

## OVERVIEW SECTION

**AGENCY:** ENVIRONMENTAL PROTECTION AGENCY (EPA)

**TITLE:** IMPLEMENTATION OF THE COMPLIANCE/PREVENTION UNDERGROUND STORAGE TANK PROGRAM

**ACTION:** Request for Proposals (RFP) – Initial Announcement

**RFP NO:** EPA-OSWER-OUST-10-01

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO.:** 66.816

**DATES:** The closing date and time for receipt of proposals is December 28, 2009, 5:00 p.m. EST. Proposals, as described in *Section 4(C)* of this announcement, must be received in the EPA Headquarters Program Office via electronic mail, hand delivery, U.S. Postal Service, or express mail service by December 28, 2009, 5:00 p.m. EST in order to be considered for funding. Proposals received after the closing date and time of this announcement will be returned to the sender without further consideration. Because of the unique situation involving U.S. mail screening, EPA highly recommends that applicants submitting a proposal in hard copy use a commercial delivery service or express mail option to transmit their proposals.

**SUMMARY:** This notice announces the availability of funds and solicits proposals from public authorities (state, interstate, intrastate, agencies designated by States or Territorial Governors to receive UST notifications, federally-recognized Tribes and Intertribal Consortia, and local), public agencies and institutions; private non-profit organizations and agencies that meet the eligibility requirements of Section 8001(a) and (b) of the Solid Waste Disposal Act. The purpose of the assistance agreement to be awarded under this RFP is to promote and stimulate information exchange among state underground storage tank (UST) program officials, other state officials actively or potentially involved in the management of USTs, and EPA officials. This information exchange will foster resolution of UST compliance and implementation issues, post-cleanup petroleum brownfield issues and identify emerging issues that are at both state and federal levels. Please note that funding under this announcement is not available for research, training or technical assistance for pre-cleanup and cleanup activities at petroleum brownfields sites that EPA funds under section 104(k)(6) of the Comprehensive Environmental Response, Compensation and Liability Act.

**FUNDING/AWARDS:** The estimated funding available under this competitive opportunity is approximately \$750,000, subject to the availability of funds and quality of proposals received. EPA anticipates award of one cooperative agreement resulting from this announcement.

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## **Section 1 - Funding Opportunity Description**

### **A. Background.**

The purpose of the assistance agreement to be awarded under this RFP is to promote and stimulate information exchange among state underground storage tank officials, other state officials actively or potentially involved in the management of USTs, and EPA officials. This information exchange will foster the resolution of underground storage tank compliance and implementation and identify emerging UST issues that are important to state “co-regulators”. It is imperative to the mission of the Agency that states be kept fully informed and participate in the development and implementation of UST regulations, policies, guidance, programs and goals that states will carry out at their level of government. The assistance agreement to be awarded under this competition will foster interaction, information-sharing, and coordination among a variety of these state agencies and those state agencies traditionally responsible for the underground storage tank program.

States, as referenced throughout this document, also include territories as described in the definition of “state” in section 1004(31) Solid Waste Disposal Act.

For more information on EPA’s underground storage tanks program, please go to:  
<http://www.epa.gov/oust>.

### **B. Project Description.**

EPA’s Office of Underground Storage Tanks (OUST) is soliciting proposals to support state participation in the state/federal partnership in underground storage tank programs, and provide technical assistance and forums for information exchange to assist states in developing their program capabilities to manage underground storage tanks in the most efficient and effective manner possible. Specifically, the recipient selected for award will: work with EPA and other organizations to support state efforts to address UST compliance/prevention issues and assist states with increasing the percentage of UST facilities that are in significant operational compliance with both the release detection and release prevention requirements; coordinate efforts for state participation in UST related activities; provide opportunities for state underground storage tank officials and other appropriate state officials to actively participate in both regulatory and non-regulatory programs that will help effectively implement the UST program.

Program elements that must be addressed in proposals are:

- Compliance and enforcement issues
- Operation and maintenance of UST systems
- Significant operational compliance
- Alternative fuels
- Energy Policy Act implementation
- Emerging UST issues.

