## **Healthy and Resilient Gulf of Mexico 2023 (BIL) Request for Applications Q&A**

**UPDATED 3/13/24**

## Table of Contents

* [New Questions](#_New_FAQ’s)
* [Overview](#_Overview)
* [Submitting a Application](#_Submitting_a_Proposal)
* [Eligibility/Project Eligibility](#_Eligibility)
* [Environmental Outputs and Outcomes](#_Environmental_Outputs_and)
* [Project Monitoring](#_Project_Monitoring)
* [Match Requirement](#_Match_Requirement)
* [Contracts and Subawards](#_Contracts_and_Subawards)
* [Standard Form (SF) 424 and SF 424 A](#_Standard_Form_(SF))
* [Budget](#_Budget)
* [Other Questions](#_Other_Questions)

**NOTE TO APPLICANTS: We are able to respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about the announcement. We are unable to respond to questions requesting input on a project idea, format of an application, or other project specific questions that may compromise the competitive process.**

**In addition, if you have not successfully been awarded an EPA grant previously, you may want to review the recorded webinar and/or presentation found here:** <https://www.epa.gov/grants/epa-grants-award-process-webinars>

## New Questions

Q: Some of the small community organizations with which we wish to partner do not want to receive funds for participation either because the activities we propose fall under their current mission or because they do not have the administrative infrastructure to manage receipt of funds. Can we pay for their participation out of our budgets (e.g., pay personnel, buy supplies, and produce outreach materials etc.) for them. (Added 3/13/24)

A: We understand that funding via the federal government can be cumbersome. The partnership requirement of the RFA, however, is partnering with 4 other organizations as subawardees. We hope this partnership will enable some organizations that may not yet have the capacity to apply for federal grants or receive subawards to be better situated in the future.

Providing support to the organizations that do not wish to be subawardees may be possible if in alignment with the [EPA Interim Budget guidance](https://www.epa.gov/sites/default/files/2019-05/documents/applicant-budget-development-guidance.pdf).  Those organizations, however, would not be considered one of the 4 subawardees to meet the partnership requirement of the RFA.

We do appreciate the feedback and may consider options to support the type of organization you identified more easily.

Q: Does each of the partners/subrecipients need to have a discrete project, or can partners receive subawards to collaborate on parts of the same project? For instance, if we are looking to implement a demonstration project with green infrastructure in riparian areas in the GOM watershed, could one of the partners be responsible for community outreach or volunteer coordination related to that implementation? (Added 3/13/24)

A: Although we cannot respond to the specifics of the question, it is permissible for partners to collaborate on parts of the same project as long as all requirements of the funding opportunity are met.

Q: Conversely, can a single partner fund multiple projects - i.e., could we apply for a single partner to both fund green infrastructure and an effort to produce native plants for restoration efforts? (Added 3/13/24)

A: Yes as long as all requirements of the funding opportunity are met.

Q: Would applying for a smaller award (roughly $1.5 million) disadvantage an application for this grant? (Added 3/13/24)

A: No.

Q: We are a small organization (fewer than 10 employees) that is involved in environmental policy work - can we count ourselves as one of the small CBOs for this grant? (Added 3/13/24)

A: Yes, you can count yourselves as one of the small CBOs for this grant.

Q: Can you please clarify the level of detail that is needed for the “partner” (subaward) budget justifications and where that information is submitted? (Added 3/13/24)

A: Neither the Letters of Commitment nor the Budget Table are included in the 12 page limit. The budget should identify the amount of funding that will go towards each recipient and the project narrative should "include a brief, yet detailed description of every recipient project and every subrecipient project and how each will meet the Objectives for Disadvantaged Communities in Sec. I.A.2. and meet one or more of the Priority Areas in Sec. I.B.1." The Letter of Commitment for each subrecipient should expand on this information as described in Section III.B.

Q: Are equipment purchases allowable if they directly related to executing the project? (Added 3/13/24)

A: Yes.

Q: I understand that no more than 25% of the funds may go to education. Is that a percentage of the total project budget or the primary applicant’s budget? For instance, let’s say we request $6 million and $3 million goes to our subawardees while $3 million stays with our organization. Would the education component be limited to 25% of $6 million ($1.5 mil) or 25% of $3 million ($750K)? (Added 3/13/24)

A: It is a percentage of the total budget. In your example, if $6 million is requested, no more than $1.5 million should be used for education.

Q: We see that “construction activities that are not part of a demonstration project” are NOT allowed. Does this exclude ongoing habitat restoration on a preserve? Would the installation of green infrastructure such as “True Grid” parking or permeable trails be permittable? (Added 3/13/24)

A: Proposed activities must qualify under our statutory authority CWA 104(b)(3) which says:  EPA is authorized to "make grants to State water pollution control agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals," ... "to conduct and promote the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution.” The activities you identified must be tied to allowable activities (e.g., experiments, demonstration, research) to be eligible for funding.

Q: In terms of working with disadvantaged communities may we engage citizens from those communities by bringing them to a project site that is outside their geographic community but is part of the watershed/regional focus of the project? Or does the entirety of the project need to take place within a disadvantaged community? (Added 3/13/24)

A: Working with disadvantaged communities will be evaluated in accordance with the RFA as follows way:

“Applicants will be evaluated based on the quality and extent to which they demonstrate i) how disadvantaged communities were identified ii) a plan for working with disadvantaged communities affected by environmental, climate and human health harms or risks, and iii) the project’s benefit to address the needs of the disadvantaged communities (see Sec. I.A.1). It is up to the applicant to decide how best to meet these goals.”

