

FY 2023 Drinking Water System Infrastructure Resilience and Sustainability Program

Frequently Asked Questions

Last Updated 10/31/23

In accordance with EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1), EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about the announcement. However, consistent with the provisions in the announcement, EPA staff cannot meet with individual applicants to discuss draft applications, provide informal comments on draft applications, or provide advice to applicants on how to respond to ranking criteria. This document will be updated as EPA responds to questions about this funding opportunity from the public.

Applicants are responsible for the contents of their applications.

Categories

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A. Applicant Eligibility:

A1: Am I eligible to apply for the Request for Applications (RFA)?

Eligible applicants are described in Section III.A. of the RFA, which states:

Eligible applicants under this competition include the following:

(1)

- a public water system;
- a water system located in an area governed by an Indian Tribe;¹ or

¹ The term “Indian Tribe” as defined in Section 1401(14) of SDWA means any Indian tribe having a Federally recognized governing body carrying out substantial governmental duties and powers over any area. For the purposes of this grant the term includes any Native village (as defined in section 3(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c))).

- a State, on behalf of an underserved community;²

and

(2) serves a community—

(A) that is underserved; **and**

(B) that, under affordability criteria established by the State under Safe Drinking Water Act (SDWA) section 1452(d)(3), is determined by the State to be a disadvantaged community; or

(C) with a population of less than 10,000 individuals.

All eligible applicants must meet the underserved criteria in addition to being either small or disadvantaged. For-profit organizations, nonprofit organizations, or municipalities are not eligible to apply.

A2: What is the definition of an underserved community?

The term “underserved community” includes a political subdivision of a State that either **(A)** does not have household drinking water or wastewater services or **(B)** is served by a public water system that violates, or exceeds, as applicable, a requirement of a national primary drinking water regulation (see Section I.B. of the RFA).

A3: What is the definition of a disadvantaged community?

The term “disadvantaged community” means the service area of a public water system that meets affordability criteria established after public review and comment by the State in which the public water system is located. To satisfy this criterion, a State may determine that a community is a disadvantaged community, or that a community may become disadvantaged as a result of carrying out a project or activity under this grant program (see Section I.B. of the RFA).

A4: What is the definition of a small community?

The term “small community” means a community with a population of less than 10,000 individuals that EPA determines does not have the capacity to incur debt sufficient to finance a project under this grant program (see Section I.B. of the RFA).

A5: Are municipalities eligible to apply for the RFA?

² The term “State” as defined in Section 1401(13)(A) of the SDWA, includes, in addition to the several States, only the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

Municipalities may only apply if they are applying to receive funds for an eligible public water system identified in the application. Eligible applicants are described in Section III.A. of the RFA, where it is stated: “Eligible applicants under this competition include the following: a public water system, a water system located in an area governed by an Indian Tribe; or a State, on behalf of an underserved community **and** serves a community that is underserved and that, under affordability criteria established by the State under SDWA section 1452(d)(3), is determined by the State to be a disadvantaged community or with a population of less than 10,000 individuals.” Municipalities may apply only if they are applying to receive funds for an eligible public water system identified in the application.

A6: Are tribal governments eligible to apply for the RFA?

Tribal governments may only apply if they are applying to receive funds for an eligible water system identified in the application. A water system located in an area governed by an Indian Tribe is eligible for this funding opportunity (see Section III.A. of the RFA). The name of the water system on the area governed by the Indian Tribe must be clearly indicated as the applicant of the RFA.

A7: Are States eligible to apply for the RFA?

States, on behalf of underserved communities are eligible to apply. The term “State” as defined in Section 1401(13)(A) of the SDWA, includes, in addition to the several States, only the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands (see Section III.A of the RFA).

A8: For Tribes or territories that do not have set affordability criteria because they do not have a DWSRF, are we just relying on the fact that the community will likely have less than 10,000 users for eligibility?

Water systems that are underserved and in small or disadvantaged communities in areas governed by Indian Tribes or in territories are eligible to apply for this opportunity. For public water systems in territories or serving tribes that do not have set affordability criteria which would determine whether a community is disadvantaged, only those that serve communities that are underserved (defined by SDWA1459A(a)) AND small (have a population of less than 10,000 individuals) and that lack the capacity to incur sufficient debt to finance the project would be eligible applicants for this funding opportunity (see Section III.A. of the RFA).

