

**OVERVIEW**  
**U. S. ENVIRONMENTAL PROTECTION AGENCY, Region III**  
**Chesapeake Bay Program Office Fiscal Year 2010 Request for Proposals (RFP) for**  
**Communications, Outreach and Education**  
EPA-R3-CBP-10-02  
**Catalog of Federal Domestic Assistance (CFDA) Number 66.466**

**Important Dates**

|                   |  |
|-------------------|--|
| October 26, 2009  | Issuance of RFP  |
| December 8, 2009  | Proposal Submission Deadline (see section IV for more information)   |
| December 28, 2009 | Approximate date for EPA to notify applicants of results   |
| January 22, 2009  | Approximate date for Applicant to submit federal cooperative agreement application. Processing of an assistance agreement typically takes 90 days. |
| February 1, 2010  | Approximate date of award  |

**Executive Summary**

The U.S. Environmental Protection Agency (EPA), Chesapeake Bay Program Office, is announcing a Request for Proposals (RFP) for recipients to provide the Chesapeake Bay Program partners with support related to: 1) communications, outreach and media for the Chesapeake Bay Program; 2) the *Bay Journal*; and 3) the Citizens Advisory Committee (CAC). This RFP sets forth the process that will be used for competitively selecting recipients that will provide communications, outreach, and media support functions and meet the specified environmental results in the Chesapeake Bay watershed.

Subject to the availability of funding, the EPA Chesapeake Bay Program Office plans to award one or more cooperative agreements under this RFP, under the authority of Section 117(d) of the Clean Water Act. The awards under consideration are for tasks: (1) Communications, Outreach and Media for the Chesapeake Bay Program, (2) The *Bay Journal*, and (3) The Citizens Advisory Committee (CAC). These tasks are designed to help the Chesapeake Bay Program meet the Chesapeake 2000 goals.

This RFP will cover the project period for the Chesapeake Bay Program (CBP) up to and including six years from an expected start date of February 1, 2010. The total estimated funding for 6 years is approximately \$4.3 to \$4.8 million with an estimated \$700,000 to \$800,000 available for the first year and each additional year plus cost of living adjustments. There is no guarantee of funding throughout this period or beyond. The number of awards will depend on individual proposal costs matched with final task priorities, the final aggregate amount of federal funding for initial proposals and the total amount of federal funds available.

Annual cooperative agreements will be negotiated with EPA. EPA may elect to re-compete the entire project or specific tasks at an earlier date. Should additional funding become available to support these activities, the EPA may award additional grants or cooperative agreements based

on this solicitation and in accordance with the final selection process, without further notice or competition no later than 6 months after the original selection decision.

EPA will consider all proposals that are postmarked by the U.S. Postal Service, hand-delivered, or sent through an official delivery service with documentation indicating EPA acceptance from a delivery service on or before 5:00 EST on **December 8, 2009**. Any proposals postmarked or hand delivered after the due date and time will not be considered for funding. No proposals will be accepted by facsimile machine submission.

EPA will also consider all emailed submissions that are received by EPA on or before 5:00 p.m. EST on **December 8, 2009**. All emailed submissions received after the deadline specified above will not be considered for funding.

**U. S. ENVIRONMENTAL PROTECTION AGENCY, Region III**  
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**FULL TEXT ANNOUNCEMENT**

**Section I: Funding Opportunity Description**

**A. About the Chesapeake Bay Program:** The Chesapeake Bay is North America's largest and most biologically diverse estuary. The Chesapeake Bay is a resource of extraordinary productivity, worthy of the highest levels of protection and restoration. Accordingly, in 1983 the states of Virginia, Maryland, Pennsylvania, the District of Columbia, the Chesapeake Bay Commission, and the EPA signed an agreement that established the Chesapeake Bay Program partnership to protect and restore the Chesapeake Bay ecosystem.

**B. Chesapeake 2000:** On June 28, 2000, the Chesapeake Bay Program's governing Chesapeake Executive Council signed an agreement, known as *Chesapeake 2000: A Watershed Partnership (Chesapeake 2000)*. *Chesapeake 2000* is one of the most comprehensive watershed restoration plans developed for the Chesapeake Bay watershed. The agreement consolidated prior commitments and established new goals and deadlines for protecting and restoring the Chesapeake Bay's living resources, water quality, and vital habitats, promoting sound land use, and engaging communities. In addition to identifying key measures necessary to restore the Bay, *Chesapeake 2000* provided the opportunity for Delaware, New York and West Virginia to become more involved in the Bay Program partnership. These headwater states now work with the Bay Program to reduce nutrients and sediment flowing into rivers and the Bay from their jurisdictions. These cooperative agreements will help fulfill the commitments of the *Chesapeake 2000*, Goal # 3, Water Quality Protection and Restoration. Projects will create results that track progress towards water quality goals on an annual basis, collaborating with Chesapeake Bay Program partners to continually improve the efficiency of our efforts leading to the restoration of the Chesapeake Bay and its tributaries.

**C. Proposals:** This RFP is seeking cost effective proposals from eligible applicants for communications, outreach, and media support functions for three tasks: **(1) Communications, Outreach and Media for the Chesapeake Bay Program with a total estimated funding of between \$240,000 and \$275,000 each year**, **(2) The Bay Journal with total estimated funding of between \$300,000 and \$350,000 each year**, and **(3) The Citizens Advisory Committee (CAC) with total estimated funding of between \$160,000 and \$175,000 each year**.

If your organization has an interest in these project areas, has the skills to accomplish one or more of the tasks, and is eligible to receive a federal assistance agreement as described in Section III, we encourage you to submit a proposal. Each proposal will be evaluated based on the relevant criteria referenced in Section V. **You may submit proposals for as many of the tasks as you choose. Each task requires a separate proposal.** Each task is a multi-year project (up

to six years), and the proposal should have a work plan and budget for the first year and an estimated budget detail for each of the subsequent years.

