



US Environmental Protection Agency Office of Enforcement and Compliance Assurance (OECA)

**Request for Applications (RFA) – Initial Announcement
(RFA No: EPA-OECA-OFA-1001)**

**9th International Conference on Environmental
Compliance and Enforcement**

Closing Date: March 17, 2010

**9th International Conference on Environmental Compliance and Enforcement
Request for Applications for Funding Opportunity**

OVERVIEW

AGENCY: United States Environmental Protection Agency, Office of Enforcement and Compliance Assurance (OECA), Office of Federal Activities (OFA)

TITLE: 9th International Conference on Environmental Compliance and Enforcement

ACTION: Request for Applications (RFA) – Initial Announcement

RFA NO: EPA-OECA-OFA-1001

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO.: 66.931

DATES: The closing date and time for receipt of application submissions, regardless of mode of submission, is **March 17, 2010, 4:00 p.m., Eastern Standard Time (EST)**. All hard copies of application packages must be received by Davis Jones before **March 17, 2010, 4:00 p.m. EST** in order to be considered for funding. Electronic submissions must be addressed to jones.davis@epa.gov and include “9th International Conference for Environmental Compliance and Enforcement, EPA-OECA-OFA-1001 – [name of applicant]” in the subject line and be received **March 17, 2010, 4:00 p.m. EST** in order to be considered for funding. Applications received after the closing date and time will not be considered for funding.

To allow for efficient management of the competitive process, EPA requests submittal of an informal notice of intent to apply by March 1, 2010. Submission of Intent to apply is optional; it is a process management tool that will allow EPA to better anticipate the total staff time required for efficient review, evaluation, and selection of submitted applications.

SUMMARY: The Office of Federal Activities of the U.S. Environmental Protection Agency (EPA) is requesting applications from qualified, not-for-profit organizations for a cooperative agreement in support of the *9th International Conference on Environmental Compliance and Enforcement* to be held in Canada in the Spring or Summer of 2011. (See section III. of announcement for additional eligibility information.) EPA anticipates that approximately 185 people will attend the conference from governments and organizations from over 50 different countries. The conference theme will be “Enforcement Cooperation for Sustainability” and will cover topics on environmental compliance and enforcement including, but not limited to: climate compliance; international shipments of wastes, new approaches to regulations and compliance monitoring; working with prosecutors and the judiciary, INECE’s past success and direction for the future; and enforcement of both “brown” and “green” issues. The conference will include side events such as training courses, topical and regional meetings.

The recipient will work with EPA and international partners to plan and execute the conference. The recipient may choose to develop the program for the conference, plan and support the logistical arrangements including the location for the conference, determine who will be invited,

research and develop particular issues relevant to the conference themes, solicit papers for presentation at the conference, develop the attendance list and register attendees, provide coordination and logistical support during the conference, provide financial and logistical support for travelers from less developed countries, and publish conference proceedings highlighting the conference outcomes.

FUNDING/AWARDS: The total estimated funding for this cooperative opportunity is \$500,000 awarded incrementally over a two-year period to one eligible organization. This amount is subject to the availability of funds and quality of evaluated proposals.

FULL TEXT ANNOUNCEMENT

Contents by Section:

- I. Funding Opportunity Description
- II. Award Information
- III. Eligibility Information
- IV. Application and Submission Information
- V. Application Review Information
- VI. Award Administration Information
- VII. Agency Contact
- VIII. Other Information

I. Funding Opportunity Description

The Office of Federal Activities of the U.S. Environmental Protection Agency (EPA) is requesting applications from uniquely qualified, not-for-profit organizations for a cooperative agreement in support of the 9th International Conference on Environmental Compliance and Enforcement. EPA anticipates that approximately 185 people will attend the conference from over 50 different countries. The conference theme will be “Enforcement Cooperation for Sustainability” and will cover topics on environmental compliance and enforcement including, but not limited to: climate compliance; international shipments of wastes, new approaches to regulations and compliance monitoring; working with prosecutors and the judiciary, INECE’s past success and direction for the future; and enforcement of both “brown” and “green” issues. The conference will include side events such as training courses and regional meetings.

The recipient will work with EPA and other international partners to develop the program for the conference, plan and support the logistical arrangements including the location for the conference, determine who will be invited, research and develop particular issues relevant to the conference themes, solicit papers for presentation at the conference, develop the attendance list and register attendees, provide coordination and logistical support during the conference, provide financial and logistical support for travelers from less developed countries, coordinate press releases and media coverage and publish proceedings highlighting the conference outcomes.

