's substantial involvement in the cooperative agreements that will be awarded under this RFP. The program offices are: Office of Environmental Management, Office of Superfund Remediation and Technology Innovation, Federal Facilities Restoration and Reuse Office, Office of Solid Waste, Office of Underground Storage Tanks, and the Office of Brownfields and Land Revitalization. Each office has a tribal coordinator whose responsibilities include ensuring that the office adheres to the EPA policies relating to working with Indian tribes and ensuring tribes are properly included in the offices' activities. OSWER's headquarters program offices work closely with the EPA regional offices to coordinate policy and program efforts across the country. For more information on EPA's OSWER related tribal programs, please go to:

<http://www.epa.gov/oswer/tribal>

## **B. Project Description**

OSWER is soliciting proposals to support training, technical assistance, research and studies that will support the participation of tribal co-regulators in the formulation and implantation of federal/tribal policies for OSWER related tribal programs.. These activities, conducted through a tribal co-regulator framework (i.e., a structure such as a council or workgroup composed of tribal co-regulators), will facilitate national dialogue and information exchange among tribes, and between tribes and EPA, on land preservation, restoration, and cleanup issues. The activities eligible for funding under this RFP would enable tribes to obtain the training and analytical support necessary for a forum for open discussion and voicing of ideas. This will require the successful applicant to arrange for training, technical assistance and research presentations by experts that are cross-programmatic in nature, as well as program-specific, to help tribes better address concerns to protect human health and the environment. Specifically, these activities would promote: dialogue among tribes, and between EPA and tribes, on policy matters; dissemination of hazardous substance research; information exchange regarding OSWER related tribal programs such as best management practices for addressing waste management concerns, Brownfield , leaking underground storage tanks and other RCRA facilities, and emergency preparedness; and the enhancement and implementation of OSWER-related tribal programs including tribal capacity building to reduce threats to human health and the environment.

Additionally, under a separate cooperative agreement with the same recipient OSWER will fund Superfund related hazardous substance policy and technical research on issues affecting tribal lands to help tribes better understand, evaluate and respond to risks from hazardous substances in Indian country.

For purposes of this announcement, general definitions of training, research, technical assistance, CERCLA v. non-CERCLA funding and co-regulator or co-implementor activities are provided below. These definitions provide a guideline for the type of activities EPA is interested in supporting.

- **Training.** Providing special and practical knowledge of a specialized subject area training through various methods, including: class-room style training, workshops, conferences, roundtables, on the job training and computer based training. Training must impart knowledge, with the goal that the person(s) or organization(s) being trained will achieve a significant level of self sufficiency with regard to the subject matter.
- **Research** (as defined at 40 CFR 30.2(dd)). A systematic study directed toward fuller scientific knowledge or understanding of the subject studied. The term research also includes activities involving the training of individuals in research techniques where such activities utilize the same facilities as other research and development activities and where such activities are not included in the instruction function.
- **Technical Assistance.** Providing ongoing advice and support, in the form of specialized knowledge, to a person(s) or organization(s) with the goal of guiding them through a particular process, or helping them understand complex OSWER-related subject matter.
- **CERCLA v. non-CERCLA Funding.** Funds available under Project Proposal One are not available to carry out activities related to CERCLA (other than brownfields), including CERCLA-related: cleanups, training, research and technical assistance. Funds available under Project Proposal Two may only be used for CERCLA-related hazardous substance research and must be tracked separately from funds available under Project Proposal One.
- **Co-regulator or co-implementor activities.** OSWER related tribal programs that tribes carry out on a day to day basis in their sovereign capacity on the basis of federal statutes, regulations, policies or guidance under, or in preparation for receiving, a formal delegation of authority from EPA or as partners with EPA in a coordinated national effort.

A detailed description of activities associated with each project follows. There is no requirement that applicants include all of the possible types of activities or subject areas in their proposals. Applicants may propose additional or alternative subject areas that achieve the objectives of the project description for this RFP:

**Under this RFP, all applicants are required to submit proposals for both projects described more fully below. Applicants are required to develop and submit separate proposals and separate applications for each project. EPA will not consider combined proposals, single applications for both project proposals, or proposals or applications for one project area only. Project Proposal One is for Tribal co-regulator framework and activities. Project Proposal 2 is for Hazardous Substance Research.**

1. **Project Proposal One (Tribal co-regulator framework and activities).** The purpose of this project is to: (1) facilitate the exchange of technical waste management, prevention and cleanup program design and implementation among tribes and, between tribes and EPA; (2) share program knowledge and expertise among tribal technical

professionals, waste management and prevention experts, and federal agency program representatives; (3) provide a forum for information exchange among Tribes and EPA on best management practices for federal/tribal OSWER related tribal programs; (4) address the full range of OSWER related tribal program authorities and responsibilities in accordance with tribal needs, including: waste management, site response and cleanup under RCRA, prevention, identification, corrective action, and management of releases from federally-regulated underground storage tanks, emergency preparedness, and oil spill awareness in Indian country and tribal lands in Alaska and brownfields assessment, cleanup and revitalization; and (5) encourage or enhance tribal program development and implementation (including environmental results measurement) in these areas.

The successful applicant will describe the work of a tribal co-regulatory framework or council to provide training, technical assistance, research and studies that will address items such as:

- Reflect the scope of OSWER related tribal programs.
- Show consistency with EPA's Strategic Plan and OSWER Tribal Strategy.
- Broadly reflect the interests of federally recognized tribes, including:
  - a. Consistency with Federal Indian law and the operations of federally recognized tribal governments;
  - b. Balanced participation of tribes representing various geographical locations, environmental experience, and size of population and land base.
  - c. Perspectives from National Tribal Caucus representatives for Goal 3 and Goal 4 of EPA's 2006 – 2011 Strategic Plan. To view the EPA Strategic Plan for 2006 – 2011, go to <http://www.epa.gov/ocfo/plan/plan.htm>.
- Directly assist tribes with training, technical assistance and research for the development and implementation of tribal environmental programs.
- Identify tribal training needs and approaches to promote certification, evaluate effectiveness, and provide recommendations for improving tribal training offerings in solid waste management, RCRA hazardous waste, underground storage tanks, brownfields response and revitalization, ,and emergency response and preparedness under EPCRA.
- Support forums to formulate, discuss, and share ideas and information on the development and implementation of OSWER related tribal programs among tribal members, EPA staff, federal agency staff, and waste or other experts.
- Identify high priority land preservation, restoration and non-Superfund-related cleanup tribal interest areas.
- Promote information exchange among tribes and between tribes and EPA on policy matters that impact OSWER related tribal programs.
- Facilitate capacity building of tribal waste management, prevention and RCRA and brownfields cleanup programs.
- Address or facilitate the identification and reduction of threats to human health and the environment, including threats in areas in which there is a greater-than-normal incidence of diseases or conditions (including cancer, asthma, or birth defects) that

may be associated with exposure to hazardous substances, pollutants, or contaminants.

- Address or facilitate the identification and reduction of threats to the health or welfare of children, pregnant women, minority or low-income communities, or other sensitive populations.
- Promote tribal compliance with federal laws (e.g., RCRA, EPCRA) and regulations governing waste management and emergency response in a manner that is consistent with tribal sovereignty and tribal authority.
- Promote networking opportunities for tribes that have interests in related issues.
- Allow tribal co-regulator representatives to analyze specific environmental program information and cross-program information (i.e., on training, goal achievement, and risk reduction) to find improved approaches and solutions to issues.
  - a. Communicate and disseminate information on tribal co-regulator framework activities to tribes and interested entities.
- Expose tribal waste program managers to new strategies for developing their own sustainable waste management, prevention and cleanup programs.
- Discuss concepts and provide examples of sustainable redevelopment and reuse of contaminated properties. Specifically, the training, technical assistance, research and studies should **facilitate the use or reuse of existing infrastructure** (i.e., roads, bridges, power lines, water lines) that is locally available for redevelopment projects related to cleanup and response activities.
- Encourage development, growth and advancement of tribal data tied to waste management and prevention.
- Develop skills to establish or enhance tribal programs, recognize and adopt appropriate mechanisms to manage assets and sustain tribal environmental systems and facilities over time.
- Accelerate tribal awareness, interest, and involvement in waste management, long term stewardship, and prevention activities.
- Assure that knowledgeable and experienced tribal representatives are aware of waste related decision making initiatives, committees, workgroups, and meetings that may impact Indian country and that they are encouraged to participate in those activities where their knowledge and expertise may provide important tribal perspectives.
- Identify and emphasize newly emerging issues.

The activities above should be conducted such that they:

- Reflect the regular involvement of a manageable number of tribal co-regulators in the formulation of federal/tribal environmental policies related to OSWER related tribal programs in Indian country.
- Coordinate information at least twice a year with tribal co-regulators and OSWER management, including ad-hoc meetings to consider specific issue(s) or issues that require immediate attention at the request of tribes .
- Make use of meeting space, conference calls, and established website, web- or video-conferencing to facilitate information sharing.

- Support tribal participation in OSWER program-related meetings, trainings, workshops or conferences that involve federal/tribal co-regulator activities and are of interest to the tribes.

2. **Project Proposal Two (Hazardous Substance Research).** The purpose of this project is to: (1) Detect, assess, and evaluate the effects on, and risks to, tribal health from hazardous substances in or near Indian country, and (2) Disseminate research findings (including case studies of best practices) to federally-recognized tribes and other interested parties, with the intention of improving human health and the environment in Indian country and tribal lands in Alaska.