A9: If I have questions regarding this announcement, will EPA respond to them?

EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about the announcement. Questions must be submitted via e-mail to (Resiliencygrant@epa.gov) by 11:59 PM Eastern Time, October 16, 2023. However, EPA staff

will NOT discuss draft applications, provide informal comments on draft applications, or provide advice to applicants on how to respond to ranking criteria. Applicants are responsible for the contents of their applications (see Section VII of the RFA).

A10: Are homeowners or individual citizens eligible to receive funding under this opportunity?

Only public water systems, a water system located in an area governed by an Indian Tribe, or States on behalf of an underserved community that is small or disadvantaged can apply for this funding opportunity (see Section III.A. Eligible Applicants, of the RFA, and the response to question A1 of this document). Homeowners or individual citizens are not eligible to apply to this competitive opportunity.

A11: I would like to know if our property can receive a grant to improve our water system.

Please refer to the eligibility criteria in the RFA to determine whether your property is eligible for this funding opportunity (see Section III.A. Eligible Applicants and Section I, Project Description of the RFA).

A12: My water system is affected by flooding but is not within the United States of America. Can I submit an application for this grant program?

Due to statutory limitations, this funding opportunity is only available to public water systems within the United States of America (see Section III.A. Eligible Applicants, of the RFA).

A13: What is meant by “does not have access to household drinking water” in the underserved definition?

This statement refers to households/communities with no service connection by way of pipes or other constructed conveyances to a public water system which would deliver water suitable for human consumption. Section I.B, Program Goals and Objectives states “For the purposes of this grant program and RFA, an underserved community is defined by Section 1459A(a) of the SDWA as one that does not have access to household drinking water or wastewater services or is served by a public water system that violates or exceeds a requirement of a National Primary Drinking Water Regulation (NPDWR), including a maximum contaminant level, a treatment technique, or action level. The NPDWRs are legally enforceable primary standards and treatment techniques that apply to public water systems. Information on the NPDWRs is available at <https://www.epa.gov/ground-water-and-drinking-water/national-primary-drinking-water-regulations>.”

A14: Does the utility’s entire service area have to be a “disadvantaged community”, or is it sufficient that a portion of the service area is disadvantaged? If mixed utility service areas are eligible (some disadvantaged communities, some not) does the project have to be primarily for the benefit of the disadvantaged community?

This determination of whether a community is disadvantaged is contingent upon a state's definition of a disadvantaged community per the affordability criteria it establishes for the purpose of its respective Drinking Water State Revolving Fund (DWSRF) program. See Section I.B. Program Goals and Objectives. "In addition, consistent with Section 1459A(c) of the SDWA, projects must also occur in disadvantaged communities or communities with a population of less than 10,000 individuals. Each state establishes affordability criteria under Section 1452(d)(3) of the SDWA, and a disadvantaged community is defined in that section of SDWA as "the service area of a public water system that meets affordability criteria established after public review and comment by the State in which the public water system is located." More information about a state's affordability criteria can be found in a state's most current final Intended Use Plan or by contacting the state Drinking Water State Revolving Fund program; state contact information is available at <https://www.epa.gov/dwsrf/state-dwsrf-website-and-contacts>"

Some states define a disadvantaged community to include a large public water system where a particular project within the system addresses a sub-set of the service area that meets affordability criteria. The community that will be the beneficiary of a proposed project must be disadvantaged or small (and underserved) (see Section III.A, Eligible Applicants of the RFA).

For additional EPA resources on DWSRF disadvantaged community definitions, the following references are linked below:

1. [DWSRF Disadvantaged Community Definitions: A Reference for States](#)
2. [SRF Bipartisan Infrastructure Law Implementation Memo](#)

A15: Can a community that is struggling with water supply quantity due to climate change/drought be considered eligible for grant assistance as an underserved community? For example, a community is producing water that is an adequate quality and meets all treatment requirements, but the communities' wells are losing capacity, and the water system has been on curtailment each summer as a result. Can this community be considered underserved?

A community with an inadequate water supply system may qualify as an underserved community (see Section III.A. Eligible Applicants, of the RFA). Section III.A states, "For the purposes of this grant program and RFA, an underserved community is defined by Section 1459A(a) of SDWA as one that does not have access to household drinking water or wastewater services or is served by a public water system that violates or exceeds a requirement of a NPDWR, including a maximum contaminant level, a treatment technique, or action level. The NPDWRs are legally enforceable primary standards and treatment techniques that apply to public water systems."

