

OVERVIEW SECTION

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE (OSWER)
PROGRAM TRIBAL SUPPORT COOPERATIVE AGREEMENTS

ACTION: Request for Proposals (RFP) - Initial Announcement

RFP NO: EPA-OSWER-IPCO-14-03

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NOS.: 66.808; 66.813; 66.814;
66.816; 66.424; 66.436

DATES: Proposals are due by June 23, 2014. Proposals may be sent through the U.S. Postal Service (USPS), a commercial delivery service, or through www.grants.gov. Only one method should be used for the submission of the original, complete proposal. Proposals sent through the USPS or via a commercial delivery service must be postmarked by June 23, 2014. Proposals sent through <http://www.grants.gov> must be received by 11:59 p.m. Eastern Time on June 23, 2014. Please refer to *Section 4(C), Submitting Proposals Packages*, for further instructions.

SUMMARY: This notice announces the availability of funds and solicits proposals to coordinate and provide training, technical assistance, research and studies that will support the participation of tribal co-regulators in the formulation of federal/tribal environmental policies in Indian country on EPA's Office of Solid Waste and Emergency Response (OSWER) and Office of Water (OW) related tribal programs. The recipient will conduct two separate projects that will promote discussion, collaboration and partnership among tribes and federal agency representatives.

Project One will fund trainings, including the Tribal Lands and Environment Forum (TLEF), for tribal co-regulators. NOTE: EPA is expanding the media topics from past Forums to also include water topics related to the Clean Water Act and Safe Drinking Water Act. Additionally, Project One includes, but is not limited to, coordinating and providing technical assistance and research support (including studies) for tribal members of the Tribal Waste and Response Assistance Program National Steering committee (TWRAP-SC) to assist in promoting preservation and restoration of lands in Indian country, improving water quality and drinking water safety, and addressing policy-analysis needs of tribes at the national level. Tribal members of the TWRAP-SC must be elected tribal officials or employees of tribal governments who are designated by the tribe's elected leadership to represent the tribes. This project also encompasses making arrangements for TWRAP-SC meetings between EPA and tribal co-regulators to discuss the results of research and studies into policy and technical issues.

Project Two will fund research, training and technical assistance to support the participation of tribal co-regulators on hazardous substance policy and related technical issues in Indian country. This includes providing and coordinating research support, training and technical assistance on alternative or innovative treatment technologies for tribal participants in the Tribal Superfund working group (TSFWG) including making arrangements for meetings between EPA and tribal co-regulators to discuss the results of research into policy issues and technical matters relating to hazardous

substances site assessment, removal and remediation (“site cleanup”). Tribal members of the TSWFG must be elected tribal officials or employees of tribal governments who are designated by the tribe’s elected leadership to represent the tribes.

FUNDING/AWARDS: The estimated funding available under this competitive opportunity is \$2,910,000 subject to the availability of funds and quality of proposals received. EPA anticipates award of **two separate cooperative agreements to one successful applicant** resulting from this competitive announcement. All applicants are required to submit proposals for both projects described in Section 1. Applicants must develop and submit **separate proposals and applications for Project One and Project Two.** EPA will not consider combined proposals, single applications for both project proposals or, applications for one project area only. Cooperative agreements awarded under this competition will be funded incrementally. The total estimated value for the Project One agreement is \$1,660,000. In FY14, the maximum value shall not exceed \$332,000. The total estimated value for the Project Two agreement is \$1,250,000. In FY14, the maximum value shall not exceed \$250,000. Please refer to *Section 4(B), Content and Form of Proposals*, for further instructions.

Note to Applicants: if you name subawardees/subgrantees and/or contractors/consultants in your application to assist you with the proposed project, pay careful attention to the information in *Section 2(E), Subawards, acquiring contract services and funding partnerships* and *Section 2(F) Consideration of proposed subawardees/subgrantees and contractors.*

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SECTION 1 - FUNDING OPPORTUNITY DESCRIPTION

A. Background

There are over 550 tribal governments recognized as sovereign entities by the U.S. government. Approximately 70 million acres make up Indian country. While most tribes have access to an environmental presence through the EPA Indian General Assistance Program (GAP), many of these tribes are at a fundamental level in developing waste management, cleanup and response, or emergency preparedness programs. Tribes may have unique challenges to effectively building their programs, such as limited dedicated tribal budgets to sustain a program over time, isolated or rural conditions, and the lack of a trained workforce in the community. This can translate into high employee turnover rates, large training needs, and managing many complex environmental issues through a small number of staff. Tribes often must leverage funding, equipment and technical work through many different programs and funding sources. Some tribes are located in remote locations, which can increase the complexity and cost of managing wastes, and conducting cleanup and other response activities.

The tribes work with OSWER and the EPA Regions under OSWER related tribal programs as co-regulators and/or co-implementors of joint federal/tribal programs to protect human health and the environment. This includes collaborative efforts between sovereigns to promote the safe management of solid and hazardous wastes; develop and operate underground storage tank programs, oversee Resource Conservation and Recovery Act facilities; prepare for, prevent and respond to chemical and oil spills, accidents, and emergencies; enhance homeland security; respond to contamination on sites, and assessment, clean up and revitalization of brownfields and coordination on cleanup of Superfund sites impacting tribal lands. Six program offices within OSWER regularly work with tribes as co-regulators or co implementers of OSWER related tribal programs. The program offices are: Office of Environmental Management, Office of Superfund Remediation and Technology Innovation, Federal Facilities Restoration and Reuse Office, Office of Resource Conservation and Recovery, Office of Underground Storage Tanks, and the Office of Brownfields and Land Revitalization.

OSWER's primary goal under this RFP is to help tribes build capacity (through research, technical assistance and training) to develop their own OSWER related tribal programs using tribal sovereign authority to promote compliance with federal and tribal environmental statutes/regulations in Indian country and upholding EPA's Indian Policy principles. Specifically, these activities under this cooperative agreement are also intended to make the EPA/OSWER Tribal Program more responsive to tribal needs by ensuring that tribes have assistance in analyzing and responding to policy and regulatory actions planned or taken by EPA/OSWER, and that tribes have an opportunity to provide their input in a coordinated and comprehensive manner.

Related to this goal, under a previous cooperative agreement, the Tribal Waste and Response Assistance Program National Steering committee (TWRAP –SC) and the Tribal Lands and Environment Forum (TLEF) training conference were formed and implemented. The TWRAP –SC is a committee that provides tribes a vehicle to participate in the development of EPA/OSWER policies and programs that impact tribal lands. It has a member structure, charter, meets regularly and plays a substantive role in the planning of the TLEF. If necessary, EPA will ensure that the current recipient of the cooperative agreement for the TWRAP-SC and the TLEF provides the

successful applicant under this competition with data, documents, and other materials developed with Agency funds as provided in 40 C.F.R. 30.36.

This cooperative agreement provides for the involvement of OSWER's sister office, OW, in the funding and co-sponsorship of the TLEF. With the inclusion of OW, EPA is expanding the scope of the TLEF (prior to this the TLEF focused solely on OSWER issues) to include water topics recognizing our shared goals to achieve environmental and human health protection, and the many ways in which our actions to preserve and restore land interface with the actions to protect and restore waters in Indian Country and Alaska. OW's authorities under the Clean Water Act (CWA) and Safe Drinking Water Act (SDWA) include working with tribes as co-regulators and partners to improve and protect water quality, and ensure the provision of safe drinking water and access to basic sanitation in Indian Country as well as funding training, research and technical assistance. The OW program offices that will be involved are: Office of Ground Water and Drinking Water, Office of Wastewater Management, Office of Wetlands, Oceans and Watersheds, and Office of Science and Technology. The tribal coordinators for OSWER and OW and other key personnel from these program offices will collaborate with the successful applicant as part of EPA's substantial involvement in the cooperative agreements that will be awarded under this RFP. OSWER and OW's headquarters program offices work closely with the EPA regional offices to coordinate policy and program efforts across the country. The successful applicant will coordinate and provide training, technical assistance, research and studies to enable tribal representatives to effectively participate in the TLEF and the TWRAP-SC.

Another goal of this RFP is to provide and coordinate research support, training and technical assistance for tribal members of the Tribal Superfund working group (TSFWG) including making arrangements for discussion of resultant research at TSFWG meetings. Training and technical assistance will focus on how innovative and alternative treatment technologies can be used for site cleanup on tribal lands under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).¹ The TSFWG enables tribes to establish a framework to explore and gain from cross-programmatic discussions and optimize different approaches to address their sites and improve their environmental programs while enhancing communication and coordination between EPA/OSWER to facilitate tribal participation in EPA Superfund program that is carried out on tribal lands.

For more information on EPA's OSWER related tribal programs, please go to: <http://www.epa.gov/oswer/tribal>. For information related to the TLEF 2013 conference go to: http://www4.nau.edu/itep/conferences/conf_r_tlf.asp. For more information on EPA's OW related tribal programs, please go to: http://water.epa.gov/grants_funding/tribal/upload/Office-of-Water-Tribal-Contacts-Table.pdf.