Applicants may propose additional program elements but must, as a minimum, address all of these elements in their proposal. A general description of activities to be performed under the agreement and that should be addressed in proposals and examples follow. The activities identified below are the Agency’s best estimate of OUST support areas needing state participation during the proposed

30 month grant period; however, other initiatives are likely to evolve. Applicants are therefore encouraged to propose additional support areas that would support state UST programs. Please note that funding under this announcement is not available for research, training or technical assistance for pre-cleanup and cleanup activities at petroleum brownfields sites that EPA funds under section 104(k)(6) of the Comprehensive Environmental Response, Compensation and Liability Act.

- Promote state participation in the development of regulations, policies, and guidance documents for UST programs that states carry out at their level of government; in issue-specific workgroups; and in the development of other UST implementation tools for states .
- Develop training, such as workshops and meetings for state regulatory officials and other state government officials as appropriate to effectively implement the existing UST program and newly developed policies and guidance. State participation in training includes, but is not limited to the National Tanks Conferences. Additionally, provide technical support to the states by assisting with the identification of tanks-specific training and technology transfer opportunities that may be of interest to state tanks managers. These meetings/workshops provide a forum for state officials to interact with each other through formal program presentations and informal meetings to share their experiences and insights on UST issues, and to discuss key issues of state concern.
- Develop and disseminate outreach documents, tools, and other resource materials for states to encourage information exchange, increased communication, and continued improvement in implementation of the UST program. Topics include but are not limited to: utilizing innovative compliance approaches to bring more tanks into compliance and keep them in compliance; improved release prevention and tank management practices, such as coordinating with the states in exploring opportunities for financial assurance mechanisms to create incentives for improved compliance by tank owners and operators.
- Produce webinars, conferences, meetings, and internet vehicles for sharing of information among officials of various state agencies.. While face-to-face interaction is often advantageous for information development and exchange, webinars, conference calls, and other such vehicles should be used, as appropriate, to foster lower-cost, more frequent interaction.
- Provide vehicles for information sharing and outreach to states; support for these activities may be provided through the use of studies, focus groups, and/or other means. An example of this type of activity includes, but is not limited to, one-on-one information exchange opportunities for states through a peer match program. Peer matches provide the opportunity for a few state tanks program staff to travel to another state to learn more about how that state administers certain components of their tanks program (e.g., field compliance inspections, loan guarantee programs, financial responsibility programs related to the UST program, etc.).

### **C. EPA Strategic Plan Linkage.**

The project selected for award through this competition will support progress towards EPA Strategic Plan Goal 3 (Land Preservation and Restoration), Objective 3.1 (Preserve Land), Sub-objective 3.1.2 (Manage Hazardous Waste and Petroleum Products Properly).

(View EPA's strategic plan at <http://www.epa.gov/ocfo/plan/plan.htm>)

## D. 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” refers 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 will include, but are not limited to the following:

- Improved understanding and awareness of UST regulations and policies by state UST program managers and their staff.
  - Increased ability of states to address UST compliance/prevention in a more efficient and effective manner.
  - Increased percentage of UST facilities that are in significant operational compliance with both release detection and release prevention requirements.
2. **Outputs:** The term “output” refers to 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.

EPA anticipates the outputs from projects that may be awarded under this announcement will include but are not limited to the following:

- Coordination of state participation in the development of regulations, policies and guidance documents appropriate conferences, meetings, workshops, and seminars.
- Development and dissemination of training and informational materials, research, guidance material, policy options and recommendations relating to the UST program.
- Development of documents, tools and other resource material for information exchange.
- Development and production of webinars, reports, assessments, tools and resources for sharing of information among state agencies and with EPA.
- Development of innovative approaches for information sharing among state UST programs.

## **E. Supplementary Information.**

The statutory authority for the assistance agreement expected to be awarded by EPA under this announcement is the Solid Waste Disposal Act, Section 8001, as amended; and the Resource Conservation and Recovery Act, Public Law 94-580, 42 U.S.C. 6901 et seq.

### **Section 2 - Award Information**

#### **A. What is the amount of available funding?**

The total estimated funding available under this competitive opportunity is approximately \$750,000, subject to the availability of funds and quality of proposals received.

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 the original selection decision.

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

EPA anticipates award of one cooperative agreement resulting from this announcement. The cooperative agreement will be funded incrementally over its anticipated 30 month period of performance depending on quality of performance, funding availability, and other applicable considerations. The maximum value shall not exceed \$750,000.