Q: May interns/seasonal staff be hired using these funds? (Added 3/13/24)

A:Yes.

Q: Would hiring these staff from minority serving institution(s) be considered working with disadvantaged communities? (Added 3/13/24)

A: Although hiring staff from MSIs is encouraged, this would likely not meet the evaluation criteria for working with disadvantaged communities as identified in the RFA.

Q: Does the EPA have any issue with the applicant purchasing materials and providing to subawardees to enable ordering in bulk? (Added 3/13/24)

A: No.

Q: Also, is there any issue with the purchase of water bottle filling stations ($3K each) to be installed at participating high schools? (Added 3/13/24)

A: Any proposed activity and/or purchase should make sense in the context of our statutory authority 104b3. CWA 104(b)(3) authorizes use of grant funds for activities involving research, investigations, experiments, training, demonstrations, surveys and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution.

Q: Should these types of purchases be in the Supplies category or another? (Added 3/13/24)

A: Any single item under $5,000 is considered supplies, $5,000 or more is equipment. Please see the [**Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance**](https://www.epa.gov/sites/default/files/2019-05/documents/applicant-budget-development-guidance.pdf)**.**

Q: Do you have any advice on working with small organizations that may not have the subrecipient business infrastructure to deal with some of the federal government financial reporting requirements? (Added 3/13/24)

A: I reached out to our Office of Grants and Department to see if there is any advice and/or guidance and they recommended this [**training**](https://www.epa.gov/grants/training-epa-pass-through-grant-applicants-recipients-and-subrecipients-june-20-2023) and reaching out to one of the EPA/DOE Technical Assistance centers [**here**](https://www.epa.gov/environmentaljustice/environmental-justice-thriving-communities-technical-assistance-centers).

Q: Is purchasing land as part of a demonstration project an allowable cost? (Added 3/4/24)

A: CWA 104(b)(3) authorizes use of grant funds for activities involving research, investigations, experiments, training, demonstrations, surveys and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution. Although this provision does not authorize the acquisition of land, CWA § 104(k) permits land acquisition in situations “relating to the conduct of demonstration projects.” Based on CWA 104(k), a grantee may acquire land only when it is a component of a demonstration project. If a grantee proposes land acquisition as a component of a demonstration project, the project will be carefully assessed to 1) determine the project satisfies the definition of demonstration and 2) land is a necessary component to accomplish project objectives.

Q: Are equipment purchases allowable if they directly related to executing the project? (Added 3/4/24)

A: Yes.

Q: The funding opportunity states that no more than 25% of the funds may go to education. Is that a percentage of the total project budget or the primary applicant’s budget? For instance, let’s say we request $6 million and $3 million goes to our subawardees while $3 million stays with GBF. Would the education component be limited to 25% of $6 million ($1.5 mil) or 25% of $3 million ($750K)? (Added 3/4/24)

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A: Proposed activities must qualify under our statutory authority CWA 104(b)(3) which says:  EPA is authorized to "make grants to State water pollution control agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals," ... "to conduct and promote the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution.” The activities you identified must be tied to allowable activities (e.g., experiments, demonstration, research) to be eligible for funding.

Q: In terms of working with disadvantaged communities may we engage citizens from those communities by bringing them to a project site that is outside their geographic community but is part of the watershed/regional focus of the project? Or does the entirety of the project need to take place within a disadvantaged community? (Added 3/4/24)

A: Working with disadvantaged communities will be evaluated in the following way: Applicants will be evaluated based on the quality and extent to which they demonstrate i) how disadvantaged communities were identified ii) a plan for working with disadvantaged communities affected by environmental, climate and human health harms or risks, and iii) the project’s benefit to address the needs of the disadvantaged communities (see Sec. I.A.1). It is up to the applicant to decide how best to meet these goals.

Q: May interns/seasonal staff be hired using these funds? (Added 3/4/24)

A: Yes

Q: Would hiring these staff from minority serving institution(s) be considered working with disadvantaged communities? (Added 3/4/24)

A: Although hiring staff from MSIs is encouraged, this would likely not meet the evaluation criteria for working with disadvantaged communities as identified above.

Q: I am reaching out to seek clarification regarding the inclusion of small organizations in the RFP. While I understand they are expected to have fewer than 10 full-time employees, I am seeking further clarification on the definition of a small organization. Specifically, I am unsure whether the following organizations (organization names redacted) need to be registered as a 501(c) organization or if they are eligible as one of the small organizations. (Added 3/4/24)

A: Partners identified in the application will receive a subaward from the organization that applies and is awarded. Eligibility to receive subawards is determined by EPA’s Subaward Policy: <https://www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients>.  It is difficult to tell from the links which of the potential eligible entities the organizations identified may be, but below are excerpts from Section 7 of the subaward policy which may be helpful:

* Generally, unless prohibited or limited by statute, a non-Federal entity or individual is eligible to receive a subaward even if it is not eligible to receive an assistance agreement from EPA directly as long as the subaward is consistent with applicable regulations, policies, and EPA guidance.
* For-profit organizations and individual consultants, with very few exceptions, are contractors rather than subrecipients under the standards in 2 CFR 200.331 and EPA’s guidance; they are typically ineligible for subawards from pass-through entities. As provided in the National Term and Condition for Subawards, EPA’s Award Official must approve subawards to these entities on the basis of either precise descriptions of the subawards in the EPA approved budget and work plan or on a transaction by transaction basis. See Appendix A: Distinctions Between Subrecipients and Contractors for additional guidance.
* Nonprofit organizations exempt from taxation under section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities are ineligible for EPA subawards based on the Agency’s policy for interpreting the Lobbying Disclosure Act, 2 U.S.C.1611.