B. Scope of Work

Applicants must address each of the following elements in Project One and Project Two and provide a detailed description of how they will perform the functions of each element in their narrative

¹ The term "innovative or alternative treatment technologies" is defined at CERCLA 311(b)(10), 42 U.S.C. §9660(b)(10). Please refer to Section 1(C) for details.

proposals. Also applicants must explain how they will accomplish the elements, including alternative or additional activities that will best accomplish each element's objectives. Applicants may also include in their proposals additional and/or alternative elements to those listed below. Under this RFP, **all applicants must submit proposals for both projects (Project One and Project Two)** described more fully below. Applicants must develop and submit separate proposals and separate applications for each project. **EPA will not consider combined proposals, single applications for both project proposals, and proposals or applications for one project area only.**

Project One (funds awarded under Project One are limited to non-Superfund related activities):

Element 1: Develop, Plan and Implement Annual Tribal Training Conference - Tribal Lands and Environment Forum (TLEF):

The activities eligible for funding under this RFP are planning, developing and implementing four annually held Tribal Lands and Environment Forums (TLEF) in 2015, 2016, 2017 and 2018 provided EPA funds are available. The training plan should include a need based travel scholarship program (including selection criteria) for trainees. EPA will be a cosponsor of the TLEFs. The annual conference brings together tribes, EPA and federal partners to further tribes' ability to participate in trainings, receive technical assistance, and become aware of relevant research projects and studies. Prior TLEFs have included best practices presentations (including hands-on field activities) by experts that are cross-programmatic in nature, as well as program-specific. The topics have historically been covered in 5 or more session tracks that include topics like waste management concerns, revitalization of brownfields, leaking underground storage tanks and other RCRA facilities, and emergency preparedness, and additional OSWER-related tribal initiatives including building tribal capacity. However, EPA encourages applicants to propose alternative approaches if the applicant can demonstrate that a different format would be more cost efficient and/or deliver training and technical assistance more effectively.

For the first time, future TLEFs will include training and technical assistance that is relevant to both OSWER and OW program issues that promote dialogue among tribes and between EPA and tribes on issues related to ground water, surface water and drinking water quality. Examples include information exchange, sharing of best practices and training among tribes to strengthen compliance with drinking water standards, protect sources of drinking water from contamination, conduct water quality monitoring and assessment, establish pollution reduction targets in watersheds, establish water quality standards for tribal waters and implement program to prevent or reduce nonpoint source pollution. The four TLEFs may also be structured to address water and land cross-boundary topics such as opportunities for and coordination to achieve water quality on a full watershed basis (e.g., considering land use, permitting, land cleanups, brownfields redevelopment, urban waters, etc.). Again, EPA will consider alternative or additional topics if applicants can demonstrate that the topics are responsive to the needs of tribal co-regulators.

Applicants are invited to suggest additional elements to this scope of work that could enhance the objectives of the TLEF. For planning purposes, EPA anticipates that annual TLEFs will attract approximately 400 tribal participants and 100 federal participants. Please note that paying for federal travel is not an eligible cost under the cooperative agreement.

Element 2: Provide Training, Technical Assistance, and Research Support to Tribal Members of the Tribal Waste and Response Assistance Program Steering Committee (TWRAP-SC):

The TWRAP-SC, will be composed of federally recognized tribal co-regulators and facilitates national dialogue and information exchange among tribes and EPA on OSWER related activities such as land preservation, revitalization and cleanup issues. Communication and coordination with EPA/OSWER on policy and regulatory activities between federally recognized tribes and Alaska Native Villages is intended to ensure that tribes have an opportunity to provide input on and respond to policy or regulatory actions planned or taken by EPA/OSWER that are carried out on tribal lands. The TWRAP-SC also ensures that tribal input is provided in a coordinated and comprehensive manner.

Members of the TWRAP-SC will be selected competitively by the successful applicant through an application process and serve a two-year rotation. As provided in section 204 of the Unfunded Mandates Reform Act, tribal members of the TWRAP-SC must be elected tribal officials or tribal employees designated by the tribe's elected leaders to represent their tribe on the TWRAP-SC. Applicants must propose a process and criteria for selecting tribal TWRAP-SC members that meets this requirement as well as for maintaining and distributing a roster of TWRAP-SC members.

The successful applicant will also provide and coordinate training, technical assistance and research (including studies) to facilitate effective participation of tribal representatives to the TWRAP-SC. This includes incidental activities such as funding travel to enable tribal members to attend TWRAP-SC meetings, preparing agendas that are responsive to the interests of tribal members, recording minutes and preparing meeting summaries, providing a web presence, and reviewing and updating the TWRAP-SC Charter under the direction of the tribal members.

EPA's substantial involvement will include, among other things, collaborating with the successful applicant in establishing the schedule and venues for TWRAP-SC meetings. These meetings have historically been held quarterly with two in person meetings in Washington D.C. and two held virtually by conference call. Applicants may propose alternate schedules/venues for TWRAP-SC meetings although EPA will evaluate proposals based on cost effectiveness in minimizing expenditures of travel expenses for OSWER senior officials and Agency staff as well as tribal members of the TWRAP-SC. Additionally, EPA encourages applicants to propose a cost-effective approach to provide training, technical assistance and research support to tribal members of the TWRAP-SC outside of the context of meetings with EPA (e.g. periodic and ad-hoc conference calls) to ensure that tribal co-regulators are able to coordinate their positions on regulatory, policy, and programmatic issues.

For more information on the current TWRAP-SC please go to:
<http://www4.nau.edu/itep/waste/ntsc.asp>

Element 3: Develop and deliver up to ten tribal training courses to address OSWER related tribal programs:

Over the 5 year cooperative agreement the successful applicant will hold up to 10 trainings in the lower 48 states and Alaska. Training should provide special and practical knowledge of a specialized subject area through a variety of cost-effective methods as specified in the applicant's proposal. For

example, the courses may feature instructors from tribal programs, federal offices, and NGOs, and include a mix of lecture, small group activities, hands-on trainings, and tribal case studies/best practices. Trainings should identify topics of relevance to tribal environmental professionals relating to responsible solid waste management practices (e.g. backhauling) in Alaska and other rural and remote areas, the development and promulgation of tribal cleanup codes/regulations, underground storage tank (UST) training and additional tribal training that meets tribal needs related to OSWER programs. EPA encourages applicants to consider virtual and in-person trainings as well as a utilizing a combination of those techniques to deliver the trainings. The training plan should include a need based travel scholarship program (including selection criteria) for trainees. EPA will evaluate applications on the cost-effectiveness of the proposed approach to delivering training including criteria for awarding full or partial travel scholarships.

Element 4: Creation of an online resource to help tribes' access resources on hazardous substances technical and policy issues affecting tribal communities and share best practices:

The successful applicant will develop and maintain a website for the activities of the cooperative agreement. Applicants should describe how this website will provide tribal environmental professionals access to research, studies and training materials resources electronically through a web based clearinghouse for complex OSWER related subject matter relevant to tribal environmental programs. Additionally, applicants should describe how this on-line resource will provide an opportunity for tribal peer-to peer-professional training and technical assistance on best practices in a virtual forum.

Element 5: Provide continuous virtual training, technical assistance and research support to tribes on OSWER related issues to facilitate effective tribal consultation and identify public comment opportunities:

Applicants should describe their approach to developing and implementing a cost-effective web based mechanism that provides for reaching federally recognized tribes including those in Alaska to provide training, technical assistance and research support on matters involving tribal consultation and opportunities for public comment on OSWER related regulatory, policy and programmatic matters. An electronic newsletter is one example of such a mechanism. Applicants may propose alternative mechanisms that are similarly cost-effective.

Project Two (funds awarded under Project 2 are limited to supporting Superfund related activities)

Element 1: Include Superfund related sessions into the Annual Tribal Training Conference - Tribal Lands and Environment Forum (TLEF):

In collaboration with the TSFWG, the successful applicant will develop and implement a Superfund session track at the annual TLEF that provides a forum for presentations relating to research (including health effects) into hazardous substance issues that impact tribal lands and training on innovative or alternative treatment technologies. This track should include a need based travel scholarship program that includes selection criteria. Applicants should describe their approach to identifying topics (including examples) and speakers as well as administering (including selection criteria) a need based travel scholarship program. *Please see Project 1: Element 1 above for specific information on the TLEF.*

Element 2: Provide research support, training and technical assistance to tribal members of the Tribal Superfund Working Group (TSFWG):

The successful applicant will develop and implement a cost effective plan to conduct research, and disseminate the results, provide training in research techniques, and provide training and technical assistance relating to innovative or alternative treatment technologies to build tribal capacity to participate in the TSFWG. This plan should be designed to enhance collaboration and coordination with EPA on federal/tribal environmental policies and technical initiatives related to Superfund in Indian country. Features of the plan should demonstrate how the successful applicant will promote interaction and dialogue among tribes and between tribes and EPA on Superfund related hazardous substance research and studies on regulatory, policy, programmatic and technical issues affecting tribal lands as well as on innovative or alternative treatment technologies. This dialogue will help tribes better understand, evaluate and respond to risks from hazardous substances with the intention of improving human health and the environment in Indian country and tribal lands including Alaska.

As provided in section 204 of the Unfunded Mandates Reform Act, tribal members of the TSFWG must be elected tribal officials or tribal employees designated by the tribe's elected leaders to represent their tribe on the TSFWG. Applicants must propose a process and criteria for selecting tribal TSFWG members that meets this requirement as well as for maintaining and distributing a roster of TSFWG members

Applicants should also describe a cost-effective approach to:

- selecting topics for the dialogues in consultation with the TSFWG. Examples of research, training and technical assistance topics include:
 - roles and responsibilities among participants in the Superfund process,
 - risk communication related to the detection, assessment and evaluation of the effects of hazardous substances on tribal lands
 - technical or program capacity-building related to identifying, assessing and evaluating hazardous substances risks and employing innovative or alternative treatment technologies to address those risks
 - dispute resolution and community involvement under the National Contingency Plan
- conducting the dialogues (e.g. a combination of conference calls and in person meetings),
- scheduling the dialogues (historically the TSFWG has met twice each year but applicants may propose a different frequency).
- preparing and disseminating summaries of the dialogues and related research reports
- arranging for site visits to enable tribal TSFWG members to conduct hazardous substances research (including studies of best practices) receive training and technical assistance in research techniques and innovative or alternative treatment technologies for site cleanup on tribal lands.
- Developing and implementing a need based travel scholarship program (including selection criteria) for full or partial travel support.