**Tasks to be performed by the recipients shall include, but are not limited to, the following:**

- 1. Communications, Outreach and Media:** This task supports the Communications Office for the Chesapeake Bay Program and staffs the Communications and Education Subcommittee. The Communication Office's activities are conducted within the framework of the Bay Program's strategic priority for increasing stakeholder involvement and for developing public understanding of the Bay restoration efforts, through press events, websites, publications, etc.
- 2. The Bay Journal:** The *Bay Journal* is published to inform the public about issues and events that affect the Chesapeake Bay. The *Bay Journal* is published monthly except for mid-summer and mid-winter. It is distributed free of charge and has a circulation of approximately 50,000. The *Bay Journal* is a member of the Associated Press.
- 3. The Citizens Advisory Committee (CAC):** The Citizens Advisory Committee provides assistance to the Chesapeake Executive Council, the Principal Staff Committee (PSC), the Chesapeake Bay Program, the Management Board, and all the Goal Implementation Teams (GIT) as needed in implementing the Chesapeake Bay Agreements. Members communicate with their constituencies to increase understanding of the Bay Program and efforts to restore and protect the Bay. The membership is broad-based with representatives from agriculture, business, conservation, industry and civic groups. Since 1984, this group has provided a non-governmental perspective on the Bay cleanup effort and how Bay Program policies affect citizens who live and work in the Chesapeake Bay watershed.

**Obtaining Additional Information:** For additional background information on the Chesapeake Bay Program achievements and commitments, see the Chesapeake Bay Program website located at <http://www.chesapeakebay.net/> or call 1-800-YOUR-BAY to receive information by mail.

**D. Authorizing Statutes and Regulations:** Water quality grants and cooperative agreement projects are authorized under the Clean Water Act, Section 117(d). These projects are subject to EPA's General Grant Regulations: 40 CFR Part 30 for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, and other Nonprofit Organizations and 40 CFR Part 31 Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Under Section 117(d) (1) of the Clean Water Act, EPA has the authority to issue grants and cooperative agreements for the purposes of protecting and restoring the Chesapeake Bay's ecosystem.

**E. Environmental Results:** EPA Order 5700.7, "Environmental Results under EPA Assistance Agreements," requires that all assistance agreements be aligned with EPA's strategic goals and objectives. EPA also requires assistance programs to focus not only on outputs (i.e., the activities and/or associated work products performed or conducted by an assistance agreement recipient during the funding period) but also on outcomes (i.e., the results, effects, or consequences of a recipient's activities). As a result of this order, EPA will negotiate outcomes and outputs with the selected grantee(s). Examples of expected outcomes

and outputs for the cooperative agreements to be awarded under this announcement are listed in Appendix A.

#### **F. The Agency's Strategic Plan/Government Performance and Results Act (GPRA)**

**Linkage:** The overall goal of these cooperative agreements is to protect and restore the Chesapeake Bay ecosystem through continued technical support and outreach necessary to address water quality restoration goals and maintain public awareness of Chesapeake Bay restoration. This goal supports the Agency's Strategic Goal #4: Healthy Communities and Ecosystems, Objective 4.3 Ecosystem, Sub-objective 4.3.4 Improve Aquatic Health of the Chesapeake Bay. The project(s) funded under this announcement must be able to be linked to this strategic goal.

### **Section II: Award Information**

#### **A. Funding Amount:**

The EPA Chesapeake Bay Program Office plans to make one award for each of the following three tasks: (1) Communications, Outreach and Media, (2) The *Bay Journal*, and (3) The Citizens Advisory Committee (CAC). Subject to the availability of funding, and other applicable considerations, up to approximately \$800,000 per year plus cost of living adjustments is expected to be available for all of the awards to be made under this announcement. The total estimated funding for 6 years for the three expected awards is approximately \$4.3 to \$4.8 million with an estimated \$700,000 to \$800,000 available for all three tasks for the first year and each additional year. There is no guarantee of funding throughout this period or beyond.

The awards made under this RFP will support the Chesapeake Bay Program partners by providing communication, outreach and public awareness. The Cooperative Agreements will be funded under Section 117(d) of the Clean Water Act and under the Catalog of Federal Domestic Assistance (CFDA) number 66.466. EPA reserves the right to reject all proposals and make no awards under this announcement. EPA reserves the right to make additional awards under this announcement, consistent with Agency policy and guidance, if additional funding becomes available after the original selections are made. Any additional selection for awards will be made no later than 6 months after the original selection decisions.

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

**B. Award Type:** EPA has determined that cooperative agreements are the appropriate funding vehicles for the projects. The Chesapeake Bay Program Office expects to award more than one cooperative agreement under this RFP. Cooperative agreements are used under circumstances where substantial involvement is anticipated between EPA and the recipient during performance of the activity. Typically federal involvement would be in the form of

participation with other Chesapeake Bay Program partners and stakeholders in an advisory capacity to the grantee. This participation is expected to include involvement through Chesapeake Bay Program's Goal Implementation Teams (GIT's) and related committees (on which EPA also participates to ensure that all the recommendations for technical work support the Chesapeake Bay Program partners). All work conducted is to support the efforts to restore the Chesapeake Bay ecosystem. EPA will not make final subaward decisions; the grantee will make the final subaward selections.

**C. Expected Project Period:** The expected project period of these cooperative agreements is six years, with one-year budget periods. No commitment of funding can be made for future fiscal years. The expected start date for awards resulting from this RFP is **February 1, 2010**.

### **Section III: Eligibility Information**

**A. Eligible Applicants:** Nonprofit organizations, State and local governments, colleges, universities, and interstate agencies are eligible to submit proposals in response to this RFP. For-profit organizations are not eligible to submit proposals in response to this RFP. Funding for these projects comes from EPA. Therefore, EPA employees are not eligible to submit a proposal in response to this solicitation or aid in the preparation of a proposal by conceptualizing, developing, or structuring proposals.

