

OVERVIEW SECTION

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: “TECHNICAL ASSISTANCE TO BROWNFIELDS COMMUNITIES”

ACTION: Request for Proposals (RFP) - Initial Announcement

RFA NO: EPA-OSWER-OBLR-12-05

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO.: 66.814

DATES: The closing date and time for receipt of proposals is November 14, 2012, 5:00 p.m. ET. Proposals may be sent through the U.S. Postal Service, commercial delivery service, or electronically through www.grants.gov. Only one method should be used for the submission of proposal packages. Proposals sent electronically must be received by www.grants.gov by 11:59 p.m. Eastern Time on November 14, 2012 to receive consideration. Proposals received after 11:59 p.m. EST on November 14, 2012, will not be considered.

SUMMARY: This notice announces the availability of funds and solicits proposals from eligible entities (including eligible non-profit organizations) to provide technical assistance to communities on brownfield issues. *[NOTE TO APPLICANTS: If you name subawardees/subgrantees and/or contractor(s) in your proposal to assist you with the proposed project, pay careful attention to the information in Section 2(E) and (F) of this RFP.]*

FUNDING/AWARDS: The total estimated funding for the solicitation is \$5,000,000. EPA anticipates award of up to nine (9) cooperative agreement(s). The maximum value of each grant will be based on the technical assistance being provided, however, grant(s) in geographical area 5 shall not exceed \$1,000,000 and grant(s) in geographical areas 1, 2, 3, 4, 6, 7, 8 and 9 shall not exceed \$500,000 each under this competitive opportunity. Cooperative agreements awarded will be funded incrementally. Additional funds may be added in each subsequent year of the agreement, subject to satisfactory performance and the availability of funds. *(Refer to Section 2(A).)*

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Section 1 - Funding Opportunity Description

A. Background.

In the early 1990's, stakeholders expressed their concerns to the EPA about the problems associated with brownfields across the country. More than 450,000 properties that were once used for industrial, manufacturing, or commercial uses were lying abandoned or underused due to the suspicion of contamination. Brownfield areas, in both city centers and rural areas, were contributing to blight and joblessness in surrounding communities. Unknown environmental liabilities were preventing communities, developers, and investors from restoring these properties to productive use and revitalizing impacted neighborhoods.

In 1994, the EPA responded to the brownfields issue with an environmental protection approach that is locally based, encourages strong public-private partnerships, and promotes innovative and creative ways to assess, clean up, and redevelop brownfield sites. This approach empowers state, tribal, and local environmental and economic development officials to oversee brownfield activities, and encourages implementing local solutions to local problems.

On January 11, 2002, the President signed into law the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law). The Brownfields Law amended the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund). The Brownfields Law expands potential federal financial assistance for brownfields revitalization, including grants for assessment, cleanup, training, research, and technical assistance. The law limits the liability of certain contiguous property owners and prospective purchasers of brownfield properties, and clarifies innocent landowner defenses to encourage revitalization and reuse of brownfield sites.

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. The EPA is committed to supporting technical assistance that will further the goals of the program and provide enhanced knowledge, tools, and processes to a broad range of stakeholders (e.g., tribal, state, local and other non-governmental entities), especially to small, rural and underserved communities.

A brownfield site is “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant,” as defined in Section 101(39) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA or Superfund). The law further defines the term “brownfield site” to include a site that is contaminated by a controlled substance...; is contaminated by petroleum or a petroleum product excluded from the definition of ‘hazardous substance’...; or is mine-scarred land.”

B. Project Description.

The EPA's Office of Brownfields and Land Revitalization (OBLR) is soliciting proposals from eligible entities to provide technical assistance within the geographic areas delineated in section 1 (C) to assist communities facing brownfields challenges. Grants awarded under the "Technical Assistance to Brownfields (TAB) Communities" announcement will help communities tackle the challenge of assessing, cleaning up and preparing brownfields sites for redevelopment, especially underserved/rural/small and otherwise distressed communities. The technical assistance provided through this grant will cover technical support on various brownfields subject areas. Regardless of the mechanism the technical assistance is made available, it should be geared toward results and in helping the community to move their Brownfields sites forward in the process toward cleanup and reuse. In addition, understanding the underlying technical issues associated with a brownfields site will enable communities to participate substantively in brownfields site decisions. For the purposes of this grant, technical assistance is defined as providing on-going advice and support, in the form of specialized knowledge, to a person or organization with the goal of guiding them through a particular process, or helping them understand complex brownfields-related subject matter. The recipient will provide technical assistance, consistent with Agency policy and procedures, and serve as an independent source of information to assist communities with the following types of activities:

- Review and explain technical reports (such as those related to site sampling, site assessments, and federal regulations);
- Provide information about basic science, environmental policy, and other technical matters;
- Help communities understand health risks associated with a brownfield site;
- Provide information to assist the community to better understand environmental issues and how they affect brownfield cleanup and redevelopment;
- Facilitate meetings between the local community, developers, lenders, and others involved in the cleanup and reuse of brownfields properties;
- Facilitate brownfield redevelopment efforts by supporting community and other stakeholder involvement activities.
- Provide assistance to communities dealing with plant closures, or other significant economic disruptions, adversely affected by natural disasters, or impacted by other sector based issues.
- Provide assistance in understanding and complying with state Brownfields/Voluntary Cleanup Program requirements, including land use restrictions and other land use controls.

Applicants may propose other types of technical assistance activities that meet the needs of

communities affected by brownfields in the geographic areas they propose to serve as long as they are eligible.

C. Description of Subject Areas for Technical Assistance.

Under CERCLA 104(k)(6), the EPA is authorized to provide financial assistance which 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 brownfields technical assistance to support communities. Proposals must include technical assistance in each of the six general subject areas described below although applicants may propose approaches to addressing each area that differ from or supplement the activities the EPA has described.

1. Community Involvement

Activities supporting this subject area should look at brownfields issues from a community-based perspective. Projects should aim to provide communities with information, tools and technology to better understand or participate in an informed way in decision making related to brownfields area-wide planning, assessment, cleanup, environmental workforce development and job training, and the redevelopment process, or to foster a better understanding of the impacts of living near a potentially contaminated brownfields property.

2. Health Impacts of Brownfields sites

Technical assistance supporting this subject area should address the connection between health issues and brownfields. The assistance should focus on the impacts to health and quality of life when brownfields are not cleaned up and redeveloped, or examine effects on health and quality of life as a result of brownfields cleanup and redevelopment. The assistance should strive to improve the health of individuals living near brownfields (particularly, those belonging to sensitive and environmental justice populations) and to increase the level of understanding of brownfields-related health issues and to foster interaction and partnerships with local public health departments.

3. Science and Technology Relating to Brownfields Assessment, Remediation, and Site Preparation

Technical assistance in this subject area should focus on various aspects of brownfields cleanup and subsequent redevelopment, including: assessment and inventory methods, sampling and cleanup methods, institutional controls and long-term stewardship to ensure long-term protection of human health and the environment, and risk assessment methods and policies.