Element 3: Develop and deliver one meeting a year to promote the dissemination of hazardous substances policy and technical research information and provide training and technical assistance to promote coordination and partnerships to more effectively manage sites under the Superfund program through effective use of innovative or alternative treatment technologies:

Develop and implement annual multiple-day meetings co-sponsored with EPA. The location for the meeting would be determined by the successful applicant in consultation with the members of the TSFWG. The agenda would be developed by the successful applicant in collaboration with tribal members of the TSFWG and EPA representatives. The successful applicant will make the final decisions on the portions of the agenda that respond to the needs and interests of tribes while EPA will decide on the federal portion of the agenda.

The successful applicant will provide and carry out a cost effective plan to work with tribes to determine the most appropriate content for the meeting, and make use of currently available research on tribal best practices on Superfund, other hazardous substances research (including health effects research) as well as training and technical assistance materials on innovative or alternative treatment technologies. This plan should include a need based travel scholarship program (including selection criteria) for full or partial travel support. At least annually the successful applicant should evaluate the success of the activities to increase tribal capacity and explore opportunities for improvement. Applicants are invited to suggest options and opportunities to engage tribes in hazardous substances research and foster collaboration between tribal environmental professionals in such research (including peer to peer training in research techniques) and approaches to train and provide technical assistance in innovative or alternative treatment technologies.

Refer to this Section 1(C) and 1(E) for more information on the use of funds awarded under CERCLA 311(c) as related to “research” and studies and CERCLA 311(b)(3) and (9) for training and technical assistance on innovative or alternative treatment technologies.

Element 4: Creation of a Superfund related online resource to help tribes find studies, training and technical assistance materials related to Superfund sites and issues affecting tribal communities and share best practices:

The successful applicant will describe a plan to develop and maintain a website for the activities of the cooperative agreement. This website will provide a tribal environmental professional with access to hazardous substance research and information on innovative or alternative treatment technologies through a web-based clearinghouse on best practices and other materials for understanding complex Superfund related subject matter. The on-line resource should also include an opportunity for research (including training in research techniques), training and technical assistance through tribal peer-to-peer-professional knowledge sharing in a virtual forum.

C. Eligible Use of Funds

Project One:

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

1. Encourage owners and operators to properly operate and maintain their USTs; Ensure that owners and operators routinely and correctly monitor all regulated tanks and piping in accordance with the regulations; conduct more frequent inspections; and perform the functions necessary for the development and/or implementation of an Indian underground storage tank

(UST) program. Capacity building functions that may be accepted for funding include the development and/or implementation of enforcement and inspection programs, outreach, and training.

2. Encourage owners and operators to properly cleanup a release if it occurs from an underground storage tank in accordance with applicable regulations. Conduct appropriate activities to deal with releases. Eligible activities that may be accepted for funding include the development and/or implementation of enforcement programs, outreach, and training related to the releases and subsequent cleanups of underground storage tanks including those that pose a high risk.
3. Facilitate the inventory of brownfields properties, site assessments, cleanup of hazardous substances contaminated brownfields properties including training on the promulgation of tribal cleanup standards; community involvement, or site preparation on brownfields sites located on, or in close proximity to, tribal lands.

For purposes of the TLEF funds awarded under Section 1442 of the SWDA is: (1) to support studies and investigations, demonstrations, and training associated with the source water and drinking water; (2) to develop and expand capabilities of programs to carry out the purposes of the SDWA. The objective of the statutory funding authority under Section 104(b)(3) of the CWA is to support the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys and studies relating to the causes, effects (including health and welfare effects) extend, prevention and elimination of water pollution.

The cooperative agreement funds under this competitive opportunity include direct costs necessary to provide training, research, and technical assistance identified in the approved workplan. This includes costs for personnel, technical experts, materials, supplies, room rentals, travel, and transportation expenses. Travel expenses for trainees may include transportation, lodging and per diem only provided the trainee does not charge another federal grant for the same expenses. Stipends to compensate trainees for time spent in training are not allowable costs.

Project Two:

Funding under section 311(b)(3) and (9) may be used for training (including evaluation of training needs) and technical assistance on “procedures for the handling and removal of hazardous substances for employees who handle hazardous substances...” relating to innovative or alternative treatment technologies. EPA interprets the term “training” to include technical assistance. The term “innovative or alternative treatment technologies is defined at CERCLA 311(b)(10) as:

those technologies, including proprietary or patented methods, which permanently alter the composition of hazardous waste through chemical, biological, or physical means so as to significantly reduce the toxicity, mobility, or volume (or any combination thereof) of the hazardous waste or contaminated materials being treated. The term also includes technologies that characterize or assess the extent of contamination, the chemical and physical character of the contaminants, and the stresses imposed by the contaminants on complex ecosystems at sites.

Funds awarded under Section 311(c) of CERCLA must be used for research with respect to the

detection, assessment, and evaluation of the effects on and risks to human health of hazardous substances and detection of hazardous substances in the environment. “Research” means all research activities, both basic and applied, and all development activities that are supported at universities, colleges, and other non-profit institutions. “Research” is defined as a systematic study directed toward fuller scientific knowledge or understanding of the subject studied. “Development” is the systematic use of knowledge and understanding gained from research directed toward the production of useful materials, devices, systems, or methods, including design and development of prototypes and processes. The term research also includes activities involving the training of individuals in research techniques where such activities utilize the same facilities as other research and development activities and where such activities are not included in the instruction function. EPA has interpreted “research” under CERCLA §311(c) to include study and dissemination of information that extends to socioeconomic, institutional, and public policy issues, as well as the natural sciences. *Research activities as described under this cooperative agreement should not be considered academic in nature nor including any need for a laboratory.* Rather, funding is available to provide research assistance to help tribes better understand, evaluate and respond to risks from hazardous substances in Indian country.

Funding under this cooperative agreement may support a recipients' eligible and allowable direct costs incurred under an approved work plan plus allowable indirect costs, in accordance with established EPA and OMB policies and regulations.

Eligible uses of grant funds under this competitive opportunity include direct costs necessary to provide research support, including training in research techniques, and training and technical assistance relating to innovative or alternative treatment technologies identified in the approved workplan. Costs for disseminating research results through conference calls, meetings, and electronic formats are allowable as are site visits. This includes costs for personnel, technical experts, materials, supplies, room rentals, travel, and transportation expenses. Travel expenses for trainees may include transportation, lodging and per diem only provided the trainee does not charge another federal grant for the same expenses. Stipends to compensate trainees for time spent in training are not allowable costs.

D. Funding Restrictions

The successful applicant must forego 17% of its approved indirect charges due to administrative cost limitations at CERCLA 104(k)(4)(B)(I)(ii) on CERCLA 104(k)(6) funds for the agreement for Project One.

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

E. Prohibited Use of Funds

1. Project One and Two –General Prohibitions

- a. Projects that duplicate grants awarded under other EPA Brownfields grant programs described in CFDA Nos. [66.818, “Brownfields Assessment, Revolving Loan Funds, and](#)

Cleanup Grants” and 66.815, “Environmental Workforce Development and Job Training Grant” or other federally funded environmental training, research, or technical assistance programs in their target community (ies). Please see the EPA’s Brownfields website for more details, <http://www.epa.gov/brownfields>.

- b. Conducting site assessments or actual cleanups other than those that are part of an approved research, training, or technical assistance project.
- c. Construction and land acquisition.
- d. Any subsidy for the price of recovered resources.
- e. Foreign travel.
- f. Federal cost-share requirement (for example, a cost share required by other federal funds) unless authorized by statute.
- g. Management Fees or similar charges in excess of the direct costs in the budget for the cooperative agreement. The term “management fees or similar charges” refers to expenses added to the direct costs in order to accumulate a reserve fund for ongoing business expenses, unforeseen liabilities, or for other similar costs that are not allowable as direct costs.
- h. Stipends to compensate trainees for time spent in training are not allowable costs. Travel expenses for trainees may include transportation, lodging and per diem only.

2. **Project One:**

Funds awarded under the agreement may not be used for:

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

Ineligible grant administration costs include expenses for:

- i. Preparation of applications for grants, cooperative agreements and subgrants;
- ii. Record retention required under 40 CFR 30.53 and 40 CFR 31.42;
- iii. Record-keeping associated with supplies and equipment purchases required under 40 CFR 30.33, 30.34, and 30.35 and 40 CFR 31.32 and 31.33;
- iv. Preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 40 CFR 30.25 and 40 CFR 31.30;
- v. Maintaining and operating financial management systems required under 40 CFR 30.20 and 40 CFR 31.20;
- vi. Preparing payment requests and handling payments under 40 CFR 30.22 and 40 CFR 31.21;

- vii. Non-federal audits required under 30 CFR 30.26, 40 CFR 31.26, and OMB Circular A-133;
- viii. Close out under 40 CFR 30.71 and 40 CFR 31.50.

