

# OVERVIEW INFORMATION

**AGENCY:** ENVIRONMENTAL PROTECTION AGENCY (EPA), National Risk Management Research Laboratory (NRMRL)

**TITLE:** Biosolids Regulators Technology and Management Training Workshops

**ACTION:** Request for Applications (RFA)

**RFA NUMBER:** EPA-ORD-NRMRL-CI-09-07

## CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO: 66.510

**DATES:** The closing date and time for receipt of hard copy applications or electronic receipt of applications is **June 22, 2009, at 4:30 p.m. EST**. All applications must be post marked or submitted electronically thru email as described in Section IV., by the closing date and time to receive consideration. No late applications will be accepted.

To allow efficient management of the competitive process, EPA requests submittal of an informal notice of an “Intent to Apply,” by June 9, 2009. 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.

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#### SUMMARY OF PROGRAM REQUIREMENTS

##### **Synopsis of Program:**

The U.S. Environmental Protection Agency (EPA) is soliciting applications from eligible applicants to plan, prepare, and conduct a training workshop for Biosolids Regulators. As partners of the EPA, participation by States, local government officials, and other interested stakeholders is critical to the achievement of

workshop goals. Funds awarded under this announcement may be used by the recipient to promote participation and support the travel expenses of non-Federal personnel to attend the workshop. This project will benefit biosolid program coordinators, utilities, state and local governments and other stakeholder groups.

**Award Information:**

**NUMBER OF EXPECTED AWARDS:** One

**CEILING:** EPA anticipates awarding one cooperative agreement for up to \$75,000 for a one year project

**COST SHARING OR MATCHING:** Not applicable

**GEOSPATIAL INFORMATION:** Not Applicable

**Eligibility Information:** Programs under CFDA 66.510 are available to each State, territory and possession, and Tribal nation of the United States, including the District of Columbia, for public and private State universities and colleges, hospitals, laboratories, State and local government departments, and other public or private nonprofit institutions and in some cases, individuals or foreign entities who have demonstrated unusually high scientific ability. Profit-making firms are not eligible to receive awards. Eligible nonprofit organizations include any organizations that meet the definition of nonprofit in OMB Circular A-122. However, 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. Universities and educational institutions must be subject to OMB Circular A-21.

**Application Information:**

Applicants may submit either a hard-copy printed application or an electronic application through email (but not both) for this announcement. Instructions for both forms of submission follow in Sections IV.B and IV.C.

Grant application forms can be found at <http://www.epa.gov/ogd/AppKit/application.htm>

**Agency Contact:**

Electronic Access Problems: Cynthia Johnson: (513) 569-7873; email: [johnson.cynthia@epa.gov](mailto:johnson.cynthia@epa.gov)

**Link to Full Announcement:**

<http://www.grants.gov> or  
<http://www.epa.gov/nrmrl/tech/funding.html>

**Environmental Protection Agency  
National Risk Management Research Laboratory**

**Biosolids Regulators Technology and Management Workshop**

FULL TEXT OF ANNOUNCEMENT

**I. FUNDING OPPORTUNITY DESCRIPTION**

**A. Background:**

EPA is providing financial assistance to an eligible applicant to provide logistical and technical support for the development and delivery of a biosolids training workshop to build the capacity of State and local government officials and other interested stakeholders to better understand and implement associated regulations.

States, Territories and Indian Tribes are the organizations who are most closely involved with implementing Biosolids Regulations. They often require training and technical assistance to address issues associated with the implementation of biosolids regulation and oversight in their jurisdictions. This workshop provides a very efficient way for states, territories and Indian Tribes to meet and address these issues among themselves.