In addition, below is highlighted information from III.A of the Funding Opportunity that goes into more detail about nonprofits and what is and is not required for proof of nonprofit status.

“Consistent with the definition of Nonprofit organization at 2 CFR 200.1, 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 and is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. The term includes taxexempt nonprofit neighborhood and labor organizations.

Note that 2 CFR 200.1 specifically excludes Institutions of Higher Education from the definition of non-profit organization because they are separately defined in the regulation. While not considered to be a nonprofit organization(s) as defined by 2 CFR 200.1, public or nonprofit Institutions of Higher Education are, nevertheless, eligible to submit applications under this RFA. For-profit colleges, universities, trade schools, and hospitals are ineligible.

Nonprofit organizations that are not exempt from taxation under section 501 of the Internal Revenue Code must submit other forms of documentation of nonprofit status such as certificates of incorporation as nonprofit under state or tribal law. For-profit organizations are not eligible entities for this funding opportunity. Additionally, non-profit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995 are not eligible to apply.”

Q. Can we use these funds to repair privately owned septic tanks? (Added 3/4/24)

A. Proposed projects must qualify under our statutory authority in CWA 104(b)(3) which says:  EPA is authorized to "make grants to State water pollution control agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals," ... "to conduct and promote the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution.” Repair of privately owned septic tanks seems more like traditional infrastructure (gray) which is an ineligible activity under this RFA unless this project is tied to allowable activities (e.g., experiments, demonstration, research).

Q. We would be considered a small organization by the definition in the funding opportunity, can we include ourselves as one of the two required small organizations or do we need to partner with 2 others? (Added 3/4/24)

A. Your organization may be counted as one of the small organizations if it meets the requirements for a small organization identified in the funding opportunity, but you must partner with at least one additional small organization and three other organizations. The intention of this RFA approach is that the applicant have the organizational capacity to manage subawards and we assumed these would be larger organizations. If, however, your organization has the capacity to manage subawards, it could both be the applicant and be considered one of the “small” organizations.

Q. Can we use the funds to give to private contractors to repair privately owned septic tanks? (Added 3/4/24)

A. Proposed projects must qualify under our statutory authority in CWA 104(b)(3) which says:  EPA is authorized to "make grants to State water pollution control agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals," ... "to conduct and promote the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution.” Repair of privately owned septic tanks seems more like traditional infrastructure (gray) which is an ineligible activity under this RFA unless this can be tied to allowable activities (e.g., experiments, demonstration, research). If the repair of privately owned septic tanks can be tied to allowable activities, a contractor could be utilized to repair the septic tanks. The hiring of a contractor would need to follow the procurement rules in 2 CFR Part 200.

Q. Is there is any flexibility in the 10-employee limit for community-based partners noted on page 4 of the RFA if they are otherwise clearly anchored in local communities? (Added 2/8/24)

A. The 10 employee limit has already been identified as a requirement in the Funding Opportunity and as such, there is minimal flexibility. The only flexibility is that the ten employees are ten full-time employees so if there are for example, 8 full-time employees and 4 half-time employees that would be fine since it would average to ten full-time employees.  In addition, only two of the partners must be small community-based organizations (defined as 10 or fewer full time equivalent employees) so there may be some flexibility there as well.

Q. On page 17 of the RFA under Ineligible Activities, the last bullet lists a number of activities not eligible for design and construction of a “facility”.  A facility would not include green infrastructure such as stormwater wetlands, living shorelines, stream channel restoration and the like—is that correct?  Would a boardwalk on a trail be considered a facility? (Added 2/8/2024)

A. A facility would not include green infrastructure but please keep in mind that the application must identify projects/activities authorized by CWA 104(b)(3) and address one or more of the four priority areas listed in Sec. I.B.

* CWA 104(b)(3) authorizes the award of assistance agreements to conduct and promote the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution as codified in 33 U.S Code 1254(b)(3). Activities must meet the 104b3 requirements.
* While a boardwalk is not considered a facility it may not meet the 104b3 requirement.

Q. The term “partnership” is defined as a formal relationship between two or more eligible [grant or cooperative agreement] recipients that is memorialized in writing and is legally binding under applicable law. Would the subrecipent contract and LOS attached to the application suffice? Or do we need a more formal MOU between subrecipiants prior to submission? (Added 2/8/2024)

A. When a partner is identified you must show that there is a commitment from both the applicant and identified partners. To demonstrate this, the following two items must be included:

1. Identifying the roles/activities each partner will have in the project in the application narrative (this must be consistent with the Letter of Commitment).
2. Letter of Commitments from Each Partner. The letter of commitment is a Threshold requirement, which means the applicant runs the risk of being eliminated for funding if an acceptable partnership agreement is not received.  GMD advises all applicants to clearly meet the Threshold Requirements in Sec. III.E. to ensure that the application is moved forward to Merit Review.  The Letter of Commitment must contain the following per Sec. III.B of the RFA:
   1. Applicants must include signed letters of commitment from their partner entities that provide detailed information about the partnership agreement, including the roles and responsibilities of the partner signing the letter of commitment as well as information about the planned subaward(s) (if applicable). Only partnerships that include a signed letter of commitment will be considered valid partnerships during the evaluation of the application. The letters should describe the resources (funding, in-kind, technical assistance, etc.) they are bringing to the effort, and their interest in the project and community. Please do not include generic letters of support. A generic letter of support will not count as a valid letter of commitment.
   2. A letter of commitment must be signed by each party and specify which member of the partnership will enter into the assistance agreement with EPA for the purposes of accountability for the proper expenditure of federal funds and receipt of the funds from EPA, performance of the assistance agreement, liability for claims for recovery of unallowable costs incurred under the agreement and must specify roles in performing the proposed scope of work for the assistance agreement. These letters of commitment from the partners must indicate a subaward agreement will be established post-award.