EPA intends to begin the cooperative agreement as soon as possible and to continue it for two

years until expiration, December 31, 2011. The geographic scope of the cooperative agreement is worldwide, but the conference is expected to be held in Canada.

A. Background

Beginning in 1990, eight international conferences have been held in various locations around the world to bring together practitioners from developed and developing countries to exchange information on best practices in the field of environmental compliance and enforcement. Previous conferences were in 1990 in Utrecht, The Netherlands; 1992 in Budapest, Hungary; 1994 in Oaxaca, Mexico; 1996 in Chaing Mai, Thailand; 1998 in Monterey, California; 2002 in San José, Costa Rica; 2005 in Marrakech, Morocco; and 2008 in Cape Town, South Africa. The proceedings from these conferences, available at www.inece.org, have created the largest body of papers and material related to environmental compliance and enforcement in the world. As an outgrowth of the early conferences, the International Network of Environmental Compliance and Enforcement (INECE) was created.

INECE (www.inece.org) is an informal international partnership promoting compliance and enforcement of domestic and international environmental laws through networking, capacity building, and enforcement cooperation. INECE is not part of the United States Government. Comprising 2,500 practitioners from international organizations, governmental agencies and NGOs, INECE is exclusively dedicated to promoting cooperation among governmental and non-governmental stakeholders. The Dutch and United States environmental agencies initiated INECE through a series of international conferences, and remain key funders. Other governments, UNEP, World Bank, OECD, and the European Commission provide additional support. INECE is dedicated to using regulatory and non-regulatory approaches to guide compliance with and enforcement of environmental laws and regulations that promote the sustainable use of natural resources and the protection of ecosystem integrity at the global, regional, and national levels.

INECE's mission is to promote and strengthen compliance with and enforcement of domestic environmental laws, including those implementing international environmental treaties and agreements, to contribute to the delivery of a healthy and safe environment, sustainable use of natural resources, and protection of ecosystems integrity using a broad range of both regulatory and non-regulatory approaches. EPA does not use INECE to enforce or monitor compliance with United States environmental laws.

The INECE goals are to:

- Develop networks for enforcement cooperation;
- Strengthen capacity for compliance and enforcement; and
- Raise awareness of the importance of environmental compliance and enforcement.

INECE is governed by an Executive Planning Committee (EPC) consisting of high-level environmental compliance and enforcement officials from government, international

organizations, and non-governmental organizations (NGOs) around the world. The EPC is co-chaired by EPA's Deputy Assistant Administrator for Compliance and Enforcement, the Inspector General from the Inspectorate of Environment, Planning, and Spatial Planning (VROM), and a third rotating co-chair. International organizations such as the World Bank and the Organization for Economic Cooperation and Development (OECD) participate in INECE as part of their capacity building programs. Other NGOs are active in trying to provide their expertise and networking and to leverage assistance for their countries' enforcement programs.

The INECE EPC decided to hold the 9th International Conference in the Spring/Summer of 2011, tentatively near Vancouver, Canada. The conference is expected to follow a similar format from previous INECE conferences (see <http://www.inece.org/conferenceproceedings.html>). Approximately 185 people are expected to attend from countries and organizations worldwide.

B. Scope of Work

This cooperative agreement will support the design, planning, logistical support, publicity, development and publication of the proceedings for the event, and provide limited travel support for participants that could not otherwise attend. Specific activities under this agreement could include the following:

1. Logistical support:
 - a. Planning, including development of conference program.
 - b. Development and implementation of conference attendee nomination process.
 - c. Invitations and confirmation of attendees and speakers and solicitation of papers.
 - d. Registration.
 - e. On-site support.
 - f. Evaluation of the conference.
2. Internet use for promotion of conference and dissemination of results.
3. Development and distribution of press releases and coordination of media coverage.
4. Rental of conference space and equipment.
5. Local transportation, logistical and programmatic support for field trips.
6. Proceedings:
 - a. Preparation of session summaries and minutes.
 - b. Editing.
 - c. Printing.
 - d. Posting to internet.
7. Other printed material:
 - a. Conference Brochure.

- b. Posters/Banners.
 - c. Conference/workshop materials.
8. Similar support for any side events or training courses associated with the conference.
 9. Support for participant travel from developing countries of strategic importance.