- b. **Programmatic Costs.** EPA has determined that the administrative cost prohibition does not apply to “programmatic” costs, (i.e. costs for activities that are integral to achieving the purpose of the grant), even if the Agency considered the costs to be “administrative” under the prior Brownfields Program.
 - i. Direct costs, as defined in the applicable OMB Cost Principle Circular, for the following programmatic activities are not subject to the administrative cost prohibition. These costs, however, must be allowable under the scope of work for the grant. Costs incurred for complying with procurement provisions of 40 CFR Part 30 and Part 31 are considered eligible programmatic costs only if the procurement contract is for services or products that are direct costs for technical assistance as described above. Costs for performance and financial reporting required under 40 CFR 30.51 and 30.52, and 40 CFR 31.40 and 31.41 are eligible programmatic costs. Performance and financial reporting are essential programmatic tools for both the recipient and EPA to ensure that grants are carried out in accordance with statutory and regulatory requirements.
 - ii. If your organization intends to provide noncompetitive subgrants to other nonprofit or governmental organizations, the process you follow must ensure that these agreements meet the standards for financial assistance contained in OMB Circular A-133, Section.210.

3. **Project Two**

- a. Funding awarded under CERCLA 311(c) and CERCLA 311(b)(3) is only available for hazardous substance related research and research, training and technical assistance activities relating to innovative or alternative treatment technologies. For the purposes of Project Two, the term “hazardous substances” does not include petroleum as provided in CERCLA 101(14).
- b. Funds awarded under this agreement may not be commingled with other funding sources.

F. EPA Strategic Plan Linkage

The projects selected for award through this competition will support progress towards EPA Strategic Plan Goal 2, (Protecting America’s Waters) Objective 2.1 (Protect Human Health), and Objective 2.2.(Protect and Restore Watersheds and Aquatic Ecosystems) and Goal 3 (Cleaning Up Communities and Advancing Sustainable Development), Objective 3.1 (Promote Sustainable and Livable Communities), Objective 3.2 (Preserve Land), Objective 3.3 (Restore Land) and Objective 3.4 (Strengthen Human Health and Environmental Protection in Indian Country) and Goal 4, (Ensuring the Safety of Chemicals and Preventing Pollution) Objective 4.1 (Ensuring Chemical Safety). Specifically, the recipient selected for award will help tribes by supporting training, technical assistance, and research studies that will support the participation of tribal co-regulators in the formulation of federal/tribal environmental policies for OSWER related tribal programs. These activities will provide a forum (TLEF) for tribes that includes both water and land topics so that

tribes can learn and share information across Indian country and tribes in Alaska; and encourage tribal program development, so that tribes are better able to: protect and restore their lands, water and environment from the improper management and/or disposal of solid and hazardous wastes, participate in and ensure the cleanup of contaminated sites and properties in Indian country, and practice and carry out preparedness, prevention and response activities related to oil and hazardous substances and protect and manage water quality, ground water and drinking water, including complying with drinking water standards and providing basic sanitation that protects human health. The projects also support the identified strategic plan objectives by funding research to increase tribal technical capacity on hazardous substance regulatory, policy and programmatic matters to help tribes reduce risks to human health and the environment posed by releases of hazardous substances.

(View EPA's strategic plan at <http://www2.epa.gov/planandbudget/strategicplan>)

G. Measuring Environmental Results: Anticipated Outcomes/Outputs

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

1. **Outcomes.** The term "outcome" means to the result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period.

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

a. **Project One:**

Element 1 may include:

- Increase and facilitate effective participation and information exchange of federally recognized tribes in matters related to OSWER and OW.
- Enhance tribal environmental capacity in Indian country, resulting in improved land conditions, water quality and public health protection.
- Increased / enhanced tribal program manager knowledge on a wide variety of existing and emerging issues related to waste management, cleanup including promulgation of cleanup standards, chemical preparedness issues, long term stewardship efforts resulting in the improved management of tribal lands, water quality standards, on-point source pollution, etc.
- Increased training and technical assistance for tribes and tribal organizations on OSWER and OW related tribal programs, resulting in improved protection of human health and the environment specific to Indian country.

- Identify, coordinate and leverage research, training and technical support to enable tribes to improve integration of OSWER and OW related tribal programs for a more efficient and cost-effective approach to tribal environmental programs.

Elements 2-5 may include:

- Improved tribal waste management and emergency preparedness capabilities to better protect human health and the environment in Indian Country.
- Improved public health in tribal communities.
- Increased tribal participation in site cleanups and other waste response actions and preparedness activities.
- Increase effective tribal representation on committees to consult and collaborate with EPA on OSWER related issues impacting tribes.

b. **Project Two research, training and technical assistance that:**

- Increases tribal capacity and knowledge of hazardous substances will enhance overall tribal environmental capacity in Indian country, resulting in improved land conditions and public health protection through the application of innovative or alternative treatment technologies.
- Increases tribes' ability to communicate risks from hazardous substances effectively to a tribal community.
- Increases capacity of tribes participating in OSWER related tribal programs, resulting in improved protection of human health and the environment specific to Indian country.
- Meetings and dialogue to disseminate research results and provide training and technical assistance that will help raise the awareness of tribes on hazardous substance issues pertaining to tribal lands and increase the capacity of tribes to establish effective Superfund related environmental programs.
- Increases tribes' ability to establish effective roles and responsibilities within a cleanup framework with a particular emphasis on innovative or alternative treatment technologies.
- Improve relationships and understanding among participants working through a cleanup process at a site in Indian country and Alaska Native Villages.

2. **Outputs.** The term “output” means an environmental activity, effort, and/or associated work products related to an environmental goal or objective, that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.

Expected outputs from the projects to be funded under this announcement may include the following:

a. **Project One:**

Element 1 may include:

- Related to the TLEF, increased participation and information exchange among tribes, and between tribes and EPA involved in various aspects of water programs.
- Related to the TLEF, improved understanding by tribal water managers/technicians of best practices and water protection and management strategies for tribes leading to increased compliance at tribally-operated facilities, enhanced tribal water protection programs or actions, and more overall effective protection of human health and the environment in Indian Country and Alaska Native Villages.
- Related to the TLEF, increased number of tribes implementing effective water quality programs, leading to cleaner water.
- Related to the TLEF, increased tribal cooperation with federal, tribal and state governments in watershed protection and monitoring efforts, based on increased knowledge and understanding of water programs and issues, and common goals for achieving clean water and protecting community health.
- Related to the TLEF, improving cross programmatic collaboration and leveraging between tribal land protection and water protection programs.

Elements 2-5 may include:

- Making research, training and technical assistance available to a definable network of tribal co-regulators contributes in a meaningful way to the protection and preservation of human health and the environment in Indian country.
- Increasing the number of tribes participating in OSWER related tribal program activities
- Improving tribal knowledge about the promulgation and implementation of cleanup standards
- Increasing the number of tribes taking training who provide positive feedback on their evaluation forms.
- Improving tribal knowledge of OSWER related tribal programs.
- Enhancing tribal participation and feedback on OSWER related programs, policies and guidance impacting tribal community through the direct efforts of TWRAP-SC and its members.
- Increasing the number of tribes who improve or develop an OSWER related environmental program as a result of cooperative agreement activities including a list of those improvements or collaborative efforts over a certain period of time.
- Increasing the number of environmentally sustainable ideas implemented by tribes as a result of policies and discussions by tribal co-regulators.
- Improving tribal compliance with solid and hazardous regulations in Indian country.
- Improving tribal environmental data.
- Increasing the number of actions or emerging issues identified by tribes through the TWRAP-SC that are carried out by tribes that will directly improve the environment.
- Improving frequency and quality of interactions among tribes, and between tribes and EPA on OSWER related tribal program issues.
- Increasing effective communication and coordination between tribal governments and EPA/OSWER in matters related to OSWER programs.

b. **Project Two:**

- Making research reports on hazardous substance regulations, policies, programs and technical matters relating to innovative or alternative treatment technologies available to members of the TSFWG
- Increasing the number and capacity of tribes meaningfully participating in Superfund related tribal program activities particularly those relating to innovative or alternative treatment technologies.
- Maximizing the number of tribes who provide positive feedback on their evaluation forms.
- Improving tribal knowledge of Superfund related tribal programs with a particular emphasis on innovative or alternative treatment technologies.
- Building tribal capacity to effectively participate in the development of Superfund related programs, policies and guidance impacting tribal community through the direct efforts of TSFWG and its members.
- Increasing the number of tribes who improve a current program or develop a Superfund related environmental program as a result of cooperative agreement activities including a list of those improvements or collaborative efforts over a certain period of time.
- Increasing the number of actions or emerging issues relating to improving the environment identified by tribes through research support, training and technical assistance provided by the TSFWG
- Improving frequency and quality of interactions among tribes, and between tribes and EPA on Superfund related tribal program issues to increase the understanding and knowledge of tribes through dissemination of research reports.
- Increasing the number of tribes conducting risk communication in their communities, increasing the number of tribes with access to hazardous substance research and information on innovative or alternative treatment technologies to enhance expertise, career experiences, and lessons learned/best practices.

H. Supplementary Information

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

1. **Project One:**

Solid Waste Disposal Act of 1976, Section 8001(a) and (b) as amended by the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616); Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, Section 104(k)(6) as amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law); and Clean Water Act (CWA) Section 104(b)(3) and Safe Drinking Water Act (SDWA) Section 1442(a) and (c)(3).

2. **Project Two:**

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Section 311(b)(3)(9) and (c), as amended.

SECTION 2 - AWARD INFORMATION

A. What is the amount of available funding?

The total estimated funding available under this competitive opportunity is \$2,910,000 subject to the availability of funds and quality of proposals received. For Project One agreement, its total estimated funding is \$1,660,000. In FY14, the Project One maximum value shall not exceed \$332,000. For Project Two, the total estimated funding is \$1,250,000. In FY14, Project Two maximum value shall not exceed \$250,000.

