

## OVERVIEW

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

**TITLE:** FY24 GUIDELINES FOR TECHNICAL ASSISTANCE TO EXISTING AND POTENTIAL BROWNFIELDS REVOLVING LOAN FUND GRANT RECIPIENTS

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

**RFA NO.:** EPA-I-OLEM-OBLR-24-01

**ASSISTANCE LISTING NO.:** 66.814

**DATE:** The closing date and time for receipt of applications is **March 1, 2024**, at 11:59 p.m. Eastern Time (ET). Applications must be submitted through [www.grants.gov](http://www.grants.gov). Applications received after 11:59 p.m. ET on **March 1, 2024**, will not be considered. Please refer to the *Due Date and Submission Instructions* in [Section IV.B.](#) and [Appendix 1](#) for further instructions.

**FUNDING/AWARDS:** EPA anticipates awarding one cooperative agreement for \$3 million, subject to the quality of applications received, availability of funds, and other applicable considerations.

**Prior to naming a contractor (including a consultant) or subrecipient in your application, please carefully review [Section III.C.3.](#) of these guidelines, Section IV of EPA's Solicitation Clauses, and Section D. in the [FY24 Brownfields Frequently Asked Questions \(FAQs\)](#).**

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## SECTION I. – FUNDING OPPORTUNITY DESCRIPTION

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was amended by the Small Business Liability Relief and Brownfields Revitalization Act in 2002 to include Section 104(k)(7), which provides federal financial assistance authorities for brownfields revitalization, including grants for training, research, and technical assistance to individuals and organizations, as appropriate, to facilitate the inventory of brownfield sites, site assessments, remediation of brownfield sites, community involvement, or site preparation. The Brownfields Utilization, Investment, and Local Development (BUILD) Act enacted in 2018 reauthorized EPA’s Brownfields Program and made additional amendments to CERCLA that affect EPA’s brownfield grant authorities, and ownership and liability provisions. (Note: References to CERCLA in this solicitation refer to CERCLA as amended by the 2002 Small Business Liability Relief and Brownfields Revitalization Act and the 2018 BUILD Act.)

A **brownfield site is defined** in CERCLA § 101(39) as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land.

A critical part of [EPA’s Brownfields and Land Revitalization Program](#) is to ensure that residents living in communities historically affected by economic disinvestment, health disparities, and environmental contamination have an opportunity to benefit from brownfields redevelopment. EPA’s Brownfields Program has a rich history rooted in environmental justice and is committed to helping communities revitalize brownfield properties, mitigate potential health risks, and restore economic vitality.

EPA expects that funding awarded will advance the Biden Administration’s [Justice40](#) Initiative, which establishes the goal to deliver 40 percent of the overall benefits from key federal investments to disadvantaged communities.<sup>1</sup>

The EPA’s Brownfields Program is built upon four basic goals and principles – protecting the environment, partnering for success, stimulating the marketplace, and promoting sustainable reuse. EPA is committed to supporting research and technical assistance that will further the goals of the program and provide enhanced knowledge, tools, and processes to a broad range of communities nationwide.

This technical assistance is intended to benefit communities nationwide that have either:

- Already received an EPA Brownfield Revolving Loan Fund (RLF) Grant [hereafter referred to as existing RLF Cooperative Agreement Recipients (CARs)], or
- Are interested in applying for an EPA Brownfield RLF Grant (hereafter referred to as potential RLF CARs).

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<sup>1</sup> To identify geographically defined disadvantaged communities by census tract, applicants would encourage existing and potential RLF CARs to use the Climate and Economic Justice Screening Tool, created by the White House Council on Environmental Quality. See <https://screeningtool.geoplatform.gov>. In addition, disadvantaged communities include all Federally Recognized Tribes, whether or not they have land. See [www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09\\_Signed\\_CEQ\\_CPO.pdf](http://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09_Signed_CEQ_CPO.pdf).

The purpose of this grant is to provide RLF-specific technical assistance (hereafter referred to as RLF TA) that focuses on the unique complexities of EPA Brownfield RLF Grants with the goal of increasing the capacity of EPA-funded Brownfield RLF Programs<sup>2</sup> nationwide. This grant is intended to 1) help communities that have not previously engaged in brownfields projects to gain an understanding of requirements for managing a successful RLF Program, and 2) build capacity for existing RLF CARs, so that they can better manage their RLF Programs when the grant is open (i.e., operating under a cooperative agreement) and in post-closeout status [i.e., operating under a closeout agreement (COA)]<sup>3</sup>.

For the purposes of these guidelines, the term “grant” refers to the cooperative agreement that EPA will award to a successful applicant. Please refer to [Section II.E.](#) for a description of EPA’s anticipated substantial involvement in the grant awarded under these guidelines.

The EPA urges applicants to review the Frequently Asked Questions (FAQs) which can be found at [FY 2024 Frequently Asked Questions about Technical Assistance to Existing and Potential Brownfields Revolving Loan Fund Grant Recipients.](#)<sup>4</sup>

### **I.A. Description of Subject Areas for Technical Assistance**

The EPA’s Office of Brownfields and Land Revitalization (OBLR) is soliciting applications from eligible entities (see [Section III.A. Who Can Apply?](#) below) to provide RLF TA that directly benefits entities nationwide that are eligible for EPA Brownfield RLF Grants to build sustainable RLF Programs. EPA anticipates that the RLF TA provider will assist potential and existing RLF CARs in enhancing their RLF Programs and building capacity within the following:

- Build partnerships to support the development of RLF Programs that will succeed over the long-term (e.g., decades);
- Cultivate expertise among potential and existing RLF CARs through outreach, training, and coaching;
- Connect existing RLF CARs with other RLF CARs who established successful, long-term RLF Programs and have experience in brownfields assessment, cleanup, and reuse;
- Facilitate/host meetings between potential and existing RLF CARs, developers, lenders, and others involved in RLFs (including representatives of environmental justice organizations) and/or the cleanup and reuse of brownfield properties who can increase capacity and understanding of how to build a successful RLF Program; and

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<sup>2</sup> For existing RLF CARs, an RLF Program consists of all awarded Brownfield RLF Grants the CAR has received, whether they be in open, post-closeout, and/or closed status. For potential RLF CARs, the term refers to preparing entities to apply for a Brownfield RLF Grant so that they can establish a successful RLF Program.

<sup>3</sup> Currently, approximately 230 CARs have an RLF Grant that is in open and/or post-closeout status. This number changes regularly as new RLF Grants are awarded and existing RLF Grants go from open to post-closeout to closed status. See the [RLF Program FAQs](#) (as of May 18, 2023) for detailed RLF Grant status definitions.

<sup>4</sup> These Frequently Asked Questions are available at <https://www.epa.gov/brownfields/fy-2024-frequently-asked-questions-about-technical-assistance-existing-and-potential>.

- Aid RLF efforts by supporting RLF CARs through the development of an easily accessible tool kit of templates (e.g., model loan and subgrant agreements), examples, and other outreach materials that will benefit both new and established RLF Programs.

Under CERCLA § 104(k)(7), the EPA is authorized to provide financial assistance that facilitates “the inventory of brownfield sites, site assessments, remediation of brownfield sites, community involvement, or site preparation.” The following are general subject areas for which the EPA will fund RLF TA to support communities. **Applications must clearly describe how the applicant will provide technical assistance in each of the five general subject areas described below.** Applicants may also propose alternative activities/approaches that would supplement or enhance the activities EPA describes below. Any supplemental activities must be an eligible activity described in CERCLA § 104(k)(7). Note, however, that EPA will not fund surveys or other collections of information that require that EPA comply with Information Collection Request requirements in 5 C.F.R. §1320.3(d).

In August 2023, EPA held a public listening session where verbal and written comments were solicited from non-Federal stakeholders on what types of RLF TA is most needed. The subject areas below reflect feedback EPA received in those comments.

### **1. Research on Existing and Potential RLF CARs, Loan Programs Outside of Brownfields, and Available Brownfield Technical Assistance**

Activities supporting this subject area should include both 1) researching Brownfield RLF Programs nationwide to better understand how existing RLF CARs are operating their RLF Programs and what help they need, and 2) researching governmental agencies and non-governmental organizations not associated with a brownfield program that execute or work with loan programs [e.g., Economic Development Administration (EDA), Department of Housing and Urban Development (HUD), Community Development Financial Institution (CDFI), International Economic Development Council (IEDC), Council of Development Finance Agencies (CDFA), etc.] to understand how they are structured and whether anything those agencies/organizations are doing would be helpful to Brownfield RLF Programs.

In addition, research should include identifying the capacity an entity needs to have before applying for an EPA Brownfield RLF Grant in order for potential RLF CARs to be better prepared for implementing a successful RLF Program.

Finally, activities under this subject area should include investigating available brownfield technical assistance, such as the regional and nationwide Technical Assistance to Brownfields (TAB) programs, the Environmental Justice Thriving Communities Technical Assistance Centers, and the Environmental Finance Centers. EPA expects the successful applicant to understand what technical assistance other organizations are currently providing to existing and potential RLF CARs and to coordinate with them on how the RLF TA provider can best collaborate with and supplement those programs and minimize duplication of effort. Information from this research should be used to determine the best way to complete the other four subject areas.

## **2. Annual RLF Meetings (Co-sponsored by EPA)**

Activities supporting this subject area should include facilitating/hosting annual RLF meetings for potential and existing RLF CARs to come together to learn, exchange ideas, and network to better understand RLF policy and tools for improving their RLF Programs. The RLF TA provider will coordinate with EPA when setting agendas for these meetings, will select the location for and pay for the facilities, and will solicit appropriate subject matter experts to provide presentations, such as experienced RLF CARs, developers, loan management specialists, fund managers, other agencies that manage RLFs, or any other entity that can help build the capacity of RLF Programs.

Applicants should propose a meeting plan that specifies the frequency, duration, and planned location(s) of annual RLF meetings. EPA expects applicants to propose a plan in which the first national RLF meeting occurs in late 2024, if feasible.

The following is a summary of public comments that EPA received related to meetings:

- Existing RLF CARs would like to have multi-day national meetings that are not tied to the National Brownfields Conference to allow sufficient time for covering relevant topics and allowing RLF CARs to exchange ideas, best practices, issues, and questions with each other, the RLF TA provider, subject matter experts, and EPA.
- During years when there is a National Brownfields Conference, hosting a short RLF meeting during or just prior to the Conference, as well as some regional RLF meetings that are separate from the Conference. For EPA Regions with relatively few RLF CARs, it may be appropriate to have a multi-region RLF meeting.
- When possible, meetings should be a hybrid of in-person and virtual using appropriate technology. When not possible, the RLF TA provider should consider ways to make information available to RLF CARs who cannot attend in person (e.g., recorded presentations posted to the online toolkit discussed in the next subject area).

Applicants may also propose other activities that are consistent with the intent of this subject area.

To encourage RLF CAR attendance at these meetings and ensure presentations are given by appropriate subject matter experts, funds from this RLF TA Grant may be used for stipends, travel scholarships, and meals. See Section 1.B. for additional information.