Q. Regarding the Healthy and Resilient Gulf of Mexico 2023 BIL RFA, would a specific *agricultural-only* proposal (for any of the four priority areas) be aligned with this funding opportunity? (Added 1/24/2024)

A. Agricultural-only projects may be acceptable as long as they meet the priorities, objectives, and threshold criteria of this RFA.

Q. Boots on the ground organizations don’t always have the resources to apply for and manage federal grants due to overburdensome requirements. How does the partnership requirement of this RFA overcome these obstacles? Also, how does this RFA ensure that the majority of funds are flowing to subawards and not kept by the main applicant of the partnership? (Added 1/24/2024)

A. EPA received several comments during listening sessions held in 2022 and 2023 requesting that the burden of federal grant application process and oversight be reduced. As a result, GMD released an Environmental Justice (EJ) RFA requiring the recipient to act as a pass-through organization where 70% or greater of total funds are expected to be awarded to subrecipients competitively. This RFA is already closed and awards to the applicant are in progress. The EJ RFA also required the recipient to provide technical assistance for the application and oversight process. For organizations that may not have the resources to apply or oversee grants, they may want to consider applying to the subaward RFA that each recipient will release (expected in 2024). EPA will announce those to everyone on GMD’s RFA email list as they are released.

As for GMD’s current RFA, the partnership requirement allows smaller or less experienced organizations to partner with an organization with the resources to apply and manage the grant. The intent is to reduce the burden on the partners who receive subawards. Applications that dedicate 50% or more of total funds to subawards to partners will be scored more favorably. The percentage dedicated to fund subawards in this RFA was reduced compared to the EJ RFA to allow the applicant to have direct project activities. For example, if an applicant requests the maximum allowable funding of $6M, EPA expects $3M or more should fund subawards to partners. This RFA also requires a Letter of Commitment from every partner receiving subawards. **EPA strongly recommends** that the partners work with the applicant organization to determine the level of funding they should expect to receive and the planned activities the partners will be responsible for prior to the application being submitted. We also recommend you reaffirm this in the Letter of Commitment.

Q. I’m seeking to find out if land acquisition is an allowable use of funding under this opportunity? I’m not seeing it explicitly mentioned in the RFA.

A. CWA 104(b)(3) authorizes use of grant funds for activities involving research, investigations, experiments, training, demonstrations, surveys and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution. Although this provision does not authorize the acquisition of land, CWA § 104(k) permits land acquisition in situations “relating to the conduct of demonstration projects, and to the development of field laboratories and research facilities.” Based on CWA 104(k), a grantee may acquire land only when it is a component of a demonstration project. Land cannot be acquired for land banking.

If an applicant proposes land acquisition as a component of a demonstration project, GMD will carefully assess the project, and determine the project satisfies the definition of demonstration and land is a necessary component to accomplish project objectives. Additionally, GMD and the assigned grant specialist should agree that land acquisition is an allowable cost, specifically, the acquisition of land is reasonable, necessary, allocable and meets other criteria stated in 2 CFR §§200.403 through §200.405.

Q. If we wanted to focus on conservation across the region, would this mean we would have to apply 5 times, one for each state?

A. In Sec. I.B., the RFA states the eligible locations for Priority Areas 1 and 2 projects must take place in one or more of the five Gulf states (Texas, Louisiana, Mississippi, Alabama and Florida) AND be within the Gulf of Mexico watershed. For Florida projects, please also see the eligible county listing in Appendix D. Priority Area 4 must be within the eligible coastal counties of the five Gulf states. Please see the maps in Figures 1 and 2 of the RFA and Appendix D. This means a single application may cover all 5 Gulf States as long as the project locations are within eligible states and/or counties for the Priority Area.

[Back to top](#_top)

## Overview

Q. How much funding is available for this RFA?

A. The total estimated funding expected to be available is approximately $30 million (a maximum of $6 million per award) unless additional funding becomes available.

Q. Will there be more funding available in the future?

A. Funding for the Gulf of Mexico Program is dependent each year on allocations in the federal budget approved by Congress and the program priorities during that time.

Q. Is this funding opportunity available each year? Will it be available next fiscal year?

A. Funding for the EPA Gulf of Mexico Program is dependent each year on allocations in the federal budget approved by Congress and the program priorities during that time.

[Back to top](#_top)

## Submitting an Application

Q. Where do I start?

A. The applicant should start by closely reading the funding announcement and determining whether the project is within the scope requested. If so, the applicant should determine whether their organization is eligible by reviewing Section III, Eligibility Information. Carefully consider the Scope of Work and the Environmental Results (Sections I.B-I.C). Read Content of Application (Section IV.B) and Evaluation Criteria (Section V.A) to ensure your application includes all required information.