The successful applicant will conduct hazardous substance research in a tribal co-regulator framework to ensure that tribal co-regulators (1) participate in the conduct or review of the research, and (2) use research findings as part of their activities to increase tribal capacity to develop and implement tribal waste management, prevention and cleanup programs. Applicant may propose hazardous substance research projects on one or more of the following topics. In addition, Applicants may propose additional or alternative subject areas that achieve the objectives of the project description for this RFP.

- **Topic A: Peer Consultation and Testing of the Native American Exposure and Risk Assessment Model (NAERAM).** The NAERAM model was developed under a previous EPA assistance agreement with a tribal co-regulator organization. EPA will provide the model to the successful applicant. The acceptable applicant will initiate a tribal peer consultation of the draft NAERAM model to determine its potential utility to tribes in assessing and evaluating potential risk to human health of hazardous substances in the environment. Specifically, this research will provide tribal input and suggestions, and an analysis of the utility of this model, with improvements, for tribal use in assessing risk, for improving tribal-specific data, as a training tool, or other use. For example, some tribes have expressed risk concerns related to potential contamination in fish. The resulting research product will be an analysis and organized compilation of findings and suggestions by tribes on NAERAM as a potential assessment tool to be used by tribes. This information will be provided to tribes for future risk decision making on whether tribes want to adopt or adapt the NAERAM model for use by tribes.
- **Topic B: Case Studies of Superfund and Federal Facility Sites.** Provide three case studies on how a variety of tribes have been involved at Superfund and Federal Facility sites. These case studies will examine the roles tribes play in identifying, assessing, evaluating and mitigating risks from hazardous substances and should reflect a variety of site situations on or near tribal lands. The case studies should highlight lessons learned for promoting effective tribal participation in the Superfund process, including:
  - Establishing and communicating roles and responsibilities among participants in the Superfund process

- Risk communication and evaluation regarding hazardous substances
  - Technical or program capacity-building related to identifying, assessing and evaluating hazardous substances risks, the Superfund response process, dispute resolution, and community outreach, etc.
  - Publish and disseminate a research paper on tribal roles in property transfers of BRAC sites throughout the U.S. involving the detection, assessment and evaluation of risks to human health of hazardous substances on such lands as part of the transfer process. The researcher(s) will research and report risk findings and lessons learned of tribes which have both successfully and unsuccessfully acquired federal facility property, and provide tribes with suggestions on how to further improve the land transfer process with tribes, with an emphasis on the analysis of risks from hazardous substances as part of acquiring property.
- **Topic C: Hazardous Substance Research.** Provide a list of research topics relating to hazardous substances that represent the significant concerns of tribes, research areas of tribal interest, or issue areas with a particular lack of information in Indian country or tribal lands in Alaska. The resulting research product should be designed in a way that will assist tribes to understand the hazardous substance issue from various tribal perspectives, the need for the research in Indian country, and how the research would benefit tribal health and the environment in Indian country.
  - In developing a list of research topics, the researcher(s) will review existing information on assessment, evaluation and cleanup of hazardous substances on tribal lands and work with tribes and tribal-related organizations that may have knowledge of potential research topics on tribal lands.

**For each research project the successful applicant will:**

- Provide a detailed research approach including research goals, methodology, data quality objectives, and the specific end-product.
- Promote review by the tribal co-regulator framework, or council, and dissemination of research materials to federally recognized tribes.
- Develop a plan to:
  - Identify and discuss priority tribal interest areas within the scope of OSWER's Superfund and Federal Facilities program.
  - Identify and emphasize newly emerging research issues, as appropriate.
  - Promote information exchange among tribes and between tribes and EPA on hazardous substance research topics that are of interest to tribes.
  - Promote opportunities for researchers to interact with tribal and non-tribal organizations that have interests in related issues.
  - Disseminate research results to federally-recognized tribes, tribal organizations and other interested entities.
  - Describe how hazardous substance research will be coordinated with, and reviewed by, tribal co-regulators with appropriate expertise.



- Make use of meeting space, conference calls, established website, web- or video-conferencing to conduct research.

### **C. Eligible Use of Funds**

#### For Project Proposal One (Tribal Co-Regulator Framework and Activities):

Funds awarded under Section 8001 of RCRA and Section 104(k)(6) of CERCLA must be used for training, research, studies and technical assistance to

1. Encourage owners and operators to properly operate and maintain their USTs; Ensure that owners and operators routinely and correctly monitor all regulated tanks and piping in accordance with the regulations; Conduct more frequent inspections (including those in Indian Country); and the functions necessary for the development and/or implementation of an Indian underground storage tank (UST) program. Those functions that may be accepted for funding include the development and/or implementation of enforcement and inspection programs, outreach, and training related to the underground storage tanks program.
2. Promote use of integrated solid waste management systems to solve solid waste generation and management problems in Indian Country. Establish and develop partnerships between tribes and states, local governments, and non profit organizations to assist tribes in advancing their waste management programs, including recycling and reduction of wastes, appropriate management of wastes that are generated, and developing integrated waste management plans. Develop and provide education, training, and outreach materials to educate and inform tribes about waste's impact on resource and energy use and pollution.
3. Facilitate the inventory of brownfields properties, site assessments, cleanup of brownfields properties, community involvement, or site preparation on brownfields sites located on, or in close proximity to, tribal lands.

Eligible uses of grant funds under this competitive opportunity include direct costs necessary to provide training, research, and technical assistance identified in the approved workplan. This includes costs for personnel, technical experts, materials, supplies, room rentals, travel, and transportation expenses.

#### For Project Proposal Two (Hazardous Substance Research):

Funds awarded under Section 311(c) of CERCLA must be used for research with respect to the detection, assessment, and evaluation of the effects on and risks to human health of hazardous substances and detection of hazardous substances in the environment. Funding under this cooperative agreement may support a recipients' eligible and allowable direct costs incurred under an approved work plan plus allowable indirect costs, in accordance with established EPA and OMB policies and regulations.

## D. Funding Restrictions

The successful applicant will be required to forego 11% of its approved indirect charges due to administrative cost limitations of STAG (k)(6) funds for the agreement for Project Proposal 1.

All direct charges for grant administration for Project Proposal 1, with the exception of reporting, are prohibited. EPA considers costs for reporting under the grant to be outside of the administrative cost prohibition.

## E. Prohibited Use of Funds

### 1. General (for Project Proposals One and Two.)

- a. Projects that duplicate grants awarded under other EPA Brownfields grant programs described in CFDA Nos. 66.818, “Brownfields Assessment, Revolving Loan Funds, and Cleanup Grants” and 66.815, “Brownfields Job Training Grant” or other federally funded environmental training, research, or technical assistance programs in their target community (ies). Please see the EPA’s Brownfields website for more details, <http://www.epa.gov/brownfields>.
- b. Conducting site assessments or actual cleanups other than those that are part of an approved research project.
- c. Construction and land acquisition.
- d. Any subsidy for the price of recovered resources.
- e. Foreign travel.
- f. Federal cost-share requirement (for example, a cost share required by other federal funds) unless authorized by statute.
- g. Management Fees or similar charges in excess of the direct costs in the budget for the brownfields grant. The term “management fees or similar charges” refers to expenses added to the direct costs in order to accumulate a reserve fund for ongoing business expenses, unforeseen liabilities, or for other similar costs that are not allowable under the Brownfields grant as administrative costs.

### 2. For Project Proposal One (Tribal Co-Regulator Framework and Activities):

Funds awarded under the agreement may not be used for:

- a. **Administrative Costs.** Prohibited administrative costs are direct costs including those in the form of salaries, benefits, contractual costs, supplies, and data processing

charges incurred to comply with most provisions of the “Uniform Administrative Requirements or Grants” contained in 40 CFR. Part 30 or 40 CFR. Part 31. Direct costs for grant administration are ineligible even if the grantee or subgrantee is required to carry out the activity under the grant agreement. Prohibited administrative costs are also all indirect costs under OMB Circulars A-21 (Educational Institutions), A-87 (Governments), and A-122 (Nonprofit Organizations), and subpart 31.2 (Commercial Organizations) of the Federal Acquisition Regulation. Indirect costs incurred by a recipient’s contractor under cost-reimbursement contracts for otherwise eligible programmatic costs are not subject to the administrative cost prohibition.

Ineligible grant administration costs include expenses for:

- i. Preparation of applications for Brownfields grants and subgrants;
  - ii. Record retention required under 40 CFR 30.53 and 40 CFR 31.42;
  - iii. Record-keeping associated with supplies and equipment purchases required under 40 CFR 30.33, 30.34, and 30.35 and 40 CFR 31.32 and 31.33;
  - iv. Preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 40 CFR 30.25 and 40 CFR 31.30;
  - v. Maintaining and operating financial management systems required under 40 CFR 30.20 and 40 CFR 31.20;
  - vi. Preparing payment requests and handling payments under 40 CFR 30.22 and 40 CFR 31.21;
  - vii. Non-federal audits required under 30 CFR 30.26, 40 CFR 31.26, and OMB Circular A-133;
  - viii. Close out under 40 CFR 30.71 and 40 CFR 31.50.
- b. **Programmatic Costs.** EPA has determined that the administrative cost prohibition does not apply to “programmatic” costs, (i.e. costs for activities that are integral to achieving the purpose of the grant), even if the Agency considered the costs to be “administrative” under the prior Brownfields Program.
- i. Direct costs, as defined in the applicable OMB Cost Principle Circular, for the following programmatic activities are not subject to the administrative cost prohibition. These costs, however, must be allowable under the scope of work for the grant. Costs incurred for complying with procurement provisions of 40 CFR Part 30 and Part 31 are considered eligible programmatic costs only if the procurement contract is for services or products that are direct costs for technical assistance as described above. Costs for performance and financial reporting required under 40 CFR 30.51 and 30.52, and 40 CFR 31.40 and 31.41 are eligible programmatic costs. Performance and financial reporting are essential programmatic tools for both the recipient and EPA to ensure that grants are carried out in accordance with statutory and regulatory requirements.