**B. Objectives:**

EPA is providing financial assistance to conduct one five-day national training workshop targeted for State and Federal Biosolids Coordinators and associated staff assigned to deal with current regulatory and enforcement issues. The workshops should address any planned regulatory changes, new program developments, on-going research efforts, best management practices, trends, and innovative ideas in the management of biosolids. The workshop should cover State-of-the-Science Biosolids research and development, innovations in biosolids technology and processes, cost-effective practices, discussions of solutions to current issues and on-going problems, quick-response situations, and biosolids risk management. The training should focus on information transfer, innovation, and demonstration of environmental outputs and outcomes. It is anticipated that the recipient will contact all State biosolids agencies to promote the workshop. It is also anticipated that the recipient organization will work with States, national experts and EPA to identify technical professionals to address issues and concerns raised by the States. Assistance funds may subsidize expenses for non-federal attendees. It is anticipated that attendance will be 80% non-federal and 20% federal.

**C. Environmental Results (EPA Strategic Plan Linkage and Anticipated Outcomes/Outputs):**

1. Linkage to EPA Strategic Plan. The activities to be funded under this announcement are consistent with Goal 2: Clean and Safe Water, Objective 2.2: Protect Water Quality.

Under this Project the recipient organization will promote clean and safe water by providing technical training and information exchanges on biosolids regulations and implementation and provide opportunities for State Biosolids Program Coordinators to enhance their knowledge and exchange ideas.

## 2. **Environmental Results (outputs/outcomes)**

**Outputs.** The term “output” means an environmental activity, effort, and/or associated work product related to an environmental goal and objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period. The principal environmental output of the workshop is anticipated to be a final report containing copies of technical papers and presentations given during the conference which will be made available via the internet. Examples of other anticipated outputs are but are not limited to the following:

- Technical training and information exchange on biosolids regulations and implementation

**Outcomes.** The term “outcome” means the result, effect or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related, or programmatic in nature, but must be quantitative. They may not necessarily be achievable within an assistance agreement funding period. The principal anticipated outcomes of the program is an increased understanding by the stakeholder community of biosolid regulations. Examples of other anticipated outcomes are but are not limited to the following:

- An increased number of waterbodies that are protected through development of better biosolids management techniques
- Opportunities for state biosolids program coordinators to enhance their knowledge and exchange ideas

### **D. Statutory Authorities:**

The statutory authority for this announcement is Section 104(b)(3) of the CWA. Section 104(b)(3) of the CWA restricts the use of these assistance agreements to the following: conducting or promoting the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects (including health and welfare effects), extent, prevention, reduction and elimination of water pollution.

Under this RFA the recipient organization will conduct a workshop to bridge the gap in understanding of biosolid regulations to improve stakeholder compliance. Stakeholders are local and state governments, territorial governments, tribal governments, regional organizations (e.g.

NEBRA ((New England Biosolids and Residuals Association)), wastewater treatment plant operators and associated professionals.

**E. Geospatial Information:** Not Applicable

## **II. AWARD INFORMATION**

**A. Anticipated Funding:** The total estimated funding expected to be available for award under this competitive opportunity is approximately \$75,000. EPA funding is subject **to the availability of funds.**

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

**C. Number of Awards:** EPA anticipates awarding one cooperative agreement from this announcement. Funding is anticipated at up to \$75,000 for the one year period of performance. In addition, EPA reserves the right to make additional awards under this announcement, consistent with Agency policy, if additional funding becomes available. Any additional selections for awards will be made no later than six months after the original selection date.

**D. Project Period:** The estimated project period for the award resulting from this solicitation will begin **August 1, 2009 and end July 31, 2010.**

**E. Anticipated Substantial Federal Involvement:** EPA anticipates working with the recipient to develop the workshop agendas and to assist the recipient with announcement of the date and location of the workshop, as well as providing assistance with the identification of speakers.