4. Integrated Approaches to Brownfields Cleanup and Redevelopment

Technical assistance in this subject area should address linkages between environmental, economic, and social issues, at brownfields sites including such things as: green revitalization, cleanup and redevelopment, port and waterfront utilization, energy issues, air and water quality issues, equitable development, affordable housing, leveraging partner agency resources, environmental justice, sustainable development and green building design approaches. Technical assistance outputs should aim to increase knowledge of linkages among various types of cleanup, redevelopment and planning efforts, and to increase coordination among such efforts including prevention of future brownfields.

5. Brownfields Finance

Technical assistance in this area should address finance issues in brownfields cleanup such as assisting communities in working with lenders, investors, developers, and insurers and how to establish and leverage partnerships for funding assessment and cleanup that is consistent with plans for subsequent redevelopment. Activities may also increase state, local, and tribal stakeholders' knowledge base of finance issues on topics such as tax incentives, loan funds, insurance, economic development/redevelopment and other financing tools. Applicants should note; however, that general fundraising costs are unallowable under Office of Management and Budget Cost Principles.

6. State, Tribal, and Local Government Brownfields Programs

Technical assistance in this area should focus on providing brownfields information to state, tribal (including Alaskan native tribes), local government representatives and other stakeholders about brownfields issues, brownfields-related government programs, and brownfields funding opportunities to receive support (e.g., financial, technical assistance) for their brownfields cleanup and redevelopment efforts. Technical assistance should also provide support on state and tribal response programs and assistance to communities with Brownfield grant funding that need technical assistance to move their projects forward.

Because of the number of communities requiring support nationwide, the EPA has divided up the support to be provided through these cooperative agreements into nine (9) different geographical areas.

- **Geographic Area #1** includes *EPA Region 1* (CT, ME, MA, NH, RI, VT).
- **Geographic Area #2** includes *EPA Region 2* (NJ, NY, PR, VI).
- **Geographic Area #3** includes *EPA Region 3* (DE, DC, MD, PA, VA, WV).
- **Geographic Area #4** includes *EPA Region 4* (AL, FL, GA, KY, MS, NC, SC).
- **Geographic Area #5** includes *EPA Region 5* (IL, IN, MI, MN, OH, WI) and *Region 7* (IA, KS, NE, MO).
- **Geographic Area #6** includes *EPA Region 6* (AR, LA, NM, OK, TX).
- **Geographic Area #7** includes *EPA Region 8* (CO, MT, ND, SD, UT, WY).
- **Geographic Area #8** includes *EPA Region 9* (AZ, CA, HI, NV, AS, GU).

- **Geographic Area #9** includes *EPA Region 10* (AK, ID, OR, WA).

Applicants must provide technical assistance to communities throughout their entire geographic area. Please note that the amount of funding provided to selected recipients will be commensurate with the level and amount of technical support being proposed. Those recipients proposing to provide less technical assistance may receive reduced funding amounts of those providing a greater amount of technical assistance or serving a larger geographic area.

Recipients selected for award, at their discretion, may also provide, on a limited basis, technical assistance to communities in other geographical areas. For example, a recipient may provide technical assistance to a community outside their geographic area if they are uniquely qualified to provide a specific type of technical assistance as determined by the EPA, assistance provided at national conferences, through webinars, and similar events, or when the EPA has decided that the type or nature of the technical assistance they are providing must be made available nationwide. The final scope of work that the EPA negotiates with successful applicants will specify the terms under which recipients may provide technical assistance outside of their geographic areas.

Note to Applicants: Applicants may submit proposals to provide technical assistance in multiple geographic areas. Applicants wishing to provide technical assistance in multiple geographical areas should submit a **separate** proposal for each geographic area they plan to serve. More information about providing technical assistance in multiple geographic areas can be found in the FAQs at <http://www.epa.gov/brownfields/applicat.htm>.

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 2(B) for a description of EPA’s anticipated substantial involvement in the grants awarded under these guidelines.

The EPA urges applicants to review the Frequently Asked Questions (FAQs) which can be found at <http://www.epa.gov/brownfields/applicat.htm>.

D. EPA Strategic Plan Linkage.

The projects selected for award through this competition will support progress towards EPA Strategic Plan Goal 3 (Cleaning Up Communities and Advancing Sustainable Development), Objective 3.1 (Promote Sustainable and Livable Communities), and Sub-objective (Assess and Clean Up Brownfields). Specifically, recipients will provide technical assistance to communities which will facilitate the community in assessing, cleaning up and reusing brownfields sites in their community.

(View the EPA’s Strategic Plan <http://www.epa.gov/planandbudget/strategicplan.html>.)

E. Measuring Environmental Results: Anticipated Outcomes/Outputs.

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

1. **Outcomes.** The term “outcomes” refer to the result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, must be quantitative, and may not necessarily be achievable during the project period.

EPA anticipates outcomes from projects awarded under this announcement will include increasing the capacity of nonfederal governmental entities, nonprofit organizations, and brownfields stakeholders to:

- a. increase the assessment, cleanup, and sustainable reuse of brownfields;
 - b. better inform and equip the community with the capacity to effectively address and be involved in brownfields activities;
 - c. focus attention on the environmental and human health conditions in low income communities and socio-economically disadvantaged communities unable to draw on alternative sources of funding for assessment or cleanup of brownfields and their subsequent redevelopment;
 - d. improve community involvement, communication, and the development of partnerships among differing stakeholders; leveraging partnerships for funding; and
 - e. enable communities to stimulate economic and other beneficial reuses of brownfields sites in order to improve environmental conditions and human health.
2. **Outputs.** The term “output” refers to an environmental activity, effort, and/or associated work products related to an environmental goal or objective, that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative, but must be measurable during an assistance agreement funding period.

EPA anticipates the outputs from the projects awarded under this announcement will include, but not be limited to:

- a. an increase in the number of communities and projects receiving technical assistance;
- b. number of brownfields assessment and cleanup projects moved forward;
- c. technical assistance workshops and webinars; and
- d. resource centers, factsheets, and case studies.

F. Supplementary Information.

The statutory authority for this action is Section (104)(k)(6) of the Comprehensive Environmental

Response, Compensation and Liability Act (CERCLA) of 1980, as amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law), 42 U.S.C. 9604(k)(6).

Section 2 - Award Information.

A. What is the amount of available funding?

The total estimated funding available under this competitive opportunity is \$5,000,000 subject to the availability of funds, quality of proposals received and other applicable considerations. The maximum value of each grant will be based on the needs of the geographic area and the number of proposals selected for funding. The maximum funding for proposals serving geographic area 5 (covering two EPA regions) shall not exceed \$1,000,000. The maximum funding for proposals serving geographic areas 1, 2, 3, 4, 6, 7, 8 or 9 (covering one EPA region) shall not exceed \$500,000 each.