Q. What kind of materials do I need to submit for the application?

A. To be considered for a GMD Grant, EPA requires that each submission contain a set of common elements that are described in Section IV.B (Content of Application Submission.) Section IV.D goes into detail about every item that must be included in the application package.

Q. What is the application submission deadline?

A. Applications must be submitted through Grants.gov as stated in Section IV of this announcement (except in the limited circumstances where another mode of submission is specifically allowed for as explained in Appendix A) on or before the application submission deadline.

Q. How will EPA review applications?

A. Please see Section V of the RFA.

Q. Are applicants required to follow the format detailed in Appendix C of the RFA?

A. It is highly recommended that the applicant explain each aspect of the application clearly and address each topic by following the format provided in Appendix C., include the headings as given, and do not reorder the paragraphs, or the applicant risks the possibility of information being left out, or being overlooked, and/or not being fully comprehended by the reviewers when the project is scored.

Q. Can someone be PI on one application and co-PI on another? Are multiple submissions from one organization generally encouraged or discouraged?

A.There is no limit to the number of applications an individual can be involved in nor the number of applications an organization can submit. We do, however, receive a high volume of applications and are only able to fund a small percentage.

Q. May a logic model be used to summarize some of the application components?

A. A logic model can be used to address some of the project components.

Q. Is the budget narrative included within the 12-page narrative?

A. Yes, the budget narrative should be included within the 12-page limit of the application narrative. The budget table does not count towards that 12-page limit.

[Back to top](#_top)

## Eligibility/Project Eligibility

Q. Could you please confirm if the eligibility entities for a subaward are the same as the eligible entities for the pass-through entity?

A. Eligibility to receive subawards is determined by EPA’s Subaward Policy: <https://www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients>. From Sec. 7, eligible entities are as follows:

1. Generally, unless prohibited or limited by statute, a non-Federal entity or individual is eligible to receive a subaward even if it is not eligible to receive an assistance agreement from EPA directly as long as the subaward is consistent with applicable regulations, policies, and EPA guidance. Federally Funded Research and Development Centers are eligible subrecipients provided the substance of the transaction is consistent with the guidance at 2 CFR 200.331 and Appendix A: Distinctions Between Subrecipients and Contractors.
2. As provided in 2 CFR Part 25, Appendix A , Federal agencies are subrecipients for the purposes of the System for Award Management and Universal Identifier Requirements when they receive “subawards” from pass-through entities. Federal agencies may also be subrecipients for the purposes of 2 CFR Part 200 as indicated in the definition of Subrecipient in 2 CFR 200.1. Nonetheless, Federal agencies must have statutory authority to provide services to non-Federal entities on a reimbursable basis or otherwise receive and use funds from non-Federal entities under subawards. Examples of statutes available to all Federal agencies for receipt and use of EPA financial assistance funds are the Intergovernmental Cooperation Act for services to state and local governments, the Federal Technology Transfer Act for Cooperative Research and Development and Agreements, and the Omnibus Territories Act for reimbursable services agreements with U.S. Territories.
3. For-profit organizations and individual consultants, with very few exceptions, are contractors rather than subrecipients under the standards in 2 CFR 200.331 and EPA’s guidance; they are typically ineligible for subawards from pass-through entities. As provided in the National Term and Condition for Subawards, EPA’s Award Official must approve subawards to these entities on the basis of either precise descriptions of the subawards in the EPA approved budget and work plan or on a transaction by transaction basis. See Appendix A: Distinctions Between Subrecipients and Contractors for additional guidance.
4. (d) Nonprofit organizations exempt from taxation under section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities are ineligible for EPA subawards based on the Agency’s policy for interpreting the Lobbying Disclosure Act, 2 U.S.C.1611.
5. (e) EPA program office staff should ensure that pass-through entities are aware of limitations on subrecipient eligibility contained in statutes or regulations. EPA program offices may communicate 5 applicable limitations to potential pass-through entities in announcements for competitive awards, program guidance for continuing environmental program grants or other noncompetitive awards, and programmatic terms and conditions.

(f) In consultation with OGD’s National Policy, Training and Compliance Division and the Office of General Counsel or Office of Regional Counsel, as appropriate, Program offices may establish policies limiting eligibility for subawards to the extent permitted by statute or regulation. EPA program offices must communicate applicable policies to potential pass-through entities in announcements for competitive awards, program guidance for continuing environmental program grants or other noncompetitive awards, and programmatic terms and conditions

Q. We saw the language in the RFP that states that “Solely “gray infrastructure” projects (e.g., installation of sewer lines).” is not an eligible activity. Would EPA would look favorably on a proposal that included septic to sewer as a component?

A. Proposed projects must qualify under GMD’s statutory authority in CWA 104(b)(3) which says: *EPA is authorized to "make grants to State water pollution control agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals," ... "to conduct and promote the coordination and acceleration of* ***research, investigations, experiments, training, demonstrations, surveys, and studies*** *relating to the causes, effects, extent, prevention, reduction, and elimination of pollution.”* Septic to sewer seems more like traditional infrastructure (gray) which is an ineligible activity under this RFA *unless* this project can somehow be tied to any of the allowable activities (e.g., experiments, demonstration, research).

Q. Would an organization, based in non-Gulf State, be eligible to apply.

A. Per Secs. I.B and III.D of the RFA, projects must be located within eligible states and/or counties of the Gulf states (see Priority Areas and maps in Sec. I.B. and Appendix D). The RFA does not include any location restrictions for the applicant (organization) in the Threshold Criteria. Please also see eligibility criteria for the organization in Sec. III.A.