- ii. If your organization intends to provide noncompetitive subgrants to other nonprofit or governmental organizations, discuss the process you will follow to ensure that these agreements meet the standards for financial assistance contained in OMB Circular A-133, Section.210.

3. For Project Proposal Two (Hazardous Substance Research)

- a. Funding awarded for research under CERCLA 311(c) is limited to research that into hazardous substance issues.
- b. Any training must be focus on research techniques.
- c. Funds awarded under this agreement may not be commingled with other funding sources.

## **F. EPA Strategic Plan Linkage**

The projects selected for award through this competition will support progress towards EPA Strategic Plan Goal 3 (Land Preservation and Restoration), Objective 3.1 (Preserve Land), Objective 3.2 (Restore Land), and Goal 4, Objective 4.2 (Communities). Specifically, the recipient selected for award will help tribes by supporting training, technical assistance, research and studies that will support the participation of tribal co-regulators in the formulation of federal/tribal environmental policies in for OSWER related tribal programs.. These activities will provide a forum for tribes to learn and share information across Indian country and tribes in Alaska, and encourage tribal program development, so that tribes are better able to: protect and restore their lands and environment from the improper management and/or disposal of solid and hazardous wastes, participate in and ensure the cleanup of contaminated sites and properties in Indian country, and practice and carry out preparedness, prevention and response activities related to oil and hazardous substances. The projects also support the identified strategic plan objectives by enabling research on how tribes can reduce risks to human health and the environment posed by releases of hazardous substances.

(View EPA’s strategic plan at <http://www.epa.gov/ocfo/plan/plan.htm>)

## **G. Measuring Environmental Results: Anticipated Outcomes/Outputs**

Pursuant to EPA Order 5700.7 “*Environmental Results under EPA Assistance Agreements,*” EPA requires that all grant applicants and recipients adequately address environmental outputs and outcomes. Outputs and outcomes differ both in their nature and in how they are measured. Applicants must discuss environmental outputs and outcomes in their proposed workplan.

1. **Outcomes.** The term “outcome” refers to 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, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period.

EPA anticipates outcomes from projects expected to be awarded under this announcement will include, but are not limited to the following:

a. For Project Proposal One (Tribal Co-Regulator Framework and Activities):

- The activities conducted through this framework facilitate information exchange, and enhance tribal environmental capacity in Indian country, resulting in improved land conditions and public health protection.
- Increased / enhanced tribal program manager knowledge on a wide variety of existing and emerging issues related to waste management, cleanup, chemical preparedness issues, and long term stewardship efforts resulting in the improved management of tribal lands.
- Increased outreach to tribes and tribal organizations on OSWER related tribal programs, resulting in improved protection of human health and the environment specific to Indian country.
- Demonstration that tribes improve their waste management and emergency preparedness capabilities, and better protect human health and the environment.
- Identify opportunities to leverage and integrate activities across related OSWER related tribal programs for a more efficient and cost-effective approach to tribal environmental programs.
- Improved public health in tribal communities.
- Increased tribal participation in site cleanups and other waste response actions and preparedness activities.

b. For Project Proposal Two (Hazardous Substance Research):

- Hazardous substance research reports targeted to tribes will provide information on hazardous substances and enhance tribal environmental capacity in Indian country, resulting in improved land conditions and public health protection.
- Increased tribes' ability to communicate risks from hazardous substances effectively to a tribal community.
- Increased research capacity of tribes participating in OSWER related tribal programs, resulting in improved protection of human health and the environment specific to Indian country.
- Tribes will improve their knowledge on hazardous substances and opportunities and activities to protect human health and the environment.
- The research will help raise the awareness of tribes on hazardous substance issues pertaining to tribal lands and increase the capacity of tribes to establish effective environmental programs.
- Reduce risks from hazardous substances in tribal communities.

- Increase tribes' ability to establish effective roles and responsibilities within a cleanup framework.
  - Improve relationships and understanding among participants working through a cleanup process at a site in Indian country or tribal land in Alaska.
2. **Outputs.** The term “output” refers to an environmental activity, effort, and/or associated work products related to an environmental goal or 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.

EPA anticipates the output from the project expected to be awarded under this announcement will include but not limited to the following:

a. For Project Proposal One (Tribal Co-Regulator Framework and Activities):

- Making research, training and technical assistance available to a definable network of tribal co-regulators contributes in a meaningful way to the protection and preservation of human health and the environment in Indian country.
- Number of tribes participating in OSWER related tribal program activities
- Evaluations are conducted at trainings, and the number of tribes taking training who provide positive feedback on their evaluation.
- Improved tribal knowledge of OSWER related tribal programs.
- National Tribal Operations Committee agendas reflect increased tribal input and improved follow-through on OSWER related tribal program topics.
- Number of tribes who improve or develop an OSWER related environmental program as a result of cooperative agreement activities.
- Number of environmentally sustainable ideas implemented by tribes as a result of policies and discussions by tribal co-regulators.
- Improved tribal compliance with solid and hazardous regulations in Indian country.
- Improved tribal environmental data.
- Number of actions or emerging issues identified by tribes through the framework that are carried out by tribes that will directly improve the environment.
- Improved frequency and quality of interactions among tribes, and between tribes and EPA on OSWER related tribal program issues.

b. For Project Proposal Two (Hazardous Substance Research):

- Completion of three research reports with definitive findings for tribes.
- Research reports are disseminated widely to tribes.
- Number of tribes utilizing research to improve their environmental programs.
- Number of research milestones met on time.
- Completion of a research communication plan.

- Number of communication activities achieved (consistent with the research communication plan) to increase the understanding and knowledge of tribes.
- Number of tribes conducting risk communication in their communities, where this has not been done before.
- Number of tribes sharing hazardous substance research expertise, career experiences, and lessons learned during the course of conducting research and/or reviewing research.
- Number of tribes seeking or reviewing written summaries of research activities, workshops and trainings in research techniques.

## **H. Supplementary Information**

The statutory authorities for assistance agreements awarded by EPA under this announcement are as follows:

**For Project Proposal One (Tribal Co-Regulator Framework and Activities):** Solid Waste Disposal Act of 1976, Section 8001(a) and (b) as amended by the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616); Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, Section 104(k)(6) as amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law);

**For Project Proposal Two (Hazardous Substance Research):** CERCLA, Section 311(c), as amended.

## **Section 2 - Award Information**

### **A. What is the amount of available funding?**

The total estimated funding available under this competitive opportunity is approximately \$1,750,000, subject to the availability of funds and quality of proposals received.

EPA reserves the right to make additional awards under this competition, consistent with Agency policy, if additional funding becomes available. Any additional selections for awards will be made no later than six months from the date of original selection decision.

### **B. How many agreements will EPA award in this competition?**

EPA anticipates award of two separate cooperative agreements to one successful applicant resulting from this competitive announcement. Cooperative agreements awarded under this competition will be funded incrementally subject to the availability of funds and satisfactory performance. The total estimated value for the Project One agreement is \$1,000,000. In FY08, the maximum value shall not exceed \$200,000. The total estimated value for the Project Two agreement is \$750,000. In FY08, the maximum value shall not exceed \$150,000.

Cooperative agreements permit substantial involvement between the EPA Project Officer and the selected applicants in the performance of the work supported. Although EPA will negotiate

precise terms and conditions relating to substantial involvement as part of the award process, the anticipated substantial Federal involvement for this project will include:

1. Close monitoring of recipient's performance to verify the results proposed.
2. Collaboration during performance of the scope of work.
3. Review of any proposed changes to work plan and/or budget.
4. Review of proposed procurements in accordance with 40 CFR 30.44(e) and 40 CFR 31.36(g).
5. Approving qualifications of key personnel (EPA will not select employees or contractors employed by the award recipient).
6. Review and comment on reports prepared under the cooperative agreements (the final decision on the content of reports rests with the recipient.)
7. Review and concurrence on project outputs for consistency with the EPA approved scope of work.

### **C. Will proposals be partially funded?**

In appropriate circumstances, EPA reserves the right to partially fund proposals/applications by funding discrete activities, portions, or phases of proposed projects. If EPA decides to partially fund a proposal/application, 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 reject all applications/proposals and make no awards under this announcement or, to make fewer awards than anticipated.

### **D. What is the project period for award(s) resulting from this solicitation?**

The estimated start date for projects resulting from this solicitation is November 1, 2008. All project activities must be completed within the negotiated project performance period of five years.

### **E. Can funding be used to acquire services or fund partnerships?**

EPA awards funds to one eligible applicant as the "recipient" even if other eligible applicants are named as "partners" or "co-applicants" or members of a "coalition" or "consortium." The recipient is accountable to EPA for the proper expenditure of funds.