## **III. ELIGIBILITY INFORMATION**

**A. Eligible Applicants:** Programs under CFDA 66.510 are available to each State, territory and possession, and Tribal nation of the United States, including the District of Columbia, for public and private State universities and colleges, hospitals, laboratories, State and local government departments, and other public or private nonprofit institutions and in some cases, individuals or foreign entities who have demonstrated unusually high scientific ability. Profit-making firms are not eligible to receive awards. Eligible nonprofit organizations include any organizations that meet the definition of nonprofit in OMB Circular A-122. However, 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. Universities and educational institutions must be subject to OMB Circular A-21.

**B. Cost Sharing or Matching:** Cost-sharing is not required by statute or regulation.

**C. Threshold Eligibility Criteria:**

These are requirements that if not met by the time of application submission will result in elimination of the application from consideration for funding. Only applications from eligible entities (see Section III.A above) that meet all of the following criteria will be evaluated against the ranking factors in Section V of this announcement. Applicants deemed ineligible for funding consideration as a result of the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

1. Administrative Eligibility Criteria:

a. Applications must substantially comply with the application submission instructions and requirements set forth in Section IV of this announcement or else they will be rejected. However, where a page limit is expressed in Section IV with respect to the application, pages in excess of the page limitation will not be reviewed.

b. Applications must be received by EPA through one of the specified methods in Section IV on or before the application submission deadline published in Section IV of the announcement. Applicants are responsible for ensuring that their application reaches the designated person/office specified in Section IV of the announcement by the submission deadline.

c. Applications postmarked 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 or e-mailed submissions, where Section IV requires application receipt by a specific person/office by the submission deadline, receipt by an agency mailroom is not sufficient. Applicants should confirm receipt of their application with **Cynthia Johnson at (513) 569-7873 or by email at johnson.cynthia@epa.gov** as soon as possible after the submission deadline—failure to do so may result in the application not being reviewed.

2. Relevance Eligibility Criteria: Proposals that are found administratively acceptable will be subjected to a review for relevancy. Proposals will be rejected if they are found to lack relevance. Proposals must be responsive to the project description in Section I. An example of a proposal that is non-responsive includes:

(1) Application does not propose a workshop as described in Section I.

Applications will be reviewed for threshold eligibility purposes prior to initiation of the technical and programmatic reviews under Section V. Proposals from ineligible applicants or proposals that do not meet the eligibility criteria set forth above will be returned without further review within 15 calendar days of the date of the ineligibility determination.

#### IV. APPLICATION AND SUBMISSION INFORMATION

Applicants must submit a complete, detailed application to include all of the documents described in Section IV.A., below regardless of the mode of transmission. Additional guidance on completing the documents is available at EPA's Office of Grants and Debarment (<http://www.epa.gov/ogd/>). Applicants may submit either a hard-copy printed application or an electronic application through email for this announcement (but not both). Instructions for both forms of submission follow in Sections IV.B and IV.C.

##### A. Application Materials:

The application is made through submission of the materials described below. ***It is essential that the application contain all information requested and be submitted in the formats described.***

The application must contain the following items:

1. Application For Federal Assistance (SF-424): Complete the form. There are no attachments. Please be sure to include the organization fax number and email address in Block 5 of the SF-424.

This form will be the *first page* of the application. Instructions for completion of the SF-424 are included with the form. (However, note that EPA requires that the entire requested dollar amount appear on the 424, not simply the proposed first year expenses.) The form must contain the original (or electronic) signature of an authorized representative of the applying institution. Please note that both the Principal Investigator and an administrative contact are to be identified in Section 5 of the SF-424. The applicant's DUNS number must be included. (See Section VIII for instructions on obtaining a DUNS number.)

2. Budget Information for Non-Construction Programs (SF-424A): At a minimum, complete Section B- Budget Information and Section F-Other Budget Information. The total amount of federal funding requested for the project period should be shown on line 5(e) and on line 6(k) of SF-424A. If indirect costs are included, the amount of indirect costs should be entered on line 6(j). The indirect cost rate (i.e., a percentage), the base (e.g., personnel costs and fringe benefits), and the amount should also be indicated on line 22.