**B. Cost Share or Matching Requirements:** In accordance with Clean Water Act 117(d)(2)(A), the agency determines the cost share requirement for awards under this subsection. The CFDA Number 66.466 states that assistance agreement applicants must commit to a minimum cost share of 5 percent to 50 percent as determined at the sole discretion of EPA. For this RFP, EPA has determined that an applicant must provide a minimum of 5 percent of the total cost of the project as the non-federal cost share.

Cost share may be in the form of cash or in-kind contributions. Involvement from foundations, watershed groups, private sector, eligible governmental, as well as non-conventional partners can help with match. This match must be met by eligible and allowable costs and is subject to the match provisions in grant regulations. Proposals that do not demonstrate how the 5 percent match will be met will be rejected.

Also, while it is not required to provide leveraging in addition to the cost share requirements of this RFP, applicants may propose a voluntary financial or in-kind commitment of resources that may improve their score under Section V.B. Any form of proposed leveraging that is evaluated under Section V ranking criteria must be included in the proposal and the proposal must describe how the applicant will obtain the leveraged resources and what role EPA funding will play in the overall project. If EPA accepts an offer for a voluntary cost share/match applicants must meet their matching/sharing commitment as a condition of receiving EPA funding. Applicants may use their own funds or other sources for voluntary match/cost share/participation if the standards of 40 CFR 30.23 or 40 CFR 31.24, as applicable, are met. Only eligible and allowable costs may be used for voluntary matches/cost shares/participation. Other Federal grants may not be used as voluntary matches or cost shares without specific statutory authority.

**C. Threshold Eligibility Criteria:** Only proposals from eligible entities (see Section III.A above) that meet the following threshold eligibility criteria will be evaluated against the criteria in Section V.B. Applicants deemed ineligible for funding consideration as a result of the threshold eligibility review will be notified in writing within 15 calendar days of the ineligibility determination.

1. Proposals must substantially comply with the proposal submission instructions and requirements set forth in Section IV of this announcement or else they will be rejected. However, where a page limit is expressed in Section IV with respect to the proposal, pages in excess of the page limitation will not be reviewed.
2. In addition, proposals must be postmarked by or received via email by EPA on or before the proposal submission deadline published in Section IV of this announcement or else they will be rejected. Proposals postmarked or received via email after the submission deadline will be considered late and returned to the sender without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling. For hard copy submissions, where Section IV requires proposal receipt by a specific person/office by the submission deadline, receipt by an agency mailroom is not sufficient. Applicants should confirm receipt of their proposal with Holly Waldman at 410-295-1329 or [waldman.holly@epa.gov](mailto:waldman.holly@epa.gov) as soon as possible after the submission deadline—failure to do so may result in your proposal not being reviewed.
3. Each proposal must address only one of the three tasks listed in Section I.C. of this announcement. An applicant can apply for more than one task as long as they submit a separate proposal for each task.
4. Projects funded under this announcement must be linked to the strategic goal outlined in Section I.F.
5. For a proposal to be considered eligible for funding, all work included in the proposals must take place within the Chesapeake Bay Watershed which includes portions of Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and all of the District of Columbia.
6. Eligibility and Cost Share requirements of Section III. A. and B. must be met.
7. Congress has prohibited the use of federal funds to award grants to the Association of Community Organizations for Reform Now (ACORN) or any of its affiliates, subsidiaries, or allied organizations 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.

## **Section IV: Application and Submission Information**

**A. Federal Application:** Do not submit a full federal grant application in response to this RFP. If your proposal is selected for funding, an EPA project officer will request an application from you, negotiate the work plan and budget and oversee the process of awarding the cooperative agreement.

### **B. Content and Form of Proposal Submission:**

**Proposal Elements:** Each proposal will be evaluated using the criteria referenced in Section V. B. of this announcement. You must submit a single spaced proposal of up to twelve (12) pages in length by the date and time specified in Section IV.C below. The format for this proposal is contained in Appendix A of this announcement. Review the directions for the preparation of the proposal. Proposals that are not prepared in substantial compliance with the requirements in Appendix A will not be considered for funding and will be returned to the applicant.

### **Proposal Materials**

The proposal package **must** include all of the following materials:

- 1. Standard Form (SF) 424, Application for Federal Assistance** – Complete the form located at <http://www.epa.gov/ogd/AppKit/form/SF424.pdf>. The Budget Detail of your Application for Federal Assistance (SF-424) should reflect how your administrative costs will comply with the cap. Please be sure to include organization fax number and email address in Block 8f of the Standard Form SF 424. Please note that the organizational Dunn 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.
- 2. Narrative Proposal** – The format for this proposal is contained in Appendix A of this announcement. Review the directions for the preparation of the proposal.

**Requirements for Narrative Proposal— See Appendix A:** All proposal review criteria in Section V must be addressed in the proposal. The proposal shall not exceed twelve pages in length. Pages refer to one-side of a single spaced typed page. Font size should be no smaller than 10 and the proposal must be submitted on 8 ½” x 11” paper. Note that the twelve pages must include all supporting materials, including resumes or curriculum vitae and letters of support. With the exception of documentation of non-profit status and the SF-424, if you submit more than twelve pages, the additional pages will be discarded and will not be reviewed.

**Confidential Business Information:** It is recommended that confidential business information (“CBI”) **not** be included in your proposal/application. However, if confidential business information is included, it will be treated in accordance with 40 CFR 2.203. Applicants must

clearly indicate which portion(s) of their proposal/application they are claiming as CBI. EPA will evaluate such claims in accordance with 40 CFR Part 2. 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 protects competitive proposals/applications from disclosure under applicable provisions of the Freedom of Information Act prior to the completion of the competitive selection process.

**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 in writing from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the proposals, and requests for clarification about the announcement. Applicants should email their questions to Holly Waldman at [waldman.holly@epa.gov](mailto:waldman.holly@epa.gov). All questions and answers will be posted on <http://www.epa.gov/region3/chesapeake/grants.htm>.

**C. Submission Dates and Times:** EPA will consider all hardcopy submissions that are postmarked by the U.S. Postal Service, hand-delivered, or sent through an official delivery service with documentation indicating EPA receipt from a delivery service on or before **5:00 p.m. EST on December 8, 2009**. All hardcopy submissions postmarked or hand delivered after the deadline specified above will not be considered for funding. No proposals will be accepted by facsimile machine submission.