Funding may be used to provide subgrants or subawards of financial assistance, which includes using subawards or subgrants to fund partnerships, provided the recipient complies with applicable requirements for subawards or subgrants including those contained in 40 [CFR](#) Parts 30 or 31, as appropriate. Applicants must compete contracts for services and products, including consultant contracts, and conduct cost and price analyses, to the extent required by the procurement provisions of the regulations at 40 [CFR](#) Parts 30 or 31, as appropriate. The regulations also contain limitations on consultant compensation. Applicants are not required to



identify subawardees/subgrantees and/or contractors (including consultants) in their proposal/application. However, if they do, the fact that an applicant selected for award has named a specific subawardee/subgrantee, contractor, or consultant in the proposal/application EPA selects for funding does not relieve the applicant of its obligations to comply with subaward/subgrant and/or competitive procurement requirements as appropriate. Please note that applicants may not award sole source contracts to consulting, engineering or other firms assisting applicants with the proposal solely based on the firm's role in preparing the proposal/application.

Successful applicants cannot use subgrants or subawards to avoid requirements in EPA grant regulations for competitive procurement by using these instruments to acquire commercial services or products from for-profit organizations to carry out its assistance agreement. The nature of the transaction between the recipient and the subawardee or subgrantee must be consistent with the standards for distinguishing between vendor transactions and subrecipient assistance under Subpart B Section 210 of OMB Circular A-133, and the definitions of subaward at 40 [CFR](#) 30.2(ff) or subgrant at 40 [CFR](#) 31.3, as applicable. EPA will not be a party to these transactions. Applicants acquiring commercial goods or services must comply with the competitive procurement standards in 40 [CFR](#) Part 30 or 40 [CFR](#) Part 31.36 and cannot use a subaward/subgrant as the funding mechanism.

**F. How will an applicant's proposed subawardees or contractors be considered during the evaluation process described in *Section 5* of this announcement?**

*Section 5* of this 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:

1. An applicant's named subawardees/subgrantees identified in the proposal/application if the applicant demonstrates in the proposal/application 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.
2. An applicant's named contractor(s), including consultants, identified in the proposal/application if the applicant demonstrates in its proposal/application that the contractor(s) was selected in compliance with the competitive Procurement Standards in 40 [CFR](#) Part 30 or 40 [CFR](#) 31.36 as appropriate. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper non-competitive sole-source award consistent with the regulations will be made to the contractor(s), that 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.

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

### **Section 3 - Eligibility Information**

#### **A. Eligible Entities**

Proposals will be accepted from federally recognized tribal governments with the exception of Indian Tribes in Alaska, intertribal consortia that are not comprised of Indian Tribes in Alaska, public and private non-profit universities and colleges, and other public or private nonprofit institutions. For profit organizations, including proprietary training schools, are not eligible to apply. Nonprofit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995 are not eligible to apply.

#### **B. Cost Sharing or Matching**

Although cost-sharing or matching is not required as a condition of eligibility or otherwise, applicants proposing a voluntary financial or in-kind commitment of resources may improve their scoring under the “Leveraging” evaluation criteria of this solicitation. (*Refer to Section 5(A), Evaluation Criteria*).

Leveraged funding or other resources need not be for eligible and allowable project costs under the EPA assistance agreement unless the Applicant proposes to provide a voluntary cost share or match. If EPA accepts an offer for a voluntary cost share/match/participation, applicants must meet their matching/sharing/participation commitment as a condition of receiving EPA funding. Applicants may use their own funds or other resources for voluntary match/cost share/participation if the standards at 40 [CFR](#) 30.23 or 40 [CFR](#) 31.24, as applicable, are met. Only eligible and allowable costs may be used for voluntary matches/cost shares/participation. Other federal grants may not be used as voluntary matches or cost shares without specific statutory authority (e.g. HUD's Community Development Block Grants). Any form of proposed leveraging that is evaluated under a Section 5 ranking criteria must be included in the proposal and the proposal must describe how the applicant will obtain the leveraged resources and what role EPA funding will play in the overall project.

#### **C. Threshold Criteria**

Proposals from eligible applicants must meet the following “threshold criteria” **by the time of proposal submission. Proposals that fail to meet any one of the threshold criteria will not be considered further.** The Agency may, but is not required to, seek clarification of information relating to the threshold eligibility criteria. EPA will notify applicants who do not meet the threshold criteria within 15 calendar days of the “fail” determination. Proposals that meet the threshold criteria will then be evaluated based on the factors disclosed in *Section 5(A), Evaluation Criteria*. The threshold criteria are:

1. **All applicants are required to submit proposals for both projects described in Section 1. Applicants are required to develop and submit separate proposals and applications for each project category** (Tribal Co-regulator Framework, Activities and Hazardous Substance Research) as described in *Section 1(B)* of this announcement. **EPA will not consider combined proposals, single applications for both project proposals or applications or proposals for one project area only.**
2. The proposed project total budget for **Project Proposal One (Tribal Co-Regulator Framework and Activities)** may not exceed a maximum value of \$1,000,000, excluding any in-kind contribution or match. Proposals requesting federal assistance funding in excess of this value will not be considered.
3. The proposed project total budget for **Project Proposal Two (Hazardous Substance Research)** may not exceed a maximum value of \$750,000, excluding any in-kind contribution or match. Proposals requesting federal assistance funding in excess of this value will not be considered.
4. The proposed projects must not include activities described in *Section 1(E), Prohibited Use of Funds*.
5. Proposals must substantially comply with the proposal submission instructions and requirements set forth in *Section 4* of this announcement or else they will be rejected. However, where a page limit is expressed in *Section 4* with respect to the project proposals, pages in excess of the page limitation will not be reviewed.
6. Funding under this announcement is not available for projects related to exploring, testing and implementing smart growth policies and applications that EPA funds under CFDA No. 66.611, "Environmental Policy and Innovation Grants." An example of such projects is the RFP for EPA-OPEI-07-03, "Educational Campaign on Policy Barriers to Redevelopment of Vacant Properties", available at <http://www.epa.gov/dced/grants/opei0703.htm>.

For more information on activities that are not eligible for funding, applicants should check the "Questions and Answers" for competitive announcement EPA-OSWER-OBLR-08-02, specifically, Question No. 5 at <http://www.epa.gov/oswer/grants-funding.htm>

7. Proposals must be received by EPA or through <http://www.Grants.gov>, as specified in *Section 4* of this announcement, on or before the proposal submission deadline published in *Section 4* of this announcement. Applicants are responsible for ensuring that their proposal packages reach the designated person/office specified in *Section 4* of the announcement by the submission deadline.

Proposals received after the submission deadline will be considered late and returned to the sender without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling. For hard copy submissions, where *Section 4* requires proposal receipt by a specific person/office by the submission deadline, receipt by an agency mailroom is not sufficient. Applicants should confirm receipt of their proposal with **Felicia Wright** at [wright.felicia@epa.gov](mailto:wright.felicia@epa.gov) as soon as possible after the submission deadline—failure to do so may result in your proposal not being reviewed.

8. All proposal package materials must be submitted in English.

## **Section 4 - Application and Submission Information**

### **A. How to Obtain an Application Package**

Applicants may download individual grant application forms, or electronically request a paper application package and an accompanying computer CD of information related to applicants/grant recipients roles and responsibilities from EPA's Grants and Debarment website by visiting: [http://www.epa.gov/ogd/grants/how\\_to\\_apply.htm](http://www.epa.gov/ogd/grants/how_to_apply.htm).

### **B. Content and Form of Application**

**The following documents are required for all proposal packages, irrespective of the mode of submission.** All proposal packages must contain a "Narrative Proposal," one completed and signed Standard Form 424 (SF-424), "Application for Federal Assistance," and a budget narrative. The "Narrative Proposal," a maximum of 17 pages in length, must explicitly describe the applicant's proposed project and specifically address each of the applicable evaluation criteria disclosed in *Section 5(A), Evaluation Criteria*, and the relevant threshold eligibility criteria in *Section 3(C)*.

As noted above, applicants must develop and submit separate proposal packages for Project Proposal One (**Tribal Co-Regulator Framework and Activities**) and Project Proposal Two (**Hazardous Substance Research**). For example, a proposal package for Project Proposal One will consist of a narrative proposal addressing Project Proposal One activities (See Section I), an SF-424, and a budget narrative; the proposal package for Project Proposal Two will include a narrative proposal addressing Project Proposal Two activities, an SF-424, and budget narrative.

1. **Standard Form 424 (SF-424), Application for Federal Assistance, with original signature.**

Individual grant application forms may be downloaded from EPA's Grants and Debarment website by visiting: <http://www.epa.gov/ogd/AppKit/application.htm>.

2. **Narrative Proposal for Project Proposal One and Two activities.**

Narrative Proposals must be concise, well organized, and not exceed 17 typed, single-line spaced, 8 1/2 x 11” pages. The cover page, item “a” below, is included in this page limit. The Narrative Proposal must provide the information detailed in this section and **include responses to all Section 3(C), Threshold Criteria, Section 5(A), Evaluation Criteria, as well as the information identified in Section 1, Funding Opportunity Description, for each project proposal area.** Factual information about your proposed project must be provided. Do not include discussions of broad principles that are not specific to the proposed work or project covered by your proposal. **Responses to evaluation criteria should include the criteria number and title but need not restate the entire text of the criteria-applicants should be aware that there are different evaluation criteria in Section 5 for Project Proposal One and Project Proposal Two.** Sufficient detail must be provided to allow for an evaluation of the merits of the proposal. Vague descriptions, redundancy, and failure to address the selection criteria will result in a lower ranking.