Additional funds may be added in each subsequent year of the agreement, subject to satisfactory performance and the availability of funds.

EPA reserves the right to make additional awards under this competition, consistent with agency 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 proposals under this competition or fund proposals in some areas and not others. There is no guarantee that each area will be funded.

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

EPA anticipates award of up to nine (9) cooperative agreements, in the geographic areas delineated in Section 1(C), resulting from this competitive opportunity.

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

1. Close monitoring of recipient's performance to verify the results proposed;
2. Collaboration during performance of the scope of work;
3. Review of proposed procurements in accordance with 40 CFR 30.44(e) and 40 CFR 31.36(g),
4. Reviewing qualifications of key personnel (the EPA will not select employees or contractors employed by the award recipient);
5. Review and comment on reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient); and

6. Review and concurrence on project outputs for consistency with the EPA approved scope of work.

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

C. Will proposals be partially funded?

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

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

The project period for the TAB grants is five years.

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

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

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

Successful applicants cannot use subgrants or subawards to avoid requirements in EPA grant regulations for competitive procurement by using these instruments to acquire commercial services or products from for-profit organizations to carry out its assistance agreement. The nature of the transaction between the recipient and the subawardee or subgrantee must be consistent with the standards for distinguishing between vendor transactions and subrecipient assistance under Subpart B Section 210 of OMB Circular A-133, and the definitions of subaward at subgrant in 40 CFR 30 or

31. EPA will not be a party to these transactions. Applicants acquiring commercial goods or services must comply with the competitive procurement standards in 40 CFR Part 30.43 or 31.36 as appropriate and cannot use a subaward/subgrant as the funding mechanism.

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

Section 5 of the announcement describes the evaluation criteria and evaluation process that will be used by EPA to make selections under this announcement. During this evaluation, except for those criteria that relate to the applicant's own qualifications, past performance, and reporting history, the review panel will consider, as appropriate and relevant, the qualifications, expertise, and experience of:

1. An applicant's named subawardees/subgrantees identified in the proposal if the applicant demonstrates in the proposal that if it receives an award that the subaward/subgrant will be properly awarded consistent with the applicable regulations in 40 CFR Part 30 or 31, as applicable. For example, applicants must not use subawards/subgrants to obtain commercial services or products from for-profit firms or individual consultants.
2. An applicant's named contractor(s), including consultants, identified in the proposal if the applicant demonstrates in its proposal that the contractor(s) was selected in compliance with the competitive Procurement Standards in 40 CFR 30.44 or 31.36, as applicable. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper non-competitive sole-source award consistent with the regulations will be made to the contractor(s), that efforts were made to provide small and disadvantaged businesses with opportunities to compete, and that some form of cost or price analysis was conducted. EPA may not accept sole source justifications for contracts for services or products that are otherwise readily available in the commercial marketplace.

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

Section 3 - Eligibility Information and Threshold Criteria.

A. Eligible Entities.

Proposals will be accepted from the following:

- general purpose local unit of government;
- land clearance authority or other quasi-governmental entity that operates under the supervision and control of, or as an agent of, a general purpose unit of government;
- governmental entity created by a 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;
- Indian tribe other than in Alaska;
- Alaskan Native Regional Corporation and an Alaska Native Village Corporation as those terms are defined in the Alaska Native Claims Settlement Act (43 U.S. C. 1601 and following); and the Metlakatla Indian Community; and
- nonprofit organizations (including institutions of higher education).

Nonprofit organizations must meet the definition of that term in Section 4(6) of the Federal Financial Assistance Management Improvement Act of 1999, Public Law 106-107, 31 U.S.C. 6101. Public and nonprofit private educational institutions are eligible to apply. However, nonprofit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995 are not eligible to apply. Evidence of nonprofit status under Federal, state, or tribal law must be provided at the time the application is submitted.

B. Cost Sharing or Matching.

No matching funds are required under this competition. Although cost-sharing/matching is not required as a condition of eligibility under this competition, under *Section 5(A)* of this announcement EPA will evaluate applications based on a leveraging criterion. Leveraging is generally when an applicant proposes to provide its own additional funds/resources or those from third party sources to support or complement the project they are awarded under the competition which are above and beyond the EPA grant funds awarded. Any leveraged funds/resources, and their source, must be identified in the proposal (*See Section 4(B)(2)(b)(vii)*) of the announcement). Leveraged funds and resources may take various forms as noted below.

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

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

award and/or take other appropriate action as authorized by 40 CFR Parts 30 or 31 as applicable.

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

C. Threshold Criteria.

Proposals must meet the following “threshold criteria” by the time of proposal submission.

Proposals that fail to meet any one of the threshold criteria will not be considered further.

EPA will notify applicants who do not meet the threshold criteria within 15 calendar days of the “fail” determination. Proposals that meet the threshold criteria will then be evaluated based on the factors disclosed in *Section 5(A), Evaluation Criteria*. The threshold criteria are:

1. Applicants must be eligible entities. Applicants should describe how they are an eligible applicant as described in Section 3(A) Eligible Entities. Eligible non-profit entities must attach documentation/evidence of nonprofit status under Federal, state or tribal law, as applicable.
2. Proposals must address all six of the project subject areas as described in *Section 1(C), Description of Subject Areas for Technical Assistance* of this announcement.
3. Proposal must include technical assistance to communities within the entire geographical area.
4. Organizations proposing to utilize proprietary information must provide evidence of permission to use the information.
5. Applications must substantially conform to the outline and content detailed in *Section 4(B), Content and Form of Application* of this announcement or they will be rejected. Pages in excess of the page limitations expressed in *Section 4(B), Content and Form of Application* will not be reviewed.
6. Proposals submitted through the U.S. Postal Service or via commercial delivery service

must be postmarked by November 14, 2012 as described in *Section 7*. Proposals sent electronically through <http://www.Grants.gov> must be received by November 14, 2012, by 11:59 p.m. ET to receive consideration. Proposals received after the closing date of this announcement will be returned to sender without consideration.

D. Eligible Uses of Funds.

Eligible uses of grant funds include direct costs necessary to provide technical assistance identified in the approved workplan. This includes costs for personnel, technical experts, materials, supplies, room rentals, travel, and transportation expenses.