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

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

EPA anticipates award of **two separate cooperative agreements to one successful applicant** resulting from this competitive announcement. Cooperative agreements awarded under this competition will be funded incrementally subject to the availability of funds and satisfactory performance. The total estimated value for the Project One agreement is \$1,660,000. In FY14, the maximum value shall not exceed \$332,000. The total estimated value for the Project Two agreement is \$1,250,000. In FY14, the maximum value shall not exceed \$250,000.

Cooperative agreements permit substantial involvement between the EPA Project Officer and the selected applicants in the performance of the work supported. Although EPA will negotiate precise terms and conditions relating to substantial involvement as part of the award process, the anticipated substantial federal involvement for this project will include:

1. Close monitoring of recipient's performance to verify the expected results proposed by the recipient;
2. Collaboration during performance of the work plan;
3. Review of proposed procurements in accordance with 40 [CFR](#) 30.44(e)
4. Review qualifications of key personnel (EPA does not have the authority to select employees or contractors employed by the award recipient).
5. Review and comment on reports prepared under the cooperative agreements (the final decision on the content of reports rests with the recipient.)
6. Review and concur on project outputs for consistency with the EPA approved scope of work.

C. Will proposals be partially funded?

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

EPA reserves the right to reject all applications/proposals and make no awards under this

announcement or, to make fewer awards than anticipated.

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

The estimated start date for projects resulting from this solicitation is September 1, 2014. All project activities must be completed within the negotiated project performance period of five years.

E. Subawards, acquiring contract services and funding partnerships

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

Funding may be used to provide subgrants or subawards of financial assistance, which includes using subawards or subgrants to fund partnerships, provided the recipient complies with applicable requirements for subawards or subgrants including those contained in 40 [CFR](#) Parts 30 or 31, as appropriate. Applicants must compete contracts for services and products, including consultant contracts, and conduct cost and price analyses, to the extent required by the procurement provisions of the regulations at 40 [CFR](#) Parts 30 or 31, as appropriate. The regulations also contain limitations on consultant compensation. Applicants are not required to identify subawardees/subgrantees and/or contractors (including consultants) in their proposal/application. However, if they do, the fact that an applicant selected for award has named a specific subawardee/subgrantee, contractor, or consultant in the proposal/application EPA selects for funding does not relieve the applicant of its obligations to comply with subaward/subgrant and/or competitive procurement requirements as appropriate. Please note that applicants may not award sole source contracts to consulting, engineering or other firms assisting applicants with the proposal solely based on the firm's role in preparing the proposal/application.

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

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

Section 5 of 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:

1. an applicant's named subawardees/subgrantees identified in the proposal/application if the applicant demonstrates in the proposal/application that if it receives an award that the subaward/subgrant will be properly awarded consistent with the applicable regulations in 40 [CFR](#) Parts 30 or 31. For example, applicants must not use subawards/subgrants to obtain commercial services or products from for profit firms or individual consultants.
2. an applicant's named contractor(s), including consultants, identified in the proposal/application if the applicant demonstrates in its proposal/application that the contractor(s) was selected in compliance with the competitive Procurement Standards in 40 [CFR](#) Part 30 or 40 [CFR](#) 31.36 as appropriate. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper non-competitive sole-source award consistent with the regulations will be made to the contractor(s), that efforts were made to provide small and disadvantaged businesses with opportunities to compete, and that some form of cost or price analysis was conducted. EPA may not accept sole source justifications for contracts for services or products that are otherwise readily available in the commercial marketplace.

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

SECTION 3 - ELIGIBILITY INFORMATION

A. Eligible Entities

Proposals will be accepted from public and private non-profit universities and colleges, and other public or private nonprofit institutions. 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. For profit firms are also not eligible.

B. Cost Sharing or Matching

Although cost-sharing or matching is not required as a condition of eligibility for Project One under this competition, under Section 5 of this announcement EPA will evaluate proposals based on a leveraging criterion (*Refer to Section 5(A), Evaluation Criteria*). **For Project Two applicants must propose at least a 5% cost share which is the minimum amount EPA has determined to be appropriate under CERCLA 311(b)(3). The successful applicant may meet this cost share by providing cash or in-kind services provided the requirements of 40 [C.F.R.](#) 30.23 are met.**

Leveraging is generally when an applicant proposes to provide its own additional funds/resources or those from third party sources to support or complement the project they are awarded under the competition which are above and beyond the EPA grant funds awarded. Any leveraged funds/resources, and their source, must be identified in the proposal (See Section 4 of the announcement). Leveraged funds and resources may take various forms as noted below.

Voluntary cost share is a form of leveraging. Voluntary cost sharing is when an applicant voluntarily proposes to legally commit to provide costs or contributions to support the project when a cost share is not required or in excess of the required 5% cost share for Project Two. Applicants who

propose to use a voluntary cost share **must** include the costs or contributions for the voluntary cost share in the project budget on the SF-424. If an applicant proposes a voluntary cost share, the following apply:

- A voluntary cost share is subject to the match provisions in the grant regulations (40 [CFR](#) 30.23 or 40 [CFR](#) 31.24, as applicable).
- A voluntary cost share may only be met with eligible and allowable costs.
- The recipient may not use other sources of federal funds to meet a voluntary cost share unless the statute authorizing the other federal funding provides that the federal funds may be used to meet a cost share requirement on a federal grant.
- The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget. If the proposed voluntary cost share does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 40 [CFR](#) Parts 30 or 31, as applicable.

Other leveraged funding/resources that are not identified as a voluntary cost share. This form of leveraging may be met by funding from another federal grant, from an applicant's own resources, or resources from other third party sources. This form of leveraging should not be included in the budget and the costs need not be eligible and allowable project costs under the EPA assistance agreement. While this form of leveraging should not be included in the budget, the grant workplan should include a statement indicating that the applicant is expected to produce the proposed leveraging consistent with the terms of the announcement and the applicant's proposal. If applicants propose to provide this form of leveraging, EPA expects them to make the effort to secure the leveraged resources described in their proposals. If the proposed leveraging does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 40 [CFR](#) Parts 30 or 31 as applicable.

C. Threshold Criteria

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

1. Proposals must address acceptable projects as described in *Section 1(B)* of this announcement.
2. As provided in section 204 of the Unfunded Mandates Reform Act, applicants must propose a process and criteria for selecting tribal TWRAP-SC and TSFWG members that ensures that they are elected tribal officials or tribal employees designated by the tribe’s elected leaders to represent their tribe on the TWRAP-SC or TSFWG. The proposed Project One total budget may not exceed the maximum value of \$1,660,000 **excluding any leveraging or voluntary cost share.** Proposals requesting assistance funding in excess of this value will not be considered.
3. The federal share of the proposed Project Two total budget may not exceed \$1,250,000. Proposals requesting assistance funding in excess of this amount will not be considered.

Applicants must propose at least a 5% cost share based on total project costs for Project Two **excluding any leveraging or additional voluntary cost share.**

4. Proposals must *substantially comply* with the proposal submission instructions and requirements set forth in *Section 4 (B)* of this announcement or else they will be rejected. However, where a page limit is expressed with respect to the proposals, pages in excess of the page limitation will not be reviewed although EPA will consider the proposal.
5. Proposals must be received by the EPA, as specified in *Section 4 (C)* of this announcement, on or before the proposal submission deadline published in *Section 4(C)* of this announcement. Applicants are responsible for ensuring that their proposal reaches the designated person/office specified in *Section 4 (C)* of the announcement by the submission deadline. Proposals which are postmarked after the submission deadline will not be considered.
6. Ineligible activities: If a proposal is submitted that includes any ineligible tasks or activities, that portion of the proposal will be ineligible for funding and may, depending on the extent to which it affects the proposal, render the entire proposal ineligible for funding.

D. Restrictions on Use of Federal Funds

In accordance with EPA policy and OMB circulars, any recipient of funding must agree not to use assistance funds for fund-raising, or political activities such as lobbying members of Congress or lobbying for other federal grants, cooperative agreements, or contracts. EPA grant funds may only be used for the purposes set forth in the grant agreement, and must be consistent with the statutory authority for the award. Grant funds may not be used for matching funds for other federal grants without statutory authorization, 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.

SECTION 4 - APPLICATION AND SUBMISSION INFORMATION

A. How to Obtain Application Forms

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

B. Submission of Proposals

Applicants are required to develop and submit **separate proposals and applications for Project One and Project Two**. EPA will not consider combined proposals, single applications for both project proposals or, applications for one project area only.

C. Content and Form of Proposal

The following documents are required for all proposal packages, irrespective of the mode of

submission. All proposal packages must contain a “Narrative Proposal,” one completed and signed Standard Form 424 (SF-424), “Application for Federal Assistance,” and a budget narrative. The “Narrative Proposal,” a maximum of 12 pages in length, must explicitly describe the applicant’s proposed project and specifically address each of the applicable evaluation criteria disclosed in *Section 5(A), Evaluation Criteria*, and the relevant threshold eligibility criteria in *Section 3(C)*.

As noted above, applicants must develop and submit separate proposal packages for **Project One** and **Project Two**. For example, a proposal package for Project One will consist of a narrative proposal addressing Project One activities (See Section 1), an SF-424, and a budget narrative; the proposal package for Project Two will include a narrative proposal addressing Project Two activities, an SF-424, and a budget narrative.