A16: We have a census population of approximately 15,000 but we only have 6,800 water meters so our customer population served is less than 10,000. We also have a segment of our community that has been federally designated as a disadvantaged area, but our entire city

has not received the designation so again is this “eligible” in the definition. I have read in the definitions regarding small community and disadvantaged community but since we do meet these in some respect, I wanted clarification on if our circumstances met the spirit of the definition.

A community with a population of less than 10,000 individuals serviced by an eligible public water system may qualify as small. Whether a community is disadvantaged depends on the State’s definition under Section 1452(d)(3) of the SDWA. See also the response to Question A.14. In addition to being small or disadvantaged, the community must also be underserved to qualify for this funding opportunity (see Section III.A. Eligible Applicants of the RFA).

A17: This community is not reflected in the Climate and Economic Justice Screening Tool as being “disadvantaged,” but is obviously underserved and disadvantaged, and I intend to explain in the narrative. Do you see this as a default to reject our application?

For this grant program, whether a community is disadvantaged depends on the State’s definition under Section 1452(d)(3) of the SDWA (see Section III.A. Eligible Applicants, of the RFA). As stated in Section III.A., “Each state establishes affordability criteria under Section 1452(d)(3) of the SDWA, and a disadvantaged community is defined as “the service area of a public water system that meets affordability criteria established after public review and comment by the State in which the public water system is located.” More information about a state’s affordability criteria can be found in a state’s most current final Intended Use Plan or by contacting the state Drinking Water State Revolving Fund program; state contact information is available at <https://www.epa.gov/dwsrf/state-dwsrf-website-and-contacts>.

For applicants that do not have established affordability criteria under Section 1452(d)(3) of SDWA, such as territories, to be eligible for this RFA, projects must serve underserved communities, per SDWA section 1459A(a), that are communities of less than 10,000 individuals that lack the capacity to incur debt sufficient to finance a project or activity, per SDWA section 1459A(c)(2)(B).” Please also see Section III.C. Threshold Eligibility Criteria.

A18: Are state institutions of higher education eligible to apply to the competition?

A state institution of higher education would be eligible to apply for funding for an eligible project under this competition on behalf of an underserved community that is also small or disadvantaged (see Section III.A. Eligible Applicants of the RFA).

B. Project Eligibility:

B1: What types of projects are eligible to apply for these funds?

The types of activities and services that are eligible for funding are described in Section I.C. of the announcement, under “National Priority Areas.” As prescribed by the statutory requirements, funding must be used for the planning, design, construction, implementation, operation, or maintenance of a program or project that increases resilience of public water systems to natural hazards through:

- Conservation of water or the enhancement of water use efficiency
- Modification or relocation of existing drinking water system infrastructure significantly impaired by natural hazards
- Design or construction of desalination facilities to serve existing communities
- Enhancement of water supply through watershed management and source water protection
- Enhancement of energy efficiency or the use and generation of renewable energy in the conveyance or treatment of drinking water
- Measures to increase the resilience of the drinking water system to natural hazards, including planning for analytical considerations and climate change

B2: If a business was to have a technology that would help bring clean water to communities and people in need, producing continuous supply, would they be able to apply for this grant?

No. Eligible applicants under this competition are public water systems, water systems governed by Indian tribes, or States on behalf of communities that are underserved and disadvantaged or small. For-profit organizations, nonprofit organizations, tribal governments, or municipalities are not eligible to apply irrespective of the proposed project, program, or technological ideation. See Section III.A. of the RFA.

B3: The majority of our community pulls water from the many lake/ponds that were used for coal mining many years ago. There are some properties in the area that have city water and some which do not. I was wondering if this is a grant we could apply for to see about assistance in getting city water to all our residents.

Eligible applicants are public water systems, a water system located in an area governed by an Indian Tribe, or States on behalf of an underserved community that is small or disadvantaged (See Section III.A Eligible Applicants of the RFA). A project must occur in a community that is 1) underserved according to the definition in Section 1459A(a) of the SDWA and is 2) small (serves a population of less than 10,000 people) or disadvantaged. Extension, modification, or relocation of public water infrastructure qualify as eligible activities that can be funded by this grant program. (See Section I.C. National Priority Areas, of the RFA)

B4: In the description, “community water systems” are specifically mentioned. Does this mean that a proposal that would address climate impacts to private residential wells would not be eligible?