Q. How can I tell if I am eligible to apply for a grant?

A. Please refer to Section III.A. of the RFA.

Q. I am a nonprofit but do not have a 501c3. Am I eligible to apply?

A. Consistent with the definition of Nonprofit organization at 2 CFR § 200.1, 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 and is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. The term includes tax-exempt nonprofit neighborhood and labor organizations.

**Nonprofit organizations that are not exempt from taxation under section 501 of the Internal Revenue Code must submit other forms of documentation of nonprofit status; such as certificates of incorporation as nonprofit under state or tribal law.**

Q. What is ineligible for funding?

A. Section III in the RFA identifies eligible and ineligible entities and activities. EPA also conducts a threshold eligibility review of all applications (Section III.E). Applicants deemed ineligible for funding consideration as a result of the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

Q. A funding idea was submitted and GMP was asked for input and/or requested a phone call to discuss project. The following response was provided to all potential applicants who requested input on their specific project idea or design.

A. In order to ensure a fair competitive process, the EPA's Gulf of Mexico Program does not provide specific input on project ideas to applicants.

[Back to top](#_top)

## Environmental Outputs and Outcomes

Q. What are "Outputs and Outcomes"?

A. Outputs and outcomes are explained in Section I.C. of the RFA. The terms outputs and outcomes are derived from the EPA's focus on environmental results (EPA Policy Order 5700.7 Environmental Results). Therefore, EPA's priority is to support projects that are likely to achieve **quantifiable** outputs and outcomes. Applicants must include specific statements describing the environmental results of the proposed project in terms of well-defined "outputs" and "outcomes".

[Back to top](#_top)

## Project Monitoring

Q: Will a QAPP need to be developed and approved by EPA for each project funded through this RFA?

A. Please see the RFA Section VIII.A. for additional information about required QAPPs.

Q. What is the definition of Environmental Data?

A. EPA's Environmental Data Definition: Environmental information or data is defined as any measurements or information that describe environmental processes, location, or conditions; ecological or health effects and consequences; or the performance of environmental technology.

Q. We are currently working on our application for the RFA and have run into a question about the Environmental Data Statement. Based on the information provided in the RFA and links, we have drafted the following statement:

"We acknowledge that if funded for this project, we will be required and are prepared to demonstrate competency to assess the quality of work to meet project requirements and acknowledge that a Quality Management Plan (QMP) and/or Quality Assurance Project Plan (QAPP) may be required."

Is this what this section is requiring, or do we need to provide further demonstration of competency (ex. provide current accreditation or certification certificate with scope of accreditation and accrediting body plus contact information) attached to the application?

A. A statement, such as what is written, is all that is needed. It is a step designed to ensure that the applicant is fully aware that if environmental information data collection is planned and the award is over $200k, that a QAPP will be required. In addition, please include QAPP development and approval in the milestones schedule of the application.

Q. There is a statement in the RFA that says: If the organization does not have an EPA approved Quality Management Plan, please note that this must also be developed and approved by EPA. Inquiry through pre-awards and grant management for our organization has not turned up such a plan. Our assumption is that this is a document not specifically related to the current grant application, but an institutional-type document. Would you please provide more information on this requirement, including directions for preparing such a plan?

A: As noted, the QMP is meant to be an institutional level document (organization-specific policies and procedures) and not a project-specific document. Recipients may be required to submit both a QMP and a QAPP. Instructions for development of both documents can be found at this [link](https://www.epa.gov/grants/implementation-quality-assurance-requirements-organizations-receiving-epa-financial). There is no expectation for either document to be developed prior to notification of award.

[Back to top](#_top)

## Match Requirement

Q. Is there a match requirement?

A. No matching funds are required under this competition.

[Back to top](#_top)

## Contracts and Subawards

Q: From the Q&A response for this RFA, we are trying to understand if the indirect cost agreement should come from the cognizant agency, the federal agency they receive the most federal funding from, OR if the indirect cost agreement MUST be a negotiated EPA agreement (regardless of who they receive the most federal funding from).

A: A Pass-through entity is a non-Federal entity that provides subawards to subrecipients to carry out part of a Federal program. Subawards are considered passthrough funding and not direct federal funding. A federally approved negotiated indirect cost rate agreement (NICRA) is negotiated by the cognizant federal government on behalf of the entire federal government, and the cognizant federal agency is assigned to the agency providing the most direct federal funding to the recipient. Therefore, passthrough funding is not considered when determining a recipient’s cognizant federal agency. If a subrecipient has a federally approved NICRA, the applicant (passthrough entity) has to accept it. However, if a subrecipient only receives passthrough federal funding, they will not have a cognizant federal agency and will not have a federally approved NICRA. In this situation, the passthrough entity is responsible for establishing an indirect cost rate with the subrecipient in accordance with 2 CFR 200.332(a)(4). There are three options: 1) the 10% de minimis applied to the modified total direct cost base, 2) an indirect cost rate negotiated between the pass-through and the subrecipient, or 3) an IDC rate negotiated with the subrecipient and another passthrough entity.

Q. Since this RFP is designed around the applicant administering a subaward program with the partners, are we to include IDC on the first $25,000 of each to be named subawardee?

A. Yes, only the first $25,000 of each subaward may be included in the Modified Total Direct Cost (MTDC; as defined in [2 CFR 200.1](https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200) or per the applicant’s Indirect Cost Rate Agreement) which is used to calculate the Indirect charges. The applicant must include the subawards, the anticipated award amount for each, and portion of the budget dedicated to subawards to include in the MTDC to calculate the Indirect cost. Please indicate that it is an estimate.