## **3. Online Toolkit and Training on the Toolkit**

Technical assistance in this subject area should focus on developing a webpage with online materials that potential and existing RLF CARs can use to build a successful RLF Program. These materials can include, for example, templates, examples, checklists, financial spreadsheets for fund tracking of multiple RLF Grants, loan management software, suggested timelines, and any other materials that will help RLF CARs to establish a successful RLF Program. Particular focus should be placed on materials that are helpful to new RLF CARs (e.g., an onboarding toolkit).

Applicants should also propose an approach to representing RLF CAR's interests in the development of an RLF Handbook, which is being prepared by EPA and an EPA contractor. The RLF Handbook is intended to be a comprehensive guide for RLF CARs on EPA RLF Program policy and other RLF topics such as marketing and financial management. Applicants should describe their vision for the RLF Handbook based on their own experience and feedback from experienced RLF CARs (see the possible formation of an RLF Advisory Council in the next subject area). Applicants should identify RLF-specific topics such as examples of aspects necessary for setting up a loan program (e.g., interest rate, repayment terms, offering a discount, proper collateral, strategies based on the market, etc.), marketing and financial management templates/tools, as well as other matters that will assist RLF CARs in using the RLF Handbook effectively. However, because the RLF Handbook will be an EPA document, EPA will make all final decisions on its content.

The RLF Handbook will be publicly available. Applicants should propose how they will provide and/or facilitate training on the toolkit contents as the online toolkit is developed (e.g., via recorded webinars and the annual RLF meetings). Note that although EPA will review and provide comments on the training curricula and co-sponsor the training events, the successful applicant, rather than EPA, will make the final decisions on the content and methods for delivering the training.

#### **4. Peer-to-peer Networking/Community of Practice and RLF Advisory Council**

Technical assistance in this subject area should include facilitating national peer-to-peer networking among existing RLF CARs, with the option for potential RLF CARs to participate as appropriate. For example, this subject area could include the development of a platform for questions and discussion among RLF CARs (e.g., a "wiki" or community of practice). Applicants may also propose other means of establishing and implementing a peer-to-peer networking/community of practice system that are consistent with the intent of this subject matter area.

In addition, applicants may propose to establish an RLF Advisory Council that would consist of subject matter experts and experienced RLF CARs from geographically diverse locations across EPA Regions who would provide feedback and input to the RLF TA provider on all subject areas included in this grant. Examples of ways the RLF Advisory Council could assist the RLF TA provider are as follows: provide input on meeting agenda topics, help with presentations for annual meetings and webinars, review and provide material for the online toolkit to include the RLF Handbook, and act as an advisory board or working group in regularly scheduled webinars where RLF CARs could "call in" with questions or issues they are facing with their RLF Program.

EPA provides information on the allowability of advisory council costs in the [EPA Office of Grants and Debarment Guidance on Selected Items of Cost for Recipients](#).

## 5. Direct Nationwide RLF-Specific Technical Assistance

Technical assistance in this area should address providing nationwide technical assistance to potential or existing RLF CARs over the phone, via meeting software, or via email using pre-prepared materials available online. This could also include, for example, setting up RLF office hours that would facilitate discussion between the RLF TA provider and existing RLF CARs.

The RLF TA provider should coordinate relevant activities with other EPA Brownfields Technical Assistance providers to ensure the RLF TA is RLF-specific and supplements existing TA that is available (e.g., examples of RLF-specific TA include unique RLF requirements in applications for potential RLF CARs, as well as the loan execution/management process or strategies for expenditures on loans and subgrants consistent with EPA RLF policies).

Applicants should propose a plan for: reviewing existing materials from EPA Technical Assistance providers to avoid duplication, training other EPA Brownfields Technical Assistance providers on specific tools or RLF capacity building approaches, referring program participants to other EPA Technical Assistance Providers (e.g., Technical Assistance for Brownfields, Environmental Finance Centers, Environmental Justice Thriving Communities Technical Assistance Centers) as applicable, and/or leading an activity at a workshop organized by regional, state or other EPA Technical Assistance Providers to increase the visibility and understanding of brownfield RLFs.

Applicants may also propose other means of establishing and implementing a direct RLF specific technical assistance program that is consistent with the intent of this subject matter area.

### **RLF Technical Assistance Coalition**

Applicants may, but are not required to, propose forming a coalition to carry out their RLF TA program. Applying as an RLF TA Coalition may be beneficial since it could allow the RLF TA provider to share more diverse experiences with potential and existing RLF CARs (EPA recognizes that there may be other means of achieving that purpose). An RLF TA Coalition is comprised of one “lead” eligible entity that partners with one or more non-lead eligible entities. The lead eligible entity is the applicant that submits an application on behalf of the coalition members who may receive subawards. The RLF TA Coalition may request funding up to \$3 million to provide technical assistance to existing and potential RLF CARs. The non-lead coalition members may not be an agency or instrumentality of, or be affiliated with, **the lead member** (for example, a county and the redevelopment authority of the same county); except for coalitions in which the state is the lead and one of the members is a regional council or regional commission that is created by a state legislature through a charter or another official action.

A non-lead member of a coalition may be an existing RLF CAR or RLF Grant Coalition member, but may not be an agency or instrumentality of or be affiliated with **another non-lead**



**member** in the same RLF TA Coalition. The coalition members must be separate legal entities. For example, the following may not be members of the same coalition:

1. Different departments within the same unit of government;
2. A unit of government and an affiliated nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code that the city controls; or
3. Affiliated 501(c)(3) nonprofit organizations (e.g., nonprofit organizations that have the same board of directors or staff). This does not preclude separately incorporated chapters of a national nonprofit organization from being non-lead members of coalitions in different geographic areas. For example, an organization is a national nonprofit with local chapters that are separately incorporated and have their own board of directors and staff. Local chapter “A” conducts programming in the state of “Y.” Local chapter “B” conducts programming in the state of “Z.” Both chapters may be non-lead members of different FY24 RLF TA Grant applications.

If selected, the lead entity will be the point of contact for the other coalition members. The lead entity will be the grant recipient and must administer the grant and be accountable to EPA for effectively carrying out the scope of work and the proper financial management of the grant.<sup>5</sup>

**Coalition members may not be members of other RLF TA Coalition applications, nor may coalition members submit an RLF TA Grant application as an individual applicant.** A coalition member wishing to apply as part of a different RLF TA Coalition or as an individual applicant must withdraw from the coalition.

Please note that once the lead entity submits the application, it becomes the applicant, and the coalition members may not substitute another eligible entity as the lead entity after the deadline for submitting applications has passed. Additionally, the non-lead coalition members may not be substituted after the deadline for submitting applications has passed. If the application is selected for funding, the lead member must partner with the other coalition members that were named in the application unless EPA approves a post-award change to these arrangements pursuant to 2 CFR § 200.308(c).

A Memorandum of Agreement (MOA) documenting the coalition’s process must be in place prior to the expenditure and draw down of any funds that are awarded. The coalition members should identify and establish relationships necessary to achieve the project’s goal. A process for successful execution of the project’s goal, including a description and role of each coalition member, should be established along with the MOA. The purpose of the MOA is for coalition members to agree internally on the distribution of funds and the mechanisms for implementing the RLF TA work.

## **I.B. Uses of Grant Funds**

Eligible uses of grant funds include direct costs necessary to provide brownfields research and

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<sup>5</sup> If the application is successful, the lead applicant is the *Recipient* as defined in 2 CFR § 200.1 that is accountable to EPA for performance of the assistance agreement. A lead applicant who provides subawards to coalition members is also *Pass-through entities* as defined in 2 § CFR 200.1 and must comply with the *Subrecipient Monitoring and Management* requirements in 2 CFR Part 200.

technical assistance identified in the approved workplan. This includes eligible programmatic costs necessary to perform the project, such as: costs for personnel, technical experts, materials, supplies, room rentals, travel, and transportation expenses for recipient personnel and program beneficiaries.

Eligible uses of grant funds also include costs associated with eligible participant support costs, including for:

- Reasonable stipends to compensate beneficiaries and/or subject matter experts for participating in technical assistance events. Note that stipends may only be paid for actual time spent at the technical assistance events and must not duplicate training support provided through other Federal, state, Tribal or local programs.
- Transportation for beneficiaries to and from technical assistance events in the form of partial or full stipends, meals, or other allowable direct costs are allowable only if the program participant does not charge the cost to an existing RLF Grant<sup>6</sup> or other Federal grant.

Eligible uses of grant funds also include allowable advisory council costs, including reasonable stipends to compensate beneficiaries and/or subject matter experts for participating in an advisory council.<sup>7</sup> Note that stipends may only be paid for actual time spent participating on the advisory council and must not duplicate support provided through other Federal, state, Tribal, or local programs.

Note, the scope of work and related budget narrative must describe the advisory council's membership, functions, and costs and explain why the advisory council is necessary to carry out this EPA funded project. Refer to [Guidance on Selected Items of Cost for Recipients](#) for information on costs for advisory councils.

**Funds cannot be used for the payment of:**

1. Conducting site assessments or cleanups;
2. Construction and land acquisition;
3. Foreign travel;
4. Direct costs for Federal, state or private grant application preparation with the exception of incidental use of data or guidance materials by grant applicants;
5. Writing or reviewing grant applications;
6. A penalty or fine;
7. A federal cost share requirement (for example, a cost share required by other federal funds unless there is authority in another Federal statute to use Federal funds for cost share);

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<sup>6</sup> Although travel costs for training are an eligible cost under RLF Grants, RLF CARs with an open RLF cooperative agreement may want to avoid charging these costs to their grant since they count as non-loan costs in the 50/50 split calculation. See the [RLF Program FAQs](#) for more explanation of the 50/50 split calculation.

<sup>7</sup> EPA interprets the term “advisory council” to include groups of individuals who are not employees of the recipient that provide strategic and policy advice to the organization.

8. Administrative costs, including all indirect costs and direct costs for cooperative agreement administration, in excess of five (5) percent of the total amount of EPA cooperative agreement funding, with the exception of financial and performance reporting costs (which are considered allowable programmatic costs and not subject to the 5% limitation);
9. Surveys or other collections of information that require that EPA comply with Information Collection Request requirements in 5 CFR § 1320.3(d)<sup>8</sup>;
10. A cost of compliance with any federal law, excluding the cost of compliance with laws applicable to environmental cleanup;
11. Unallowable costs (e.g., lobbying) under 2 CFR Part 200, Subpart E; or
12. Travel costs for EPA (or other federal government) employees.

### **Administrative Costs**

Under CERCLA § 104(k)(5)(B), CARs and subrecipients may use up to 5% of the amount of federal funding for this cooperative agreement for administrative costs, including indirect costs under [2 CFR § 200.414](#). As required by [2 CFR § 200.403\(d\)](#), the CAR and subrecipients must classify administrative costs as direct or indirect consistently and may not classify the same types of cost in both categories. Eligible cooperative agreement and subaward administrative costs subject to the 5% limitation include direct costs for:

- a. Costs incurred to comply with the following provisions of the *Uniform Administrative Requirements for Cost Principles and Audit Requirements for Federal Awards* at 2 CFR Parts 200 and 1500 other than those identified as programmatic.
  - i) Preparing revisions and changes in the budgets, scopes of work, program plans, and other activities required under [2 CFR § 200.308](#);
  - ii) Maintaining and operating financial management systems required under [2 CFR § 200.302](#);
  - iii) Preparing payment requests and handling payments under [2 CFR § 200.305](#);
  - iv) Financial reporting under [2 CFR § 200.327](#);
  - v) Non-federal audits required under 2 CFR Part 200, Subpart F; and
- b. Closeout under [2 CFR § 200.343](#) with the exception of preparing the recipient's final performance report. Costs for preparing this report are programmatic and are not subject to the 5% limitation on direct administrative costs.