EPA will also consider all emailed submissions that are received by EPA on or before 5:00 p.m. EST on **December 8, 2009**. All emailed submissions received after the deadline specified above will not be considered for funding.

**D. Intergovernmental Review:** Applicants must comply with the Intergovernmental Review Process and/or consultation provisions of Section 204, Demonstration Cities and Metropolitan Development Act, if applicable, which are contained in 40 CFR Part 29. This program is eligible for coverage under Executive Order (EO) 12372, An Intergovernmental Review of Federal Programs. An applicant should consult the office or official designated as the single point of contact in his or her state for more information on that state's required process for applying for assistance if the state has selected the program for review. Single Points of Contact can be found at <http://www.whitehouse.gov/omb/grants/spoc.html>. Further information regarding this requirement will be provided if your proposal is selected for funding.

**E. Funding Restrictions:**

**Administrative Cost Cap Requirement Under Statutory Authority:** Grantees applying for Chesapeake Bay Program assistance agreements must adhere to the requirements for "Administrative Costs" under the Clean Water Act, Section 117 (d)(4), which states that administrative costs shall not exceed 10 percent of the annual grant award. **Appendix B:**

**Administrative Cost Cap Worksheet** is provided as an example of a method to calculate the 10 percent limitation. You are not required to submit Appendix B with your proposal.

**Allowable Costs:** EPA assistance agreement funds may only be used for the purposes set forth in the cooperative agreement and must be consistent with the statutory authority for the award. Federal funds may not be used for cost sharing for other Federal grants (except where authorized by statute), lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, Federal funds may not be used to sue the Federal government or any other government entity. All costs identified in the budget must conform to applicable Federal Cost Principles contained in the Office of Management and Budget (OMB) Circular A-87 "Cost Principles for State, Local and Tribal Governments;" A-122 "Cost Principles for Nonprofit Organizations;" or A-21 "Cost Principles for Educational Institutions." During the grant negotiation, any ineligible costs outlined in the proposal (i.e. lobbying activities) will be not be included in the final grant award.

**Management Fees:** When formulating budgets for proposals, 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.

#### **Partnerships, Contractors and Subawards:**

##### **a. Can funding be used for the applicant to make subawards, 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 these regulations. The regulations also contain limitations on consultant compensation. While applicants are not required to identify subawardees/subgrantees and/or contractors or consultants in their proposal, if they do so the fact that an applicant selected for award has named a specific subawardee/subgrantee, contractor or consultant in the proposal EPA selects 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.

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 30.40 or 40 CFR Part 31.36 and cannot use a subaward/subgrant as the funding mechanism.

**b. 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, as appropriate and relevant, the qualifications, expertise, and experience of:

- (i) an applicant’s named subawardees/subgrantees identified in the proposal if the applicant demonstrates in the proposal that if it receives an award that the subaward/subgrant will be properly awarded consistent with the applicable regulations in 40 CFR Parts 30 or 31. For example, applicants must not use subawards/subgrants to obtain commercial services or products from for profits or individual consultants;
- (ii) an applicant’s named contractor(s), including consultants, identified in the proposal if the applicant demonstrates in its proposal that the contractor(s) was selected in compliance with the competitive Procurement Standards in 40 CFR Part 30.40 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. Submission Instructions.**

You may submit your proposal(s) one or two ways: If you choose to submit your proposal using the hard copy method, please follow the instructions under “Hard Copy Submission” below. If you choose to submit your proposal via email, please follow the instructions listed under “Email Submission” below.

### **Hard Copy Submission**

Please submit three complete, unbound copies of the proposal(s) package that is described in Section IV.B (SF 424 and Narrative Proposal). The hard copies of the proposal should be double-sided, if possible. The proposal must be mailed or delivered to:

**Holly L. Waldman (3CB00)  
U.S. Environmental Protection Agency  
Chesapeake Bay Program Office  
410 Severn Ave., Suite 109  
Annapolis, MD 21403**

### **Email Submission**

Email submissions must be submitted to [R3\\_CBP\\_RFP@epa.gov](mailto:R3_CBP_RFP@epa.gov) and received by the submission deadline stated in Section IV.B of this announcement. All required documents listed in Section IV.B 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 email, you are accepting all risks attendant to email submission including server delays. Email submissions exceeding 15MB will experience delays and may not be received on time by the Agency. Applicants submitting by e-mail are encouraged to submit early. Applications over 15MB should be submitted via hardcopy. Applications received late will not be considered for funding. Applicants submitting their application materials through e-mail should confirm receipt of the materials with Holly Waldman as soon as possible after submission.

## **Section V: Application Review Information**

**A. Evaluation Process:** After EPA reviews proposals for threshold eligibility purposes as described in Section III of this announcement, the Chesapeake Bay Program Office will conduct a merit evaluation of each eligible proposal. Reviews will normally involve teams of professionals from EPA and non-EPA organizations. All reviewers will sign a conflict of interest statement.

**B. Evaluation Criteria: Maximum score: Task I: 180 points; Task II: 180 points; Task III: 180 points.**

All applicants must respond to evaluation criteria one, two, three, and four. Evaluation criterion five is task dependent and there are different points for each task; applicants should choose the appropriate evaluation criteria for each proposal(s) submitted.

**1. Organizational Capability and Program Description: (Maximum score: 50 Points)**

Applicants will be evaluated based on the quality of their proposal and how it demonstrates the ability to achieve the objectives to support the Chesapeake Bay Program partners described in Section I.C. Applicants will also be evaluated based on how well the proposal demonstrates that the applicant has the organizational capacity, experience, technical, and outreach expertise to accomplish the proposed plan of work and is likely to be successful; and organizational experience and plan for timely and successfully achieving the objectives of the project.