The applicant should address for which of these areas it seeks funding, and develop a budget allocating costs among the categories with a narrative explanation supporting the funds distribution methodology. It should also describe shortfalls that will not be covered by EPA funds, and how those costs will be paid.

C. EPA Strategic Plan Linkage

This cooperative agreement will support Goal 5 of EPA's Strategic Plan, Compliance and Environmental Stewardship, Objective 1, Improving Compliance, Subobjective 3, Monitoring and Enforcement. Specifically, the recipient will conduct a conference with practitioners from around the world designed to share ideas and experiences and provide training to improve their environmental compliance programs. This is an example of an international capacity-building program that provides technical assistance, training, information exchange, and other forms of cooperation to enhance the capabilities of governments and other stakeholders to protect human health and the environment regionally and globally.

D. Measuring Environmental Results: Anticipated Outcomes/Outputs.

Pursuant to EPA Order 5700.7, "Environmental Results under EPA Assistance Agreements," EPA requires that all grant 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 work plan.

All applicants are required to link their projects to environmental results. Environmental results are used as a way to gauge a project's performance using output and outcome measures. The term "output" means an environmental activity, effort, and/or associated work product related to an environmental goal or objective that will be produced or provided over a period of time or by a specific date. The term "outcome" means an environmental 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.

1. **Anticipated Outputs:** EPA anticipates the outputs from the project to be awarded under this announcement will include:
 - a. Development of training material and the delivery of training to individuals from developing countries and the developed world that will help them improve their compliance programs.

- b. Papers presented on research and best practices in enforcement and compliance.
- c. Proceedings published for worldwide distribution after the conference.
- d. Number of attendees from different parts of the world.
- e. Number of local or regional participants trained in the principles of enforcement, adjudication of environmental cases, and/or other training subjects.

Progress reports and a final report will also be a required output, as specified in Section VI(C) of this announcement, “Reporting Requirement.”

2. **Anticipated Outcomes:** EPA anticipates outcomes from this project that will show improvements in compliance rates worldwide that lead to improved environmental conditions. Some may not be quantifiable during the project period. Projects to be funded under this announcement are expected to produce at least one, and preferably all, of the following environmental outcomes:

- a. Increased capacity by participants to better enforce their domestic laws.
- b. Equal access to legal remedies worldwide to ensure environmental justice.
- c. Expanded understanding and use of enforcement tools to slow climate change.
- d. Improved international cooperation for the prevention of environmental crime, particularly illegal transport of e-waste and other hazardous wastes.
- e. Formation of networks such as the Seaport Environmental Security Network, to improve capacity for monitoring and coordination among countries.

The ability to identify environmental results is an evaluation criterion worth 20 points (see Section V.A.). In developing environmental results for the project, applicants must demonstrate how their proposed conference design will increase knowledge on the use of environmental laws and enforcement. They should also demonstrate, through projected statistics such as attendee geographic and developmental diversity and other mechanisms, how effective the conference will be at supporting the goals listed above. Applicants should consider outputs such as the number of attendees and numbers of people trained, and possible outcomes such as the change in knowledge in the area of environmental laws and enforcement gained in the international communities and how that knowledge is applied for environmental improvements.

E. Statutory Authority: This cooperative agreement is multi-media in nature and statutory authority comes from the following statutes:

Marine Protection, Research and Sanctuaries Act of 1972, §203
 Safe Drinking Water Act, §1442(a)&(c)
 Clean Air Act (CAA) §103
 Clean Water Act (CWA) §104
 Solid Waste Disposal Act (SWDA) §8001
 Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) §20
 Toxic Substances Control Act (TSCA) §10
 National Environmental Policy Act, §102(2)(f)

Each of these statutes allows the agency to provide assistance to nonprofit groups that help fulfill the goals of the statutes through research, training, and/or cooperation. This cooperative agreement will promote those goals domestically and abroad by increasing implementation of domestic legal systems through improved enforcement and compliance that will reduce air pollution, improve water quality, reduce illegal disposal and transportation of solid wastes, improve pesticide application and regulation, and improve chemical management. In addition, NEPA §102(2)(f) specifically allows the agency to lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment.

II. Award Information

A. What is the amount of available funding?

The total estimated funding available under this competitive opportunity is \$500,000, which will be incrementally funded dependent on satisfactory project progress, continued relevance of the project to EPA's priorities, and availability of funds.