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

The activities to be funded under this announcement support the [EPA's FY 2022-2026 Strategic Plan](#).<sup>9</sup> Awards made under this announcement will support Goal 6 - Safeguard and Revitalize Communities, Objective 6.1 - Clean Up and Restore Land for Productive Uses and Healthy Communities of the [EPA's Strategic Plan](#). All applications must be for projects that support this goal and objective.

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<sup>8</sup> EPA funds may not be used for the design or administration of an information collection, and EPA personnel may not participate in such activities. Reasonable costs for analyzing independently collected information and publishing the results of such information collections are allowable to the extent authorized in the EPA approved budget.

<sup>9</sup> EPA's Strategic Plan is available at <https://www.epa.gov/planandbudget/strategicplan>.

## **I.D. Measuring Environmental Results: Anticipated Outputs/Outcomes**

EPA requires that applicants adequately describe environmental outputs (performance measures) and outcomes to be achieved under assistance agreements.<sup>10</sup> Applicants must include specific statements describing the environmental results of the proposed project in terms of well-defined outputs and, to the maximum extent practicable, well-defined outcomes that will demonstrate how the project will contribute to the Agency's strategic plan goal and objective described above in [Section I.C.](#)

Applicants are required to describe, in their responses to the ranking criteria in [Section IV.E.](#), how funding will help EPA achieve environmental outputs and outcomes. Outputs and outcomes specific to each project will be identified as deliverables in the negotiated workplan if the application is selected for award. The recipient will be expected to report progress toward the attainment of expected project outputs and outcomes during the project performance period. Outputs and outcomes are defined as follows:

### **a. Outputs**

The term "outputs" refers to an environmental activity, effort and/or associated work product 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 the project period. The expected outputs for the grants awarded under these guidelines may include but are not limited to:

- a. The number of entities and projects receiving technical assistance;
- b. The number of RLF Programs supported;
- c. The number of technical assistance meetings, workshops, and webinars;
- d. The number of checklists, templates, financial tracking spreadsheets, and/or other materials provided as a tool kit for existing RLF CARs; and
- e. Research results and dissemination through reports or other written materials.

### **b. Outcomes**

The term "outcomes" refers to the result, effect, or consequence that will occur from carrying out the activities under the grant. Outcomes may be environmental, behavioral, health-related, or programmatic; must be qualitative or quantitative, and may not necessarily be achievable during the project period. EPA anticipates outcomes from cooperative agreements expected to be awarded under this announcement will include, but not be limited to, increasing the capacity of entities to assess (when allowed by an RLF COA), cleanup, and safely reuse brownfields by:

- a. increased capacity to establish and/or enhance their RLF Program;
- b. better informed and equipped to effectively address and be involved in brownfield RLF activities;
- c. improved RLF CAR involvement, communication, and developing new partnerships among differing groups; and

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<sup>10</sup> EPA Order 5700.7, *EPA's Policy for Environmental Results under EPA Assistance Agreements* is available at [www.epa.gov/grants/epa-order-57007a1-epas-policy-environmental-results-under-epa-assistance-agreements](http://www.epa.gov/grants/epa-order-57007a1-epas-policy-environmental-results-under-epa-assistance-agreements).

- d. enabling entities with RLF Programs to manage their program successfully over the long-term and stimulate economic, social, and other beneficial reuses of brownfield sites in order to improve environmental conditions and human health.

### **I.E. Additional Provisions for Applicants Incorporated into the Solicitation**

Additional provisions that apply to Sections [III.](#), [IV.](#), [V.](#), and [VI.](#) of this solicitation and/or awards made under this solicitation, can be found in [EPA's Solicitation Clauses](#). **These provisions are important for applying to this solicitation and applicants must review them when preparing applications.** If you are unable to access these provisions electronically at the website above, please contact the Regional Brownfields Contact listed in [Section VII.](#) to obtain the provisions.

## **SECTION II. – AWARD INFORMATION**

### **II.A. What is the Amount of Available Funding?**

The total estimated funding available under this competitive opportunity is \$3,000,000, subject to the availability of funds, quality of applications, and other applicable considerations. The EPA anticipates awarding one cooperative agreement. The agreement will be incrementally funded with additional funds being added to each subsequent year of the agreement, subject to satisfactory performance, the availability of funds and other applicable considerations.

EPA reserves the right to make additional awards under this competition, consistent with EPA policy and guidance, if additional funding becomes available. Any additional selections for awards will be made no later than six months from the date of original selection decisions. EPA reserves the right to not fund any applications under this competition.

### **II.B. How Many Agreements Will EPA Award in this Competition?**

EPA anticipates selecting one (1) recipient under this competitive opportunity for a cooperative agreement.

EPA reserves the right to reject all applications and make no awards under this announcement.

### **II.C. Will Applications be Partially Funded?**

In appropriate circumstances, EPA reserves the right to partially fund applications by funding discrete activities, portions, or phases of proposed projects. To maintain the integrity of the competition and selection process, should EPA decide to partially fund an application, it will do so in a manner that does not prejudice any applicants or affect the basis upon which the application, or portion thereof, was evaluated and selected for award.

## **II.D. What is the Project Period for Award Resulting from this Solicitation?**

The anticipated project period for this cooperative agreement is five years. The EPA expects the recipient to complete all deliverables under its award during the fifth year of its project and allow time for reporting accomplishments data and disseminating final reports as applicable.

## **II.E. Substantial Involvement**

This Brownfield Grant will be awarded in the form of a cooperative agreement. A cooperative agreement requires the EPA Project Officer to be substantially involved in overseeing the work performed by the selected recipient. Although EPA will negotiate precise terms and conditions related to substantial involvement as part of the award process, the anticipated substantial federal involvement for this project may include, but is not limited to:

- Close monitoring of the recipient's performance to verify compliance with the EPA-approved workplan and achievement of results.
- Co-sponsoring events as described above.
- Collaborating during the performance of the scope of work including participation in project activities, to the extent permissible under EPA policies. Examples of collaboration include:
  - Consultation between EPA staff and the recipient on effective methods of carrying out the scope of work provided the recipient makes the final decision on how to perform authorized activities.
  - Advice from EPA staff on how to access publicly available information on EPA or other federal agency websites.
  - Support from EPA on integrating RLF-specific technical assistance under this grant with other Federal technical assistance providers, such as Technical Assistance to Brownfields Communities, EJ Thriving Communities Technical Assistance Centers (TCTACs), Environmental Finance Centers, and more.
  - With the consent of the recipient, EPA staff may provide technical advice to the recipient's contractors or subrecipients provided the recipient approves any expenditures of funds necessary to follow advice from EPA staff. The recipient remains accountable for performing contract and subaward management as specified in [2 CFR § 200.318](#) and [2 CFR § 200.332](#) as well as the terms of the EPA cooperative agreement.
  - EPA staff participation in meetings, webinars, and similar events upon the request of the recipient or in connection with a co-sponsorship agreement.
- Reviewing proposed procurement in accordance with [2 CFR § 200.325](#), as well as the substantive terms of proposed contracts or subawards as appropriate. This may include reviewing requests for proposals, invitations for bid, scopes of work and/or plans and specifications for contracts over \$250,000 prior to advertising for bids.
- Reviewing qualifications of key personnel. (EPA does not have the authority to select employees or contractors, including consultants, employed by the award recipient.)
- Reviewing and commenting on performance reports prepared under the cooperative agreement to ensure all costs incurred by the recipient and/or its contractor(s) are needed

and are an appropriate expenditure of grant funds. (The final decision on the content of reports rests with the recipient.)

- Reviewing outputs and outcomes to ensure substantial progress is made in accordance with the cooperative agreement terms and conditions.
- Participation in periodic telephone conference calls to share ideas, project successes and challenges, etc., with EPA.

### **SECTION III. – APPLICANT ELIGIBILITY AND THRESHOLD CRITERIA**

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

#### **III.A. Who Can Apply?**

The following information indicates which entities are eligible to apply for this cooperative agreement:

- General Purpose Unit of Local Government. [For purposes of the EPA Brownfields cooperative agreement Program, a “local government” is defined as stated under 2 CFR § 200.64.: Local government means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937), school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under state law), any other regional or interstate government entity, or any agency or instrumentality of a local government.]
- Land Clearance Authority or another quasi-governmental entity that operates under the supervision and control of, or as an agent of, a general-purpose unit of local government.
- Government Entity Created by State Legislature.
- Regional Council or group of General-Purpose Units of Local Government.
- Redevelopment Agency that is chartered or otherwise sanctioned by a state.
- State.
- Federally recognized Indian Tribe other than in Alaska. (The exclusion of Alaskan Tribes from Brownfields cooperative agreement eligibility is statutory at CERCLA § 104(k)(1)). Intertribal Consortia, comprised of eligible Indian Tribes, are eligible for funding in accordance with EPA’s policy for funding intertribal consortia published in the *Federal Register* on November 4, 2002, at 67 Fed. Reg. 67181.)
- Alaska Native Regional Corporation, Alaska Native Village Corporation, and Metlakatla Indian Community. (Alaska Native Regional Corporations and Alaska Native Village Corporations are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 and following.)
- Nonprofit organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.
- Limited liability corporation in which all managing members are 501(c)(3) nonprofit organizations or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations.
- Limited liability partnership in which all general partners are 501(c)(3) nonprofit organizations or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations.

- Qualified community development entity as defined in Section 45D(c)(1) of the Internal Revenue Code of 1986.
- Other Nonprofit organizations. (For purposes of this cooperative agreement program, the term “nonprofit organization” means any corporation, trust, association, cooperative, or other organization that is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest; is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. The term includes nonprofit colleges, universities, and other educational institutions.)

Note, individuals, for-profit organizations, and nonprofit organizations exempt from taxation under Section 501(c)(4) of the Internal Revenue Code that lobby within the meaning of the Lobbying Disclosure Act 2 U.S.C. 1601 et. seq. are not eligible to receive Brownfields cooperative agreements.

### III.B. Voluntary Cost Share/Leveraging

**Matching funds are not required under this competition.** Although cost-sharing or matching is not required as a condition of eligibility under this competition announcement, EPA will evaluate responses to the *Leveraging* criterion ([Section IV.E.](#)). Leveraging is generally when an applicant proposes to provide its own additional funds/resources or those from third-party sources (including another federal grant) to support or complement the project awarded under the competition that are above and beyond the EPA cooperative agreement funds awarded. Any leveraged funds/resources, and their source, must be identified in the application. Leveraged funds and resources may take various forms as noted below.