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 results proposed;
2. Collaboration during performance of the scope of work;
3. Review of any proposed changes to work plan and/or budget;
4. Review of proposed procurements in accordance with 40 CFR 30.44(e) and 40 CFR 31.36(g);
5. Approving qualifications of key personnel (EPA will not select employees or contractors employed by the award recipient);
6. Review and comment on reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient); and
7. Review and concurrence 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 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 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 January 1, 2010. All project activities must be completed within the negotiated project performance period of 30 months.

**E. Can funding be used to acquire services or fund partnerships?**

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

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

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

**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 this 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 authorities (state, interstate, intrastate, agencies designated by States or Territorial Governors to receive UST notifications, federally-recognized Tribes and Intertribal Consortia, and local), public agencies and institutions; private non-profit organizations and agencies that meet the requirements of Section 8001(a) and (b) of the Solid Waste Disposal Act. Profit-making organizations and the general public (i.e., individuals) are not eligible. Non-profit organizations exempt from taxation under section 501(c)(4) of the Internal Revenue Code that lobby are not eligible for EPA funding.

#### **B. Cost Sharing or Matching**

Although cost-sharing or matching is not required as a condition of eligibility under this competition, under Section 5 of this announcement EPA will evaluate proposals based on a leveraging criterion.

In order to be considered for evaluation, any leveraged funds/resources, and their source, must be identified in the proposal. Leveraged funding or other resources need not be for eligible and allowable project costs under the EPA assistance agreement unless the Applicant proposes to provide a voluntary cost share. If EPA accepts an offer for a voluntary cost share, applicants must meet their sharing commitment as a condition of receiving EPA funding. The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget

because the grant agreement includes the voluntary cost share. Applicants may use their own funds or other resources for a voluntary cost share if the standards at 40 [CFR](#) 30.23 or 40 [CFR](#) 31.24, as applicable, are met. Only eligible and allowable costs may be used for voluntary cost shares. Other Federal grants may not be used as voluntary cost shares without specific statutory authority (e.g. HUD's Community Development Block Grants).

### 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 the six program elements described in *Section 1(B), Project Description*, of this announcement.
2. The total proposed project budget for the duration of the agreement may not exceed a maximum value of \$750,000, excluding any in-kind contribution or voluntary match. Proposals requesting federal assistance funding in excess of this value will not be considered.
3. 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 in *Section 4(B)* with respect to the narrative proposal, pages in excess of the page limitation will not be reviewed.

In addition, 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 received after the submission deadline will be considered late and returned to the sender without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling. For hard copy and e-mail submissions, where *Section 4* requires proposal receipt by a specific person/office by the submission deadline, receipt by an agency mailroom is not sufficient. Applicants should confirm receipt of their proposal with Sharon Fredericks, EPA Project Officer as soon as possible after the submission deadline—failure to do so may result in your proposal not being reviewed.

4. All proposal materials must be submitted in English.
5. Proposals will not be accepted via fax and zipped files will not be accepted.
6. Congress has prohibited the use of federal funds to award grants to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries and therefore in order to be eligible for funding consideration under this competition all

applicants must affirmatively indicate in their proposal that they are not subject to this prohibition. In addition, since this funding prohibition applies to subawards/subgrants and contracts awarded by grantees, applicants must consider it when preparing proposals.

## **Section 4 - Application and Submission Information**

### **A. How to Obtain an Application Package**

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](http://www.epa.gov/ogd/grants/how_to_apply.htm).