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

EPA anticipates award of one (1) cooperative agreement whose total estimated value shall not exceed \$500,000 resulting from this competitive opportunity. The cooperative agreement will be funded incrementally subject to satisfactory performance and the availability of funds. 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 four months from the date of original selection decision.

EPA reserves the right to reject all applications and make no awards under this announcement.

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

The estimated start date for the project resulting from this solicitation is tentatively July 1, 2010. All project activities must be completed within the negotiated project performance period of two years.

D. Can funding be used for the applicant to make subawards, to acquire contract 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.

E. How will an applicant's proposed subawardees/subgrantees and contractors be considered during the evaluation process described in Section V of the announcement?

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

F. Funding Type

The funding for selected projects will be in the form of a cooperative agreement. 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. Approval of the recipient's annual workplan.
2. Approval of the project manager's qualifications.
3. Close monitoring of recipient's performance to verify the results proposed;
4. Collaboration during performance of the scope of work;
5. In accordance with 40 CFR 30.44(e) and 40 CFR 31.36(g), review proposed procurements;
6. Approving qualifications of key personnel (EPA will not select employees or contractors employed by the award recipient);
7. Review and comment on reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient)
8. Review project outputs for consistency with the EPA approved scope of work.
9. EPA will collaborate with the recipient on communications with INECE members, the INECE Executive Planning Committee (EPC), and the INECE Secretariat. The recipient will provide draft copies of the following for EPA's review and comment, but will make final decisions on the content of the documents:
 - a. All correspondence with other international organizations and foreign governments on behalf of INECE, and in particular invitations to the conference,
 - b. Conference brochures and proceedings,
 - c. Draft International Conference agendas.
10. EPA may nominate or advise about invitees and attendees that require travel funding assistance, but the recipient will make the final decisions about how the funds are used.
11. EPA will provide in-kind staff support to the recipient for the conference.
12. At the recipient's request, EPA will provide assistance to the recipient on technical issues related to environmental compliance and enforcement.

III. Eligibility Information

A. Eligible Entities

In accordance with CFDA 66.931, assistance under this program is generally available to States, territories, foreign governments, international organizations, Indian Tribes, and possessions of the U.S., including the District of Columbia, public and private universities and colleges, hospitals, laboratories, other public or private nonprofit institutions, irregardless of whether they are based in the U.S. or abroad, which submit applications proposing projects with significant technical merit and relevance to EPA's mission.

Non-profit organization, as defined by OMB Circular A-122, located at 2 CFR Part 230, means any corporation, trust, association, cooperative, or other organization which: (1) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; (2) is not organized primarily for profit; and (3) uses its net proceeds to maintain, improve, and/or expand its operations. For this purpose, the term "non-profit organization" excludes (i) colleges and universities; (ii) hospitals; (iii) state, local, and federally-recognized Indian tribal governments; and (iv) those non-profit organizations which are excluded from coverage of this part in accordance with § 230.20(c).

Non profit 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

Cost sharing is not required under this RFA. Although cost-sharing/matching is not required as a condition of eligibility under this competition, under Section V of this announcement EPA will evaluate applications based on a leveraging criterion.

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

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

- A voluntary cost share is subject to the match provisions in the grant regulations (40 CFR 30.23 or 40 CFR 31.24, as applicable).

- A voluntary cost share may only be met with eligible and allowable costs.
- The recipient may not use other sources of federal funds to meet a voluntary cost share unless the statute authorizing the other federal funding provides that the federal funds may be used to meet a cost share requirement on a federal grant.
- The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget.

Other leveraged funding/resources that are not identified as a voluntary cost share. This form of leveraging may be met by funding from another federal grant, from an applicant's own resources, or resources from other third party sources. This form of leveraging should not be included in the budget or workplan and the costs need not be eligible and allowable project costs under the EPA assistance agreement. Please be aware that applicants who use this form of leveraging are not legally obligated to provide the proposed leveraged funding/resources. However, if applicants propose to provide this form of leveraging they will be expected fulfill their obligation and if the proposed leveraging does not materialize during grant performance it could affect the legitimacy of their award, and EPA will take appropriate action as necessary.

The applicant may include a possible fee for attendance at the conference as program income but is not required to include it as cost sharing. EPA will not require a waiver from the recipient of any conference fee for its employees that may attend the conference.