Q. Could we have identified potential recipients of these subawards at the time of applying for this grant?

A. Identifying potential subaward recipients:

The application must identify subrecipient organizations in the partnership and have letters of commitment from all. If additional subawards are anticipated, the application need not specify the subrecipients from non-partners.

**Coalitions/Partnerships**

Q. Can grant funding be used by the applicant to make subawards, acquire contract services, or fund partnerships?

A. Yes, funds can be used for contracts and subawards in accordance with the additional provisions instructions which can be found on [the EPA Solicitation Clauses](https://www.epa.gov/grants/epa-solicitation-clauses)page. EPA awards funds to one eligible applicant as the "recipient" even if other eligible applicants are named as "partners" or "co-applicants" or members of a "partnership". The recipient is accountable to EPA for the proper expenditure of funds and reporting requirements.

Q. May EPA grant recipients enter into agreements with federal agencies to carry out tasks/activities under the grant work plan?

A. Reimbursable Agreement- Grant recipients may enter into reimbursable agreements with federal agencies as long as those federal agencies are authorized under applicable federal laws to enter into such agreements with federal grant recipients. This is the mechanism by which a grant recipient can work with a federal agency as a partner. Reimbursable agreements do not have to be competed, but grant recipients must provide a brief explanation as to why they are selecting a federal agency to carry out the work.

Q. If awarded a grant, can a grantee sole source a subcontract to a for profit entity?

A. A for profit can be selected as a sole source subcontractor, but the burden of proof is on the applicant or recipient to demonstrate why this is the only entity able to complete the task.

Q. We would like to have a placeholder of $XXX for a contractor to provide \_\_\_\_\_\_\_\_\_ for our project. We plan to go through a competitive process to hire a contractor, but it will not be able accomplished prior to the application deadline. Is it okay to include a placeholder amount and wait to ensure the project is funded prior to beginning the competitive process?

A. Yes.

[Back to top](#_top)

## Standard Form (SF) 424 and SF 424 A

Q. Are there definitions to describe the amounts that should be entered for 18? And is there a description of what is asked for # 19?

A. The following answers pertain to the SF-424.

Please find instructions for the SF-424 here: <https://www.grants.gov/web/grants/forms/sf424-fid.html?formId=713>

Additional information for question 19 can be found here: <https://www.fws.gov/policy/library/rgeo12372.pdf>; <https://19january2021snapshot.epa.gov/grants/fact-sheet-applicants-intergovernmental-review-process_.html>; and <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>

Q. How do we answer question 19 in the SF 424?

A. Mark A and submit your application to your intergovernmental review state point of contact if **BOTH** of the following are true of your project:

1. Project involves land use planning or construction associated with demonstration projects.

2. Please follow this link: <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>. If your state is listed on this link, your project will need to be submitted to your state for review and select a or b as applicable.

Otherwise, select C.

[Back to top](#_top)

## Budget

Q. Is this 50% figure going to subawards with respect to the total award amount including overhead costs?  Or is it with respect to project costs EXCLUDING overhead? This university has a federally-negotiated indirect cost rate that must be used.

A. The percentage that goes to subawards was intended to be calculated using the entire budget, including Indirect costs. We understand that institutes of higher education (IHEs) are required to follow their Negotiated Indirect Cost Rate Agreements (NICRA) per [2 CFR Part 200, Appendix III(C)(7)](https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/appendix-Appendix%20III%20to%20Part%20200). Because NICRAs are required to be followed for IHEs, they will not impact scoring negatively during merit reviews. Also, usually only the first $25,000 of each subaward may be included in the Modified Total Direct Cost (as defined in [2 CFR 200.1](https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200) or per your NICRA) which is used to calculate the Indirect charges.

Q. Are preaward costs eligible?

A. In certain circumstances, costs incurred within 90 days prior to the grant award may be eligible for reimbursement. However, this does not include any costs associated with responding to this solicitation or in finalizing the application package. If costs are incurred before the award, they are incurred at the applicant's own risk.

Q. What are indirect or overhead costs?

A. Indirect costs represent the expenses of doing business that are not readily identified with a particular grant, contract, project function or activity, but are necessary for the general operation of the organization and the conduct of activities it performs (source: Indirect Cost Overview, Dept. of Education). In order to charge indirect costs to the grant, the applicant must have an up-to-date approved indirect cost rate agreement with its cognizant agency (the federal agency the applicant receives the most funding from). EPA does recognize indirect cost agreements negotiated with other federal agencies.

Q. What if we don’t have an indirect cost rate agreement?

A. Any non-Federal entity that has never received a negotiated indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely.

Q. We want to apply for the 10% de minimis indirect cost rate. Where do we send out application to use the 10% de minimis?

A. The applicant does not need to apply to use the 10% Federal de Minimis. Any non-Federal entity that has never received a negotiated indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. For more information, please see: 2 CFR 200.414 (f) <https://www.ecfr.gov/cgi-bin/text-idx?node=se2.1.200_1414&rgn=div8>.

Q. How do I ensure I’m putting the costs in the correct budget categories?

A. There are several guidelines used for federal budgets. The recorded webinar and presentation found here <https://www.epa.gov/grants/epa-grants-award-process-webinars> provides an overview of the grant application process, including what should be included in the budget categories and the cost principles EPA utilizes. In addition, Appendix C of the RFA provides a link to EPA’s Interim Budget Guidance as well as helpful hints and sample language. If you have a question about a particular item, please feel free to email the question to [gmp-rfp@epa.gov](mailto:gmp-rfp@epa.gov).