E. Ineligible Use of Funds.

Funds awarded under Section 104(k)(6) of CERCLA are intended for technical assistance activities set forth in the agreement and may **not** be used for:

1. Projects that duplicate grants awarded under other the EPA Brownfields grant programs described in CFDA Nos. 66.818, “Brownfields Assessment, Revolving Loan Funds, and Cleanup Grants,” 66.815, “Environmental Workforce Development and Job Training Grant,” and 66.814, “Brownfields Training, Research, or Technical Assistance Grants.” Please see EPA’s Brownfields website for more details, <http://www.epa.gov/brownfields>;
2. Conducting site assessments or actual cleanups. However, recipients may provide technical assistance to a community that would allow or facilitate the community in conducting site assessment or cleanup activities;
3. Construction and land acquisition;
4. Foreign travel;
5. Management fees or similar charges in excess of the direct costs in the budget for the brownfields grant. The term “management fees or similar charges” refers to expenses added to the direct costs in order to accumulate a reserve fund for ongoing business expenses, unforeseen liabilities, or for other similar costs that are not allowable under the Brownfields grant as administrative costs;
6. The payment of an administrative cost. In implementing the administrative cost prohibition, EPA has made a distinction between prohibited administrative costs and eligible programmatic costs, described below; and
 - a. **Administrative Costs.** Prohibited administrative costs are direct costs including those in the form of salaries, benefits, contractual costs, supplies, and data processing charges incurred to comply with most provisions of the “Uniform Administrative Requirements or Grants” contained in 40 CFR. Part 30 or 40 CFR. Part 31. Direct costs for grant administration are ineligible even if the grantee or subgrantee is required to carry out the activity under the grant agreement. Prohibited administrative costs are also all indirect costs under 2 CFR Part 220(Educational Institutions), 2 CFR Part 225 (Governments), and 2 CFR Part 230 (Nonprofit

Organizations), and subpart 31.2 (Commercial Organizations) of the Federal Acquisition Regulation. Indirect costs incurred by a recipient's contractor under cost-reimbursement contracts for otherwise eligible programmatic costs are not subject to the administrative cost prohibition.

Ineligible grant administration costs include expenses for:

- i. preparation of applications for Brownfields grants and sub-grants;
- ii. record retention required under 40 CFR 30.53 and 40 CFR 31.42;
- iii. record-keeping associated with supplies and equipment purchases required under 40 CFR 30.33, 30.34, and 30.35 and 40 CFR 31.32 and 31.33;
- iv. preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 40 CFR 30.25 and 40 CFR 31.30;
- v. maintaining and operating financial management systems required under 40 CFR 30.20 and 40 CFR 31.20;
- vi. preparing payment requests and handling payments under 40 CFR 30.22 and 40 CFR 31.21;
- vii. non-federal audits required under 30 CFR 30.26, 40 CFR 31.26, and OMB Circular A-133; and
- viii. close out under 40 CFR 30.71 and 40 CFR 31.50.

b. Programmatic Costs. The EPA has determined that the administrative cost prohibition does not apply to “programmatic” costs, (i.e. costs for activities that are integral to achieving the purpose of the grant), even if the Agency considered the costs to be “administrative” under the prior Brownfields Program.

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

If a proposal is submitted that includes any ineligible tasks or activities, that portion of the proposal

will be ineligible for funding and may, depending on the extent to which it affects the proposal, render the entire proposal ineligible for funding.

Section 4 - Proposal and Submission Information

A. How to Obtain a Proposal Package.

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

B. Content and Form of Proposal.

The following documents are required for all applications, irrespective of the mode of submission. All applications must contain a "Narrative Proposal," and one completed and signed Standard Form 424 (SF-424), Application for Federal Assistance. The "Narrative Proposal," a maximum of 15 pages in length, must explicitly describe the applicant's proposed project and specifically address how it meets each of the evaluation criteria disclosed in *Section 5(A), Evaluation Criteria*, and the threshold eligibility criteria in *Section 3(C)*.

1. **Standard Form 424 (SF-424), Application for Federal Assistance, with original signature.** (<http://www.epa.gov/ogd/forms/adobe/SF424.pdf>)

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

2. The "Narrative Proposal" shall not exceed 15 typed, single-line spaced, 8 ½" x 11" pages exclusive of the cover letter. The "Narrative Proposal" must substantially conform to the following outline and content:
 - a. Cover Letter - The cover letter shall not exceed 2 pages and must include a brief description of your project and a description of the geographic area you propose to support. It should be written on your organization's official letterhead, and signed by an official with the authority to commit your organization to the proposed project. The cover letter must also include the following information:
 - i. Applicant information - provide the name and full address of the applicant applying for funds. This is the agency or organization that will be receiving the grant and will be accountable to the EPA. This is also the person EPA will notify regarding the outcome of your proposal (selection/non-selection).
 - ii. Location - city, country, and state or reservation, tribally owned lands, tribal fee land, etc., of your organization.

- iii. Contacts - provide phone/fax numbers, e-mail address, and mailing address of the Project Director and head of organization/Executive Director responsible for the project application. These individuals may be contacted if other information is needed.
- iv. Cooperative partners - provide names and phone numbers of individuals and organizations that have agreed to participate in the implementation of the project, if any.
- v. Funding requested and Geographic Area - specify the amount of funding you are requesting from the EPA and the geographic area described in section 1(C) that you propose to support. Please note that if you are proposing to support more than one geographical area, then a separate proposal MUST be submitted for each geographic area.

b. Detailed Project Description - The project description must provide the information below on how the applicant will implement and conduct its proposed project and include how the application addresses each of the Threshold criteria from Section 3(C) as well as the evaluation criteria in Section 5 of this announcement.

- i. **Project Description** - Describe the current problem(s), and then your proposed solution for addressing these problems. Include a summary of your overall project goals, activities and milestones for providing technical assistance, the type of technical assistance you plan to provide, and your strategy to accomplish the overall project goals. Include the types of technical assistance which will be provided to communities in the geographic area described in Section 1(C) and the number (and geographic variability) of the communities supported including the fair distribution of assistance between urban and non-urban areas, and the extent the technical assistance will promote community engagement and active involvement in brownfields cleanup and redevelopment decisions (including decisions affecting environmental justice, rural communities, and/or tribal groups). Include in your discussion how your plan and approach, including the extent to which you propose to use subawardees or contractors, if any, will contribute to the effective and efficient performance of the project, and the methods you plan to use to provide the technical assistance (one-on-one, workshops, webinars, other) and how these are the most effective and efficient methods of providing the assistance. See Section 2E and F above on the use of funding contracts and subawards. Also discuss your outreach plan/strategy to ensure communities are aware of the availability of the technical support being made available through your program.
- ii. **Organizational Knowledge/Experience/Expertise** - Summarize your organization's knowledge, experience, expertise in the six subject areas where technical assistance is being provided. In addition, provide information regarding your organizational knowledge, experience, and expertise in working

with the communities in the geographic area with particular emphasis on technical assistance provided which assisted in moving projects forward to completion. Provide information on your organizational experience and plan for successfully achieving the objectives of the proposed project, your staff expertise/qualifications, staff knowledge, and resources (or the ability to obtain them including the organizations contingency plan to replace key personnel) to successfully achieve the goals of the proposed project. Include a discussion of the network you have in place such as key contacts, or other resources that will assist you in successfully providing technical assistance to communities in the geographic area. Identify all proposed partnerships, stakeholder groups, or other networks that will be involved and their role in the successful accomplishment of the program.