### **B. Content and Form of Application**

**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 15 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)*.

- 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.**

Narrative Proposals must be concise, well organized, and not exceed 15 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.** 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.**
  - 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 Manager and head of organization/Executive Director responsible for the project application. These individuals may be contacted 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.
  - v. **Funding Requested.** Specify the total amount you are requesting from EPA. The total funding requested amount may not exceed \$750,000, excluding any in-kind contribution or voluntary match. Proposals requesting federal assistance funding in excess of this value will not be considered.
- b. Detailed Project Narrative.** The project narrative 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.
- i. **Project Description.** Provide a description of how you will implement and conduct the proposed project activities as referenced in *Section 1(B), Project Description*, and do so to achieve the program objectives. The description should demonstrate consideration of the activities that will be conducted to accomplish objectives of the project. The project description should: (1) demonstrate how the proposed project supports joint State and federal development and implementation of regulatory and non-regulatory activities described in *Section 1(B), Project Description*; (2) address how the proposed project activities relate to the EPA Strategic Plan Linkage goals, objectives and sub-objectives described in *Section 1(C), Project Descriptions*; (3) identify necessary tasks and activities that will be conducted to accomplish the project objectives; and (4) present an estimated timeline or schedule of expected target dates and milestones to achieve specific tasks and activities that will be conducted during the budget and project period. In addition, describe your approach to providing assistance to States, and the methodology for transferring information and lessons learned during the project to others. The tasks and activities should be realistic and achievable within the budget and project period of the grant. Also, make sure you address the 6 program elements identified in *Section 1(B)*.
  - ii. **Programmatic Capability and 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 including those described in *Section 1(D), Measuring Environmental Results: Anticipated Outcomes/Outputs* of this announcement. Discuss how you propose to track and measure your progress towards achieving the project outcomes and results. (*Refer to Section 5(A), Evaluation Criteria, Performance Measurement.*)

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

- iv. **Leveraging.** Demonstrate how you will coordinate the use of EPA funding with other Federal and/or non Federal sources of funds/resources to leverage additional resources to carry out the proposed project(s) and/or that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources. Describe the type of leveraging proposed, how you will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, and what role it will play in the overall project. 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.

- v. **Cooperative Partnerships.** Identify all proposed partnerships and stakeholder groups that will be involved in the project. Describe what each group’s role will be in project staffing, funding, design and implementation. Please note that procurement of commercial services (e.g., consultants, audio visual equipment, meeting space) is subject to the competitive procurement provisions of 40 [CFR](#) Part 30 or Part 31, as applicable. Naming a commercial vendor as a “partner” does not relieve the applicant of responsibility for complying with competitive procurement requirements, including cost or price analysis, or justify sole source procurement.

**3. Attachments.** The following documents shall be included as attachments to the narrative proposal. These documents will not count as part of the 15-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. **Budget Narrative.** Include a detailed budget narrative which clearly explains how funds will be used. The successful applicant’s budget narrative should identify (1) specific tasks for which EPA funding will be used; (2) the costs associated with each task, (3) the costs that the applicant or other partners will fund for each task, if appropriate, and (4) what outputs will be produced as a result of each task. (*Refer to Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs for a definition and examples of outputs.*) The budget should include information on each major task broken out using the following cost elements:

- i. Personnel;
- ii. Fringe Benefits;
- iii. Contractual Costs;
- iv. Travel;
- v. Supplies;
- vi. Other Costs (be specific);
- vii. Administrative Costs (other than Indirect Costs);
- 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.

Following is a suggested format to summarize your proposed budget. Applicants are not limited to three Project Activities. Please expand (add more columns), as necessary, to include Activities listed in *Section 1(B)* of this announcement.

### Sample Format for Budget

Budget Categories (Required Field)	Project Activities			TOTAL (Required Field)
	Activity 1: (fill in )	Activity 2: (fill in )	Activity 3: (fill in )	
Personnel				
Fringe Benefits				
Contractual				
Travel				
Supplies				
Equipment				
Other Costs				
Administrative				
Total Direct				
Indirect Costs				
Non-EPA Project Funding				
Total Project Cost				

**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 direct costs of carrying out the scope of work.

Under OMB Circulars, EPA financial assistance cannot be used for fund-raising. Therefore, any costs associated with fund-raising may not be included in the budget for your application, or charged to the resultant cooperative agreement.

- b. **Milestones.** Provide a schedule indicating start times and completion dates of significant tasks and responsibilities under your program. For efficiency, it is suggested that project milestones be coordinated with important events (e.g., budget cycle, meetings, etc.).
- c. **Letters of Support.** The applicant should provide names and phone numbers of persons to contact at the organization providing the letter of support along with a description of what involvement (e.g., assistance, role) the organization has or will have with your organization/project. Applicants may include letters confirming commitments. If your organization intends to provide funding to any supporting organization, please refer to Sections 2(E) and (F) of this announcement.
- d. **Documentation/evidence of current nonprofit status** under Federal, state or tribal law, if applicable.