For purposes of developing project budgets, EPA anticipates providing up to \$75,000 for one year.

If amounts are budgeted for subcontracts, provide a description of the work that will be subcontracted and an explanation of why it must be subcontracted. Indicate whether the subcontracts will be awarded competitively or if not, what justification exists to make a non-competitive award.

Describe the basis for calculating the personnel, fringe benefits, travel, equipment, supplies, contractual support, and other costs identified in the itemized budget and explain the basis for

their calculation. (Special attention should be given to explaining the “travel,” “equipment,” and “other” categories.). For any proposed equipment, identify any tangible non-expendable personal property to be purchased which has an estimated cost of \$5,000 or more per unit and a useful life of more than one year. (Personal property items with a unit cost of less than \$5,000 are considered supplies.) Tips for preparing the budget support can be found at <http://www.epa.gov/ogd/recipient/tips.htm>.

3. Key Contact List: EPA Key Contacts Form 5700-54 should include the Principal, Co-Investigators, and administrative contacts. A copy of this form should also be completed for major sub-agreements (contacts at the institutions of primary co-investigators).

4. Project Narrative and Supporting Documentation: The Project Narrative and Supporting Documentation should be readable in PDF, MS Word or Word Perfect WP6/7/8 for Windows and consolidated into a single file. The project narrative: The applicant’s proposal must be submitted in English and must not exceed twenty (20) consecutively numbered (bottom center) 8.5X11-inch pages of single-spaced, standard 12-point type with 1-inch margins. This page limitation shall include all text, tables, figures, references, attachments, and appendices. It does not include the materials requested below in items b, c, or d. A detail narrative consisting of the items shall be provided:

a. The project narrative is the technical proposal that discusses the technical approach and organizational capabilities for accomplishing the goals stated under the Funding Opportunity in Section I. In developing the project narrative, the applicant must focus on Technical Evaluation Criteria set forth in Section V and structure the proposal to address each in the order listed.

The description of the research approach, planned outputs, and schedule shall not exceed 20 pages of 12-pt type.

- i. Detailed project summary to include a description of technical approach, specific actions, methods, and timelines to be undertaken to carryout the tasks necessary for planning and implementing a workshop as described in Section I.B. Include a discussion of the rationale and process for selecting attendees, speakers, facilities, and other appropriate resources.
- ii. Description of potential institutional capability and explanation of the project benefits to the public. Description of the roles of the applicant and proposed partners if any (see Section IV.G).
- iii. 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 outcomes and how the results of the project will be evaluated. Identify the expected project outputs and how progress towards achieving the outputs will be tracked and measured.

- iv. Description of staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project.
- v. Budget and estimated funding amounts for each work component/task. This section provides an opportunity for narrative description of the budget or aspects of the budget found in the SF-424A such as “other” and “contractual.” The recipient should demonstrate its methodology for any subsistence expenses for non-federal attendees planned.
- vii. Supporting documentation obtained from user organizations in support of RFA objectives and activities.

b. Programmatic Capability 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 past 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.

c. Attachments: The following attachments will not be counted against the 20 page limitation set forth in Section 4.a. Other attachments will count against the 20-page limit.

1. Resumes (biographical sketch). Provide resumes or curriculum vitae for all principal investigators and any other key personnel.
2. Support Letters (if applicable). Specifically indicate how the supporting organization will assist in the project.