Q. Can these projects fund international travel?

A. It depends on the relevance of the travel to the project. In any case where international travel is requested, however, the award will need to go through an additional layer of review and approval.

Q. We plan to use EPA’s suggested budget template to complete our budget. Should we put both subawardees and subcontractors in the “Contractual” section?

A. Subcontractors are entered in the Contractual category, and subawardees (subrecipients) are entered in in the "Other" budget category.

Q. Please advise if the suggested Budget Table template should also be used by lower tier subawardees, then rolled up into our Budget Table template?

A. We recommend GMD’s budget table template for the applicant, but any subrecipient information can be presented in the way that makes the most sense for the application. Subawards generally do not require the same level of detail in the budget (per object class category) as the applicant. Subaward budgets may simply be a total anticipated cost as long as subaward activities are clearly described.

Q. Does this opportunity allow funding to be used for staff position? Is there a cap on the personnel costs? I can’t seem to find details of what costs (and how much) are eligible under this funding opportunity.

A. In Appendix B of the RFA, there is a link to [EPA budget development guidance](https://www.epa.gov/sites/production/files/2019-05/documents/applicant-budget-development-guidance.pdf). It does not discuss a cap on personnel costs, because there isn't one that is directed, but all costs should be reasonable based on the activities that will take place during the project period and should only cover the identified project period.  Projects that allocate more than 50% of the total budget to funds subawards and subrecipient activities may be reviewed more favorably.

Q: I am using the suggested budget template and need to add another line for Contractual services (beyond the ones in the Additional Lines C-H) but it will not allow me to.

A: Contact [mills.calista@epa.gov](mailto:mills.calista@epa.gov) for questions regarding the budget template.

Q: The excel spreadsheet for the budget table template requires a password.

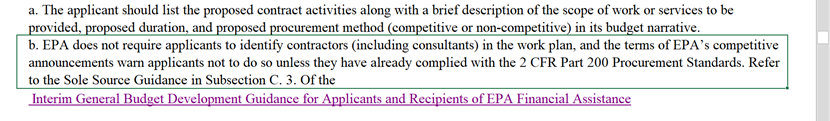
A: The template is secured to ensure formulas are not modified. Instructions for using the template are located in Tab 1 Budget Guidelines. Tab 2 is an example of the required line-item budget. To create applicant-specific line-item budget, please edit Tab 4 to reflect all planned expenditures. Enter project specific information in the yellow cells and the spreadsheet will auto calculate. Additional lines are available in tabs 5 and 6 if needed.

Q: Can the budget template be edited to add match/cost share?

A: As stated in Section III.C. on page 12 of the RFA: “There is no cost-sharing or matching requirement as a condition of eligibility under this RFA.” Because matching/cost share funds are not required, it will not be part of the evaluation process and it is not necessary to include in the application. A budget template that includes match was not released with this RFA.

Q. What are the key pieces of information necessary (questions to answer) to justify the selection of a sole-sources contract?

A. Please see the following screen shot. If the applicant decides to sole source a contract, identify what activities the contractor will be responsible for and why they are the only contractor capable of providing this work (that would be the justification for a sole source contractor). For contracts that are bid out, please include that a contractor will be competitively selected and which activities the contractor will be responsible for. The applicant should not bid out contracts until the award is final.



[Back to top](#_top)

## Other Questions

Q. Are letters of support encouraged or required?

A. Letter of commitment are required to establish the partnership of the applicant and the subrecipients. See Sec. III.B. in the RFA for more information. Letters of support from non-partners are encouraged to support that the applicant has connections to the identified, disadvantaged community(ies) where project activities will take place.

Q. Can references cited be added as supporting material or must literature cited fit into the page limit?

A. A references cited page may be added as supporting material and would not be included in the page limit.

Q. Is it a disadvantage for the lead organization to be one that has a current GMP award?

A. It is neither an advantage or disadvantage. All applications will be evaluated based on the criteria identified in the RFA.

Q. Where should the Indirect Cost Rate Agreement be uploaded into the Grants.gov package?

A. The Indirect Cost Rate Agreement can go in the “Optional Attachments Form” section.

Q. How do I submit an additional question that has not been addressed in this document?

A. GMD is able to respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about the announcement. Submit questions via email to [gmp-rfp@epa.gov](mailto:gmp-rfp@epa.gov).

Q. For the resumes, is there a required format or a page limit?

A. There is neither a required format nor a page limit.

Q. With regards to Applicant Capability and Past Performance, will the experience of the applicant and subrecipients be evaluated together or separately?

A. The applicant is considered the manager of the grant and as such is the organization that is evaluated under applicant capability; however, applications will be evaluated on the completeness and strength to which the project narrative demonstrates how well recipient and subrecipient activities will meet the Objectives for Disadvantaged Communities in Sec. I.A.2 and meet one or more of the Priority Areas in Sec. I.B.1.

Q. We have a question concerning submission of forms. Are all forms required by applicant and partners separately or can a single package be submitted by applicant only?

A. The applicant must complete and submit the required forms for this application. That entity is responsible for the grant. Partners are not required to complete the forms because they will be subrecipients of the grant; however, they must provide letters of commitment that establish the partnership. For more information about partnerships, please see Sec. III.B. of the RFA for more information.

Back to top