Note: EPA anticipates that in order for the applicant to provide the full range of necessary technical assistance to the largest number of communities in the geographic area it may be necessary to form partnerships with other organizations either through subgrants or procurements. Please refer to Section 2(E) and (F), above. Also note that procurement of commercial services (e.g. consultants, audio visual equipment, meeting space) is subject to the competitive procurement provisions of 40 CFR Part 30 or Part 31, as applicable. Naming a commercial vendor as a “partner” does not relieve the applicant of responsibility for complying with competitive procurement requirements, including cost or price analysis. Also note, there will be a term and condition in all cooperative agreements awarded prohibiting contractors from marketing their firm or services when they are being reimbursed for their services under the cooperative agreement. In addition, if the applicant or their subgrantees have both non-profit and for-profit components of their organizations, then the non-profit portion implementing the grant/subcontract is prohibited from recommending communities use the services of its for-profit component when being reimbursed for their services under the cooperative agreement.

- iii. **Programmatic Capability and Past Performance** - submit a list of federally and/or non-federally funded assistance agreements (assistance agreements include Federal grants and cooperative agreements, but not Federal contracts) similar in size, scope and relevance to the proposed project that your organization performed within the last three years (no more than five agreements, and preferably EPA agreements, if any) and describe (i) whether, and how, you were able to successfully complete and manage those agreements and achieve the objectives of the project and (ii) your history of meeting the reporting requirements under those agreements including whether you adequately and timely reported on your progress towards achieving the expected outputs and outcomes of those agreements (and if not, explain why not) and whether you submitted acceptable final technical reports under the agreements. In evaluating

applicants under the factors in Section 5, the EPA will consider the information provided by the applicant and may also consider relevant information from other sources, including information from the EPA files and from current/prior grantors (e.g., to verify and/or supplement the information provided by the applicant). In addition, provide information on your organizational experience and plan for timely and successfully achieving the objectives of the proposed project, and describe your staff's expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project.

If you do not have any relevant or available past performance or past reporting information, please indicate this in the proposal and you will receive a neutral score for these factors (a neutral score is half of the total points available in a subset of possible points). Proposals that do not provide any response for this criteria, may receive a score of 0.

- iv. **Community Need** - Describe the technical assistance program you plan to deliver (relevant to the six subject areas) and how that program will meet the needs of the communities within the geographic area. Include a discussion of the demographic information such as the poverty rate, unemployment rate, sensitive populations (e.g., elderly, children, pregnant women) that supports why this area was targeted and the benefits to the community in light of the community's specific demographic needs, challenges and health threats and how delivery of the program is specifically designed to meet all of the communities needs you have identified and promote community involvement in brownfields cleanup and redevelopment.
- v. **Budget/Resources** - Provide a detailed itemized budget proposal that is reasonable and appropriate to achieve the project's objectives and clearly explains how funds will be used. The budget should include information on each major task broken out using the following cost elements. For each major task indicate what portion of the cost the EPA grant funds will be used and what portion the applicant or other partners will fund, if any.

- 1. Personnel
- 2. Fringe Benefits
- 3. Travel
- 4. Equipment
- 5. Supplies
- 6. Contractual Costs
- 7. Other Costs (Be specific)
- 8. Total Direct Costs

Sample Format for Budget

Budget Categories	Task__	Total						
Personnel								
Fringe Benefits								
Travel								
Equipment ¹								
Supplies								
Contractual ²								
Other (specify)_____								
Total								

¹The EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year. Items costing less than \$5,000 are considered supplies. Generally, equipment is not required for technical assistance grants.

²Applicants must comply with the procurement procedures contained in 40 CFR 31.36, or for non-profits, with 40 CFR 30.40 through 30.48.

The Brownfields Law prohibits any part of a grant awarded under CERCLA Section 104(k) for

The budget submitted should reflect **eligible programmatic costs**. For example, personnel cos

Under OMB circulars, the EPA financial assistance cannot be used for fund-raising. Therefore

Management Fees: When formulating budgets for proposals, applicants must not include man

The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs that are not allowable under the EPA assistance agreements. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

- vi. **Performance Measurement: Anticipated Outcomes and Outputs** - Specify the anticipated environmental outcomes and outputs as described in *Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs* of this announcement. Discuss how you propose to track, measure, and evaluate your progress in achieving the project outcomes, outputs, and project results, including both quantitative and qualitative performance measurements. (*Refer to Section 5(A), Evaluation Criteria, Performance Measurement.*)
- vii. **Voluntary Cost Share/Match and Other Leveraged Funds (See Section 3(B) also)** - Discuss how you will coordinate the use of EPA funding with other Federal and/or non-Federal sources of funds/resources to leverage additional resources beyond the grant funds awarded to carry out the proposed project(s).

Also discuss how EPA funding will complement activities relevant to the proposed project(s) carried out by the applicant with other sources of funds or resources. This includes, but is not limited to, funds and other resources leveraged from other Federal agencies, foundations, non-profits, surrounding communities, local universities and colleges, or local businesses. The proposal should describe the type and amount of leveraging you anticipate will be available, how you will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, the strength of the leveraging commitment, and the role the leveraged funds/resources will play in the overall project. Selected applicants are expected to abide by their proposed leveraging commitments during grant performance and the failure to do so may affect the legitimacy of the award.

Examples of leveraging may include, but is not limited to, such things as funding to provide additional technical assistance to communities that complements the TAB program; utilizing/combining the technical assistance provided through your program with that provided by others in order to provide a more robust comprehensive technical assistance program for communities; use of another organization's facilities, outreach network, or services when providing technical assistance workshops, design charettes, or other technical assistance.

Proposals should also include as an attachment, documentation of any firm leveraging commitments.

3. **Attachments** - the following documents should be included as attachments to the proposal. **These documents will not count as part of the 15 page limit and do not have an individual page limitation.**
 - a. **Milestones** – include a schedule indicating the start and completion dates of significant tasks under your program.
 - b. **Community Letter(s) of Support** from communities with which you have worked and /or developed a relationship where technical assistance has been provided. The organizations providing letters of support should represent a broad spectrum of the community and include grassroots, neighborhood, school, and other brownfield affected organizations beyond city council, business organizations, or local government. Letter(s) of support should include the type of assistance or role the applicant played with the organization/project. The letters of support are for the applicant organization (or staff) only, and do not include relationships that the subgrantees or contractors may have with the communities. The applicant should provide names and phone numbers of persons to contact at these community organizations. The EPA may contact these organizations to verify the information provided. The information contained in the letter(s) of support will be considered as part of the information provided under the

Organizational Knowledge/Experience/Expertise criteria. Proposals with no letter(s) of support will still be considered, but may be evaluated less favorably.

- c. **Documentation/evidence of current non-profit status** under Federal, state or tribal law, as applicable.
- d. **Documentation of firm leveraging commitments, if any** – attach letters or other documentation which documents and confirms firm leveraging commitments to your technical assistance program.