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

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

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

Narrative proposals for each project must be concise, well organized, and not exceed 12 typed, single-line spaced, 8 1/2 x 11” pages. The cover page, item “a” below, is included in this page limit. The Narrative Proposal must provide the information detailed in this section and **include responses to all *Section 3(C), Threshold Criteria, Section 5(A), Evaluation Criteria, as well as the information identified in Section 1, Funding Opportunity Description, for each project proposal area.*** Factual information about your proposed project must be provided. Do not include discussions of broad principles that are not specific to the proposed work or project covered by your proposal. **Responses to evaluation criteria should include the criteria number and title but need not restate the entire text of the criteria-applicants should be aware that there are different evaluation criteria in Section 5 for Project One and Project Two.** Sufficient detail must be provided to allow for an evaluation of the merits of the proposal. Vague descriptions, redundancy, and failure to address the selection criteria will result in a lower ranking.

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

- a. **Cover Letter.** The cover letter must include a brief description of your project, be written on your organization’s official letterhead, and signed by an official with the authority to commit your organization to the proposed project. The cover letter must also include:
 - i. **Project Title.** Indicate whether the application package is for Project One or Project Two;
 - ii. **Applicant Information.** Provide the name and full address of the organization applying for funds. This is the agency or organization that will be receiving the grant and will be accountable to the EPA;

- iii. **Contacts.** Provide phone/fax numbers, e-mail address, and mailing address of the project director and head of organization/executive director responsible for the project proposal. These individuals may be contacted and should be available if other information is needed;
 - iv. **Cooperative Partners.** Provide names and phone numbers of individuals and organizations that have agreed to participate in the implementation of the project, if any; this information will be verified prior to award, and
 - v. **Funding Requested.** Specify the total amount you are requesting from EPA. The total funding requested for Project One may not exceed maximum value of \$1,660,000, **excluding any in-kind contribution or match.** The total funding requested for Project Two may not exceed maximum value of \$1,250,000, excluding any in-kind contribution or match. Proposals requesting federal assistance funding in excess of these values will not be considered.
- b. **Detailed Project Description.** The project description should provide the information below on how the applicant will implement and conduct its project and discuss how the proposal addresses each of the evaluation criteria in *Section 5* of this announcement (Project One submissions must address the Project One criteria and Project Two submissions must address the Project Two criteria.). Provide concrete examples of specific work to be completed (i.e., issue topics and the types of training, facilitation and studies that will be provided), including milestones.

- i. **Project Description.**

Project One:

- Summarize your overall vision for cost-effectively providing training, technical assistance, and research studies through a framework of tribal co-regulators to support the objectives for Project One in *Section 1(B)* of this announcement, and your strategy to accomplish the overall vision.
- Summarize your experience and expertise for providing research, training and technical assistance support to a body of tribal co-regulators to accomplish specific goals and activities, and continue improving operations for successful results in Indian country including Alaska.
- Summarize your experience and expertise in planning and implementing a training conference for tribal co-regulators.
- Provide concrete examples of specific work to be completed (i.e., issue topics and the types of training, technical assistance, and studies that will be provided), including milestones.
- Discuss how work activities will include discussions on sustainable redevelopment and reuse of contaminated properties and stimulate the effective use of funds for assessment and remediation. Specifically, discuss how training and studies will facilitate the cleanup and subsequent use or reuse of existing infrastructure (i.e., roads, bridges, power lines, water lines)

in redevelopment projects related to cleanup and response activities, community involvement in these activities.

- Describe the new or innovative aspects of your proposal and how results will support tribal co-regulators and other interested entities to improve human health and the environment in Indian country including assisting tribes identify and reduce health threats in areas of tribal lands where there are greater than normal incidences of diseases that may be associated with hazardous substances, pollutants or contaminants and the reduction of threats to the health and welfare of children, pregnant women, low income communities or other sensitive populations.
- Describe how your approach to providing research, training and technical assistance to the tribal members of the TWRAP-SC will achieve the goals for Project One identified in *Section 1(B)*, how the composition of tribal co-regulators as a whole reflects senior level expertise and experience in each of OSWER's programs, and maintains a balanced representation of tribes nationally; and how it will coordinate efforts with tribes and EPA and representatives of the National Tribal Caucus in conducting research, training, technical assistance and studies, and track the work through completion.

Project Two:

- Summarize your overall vision for conducting and disseminating hazardous substance research (including training in research techniques) and providing training and technical assistance relating to innovative or alternative treatment technologies to achieve the objectives for Project Two in *Section 1(B)* of this announcement, and your strategy to accomplish the overall vision.
- Summarize your experience and expertise for providing research support, training and technical assistance to a body of tribal co-regulators to accomplish specific goals and activities.
- Summarize your experience and expertise in planning and implementing on-site visits for tribal co-regulators to conduct research and receive training and technical assistance.
- Describe how research, training and technical assistance projects will be structured to encourage peer-to-peer mentoring to build tribal technical capacity in hazardous substance policy, programs, and innovative or alternative treatment technologies.
- Describe how the research support, training and technical assistance you propose to provide to the TSFWG will achieve goals identified in *Section 1(B)*, how the composition of tribal co-regulators as a whole reflects senior level expertise and experience in the Superfund program, and maintains a balanced representation of tribes nationally; how it will deal with the differing needs of Alaska native villages (as appropriate) and tribes in the continental US; and how it will coordinate efforts with tribes and EPA and

representatives of the National Tribal Caucus in conducting and disseminating the results of Project Two and track the work through completion.

ii. **Programmatic Capability and Environmental Results Past Performance.**

Submit a list of federally and/or non-federally funded assistance agreements (assistance agreements include federal grants and cooperative agreements but not federal contracts) similar in size, scope and relevance to the proposed project that your organization performed within the last three years (no more than 5 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 5, EPA will consider the information provided by the applicant and may also consider relevant information from other sources, including information from EPA files and from current/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.**

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

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

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

- iv. **Cost share requirement:** For Project Two, describe how you will meet the 5% cost share requirement in a manner that complies with 40 C.F.R. 30.23. (*Refer to Section 3(B), Cost Sharing or Matching*)
 - v. **Voluntary cost share/match and leveraged funds:** Demonstrate how you will leverage additional funds/resources beyond the grant funds awarded to support the proposed project activities and how these funds/resources will be used to contribute to the performance and success of the proposed project. This includes, but is not limited to funds and other resources leveraged from businesses, labor organizations, non-profit organizations, education and training providers, and/or federal, state, tribal, and local governments, as appropriate. Describe the amount and type of leveraged resources to be provided, how you will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, the strength of the leveraging commitment, and the role the leveraged resources will play to support the proposed project activities. Selected applicants are expected to abide by their proposed leveraging commitments during grant performance and the failure to do so may affect the legitimacy of the award.
3. **Attachments.** The following documents shall be included as attachments to the narrative proposal. These documents will not count as part of the 12 page limit and do not have an individual page limitation. Attachments beyond the required attachments below will not be considered. Please provide a list of all attachments to the proposal.
- a. **Letters of Support:** The applicant should provide names and phone numbers of persons to contact at these organizations along with a description of what involvement (e.g., assistance and role) the organization has or will have with your organization/project. Applicants may include letters confirming commitments. Letters of support may not be from EPA staff.
 - b. **Budget:** Provide detailed itemized budget proposals – a separate budget for Project One and Project Two should be submitted that clearly explains how funds will be used for each of the following categories and how it relates to the project objective. Indicate what portion of the cost EPA will pay, and what portion the applicant or other partners will pay. Refer to funding restrictions in Section 1(D) and 1(E) of this announcement for more information.
 - i. Personnel;
 - ii. Fringe Benefits;
 - iii. Contractual Costs;
 - iv. Travel;
 - v. Supplies;
 - vi. Other Costs (be specific);
 - vii. Administrative Costs (other than Indirect Costs) **NOTE: these costs are not eligible for Project One;**
 - viii. Non-EPA Project Funding. Identify funding from other sources including in-kind resources;
 - ix. Total Direct Costs;

- x. Total Indirect Costs (must include Negotiated Indirect Cost Rate Agreement as documentation of federally-approved indirect cost rate (percentage); and
- xi. Total Project Cost (Total Direct + Indirect Costs). Costs proposed in the budget must be linked directly to the narrative proposal.

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.

- c. **Milestones:** Schedule indicating start times and completion dates of significant tasks under your program.
- d. **Documentation/evidence of current nonprofit status** under Federal, state or tribal law, if applicable.
- e. **Expenditure of Awarded Grant Funds:** Explanation of applicant’s approach, procedures, and controls for ensuring that awarded grant funds will be expended in a timely and efficient manner.

D. Submitting Proposal Packages

Applicants may choose to submit their separate proposal packages for Project One and Project Two, as described in Section B above, either in hard copy (paper) format or through <http://www.grants.gov> with an electronic signature. Instructions for all methods are detailed below. Please select only one method. All completed proposals must be postmarked by USPS, date-stamped by courier service or submitted electronically via www.grants.gov by June 23, 2014 11:59 p.m., Eastern Standard Time (EST).

- 1. Hard copy (paper) submission. Submit a complete proposal package including all of the documents identified in Section 4(C) of this announcement. The complete proposal must be sent through U.S. Postal Service, express mail, or commercial delivery service to the EPA Headquarters Program contact listed below.

Courier/Delivered Address:
 Janice Sims
 U.S. EPA/OSWER
 1301 Constitution Avenue NW
 WJC West - Room 3133E
 Washington, DC 20004
 Phone: 202-566-2892
 E-mail: sims.janiceHQ@epa.gov

U.S. Postal Service Address:
 Janice Sims
 U.S. EPA/OSWER
 1200 Pennsylvania Avenue NW
 Mail Code 5101T
 Washington, DC 20460
 Phone: 202-566-2892
 E-mail: sims.janiceHQ@epa.gov

2. **Using <http://www.grants.gov>.** The electronic submission of your application must be made by an official representative of your institution who is registered with Grants.gov and is authorized to sign applications for Federal assistance. For more information on the registration requirements that must be completed in order to submit an application through grants.gov, go to <http://www.grants.gov> and click on “Applicants” on the top of the page and then go to the “Get Registered” link on the page. If your organization is not currently registered with Grants.gov, please encourage your office to designate an Authorized Organization Representative (AOR) and ask that individual to begin the registration process as soon as possible. Please note that the registration process also requires that your organization have a DUNS number and a current registration with the System for Award Management (SAM) and the process of obtaining both could take a month or more. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through grants.gov and should ensure that all such requirements have been met well in advance of the submission deadline. Registration on grants.gov, SAM.gov, and DUNS number assignment is FREE.