### C. Submitting a Proposal Package.

Applicants may choose to submit proposal packages, as described in Section B above, either in hard copy (paper) format or by e-mail. Instructions for all methods are detailed below. Please select **only one** method. Proposals must be received by EPA by December 28, 2009, 5:00 p.m. EST.

1. **Hard copy (paper) submission.** Submit a complete proposal package including all of the documents identified in *Section 4(B)* of this announcement. **The complete package must be sent through regular mail (U.S. Postal Service), express mail, or commercial delivery service to the EPA Headquarters Program contact listed below.** The submission must include one original signature document and two copies of the completed Application for Federal Assistance (SF-424), the Narrative Proposal, and all Attachments.

Because of the unique situation involving U.S. mail screening, EPA highly recommends that applicants submitting a proposal package in hard copy use a commercial delivery service or express mail option to send their package.

#### **EPA Headquarters Address for Mailing Proposals – US Postal Service mail:**

**Sharon Fredericks**, U.S. Environmental Protection Agency, Office of Underground Storage Tanks (MC 5401-P), 1200 Pennsylvania Avenue, N.W., Washington, DC 20460; Phone: (703)603-0003.

#### **Address for all Commercial Delivery Services (i.e., all services other than the US Postal Service, including hand delivery):**

**Sharon Fredericks**, U.S. Environmental Protection Agency, Office of Underground Storage Tanks (MC 5401-P), Two Potomac Yard (North Building, 4th Floor) 2733 S. Crystal Drive, Arlington, VA 22202; Phone: (703) 603-0003.

2. **Electronic mail (e-mail) submission.** E-mail submissions must be submitted to [fredericks.sharon@epa.gov](mailto:fredericks.sharon@epa.gov) and be received by the submission deadline stated in *Section 4(C)* of this announcement. All required documents listed in *Section 4(B)* of this announcement must be attached to the e-mail as separate Adobe PDF files. Please note that if you choose to submit your materials via e-mail, you are accepting all risks attendant to e-mail submission including server delays and transmission difficulties. E-mail submissions exceeding 15MB will experience transmission delays which will affect when they are received by the Agency. For these size submissions, applicants should submit their application materials via hard copy because if they are sent via e-mail they may be received late and not considered for funding. Applicants submitting their proposal materials through e-mail should confirm receipt of the materials with **Sharon Fredericks** at [fredericks.sharon@epa.gov](mailto:fredericks.sharon@epa.gov) as soon as possible after submission.

### D. Confidential Business Information

In accordance with 40 CFR 2.203, applicants may claim all or a portion of their application/proposal package as confidential business information. EPA will evaluate confidentiality claims in accordance with 40 CFR Part 2. Applicants must clearly mark

applications/proposals or portions thereof that they claim as confidential. If no claim of confidentiality is made, EPA is not required to make the inquiry to the applicant otherwise required by 40 CFR 2.204(c)(2) prior to disclosure. However, competitive proposals/applications are considered confidential and protected from disclosure prior to the completion of the competitive selection process.

#### **E. Data Universal Numbering System (DUNS)**

All applicants are required to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for a Federal grant or cooperative agreement. Applicants can receive a DUNS number, at no cost, by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711, or visiting the D&B website at: <http://www.dnb.com>.

#### **F. Pre-proposal/Application Assistance and Communications**

In accordance with EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1), EPA staff will not meet with individual applicants to discuss draft proposals, provide informal comments on draft proposals, or provide advice to applicants on how to respond to ranking criteria. Applicants are responsible for the contents of their applications/proposals.

EPA will respond to questions in writing from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about the announcement. Questions received from applicants and EPA's responses will also be posted online at <http://www.epa.gov/oswer/grants-funding.htm>.

### **Section 5 - Application Review Information**

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

Each eligible proposal 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, with a total of 100 points possible.