Private residential wells are not eligible for this funding opportunity (See Section III.A. Eligible Applicants of the RFA). Under this program, the term “community water system” refers to a public water system that has 15 or more service connections or serves an average of at least 25 people year-round as defined in Section 1401(15) of the SDWA.

B5: Would lightning strikes qualify as a natural hazard for this grant? We have municipalities that have their elevated tanks or SCADA antenna get hit by lightning strikes quite frequently and damage to equipment and electrical systems can occur.

Lightning strikes can qualify as a natural hazard for this funding opportunity. Section I.B, Program Goals and Objectives states: “For the purposes of this grant program, the term ‘natural hazard’ means a natural event, such as an earthquake, tornado, flood, hurricane, wildfire, drought, freezing or hydrologic change that threatens the functioning of a community water system, as defined in Section 1433(h) of the SDWA and incorporated by reference in section 1459A.” See also I.C. National Priority Areas of the RFA for examples of eligible activities under various types of natural hazards, and Section III.C Threshold Eligibility Criteria.

B6: Does the term “natural hazard” as used in the program relate to potential landslides that could occur from fire damage? That is, after a fire, the soil becomes less stable, increasing the potential for landslides/debris slides.

Landslides qualify as a natural hazard under this funding opportunity. (See Section I.B Program Goals and Objectives, I.C. National Priority Areas, and Section III.C, Threshold Eligibility Criteria of the RFA). See also the response to Question B.5.

B7: Would an application to purchase backup generators to ensure water delivery is maintained during a natural disaster qualify as a fundable project?

Measures to address power outages in public water systems can be funded under this opportunity (see Section I.B Program Goals and Objectives, I.C. National Priority Areas, Section III.C, Threshold Eligibility Criteria, and Section V.A Evaluation Criteria of the RFA).

Section I.B., Program Goals and Objectives states: “For the purposes of this grant program, the term ‘resilience,’ as defined in (SDWA section 1433(h) and incorporated by reference in SDWA section 1459A, means the ability of a community water system or an asset of a community water system, for example the equipment, buildings, land, people, and other components needed to deliver safe and clean water, to adapt to or withstand the effects of a natural hazard without interruption to the corresponding function, or if the function is interrupted, to rapidly return to a normal operating condition. EPA expects that successful applicants will demonstrate in the application an ability and readiness to proceed expeditiously upon award. Eligible activities for funding include planning, design, construction, implementation, operation, or maintenance of a program or project that increases drinking water system resilience to natural hazards, as discussed in further detail below.” See also Section I.C., National Priority Areas, Section III.C., Threshold Eligibility Criteria, and Section V.A., Evaluation Criteria.

B8: The City would like to locate and replace polyethylene pipes with copper pipes to reduce water loss and prevent temporary drinking water shutdowns in its most disadvantaged communities. Is this project considered an eligible activity under Drought: Implementing a leak detection and repair program to reduce lost water?

A water loss prevention project would qualify as an eligible activity under this funding opportunity (see also Section I.B., Program Goals and Objectives, Section I.C. National Priority Area, Section III.C Threshold Eligibility Criteria, and Section V.A. Evaluation Criteria of the RFA).

B9: We have an outdated PER (2020) for our Water System projects, does it qualify as a part of the grant in the "National Priority Area 2? In other words, as part of a grant in Area 2, can we get it updated?

To determine whether a project is eligible for this funding opportunity, please see Section I.B., Program Goals and Objectives, Section I.C. National Priority Area, Section III.C Threshold Eligibility Criteria, and Section V.A. Evaluation Criteria of the RFA.

B10: Would an application to connect small and disadvantaged communities to a public water system be eligible?

Extension, modification, or relocation of drinking water infrastructure that is at risk of being significantly impaired by natural hazards qualify as eligible project activities that can be funded by this grant program. In addition to being either small or disadvantaged, an eligible community must also meet the definition of underserved (see Section I.B., Program Goals and Objectives, Section I.C. National Priority Area, Section III.C Threshold Eligibility Criteria, and Section V.A. Evaluation Criteria of the RFA).