C. Threshold Eligibility Criteria

EPA must assure that an application selected for funding meets the following “threshold criteria,” applied on a pass/fail basis. Applications that fail any one of the following threshold criteria will not be considered further. EPA will notify applicants who do not meet the threshold criteria within 15 calendar days of the “fail” determination. Applications 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. Proposed project total budget may not exceed maximum value of \$500,000. Applications requesting assistance funding in excess of this value will not be considered.
2. Applications must substantially conform to the outline and content detailed in *Section 4(B), Content and Form of Application* of this announcement or they will be rejected. Pages in excess of the page limitations expressed in *Section 4(B), Content and Form of Application* of this announcement will not be reviewed.
3. The closing date and time for receipt of application submissions, regardless of mode of submission, is **March 17, 2010, 4:00 p.m., Eastern Standard Time (EST)**. All hard copies of application packages must be received by Davis Jones **March 17, 2010, 4:00 p.m. EST** in order to be considered for funding. Electronic submissions must be addressed to jones.davis@epa.gov and include “9th International Conference for Environmental Compliance and Enforcement, EPA-OECA-OFA-1001 – [name of

applicant]” in the subject line and must be received by **March 17, 2010, 4:00 p.m. EST** in order to be considered for funding. Applications received after the closing date and time will not be considered for funding.

4. Hard copy proposals will only be accepted via an **express delivery service**. EPA will not accept proposals submitted via fax or standard 1st Class Mail delivery by U.S. Postal Service.
5. All application materials must be submitted in English.
6. Congress has prohibited EPA from using its FY 2010 appropriations to award grants to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries and therefore in order to be eligible for funding consideration under this competition, all applicants must affirmatively indicate in their proposal that they are not subject to this prohibition. In addition, since this funding prohibition applies to subawards/subgrants and contracts awarded by grantees, applicants must consider it when preparing proposals.

D. Eligible Use of Funds

Eligible uses of grant funds under this competitive opportunity include:

1. Travel costs associated with conducting site visits for determining conference location.
2. Personnel costs (i.e., for preparing program, staffing conference, financial reporting, etc).
3. Costs for developing promotional material, conference program and/or proceedings.
4. Printing and distribution of invitations, program, papers, and/or proceedings.
5. Expenses for developing new material related to the conference and use of www.inece.org web site or other internet tools before, during and after conference.
6. Costs of meals, transportation, rental of facilities, speakers’ fees and other items incidental to the conference are allowable pursuant to OMB Circular A-122.
7. Travel costs for conference staffing, speakers and/or attendees from developing countries.
8. Other costs that will directly further the project as described in this RFA.
9. Administrative costs for this project, including indirect costs, if allowable under the applicable OMB Circular.

E. Ineligible Use of Funds

The following restrictions apply for funding awarded under this competitive opportunity:

1. Any foreign travel funded under this agreement must be taken on U.S. flagged carriers if available (see “Fly America Act”).
2. No travel expenses may be provided to EPA employees.
3. No equipment purchases are allowed without previous approval from the EPA project

- officer.
4. EPA financial assistance cannot be used for fund-raising. Therefore, any costs associated with fund-raising must not be included in the budget for the proposal. In addition, the applicant must make clear in any solicitation for funds that your organization, and not EPA, is asking for funding. The recipient cannot imply that EPA endorses any fund-raising activities in connection with INECE. The recipient must make clear to donors that any gift to the recipient for use in connection with INECE will go solely toward defraying the expenses of the recipient, not EPA.
 5. Certain restrictions apply to the use of EPA funds at conferences. These include but are not limited to prohibitions on funding entertainment, alcohol, or gifts. (See “Best Practices Guide for Conference”, November 12, 1998; and OMB Circulars A-21, A-87, and A-122.)
 6. Federal cost-share requirements (e.g., a cost share required by other federal funds) unless authorized by statute.

IV. Application and Submission Information

A. How to Obtain an Application Package.

Applicants can download individual grant application forms from EPA’s Office of Grants and Debarment website at: http://www.epa.gov/ogd/grants/how_to_apply.htm. To obtain a hard copy of materials, please send an email or written request to the Agency contact listed in Section VII of this announcement.