**Voluntary cost share** is a form of leveraging. Voluntary cost sharing is when an applicant voluntarily proposes to legally commit to providing costs or contributions to support the project when a cost share is not required. Applicants who propose to use a voluntary cost share **must** include the costs or contributions for the voluntary cost share in the project budget on the SF-424. If an applicant proposes a voluntary cost share, the following apply:

- A voluntary cost share is subject to the match provisions in the cooperative agreement regulations ([2 CFR § 200.306](#), as applicable).
- A voluntary cost share may only be met with eligible and allowable costs.
- The recipient may not use other sources of federal funds to meet a voluntary cost share unless the statute authorizing the other federal funding provides that the federal funds may be used to meet a cost share requirement on a federal cooperative agreement.
- The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget as provided in the definition of *Voluntary committed cost sharing* in 2 CFR § 200.1. If the proposed voluntary cost share does not materialize during cooperative agreement performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by [2 CFR § 200.339](#).

**Other leveraged funding/resources that are not identified as a voluntary cost share.** This form of leveraging may be met by obtaining and dedicating funding from another federal



cooperative agreement, from an applicant's own resources, or resources from other third-party sources. This form of leveraging should not be included in the budget and the costs need not be eligible and allowable project costs under the EPA assistance agreement. While this form of leveraging should not be included in the budget, the cooperative agreement workplan should include a statement indicating that the applicant is expected to produce the proposed leveraging consistent with the terms of the announcement and the applicant's application. If applicants propose to provide this form of leveraging, EPA expects them to make the effort to secure the leveraged resources described in their applications. If the proposed leveraging does not materialize during cooperative agreement performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 2 CFR Parts 200 and 1500 as applicable.

### **III.C. Threshold Eligibility Criteria**

This section contains the threshold eligibility criteria that ensure applicants are eligible to receive a cooperative agreement under this competition. Threshold criteria are evaluated on a pass/fail basis and are based on certain requests for information identified below. Only those applications that **specifically address and pass each of the threshold criteria** listed below will be evaluated against the evaluation criteria in [Section V.A.](#) of this announcement.

If an application is submitted that includes any ineligible tasks or activities, that portion of the application will be ineligible for funding and may, depending on the extent to which it affects the application, render the entire application ineligible for funding.

Applicants deemed ineligible for funding consideration as a result of failing the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

EPA staff will respond to questions regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about this announcement. For purposes of the threshold eligibility review, an EPA Brownfields Program representative, if necessary, may seek clarification of applicant information that is included in the application and/or consider information from other sources, including EPA files. Such communications shall not be used to correct application deficiencies or material omissions, materially alter the application or project proposed, or discuss changes to the applicant's responses to any evaluation or selection criteria.

To maintain the integrity of the competition process, 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. EPA's limitations on staff involvement with grant applicants are described in [EPA's Policy for Competition of Assistance Agreements](#).<sup>11</sup>

Applications must substantially comply with the submission instructions and requirements set forth in [Section IV](#), of this announcement or they will be rejected. Pages exceeding the page

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<sup>11</sup> EPA Order 5700.5A1, *EPA's Policy for Competition of Assistance Agreements* is available at [www.epa.gov/grants/epa-order-57005a1-epas-policy-competition-assistance-agreements](http://www.epa.gov/grants/epa-order-57005a1-epas-policy-competition-assistance-agreements).

limits described in [Section IV.C.](#) for the Narrative Information Sheet and the Narrative, and attachments not specifically required, will not be reviewed.

In addition, applications must be submitted through [www.grants.gov](http://www.grants.gov) as stated in [Section IV.](#) and [Appendix 1](#) of this announcement (except in the limited circumstances where another mode of submission is specifically allowed for as explained in [Appendix 1](#)) on or before the application submission deadline. Applicants are responsible for following the submission instructions in [Section IV.](#) and [Appendix 1](#) of this announcement to ensure that their application is submitted on time. Please note that applicants experiencing technical issues with submitting through Grants.gov should follow the instructions provided in [Appendix 1](#), which include both the requirement to contact Grants.gov and email a full application to EPA prior to the deadline.

Applications submitted outside of Grants.gov will be deemed ineligible without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling or because of technical problems associated with [www.grants.gov](http://www.grants.gov) or relevant [www.sam.gov](http://www.sam.gov) system issues. An applicant's failure to timely submit their application through [www.grants.gov](http://www.grants.gov) because they did not timely or properly register in [www.sam.gov](http://www.sam.gov) or [www.grants.gov](http://www.grants.gov) will not be considered an acceptable reason to consider a submission outside of Grants.gov.

EPA will verify that the Unique Entity Identifier (UEI) number listed on the application is the correct UEI number for the applicant's organization/department. If the correct UEI number is not included in the application, the application may be deemed ineligible. Applicants need to ensure that the correct Authorized Organization Representative (AOR) and UEI number of the entity that will receive the award and will be held accountable by EPA for the proper expenditure of funds are listed on the application.

Applicants must clearly describe approaches/activities to address all five of the proposed subject areas as described in [Section I.A. Description of Subject Areas for Technical Assistance](#), of this announcement. Note that RLF TA must be provided at a national level. Responses to this threshold criterion must be included in the Narrative.

Responses to each item below are required and must be included as an attachment to the Narrative that is included in the application submitted to EPA. See [Section IV.C.](#) for a complete list of required documents that must be submitted.

#### **1. Applicant Eligibility**

- a. Applicants and coalition members must be eligible entities. From the list of eligible entities in [Section III.A., Who Can Apply?](#), indicate your applicant type (and the applicant type for each non-lead coalition member, if applicable).

Provide information that demonstrates how you (and each non-lead coalition member, if applicable) are an eligible entity for this grant.

- For entities that are cities, counties, Tribes, or states, affirm that the organization is eligible for funding.

- For government entities other than cities, counties, Tribes, or states, attach documentation of your eligibility (e.g., resolutions, statutes, etc.).
  - For nonprofit organizations, or organizations comprised of nonprofit organizations, provide documentation as an attachment to the Narrative demonstrating tax-exempt status under section 501(c)(3) of the Internal Revenue Code, another provision of the Internal Revenue Code, or recognition as a nonprofit organization under applicable state or tribal law.
  - For qualified community development entities, provide documentation as an attachment to the Narrative certifying the organization’s status.
  - Intertribal consortia must attach documentation that they meet the requirements in 40 CFR 35.504(a) and (c). All members of the Intertribal consortium must authorize submission of an application to provide nationwide technical assistance.
- b. Indicate if your organization (and non-lead coalition members, if applicable) is exempt from Federal taxation under section 501(c)(4) of the Internal Revenue Code.
- If yes, indicate if your organization lobbies within the meaning of the Lobbying Disclosure Act 2 U.S.C. 1601 et. seq.
  - If yes, but your organization does not lobby, attach a legal opinion that states that the organization does not engage in lobbying activities within the meaning of the Lobbying Disclosure Act 2 U.S.C. 1601 et. seq.

The non-lead coalition members may not be an agency or instrumentality of or be affiliated with **the lead member** (for example, a county and the redevelopment authority of the same county); except for coalitions in which the state is the lead and one of the members is a regional council or regional commission that is created by a state legislature through a charter or another official action.

A non-lead member may not be an agency or instrumentality of or be affiliated with **another non-lead member** in the same coalition. The non-lead members must be separate legal entities. For example, the following may not be members of the same coalition:

1. Different departments within the same unit of government;
2. A unit of government and an affiliated nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code that the city controls; or
3. Affiliated 501(c)(3) nonprofit organizations (e.g., nonprofit organizations that have the same board of directors or staff). This does not preclude separately incorporated chapters of a national nonprofit organization from being non-lead members of coalitions in different geographic areas. For example, an organization is a national nonprofit with local chapters that are separately incorporated and have their own board of directors and staff. Local chapter “A” conducts programming in the state of “Y.” Local chapter “B” conducts programming in the state of “Z.”

Both chapters may be non-lead members of different FY24 RLF TA Grant applications.

Coalition members may not be members of other RLF TA Coalition applications, nor may coalition members submit an RLF TA Grant application as an individual applicant.

2. **Coalition Agreement**

Each non-lead coalition member must submit a signed letter to the grant applicant (the lead coalition member) in which they agree to be part of the coalition. An active Memorandum of Agreement that includes a description and role of each coalition member may serve in place of the individual coalition members' letters. Include the document(s), as an attachment, in your application. **Documentation that is not included with the application will render that non-lead member ineligible from participating in the coalition, and potentially render the entire application ineligible if there is less than one non-lead member.**

3. **Contractors and Named Subrecipients**

• **Contractors.**

EPA does not require or encourage applicants to procure contractors (including consultants) before the EPA cooperative agreement is awarded, but applicants may choose to do so.

Applicants, other than state applicants, that have procured a contractor(s) where the amount of the contract will be more than the micro-purchase threshold in [2 CFR § 200.320\(a\)\(1\)](#) (\$10,000 for most applicants) must demonstrate how the contractor (including consultants) was selected in compliance with the fair and open competition requirements in 2 CFR Part 200 and 2 CFR Part 1500.<sup>12</sup> EPA provides guidance on complying with the competition requirements in the [Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#)<sup>13</sup> and the [Brownfields Grants: Guidance on Competitively Procuring a Contractor](#).<sup>14</sup> For example:

- EPA will not accept sole source justifications for procurement contracts for services such as training, environmental or financial consulting, engineering, and remediation that are available in the commercial marketplace.

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<sup>12</sup> Consistent with 2 CFR § 200.317, states follow the same competitive policies and procedures they use for procurements from their non-Federal funds.

<sup>13</sup> EPA's *Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements* is available at [www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance-agreements](http://www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance-agreements).

<sup>14</sup> EPA's *Brownfields Grants: Guidance of Competitively Procuring a Contractor* is available at <https://www.epa.gov/system/files/documents/2023-04/BF%20Guidance%20on%20Competitively%20Procuring%20a%20Contractor%204-25-23-508compliant.pdf>.

- Firms or individual consultants that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements as provided in [2 CFR § 200.319\(b\)](#). Note that EPA interprets this provision as precluding applicants/recipients from working with, using sample language or templates from, accepting free services from, or hiring any contractors to develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals for procurements if that contractor will be competing for the resultant contract.
- Consistent with 2 CFR § 200.320(b)(2)(iii), for contracts over \$250,000, price must be an evaluation factor in the review of proposals or quotes.

Applicants must disclose whether they have already selected a contractor that will be compensated with EPA funds made available under this announcement. If a contractor(s) has been selected prior to submitting the application to EPA (including when a contractor(s) has been selected under a “dual procurement process” for both grant proposal writing and services necessary to help you carry out the grant), applicants must describe:

- the procurement procedures that were followed to hire the contractor(s);
- **where and when** the Request for Proposals/Request for Qualifications was posted;
- the length of time the RFP/RFQ was advertised;
- the number of firms solicited and the number of offers received and considered; and
- the name(s) of the firm(s) the applicant entered into contract with.

Note, regardless of whether the solicitation is issued as a Request for Proposals or a Request for Qualifications, price reasonableness for the grant implementation work must be a selection factor in the evaluation of proposals or quotes. See the [Brownfields Grants: Guidance of Competitively Procuring a Contractor](#) for additional guidance.

Provide a copy of (or link to) the solicitation documents and the signed executed contract.

Alternatively, state ‘n/a’ or ‘not applicable’ if a contractor has not been procured.

Successful applicants that procure a contractor(s) after being advised by EPA of selection, but prior to award, must describe how they complied with the procurement procedures described above when submitting the final workplan for the award.

Recipients of EPA funding who select a contractor(s) after award must fully comply with the procurement standards at 2 CFR Part 200, 2 CFR Part 1500, and 40 CFR Part 33.