B11: Would the construction of a reservoir for drinking water qualify for this grant?

Construction projects to increase public water system resilience to drought are eligible for funding under this opportunity. (See Section I.B., Program Goals and Objectives, Section I.C. National Priority Areas, Section III.C Threshold Eligibility Criteria, and Section V.A. Evaluation Criteria of the RFA).

C. Threshold Issues:

C1: If I put charts and exhibits in my proposal can they be a smaller font than the 12-point font that is required of the body of the proposal?

Section III.C., Threshold Eligibility Criteria states “Applications must **substantially comply** with the application submission instructions and requirements set forth in Section IV of this announcement or else they will be rejected. However, where a page limit is expressed in Section IV.E.2 with respect to the application, or parts thereof, pages in excess of the page limitation will not be reviewed. Section IV.E.2 establishes a 15-page, single-spaced Project Narrative page limit. Applicants are advised that readability is of paramount importance and should take precedence in application format, including selecting a legible font type and size for use in the application.”

The RFA does not establish a required minimum 12-point font for the project narrative or charts and/or exhibits; however, the RFA does indicate that readability is of paramount importance. Section IV.E.2, Project Narrative, states in part:

“...It is recommended that applicants use a standard 12-point type with 1-inch margins. While these guidelines establish the minimum type size recommended, applicants are advised that readability is of paramount importance and should take precedence in selection of an appropriate font for use in the Project Narrative.” EPA recommends that all of the project narrative, including any charts and/or exhibits, is in a 12-point font.

C2: As long as each application package is separately submitted and addresses only one national priority area, there is no limit to how many applications we can submit?

Section III.C, Threshold Eligibility Criteria states “Applications must address one, and only one, of the two National Priority Areas listed in Section I.C. Eligible applicants may submit more than one application under this competition as long as each one is separately submitted and addresses only one National Priority Area. Applications that address more than one National Priority Area in a single application will not be reviewed.”

D. Evaluation Issues:

D1: In Section II.B. of the RFA, in the paragraph about anticipated substantial federal involvement, it mentions a review of qualifications of key personnel with a caveat that EPA “does not have the authority to select employees or contractors employed by the recipient.” Since staff expertise/qualifications are part of the scoring criteria upon which an award is based, can EPA elaborate on this review? Is this limited to new employees or contractors selected by the recipient? What further review of identified staff would be conducted for a successful recipient?

Regarding staff expertise and qualifications of key personnel, the EPA application review panel members will review the information provided by the applicant and conduct their scoring in

accordance with the evaluation criteria in Section V.A of the RFA. The information reviewed by the panel includes the project narrative itself as well as biographical sketches and resumes submitted along with the narrative. If an applicant proposes future changes in key personnel after an application has been selected for funding, then the EPA Project Officer must approve of these changes after reviewing biographical and qualifications information provided by the applicant before the project can proceed or continue.

D2: My main question is what is the “shovel readiness” requirement for this program? We have issued a task order to a procured engineering firm to begin the design work and believe we have all the land components (easements and ROWs) for this project.

Applications should demonstrate that the project will be ready to proceed expeditiously upon award of funding. As appropriate, applications should demonstrate that any land, easements, rights-of-way, and relocations necessary to carry out the project or activity have been obtained (see Section IV.E.2.c.2.). Applicants will be evaluated based on their ability, plan, and approach to proceeding expeditiously to implement the project upon award (see Section V.A and Section I.D of this announcement).

D3: Is there a specific number of violations, or months out of compliance, required for a community to be considered underserved? And are letters from the Dept. of Health acceptable as evidence of violations?

While there is no specific number of violations or months out of compliance required for a community to be deemed as underserved, the EPA requires that the information presented in an application clearly demonstrate (with as much supporting evidence as possible) how a community meets the underserved (and small or disadvantaged) criteria. Notices of violation will serve as sufficient supporting documentation to claim underserved status. See Section V.A. Evaluation Criteria of the RFA.

D4: If a municipal public water system does not have examples of past grant performance, is it acceptable to include examples of the city's past grant project management/reporting?

If you do not have any relevant or available federal or non-federally funded assistance agreement past performance information (assistance agreements include grants and cooperative agreements but not contracts), please indicate this in the application, and you will receive a neutral score for these factors under Section V. Failure to provide any programmatic past performance or reporting information, or to include a statement that you do not have any relevant or available past performance or reporting information, may result in a zero score for these factors (see Section IV and Section V.A. Evaluation Criteria of the RFA).