B. Mode of Application Submission.

Applicants have the following options to submit their applications: 1) Hard copy by express delivery service to the specified EPA contact below, or 2) electronically through email to the specified EPA contact below. Proposals will not be accepted via fax or standard 1st class mail delivery by U.S. Postal Service. All applications must be prepared, and include the information, as described below in Section IV.C “Content of Application” regardless of mode of transmission. Please provide one original of the application package (including signed and completed SF 424 and SF 424A forms) and four copies--no binders or spiral binding--to:

1. Hard Copy via Express Delivery (FedEx, UPS, DHL, USPS, etc.)

Davis Jones
U.S. Environmental Protection Agency
Ariel Rios South Rm. 7240
1200 Pennsylvania Avenue, NW
Washington, DC 20004
202-564-6035

All hard copies of application packages must be received by Davis Jones by March 17, 2010, 4:00 p.m., EST.

2. **E-mail Submission**

E-mail submissions must be submitted to jones.davis@epa.gov and be received by the submission deadline stated in Section IV.F of this announcement. All required documents listed in Section IV.C of the announcement must be attached to the e-mail as separate Adobe PDF files. Please note that if you choose to submit your materials via e-mail, you are accepting all risks attendant to e-mail submission including server delays and transmission difficulties. E-mail submissions exceeding 15MB will experience transmission delays which will affect when they are received by the Agency. For these size submissions, applicants should submit their application materials via hardcopy or else they may be received late and not considered for funding. Applicants submitting their application materials through e-mail should confirm receipt of the materials with Davis Jones as soon as possible after submission.

C. **Content and Form of Application**

All application submissions, regardless of mode of submission, must contain completed and signed original grant application forms, as well as a Narrative Proposal as described below.

Grant Application Forms. Please be sure to include organization fax number and email address in Block 5 of the Standard Form SF 424.

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

Complete the form (available at <http://www.epa.gov/ogd/forms/forms.htm>). 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 Number 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.

- **Standard Form (SF) 424A, *Budget Information – Non-Construction Programs***

Complete the form (available at <http://www.epa.gov/ogd/forms/forms.htm>). There are no attachments. The total amount of federal funding requested for the project period should be shown on line 5(e) and on line 6(k) of SF-424A, the amount of indirect costs should be entered on line 6(j). The indirect cost rate (i.e., a percentage), the base (e.g., personnel costs and fringe benefits), and the amount should also be indicated on line 22.

- Standard Form (SF) 424B, *Non-Construction Programs*
- Standard Form LLL, *Pre-Award Disclosure of Lobbying Activities*
- EPA Form 4700-4, *Pre-Award Compliance Review Report for All Applicants*

Requesting Federal Financial Assistance

- EPA Form 5700-54, *Key Contacts Form*
- Narrative Proposal (**including sections 1-3 below**)

- **Narrative Proposal**

The Narrative Proposal (**including sections 1-3 below**) cannot exceed a maximum of 20 single-spaced typewritten pages, including the Summary Page. Pages in excess of 20 will not be considered. Supporting materials, such as resumes and letters of support, can be submitted as attachments and are not included in the 20-page limit.

1. Summary Page (recommend not exceeding one page)

- a) Project Title
- b) Applicant Information. Include applicant (organization) name, address, contact person, phone number, fax and e-mail address.
- c) Funding Requested. Specify the amount you are requesting from EPA.
- d) Total Project Cost. Specify total cost of the project. Identify funding from other sources, including cost share or in-kind resources.
- e) Project period. Provide beginning and ending dates.

2. Narrative Proposal Workplan

The narrative proposal workplan must explicitly describe how the proposed project meets the guidelines established in Sections I-III (including the threshold eligibility criteria in Section III.C) of this announcement, and must address each of the evaluation criteria set forth in Section V.

- a) Project Summary:** The summary shall contain the following components:
- i. Detailed project summary, description of specific actions and methods to be undertaken and the responsible institutions, and estimated time line for each task.
 - ii. Description of the associated work products to be developed.
 - iii. Explanation of project benefits to the public, and specifically the potential audience(s) served.
 - iv. Description of the roles of the applicant and partners, if any.
 - v. Description of the applicant's organization and experience related to the proposed project.
 - vi. Description of staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project.
 - vii. Budget and estimated funding amounts for each work component/task. (this is in addition to the budget by cost-category on form SF-424A.)

***Selected applicant(s) will need to submit a copy of their current indirect cost rate that has been negotiated with a federal cognizant agency.**

b) Environmental Results—Outcomes and Outputs

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

c) Programmatic Capability and Past Performance

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

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

3. Detailed Budget Narrative

Clearly explain how EPA funds will be used. This section provides an opportunity for narrative description of the budget found in the SF-424A. Applicants must itemize costs related to personnel, fringe benefits, contractual costs, travel, equipment, supplies, other direct costs, indirect costs, and total costs.