- **Named Subrecipients.**

EPA does not require or encourage applicants to name a specific subrecipient(s) in the application for Brownfields Grant funding, with the exception of coalition members as described above. If an applicant chooses to identify a specific subrecipient(s) to conduct work proposed in this application, the applicant must comply with the following requirements even if the entity is referred to as a “partner” in the application.

Successful applicants that do not name a specific subrecipient(s) in their application but identify a subrecipient(s) after being advised of selection, must also comply with the requirements described below.

All applicants, including states, that name a specific subrecipient in this application must demonstrate that the subrecipient is eligible for a subaward in compliance with [Appendix A](#)<sup>15</sup> of [EPA’s Subaward Policy for EPA Assistance Agreement Recipients](#).<sup>16</sup> This policy provides, among other things, that transactions between recipients and for-profit firms and individual consultants are procurement contracts rather than subawards when the transaction involves the acquisition of services from the firm or individual.

Refer to [EPA’s Contracts and Subawards Solicitation Clause](#)<sup>17</sup> for additional guidance on these requirements which must be met for all contractors (except for micro-purchases as described above) and/or subrecipients specifically named in the application.

Describe how the named subrecipient is eligible for a subaward (e.g., is a nonprofit organization or unit of government). Alternatively, state ‘n/a’ or ‘not applicable’ if a subrecipient is not named.

**Failure to provide the requested information will result in rejection of the application.** EPA staff may contact the applicant to clarify issues or obtain additional information before making a final eligibility determination. If EPA determines that the process you completed to select a contractor was not compliant with the federal regulations in 2 CFR Part 200 and 2 CFR Part 1500 and your application is selected for funding, you will need to prepare and issue a new RFP/RFQ that is compliant with federal procurement regulations. Additionally, EPA may review the new RFP/RFQ and selection process to ensure compliance with fair and open competition requirements. Please see Section II in the [FAQs](#) for additional guidance.

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<sup>15</sup> *Appendix A of EPA’s Subaward Policy* is available at [www.epa.gov/sites/production/files/2020-11/documents/gpi-16-01-subaward-policy\\_app-a.pdf](http://www.epa.gov/sites/production/files/2020-11/documents/gpi-16-01-subaward-policy_app-a.pdf).

<sup>16</sup> *EPA’s Subaward Policy for EPA Assistance Agreement Recipients* is available at [www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients](http://www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients).

<sup>17</sup> *EPA’s Solicitation Clauses* are available at [www.epa.gov/grants/epa-solicitation-clauses](http://www.epa.gov/grants/epa-solicitation-clauses).

## SECTION IV. – APPLICATION SUBMISSION INFORMATION

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

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

An application package may be obtained by visiting this opportunity (EPA-I-OLEM-OBLR-24-01) on [www.grants.gov](http://www.grants.gov). Applicants will be prompted to initiate the application process by generating a Workspace for this opportunity.

### IV.B. Due Date and Submission Instructions

Your organization's Authorized Organization Representative (AOR) must submit your complete application package<sup>18</sup> electronically to EPA through [www.grants.gov](http://www.grants.gov). Applications must be received no later than 11:59 p.m. ET on **March 1, 2024**. Please allow enough time to successfully submit your application package and allow for unexpected errors that may require you to resubmit. Occasionally, technical and other issues arise when using [www.grants.gov](http://www.grants.gov).

Applications received after 11:59 p.m. ET on **March 1, 2024**, will not be considered for funding.

Follow the Submission Instructions in Section B.1. in [Appendix 1](#) for the requirements to apply in [www.grants.gov](http://www.grants.gov). In order to submit an application through [www.grants.gov](http://www.grants.gov), your organization must:

- Have an active System for Award Management (SAM) account in [www.sam.gov](http://www.sam.gov) and a Unique Entity Identifier (UEI) assigned by [www.sam.gov](http://www.sam.gov);
- Be registered in [www.grants.gov](http://www.grants.gov); and
- Have the E-Business Point of Contact designate an AOR in [www.grants.gov](http://www.grants.gov).

The registration process for all the above items **may take a month or more to complete**. Please refer to the [FAQs](#) for additional information on the registration requirements.

The electronic submission of your application must be made by the AOR of your institution who is registered with [www.grants.gov](http://www.grants.gov) and is authorized to sign applications for federal assistance. Refer to [Appendix 1](#) for specific instructions on how to apply through [www.grants.gov](http://www.grants.gov).

If you do not have the technical capability to apply electronically through [www.grants.gov](http://www.grants.gov) because of limited or no Internet access which prevents you from being able to upload the required application materials to [www.grants.gov](http://www.grants.gov), please refer to the procedures in [Appendix 1](#).

If you submit more than one application for the same, identical project (either in error or to replace a previously submitted application), EPA will only review the most recently received application for that project unless you notify [brownfields@epa.gov](mailto:brownfields@epa.gov) and specify which application you want EPA to review.

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<sup>18</sup> Note, for the purposes of this competition, the “application package” includes the required federal forms available at [www.grants.gov](http://www.grants.gov), as well as the Narrative Information Sheet, the Narrative and associated attachments.

#### IV.C. Content and Form of Application Submission

The application must stand on its own merits based on the responses to the relevant ranking criteria in [Section IV.E.](#)

All application materials must be in English. The Narrative Information Sheet and the Narrative must be typed, single-spaced, on letter-sized (8.5 x 11-inch) paper, and should **use standard Times New Roman, Arial, or Calibri fonts with a 12-point font size.** The Application Submission Checklist below outlines the documents to include in the application. Extraneous materials, including photos, graphics, and attachments not listed, will not be considered.

#### APPLICATION SUBMISSION CHECKLIST

<ul style="list-style-type: none"><li>• Federal application materials required by <a href="http://www.grants.gov">www.grants.gov</a> (see <a href="#">Appendix 1</a>)</li></ul>
<ul style="list-style-type: none"><li>• Narrative Information Sheet (3-page limit, single-spaced) (see <a href="#">Section IV.D.</a>)</li></ul>
<ul style="list-style-type: none"><li>• The Narrative, which includes responses to the ranking criteria (20-page limit, single-spaced) (see <a href="#">Section IV.E.</a>)<ul style="list-style-type: none"><li>○ Attach a milestones schedule (does not count against the 20-page Narrative limit)</li></ul></li></ul>
<ul style="list-style-type: none"><li>• Threshold Criteria Responses (as an attachment(s)):<ul style="list-style-type: none"><li>○ A statement of applicant (and non-lead coalition member, if applicable) eligibility if a county, state, or Tribe (see <a href="#">Section III.C.1.</a>)</li><li>○ Documentation of applicant eligibility (and non-lead coalition member, if applicable) if other than a city, county, state, or Tribe; e.g., resolutions, statutes, Intertribal Consortium documentation, or documentation of 501(c)(3) tax-exempt status or qualified community development entity (see <a href="#">Section III.C.1.</a>)</li><li>○ A statement of the applicant's (and non-lead coalition member's, if applicable) 501(c)(4) tax-exempt status and, if applicable, legal opinion regarding lobbying activities (see <a href="#">Section III.C.1.</a>)</li><li>○ A signed letter of commitment from each coalition member or an active Memorandum of Agreement, if applicable (see <a href="#">Section III.C.2.</a>)</li><li>○ Discussion on contractors and named subrecipients; or an affirmative statement that a contractor has not been procured and a subrecipient has not been named (see <a href="#">Section III.C.3.</a>)</li><li>○ A copy of (or link to) the solicitation documents and the signed executed contract (see <a href="#">Section III.C.3.</a>)</li></ul></li></ul>

#### IV.D. Narrative Information Sheet

The Narrative Information Sheet should address the information below and shall not exceed three (3), single-spaced pages. Do not include a summary or overview of your narrative/project. Any pages submitted over the page limit will not be considered. EPA does not consider information in the Narrative Information Sheet to be responses to the ranking criteria. Provide the Narrative Information Sheet on the applicant's official letterhead. You will not be penalized if you provide this information to EPA in a different format.



1. Applicant Identification – Provide the name and full address of the entity applying for funds. This is the agency or organization that will receive the grant and will be accountable to EPA for the proper expenditure of funds.
2. Funding Requested
  - a. Grant Type – Indicate “Individual RLF TA” or “RLF TA Coalition.”
  - b. Federal Funds Requested – Include the amount being requested from EPA; must not exceed \$3,000,000.
3. Contacts
  - a. Project Director – Provide the name, phone number, email address, and mailing address of the Project Director assigned to this proposed project. This person should be the main point of contact for the project and should be the person responsible for the project’s day-to-day operations. The Project Director may be contacted if other information is needed.
  - b. Chief Executive/Highest Ranking Elected Official – Provide the name, phone number, email address, and mailing address of the applicant’s Chief Executive or highest-ranking elected official. For example, provide this information for your organization’s Executive Director or President. These individuals may be contacted if other information is needed.
4. Releasing Copies of Applications – In concert with EPA’s commitment to conducting business in an open and transparent manner, copies of applications submitted under this solicitation may be made publicly available on [EPA's Office of Brownfields and Land Revitalization](#) website or other public website for a period of time after the selected applications are announced. EPA recommends that applications not include trade secrets or commercial or financial information that is confidential or privileged, or sensitive information, if disclosed, that would invade another individual’s personal privacy (e.g., an individual’s salary, personal email addresses, etc.). However, if such information is included, it will be treated in accordance with [40 CFR § 2.203](#). (Review [Section IV.G](#) for more information.)

**Clearly indicate which portion(s) of the application you are claiming as confidential, privileged, or sensitive information, or state ‘n/a’ or ‘not applicable’ if the application does not have confidential, privileged, or sensitive information. As provided at [40 CFR § 2.203\(b\)](#) if no claim of confidential treatment accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to the submitter.**

#### **IV.E. Narrative/Ranking Criteria**

The Narrative (including citations) shall not exceed 20 single-spaced pages. Any pages submitted over the page limit will not be evaluated.

The Narrative must include clear, concise, and factual responses to all ranking criteria and sub-criteria below. The Narrative must provide sufficient detail to allow for an evaluation of the merits of the application. **A response to a criterion/sub-criterion that is included in a different section of the Narrative may not be scored as favorably.** If a criterion does not apply, clearly state this. **Any criterion left unanswered may result in zero points given for that criterion.** Responses to the criteria should include the criteria number and title but need not restate the entire text of the criteria.

If the application is selected for funding, the information in the Narrative will be incorporated into the workplan and will become the scope of the cooperative agreement, subject to any adjustments to clarify issues with carrying out the project's scope of work made during the post-selection negotiation process. **The workplan is a legally binding document.** Therefore, applicants should carefully consider and accurately respond to the criteria below based on the specific goals and activities described under each topic per [Section I.A.](#), the use of grant funds, and leveraged resources committed to the project that will materialize during the period of performance. EPA may not permit material changes to the workplan.

The information throughout [Section IV.E.](#) includes sample format tables that applicants may use to present all or a portion of their response. Applicants who do not use the sample format tables will not be penalized when EPA evaluates their applications.

**1. Project Description** – Discuss how you (the applicant, and if applicable, coalition members) will implement and conduct the proposed project.