### 3. Certifications and Disclosures.

All required grant certifications and disclosures shall be provided with the application. Certifications and disclosures can be obtained from the Office of Grant and Debarment website at [www.epa.gov/ogd](http://www.epa.gov/ogd)

- ASSURANCES NON-CONSTRUCTION PROGRAMS CERTIFICATION
- CERTIFICATION REGARDING LOBBYING and SF LLL (Applicable if EPA funds are over \$100,000)
- EPA FORM 4700-4 PRE-AWARD COMPLIANCE REVIEW REPORT
- QUALITY ASSURANCE NARRATIVE STATEMENT, if applicable
- COPY OF NEGOTIATED INDIRECT COST RATE AGREEMENT
- KEY CONTACTS FORM
- COMPLETE APPLICATION RECEIPT LETTER (If you want to receive notification of receipt)

### **B. Submission Instructions for Printed Hard-Copy Applications**

Submit a complete application including all of the supporting documents identified in Section IV.A of this announcement to the following address. The complete application *must be* sent through regular mail, express mail, or a major courier and be postmarked by the closing date identified therein, **June 22, 2009**.

US Environmental Protection Agency  
National Risk Management Research Laboratory  
ATTN: **Cynthia Johnson (Announcement EPA-ORD-NRMRL-CI-09-07)**  
26 W. Martin Luther King Drive  
Cincinnati OH 45268

Because of security concerns, applications cannot be personally delivered. To be considered timely, printed applications must be post marked by 4:30 p.m. local time and mailed to the location above by the U.S. Postal Service or a major courier. Applications post marked after the deadline will not be considered and will be returned to the submitter. Printed hard-copy applications, including all documents stated in Section IV.A.above, must be submitted in the **original with 4 copies as set forth above** and should be double-sided. Grant application forms can be found at <http://www.epa.gov/ogd/AppKit/application.htm>

### **C. Submission Instructions for Electronic Applications Using Email**

Email submissions must be addressed to [johnson.cynthia@epa.gov](mailto:johnson.cynthia@epa.gov) and include, “Biosolids Regulators Technology and Management Workshop– [name of applicant] in the subject line. All required documents listed in Section IV.A of the announcement must be attached to the email 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 email submission including server delays. 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 because if they are sent via e-mail 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 the individual identified in Section VII. as soon as possible after submission.

#### **D. Submission Dates and Times**

All applications must be postmarked or received electronically via e-mail on or before **June 22, 2009, 4:30 p.m. EST**. Proposals received after the closing date and time will not be considered for funding.

#### **E. Intergovernmental Review**

Executive Order 12372, "Intergovernmental Review of Federal Programs," does not apply to the Office of Research and Development's research and training programs unless EPA has determined that the activities that will be carried out under the applicants' proposal (a) require an Environmental Impact Statement (EIS), or (b) do not require an EIS but will be newly initiated at a particular site and require unusual measures to limit the possibility of adverse exposure or hazard to the general public, or (c) have a unique geographic focus and are directly relevant to the governmental responsibilities of a State or local government within that geographic area.

If EPA determines that Executive Order 12372 applies to an applicant's proposal, the applicant must follow the procedures in 40 CFR Part 29. The applicant must notify their state's single point of contact (SPOC). To determine whether their state participates in this process, and how to comply, applicants should consult <http://www.whitehouse.gov/omb/grants/spoc.html>. If an applicant is in a State that does not have a SPOC, or the State has not selected research and development grants for intergovernmental review, the applicant must notify directly affected State, area-wide, regional and local entities of its proposal.

EPA will notify the successful applicant(s) if Executive Order 12372 applies to its proposal prior to award.

#### **F. Funding Restrictions:**

Funding is anticipated to be up to \$75,000 for a one-year project. All EPA funding is contingent upon availability of funds and satisfactory performance during the budget period.

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.

### **G. 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.

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

(i) 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.

(ii) 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 proposed subawardees/subgrantees and/or contractors during the proposal/application evaluation process unless the applicant complies with these requirements.

#### **H. Modifications to this Announcement:**

Modifications to this announcement will be posted on grants.gov under this Funding Opportunity Number and the due date for applications will be extended if deemed appropriate.

#### **I. Confidentiality:**

By submitting an application in response to this solicitation, the applicant grants the EPA permission to make limited disclosures of the application to technical reviewers both within and outside the Agency for the express purpose of assisting the Agency with evaluating the application. Information from a pending or unsuccessful application will be kept confidential to the fullest extent allowed under law; information from a successful application may be publicly disclosed to the extent permitted by law.