C. Submitting a Proposal Package.

Applicants may choose to submit proposals either in hard copy (paper) format or through <http://www.grants.gov> with an electronic signature. Proposal instructions for all methods are detailed below. Please select one method. The closing date and time for applicants to submit proposals under this announcement is November 14, 2012, 11:59 P.M. ET. Proposals submitted in hard-copy, as described below, must be postmarked by the U.S. Postal Service or received in the Environmental Management Support Inc. Office via hand delivery by November 14, 2012, 5:00 p.m. ET to receive consideration.

1. **Hard copy (paper) submission.** Submit a complete proposal including all of the documents identified in *Section 4(B)* of this announcement. **The complete proposal package must be sent through regular/express mail (U.S. Postal Service), or courier service to the contact listed in Section 7(B).** Paper submission must include one original signature document and two copies of the completed Application for Federal Assistance (SF-424), and “Narrative Proposal.”

Mail the completed, original proposal package to:

Environmental Management Support, Inc.
Attn: Mr. Don West
8601 Georgia Avenue, Suite 500
Silver Spring, MD 20910
Phone 301-589-5318

(Note: Overnight mail must include Mr. West’s phone number in the address.)
Proposals postmarked by the USPS/commercial delivery service after November 14, 2012, will not be considered.

2. **Using <http://www.grants.gov>.** The electronic submission of your proposal must be made by an official representative of your institution who is registered with Grants.gov. For more information, go to <http://www.grants.gov> and click on “Get Registered” on the left side of the page. *Note that the registration process may take a week or longer to complete.* If your

organization is not currently registered with Grants.gov, please encourage your office to designate an Authorized Organization Representative (AOR) and ask that individual to begin the registration process as soon as possible.

To begin the proposal process under this grant announcement, go to <http://www.grants.gov> and click on the “Apply for Grants” tab on the left side of the page. Then click on “Apply Step 1: Download a Grant Application Package” to download the compatible Adobe viewer and obtain the application package. **To apply through grants.gov you must use Adobe Reader applications and download the compatible Adobe Reader version (Adobe Reader applications are available to download for free on the grants.gov website. For more information on Adobe Reader please visit the Help section on grants.gov at <http://www.grants.gov/help/help.jsp> or http://www.grants.gov/aboutgrants/program_status.jsp).**

Once you have downloaded the viewer, you may retrieve the proposal package by entering the Funding Opportunity Number, EPA-OSWER-OBLR-12-05, or the CFDA number that applies to this announcement (66.814), in the appropriate field. Then complete and submit the proposal package as indicated. **You may also be able to access the proposal package by clicking on the “Application” button at the top right of the synopsis page for this announcement on <http://www.grants.gov> (to find the synopsis page, go to <http://www.grants.gov> and click on the “Find Grant Opportunities” button on the left side of the page and then go to Search Opportunities and use the “Browse by Agency” feature to find the EPA opportunities).**

Proposal Submission Deadline. Your organization’s AOR must submit your complete proposal package electronically to the EPA through Grants.gov (<http://www.grants.gov>) no later than November 14, 2012, 11:59 p.m. ET. **Please submit the proposal materials described below.**

Proposal Materials. The following forms and documents are required under this announcement (*Refer to Section 4(B), Content and Form of Proposal Submission*).

- A. Application for Federal Assistance (SF-424)
- B. Narrative Proposal
- C. Attachments

The proposal package must include all of the following materials.

- A. **Application for Federal Assistance, Standard Form (SF-424).** Complete the form. There are no attachments. Please be sure to include organization fax number and email address in Block 5 of the Standard Form SF-424. Please note that the organizational Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number must be included on the SF-424. Organizations may obtain a

DUNS number at no cost by calling the toll-free DUNS number request line at 1-866-705-5711.

- B. **Narrative Proposal** (also referenced as “Project Narrative Attachment Form” on <http://www.grants.gov>) in accordance with the instructions detailed in *Section 4(B)(2), Narrative Proposal* of this announcement (EPA-OSWER-OBLR-12-05). The Narrative Proposal shall not exceed 15 pages and must substantially conform to the outline and content detailed in *Section 4(B)* of this announcement.
- C. **Attachments.** The milestones, community letters of support, documentation of firm leveraged resources, and documentation of non-profit status if applicable as described in *Section 4(B)(3)* of this announcement shall be included as attachments to the narrative proposal. **These documents will not count as part of the 15 page limit and do not have an individual page limitation.**

Proposal Preparation and Submission Instructions.

Document A, listed under Proposal Materials above, should appear in the “Mandatory Documents” box on the <http://www.grants.gov> “Grant Application Package” page.

For Document A, click on the appropriate form and then click “Open Form” below the box. The fields that must be completed will be highlighted in yellow. Optional fields and completed fields will be displayed in white. If you enter an invalid response or incomplete information in a field, you will receive an error message. When you have finished filling out each form, click “Save.” When you return to the electronic “Grant Application Package” page, click on the form you just completed, and then click on the box that says, “Move Form to Submission List.” This action will move the document over to the box that says, “Mandatory Completed Documents for Submission.”

For Document B, you will need to attach electronic files. Prepare your “Narrative Proposal” in accordance with the instructions detailed in *Section 4(B), Content and Form of Proposal Submission* of this announcement (EPA-OSWER-OBLR-12-05). Save the document to your computer as an MS Word, PDF or WordPerfect file. When you are ready to attach your “Narrative Proposal” to the application package, click on “Project Narrative Attachment Form,” and open the form. Click “Add Mandatory Project Narrative File,” and attach your “Narrative Proposal” (previously saved to your computer) using the browse window that appears. You may then click “View Mandatory Project Narrative File” to view it. Enter a brief descriptive title of your project in the space beside “Mandatory Project Narrative File Filename;” the filename should be no more than 40 characters long.

For Document C, the attachments to the Narrative Proposal identified in *Section 4(B)(3)* of this announcement, you may click “Add Optional Project Narrative File” and proceed as before to attach the attachments. When you have finished attaching the

necessary documents, click “Close Form.” When you return to the “Grant Application Package” page, select the “Project Narrative Attachment Form” and click “Move Form to Submission List.” The form should now appear in the box that says, “Mandatory Completed Documents for Submission.”

Please note that applicants are limited to using the following characters in all attachment file names. Valid file names may only include the following UTF-8 characters: A-Z, a-z, 0-9, underscore (_), hyphen (-), space, period. If applicants use any other characters when naming their attachment files their applications will be rejected by grants.gov.

Once you have finished filling out all of the forms/attachments and they appear in one of the “Completed Documents for Submission” boxes, click the “Save” button that appears at the top of the Web page. It is suggested that you save the document a second time, using a different name, since this will make it easier to submit an amended package later if necessary. Please use the following format when saving your file: “Applicant Name – FY12 - Assoc Prog Supp - 1st Submission” or “Applicant Name - FY 12 Assoc Prog Supp Back-up Submission.” If it becomes necessary to submit an amended package at a later date, then the name of the 2nd submission should be changed to “Applicant Name – FY12 Assoc Prog Supp - 2nd Submission.”