- a. Describe the current problem(s) with the lack of RLF-specific TA resources and support for potential and existing RLF CARs, and then your proposed solution(s) for addressing the problem(s). Include a summary of your overall project approach, benefits/outcomes, and milestones to accomplish the project goals.

Additionally, attach a schedule that includes milestones related to the five subject areas described in [Section I.A.](#) indicating the start and completion dates of significant tasks under your program. [Note, the schedule will not count against the 20-page narrative limit and does not have an individual page limitation.]

- b. Describe how you will deliver nationwide technical assistance across all five subject areas described in [Section I.A.](#) to existing and potential RLF CARs, including the estimated number of communities and organizations your project will support.

Include a description of how your project will:

- employ the most effective and efficient methods of delivering technical assistance for existing and potential RLF CARs (e.g., one-on-one, annual meetings/workshops, webinars, other);
- ensure geographic variability and the fair distribution of nationwide RLF TA to existing and potential RLF CARs across the country including fairly distributing such assistance between urban and nonurban areas;
- ensure existing and potential RLF CARs are aware of the availability of the project's technical support by discussing your outreach plan/strategy; and
- provide access to a variety of subject matter experts with direct expertise and experience in RLFs.

- c. Describe how your project will result in informational materials, guides, training and other resources, peer learning, and technical assistance that will increase existing and potential RLF CAR capacity and build knowledge to address brownfields under an RLF Program.
- d. Describe how your project will help existing and potential RLF CARs to:
  - o promote community engagement and active involvement in brownfields cleanup and reuse decisions within areas where one or more brownfield sites are located;
  - o assist communities with identifying the availability of funds for cleanup and reuse or help to stimulate economic development in areas affected by brownfield sites;
  - o facilitate the identification and reduction of threats to human health and the environment that may be associated with exposure to hazardous substances, pollutants, or contaminants;
  - o facilitate the identification and reduction of threats to the health or welfare of sensitive populations<sup>19</sup>, and
  - o facilitate the use or reuse of existing infrastructure, energy efficiency or siting a facility that generates renewable energy on a brownfield, create or preserve greenspace, or assist in other nonprofit reuses of brownfields.
- e. Discuss your plan to use subrecipients or contractors (perhaps having different areas of technical/legal/fiscal/other expertise, if any) who will contribute to the effective and efficient performance of the project.

If applicable, discuss your plan to use participant support costs, including monetary stipends and transportation stipends. Describe the process you will follow for determining the amounts of allowable stipends, procedures for accounting for participant support cost payments (including receipts), and procedures for documenting that the costs are allowable and do not duplicate other support provided through other Federal, state, Tribal, or local programs. For additional information on participant support costs, please review [EPA's Guidance on Participant Support Costs](#).

If applicable, discuss your plan to form an RLF Advisory Council, including the council's membership and function, and how the advisory council will help to carry out the EPA funded project. Discuss your plan to use advisory council costs, including costs for reasonable stipends and travel support for council members while providing advice on the EPA funded project. Describe the process you will follow for determining the amounts of allowable stipends, procedures for accounting for advisory council cost payments (including receipts), and procedures for documenting that the costs are allowable and do not duplicate other support provided through other Federal, state, Tribal, or local programs. For additional information on advisory council costs, please review EPA's [Guidance on Selected Items of Cost for Recipients](#).

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<sup>19</sup> Sensitive populations are defined in CERCLA § 104(k)(6)(C)(iii).

Participant support costs (e.g., monetary stipends and transportation stipends) and compensation (monetary and transportation) for advisory council members may not exceed 35% of the total award amount.

As provided in 2 CFR § 200.403, participant support costs and advisory council member costs must be reasonable and conform to any limitations applicable to the EPA award. EPA considers stipends that exceed the amount allowable for individual consultants described in 2 CFR § 1500.10(a) which is based on compensation at Level IV of the Federal Executive Schedule to be unreasonable.

- 2. Organizational Knowledge/Experience/Expertise** – Discuss how you (the applicant, and if applicable, coalition members) have knowledge, experience, and expertise to perform your proposed project.
- a. Summarize your organization’s (and if applicable, your coalition members’) knowledge, experience, and expertise in the five subject areas described in [Section I.A](#). Include information regarding your organization’s available resources (or the ability to obtain necessary resources, including the organization’s contingency plan to replace key personnel) to successfully achieve the goals and objectives of your proposed project.
  - b. Discuss your (and if applicable, your coalition members’) established and/or proposed network to identify and mobilize resources, such as key contacts, partnerships, stakeholder groups, or other resources that have additional knowledge or experience in providing technical assistance to existing and potential RLF CARs. Discuss their role in the successful accomplishment of the program.
  - c. Discuss your organization’s (and if applicable, your coalition members’) organizational capacity to support a high volume of existing and potential RLF CARs requesting support. Discuss how your organization (and if applicable, your coalition members) will follow up on assistance, when appropriate.

Note: EPA anticipates it may be necessary for applicants/recipients to form partnerships with other organizations through subawards or obtain professional services through competitive procurements. Please refer to [Section IV.G](#). Also note that procurement of commercial services (e.g., consultants, audio visual equipment, meeting space, etc.) is subject to the Procurement Standards of 2 CFR Part 200 and 2 CFR Part 1500, as applicable. Naming a commercial vendor or individual consultant as a “partner” does not relieve the applicant of responsibility for complying with competitive procurement requirements, including cost or price analysis. Refer to EPA’s [Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#) for additional information on competition requirements.

These awards will include terms and conditions requiring that the recipient ensure that technical assistance services provided under the award are performed in a manner that prevents conflicts of interest from tainting procurements financed with Federal funding. For example, if a consultant hired by a recipient provides technical assistance on site

remediation issues to a recipient of Brownfields Grant funding, the consultant may not participate in the development of procurement specifications or other activities that violate the provisions in 2 CFR § 200.319 on full and open competition for federally funded contracts. Consultants may not receive sole source contracts based on their role in providing technical assistance funded through cooperative agreements. Review the [Brownfields Grants: Guidance on Competitively Procuring a Contractor](#) for more information.

Award terms and conditions will also include restrictions that prevent consultants from marketing their services or those of affiliated firms to applicants or recipients of federal grants while providing EPA funded technical assistance. In addition, if the applicant or their subrecipients have both nonprofit and for-profit components of their organizations, then the nonprofit portion implementing the cooperative agreement/subcontract is prohibited from recommending that communities use the services of its for-profit component when being reimbursed for their services under the cooperative agreement.

3. **Past Performance** – Discuss how you (the applicant) are able to successfully complete and manage your assistance agreement.
  - a. Identify and describe each of your current and/or most recent federally and/or non-federally funded assistance agreements (no more than five within the last three years) that are most similar in scope and relevance in terms of structure and/or deliverables. (Assistance agreements include Federal grants and cooperative agreements, but not Federal contracts.)
  - b. Describe:
    - Whether and how you were able to successfully manage and complete those agreements and achieve the objectives of the project.
    - Whether you have made and have reported on, or are making and reporting on, progress towards achieving the expected results of the agreement in a timely manner, to include acceptable final performance reports under the agreements. If not, discuss what corrective measures you took, or are taking, and how the corrective measures were effective, documented, and communicated.

If you do not have any relevant or available past performance or past reporting information, please indicate this in the application 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). Applications that do not provide any response for this criterion may receive a score of 0.

4. **Community Need** – Discuss how you (the applicant, and if applicable, coalition members) will deliver a project that meets the needs of and will benefit communities served by existing and potential RLF CARs.
  - a. Describe how your proposed project will assist **potential** RLF CARs in 1) meeting the needs of communities that are unable to draw on other sources of funding for environmental remediation and subsequent reuse of brownfield sites located in low-income or sparsely populated communities, and 2) serving communities with

demographic and environmental indicators of need, including benefits of increasing the capacity of **potential** RLF CARs to address issues related to current brownfield and other environmental challenges.

- b. Describe how your proposed project will assist **existing** RLF CARs in 1) meeting the needs of communities that are unable to draw on other sources of funding for environmental remediation and subsequent reuse of brownfield sites located in low-income or sparsely populated communities, and 2) serving communities with demographic and environmental indicators of need, including benefits of increasing the capacity of **existing** RLF CARs to address issues related to current brownfield and other environmental challenges.

**5. Budget** – Discuss how you (the applicant) will budget for and manage your project appropriately.

This section of your application provides a description of the proposed program’s budget and planned usage of EPA funds. Applicants may, but are not required to, use the table format below to identify specific tasks for which EPA funding will be used. Applicants who do not use this format will not be penalized during the evaluation process. Please provide the following information:

Specify the costs by budget category, associated with each task. Provide a budget description for each task in narrative format, including the basis for each cost estimate, as well as the projected outputs where possible. **Do not include tasks for activities or costs that are ineligible uses of EPA funds.**

Tasks shown in the sample table format are examples and can be edited as needed to be tailored to the applicant’s program. Add columns for additional tasks as needed. EPA provides general guidance on how to characterize costs for budgeting purposes in [Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance](#).

Note, participant support costs (e.g., monetary stipends and transportation stipends) and stipends for advisory council members may not exceed 35% of total award amount.

Administrative costs (direct costs for grant administration and indirect costs) may not exceed 5% of the total requested EPA funds.

**Sample Format for Budget: Applicants using different formats for the budget will not be penalized.**

Budget Categories		Project Tasks (\$)				Total
		(Task 1)	(Task 2)	(Task 3)	(Task 4)	
<b>Direct Costs</b>	Personnel					
	Fringe Benefits					
	Travel <sup>1</sup>					
	Equipment <sup>2</sup>					
	Supplies					
	Contractual					
	Other (include subawards, participant support costs, and advisory council costs) (specify)					
Total Direct Costs <sup>3</sup>						
Indirect Costs <sup>3</sup>						
<b>Total Federal Funding</b> (not to exceed \$3,000,000)						
<b>Total Budget</b> (Total Direct Costs + Indirect Costs, if any)						
<p><sup>1</sup> Travel to brownfields-related training conferences and RLF meetings is an acceptable use of these grant funds.</p> <p><sup>2</sup> EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year unless the applicant has a lower threshold for equipment costs. Items costing less than \$5,000 (e.g., laptop computers) are considered supplies. Generally, equipment is not required for Brownfield Grants.</p> <p><sup>3</sup> Administrative costs (direct and/or indirect) for the grant applicant itself cannot exceed 5% of the total EPA-requested funds.</p>						

- 6. Plan to Measure and Evaluate Environmental Progress and Results** – Discuss your (the applicant’s) plan and mechanism to track, measure, and evaluate progress in achieving expected project outputs, overall project results, and eventual project outcomes. (*Definitions of outputs and outcomes are provided in [Section I.D.](#), Measuring Environmental Results: Anticipated Outcomes/Outputs*).

**IV.F. Confidential Business Information**

As discussed in [Section IV.D.](#), Narrative Information Sheet, EPA recommends that you do not include confidential business information (CBI) in your application. However, if CBI is included, it will be treated in accordance with [40 CFR § 2.203](#). Applicants must clearly indicate which portion(s) of their application they are claiming as CBI. EPA will evaluate such claims in

accordance with [40 CFR Part 2](#). If no claim of confidentiality is made, EPA is not required to make the inquiry to the applicant otherwise required by [40 CFR § 2.204\(c\)\(2\)](#) prior to disclosure.