The Narrative Proposal (*sections “a” and “b” below*) must substantially conform to the following outline and content:

- a. **Cover Letter.** The cover letter must include a brief description of your project, be written on your organization’s official letterhead, and signed by an official with the authority to commit your organization to the proposed project. The cover letter must also include:
  - i. **Project Title.** Indicate whether the application package is for Project Proposal One (Tribal Co-Regulator Framework and Activities) or Project Proposal Two (Hazardous Substance Research);
  - ii. **Applicant Information.** Provide the name and full address of the organization applying for funds. This is the agency or organization that will be receiving the grant and will be accountable to the EPA;
  - iii. **Contacts.** Provide phone/fax numbers, e-mail address, and mailing address of the Project Manager and head of organization/Executive Director responsible for the project application. These individuals may be contacted if other information is needed;
  - iv. **Cooperative Partners.** Provide names and phone numbers of individuals and organizations that have agreed to participate in the implementation of the project, if any; and
  - v. **Funding Requested.** Specify the total amount you are requesting from EPA. The total funding requested for Project Proposal One (Tribal Co-Regulator Framework and Activities) may not exceed maximum value of \$1,000,000, excluding any in-kind contribution or match. The total funding requested for Project Proposal Two (Hazardous Substance Research) may not exceed maximum value of \$750,000,

excluding any in-kind contribution or match. Proposals requesting federal assistance funding in excess of these values will not be considered.

- b. **Detailed Project Description.** The project description should provide the information below on how the applicant will implement and conduct its project and discuss how the proposal addresses each of the evaluation criteria in *Section 5* of this announcement (Project Proposal One submissions must address the Project Proposal One criteria and Project Proposal Two submissions must address the Project Proposal Two criteria.)

i. **Project Description.**

For Project Proposal One (Tribal Co-Regulator Framework and Activities):

- Summarize your overall vision for providing training, technical assistance, research and studies through a framework of tribal co-regulators to support the objectives in *Section 1(B), Project Description* of this announcement, and your strategy to accomplish the overall vision.
- Summarize your experience and expertise for managing a body of tribal co-regulators to accomplish specific goals and activities, and continue improving operations for successful results in Indian country.
- Provide concrete examples of specific work to be completed (i.e., issue topics and the types of training, technical assistance, research and studies that will be provided), including milestones.
- Describe how the tribal co-regulator framework will address or facilitate the identification and reduction of threats to human health and the environment in areas in which there is a greater-than-normal incidence of diseases or conditions (including cancer, asthma, or birth defects) that may be associated with hazardous substances, pollutants or contaminants; or to the health or welfare of children, pregnant women, minority or low-income communities, or other sensitive populations.
- Discuss how work activities will include discussions on sustainable redevelopment and reuse of contaminated properties. Specifically, discuss how training, technical assistance, research and studies will **facilitate the use or reuse of existing infrastructure** (i.e., roads, bridges, power lines, water lines) in redevelopment projects related to cleanup and response activities.
- Describe the new or innovative aspects of your proposal and how results will support tribal co-regulators and other interested entities to improve human health and the environment in Indian country.
- Describe how the tribal co-regulator framework will operate to achieve goals, how the composition of tribal co-regulators as a whole reflects senior level expertise and experience in each of OSWER's programs, and maintains a balanced representation of tribes nationally; and how it will coordinate efforts with tribes and EPA and representatives of the National Tribal Caucus in

conducting training, technical assistance, research and studies, and track the work through completion.

For Project Proposal Two (Hazardous Substance Research):

- Summarize your overall vision for providing hazardous substance research to support the objectives in *Section 1(B), Project Description* of this announcement, and your strategy to accomplish the overall vision.
  - Describe the new or innovative aspects of your proposal and how research results will support tribal co-regulators and other interested entities to reduce risks to human health and the environment in Indian country from hazardous substances.
  - Describe specific research projects and products that will be conducted over the cooperative agreement project period, and how the applicant plans to coordinate the research with the tribal co-regulator framework (the entity responsible for conducting the other activities in this announcement) and EPA to review and track progress on the development of research products.
- ii. **Programmatic Capability.** Submit a list of federally and/or non-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, 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 submitting acceptable final technical reports. In evaluating applicants under these factors in *Section 5*, 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 and prior Federal agency 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 under *Section 5*. Failure to do so may result in a “0” score for those 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.
- iii. **Environmental Results Past Performance Reporting.** Submit a list of federally and/or non-federally funded assistance agreements (an assistance agreement is a grant or cooperative agreement and not a contract) that your organization performed within the last three years (limit 5, and preferably EPA assistance agreements) and describe how you documented and/or reported on whether you

were making progress towards achieving the expected results (e.g., outputs and outcomes) under those agreements. If you were not making progress, please indicate whether and how you documented why not. In evaluating applicants under this factor in Section 5, 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 and prior federal agency grantors (e.g., to verify and/or supplement the information provided by the applicant). If you do not have any relevant or available environmental results past performance information, please indicate this in the proposal and you will receive a neutral score for this factor under *Section 5*. Failure to do so may result in a “0” score for the factor.

iv. **Performance Measurement: Anticipated Outcomes and Outputs.**

**Anticipated Outcomes:** Specify the expected environmental outcomes as described in *Section 1(D), Measuring Environmental Results: Anticipated Outcomes/Outputs* of this announcement. Discuss how you propose to track and measure your progress towards achieving the project outcomes and results. (*Refer to Section 5(A), Evaluation Criteria, Performance Measurement.*)

**Anticipated Outputs.** Identify the expected project outputs, including those described in *Section 1(D), Measuring Environmental Results: Anticipated Outcomes/Outputs* of this announcement and how you will track and measure your progress towards achieving the expected project outputs. Outputs, quantitative or qualitative, must be measurable during the project performance period.

- v. **Leveraging.** Summarize the voluntary dollars or other resources leveraged for this project. In addition, demonstrate how you will coordinate the use of EPA funding with other Federal and/or non Federal sources of funds 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. Leveraged funding or other resources need not be for eligible and allowable project costs under the EPA assistance agreement unless the Applicant proposes to provide a voluntary cost share or match. If EPA accepts an offer for a voluntary cost share/match/participation, applicants must meet their matching/sharing/participation commitment as a condition of receiving EPA funding. Applicants may use their own funds or other resources for voluntary match/cost share/participation if the standards at 40 [CFR 30.23](#) or 40 [CFR 31.24](#), as applicable, are met. Only eligible and allowable costs may be used for voluntary matches/cost shares/participation. Other Federal grants may not be used as voluntary matches or cost shares without specific statutory authority (e.g. HUD's Community Development Block Grants).



Any form of proposed leveraging that is evaluated under a *Section 5* ranking criteria must be included in the proposal and the proposal must describe how the applicant will obtain the leveraged resources and what role EPA funding will play in the overall project.

- vi. **Cooperative Partnerships.** Identify all proposed partnerships and stakeholder groups that will be involved in the project. Describe what each group's role will be in project staffing, funding, design and implementation. Please note that procurement of commercial services (e.g., consultants, audio visual equipment, meeting space) is subject to the competitive procurement provisions of 40 [CFR](#) Part 30 or Part 31, as applicable. Naming a commercial vendor as a "partner" does not relieve the applicant of responsibility for complying with competitive procurement requirements, including cost or price analysis, or justify sole source procurement.
3. **Attachments.** The following documents shall be included as attachments to the narrative proposal. These documents will not count as part of the 17 page limit and do not have an individual page limitation. Attachments beyond the required attachments below will not be considered. Please provide a list of all attachments to the proposal.
    - a. **Budget Narrative.** Include a detailed budget narrative which clearly explains how funds will be used. The successful applicant's budget narrative should identify (1) specific tasks for which EPA funding will be used; (2) the costs associated with each task, (3) the costs that the applicant or other partners will fund for each task, if appropriate, and (4) what outputs will be produced as a result of each task. (*Refer to Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs for a definition and examples of outputs.*) The budget should include information on each major task broken out using the following cost elements:
      - i. Personnel;
      - ii. Fringe Benefits;
      - iii. Contractual Costs;
      - iv. Travel;
      - v. Supplies;
      - vi. Other Costs (be specific);
      - vii. Administrative Costs (other than Indirect Costs);
      - viii. Non-EPA Project Funding. Identify funding from other sources including in-kind resources;
      - ix. Total Direct Costs;
      - x. Total Indirect Costs (must include Negotiated Indirect Cost Rate Agreement as documentation of federally-approved indirect cost rate (percentage); and
      - xi. Total Project Cost (Total Direct + Indirect Costs). Costs proposed in the budget must be linked directly to the narrative proposal.

Following is a suggested format to summarize your proposed budget. Applicants are not limited to three Project Activities. Please expand (add more columns), as necessary, to include Activities listed in *Section 1(B)* of this announcement.

Sample Format for Budget

Budget Categories (Required Field)	Project Activities			TOTAL (Required Field)
	Activity 1: (fill in )	Activity 2: (fill in )	Activity 3: (fill in )	
Personnel				
Fringe Benefits				
Contractual				
Travel				
Supplies				
Equipment				
Other Costs				
Administrative				
Total Direct				
Indirect Costs				
Non-EPA Project Funding				
Total Project Cost				

**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 direct costs of carrying out the scope of work.

Under OMB Circulars, EPA financial assistance cannot be used for fund-raising. Therefore, any costs associated with fund-raising may not be included in the budget for your application, or charged to the resultant cooperative agreement.