In accordance with 40 CFR 2.203, applicants may claim all or a portion of their application/proposal package as confidential business information. EPA will evaluate confidentiality claims in accordance with 40 CFR Part 2. Applicants must clearly mark applications/proposals or portions thereof that 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, competitive proposals/applications are considered confidential and protected from disclosure prior to the completion of the competitive selection process.

## **J. 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. However, consistent with the provisions in the announcement, EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about the announcement.

## **V. APPLICATION REVIEW INFORMATION**

Each application that meets the eligibility requirements set forth in Section III will be subjected to technical and programmatic reviews. The technical review will be conducted by one EPA reviewer who is able to demonstrate expertise and a lack of any conflict of interest. The purpose is to evaluate the merit of the proposal and the capability of the applicant to complete the project as proposed. The programmatic review will be conducted by other qualified EPA personnel who are able to demonstrate a lack of any conflict of interest. The purpose is to evaluate the applicant's past performance in conducting projects of similar size, scope and relevance.

The following criteria will be used in the evaluation process:

### **A. Evaluation Criteria:**

Each eligible proposal will be evaluated according to the criteria set forth below. Applicants should directly and explicitly address these criteria as part of their proposal submittal. Each application will be rated under a points system, with a total of 100 points possible.

#### **Technical Evaluation Criteria (100 Points)**

##### **1. Adequacy of Technical Approach (50)**

The activities that are proposed to address the RFA focus identified in Section I:

- (i) The proposed project and approach taken demonstrates a clear understanding of the purpose and objectives of this program including the ability to perform outreach to attendees, obtain speakers, facilities, and other workshop resources. Extent and quality to which the proposal includes a clearly articulated milestone schedule for project tasks. (20 points)
- (ii) A description of roles and responsibilities of the applicant in carrying out the project tasks. (10 points)

(iii) A description of how the applicant will transfer the results and/or methods to states, local governments and other interested stakeholders. (10 points)

(iv.) Environmental Results (Outputs and Outcome). There is a clear, logical link between the technical objectives in Section I.B and outputs in Section I.C. (Environmental Results-EPA Strategic Plan Linkage and Anticipated Outcomes/Outputs). (10 points)

**2. Adequacy and Availability of proposed key personnel (20):** The expertise and qualifications of proposed staff and their availability and commitment to successfully achieve the goals of the proposed project. (Include key and support personnel, including formal education, training, licenses, or other relevant training as it relates to expertise in conducting and/or overseeing activities described in Section I).

**3. Budget (10):** Under this criterion, applicants will be evaluated based on:

The extent the applicant demonstrates sufficient utilization of budgeted resources necessary to conduct the workshop and reach stakeholders, conduct workshop activities, and produce environmental results as set forth in Section I.

**4. Past Performance—Programmatic Capability and Reporting on Environmental Results (20):**

Under this criterion, applicants will be evaluated based on their ability to successfully complete and manage the proposed project taking into account the applicant's: (i) past performance in successfully completing and managing the assistance agreements described in Section IV.A.4.b of the announcement, (ii) history of meeting the reporting requirements under the assistance agreements described in Section IV.A.4.b of the announcement including whether the applicant submitted acceptable final technical reports under those agreements and the extent to which the applicant adequately and timely reported on their progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not, (iii) organizational experience and plan for timely and successfully achieving the objectives of the proposed project, and (iv) staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project. Note: In evaluating applicants under this criterion, the Agency will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). If you do not have any relevant or available past performance or past reporting information, please indicate this in the proposal and you will receive a neutral score for these subfactors (items i and ii above—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.