E. Timing and Logistics:

E1: When does EPA anticipate that awards will be announced?

EPA anticipates funding awards by Spring 2024, but this is only an estimate and not a guarantee.

F. Budget Concerns:**F1: The RFA states a project period may be up to four years. Do you anticipate that this type of funding would be available in future years?**

The funding announcement is based on EPA's current budget and funding availability under FY 2023. The Agency cannot make any commitment to future funding.

F2: Does EPA have a limit on indirect costs that can be charged?

While there is no "limit", per se, indirect cost rates must be negotiated with the cognizant federal funding agency in accordance with the procedures in 2 CFR 200 Subpart E "Cost Principles."

As specified in the Request for Applications, section IV.E.1.b:

"The total amount of federal funding requested for the project period should be shown on line 5(e) and on line 6(k) of the SF-424A. If indirect costs are included, the amount of indirect costs should be entered on line 6(j). The indirect cost rate (a percentage), the base (e.g., personnel costs and fringe benefits), and the amount should also be indicated on line 22. If indirect costs are requested, a copy of the Negotiated Indirect Cost Rate Agreement must be submitted as part of the application package. In Section B, Budget Categories column (1) should be filled out for federal funds, column (2) should be filled out for non-federal cost- share/match if any, and column (5) should be filled out for total project cost (combined federal funds and any non-federal cost-share/match)."

Please also refer to section IV.E.1.h. of the RFA.

For more information, please read the EPA's Indirect Cost Guidance for Recipients of EPA Assistance Agreements at <https://www.epa.gov/grants/rain-2018-g02>.

F3: If an applicant is going to apply under National Priority 2, would you need a Budget Summary for Construction Programs as well as a Budget for Non-Construction Programs?

Only the SF-424 A- Budget Information for Non-Construction Programs form is required for an application, irrespective of which National Priority Area is selected. See Section IV.E., Content of Application Package Submission of the RFA.

F4: Does either National Priority 1 or National Priority 2 cover the cost of a Pre-Engineering Report?

Costs for planning activities such as the development of pre-engineering reports may be eligible for a proposed project or program. Section I.C., National Priority Areas, states, “As prescribed by the statutory requirements, funding must be used for the planning, design, construction, implementation, operation, or maintenance of a program or project that increases resilience of public water systems to natural hazards.” See also Section III.C., Threshold Eligibility Criteria.

F5: Can you direct me to where I can find the forms to fill out the "de minimus" (10%) cost request for this grant? The indirect cost percentage or de minimus overhead cost rate associated with managing the grant.

If indirect costs are being included provide the Negotiated Indirect Cost Rate Agreement (if applicable) with the cognizant agency. The Indirect Cost Rate Agreement is not included in the fifteen (15) page single-spaced Project Narrative page limit. See [Indirect Cost Guidance for Recipients of EPA Assistance Agreements](#) for additional information about indirect cost rates. From the [Indirect Cost Guidance](#): Ten Percent De Minimis Rate (relates to Section 6.3 of the IDC Policy), Use of the 10% De Minimis Rate: “In accordance with the changes to 2 CFR 200.414 on November 12, 2020, as long as the applicant does not have a current rate under 10%, and is not a State or local governmental department or agency unit that receives more than \$35,000,000 in direct Federal funding annually, the applicant may use the 10% de minimis rate in its grant application budget documents, when submitting the grant application. An EPA approved regulatory exception is not required if an applicant had a rate in the past and would like to use the 10% de minimis rate.”

F6: Is the Budget Information for Non-Construction Programs (SF-424A) document required for proposed construction projects?

The Budget Information for Non-Construction Programs (SF-424A) is the required budget form for this grant program, even for proposed construction projects. See Section IV.E., Content of Application Package Submission of the RFA.

F7: Are we allowed to include a contingency amount as a line item in our budget?

Contingency amounts are not permitted in the proposed budget for this grant program. For guidance with developing your budget, please visit Section IV.E.5 of the RFA, where it reads “Please see EPA’s Budget Development Guidance which includes a sample budget.” Also see <https://www.epa.gov/sites/default/files/2019-05/documents/applicant-budget-development-guidance.pdf>.