- b. **Milestones.** Schedule indicating start times and completion dates of significant tasks and responsibilities under your program. For efficiency, it is suggested that project milestones be coordinated with important EPA and tribal events (e.g., budget cycle, meetings, etc.).
- c. **Letters of Support.** The applicant should provide names and phone numbers of persons to contact at these organizations along with a description of what

involvement (e.g., assistance, role) the organization has or will have with your organization/project. Applicants may include letters confirming commitments.

- d. **Documentation/evidence of current nonprofit status** under Federal, state or tribal law, if applicable.

### C. Submitting a Proposal Package

Applicants may choose to submit their separate proposal packages for Project Proposal 1 and Project Proposal 2, as described in *Section B* above, either in hard copy (paper) format or through <http://www.grants.gov> with an electronic signature. Instructions for all methods are detailed below. Please select **only one** method. Proposals must be received by EPA or through grants.gov by August 11, 2008, 5:00 p.m. EDT.

1. **Hard copy (paper) submission.** Submit a complete and separate proposal package for Project Proposal 1 and Project Proposal 2 including all of the documents identified in *Section 4(B)* of this announcement. **The complete packages must be sent through regular mail (U.S. Postal Service), express mail, or commercial delivery service to the EPA Headquarters Program contact listed below.** For each package, the submissions must include one original signature document and two copies of the completed Application for Federal Assistance (SF-424), the Narrative Proposal, and all Attachments. If possible, please include a CD-disk with electronic copies of all proposal package documents.

Because of the unique situation involving U.S. mail screening, EPA highly recommends that applicants submitting a package in hard copy use a commercial delivery service or express mail option to transmit their packages to the physical address of the EPA contact listed in *Section 7(A), Agency Contact*.

2. Using <http://www.Grants.gov>, applicants may submit their separate and complete proposal packages for Project Proposal 1 and Project Proposal 2 on-line with no hard copy or computer disks. Please be sure to view the additional instructions that are available for download on <http://www.Grants.gov> for this announcement. If you have any technical difficulties while applying electronically, please call the toll free Contact Center at 1-800-518-4726.

If you wish to apply electronically via <http://www.Grants.gov>, the electronic submission of your proposal package must be made by an official representative of your institution who is registered with Grants.gov. For more information, go to <http://www.Grants.gov> and click on **“Get Registered” on the left side of the page.** *Note that the registration process may take a week or longer to complete.* If your organization is not currently registered with Grants.gov, please encourage your office to designate an Authorized Official Representative (AOR) and ask that individual to begin the registration process as soon as possible.

To begin the proposal process under this grant announcement, go to <http://www.grants.gov> and click on the “Apply for Grants” tab on the left side of the page. Then click on “Apply Step 1: Download a Grant Application Package” to download the compatible Adobe viewer and obtain the application package. **To apply through grants.gov you must use Adobe Reader applications and download the compatible Adobe Reader version** ([Adobe Reader applications](#) are available to download for free on the Grants.gov website. For more information on Adobe Reader please visit the [Help section on grants.gov](#) at <http://www.grants.gov/help/help.jsp> or [http://www.grants.gov/aboutgrants/program\\_status.jsp](http://www.grants.gov/aboutgrants/program_status.jsp)).

Once you have downloaded the viewer, you may retrieve the proposal package by entering the Funding Opportunity Number, EPA-OSWER-IPCO-08-06, or the CFDA numbers that apply to this announcement (66.808; 66.813; 66.814; 66.816), in the appropriate field. Then complete and submit the proposal package as indicated. **You may also be able to access the proposal package by clicking on the “Application” button at the top right of the synopsis page for this announcement on <http://www.grants.gov> (to find the synopsis page, go to <http://www.grants.gov> and click on the “Find Grant Opportunities” button on the left side of the page and then go to Search Opportunities/Browse by Agency feature to find EPA opportunities).**

**Proposal Submission Deadline.** Your organization’s AOR must submit your separate and complete proposal packages for Proposal Project 1 and Proposal Project 2 electronically to EPA through Grants.gov (<http://www.Grants.gov>) no later than August 11, 2008, 5:00 p.m. EDT. **Please submit all of the proposal materials described below for each proposal package submission.**

**Proposal Materials.** The following forms and documents are required under this announcement (*refer to Section 4(B) of this announcement*):

- A. Application for Federal Assistance (SF-424)
- B. Narrative Proposal.
- C. Other Attachments

The proposal package must include all of the following materials:

- A. **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. Please note that the organizational Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number must be included on the SF-424. Organizations may obtain a DUNS number at no cost by calling the toll-free DUNS number request line at 1-866-705-5711.
- B. **Narrative Proposal** (also referenced as “Project Narrative Attachment Form” on <http://www.Grants.gov>.) Prepare your Narrative Proposal in accordance with the

instructions detailed in *Section 4(B), Content and Form of Application Submission* of this announcement (EPA-OSWER-IPCO-08-06). The Narrative Proposal shall not exceed 17 pages and must substantially conform to the outline and content detailed in *Section 4(B)(2)* of this announcement.

- C. **Attachments.** The budget narrative, milestones, letters of support, and documentation of non-profit status if applicable as described in *Section 4(B)(3)* of this announcement shall be included as attachments to the narrative proposal. **These documents will not count as part of the 17 page limit and do not have an individual page limitation.**

### **Proposal Preparation and Submission Instructions.**

**Document A**, listed under Proposal Materials above, should appear in the “Mandatory Documents” box on the <http://www.grants.gov> “Grant Application Package” page.

**For Document A**, click on the appropriate form and then click “Open Form” below the box. The fields that must be completed will be highlighted in yellow. Optional fields and completed fields will be displayed in white. If you enter an invalid response or incomplete information in a field, you will receive an error message. When you have finished filling out each form, click “Save.” When you return to the electronic “Grant Application Package” page, click on the form you just completed, and then click on the box that says, “Move Form to Submission List.” This action will move the document over to the box that says, “Mandatory Completed Documents for Submission.”

**For Document B**, you will need to attach electronic files. Prepare your “Narrative Proposal” in accordance with the instructions detailed in *Section 4(B), Content and Form of Application* of this announcement (EPA-OSWER-IPCO-08-06). Save the document to your computer as an MS Word, PDF or WordPerfect file. When you are ready to attach your “Narrative Proposal” to the application package, click on “Project Narrative Attachment Form,” and open the form. Click “Add Mandatory Project Narrative File,” and attach your “Narrative Proposal” (previously saved to your computer) using the browse window that appears. You may then click “View Mandatory Project Narrative File” to view it. Enter a brief descriptive title of your project in the space beside “Mandatory Project Narrative File Filename;” the filename should be no more than 40 characters long.

**For Document C**, the attachments to the Narrative Proposal identified in *Section 4(B)(3)* of this announcement, you may click “Add Optional Project Narrative File” and proceed as before to attach the attachments. When you have finished attaching the necessary documents, click “Close Form.” When you return to the “Grant Application Package” page, select the “Project Narrative Attachment Form” and click “Move Form to Submission List.” The form should now appear in the box that says, “Mandatory Completed Documents for Submission.”

Once you have finished filling out all of the forms/attachments and they appear in one of the “Completed Documents for Submission” boxes, click the “Save” button that appears at the top of the Web page. It is suggested that you save the document a second time, using a different name, since this will make it easier to submit an amended package later if necessary. Please use the following format when saving your file: “Applicant Name - FY08 - Assoc Prog Supp - 1st Submission” or “Applicant Name - FY 08 Assoc Prog Supp Back-up Submission.” If it becomes necessary to submit an amended package at a later date, then the name of the 2nd submission should be changed to “Applicant Name - FY08 Assoc Prog Supp - 2nd Submission.”

Once your proposal package has been completed and saved, send it to your AOR for submission to U.S. EPA through Grants.gov. Please advise your AOR to close all other software programs before attempting to submit the application package through <http://www.grants.gov>.

In the “Application Filing Name” box, your AOR should enter your organization’s name (abbreviate where possible), the fiscal year (e.g., FY08), and the grant category (e.g., Assoc Prog Supp). The filing name should not exceed 40 characters. From the “Grant Application Package” page, your AOR may submit the application package by clicking the “Submit” button that appears at the top of the page. The AOR will then be asked to verify the agency and funding opportunity number for which the application package is being submitted. If problems are encountered during the submission process, the AOR should reboot his/her computer before trying to submit the application package again. [It may be necessary to turn off the computer (not just restart it) before attempting to submit the package again.] If the AOR continues to experience submission problems, he/she may contact <http://www.grants.gov> for assistance by phone at 1-800-518-4726, or contact Felicia Wright at [wright.felicia@epa.gov](mailto:wright.felicia@epa.gov).

Proposal materials submitted through <http://www.grants.gov> will be time/date stamped electronically. If you have not received a confirmation of receipt from EPA (not from support@grant.gov) within 30 days of the proposal deadline, please contact Felicia Wright at [wright.felicia@epa.gov](mailto:wright.felicia@epa.gov). Failure to do so may result in your proposal not being reviewed.