Organizations that have no relevant or available past performance and/or reporting information will be given a neutral rating for those criteria. In evaluating applicants under this criterion the Agency may consider information from other sources including agency files (e.g., the EPA's Grantee Compliance Database) and prior/current grantors (e.g., to verify and/or supplement the information provided by the applicant.

## **B. Review and Selection Process:**

Evaluation Review Process: The eligibility review discussed in Section III will be conducted by EPA personnel who are not part of the technical review panel. The technical review which reviews the technical proposal for merit and organizational capabilities, shall consist of at least one internal EPA reviewer who is able to demonstrate technical expertise and a lack of any conflict of interest. The technical reviewer will review the proposal against the criteria (Criterion 1 -3) above identified as Evaluation Criteria and rank the proposal based upon this evaluation. The programmatic review will consist of one or more EPA personnel who are not part of the technical evaluation panel and who are able to demonstrate a lack of any conflict of interest. The programmatic reviewer(s) will review the proposal against Criterion 4 as identified as Programmatic Evaluation Criteria above and rank the proposals based upon this evaluation. The results of the Technical and Programmatic Evaluations will be combined to determine the overall ranking of each evaluated applicant.

Source Selection: EPA will make a selection of the applicant for award based upon the combined rankings of the technical and programmatic reviews as discussed above. EPA may negotiate changes to the proposal with the selected applicant so long as they do not affect the integrity of the competition. For example, EPA will discuss significant comments received from the technical reviewer, aspects of the budget that may be questionable, the proposed terms and conditions for the agreement, and the nature and extent of EPA collaboration. The Decision Official is an Office of Research and Development (ORD) manager who will determine which applicant should receive the award.

**Anticipated Announcement and Award Dates:** The anticipated award date is **July 27, 2009.**

## **VI. AWARD ADMINISTRATION INFORMATION**

**A. Award Notices:** Notice of award will be made in writing by an official in the EPA Grants Administration Division. Preliminary selection by the Decision Official in the Office of Research and Development does not guarantee an award will be made. Applicants are cautioned that only a grants officer can bind the Government to the expenditure of funds. No commitment on the part of EPA should be inferred from technical or budgetary discussions with an EPA Program Official. A Principal Investigator or organization that makes financial or personnel commitments in the absence of a grant or cooperative agreement signed by the EPA Grants Award Official does so at their own risk.

**B. Disputes:** Assistance agreement competition-related disputes will be resolved in accordance

with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005) which can be found at <http://www.epa.gov/ogd/competition/resolution.htm>. Copies of these procedures may also be requested by contacting the Agency Contact identified in Section VII.

### **C. Administrative and National Policy Requirements:**

#### Regulations and OMB Coverage:

Grants and agreements with institutions of higher education, hospitals, and other non-profit organizations are subject to 40 CFR Parts 30 and 40, and OMB Circulars A-122 for non-profits (relocated to 2 CFR Part 230) and A-21 for institutions of higher learning (relocated to 2 CFR Part 220).

Grants and agreements with state, local, and tribal governments are subject to 40 CFR Parts 31 and OMB Circular A-87 (relocated to 2 CFR, Part 225).

#### Animal and Human Subject Research:

a. Human Subjects : A grant applicant must agree to meet all EPA requirements for studies using human subjects prior to implementing any work with these subjects. These requirements are given in 40 C.F.R. § 26. Studies involving intentional exposure of human subjects who are children or pregnant or nursing women are prohibited by Subpart B of 40 CFR Section 26. For observational studies involving children or pregnant women and fetuses please refer to Subparts C & D of 40 CFR Section 26. U.S. Department of Health and Human Services regulations at 45 CFR § 46.101(e) have long required "... compliance with pertinent Federal laws or regulations which provide additional protection for human subjects." EPA's regulation 40 C.F.R. Part 26 is such a pertinent Federal regulation. Therefore, the applicant's Institutional Review Board (IRB) approval must state that the applicant's study meets the EPA's regulations at 40 CFR § 26. No work involving human subjects, including recruiting, may be initiated before the EPA has received a copy of the applicant's IRB approval of the project and the EPA has also provided approval. Where human subjects are involved in the research, the recipient must provide evidence of subsequent IRB reviews, including amendments or minor changes of protocol, as part of annual reports.