Management Fees: When formulating budgets for proposals/applications, applicants must not include management fees or similar charges in excess of the direct costs and indirect

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

4. Attachments. These are not included in the 20-page limit.

- a) **Resumes.** Provide resumes or curriculum vitae for all principal investigators and any other key personnel.
- b) **Support Letters.** Specifically indicate how the supporting organization will assist in the project

D. Confidential Business Information

In accordance with 40 CFR 2.203, applicants may claim all or a portion of their application as confidential business information. EPA will evaluate confidentiality claims in accordance with 40 CFR Part 2. Applicants must clearly mark applications or portions of 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. However, the agency considers competitive applications confidential and protected from disclosure prior to the completion of the competitive process.

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

E. DUNS Number

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 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. All questions and answers will be made available upon request to the Agency Contact listed in Section VII.

V. Application Review Information

A. Evaluation Criteria

Only eligible entities whose applications(s) meet the threshold criteria in Section III of this announcement will be reviewed according to the evaluation criterion set forth below. Applicants should explicitly address this criterion as part of their application package submittal. Each application 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 application will be rated under a points system, with a total of 100 points possible.

EVALUATION CRITERIA	WEIGHT
<p>CRITERION ONE: Technical Approach to Project</p> <p>8 points - Clearly articulated approach to the themes and conference program to ensure the success of the conference.</p> <p>7 points - Comprehensive strategy to identify participants and speakers and to ensure their participation in the conference.</p> <p>7 points - Approach to sustain communication among conference participants and general public through press coordination and management of the website.</p> <p>6 points - Clearly articulated milestone timeline with tasks and anticipated deliverables (outputs and outcomes), and reporting schedule.</p> <p>7 points – Detailed budget that specifies unit costs. The detailed budget will be reviewed for cost-effectiveness. In addition, the budget must realistically, and in detail, account for all costs needed to successfully implement the training programs listed in I.C.2.</p>	35 points
<p>CRITERION TWO: Specialized Experience</p> <p>4 points - Demonstrated record of experience and expertise in international enforcement and compliance.</p> <p>6 points - Experience in organizing and coordinating conferences, workshops, and training in foreign countries.</p> <p>3 points - Experience in coordinating discussions, both live and via the internet, between EPA and foreign officials to plan and organize work programs.</p> <p>7 points - Experience working with foreign government officials and non-governmental officials and understanding cross-cultural sensitivities.</p>	20 points

<p>CRITERION THREE: Leveraging of Resources</p> <p>10 points – Under this criterion, applicants will be evaluated based on the extent they demonstrate (i) how they will coordinate the use of EPA funding with other Federal and/or non Federal sources of funds to leverage additional resources to carry out the proposed project(s) and/or (ii) that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources. Applicants may use their own funds or other resources for a voluntary match or cost share if the standards at 40 CFR 30.23 or 40 CFR 31.24, as applicable, are met. Applicants will also be evaluated based on the type of leveraging proposed, how the applicant will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, and what role it will play in the overall project. Other Federal grants may not be used as matches or cost shares without specific statutory authority (e.g., HUD's Community Development Block Grants). A formal match is not required. In contrast to matches or cost shares, leveraged funds are not included in the approved budget for the grant. Costs for leveraged funds need not be eligible and allowable. EPA will consider leveraged commitments as part of this rating factor.</p> <p>*Any form of proposed leveraging that is evaluated under this factor must be included in the narrative proposal portion of the application.</p>	<p>10 points</p>
<p>CRITERION FOUR: Environmental Results and Past Performance</p> <p>5 points– Demonstrated ability to identify and articulate anticipated environmental outputs and outcomes, and to move a project expeditiously and successfully toward long term results. (See Section I.D.)</p> <p>5 points - The applicant’s demonstrated ability and articulated plan to track and measure progress toward achieving the expected outputs and outcomes identified in Section I of this announcement and in the submitted work plan.</p> <p>10 points - Extent and quality to which the applicant adequately documented and/or reported on its progress towards achieving the expected results (e.g., outcomes and outputs) under EPA and other Federal agency assistance agreements performed within the last three years, and if such progress was not being made whether the applicant adequately documented and/or reported why not. Note: In evaluating applicants under this factor, 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). Applicants with no relevant information for this factor will receive a neutral score for it.</p>	<p>20 Points</p>