F8: On normal construction projects, we typically have construction administration, profit, bonding, insurance, and contingencies. Should we include this all on the “construction” line of the SF424A?

See response to question F7.

G. Funding Clarifications:

G1: Will States be involved with the administering of these grants through their Drinking Water State Revolving Fund or will the public water systems be applying directly through the EPA?

Public water systems and States on behalf of underserved communities can apply directly to this funding opportunity (Opportunity #: EPA-OW-OGWDW-23-01). Funding will not be administered through the Drinking Water State Revolving Fund.

G2: What does it mean by “States on behalf of underserved communities”? Does that mean there will be two pots of money, one for states and one for PWSs?

“States on behalf of underserved communities” means that States are permitted to submit applications for this funding opportunity on behalf of communities that are underserved. There is no separate set of funding for any eligible entity in this program, including States. States representing underserved communities will have to compete for funding alongside all eligible entity types outlined in this opportunity.

G3: Can this grant be combined with other federal funds/grants?

Yes, however Federal funds that may also be contributing toward a larger overall project are not combined with the federal funding request under this competitive announcement. Include on the Budget Information for Non-Construction Programs (SF-424A) the request for federal funds for this competitive announcement. See Section IV.E Content of Application Package Submission.

G4: I am writing to you today to inquire about any grant or other financial opportunities from your organization to continue to develop revolutionary patent-pending software and hardware concepts that will dramatically increase computer and/or technology users in commercial, private, and business operations.

Please visit www.grants.gov for current funding opportunities.

H. Miscellaneous:

H1: Is EPA available to discuss the program and answer questions from an applicant on achieving the program objectives prior to submitting an application?

As described in Section VII of the Request for Applications, EPA staff cannot meet with individual applicants to discuss draft applications. See Section VII., Agency Contact:

“Note to Applicants: In accordance with EPA’s Assistance Agreement Competition Policy (EPA Order 5700.5A1), EPA staff will not meet with individual applicants to discuss draft applications, provide informal comments on draft applications, or provide advice to applicants on how to respond to ranking criteria. Applicants are responsible for the contents of their applications. However, consistent with the provisions in the announcement, EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about any of the language or provisions in the announcement. Please note that applicants should raise any questions they may have about the solicitation language to the contact identified in Section VII of this announcement as soon as possible so that any questions about the solicitation language may be resolved prior to submitting an application. In addition, if necessary, EPA may clarify threshold eligibility issues with applicants prior to making a final eligibility determination.”

H2: I understand that I must apply through Grants.gov. Do I need to use Workplace to apply or is there a traditional method I can use to apply for this grant?

As mentioned in Section IV. Grants.gov Submission Instructions: “Applicants must apply electronically through Grants.gov under this funding opportunity based on the grants.gov instructions in this announcement. If your organization has no access to the internet or access is very limited, you may request an exception for the remainder of this calendar year by following the procedures outlined [here](#). Please note that your request must be received at least 15 calendar days before the application due date to allow enough time to negotiate alternative submission methods.”

Please also see Section IV.C. Technical Issues with Submission: “Contact Grants.gov for assistance at 1-800-518-4726 or support@grants.gov to resolve technical issues with Grants.gov. Applicants who are outside the U.S. at the time of submittal and are not able to access the toll-free number may reach a Grants.gov representative by calling 606-545-5035. The Grants.gov Support Center is available 24 hours a day 7 days a week, excluding federal holidays.”

H3: Do you have a list of prior awards that you can share with me?

This is the first time that this grant program has been announced, so there is no list of prior awards for this funding opportunity.

H4: I am writing to inquire about the appropriate contact to share my interest in serving as a merit or grant reviewer for the Drinking Water System Infrastructure Resilience and Sustainability Program.

A panel(s) comprised of EPA staff will review the eligible applications based on the evaluation criteria listed in Section V.A. of the RFA.

H5: If a system or tribe applies, what documentation, if any, will they need from the state to complete the application and or during the application review/award process? Will EPA ask anything from the state while the grant is awarded to a system or tribe?