b. Animal Welfare: A grant recipient must agree to comply with the Animal Welfare Act of 1966 (P.L. 89-544), as amended, 7 U.S.C. 2131-2156. The recipient must also agree to abide by the "U.S. Government Principles for the Utilization and Care of Vertebrate Animals used in Testing, Research, and Training." (50 Federal Register 20864-20865 (May 20,1985))

\* This clause applies if a research facility (defined as any school (except elementary or secondary), institution, organization or person) receives funds under a grant from a federal agency for the purpose of carrying out research, tests, or experiments involving animals.

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

DUNS Number: Grant applicants are required to provide a Dun and Bradstreet (D&B), Data Universal Numbering System (DUNS) number when applying for Federal grants or cooperative agreements. OMB has determined that there is a need for improved statistical reporting of Federal grants and cooperative agreements. Use of the DUNS number government-wide will provide a means to identify entities receiving those awards and their business relationships. The identifier will be used for tracking purposes, and to validate address and point of contact information.

A DUNS number will be required whether an applicant is submitting a paper application or using the government-wide electronic portal (Grants.gov). The DUNS number will supplement other identifiers required by statute or regulation, such as tax identification numbers. Organizations can receive a DUNS number in one day, at no cost, by calling the dedicated toll-free DUNS Number request line at 1B866B705B5711. Individuals who would personally receive a grant or cooperative agreement award from the Federal government apart from any business or non-profit organization they may operate are exempt from this requirement. The website where an organization can obtain a DUNS number is: <http://www.dnb.com>

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.

**D. Programmatic Terms and Conditions:** Terms and conditions will be negotiated with the selected recipient covering the following requirements:

- The nature and extent of collaboration between EPA and the recipient.
- OBM clearance shall be obtained prior to the collection of identical information from 10 or more non-Federal respondents.

**Reporting Requirements:**

1. **Quarterly Progress Report**

Quarterly progress reports and a detailed final report will be required. Quarterly reports shall be submitted no later than 15 calendar days after the end of the quarter and shall contain the following:

- Narrative discussion of activities conducted during the quarter and progress and findings to date
- Expenditures/schedules (planned and actual) (including any subsistence expenses to non-federal attendees)
- Revised schedule/milestones if appropriate
- Appendices, including meeting reports, trip reports, etc.

2. **Final Report**

The final report shall be completed within 90 calendar days of the completion of the period of performance. The final report should include: summary of the project or activity, advances achieved and expenditures of the project or activity. In addition, the final report shall discuss the problems, successes, and lessons learned from the project or activity that could help overcome organizational or technical obstacles to implementing a similar project elsewhere.

## **VII. AGENCY CONTACT**

The agency contact for this RFA is Cynthia Johnson at 26 W. Martin Luther King Drive, Cincinnati OH 45268; telephone (513) 569-7873

E-mail: johnson.cynthia@epa.gov

## **VIII. OTHER INFORMATION**

Questions: Questions about this RFA should be submitted in writing by **June 3, 2009**. Do not attempt to seek information regarding this RFA from any source other than that identified in Section VII.

Questions that are considered significant will be answered via a posting to ORD/NRMRL's website at the following URL:

<http://www.epa.gov/nrmrl/tech/funding.html>

Modifications: All changes to the RFA's content will be done so by official amendment. All amendments will be posted at the following URL:

<http://www.epa.gov/nrmrl/tech/funding.html>

All references to applicant in this solicitation refer to organizations submitting proposals. References to successful applicant refer to the recipient organization that will be awarded the

research training cooperative agreement.

Workshop Log: It is anticipated that the recipient will utilize its logo on workshop materials.