Once your proposal package has been completed and saved, send it to your AOR for submission to the U.S. EPA through Grants.gov. Please advise your AOR to close all other software programs before attempting to submit the application package through <http://www.grants.gov>.

In the “Application Filing Name” box, your AOR should enter your organization’s name (abbreviate where possible), the fiscal year (e.g., FY12), and the grant category (e.g., Assoc Prog Supp). The filing name should not exceed 40 characters. From the “Grant Application Package” page, your AOR may submit the application package by clicking the “Submit” button that appears at the top of the page. The AOR will then be asked to verify the agency and funding opportunity number for which the application package is being submitted. If problems are encountered during the submission process, the AOR should reboot his/her computer before trying to submit the application package again. [It may be necessary to turn off the computer (not just restart it) before attempting to submit the package again.] If the AOR continues to experience submission problems, he/she may contact <http://www.grants.gov> for assistance by phone at 1-800-518-4726, or contact Debi Morey at (202) 566-2735 or morey.debi@epa.gov.

Proposal materials submitted through <http://www.grants.gov> will be time/date stamped electronically. If you have not received a confirmation of receipt from the EPA (not from grants.gov) within 30 days of the proposal deadline, please contact Debi Morey at (202) 566-2735 or morey.debi@epa.gov. Failure to do so may result in your proposal not being

reviewed.

D. Confidential Business Information

EPA recommends that you do not include confidential business information (“CBI”) in your proposal. 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 proposal/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. The Agency protects competitive proposals from disclosure under applicable provisions of the Freedom of Information Act prior to the completion of the competitive selection process.

E. Data Universal Numbering System (DUNS)

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

F. Pre-proposal/Application Assistance and Communications

In accordance with EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1), EPA staff will not meet with individual applicants to discuss draft proposals, provide informal comments on draft proposals, or provide advice to applicants on how to respond to ranking criteria. Applicants are responsible for the contents of their applications/proposals. However, consistent with the provisions in the announcement, EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about the announcement. In addition, EPA will also respond to questions of general applicability and will post the questions and answers on the EPA website. In addition, if necessary, EPA may clarify threshold eligibility issues with applicants prior to making an eligibility determination.

Section 5 - Application Review Information

A. Evaluation Criteria

Each eligible proposal will be evaluated according to the criteria set forth below. Applicants must directly and explicitly address these criteria as part of their “Narrative Proposals.” Each proposal will be rated under a points system, with a total of 100 points possible.

Criterion	Maximum Points per
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	Criterion
<p>Project Description. Extent to which the application effectively addresses the requirements described in Section 1(B) of this announcement. This criterion will evaluate:</p> <ul style="list-style-type: none"> • The extent to which the “Narrative Proposal” clearly, concisely and realistically presents a statement of the problem, description of the proposed project goals, activities, and project milestones. (10 points) • The types of technical assistance which will be provided to communities in the geographic area described in Section 1(C) and the number (and geographic variability) of the communities supported including the fair distribution of assistance between urban and non-urban areas. The applicant’s outreach plan/strategy to ensure communities are aware of the availability of the technical support they have available. (10 points) • The extent the technical assistance will promote community engagement and active involvement in brownfields cleanup and redevelopment decisions (including environmental justice, rural communities, and/or tribal groups). (6 points) • The extent that the plan and approach proposes to effectively and efficiently perform the project including the mechanisms used to provide the technical assistance and the use subawards or contractors, if any. Applicants will be evaluated more favorable if they include a reasonable and appropriate amount of subgrant and contract support and can clearly demonstrate how their approach will be an effective and efficient method to provide the technical assistance in the project. Applicants will be evaluated less favorably if the use of subawards or contracts does not contribute to the effective or efficient performance of the project or if the project consists of only holding general brownfields meetings or conferences. (6 points) 	32
<p>Organizational Knowledge/Experience/Expertise. This criterion will evaluate:</p> <ul style="list-style-type: none"> • The applicant’s organizational knowledge and experience in working with communities in the geographic area where technical assistance is provided, and engaging them in brownfield cleanup and redevelopment issues, and delivering sound and effective technical assistance. (6 points) • The applicant’s experience and plan for timely and successfully achieving the objectives of the proposed project including having the necessary partnerships, contacts, or established network in the targeted geographic area. (7 points) • The depth of staff expertise/qualifications, staff knowledge in the 6 focus areas as described in Section 1(C), and resources or the ability to obtain them, to successfully achieve the goals of the proposed project. (5 points) 	20

<ul style="list-style-type: none"> The applicant’s contingency plan to replace key personnel. Indicate how the applicant will ensure coverage in case of changes in key personnel.(2 points) <p>Note: Applicants who demonstrate they are experienced and familiar with local community issues and have demonstrated credibility with the communities either through their local presence in the communities or through other means may improve their scoring under this criterion. Applicants whose proposals include knowledge, experience, and expertise in moving projects forward to completion may receive more favorable consideration under this criterion.</p>	
<p>Programmatic Capability and Past Performance. Under this criterion, applicants will be evaluated based on their ability to successfully complete and manage the proposed project taking into account the applicant’s:</p> <ul style="list-style-type: none"> Past performance in successfully completing and managing the assistance agreements identified in response to Section 4(B) of the announcement. (5 points) History of meeting the reporting requirements under the assistance agreements identified in response to Section 4(B) of the announcement including whether the applicant submitted acceptable final technical reports under those agreements, and the extent to which the applicant adequately and timely reported on its progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not. (3 points) Organizational experience and plan for timely and successfully achieving the objectives of the proposed project. (3 points) Staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed project. (3 points) <p>Note: In evaluating applicants under items 1 and 2 of this criterion, the Agency will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). If you do not have any relevant or available past performance or past reporting information, please indicate this in the proposal and you will receive a neutral score for these subfactors. Proposals that do not provide any response for this criterion may receive a score of 0.</p>	14
<p>Community Need. Under this criterion, applicants will be evaluated on the following:</p> <ul style="list-style-type: none"> How the technical assistance program the applicant has described and plans to deliver will meet the needs of the community(ies) within the geographic 	14