<p>CRITERION FIVE: Programmatic Capability/Past Performance</p> <p>10 points - Programmatic Capability: Under this factor, the Agency will evaluate the applicant's technical ability to successfully carry out the proposed project taking into account the following factors: (i) its past performance in successfully completing and managing federally funded agreements similar in size, scope, and relevance to the proposed project performed within the last 3 years, (ii) its history of meeting reporting requirements under federally funded agreements similar in size, scope, and relevance to the proposed project performed within the last 3 years and submitting acceptable final technical reports under these agreements, (iii) its organizational experience and plan for timely and successfully achieving the objectives of the proposed project, and (iv) its staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project. Note: In evaluating applicants under this factor, the Agency will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). Applicants with no relevant or available past performance or reporting history (items i and ii above), will receive a neutral score for those elements of this factor.</p> <p>5 points - Demonstrated availability, qualifications, and experience of the key associates and principle investigator(s).</p>	<p>15 points</p>
--	-------------------------

B. Review and Selection Process

All applications received by the closing date and time for submissions will first be reviewed to determine eligibility for funding consideration based upon compliance with all Section 3 Eligibility Information and Threshold Criteria. Only applications determined eligible will be evaluated for technical merit against the criteria above.

The Office of Federal Activities will organize an evaluation team to review proposals. The team will include members with international enforcement experience, and will include at least one member from the Dutch Inspectorate of Environment, Planning, and Spatial Planning (VRM). All applications will be considered final proposals, and will be evaluated on the merits of the written application only. EPA does not intend to have oral presentations or a follow-up question and answer period.

Upon completion of the technical merit evaluation, each application will be given an evaluated numerical score, with a total of 100 points possible. The evaluated numerical scores will be rank ordered. The review panel will recommend the application with the highest evaluated numerical score to the EPA Selection Official for award.

After the individual applications are reviewed and ranked, the EPA Selection Official will make a final recommendation for award of a single cooperative agreement tentatively by **July 1, 2010**.

C. Other Factors

Final funding decisions will be made by the Selection Official based on the rankings and preliminary recommendation of the EPA evaluation team. In making the final funding decisions, the Selection Official may also consider programmatic priorities and geographic diversity of funds. Once final decisions have been made, a funding recommendation will be developed and forwarded to the EPA Award Official.

VI. Award Administration Information

A. Award Notices

After all applications are received, acknowledgments will be mailed to applicants. Once an application has been recommended for funding, the designated EPA official or his/her designees will notify the finalist and request any additional information necessary to complete the award process. The designated EPA official or his/her designees will notify those applicants whose projects are not selected for funding.

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

All activities undertaken under this cooperative agreement must be consistent with EPA's statutory authorities for international grants and cooperative agreements, including (but not limited to) Marine Protection, Research and Sanctuaries Act of 1972, §203, Safe Drinking Water Act, §1442(a)&(c), Clean Air Act (CAA) §103, Clean Water Act (CWA) §104, Solid Waste Disposal Act (SWDA) §8001, Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) §20, Toxic Substances Control Act (TSCA) §10, National Environmental Policy Act, §102(2)(f).

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.

Applicants can incur preaward costs 90 calendar days before the award without prior approval from EPA. The applicants must include all preaward costs incurred in the application to be paid. All applicants (40 CFR Parts 30, 21, and 25) incur preaward costs at their own risk; EPA is not obligated to pay for any cost if the applicant does not receive an award, the award is less than anticipated, the award is inadequate to cover preaward costs, or the costs do not conform to the cost principles

C. Reporting Requirements

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 results and a statement of activity anticipated during the subsequent reporting period. A discussion of expenditures by task and/or deliverable 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 concerned 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, and 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 FR (Federal Register) 3629, 3630 (January 26, 2005) located on the web at: <http://www.epa.gov/ogd/competition/resolution.htm>

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). 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.

VII. Agency Contact(s)

Davis Jones will be the EPA Project Officer, 202-564-6035, jones.davis@epa.gov.

All questions or comments must be communicated in writing via postal mail, fax or email to the contact person listed above. Questions and answers will be posted until the closing date of this announcement at the Office of Federal Activities website:
<http://www.epa.gov/compliance/international/index.html>.