Criterion	Maximum Points per Criterion
<p><b>Project Description.</b> Under this criterion, EPA will evaluate the extent to which the 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"> <li>• Effectively describes a well-conceived strategy and technical approach to support joint State and Federal development and implementation of the regulatory and non-regulatory activities described in <i>Section 1(B)</i>. (15 pts.)</li> <li>• Describes how the proposed activities relate to goals, objectives and sub-objectives in <i>Section 1(C)</i>. (5 pts.)</li> <li>• Demonstrates understanding, knowledge, and capability of assigned personnel to perform work and achieve the goals of this project as described in <i>Section 1</i>. (5 pts.)</li> <li>• Demonstrates understanding, knowledge, and capability of the applicant’s management team. (5 pts.)</li> <li>• Describes a management approach to planning, organizing, communicating, implementing and controlling the work described in <i>Section 1</i>. (5 pts.)</li> <li>• Describes the applicant’s approach to mitigating potential problems and resolving actual problems during the period of performance under the grant. (5 pts.)</li> <li>• Presents goals tasks, plans and project milestones (schedule) that are clear, concise, and realistic. (5 pts.)</li> </ul>	45
<p><b>Programmatic Capability and Environmental Results Past Performance.</b> This criterion refers to the technical capability of the applicant to successfully carry out the proposed project taking into account such factors as the applicant’s:</p> <ul style="list-style-type: none"> <li>• Past performance in successfully completing and managing the assistance agreements provided in response to Section IV.B of this announcement. (10 pts.)</li> <li>• History of meeting the reporting requirements under the assistance agreements provided in response to Section IV.B of this 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 progress was not being made</li> </ul>	35

<p>whether the applicant adequately reported why not. (5 pts.)</p> <ul style="list-style-type: none"> <li>Organizational experience and plan for timely and successful achievement of the objectives of the project. (10 pts.)</li> <li>Staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the project. (10 pts.)</li> </ul> <p><i>NOTE: In evaluating applicants under the first two items above, EPA will consider information provided by the applicant in their proposal as well as relevant information from other sources including EPA agency files and prior/current grantors (i.e., to verify and/or supplement the information provided by the applicant). Applicants with no relevant or available past performance and/or reporting history (the first two items above) must indicate this and they will receive a neutral score for those elements of this criterion (a neutral score is half of the total points available in a subset of possible points). If you do not provide any response for those items, you may receive a score of 0 for them.</i></p>	
<p><b>Performance Measurement: Anticipated Outcomes and Outputs.</b> 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, resources conserved). Proposals will be evaluated on the quality and extent to which they:</p> <ul style="list-style-type: none"> <li>Clearly specify anticipated environmental outcomes and outputs including those described in <i>Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (4 pts.)</li> <li>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. (3 pts.)</li> <li>Describe how success in achieving project outcomes and outputs will be evaluated, tracked, and measured. Include a description of any planned reports, plans, or other deliverables that will measure and track the project success and, document achievement of expected/outputs identified in <i>Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (3 pts.)</li> </ul>	10
<p><b>Budget/Resources.</b> 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 package will be evaluated based on the extent that:</p> <ul style="list-style-type: none"> <li>The budget is clearly stated, detailed, and appropriate to achieve the project’s objectives, whether the budget proposal demonstrates the ability to effectively sustain the proposed project, and whether the budget describes the</li> </ul>	5

<p>applicant’s plan for managing the budget and how the applicant will manage the project within cost parameters. (3 pts.)</p> <ul style="list-style-type: none"> <li>The applicant is able to organize and engage the participation of state officials in the work as described in <i>Section 1(B)</i> is demonstrated. (2 pts.)</li> </ul>	
<p><b>Leveraging.</b> Under this criterion, applicants will be evaluated based on the extent to which:</p> <ul style="list-style-type: none"> <li>The proposal demonstrates: (i) how they will coordinate the use of EPA funding with other Federal and/or non Federal sources of funds/resources to leverage additional resources to carry out the proposed project(s) and/or (ii) that EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources. Applicants will also be evaluated based on the type of leveraging proposed, how the applicant will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, and what role it will play in the overall project.</li> </ul>	5

**B. Review and Selection Process.**

All timely received proposals from eligible entities will first be reviewed to determine eligibility for funding based upon compliance with the eligibility criteria listed in *Section 3(C)*. Only proposals determined to be eligible will be evaluated for technical merit. Each eligible proposal will be evaluated by a review panel for technical merit using only the evaluation factors detailed in *Section 5(A)* of this solicitation.