**SECTION V. – NARRATIVE REVIEW INFORMATION**

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

**V.A. Evaluation Criteria**

Each eligible application will be evaluated according to the criteria set forth below. Applicants must directly and explicitly address the ranking criteria in their application. An application may be assigned up to 205 points.

Criterion	Maximum Points per Criterion
<p><b>1. Project Description.</b> This criterion will evaluate the extent and quality to which the application effectively addresses the five subject areas as described in <a href="#">Section I.A.</a> of this solicitation and as follows:</p> <p>a. The extent to which the Narrative clearly and concisely presents a statement of the problem(s) with the lack of RLF-specific TA resources and support for potential and existing RLF CARs, and proposed solution(s). The extent to which the applicant clearly summarizes the overall project approach, benefits/outcomes, and demonstrates a reasonable schedule with milestones related to the five subject areas described in <a href="#">Section I.A.</a> to accomplish the project goals. (15 points)</p> <p>b. The extent to which the project will deliver technical assistance across all five subject areas as described in <a href="#">Section I.A.</a> including estimating the number of communities and organizations supported. <i>(Note, applicants will be evaluated less favorably if the project geographic focus is less than nationwide.)</i> Specifically, the extent to which the project will:</p> <ul style="list-style-type: none"> <li>○ employ the most effective and efficient methods of delivering technical assistance for existing and potential RLF CARs (e.g., one-on-one, annual meetings/workshops, webinars, other);</li> <li>○ ensure geographic variability and the fair distribution of nationwide RLF TA to existing and potential RLF CARs across the country, including fairly distributing such assistance between urban and nonurban areas;</li> <li>○ ensure existing and potential RLF CARs are aware of the availability of the project’s technical support by discussing the outreach plan/strategy; and</li> <li>○ provide access to a variety of subject matter experts with direct expertise and experience in RLFs.</li> </ul>	75



*(Note, applicants who propose the formation of an RLF Advisory Council will be evaluated more favorably.)*

(20 points)

- c. The extent to which the informational materials, guides, trainings and other resources, peer learning, and technical assistance will increase existing and potential RLF CAR capacity and build knowledge to address brownfields under an RLF Program. (15 points)
- d. The extent to which the project will help existing and potential RLF CARs to:
- promote community engagement and active involvement in brownfields cleanup and reuse decisions within areas where one or more brownfield sites are located; (2 points)
  - assist communities with identifying the availability of funds for cleanup and reuse or help to stimulate economic development in areas affected by brownfield sites; (2 points)
  - facilitate the identification and reduction of threats to human health and the environment that may be associated with exposure to hazardous substances, pollutants, or contaminants; (2 points)
  - facilitate the identification and reduction of threats to the health or welfare of sensitive populations; and (2 points)
  - facilitate the use or reuse of existing infrastructure, energy efficiency or siting a facility that generates renewable energy on a brownfield, create or preserve greenspace, or assist in other nonprofit reuses of brownfields. (2 points)
- e. The extent to which the applicant's proposed plan to use subrecipients or contractors will enable the applicant to achieve the goals of the project effectively and efficiently.

When the project includes participant support costs, the extent to which the applicant describes a sound process and procedures for determining the amounts of allowable stipends, procedures for accounting for participant support cost payments (including receipts), and documenting that the costs are allowable and do not duplicate other support provided through other Federal, state, Tribal, or local programs. *(Note, applicants may be evaluated more favorably if the project includes participant support costs for existing and potential RLF CARs to defray their expenses.)*

When the project includes the formation of an RLF Advisory Council, the extent to which the applicant's proposed plan for the formation of an RLF Advisory Council, including the council's membership and function, will help be effective in carrying out the EPA funded project. The extent to

<p>which the applicant describes a sound process and procedures for determining the amounts of allowable stipends, procedures for accounting for advisory council cost payments (including receipts), and documenting that the costs are allowable and do not duplicate other support provided through other Federal, state, Tribal, or local programs.</p> <p><i>(Note, applicants will be evaluated less favorably if participant support costs and stipends for advisory council members exceed 35% of total award amount.)</i></p> <p>(15 points)</p>	
<p><b>2. Organizational Knowledge/Experience/Expertise.</b> This criterion will evaluate the extent and quality to which the application demonstrates:</p> <p>a. The degree to which the depth of staff knowledge, experience, and expertise in the five subject areas described in <a href="#">Section I.A.</a> will successfully achieve the goals and objectives of the proposed project, considering:</p> <ul style="list-style-type: none"> <li>o the applicant’s (and if applicable, the coalition members’) resources or the ability to obtain them via subaward or contract, and</li> <li>o the applicant’s (and if applicable, the coalition members’) contingency plan to replace key personnel as necessary.</li> </ul> <p><i>(Note: Applicants who demonstrate in-house expertise and knowledge of at least two of the five subject areas will be evaluated more favorably.)</i></p> <p>(20 points)</p> <p>b. The extent to which the applicant (and if applicable, the coalition members) has an established and/or proposed network in place to identify and mobilize resources that have additional knowledge or experience in providing technical assistance to existing and potential RLF CARs. <i>(Note: Applicants who have established partnerships, stakeholder groups, or other networks may be evaluated more favorably.)</i> (5 points)</p> <p>The degree to which each established and/or proposed partnership, stakeholder, or network that will be involved will result in the successful accomplishment of the program. (5 points)</p> <p>c. The extent to which the applicant’s (and if applicable, the coalition members’) organizational capacity can effectively support a high volume of existing and potential RLF CARs requesting support. The extent to which the applicant’s (and if applicable, the coalition members’) organization will follow up on assistance, when appropriate. (20 points)</p>	50

<p><b>3. Past Performance.</b> This criterion will evaluate the extent to which the application demonstrates ability to successfully complete and manage the applicant’s assistance agreement, considering:</p> <p>a. The extent to which the applicant successfully managed and completed the assistance agreements identified in response to <a href="#">Section IV.E. Past Performance</a>. (5 points)</p> <p>b. The degree to which the applicant met the reporting requirements under the assistance agreements identified in response to <a href="#">Section IV.E. Past Performance</a>. The extent to which the applicant adequately and timely reported on its progress towards achieving the expected results under those agreements, to include submitting acceptable final performance reports. If expected results were not being reported on, the extent to which the measures taken to correct the situation were reasonable and appropriate or the extent to which there is an adequate explanation for lack of reporting. (5 points)</p> <p><i>Note: In evaluating the application under the two items above, EPA will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). Applicants who do not have any relevant or available past performance or past reporting information in the application will receive a neutral score of 5 points for these subfactors. Applications that do not provide any response for this criterion may receive a score of 0.</i></p>	10
<p><b>4. Community Need.</b> This criterion will evaluate the degree to which the application demonstrates:</p> <p>a. The extent to which the proposed project will assist <b>potential</b> RLF CARs in 1) meeting the needs of communities that are unable to draw on other sources of funding for environmental remediation and subsequent reuse of brownfield sites located in low-income or sparsely populated communities, and 2) serving communities with demographic and environmental indicators of need, including benefits of increasing the capacity of <b>potential</b> RLF CARs to address issues related to current brownfield and other environmental challenges. (5 points)</p> <p>b. The extent to which the proposed project will assist <b>existing</b> RLF CARs in 1) meeting the needs of communities that are unable to draw on other sources of funding for environmental remediation and subsequent reuse of brownfield sites located in low-income or sparsely populated communities, and 2) serving communities with demographic and environmental indicators of need, including benefits of increasing the capacity of <b>existing</b> RLF CARs to address issues related to current brownfield and other environmental challenges. (5 points)</p>	10

<p><b>5. Budget.</b> This criterion will evaluate the degree to which the application demonstrates:</p> <p>The extent to which the budget information and planned usage of EPA funds is clearly stated and detailed. The extent to which all costs (including participant support costs and advisory council costs, if applicable) are reasonable and appropriate to achieve the project’s objectives, including cost estimates and outputs for each of the proposed project activities to be performed with the EPA funds. The degree to which the applicant’s budget describes an effective use of the budget resources for the work to be performed. (50 points)</p> <p><i>(Notes:</i></p> <ul style="list-style-type: none"> <li>○ <i>Budget proposals which include participant support costs <u>and</u> advisory council costs that exceed 35% of funds requested will be evaluated less favorably.</i></li> <li>○ <i>Budget proposals which include stipends to compensate program participants and/or advisory council members will be evaluated less favorably if stipends exceed the amount allowable for individual consultants described in 2 CFR § 1500.10(a).</i></li> <li>○ <i>Budget proposals which include administrative costs that exceed 5% of the total EPA-requested funds will be evaluated less favorably.</i></li> <li>○ <i>A response that includes cost estimates that are not reasonable or realistic to implement the project/grant will be evaluated less favorably. For example, applicants that request more funds than is reasonably justified in the Narrative to complete the proposed project/grant.)</i></li> </ul>	50
<p><b>6. Plan to Measure and Evaluate Environmental Progress and Results.</b> This criterion will evaluate the extent to which the application demonstrates:</p> <p>The extent to which the plan and mechanism to track, measure, and evaluate progress in achieving expected project outputs, overall project results, and eventual project outcomes are reasonable, appropriate, and clearly correlate with information previously presented in the Narrative. (10 points)</p>	10

**V.B. Review and Selection Process**

All applications received by the closing date and time for submissions will first be reviewed to determine eligibility for funding consideration based upon compliance with [Section III. Applicant Eligibility and Threshold Criteria](#). Only applications determined eligible and passing the threshold review will be evaluated for technical merit.

Each eligible application will be evaluated by a review panel of EPA staff for technical merit, based on the evaluation factors detailed in [Section V.A. Evaluation Criteria](#) of this solicitation. Upon completion of the technical merit evaluation, each application will be given an evaluated numerical score, with a total of 205 points possible. The Office of Brownfields and Land Revitalization (OBLR) will develop a ranking list of applications by placing the applications in rank order. OBLR will provide the ranking list to the EPA Headquarters Selection Official who is responsible for final selection of the grant recipient.

## **SECTION VI. – AWARD ADMINISTRATION INFORMATION**

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

### **VI.A. Award Notices**

Applicants who fail the threshold eligibility requirements will be notified within 15 calendar days of EPA’s determination of ineligibility. EPA will notify applicants who are not selected for award based on the evaluation criteria and other considerations within 15 calendar days of EPA’s final decision on selections for this competition.

EPA anticipates notification to a successful applicant will be made via email by Summer 2024. The notification will be sent to the Project Director and Chief Executive/Highest Ranking Elected Official listed in the Narrative Information Sheet in [Section IV.D](#). This notification, which informs the applicant that its application is selected and is being recommended for award, is not an authorization to begin work. The official notification of an award will be made by the Headquarters Award Official (EPA Grants Officer). **Applicants are cautioned that only a grants officer is authorized to bind the Government to the obligation of funds; selection does not guarantee an award will be made.** For example, statutory authorization, funding, or other issues discovered during the award process may affect the ability of EPA to make an award to an applicant. The award notice, signed by an EPA grants officer, is the authorizing document and will be provided through email or postal mail. The successful applicant may need to prepare and submit additional documents and forms (e.g., a workplan), which must be approved by EPA before the grant can officially be awarded. The time between notification of selection and award of a grant can take up to 90 days or longer.