**2. Programmatic Capability and Environmental Results Past Performance Ranking**

**Factor: (Maximum score: 40 points; each subcriteria is of equal weight).** Applicants will be evaluated based on their programmatic capability to successfully perform the proposed tasks including their:

- i) past performance in successfully completing federally and non-federally funded assistance agreements (assistance agreements include Federal grants and cooperative agreements but not Federal contracts) similar in size, scope, and relevance to the proposed project within the last three years (no more than 5, and preferably EPA agreements). **(10 points)**
- ii) extent and quality to which they adequately documented and/or reported on their progress towards achieving the expected results (e.g., outcomes and outputs) under Federal agency assistance agreements (an assistance agreement is a grant or cooperative agreement and not a federal contract) performed within the last three years, and if such progress was not being made, whether the applicant adequately documented and/or reported why not. **(10 points)**
- iii) history of meeting reporting requirements under federally funded assistance agreements (assistance agreements include Federal grants and cooperative agreements but not Federal contracts) similar in size, scope, and relevance to the proposed project performed within the last 3 years and submitting acceptable final technical reports under these agreements. **(10 points)**
- iv) staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the project. **(10 points)**

In evaluating applicants under this criterion, the agency will consider the information supplied 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 information and/or reporting history will receive a neutral score for those elements of programmatic capability. If you do not provide any response for this item, you may receive a score of 0 for this factor.

**3. Cost effectiveness/Leveraging: (Maximum score: 30 points)**

a. Cost effectiveness: To what degree is the proposal cost effective, considering the following factors: organizational overhead (indirect costs); ability to perform the duties within the operational range of budgets provided by the Chesapeake Bay Program? **(20 points)**

b. Leveraging: Under this criterion, applicants will be evaluated based on the extent they demonstrate: (i) how the applicant will coordinate/leverage the use of EPA funding with other Federal and/or non-Federal sources of funds/resources (i.e., projects partners, surrounding communities, businesses) to leverage additional resources beyond any required cost match/share/participation for applicants specified in Section III of the announcement to carry out the proposed project(s), and/or (ii) that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources. Applicants will also be evaluated based on the type of leveraging proposed, how the applicant will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, and what role it will play in the overall project. **(10 points)**

**4. Transferability of Results to Similar Projects and /or Dissemination to the Public: (Maximum score: 30 points)**

a. Gather information and lessons learned from the project(s). **(10 points)**

b. Transfer the information/data/ results to stakeholders in the watershed. **(10 points)**

c. Documents and distributes results of the project(s) to the appropriate audience or summarizes information so that Chesapeake Bay Program can disseminate. **(10 points)**

**5. Tracking and Measuring Environmental Results: (Task Dependent)** Under this criterion, applicants will be evaluated based on the extent to which the proposal demonstrates the applicant's ability to track and measure progress toward achieving the expected outputs and outcomes described in Appendix A for the respective tasks being proposed. To what degree does the proposal provide for the accomplishment of the following examples of activities?

**Task I: Communications, Outreach and Media: (Maximum score: 30 points)**

- Coordinate the Program's public information and outreach commitments; develop and issue press releases; hold press events; staff the Communications and Education Subcommittee, develop in draft and final – brochures, fact sheets, backgrounders, and website content as directed by the CBP. **(15 points)**
- Increase public awareness and commitment that would result in improving aquatic health of the Chesapeake Bay watershed, which is in support of EPA/CBP's strategic goals. **(15 points)**

**Task II: The Bay Journal: (Maximum score: 30 points)**

- Research, prepare camera ready copy, including photographs and graphics for inclusion in the *Bay Journal*; produce 10 issues (24-30 pages) and distribute to the public. **(15 points)**
- Report to the public on Bay Program issues, progress and methods to achieve Chesapeake Bay restoration, which results in improving aquatic health of the Chesapeake Bay watershed, which is in support of EPA/CBP's strategic goals. **(15 points)**

**Task III: The Citizens Advisory Committee (CAC): (Maximum score: 30 points)**

- Arrange for four quarterly meetings including travel arrangements, meeting space, etc.; prepare agenda, briefing materials and meeting summaries; draft position statements; prepare reports and other materials as needed for the Committee; and update CAC website. **(15 points)**
- Provide citizens' advice to Executive Council members, Implementation Committee, subcommittees and stakeholders on the progress and methods of Chesapeake Bay watershed restoration. **(15 points)**

**C. Review and Selection Process**

**Review:** The eligible proposals will be evaluated using the criteria stated in Section V.B. above and ranked by a panel of reviewers from EPA's Chesapeake Bay Program Office. The review team will then forward the highest ranked proposals to the Director or Deputy Director of the Chesapeake Bay Program Office for final selection. The selection official will consider proposal rankings and program goals in making the final selection. Program goals can be found at: <http://cap.chesapeakebay.net/strategicframework.htm>.

***Anticipated Announcement and Award Dates:***

**Important Dates**

|                   |  |
|-------------------|--|
| October 26, 2009  | Issuance of RFP  |
| December 8, 2009  | Proposal Submission Deadline (see section IV for more information)   |
| December 28, 2009 | Approximate date for EPA to notify applicants of results   |
| January 22, 2009  | Approximate date for Applicant to submit federal cooperative agreement application. Processing of an assistance agreement typically takes 90 days. |
| February 1, 2010  | Approximate date of award  |

**Section VI: Award Administration Information**

**A. Award Notices**

It is expected that applicants will be notified in writing of funding decisions on or around December 28, 2009 either via email or U.S. Postal Service. Notification of selection does not indicate that the applicant can start work on the project. The selected applicants will then be asked to submit a full federal assistance agreement application package. A Federal project

officer provides assistance in the application process and negotiates a work plan, budget, and starting date. Processing of the cooperative agreement award generally takes 90 days.

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

If your proposal is selected, the following information will be helpful in preparing your cooperative agreement application.

**Disputes Resolution Process:** 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) that can be found at: <http://www.epa.gov/ogd/competition/resolution.htm>. Copies of these procedures may also be requested by contacting Holly Waldman by email at [waldman.holly@epa.gov](mailto:waldman.holly@epa.gov) or fax at 410-267-5777.