To begin the application process under this grant announcement, go to <http://www.grants.gov> and click on “Applicants” on the top of the page and then “Apply for Grants” from the dropdown menu and then follow the instructions accordingly. Please note: To apply through grants.gov, you must use Adobe Reader software and download the compatible Adobe Reader version. For more information about Adobe Reader, to verify compatibility, or to download the free software, please visit <http://www.grants.gov/web/grants/support/technical-support/software/adobe-reader-compatibility.html>.

You may also be able to access the application package for this announcement by searching for the opportunity on <http://www.grants.gov>. Go to <http://www.grants.gov> and then click on “Search Grants” at the top of the page and enter the Funding Opportunity Number, EPA-OSWER-IPCO-14-03, or the CFDA number that applies to the announcement (CFDA 66.808; 66.813; 66.814; 66.816 66.424, or `66.436), in the appropriate field and click the Search button. Alternatively, you may be able to access the application package by clicking on the Application Package button at the top right of the synopsis page for the announcement on <http://www.grants.gov>. To find the synopsis page, go to <http://www.grants.gov> and click “Browse Agencies” in the middle of the page and then go to “Environmental Protection Agency” to find the EPA funding opportunities.

Proposal Submission Deadline: Your organization’s AOR must submit your complete application package electronically to EPA through Grants.gov (<http://www.grants.gov>) no later than June 23, 2014, 11:59 p.m. EDT. Please allow for enough time to successfully submit your application process and allow for unexpected errors that may require you to resubmit. Please submit all of the application materials described below using the grants.gov application package that you downloaded using the instructions above. For additional instructions on completing and submitting the electronic application package, click on the “Show Instructions” tab that is accessible within the application package itself.

Proposal Materials

The following forms and documents are required to be submitted under this announcement:

- I. Application for Federal Assistance (SF-424).
- II. Budget Information for Non-Construction Programs (SF-424A).
- III. Narrative Proposal including transmittal letter. See *Section 4.C.* for details on the content of the narrative proposal and transmittal letter and the associated page limits.
- IV. Required Attachments. See Section IV.C. of this announcement.

Applications submitted through grants.gov will be time and date stamped electronically. If you have not received a confirmation of receipt from EPA (not from grants.gov) within 30 days of the proposal deadline, please contact Janice Sims at (202) 566-2892 or sims.janiceHQ@epa.gov. Failure to do so may result in your proposal not being reviewed.

E. Duplicate Funding

Generally, applicants are not prohibited from submitting the same or virtually the same proposal to EPA under multiple competitions, if appropriate. However, if an applicant does so, and the proposal is selected for award under another competition, that may affect their ability to receive an award under this competition for that proposal.

F. Additional Provisions For Applicants Incorporated Into the Solicitation

Additional provisions that apply to this solicitation and/or awards made under this solicitation, including but not limited to those related to confidential business information, contracts and subawards under grants, and proposal assistance and communications, can be found at http://www.epa.gov/ogd/competition/solicitation_provisions.htm. These, and the other provisions that can be found at the website link, are important, and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically at the website above, please communicate with the EPA contact listed in this solicitation to obtain the provisions.

SECTION 5 - APPLICATION REVIEW INFORMATION

A. Evaluation Criteria

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

Project One:

Criterion	Maximum Points per Criterion
<p>Project Description. Under this criterion, EPA will evaluate the extent and quality to which the narrative proposal effectively addresses the scope of work activities described in <i>Section 1(B)</i> of this announcement. Proposals will be evaluated based on the quality and extent to which the proposal:</p> <ul style="list-style-type: none"> a. <u>Element 1: Develop, Plan and Implement Annual Tribal Training Conference - Tribal Lands and Environment Forum (TLEF).</u> The Agency will evaluate the extent and quality to with the Applicant’s narrative proposal describes a cost-effective plan to carry out Element 1 as stated in <i>Section 1.</i> (15 points) b. <u>Element 2: Provide Training, Technical Assistance and Research support for the Tribal Waste and Response Assistance Program Steering Committee (TWRAP-SC):</u> The Agency will evaluate the extent and quality to which the Applicant’s narrative proposal describes a cost effective plan carry out Element 2 as stated in <i>Section 1.</i> (12 points) c. <u>Element 3: Develop and deliver up to ten tribal training courses a year to address OSWER related programs:</u> The Agency will evaluate the extent and quality to which the Applicant’s narrative proposal describes a cost effective plan to carry out Element 3 as stated in <i>Section 1.</i> (10 points) d. <u>Element 4: Creation of an online resource to help tribes find studies on hazardous substances affecting tribal communities and share best practices:</u> The Agency will evaluate the extent and quality to which the Applicant’s narrative proposal describes a cost effective plan carry out Element 4 as stated in <i>Section 1.</i> (8 points) e. <u>Element 5: Conduct continuous virtual training, technical assistance and research support to tribes on OSWER related issues including tribal consultation and public comment opportunities:</u> The Agency will evaluate the extent and quality to which the Applicant’s narrative proposal describes a cost effective plan to carry out Element 5 as stated in <i>Section 1.</i> (5 points) 	50
<p>Programmatic Capability and Environmental Past Performance. 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:</p> <ul style="list-style-type: none"> a. past performance in successfully completing and managing the assistance agreements identified in response to <i>Section 4(B)</i> of the announcement, (8 points) b. organizational experience and plan for timely and successfully achieving the objectives of the proposed project, (5 points) c. staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project, (4 points) and 	20

<p>d. history of meeting the reporting requirements under the assistance agreements identified in response to <i>Section 4(B)</i> 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 and why not. (3 points)</p> <p><i>Note: In evaluating applicants under items a and d of 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 a and d 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.</i></p>	
<p>Performance Measurement: Anticipated Outcomes and Outputs. Under this criterion, EPA will evaluate the extent to which the “Narrative Proposal” realistically describes how the project will lead to measurable environmental results (i.e., amount of pollution prevented; waste reduced, reused, recycled, etc):</p> <p>a. Clearly specify anticipated environmental outcomes and outputs as described in <i>Section 1(G), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (6 points)</p> <p>b. Clearly describe the measures of success for the project. Measure of success should be either measures of environmental improvement or should be directly linked to such measures. EPA will look for quantitative and qualitative measurability. (5 points)</p> <p>c. Describe how progress towards achieving project outcomes and outputs will be evaluated and measured. Include a description of any planned reports or other deliverables that measure and track the project success and, document achievement of expected outputs identified in <i>Section 1(G), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (4 points)</p>	15
<p>Budget/Resources. This criterion refers to the proposed budget, in-kind goods and services, and other resources that the applicant outlines to carry out the proposed project. The proposal will be evaluated based on the extent that:</p> <p>a. The budget is clearly stated, detailed, and appropriate to achieve the project’s objectives. How will your proposed budget effectively sustain your proposed project? How will you plan on managing this budget? This should include cost estimates for each of the proposed project activities to be conducted using EPA funds. (5 points)</p> <p>b. The proposal clearly states the approach, procedures and controls for ensuring that awarded grant funds will be expended in a timely and efficient manner. (3 points)</p> <p>c. The proposal identifies partnering organization(s) and documents the relationship with the applicant, for example, through letters of support, joint statements, or principles of agreement signed by other parties. (2 points)</p>	10

<p>Voluntary Cost Share/Leveraging Under this criterion applicants will be evaluated based on the extent they demonstrate: (5 points)</p> <p>a. how they will coordinate the use of EPA funding with other federal and/or non-federal sources of funds/resources to leverage additional resources beyond the grant funds awarded to carry out the proposed project(s) and/or</p> <p>b. that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources.</p> <p>Applicants will also be evaluated based on the type and amount of leveraging proposed, how the applicant will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, the strength of the leveraging commitment, and the role the leveraged resources will play to support the proposed project activities.</p>	5
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Project Two:

Criterion	Maximum Points per Criterion
<p>Project Description. Under this criterion, EPA will evaluate the extent and quality to which the narrative proposal effectively addresses the scope of work activities described in <i>Section 1(B)</i> of this announcement. Proposals will be evaluated based on the quality and extent to which the proposal:</p> <p>a. <u>Element 1: Include Superfund related sessions into the Annual Tribal Training Conference - Tribal Lands and Environment Forum (TLEF).</u> The Agency will evaluate the extent and quality to which the Applicant’s narrative proposal describes a cost effective plan to carry out Element 1 as stated in <i>Section 1</i>. (15 points)</p> <p>b. <u>Element 2: Provide research support, training and technical assistance to the Tribal Superfund Working Group (TSFWG):</u> The Agency will evaluate the extent and quality to which the Applicant’s narrative proposal describes a cost effective plan to carry out Element 2 as stated in <i>Section 1</i>. (14 points)</p> <p>c. <u>Element 3: Develop and deliver one meeting a year to promote the dissemination of hazardous substances policy and technical research information and provide training and technical assistance to promote coordination and partnerships to more effectively manage sites under the Superfund program through effective use of innovative or alternative treatment technologies:</u> The Agency will evaluate the extent and quality to which the Applicant’s narrative proposal demonstrates a plan to incorporate all the requirements of Element 3 as stated in <i>Section 1</i>. (13 points)</p> <p>d. <u>Element 4: Creation of a Superfund related online resource to help tribes find studies and technical assistance materials related to Superfund sites and issues affecting tribal communities and share best practices:</u> The Agency will evaluate the extent and quality to which the Applicant’s narrative proposal demonstrates a plan to incorporate all the requirements of Element 4 as stated in <i>Section 1</i>. (8 points)</p>	50