#### **D. Confidential Business Information**

In accordance with 40 CFR 2.203, applicants may claim all or a portion of their proposal/application as confidential business information. EPA will evaluate confidentiality claims in accordance with 40 CFR Part 2. Applicants must clearly mark proposals/applications or portions of proposals/applications they claim as confidential. If no claim of confidentiality 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.

Under Public Law No. 105-277, data produced under awards resulting from this announcement is subject to the Freedom of Information Act.

## E. Data Universal Numbering System (DUNS)

All applicants are required to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for a federal grant or cooperative agreement. Applicants can receive a DUNS number, at no cost, by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711, or by visiting the D&B website at <http://www.dnb.com>.

## F. Pre-proposal/Application 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 applications/proposals.

EPA will respond to questions in writing from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about the announcement. Questions received from applicants and EPA's responses will also be posted online at <http://www.epa.gov/oswer/grants-funding.htm>.

## Section 5 - Application Review Information

### A. Evaluation Criteria

Each eligible proposal, based on the Section 3 threshold eligibility review, will be evaluated according to the criteria set forth below. Applicants must directly and explicitly address these criteria as part of their "Narrative Proposals." Each proposal will be rated under a points system. There are separate criteria for Project Proposal One and Project Proposal Two. For Project Proposal One there are a total of 110 points possible. For Project Proposal Two there are a total of 100 points possible.

#### 1. For Project Proposal One (Tribal Co-Regulator Framework and Activities):

Criterion	Maximum Points per Criterion
<p><b>Project Description.</b> Under this criterion, EPA will evaluate the extent to which the proposal effectively addresses the scope of work activities described in <i>Section 1(B)</i> of this announcement. Proposals will be evaluated based on the quality and extent to which the proposal:</p> <ul style="list-style-type: none"><li>• Demonstrates expertise in organizing and managing a body of tribal co-regulators to accomplish specific goals and activities, and continue to improve the framework for a high likelihood of success. (9 pts.)</li><li>• Clearly, concisely and realistically describes how the tribal co-regulator</li></ul>	50

<p>framework will operate to achieve the goals and activities described in <i>Section 1(B)</i> of this announcement, including:</p> <ol style="list-style-type: none"> <li>1. How the composition of tribal co-regulators as a whole reflects senior level expertise and experience in OSWER related tribal programs; (3 pts.)</li> <li>2. How the composition of tribal co-regulators maintains a balanced representation of tribes nationally over time, (3 pts.)</li> <li>3. How a framework of tribal co-regulators will effectively coordinate efforts with tribes, tribal entities, and representatives of the National Tribal Caucus, and EPA in conducting training, technical assistance, research and studies; and track the work through completion. (3 pts.)</li> <li>4. Provides project milestones. (3 pts.)</li> </ol> <ul style="list-style-type: none"> <li>• Uses innovative or creative approaches in conducting training, technical assistance, research and studies to ensure successful tribal and EPA interactions, balanced agenda topics, support for tribal priorities, completion of work products and consistent follow-through on action items. (4 pts.)</li> <li>• Provides a vision and <u>concrete examples of specific work to be completed</u> (i.e. describes topics and the type of training, technical assistance, research and studies that will be provided) that demonstrate a high likelihood of successful performance based on understanding how to work with tribal governments. (15 pts.)</li> <li>• Addresses or facilitates the identification and reduction of threats to human health and the environment, including threats: <ol style="list-style-type: none"> <li>1. in areas in which there is a greater-than-normal incidence of diseases or conditions (including cancer, asthma, or birth defects) that may be associated with exposure to hazardous substances, pollutants, or contaminants. (3 pts.)</li> <li>2. to the health or welfare of children, pregnant women, minority or low-income communities, or other sensitive populations. (2 pts)</li> </ol> </li> <li>• Facilitates the use or reuse of existing infrastructure as part of the work activities and products. (5 pts)</li> </ul>	
<p><b>Programmatic Capability.</b> This criterion refers to the technical capability of an applicant or recipient to successfully carry out the proposed project taking into account such factors as the applicant's:</p> <ul style="list-style-type: none"> <li>• Past performance in successfully completing and managing federally and/or non-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. (10 pts.)</li> <li>• History of meeting reporting requirements under federally and non-federally funded assistance agreements (assistance agreements include Federal grants and cooperative agreements but not Federal contracts)</li> </ul>	25



<p>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. (5 pts.)</p> <ul style="list-style-type: none"> <li>• Organizational experience and plan for timely and successful achievement of the objectives of the project. (5 pts.)</li> <li>• Staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the project. (5 pts.)</li> </ul> <p><i>NOTE: In evaluating applicants for programmatic capability purposes, EPA will consider information provided by the applicant in their proposal as well as relevant information from other sources including EPA agency files and prior/current grantors (i.e., to verify and/or supplement the information provided by the applicant). Applicants with no relevant or available past performance and/or reporting history (the first two items above) will receive a neutral score for those elements of this criterion.</i></p>	
<p><b>Environmental Results Past Performance.</b> Under this criterion, applicants will be evaluated based on the extent and quality to which they adequately documented and/or reported on their progress towards achieving the expected results (e.g., outcomes and outputs) under Federally and/or non-federally funded assistance agreements (an assistance agreement is a grant or cooperative agreement and not a contract) performed within the last three years, and if such progress was not being made whether the applicant adequately documented and/or reported why not.</p> <p><i>Note: In evaluating applicants under this criterion, EPA 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 reporting history will receive a neutral score for this factor.</i></p>	10
<p><b>Performance Measurement: Anticipated Outcomes and Outputs.</b> Under this criterion, EPA will evaluate the extent to which the “Narrative Proposal” realistically describes how the project will lead to measurable environmental results (i.e., amount of pollution prevented; waste reduced, reused, recycled or, resources conserved). Proposals will be evaluated on the quality and extent to which they:</p> <ul style="list-style-type: none"> <li>• Clearly specify anticipated environmental outcomes and outputs as described in <i>Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (4 pts.)</li> <li>• Clearly describe the measures of success for the project. Measure of success should be either measures of environmental improvement or</li> </ul>	10

<p>should be directly linked to such measures. EPA will look for quantitative and qualitative measurability. (3 pts.)</p> <ul style="list-style-type: none"> <li>Describe how success in achieving project outcomes and outputs will be evaluated and measured. Include a description of any planned reports or other deliverables that measure and track the project success and, document achievement of expected/outputs identified in <i>Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (3 pts.)</li> </ul>	
<p><b>Budget/Resources.</b> This criterion refers to the proposed budget, in-kind goods and services, and other resources that the applicant outlines to carry out the proposed project. The package will be evaluated based on the extent that:</p> <ul style="list-style-type: none"> <li>The applicant clearly describes the budget using appropriate categories; a detailed write-up; and appropriate funding amounts to achieve the project's objectives. (2 pts.)</li> <li>The budget proposal demonstrates the ability to effectively sustain the proposed project. (2 pts.)</li> <li>The budget proposal includes cost estimates for each of the proposed project activities to be conducted using EPA funds. (2 pts.)</li> <li>The budget describes the applicant's plan on managing the budget. (2 pts.)</li> <li>The budget proposal describes how the applicant will manage the budget within cost parameters. (2 pts.)</li> </ul>	10
<p><b>Leveraging.</b> Under this criterion, EPA will evaluate the extent to which:</p> <ul style="list-style-type: none"> <li>The proposal demonstrates: (i) how the applicant will coordinate/leverage the use of EPA funding with other federal and/or non-federal sources of funds (i.e., project partners, including other federally-recognized tribes, surrounding communities, businesses) to carry out the proposed project, and/or (ii) that EPA funding will complement activities relevant to the proposed project carried out by the applicant with other sources of funds or resources.</li> </ul>	5

2. For Project Proposal Two (Hazardous Substance Research):

Criterion	Maximum Points per Criterion
<p><b>Project Description.</b> Under this criterion, EPA will evaluate the extent to which the proposal effectively addresses the scope of work activities described in <i>Section 1(B)</i> of this announcement. Proposals will be evaluated based on the</p>	45

<p>quality and extent to which the proposal:</p> <ul style="list-style-type: none"> <li>Clearly, concisely and realistically describes a convincing approach to achieving the proposed hazardous substance research project goals, activities, milestones, budget, the final research products, and the dissemination of the research products (i.e., adequacy of overall project design). (20 pts.)</li> <li>Demonstrates that the three proposed research topics (<i>in Section 1(B)</i>) are supported by a sound methodology and data quality objectives so that research efforts can achieve successful results that benefit Indian country. (15 pts.)</li> <li>Describes an effective approach for coordinating and reviewing research activities and products with the tribal co-regulator framework and other appropriate entities. (5 pts.)</li> <li>Describes an effective approach for disseminating research activities, findings, and products to federally-recognized tribes, tribal organizations, and other interested entities. (5 pts.)</li> </ul>	
<p><b>Programmatic Capability.</b> This criterion refers to the technical capability of an applicant or recipient to successfully carry out the proposed project taking into account such factors as the applicant's:</p> <ul style="list-style-type: none"> <li>Past performance in successfully completing and managing federally and/or non-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. (4 pts.)</li> <li>History of meeting reporting requirements under federally and non-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. (4 pts.)</li> <li>Organizational experience and plan for timely and successful achievement of the objectives of the project. (4 pts.)</li> <li>Staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the project. (3 pts.)</li> </ul> <p><i>NOTE: In evaluating applicants for programmatic capability purposes, EPA will consider information provided by the applicant in their proposal as well as relevant information from other sources including EPA agency files and prior/current grantors (i.e., to verify and/or supplement the information provided by the applicant). Applicants with no relevant or available past performance and/or reporting history (the first two items above) will receive a neutral score</i></p>	15