**DUNS Requirement:** Applicants are required to provide a Dunn and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for Federal assistance agreements. A DUNS number must be included in every application. The DUNS number must be included in Block 8c of the Standard Form 424 entitled, Application for Federal Assistance, Version 2, (OMB Number 4040-0004; Expiration Date 01/31/2012). Organizations can receive a DUNS number at no cost by calling the dedicated toll free DUNS number request line at 1-866-705-5711. Additional information on obtaining a DUNS number can also be found at: <http://www.dnb.com>.

**Indirect Costs:** If indirect costs are budgeted in the assistance application and the non-profit organization or educational institute does not have a previously established indirect cost rate, it will need to prepare and submit an indirect cost rate proposal and/or cost allocation plan in accordance with the appropriate Federal cost principle, OMB Circular A-122, "Cost Principles for Non-Profit Organizations" or OMB Circular A-21, "Cost Principles for Educational Institutions" within ninety (90) days from the effective date of the award.

If a local government does not have a previously established indirect cost rate, it will need to prepare its indirect cost rate proposal and/or cost allocation plan in accordance with OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments." The local government recipient whose cognizant Federal agency has been designated by OMB must develop and submit its indirect cost rate proposal to its cognizant agency within six (6) months after the close of the governmental unit's fiscal year. If the cognizant Federal agency has not been identified by the OMB, the local government recipient must still develop (and when required, submit) its proposal within that period.

**EPA Requirements for Quality Management Plans and Quality Assurance Plans:** In accordance with 40 CFR 30.54 and 31.45, projects that include the generation or use of environmental data are required to submit a Quality Management Plan (QMP) and Quality Assurance Project Plan (QAPP).

The QMP must document quality assurance policies and practices that are sufficient to produce data of adequate quality to meet program objectives. The QMP should be prepared in accordance

with EPA QA/R-2: EPA Requirements for Quality Management Plans (refer to <http://www.epa.gov/region03/chesapeake/grants.htm>, Attachment 7). The recipient's QMP should be reviewed and updated annually as needed. The QMP must be submitted to the EPA Project Officer at least 45 days prior to the initiation of data collection or data compilation.

The recipient must develop and implement quality assurance and quality control procedures, specifications and documentation that are sufficient to produce data of adequate quality to meet project objectives. The Quality Assurance Project Plan (QAPP) is the document that provides comprehensive details about the quality assurance/quality control requirements and technical activities that must be implemented to ensure that project objectives are met. The QAPP should be prepared in accordance with EPA QA/R-5: EPA Requirements for Quality Assurance Project Plans. The QAPP must be submitted to the EPA Project Officer at least 30 days prior to the initiation of data collection or data compilation. Requirements for QAPPs can be found at [http://www.epa.gov/quality1/qa\\_docs.html](http://www.epa.gov/quality1/qa_docs.html).

**Federal Requirements:** An applicant whose proposal is selected for federal funding must complete additional forms prior to award (see 40 CFR 30.12 and 31.10). EPA reserves the right to negotiate and/or adjust the final cooperative agreement amount and work plan content prior to award consistent with Agency policies.

**Deliverables:** Awarded applicant will be required to provide a chart or list of deliverables, providing items and dates due.

**Pre-Award Administrative Capability Review for Non-Profit Organizations:** 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 as directed the Administrative Capabilities Form with supporting documents contained in Appendix A of EPA Order 5700.8.

The Order, in Section 7(c), defines non-profit organizations as any corporation, trust, association, cooperative, or other organization which: (1) is operated primarily for scientific, educational, service, charitable or similar purposes in the public interest; (2) is not organized primarily for profit; (3) uses its net proceeds to maintain, improve, and/or expand its operations; and (4) is subject to 40 CFR Part 30. The term does not include: colleges and universities as defined under Office of Management Budget (OMB) Circular A-21; State, local and federally-recognized Indian Tribal governments; hospitals; and organizations considered as similar to concerns under Attachment C to OMB Circular A-122.

**Incurred Costs:** Costs eligible for federal grant funding cannot be incurred prior to the effective date of the cooperative agreement between the applicant and EPA. Funding eligibility ends on the date specified in the award. The time expended and costs incurred in either the development of the proposal or the final assistance application, or in any subsequent discussions or

negotiations prior to the award, are neither reimbursable nor recognizable as part of the recipient's cost share.

### **C. Reporting**

Quarterly or semiannual progress reports, as determined by the Federal project officer, will be required as a condition of this award.

## **Section VII: Agency Contact**

For administrative and technical issues regarding this RFP, please contact Holly Waldman via email at [waldman.holly@epa.gov](mailto:waldman.holly@epa.gov). All questions must be received in writing via email or fax at 410-267-5777 with the reference line referring to this RFP (Re: **RFP EPA-R3CBP-10-1**). All questions and answers will be posted on <http://www.epa.gov/region3/chesapeake/grants.htm>.

## **Section VIII: Other Information**

In developing your proposal, you may find the following documents helpful. Websites for guidance documents are listed here. If you prefer a paper copy, please call 1-800-YOUR BAY. An electronic copy of the *Chesapeake 2000* agreement is located at: [http://www.chesapeakebay.net/content/publications/cbp\\_12081.PDF](http://www.chesapeakebay.net/content/publications/cbp_12081.PDF)

Electronic copy of the *Chesapeake Bay Program Guidance for Data Management* is located at <http://archive.chesapeakebay.net/cims/Guidance%20for%20Data%20Management%20Nov%202006.pdf>

EPA Requirements for Quality Management Plans and Quality Assurance Plans: Requirements for quality assurance plans are defined in EPA Requirements for Quality Assurance Project Plans (QA/R-5). These documents are located at [http://www.epa.gov/quality1/qa\\_docs.html](http://www.epa.gov/quality1/qa_docs.html).

Please visit the EPA Grants website at <http://www.epa.gov/ogd> if you have questions about grant issues such as costs or eligibility.