All applicants, including public water systems or Tribes that apply for this funding opportunity, are required to submit documentation prepared by a Federal, State, regional, or local (including Tribal) government agency of the natural hazard risk to the area where the proposed program or project is to be located (see Section III.C., Threshold Eligibility Criteria, Section IV.D, Application Materials, and Section IV.E, Content of Application Package of the RFA). Applicants may choose to submit supporting documentation from the State to verify applicant or project eligibility such as proof of disadvantaged status, notices of violation, or easement documents for instance (see Section IV.D. and Section IV.E).

A state would not be involved in the post award administration of an award to a public water system or Tribe. The public water system or Tribe would be recipient of the federal funds and responsible for post-award administration and applicable requirements.

H7: Is there a non-supplanting requirement for this award?

Non-supplanting is not a requirement of this RFA. Additional information pertaining to the acceptable use of funds will be provided to award recipients in the terms and conditions agreement.

Applicants should also be aware of the Duplicate Funding Clause incorporated by reference (see Section I.G, [Additional Provisions for Applicants Incorporated into the Solicitation](#)). “Duplicate Funding Generally, applicants are not prohibited from submitting the same or virtually the same competitive or non-competitive application(s) for funding to EPA and/or other federal agencies and entities. However, if an applicant does so, and the application (or one virtually the same) that was submitted under this solicitation is also selected for funding by EPA and/or other federal agencies and entities competitively or non-competitively, that may affect their ability to receive an award under this competition for that application. Applicants should also be aware that if they use a contractor to prepare their application or portions of their application under this solicitation that contractor may also be assisting other applicants with their applications that could result in identical or virtually identical submissions to EPA. In such cases, the agency reserves the right to decide which, if any, of the applications to fund.”

H8: We have a question regarding Item 21 of the Application for Federal Assistance SF-424. It states that there is a “list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.” Where can we find this list?

Please see Section IV.B, Submission Instructions, of the RFA for additional detailed information on how to submit your application. In order to apply to this funding opportunity organizations must have an active SAM.gov registration, a Unique Entity ID (UEI), and registration in Grants.gov. The process for SAM.gov entity registrations includes obtaining Unique Entity ID (UEI), a 12-character alphanumeric ID assigned an entity by SAM.gov, and requires assertions, representations and certifications, and other information about your organization. Please review the **Entity Registration Checklist** for details on this process.

H9: What qualifies as new construction?

Construction means erection, alteration, or repair (including dredging, excavating, and painting) of buildings, structures, or other improvements to real property, and activities in response to a release or a threat of a release of a hazardous substance into the environment, or activities to prevent the introduction of a hazardous substance into a water supply (40 CFR 33.103).

H10: We have equipment replacement and installation. Do you consider that construction, or should we divide that between equipment and contractual?

See response to question H9 for the definition of construction. Equipment is defined in 2 CFR 200.1 as tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. Recipients may establish a lower dollar threshold or different definition of equipment through their own written property management policies as long as the thresholds and definitions are consistent with the definitions of Equipment and Supplies in 2 CFR 200.1. The recipient’s lower threshold or different definition is binding. See also [Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance](#).

H11: EPA Form 4700-4, questions VII - IX, if we answer NO to any of these questions does that automatically disqualify us?

Please see [Tips for Completing EPA Form 4700-4](#) for guidance and information on how to complete the form. If a form has not been completely filled out or the answers on the form do not reflect that the applicant is in compliance with its civil rights obligations as required by our regulation, the EPA reviewer will contact the Point of Contact listed on the Form for additional information. If the applicant is not able to show that it is in compliance, it will be required to agree in writing to come into compliance. The agreement must be reached before the award processing will continue, but it will provide the applicant time even after the award has been made to complete the required actions. Failure to enter into or to fulfill the terms of the agreement may result in delay in the processing of the award and/or a finding of

noncompliance and action to deny, suspend, annul, or terminate the award under 40 C.F.R. § 7.130.

H12: EPA Form 4700-4, question VIII, does the most recent census data qualify?

Yes, possession of recent census data about the population served by an eligible water system qualifies as an affirmative response to this question.

H13: Does this EPA grant require a Board Resolution or approval to apply or one upon condition of approval of the grant?

A Board Resolution is not an application requirement of this RFA. Only person(s) with the Authorized Organization Representative (AOR) role can submit applications in Grants.gov. Please review the [Intro to Grants.gov-Understanding User Roles and Learning Workspace – User Roles and Workspace Actions](#) video for details on this important process. Additional information will be provided to selected applicants in the terms and conditions of the award agreement.