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 will be rank ordered. The review panel will recommend the proposals with the highest evaluated numerical scores to the appropriate agency selection officials 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 January 25, 2010.

The notification to successful applicant(s) that their proposal has been selected for award is not an authorization to begin performance. EPA reserves the right to negotiate appropriate changes in work plans after the selection and before the final award consistent with the Agency’s Competition Policy ([EPA Order 5700.5A1](#), *Section 11*). The “Award Notice” signed by the EPA Grants Officer is the authorizing document and will be provided through postal mail. At a minimum, this process can take up to 90 days from the date of selection.

**B. Administrative and National Policy Requirements**

1. A listing and description of general EPA Regulations applicable to the award of assistance agreements may be viewed at:  
[http://www.epa.gov/ogd/AppKit/applicable\\_epa\\_regulations\\_and\\_description.htm](http://www.epa.gov/ogd/AppKit/applicable_epa_regulations_and_description.htm).
2. Executive Order 12372, Intergovernmental Review of Federal Programs, may be applicable to awards resulting from this announcement. Applicants *selected* for funding may be required to provide a copy of their application to their [State Point of Contact](#) (SPOC) for review, pursuant to Executive Order 12372, Intergovernmental Review of Federal Programs. This review is not required with the initial application and not all states require such a review.
3. Grants and cooperative agreements with non-profit organizations and institutions of higher education are subject to 40 [CFR](#) Part 30 and OMB Circular A-122 (2 [CFR](#) Part 230) for non-profits and A-21 (2 [CFR](#) Part 220) for institutions of higher learning. Grants and cooperative agreements with governmental organizations are subject to 40 [CFR](#) Part 31 and OMB Circular A-87 (2 [CFR](#) Part 225).
4. Programmatic terms and conditions will be negotiated with the selected recipient.

### **C. Reporting Requirement**

Quarterly progress reports and a detailed final report will be required. The quarterly progress reports will be submitted to the EPA Project Officer within thirty days after each reporting period. These reports shall cover work status, work progress, difficulties encountered, preliminary 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.

### **D. Disputes**

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 Federal Register (FR) 3629, 3630 (January 26, 2005) located on the web at: <http://www.epa.gov/ogd/competition/resolution.htm>. Copies of these procedures may also be requested by contacting Sharon Fredericks at [fredericks.sharon@epa.gov](mailto:fredericks.sharon@epa.gov).

### **E. Non-profit Administrative Capability**

Non-profit applicants that are recommended for funding under this announcement are subject to pre-award administrative capability reviews consistent with Section 8b, 8c and 9d of EPA Order 5700.8, Policy on Assessing Capabilities of Non-Profit Applicants for Managing Assistance Awards ([http://www.epa.gov/ogd/grants/award/5700\\_8.pdf](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.

## **Section 7 - Agency Contact**

### **A. CONTACT INFORMATION & ADDRESS FOR REGULAR MAIL (USPS):**

Sharon Fredericks, U.S. EPA, Office of Underground Storage Tanks (MC 5401-P), 1200 Pennsylvania Avenue, NW, Washington, DC 20460; Phone 703-603-0003; or email address: fredericks.sharon@epa.gov

### **B. ADDRESS FOR ALL COMMERCIAL DELIVERY SERVICES (I.E., ALL SERVICES OTHER THAN THE US POSTAL SERVICE, INCLUDING HAND DELIVERY):**

Sharon Fredericks, U.S. EPA, Office of Underground Storage Tanks (MC 5401-P), Two Potomac Yard (North Building, 4th Floor) 2733 S. Crystal Drive, Arlington, VA 22202.

## **Section 8 - Other Information**

1. All questions or comments must be communicated in writing via postal mail, facsimile, or electronic mail to the contact person listed above. Answers will be posted to the OSWER Grants/Funding webpage located at <http://www.epa.gov/oswer/grants-funding.htm>, bi-weekly, until the closing date for this announcement.
2. Applicants selected for award will be required to submit a final cooperative agreement application package to the EPA. This package will include an EPA-approved final work plan that describes the work to be performed, a final budget, and the required certification forms.
3. **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](http://www.exchangenetwork.net).