An electronic copy of the *Chesapeake Bay Program Grant and Cooperative Agreement Guidance* is located at <http://www.epa.gov/region3/chesapeake/grants.htm>.

Additional questions about grant issues such as cost or eligibility can be obtained on the following websites: <http://www.epa.gov/ogd> or <http://www.epagov/region3/chesapeake/grants.htm> for EPA Grant and Cooperative Agreement Guidance. For questions pertaining to the task and/or general questions, please refer to Section VII: Agency Contact.

The *Bay Journal* website is located at <http://www.bayjournal.com/>

Information regarding the Citizens Advisory Committee is located at  
<http://www.chesapeakebay.net/cac.htm>

Further information on Chesapeake Bay Program committees can be located at  
<http://www.chesapeakebay.net/committeeactivities.aspx?menuitem#14890>

**Appendix A**  
**Proposal Format**  
**U. S. ENVIRONMENTAL PROTECTION AGENCY, Region III**  
**Chesapeake Bay Program Office Fiscal Year 2010 Request for Proposals (RFP) for**  
**Communications, Outreach and Education**  
EPA-R3-CBP-10-02

The following information must be provided or the proposal may not be considered complete and may not be evaluated.

**Format:** Proposals shall not exceed twelve single spaced pages. The proposal must be submitted on 8 ½" x 11" paper and font size should be no smaller than 10. Note that the twelve pages must include all supporting materials, including resumes or curriculum vitae and letters of support. With the exception of documentation of non-profit status and the SF-424, if the proposal includes more than twelve pages, the additional pages will be discarded and not considered in the review. Applicant's responses should be numbered and submitted according to the format listed below.

**1. Name, address (street and email), and contact information of the applicant**

**2. Background** - Include the following in this section:

- i.) Brief description of your organization.
- ii) Documentation of non-profit status, if applicable.
- iii) Brief biographies of applicant lead(s) including resumes and/or curriculum vitae.

**3. Clear, concise narrative** of (1) the applicant's qualifications and proposal of activities and approaches to address needs stated in this RFP, and (2) explanation of how your organization is qualified to perform this work. You can include a curriculum vitae or resume of the principal investigators in Section 2, Background. These must be included in the twelve pages maximum for the proposal.

**4. Work plan** – An applicant can only address one task in their proposal. If an applicant wishes to address both tasks, they must prepare separate proposals. Include the following in this section:

- i) Provide a clear, concise narrative of how your organization will meet the objectives of the Program described in Section I.C. of the RFP, develop and implement the Program, perform the tasks listed below and explain how the Program will support the mission of your organization. Tasks to be performed by the grant recipients include, but are not limited to the following:

### **1. Task I. Communications, Outreach and Media:**

This task supports the Communications Office for the Chesapeake Bay Program and staffs the Communications and Education Subcommittee. The Communication Office's activities are conducted within the framework of the Bay Program's strategic priority for increasing stakeholder involvement and for developing public understanding of the Bay restoration efforts, through press events, websites, publications, etc.

### **2. Task II. The Bay Journal:**

The *Bay Journal* is published to inform the public about issues and events that affect the Chesapeake Bay. The *Bay Journal* is published monthly except for mid-summer and mid-winter. It is distributed free of charge and has a circulation of approximately 50,000. The *Bay Journal* is a member of the Associated Press.

### **3. Task III. Citizens Advisory Committee:**

The Citizens Advisory Committee provides assistance to the Chesapeake Executive Council, the Principal Staff Committee (PSC), the Chesapeake Bay Program, the Management Board, and all the Goal Implementation Teams (GITs) as needed in implementing the Chesapeake Bay Agreements. Members communicate with their constituencies to increase understanding of the Bay Program and efforts to restore and protect the Bay. The membership is broad-based with representatives from agriculture, business, conservation, industry and civic groups. Since 1984, this group has provided a non-governmental perspective on the Bay cleanup effort and how Bay Program policies affect citizens who live and work in the Chesapeake Bay watershed.

- ii) For the first year and each of the subsequent years, provide a budget detail breakdown by the major budget categories (i.e. personnel, fringe benefits, travel, equipment, supplies, contractual, construction, other, and indirect). In each of the budgets, include the cost share amount (a minimum of 5 percent - dollar for dollar) and specify how much of the funding will go to subawards and/or contractors. Please note that subaward costs must be included in the "other" budget costs category. For an example budget detail, please go to: [http://www.epa.gov/region03/grants/Application\\_Kit\\_for\\_Grants\\_and\\_Cooperative\\_Agreements.pdf](http://www.epa.gov/region03/grants/Application_Kit_for_Grants_and_Cooperative_Agreements.pdf), page 42. In addition, grantees applying for Chesapeake Bay Program assistance agreements must adhere to the requirement for "Administrative Costs" under the Clean Water Act, Section 117 (d)(4), which states that administrative costs shall not exceed 10 percent of the annual grant award. For this RFP, EPA has determined that administrative costs shall not exceed 10 percent. Information on how to calculate the 10 percent administration cost cap is located in **Appendix B: Administrative Cost Cap Worksheet**. According to the Paper Reduction Act, do not submit your completed worksheet with your proposal.

iii) Environmental Results – Outputs and Outcomes: Address how the proposal will meet the expected outputs and outcomes of this project.