<p>Programmatic Capability and Environmental Results Past Performance. 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:</p> <ul style="list-style-type: none"> a. past performance in successfully completing and managing the assistance agreements identified in response to <i>Section 4(B)</i> of the announcement, (8 points) b. organizational experience and plan for timely and successfully achieving the objectives of the proposed project, (5 points) c. staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project, (4 points) and d. history of meeting the reporting requirements under the assistance agreements identified in response to <i>Section 4(B)</i> 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 and why not. (3 points) <p><i>Note: In evaluating applicants under items a and d of 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 a and d 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.</i></p>	20
<p>Performance Measurement: Anticipated Outcomes and Outputs. Under this criterion, EPA will evaluate the extent to which the "Narrative Proposal" realistically describes how the project will lead to measurable environmental results (i.e., amount of pollution prevented; waste reduced, reused, recycled or:</p> <ul style="list-style-type: none"> a. Clearly specify anticipated environmental outcomes and outputs as described in <i>Section 1(G), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (6 points) b. Clearly describe the measures of success for the project. Measure of success should be either measures of environmental improvement or should be directly linked to such measures. EPA will look for quantitative and qualitative measurability. (5 points) c. Describe how progress towards achieving project outcomes and outputs will be evaluated and measured. Include a description of any planned reports or other deliverables that measure and track the project success and, document achievement of expected outputs identified in <i>Section 1(G), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (4 points) 	15
<p>Budget/Resources. This criterion refers to the proposed budget, in-kind goods and services, and other resources that the applicant outlines to carry out the proposed project. The proposal will be evaluated based on the extent that:</p>	10

<p>a. The budget is clearly stated, detailed, and appropriate to achieve the project’s objectives. How will your proposed budget effectively sustain your proposed project? How will you plan on managing this budget? This should include cost estimates for each of the proposed project activities to be conducted using EPA funds. (5 points)</p> <p>b. The proposal clearly states the approach, procedures and controls for ensuring that awarded grant funds will be expended in a timely and efficient manner. (3 points)</p> <p>c. The proposal identifies partnering organization(s) and documents the relationship with the applicant, for example, through letters of support, joint statements, or principles of agreement signed by other parties. (2 points)</p>	
<p>Voluntary Cost Share/Leveraging. Under this criterion applicants will be evaluated based on the extent they demonstrate: (5 points)</p> <p>a. how they will coordinate the use of EPA funding with other federal and/or non-federal sources of funds/resources to leverage additional resources beyond the grant funds awarded to carry out the proposed project(s) and/or</p> <p>b. that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources.</p> <p>Applicants will also be evaluated based on the type and amount of leveraging proposed, how the applicant will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, the strength of the leveraging commitment, and the role the leveraged resources will play to support the proposed project activities.</p>	5

B. Review and Selection Process

All proposals received by the closing date and time for the submission are first reviewed by EPA staff to determine eligibility for funding based upon compliance with Section 3(C). Only proposals determined eligible will be evaluated for technical merit. Each eligible proposal will be evaluated by a review panel of EPA Headquarters staff for technical merit, based on the evaluation factors detailed in Section 5(A) of this solicitation.

EPA Headquarters (HQ) and regions may provide information to the review panel on an applicant’s response to the “Programmatic Capability and Environmental Results Past Performance” ranking criterion. This information may take into account the regional and HQ EPA Office’s experience, if any, with the applicant’s performance on grants managed by the Region and HQ respectively.

Upon completion of the technical merit evaluation, each proposal will be given an evaluated numerical score, with a total of 100 points possible. The evaluated numerical scores from both project proposals will be combined for a total of 200 points possible and will be placed in rank order. The review panel will recommend the proposal with the highest combined evaluated numerical score to the EPA Headquarters Selection Official for award.

SECTION 6 - AWARD ADMINISTRATION INFORMATION

A. Award Notices

EPA anticipates notification to both successful and unsuccessful applicants will be made, via telephone, electronic, or postal mail by August 29, 2014.

The notification will be sent to the original signer of the proposal or the project contact listed in the proposal. This notification, which informs the applicant that its proposal has been selected and is being recommended for award, is not an authorization to begin work. The official notification of an award will be made by EPA's Grants and Interagency Management Division. Applicants are cautioned that only a grants officer is authorized to bind the Government to the expenditure of funds; selection does not guarantee an award will be made. For example, statutory authorization, funding or other issues discovered during the award process may affect the ability of EPA to make an award to an applicant. The award notice, signed by an EPA grants officer, is the authorizing document and will be provided through electronic or postal mail. The successful applicant may need to prepare and submit additional documents and forms (e.g., work plan), which must be approved by EPA, before the grant can officially be awarded. The time between notification of selection and award of a grant can take up to 90 days or longer.

B. Reporting Requirement

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

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

C. Use of Funds

An applicant that receives an award under this announcement is expected to manage assistance agreement funds efficiently and effectively and make sufficient progress towards completing the project activities described in the work plan in a timely manner. The assistance agreement will include terms/conditions implementing this requirement.

D. Disputes

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005) which can be found at <http://www.epa.gov/ogd/competition/resolution.htm>. Copies of these procedures

may also be requested by contacting Janice Sims at sims.janiceHQ@epa.gov.

E. Unliquidated Obligations

An applicant that receives an award under this announcement is expected to manage assistance agreement funds efficiently and effectively and make sufficient progress towards completing the project activities described in the work-plan in a timely manner. The assistance agreement will include terms/conditions implementing this requirement.

F. Data Access and Information Release

EPA has the right to obtain, reproduce, publish, or otherwise use the data first produced under the awards to be made under this solicitation and authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes under 40 C.F.R. § 30.36(c). In addition, pursuant to 40 C.F.R. § 30.36(d), if EPA receives a Freedom of Information Act request for research data that (1) relates to published research findings produced under an EPA award and (2) was used by the Federal Government in developing an agency action that has the force and effect of law, then EPA shall request, and the award recipient shall provide, within a reasonable time, the research data so that it may be made available to the public through procedures established under the FOIA.

G. Unpaid Federal Tax Liabilities and Felony Convictions for Non-Profit and For-Profit Organizations (FY 14 Funding)

Pursuant to Public Law 113-6 (Consolidated and Further Continuing Appropriations Act, 2013) and Public Law 112-175 (Continuing Appropriations Resolution, 2013), awards made under this announcement are subject to the provisions contained in the Department of Interior, Environment, and Related Agencies Appropriations Act, 2012, Public Law 112-74, Division E, Title IV, Sections 433 and 434 regarding unpaid federal tax liabilities and federal felony convictions. These provisions prohibit EPA from awarding funds made available by the Act to any for-profit or non-profit organization: (1) subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; or (2) that was convicted (or had an officer or agent of such corporation acting on its behalf convicted) of a felony criminal conviction under any Federal law within 24 months preceding the award, unless EPA has considered suspension or debarment of the corporation, or such officer or agent, based on these tax liabilities or convictions, and determined that such action is not necessary to protect the Government's interests. Non-profit or for-profit organizations that are covered by these prohibitions are ineligible to receive an award under this announcement.

H. Unfair Competitive Advantage

EPA personnel will take appropriate actions in situations where it is determined that an applicant may have an unfair competitive advantage, or the appearance of such, in competing for awards under this announcement. Affected applicants will be provided an opportunity to respond before any final action is taken.

I. Non-profit Administrative Capability Clause (applicable to certain non-profit awards)

Non-profit applicants that are recommended for funding under this announcement are subject to pre-award administrative capability reviews consistent with Section 8b, 8c and 9d of EPA Order 5700.8 - Policy on Assessing Capabilities of Non-Profit Applicants for Managing Assistance Awards (http://www.epa.gov/ogd/grants/award/5700_8.pdf). In addition, non-profit applicants that qualify for funding may, depending on the size of the award, be required to fill out and submit to the Grants Management Office the Administrative Capabilities Form with supporting documents contained in Appendix A of EPA Order 5700.8 contained in Appendix A of EPA Order 5700.8.

J. Additional Provisions for Applicants Incorporated Into the Solicitation

Additional provisions that apply to this solicitation and/or awards made under this solicitation, including but not limited to those related to confidential business information, contracts and subawards under grants, and proposal assistance and communications, can be found at http://www.epa.gov/ogd/competition/solicitation_provisions.htm. These, and the other provisions that can be found at the website link, are important, and applicants must review them when preparing proposals for this solicitation. If you are unable to access these provisions electronically at the website above, please communicate with the EPA contact listed in this solicitation to obtain the provisions.

SECTION 7 - AGENCY CONTACT

Janice Sims, U.S. Environmental Protection Agency, Office of Solid Waste and Emergency Recovery (MC 5101T), 1200 Pennsylvania Avenue, N.W., Washington, DC 20460; Phone: (202) 566-2892; or e-mail: sims.janiceHQ@epa.gov.

SECTION 8 - OTHER INFORMATION

A. National Environmental Exchange Network

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

B. Grants Resource Information

For additional information on how to apply for, manage, and complete an EPA grant, please visit: http://www.epa.gov/ogd/training/resources_for_communities/epa_grants_101.htm