<p><i>for those elements of this criterion.</i></p>	
<p><b>Budget/Resources.</b> This criterion refers to the proposed budget, in-kind goods and services, and other resources that the applicant outlines to carry out the proposed project. The proposal will be evaluated based on the extent that:</p> <ul style="list-style-type: none"> <li>• The applicant clearly describes the budget using appropriate categories; a detailed write-up; and appropriate funding amounts to achieve the project’s objectives. (3 pts.)</li> <li>• Demonstrates the ability to effectively sustain the proposed project. (3 pts.)</li> <li>• The budget proposal includes cost estimates for each of the proposed project activities to be conducted using EPA funds. (3 pts.)</li> <li>• The budget describes the applicant’s plan on managing the budget within cost parameters. (3 pts.)</li> <li>• Demonstrates understanding of, and a process for, tracking Superfund appropriation funding separately from other cooperative agreement funding for this project. (3 pts.)</li> </ul>	15
<p><b>Environmental Results Past Performance.</b> Under this criterion, applicants will be evaluated based on the extent and quality to which they adequately documented and/or reported on their progress towards achieving the expected results (e.g., outcomes and outputs) under Federally and/or non-federally funded assistance agreements (an assistance agreement is a grant or cooperative agreement and not a contract) performed within the last three years, and if such progress was not being made whether the applicant adequately documented and/or reported why not.</p> <p><i>Note: In evaluating applicants under this criterion, EPA 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 reporting history will receive a neutral score for this factor.</i></p>	10
<p><b>Performance Measurement: Anticipated Outcomes and Outputs.</b> Under this criterion, EPA will evaluate the extent to which the “Narrative Proposal” realistically describes how the project will lead to measurable environmental results (i.e., amount of pollution prevented; waste reduced, reused, recycled or, resources conserved). Proposals will be evaluated on the quality and extent to which they:</p> <ul style="list-style-type: none"> <li>• Clearly specify anticipated environmental outcomes and outputs as described in <i>Section 1(E), Measuring Environmental Results: Anticipated</i></li> </ul>	10

<p><i>Outcomes/Outputs.</i> (4 pts.)</p> <ul style="list-style-type: none"> <li>Clearly describe the measures of success for the project. Measure of success should be either measures of environmental improvement or should be directly linked to such measures. EPA will look for quantitative and qualitative measurability. (3 pts.)</li> <li>Describe how success in achieving project outcomes and outputs will be evaluated and measured. Include a description of any planned reports or other deliverables that measure and track the project success and, document achievement of expected/outputs identified in <i>Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (3 pts.)</li> </ul>	
<p><b>Leveraging.</b> Under this criterion, EPA will evaluate the extent to which:</p> <ul style="list-style-type: none"> <li>The proposal demonstrates: (i) how the applicant will coordinate/leverage the use of EPA funding with other federal and/or non-federal sources of funds (i.e., project partners, including other federally-recognized tribes, surrounding communities, businesses) to carry out the proposed project, and/or (ii) that EPA funding will complement activities relevant to the proposed project carried out by the applicant with other sources of funds or resources.</li> </ul>	5

## B. Review and Selection Process

All timely received proposals will first be reviewed to determine eligibility for funding based upon compliance with all threshold criteria listed in *Section 3(C)*. Only proposals determined to be eligible will be evaluated for technical merit. Each eligible proposal will be evaluated by a review panel for technical merit based on the evaluation factors detailed in *Section 5(A)* of this solicitation.

The review panel(s) will arrive at a total numerical score for each proposal which will be the sum total of each reviewer's score for the proposal. Accordingly, for each applicant there will be a total score for Project Proposal One and total score for Project Proposal Two. The combined total scores for Project Proposal 1 and 2 for each applicant will then be rank ordered. The review panel will recommend the applicant with the highest combined numerical score for award to the EPA Headquarters Selection Official who will make the final selection decision.

## Section 6 - Award Administration Information

### A. Award Notices

EPA anticipates notification to both successful and unsuccessful applicants will be made, via telephone, electronic, or postal mail by September 3, 2008.

The notification to successful applicant(s) that their application has been selected for award is not an authorization to begin performance. EPA reserves the right to negotiate appropriate changes in work plans after the selection and before the final award consistent with the Agency's Competition Policy ([EPA Order 5700.5A1, Section 11](#)). The "Award Notice" signed by the EPA Grants Officer is the authorizing document and will be provided through postal mail. At a minimum, this process can take up to 90 days from the date of selection.

## **B. Administrative and National Policy Requirements**

1. A listing and description of general EPA Regulations applicable to the award of assistance agreements may be viewed at:  
[http://www.epa.gov/ogd/AppKit/applicable\\_epa\\_regulations\\_and\\_description.htm](http://www.epa.gov/ogd/AppKit/applicable_epa_regulations_and_description.htm).
2. Executive Order 12372, Intergovernmental Review of Federal Programs, may be applicable to awards resulting from this announcement. Applicants *selected* for funding may be required to provide a copy of their application to their [State Point of Contact](#) (SPOC) for review, pursuant to Executive Order 12372, Intergovernmental Review of Federal Programs. This review is not required with the initial application and not all states require such a review.
3. Grants and cooperative agreements with non-profit organizations and institutions of higher education are subject to 40 [CFR](#) Part 30 and OMB Circular A-122 (2 [CFR](#) Part 230) for non-profits and A-21 (2 [CFR](#) Part 220) for institutions of higher learning. Grants and cooperative agreements with governmental organizations are subject to 40 [CFR](#) Part 31 and OMB Circular A-87 (2 [CFR](#) Part 225).
4. Programmatic terms and conditions will be negotiated with the selected recipient.

## **C. Reporting Requirement**

Quarterly progress reports and a detailed final report will be required. The quarterly progress reports will be submitted to the EPA Project Officer within thirty days after each reporting period. These reports shall cover work status, work progress, difficulties encountered, preliminary data results and a statement of activity anticipated during the subsequent reporting period. A discussion of expenditures along with a comparison of the percentage of the project completed to the project schedule and an explanation of significant discrepancies shall be included in the report. The report shall also include any changes of key personnel involved with the project.

The final report will address goals and objectives, performance measurements, lessons learned, any other resources leveraged during the project and how they were used, as well as any plans to continue the project after the expiration of the grant/cooperative agreement and associated sources of funding. The final report will be submitted to the EPA Project Officer at the close of the grant.

## **D. Disputes**

Assistance agreement competition-related disputes will be resolved in accordance with the [dispute resolution procedures](#) published in 70 Federal Register (FR) 3629, 3630 (January 26, 2005) located on the web at:

<http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/05-1371.htm>. Copies of these procedures may also be requested by contacting Felicia Wright at [wright.felicia@epa.gov](mailto:wright.felicia@epa.gov).

## **E. Non-profit Administrative Capability**

Non-profit applicants that are recommended for funding under this announcement are subject to pre-award administrative capability reviews consistent with Section 8b, 8c and 9d of EPA Order 5700.8, Policy on Assessing Capabilities of Non-Profit Applicants for Managing Assistance Awards ([http://www.epa.gov/ogd/grants/award/5700\\_8.pdf](http://www.epa.gov/ogd/grants/award/5700_8.pdf)). In addition, non-profit 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 Capabilities Form, with supporting documents, contained in Appendix A of EPA Order 5700.8.

## **Section 7 - Agency Contact**

### **A. CONTACT INFORMATION & ADDRESS FOR REGULAR MAIL (USPS):**

**Felicia Wright**, U.S. EPA, Office of Solid Waste and Emergency Response, Innovation, Partnerships and Communication Office (MC 5101T), 1200 Pennsylvania Avenue, NW, Washington, DC 20460; Phone 202-566-1886; or email [wright.felicia@epa.gov](mailto:wright.felicia@epa.gov).

### **B. ADDRESS FOR ALL COMMERCIAL DELIVERY SERVICES (I.E., ALL SERVICES OTHER THAN THE US POSTAL SERVICE, INCLUDING HAND DELIVERY):**

**Felicia Wright**, U.S. EPA, Office of Solid Waste and Emergency Response, Innovation, Partnerships and Communication Office (MC 5101T), 1301 Constitution Avenue, N.W., Washington, DC 20004

## **Section 8 - Other Information**

1. All questions or comments must be communicated in writing via postal mail, facsimile, or electronic mail to the contact person listed above. Answers will be posted to the OSWER Grants/Funding webpage located at <http://www.epa.gov/oswer/grants-funding.htm>, bi-weekly, until the closing date for this announcement.
2. Applicants selected for award will be required to submit a final cooperative agreement application package to the EPA. This package will include an EPA-approved final work plan that describes the work to be performed, a final budget, and the required certification forms.

### 3. Exchange Network

EPA, states, territories, and tribes are working together to develop the National Environmental Information Exchange Network, a secure, Internet- and standards-based way to support electronic data reporting, sharing, and integration of both regulatory and non-regulatory environmental data. States, tribes and territories exchanging data with each other or with EPA, should make the Exchange Network and the Agency's connection to it, the Central Data Exchange (CDX), the standard way they exchange data and should phase out any legacy methods they have been using. More information on the Exchange Network is available at [www.exchangenetwork.net](http://www.exchangenetwork.net).