A. Activity:

1. Output: An output is an environmental activity, effort, or work product related to an environmental goal or objective that will be produced within the assistance agreement period. Examples of outputs include but are not limited to the following:

- Coordinate the Program’s public information and outreach commitments; develop and issue press releases; hold press events; staff the Communications and Education Subcommittee, develop in draft and final – brochures, fact sheets, backgrounders, and website content as directed by the CBP. (Task I)
- Research, prepare camera ready copy, including photographs and graphics for inclusion in the Bay Journal; produce 10 issues (24-30 pages) and distribute to the public. (Task II)
- Arrange for four quarterly meetings, including travel arrangements, meeting space, etc.; prepare agenda, briefing materials and meeting summaries; draft position statements; reports and other materials for the Committee; and update CAC website. (Task III)

2. Outcome: An outcome is a result, effect, or consequence that will result from carrying out an environmental program or activity that is related to an environmental programmatic goal or objective. Outcomes are quantitative measures that may not necessarily be achievable within the assistance agreement period. Examples of outcomes include but are not limited to the following:

- Increased public awareness and commitment that would result in improving aquatic health of the Chesapeake Bay watershed, which is in support of EPA/CBP’s strategic goals. (Task I)
- Report to the public on Bay Program issues, progress and methods to achieve Chesapeake Bay restoration, which results in improving aquatic health of the Chesapeake Bay watershed, which is in support of EPA/CBP’s strategic goals. (Task II)
- Citizens’ advice to Executive Council members, Implementation Committee, subcommittees and stakeholders on the progress and methods of Chesapeake Bay watershed restoration. (Task III)

**5. Programmatic Capability:** Submit a list of federally funded assistance agreements (**assistance agreements include Federal grants and cooperative agreements but not Federal contracts**) similar in size, scope and relevance to the proposed project that your organization performed within the last three years (no more than 5, and preferably EPA agreements) and describe (i) whether, and how, you were able to successfully complete and manage those agreements and (ii) your history of meeting the reporting requirements under those agreements including submitting acceptable final technical reports.

**6. Reporting on Environmental Results--Outcomes and Outputs:** Submit a list of federally funded assistance agreements (**assistance agreements include Federal grants and cooperative agreements but not Federal contracts**) that your organization performed within the last three years (no more than 5, and preferably EPA agreements), and describe how you documented and/or reported on whether you were making progress towards achieving the expected results (e.g., outputs and outcomes) under those agreements. If you were not making progress, please indicate whether, and how, you documented why not.

\*In evaluating applicants under the above past performance factors in Section V of the RFP, EPA will consider the information provided by the applicant and may also consider relevant information from other sources, including information from EPA files and from current and prior Federal agency grantors (e.g., to verify and/or supplement the information provided by the applicant). If you do not have any relevant or available environmental results past performance information, please indicate this in the narrative proposal and you will receive a neutral score for this factor under Section V. If you do not provide any response for this item, you may receive a score of 0 for this factor.

**7. Review Criteria:** Address in narrative form each of the review criteria as identified in Section V of the RFP. Identify by the review criteria number and title followed by your narrative.

**Appendix B  
EPA-R3-CBP-10-02**

**SAMPLE  
(DO NOT SUBMIT WORKSHEET WITH APPLICATION)**

**CHESAPEAKE BAY PROGRAM ADMINISTRATIVE COST CAP WORKSHEET**

INSTRUCTIONS: In accordance with Section 117(d)(4) and 117(e)(6) of the Clean Water Act (CWA), the costs of salaries and fringe benefits incurred in administering a grant under Section 117(d) or 117(e) of the CWA shall not exceed 10 percent of the annual Federal grant award. The worksheet, below is provided to assist you in calculating allowable administrative costs. The Budget Detail of your Application for Federal Assistance (SF-424) should reflect how your administrative costs will comply with the cap. For specific guidance refer to page 2 of this sample “Compliance with CWA Section 117 Requirements Restricting Administrative Costs.”

|  |  |    |     |
|--|--|----|-----|
| Federal grant amount   |  | \$ |     |
| Cap %  |  | X  | .10 |
| <b>Limit on Administrative Costs</b>   |  | \$ | (a) |
| List Administrative Costs:<br>(Budgeted costs for application or actual costs for FSR) |  |    |     |
|  |  | \$ |     |
|  |  |    |     |
|  |  |    |     |
|  |  |    |     |
| <b>Total</b>   |  | \$ | (b) |

**Line (b) cannot exceed Line (a).**

**Note: This sample worksheet does not apply to Small Watershed Grants awarded under the authority of CWA 117(g)(2)(A).**

## **COMPLIANCE WITH CWA SECTION 117 RESTRICTING ADMINISTRATIVE COSTS**

### **Statutory Authority**

Under statutory authority, grantees applying for Chesapeake Bay Program grants/cooperative agreements under Section 117 (d) or (e) must adhere to the requirement on administrative costs as follows:

Under Section 117(a)(1) Administrative Cost - The term “administrative cost” means the cost of salaries and fringe benefits incurred in administering a grant under this section.

Under Section 117(d)(4) - Administrative Costs. - Administrative costs shall not exceed 10 percent of the annual grant award.

Under Section 117(e)(6) - Administrative Costs. -Administrative costs shall not exceed 10 percent of the annual grant award.

### Guidance for Determining Administrative Costs

As determined by EPA/CBPO, the following provides guidance in determining administrative costs for grants/cooperative agreements under Section 117 (d) and (e) of the Clean Water Act.

#### 1. Administrative Costs

Salaries and fringe benefits charged against the project or program element for the sole purpose of administering the grant/cooperative agreements shall not exceed 10% of the annual Federal grant. One hundred percent of the salaries and fringe benefits related to these functions are considered administrative costs. Examples of administrative costs include, but are not limited to:

- preparation and submission of grant applications
- fiscal tracking of grants funds
- maintaining project files
- collection and submission of deliverables

#### 2. Non-administrative Costs

Salaries and fringe benefits related to the implementation of the project or program element of the grant/cooperative agreement are not considered administrative costs. None of the salaries and fringe benefit costs related to these functions shall be considered administrative costs. Example:

- the salaries and fringe benefits for technical staff to conduct work to accomplish specific Bay Program goals as outlined in the program or project elements are not administrative costs.

#### 3. Calculation of Administrative Costs

In order to ensure compliance with this requirement, use the format above or a similar format to calculate the costs and include in the Budget Detail of your Application for Federal Assistance (SF-424).

#### 4. Questions Regarding Administrative Costs

The grantees shall direct questions to the EPA Project Officer who will determine what costs should be included as administrative costs on a case-by-case basis.

**Note: This sample worksheet does not apply to Small Watershed Grants awarded under the authority of CWA 117(g)(2)(A).**