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

Funding will be awarded as a cooperative agreement. The applicant who is selected for award will work with an EPA Project Officer to finalize the required federal application package and to negotiate the cooperative agreement workplan.

The approved cooperative agreement will include terms and conditions that will be binding on the recipient. Terms and conditions specify what recipients must do to ensure that grant-related and Brownfields Program-related requirements are met. The successful applicant also will be required to submit progress reports in accordance with Uniform Grant Guidance found in [2 CFR § 200.329](#).

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

### **VI.C. Reporting Requirements**

During the life of the cooperative agreement, the recipient is required to submit performance reports to the EPA Project Officer within 30 days after each reporting period. The reporting period (i.e., quarterly, annually) is identified in the terms and conditions of the cooperative agreement. These reports shall cover work status, work progress, outputs/outcomes reached, 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 concerned with the project.

The recipient must submit updates on all cooperative agreement funded activities using the relevant modules in the Assessment, Cleanup, and Redevelopment Exchange System (ACRES). This includes all direct engagement and multi-community activities, such as trainings or workshops, and brownfields tool development. Quarterly reports must include the number, locations, and amount of cooperative agreement funds spent to-date on each engagement and activity.

EPA expects timely drawdown of funds and a yearly financial report. In addition to quarterly reports, the financial reports will provide EPA with information regarding the progress being made.

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

### **VI.D. Disputes**

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (*Federal Register*) 3629, 3630 (January 26, 2005) which can be found on the [Grant Competition Dispute Resolution Procedures](#) website. Copies of these procedures may also be requested by contacting the Brownfields Contact listed in [Section VII](#) of this announcement. Note, the FR notice references regulations at 40 CFR Parts 30 and 31 that have been superseded by regulations in 2 CFR Parts 200 and 1500. Notwithstanding the regulatory changes, the procedures for competition-related disputes remain unchanged from the procedures described at 70 FR 3629, 3630, as indicated in 2 CFR Part 1500, Subpart E.

## SECTION VII. - AGENCY CONTACT

Nicole Wireman, U.S. EPA, Office of Brownfields and Land Revitalization (MC 5105-T),  
1200 Pennsylvania Avenue, NW, Washington, DC 20460; Phone 202-566-2649;  
[brownfields@epa.gov](mailto:brownfields@epa.gov).

### Appendix 1 Grants.gov Application Submission Instructions

#### A. Requirements to Submit Through Grants.gov and Limited Exception Procedures

Applicants must apply electronically through [www.grants.gov](http://www.grants.gov) under this funding opportunity based on the [www.grants.gov](http://www.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 at [www.epa.gov/grants/exceptions-grantsgov-submission-requirement](http://www.epa.gov/grants/exceptions-grantsgov-submission-requirement). 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. Issues with submissions with respect to this opportunity only are addressed in *Section C. Technical Issues with Submission* below.

#### B. Submission Instructions

##### *B.1. SAM.gov (System for Award Management) Registration Instructions*

Organizations applying to this funding opportunity must have an active SAM.gov registration. If you have never done business with the Federal Government, you will need to register your organization at [www.sam.gov](http://www.sam.gov). If you do not have a SAM.gov account, then you will create an account using [Login.gov](http://login.gov)<sup>20</sup> to complete your SAM.gov registration. SAM.gov registration is FREE. The process for entity registrations includes obtaining a Unique Entity ID (UEI), a 12-character alphanumeric ID assigned to 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.

If you have done business with the Federal Government previously, you can check your entity status using your government issued UEI to determine if your registration is active. SAM.gov requires you to renew your registration every 365 days to keep it active.

Please note that SAM.gov registration is different than obtaining a UEI only. Obtaining a UEI only validates your organization's legal business name and address. Please review the registration [Frequently Asked Questions](#) for additional details on the difference.

Organizations should ensure that their SAM.gov registration includes a current e-Business (EBiz) point of contact name and email address. The EBiz point of contact is critical for Grants.gov Registration and system functionality.

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<sup>20</sup> Login.gov a secure sign in service used by the public to sign into Federal Agency systems including SAM.gov and Grants.gov. For help with login.gov accounts you should visit <http://login.gov/help>.

Contact the [Federal Service Desk](#) (866-606-8220) for help with your SAM.gov account, to resolve technical issues or chat with a help desk agent. The Federal Service desk hours of operation are Monday – Friday, 8 a.m. – 8 p.m. ET.

### ***B.2. Grants.gov Registration Instructions***

Once your SAM.gov account is active, you must register in Grants.gov. Grants.gov will electronically receive your organization information, such as e-Business (EBiz) point of contact email address and UEI. Organizations applying to this funding opportunity must have an active Grants.gov registration. Grants.gov registration is FREE. If you have never applied for a federal grant before, please review the [Grants.gov Applicant Registration](#) instructions. As part of the Grants.gov registration process, the **EBiz point of contact is the only person that can affiliate and assign applicant roles to members of an organization.** In addition, at least one person must be assigned as an Authorized Organization Representative (AOR). **Only person(s) with the 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](#) for details on this important process.

Please note that this process can take **a month or more** for new registrants. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through Grants.gov and should ensure that all such requirements have been met well in advance of the application submission deadline.

Contact [Grants.gov](#) for assistance at 1-800-518-4726 or [support@grants.gov](mailto: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.

### ***B.3. Application Submission Process***

To begin the application process under this grant announcement, go to [www.grants.gov](http://www.grants.gov) and enter the Funding Opportunity Number, **EPA-I-OLEM-OBLR-24-01**, into the search box in the top right corner of the page. Click on the “GO” button to view the “View Grant Opportunity” page and click the red “Apply” button at the top of the page.

The electronic submission of your application for this funding opportunity must be made by an official representative of your organization who is registered with [www.grants.gov](http://www.grants.gov) and is authorized to sign applications for Federal financial assistance. If the submit button is grayed out, it may be because you do not have the appropriate role to submit in your organization. Contact your organization’s EBiz point of contact or contact Grants.gov for assistance at 1-800-518-4726 or [support@grants.gov](mailto:support@grants.gov).



Applicants need to ensure that the Authorized Organization Representative (AOR) who submits the application through [www.grants.gov](http://www.grants.gov) and whose UEI is listed on the application is an AOR for the applicant listed on the application. Additionally, the UEI listed on the application must be registered to the applicant organization's SAM.gov account. If not, the application may be deemed ineligible.

#### ***B.4. Application Submission Deadline***

Your organization's AOR must successfully submit your complete application package electronically to EPA through [www.grants.gov](http://www.grants.gov) **no later than March 1, 2024**, at 11:59 p.m. Please allow for enough time to successfully submit your application and allow for unexpected errors that may require you to resubmit.

After signing and successfully submitting the application package, within 24 to 48 hours the AOR should receive notification emails from [www.grants.gov](http://www.grants.gov) with the following subject lines:

- 1. GRANT##### Grants.gov Submission Receipt**
- 2. GRANT##### Grants.gov Submission Validation Receipt for Application**

If the AOR did not receive either notification emails listed above, contact the [www.grants.gov](http://www.grants.gov) Support Center at 1-800-518-4726. The Support Center is open 24/7 (except federal holidays).

After the application package is retrieved out of the [www.grants.gov](http://www.grants.gov) system by EPA, the AOR should receive the following notification emails from [www.grants.gov](http://www.grants.gov):

- 3. GRANT##### Grants.gov Grantor Agency Retrieval Receipt for Application**
- 4. GRANT##### Grants.gov Agency Tracking Number Assignment for Application**

Applications submitted through [www.grants.gov](http://www.grants.gov) will be time and date stamped electronically. If you do not receive a confirmation of receipt from EPA (not from [www.grants.gov](http://www.grants.gov)) within 30 days of the application deadline, please contact [brownfields@epa.gov](mailto:brownfields@epa.gov). Failure to do so may result in your application not being reviewed. Please note that successful submission of your application through [www.grants.gov](http://www.grants.gov) does not necessarily mean your application is eligible for award.

#### **C. Technical Issues with Submission**

If applicants experience technical issues during the submission of an application that they are unable to resolve, follow these procedures **before** the application deadline date:

1. Contact the [www.grants.gov](http://www.grants.gov) Support Center **before** the application deadline date at 1-800-518-4726 or [https://gditshared.servicenowservices.com/hhs\\_grants](https://gditshared.servicenowservices.com/hhs_grants).
2. Document the [www.grants.gov](http://www.grants.gov) ticket/case number.
3. Send an email with the Funding Opportunity Number, EPA-I-OLEM-OBLR-24-01, in the subject line to [brownfields@epa.gov](mailto:brownfields@epa.gov) **before** the application deadline time and date. The email **must** include the following:
  - a. The [www.grants.gov](http://www.grants.gov) ticket/case number(s).

- b. A description of the issue.
- c. The entire application package in PDF format.

Without this information, EPA may not be able to consider applications submitted outside of [www.grants.gov](http://www.grants.gov). Any application submitted after the application deadline time and date deadline will be deemed ineligible and **not** be considered.

EPA will make decisions concerning acceptance of each application submitted outside of [www.grants.gov](http://www.grants.gov) on a case-by-case basis. EPA will only consider accepting applications that were unable to submit through [www.grants.gov](http://www.grants.gov) due to [www.grants.gov](http://www.grants.gov) or relevant [www.sam.gov](http://www.sam.gov) system issues or for unforeseen exigent circumstances, such as extreme weather interfering with Internet access. Failure of an applicant to submit prior to the application submission deadline time and date because they did not properly or timely register in [www.sam.gov](http://www.sam.gov) or [www.grants.gov](http://www.grants.gov) is **not** an acceptable reason to justify acceptance of an application outside of [www.grants.gov](http://www.grants.gov).

#### **D. Application Materials**

The following forms and documents are **required** under this announcement.

1. Application for Federal Assistance (SF-424)
2. Budget Information for Non-Construction Programs (SF-424A)
3. EPA Key Contacts Form 5700-54
4. Pre-award Compliance Review Report (EPA Form 4700-4) [Guidance on how to complete this form is available at [www.epa.gov/grants/tips-completing-epa-form-4700-4](http://www.epa.gov/grants/tips-completing-epa-form-4700-4).]
5. Project Narrative Attachment Form – attach the Narrative Information Sheet, the Narrative, and required attachments (including responses to the threshold criteria) as one file, if possible. See [Section IV.C](#) for details on the required content and the associated page limits.

The following forms and documents are **optional** under this announcement.

6. Grants.gov Lobbying Form – To be submitted by applicants requesting **more than** \$100,000 of EPA grant funding.
7. Negotiated/Proposed Indirect Cost Rate Agreement – To be submitted using the Project Narrative Attachment Form by applicants proposing to charge indirect costs to the EPA grant. Please note that applicants may budget for indirect costs pending approval of their Indirect Cost Rate Agreement by the cognizant Federal agency or an exception granted by EPA under section 6.3 or 6.4 of [EPA's Indirect Cost Policy for Recipients of EPA Assistance Agreements](#). However, recipients may not draw down indirect costs until their rate is approved or EPA grants an exception.

**Note:** A workplan is **not required** under this announcement. Applicants that are selected for funding will negotiate the workplan with EPA before the cooperative agreement is awarded. Additionally, selected applicants must provide EPA with other required forms and documents, as appropriate, to award the cooperative agreement.