<p>area. (7 points)</p> <ul style="list-style-type: none"> Demographic information and indicators, such as the poverty rate, unemployment rate, sensitive populations (e.g., elderly, children, pregnant women) that relate to the brownfields needs, challenges and health threats the communities are facing and information on how delivery of the technical assistance program is specifically designed to meet the communities' needs and promote community involvement in brownfield cleanup and redevelopment. (7 points) 	
<p>Budget/Resources. Under this criterion, the application will be evaluated regarding the extent to which:</p> <ul style="list-style-type: none"> The budget is clearly stated, detailed, reasonable, and appropriate to achieve the project's objectives and includes cost estimates for each of the proposed project activities to be performed with the EPA funds. The applicant's budget will be evaluated based on the effective use of the budget resources for the work to be performed. (10 points) 	10
<p>Performance Measurement: Anticipated Outcomes and Outputs. Under this criterion, EPA will evaluate the extent to which the "Narrative Proposal" realistically describes how the project will lead to measurable environmental results (i.e., amount of pollution prevented; waste reduced, reused, recycled or, resources conserved). The proposals will be evaluated on the quality and extent to which they:</p> <ul style="list-style-type: none"> Clearly specify anticipated environmental outcomes and outputs as described in <i>Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (2 points) Clearly describe the measures of success for the project. Measure of success should be either measures of environmental improvement or should be directly linked to such measures. EPA will look for quantitative and qualitative measurability. (2 points) Describe how progress towards achieving project outcomes and outputs will be evaluated and measured. Include a description of any planned reports or other deliverables that measure and track the project success and, document achievement of expected outputs identified in <i>Section 1(E), Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (1 point) 	5
<p>Leveraging. Under this criterion, applicant's will be evaluated based on the extent to which the proposal demonstrates:</p> <ul style="list-style-type: none"> How the applicant will coordinate the use of the EPA grant funds with other Federal or non-Federal sources of funds from project partners, including 	5

other Federal agencies, foundations, non-profits, surrounding communities, or local businesses to leverage additional resources beyond the grant funds awarded to carry out the technical assistance project. The applicant will be evaluated on the type and amount of leveraged resources, the likelihood of the resources materializing, the strength of the leveraging commitment, and the role that the leveraged funds/resources will play in the overall grant project. Proposals with firm leveraged commitments or with leveraged commitments that will significantly enhance their technical assistance program will be evaluated more favorably.	
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B. Other Factors

Final funding decisions will be made by the Selection Official based on the rankings and preliminary recommendations of the EPA evaluation team. In making the final funding decisions, the Selection Official may also consider the following factors, as appropriate:

- Technical assistance to communities facing plant closures, or other significant economic disruptions (2007 or later) including communities experiencing auto plant closures due to bankruptcy;
- Fair distribution of technical assistance between urban and non-urban areas including an equitable distribution to “micro” communities (those communities with populations of 10,000 or less); and
- a balanced distribution of funds among the geographic areas.

C. Review and Selection Process

All proposals received by the closing date and time for submissions will first be reviewed to determine eligibility for funding consideration based upon compliance with *Section 3, Eligibility Information and Threshold Criteria*. Only applications determined eligible and passing the threshold review will be evaluated for technical merit.

Each eligible proposal will be evaluated by a review panel of EPA staff for technical merit, based on the evaluation factors detailed in *Section 5(A), Evaluation Criteria* of this solicitation. Upon completion of the technical merit evaluation, each proposal will be given an evaluated numerical score, with a total of 100 points possible. The evaluated numerical scores will be placed in rank ordered by geographic area. The review panel will recommend the proposal with the highest evaluated numerical score by geographic area to the EPA Headquarters Selection Official for award.

The EPA Headquarters Selection Official will make the final funding decision. The decision will be based upon the recommendation of the review panel and consideration of “Other Factors” detailed in *Section 5(B)* of this announcement.

Section 6 - Award Administration Information.

A. Award Notices

Following EPA's evaluation of proposals, all applicants will be notified regarding their status. The EPA anticipates notification to both successful and unsuccessful applicants by electronic or postal mail by January 31, 2013.

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

B. Administrative and National Policy Requirements

1. A listing and description of general EPA Regulations applicable to the award of assistance agreements may be viewed at:
http://www.epa.gov/ogd/AppKit/applicable_epa_regulations_and_description.htm.
2. Executive Order 12372, Intergovernmental Review of Federal Programs, may be applicable to awards resulting from this announcement. Applicants selected for funding may be required to provide a copy of their proposal to their State Point of Contact (SPOC) for review, pursuant to Executive Order 12372, Intergovernmental Review of Federal Programs. This review is not required with the initial proposal and not all states require such a review.
2. Grants and cooperative agreements with Tribal governments are subject to 40 CFR Part 31 and OMB Circular A-87 (2 CFR Part 225).
3. Reimbursement Limitation. If the recipient expends more than the amount of funding in its EPA approved budget in anticipation of receiving additional funds from the EPA, it does so at its own risk. The EPA is not legally obligated to reimburse the recipient for costs incurred in excess of the EPA approved budget.
4. Programmatic terms and conditions will be negotiated with selected recipients.

C. Reporting Requirement

Quarterly progress reports and a detailed final report will be required. The quarterly progress reports will be submitted to the EPA Project Officer within thirty days after each reporting period.

These reports shall cover work status, work progress, difficulties encountered, preliminary data results and a statement of activity anticipated during the subsequent reporting period. A discussion of expenditures along with a comparison of the percentage of the project completed to the project schedule and an explanation of significant discrepancies shall be included in the report. The report shall also include any changes of key personnel concerned with the project.

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

D. Sub-awards and Executive Compensation Reporting

Applicants must ensure that they have the necessary processes and systems in place to comply with the sub-award and executive total compensation reporting requirements established under OMB guidance at 2 CFR Part 170, unless they qualify for an exception from the requirements, should they be selected for funding.

E. Central Contractor Registration (CCR)/System for Award Management (SAM) and Data Universal Numbering System (DUNS) Requirements

Unless exempt from these requirements under OMB guidance at 2 CFR Part 25 (e.g., individuals), applicants must:

1. Be registered in the CCR prior to submitting an application or proposal under this announcement. CCR/SAM information can be found at <https://www.sam.gov/portal/public/SAM/>.
2. Maintain an active CCR registration with current information at all times during which it has an active Federal award or an application or proposal under consideration by an agency, and
3. Provide its DUNS number in each application or proposal it submits to the agency. Applicants can receive a DUNS number, at no cost, by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711, or visiting the D&B website at: <http://www.dnb.com>.

If an applicant fails to comply with these requirements, it will, should it be selected for award, affect their ability to receive the award.

Please note that the CCR has been replaced by the System for Award Management (SAM). To learn more about SAM, go to SAM.gov or <https://www.sam.gov/portal/public/SAM/>.

F. Use of Funds

An applicant that receives an award under this announcement is expected to manage assistance

agreement funds efficiently and effectively and make sufficient progress towards completing the project activities described in the work-plan in a timely manner. The assistance agreement will include terms/conditions implementing this requirement.

G. Disputes

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

H. Unpaid Tax Liabilities and Felony Convictions For Non-Profit and For-Profit Organizations

Awards made under this announcement are subject to the provisions contained in the Department of Interior, Environment, and Related Agencies Appropriations Act, 2012, HR 2055, Division E, Section 433 and 434 regarding unpaid federal tax liabilities and federal felony convictions. These provisions prohibit EPA from awarding funds made available by the ACT to any for-profit or non-profit organization: (1) subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; or (2) that was convicted (or had an officer or agent of such corporation acting on its behalf convicted) of a felony criminal conviction under any Federal law within 24 months preceding the award, unless EPA has considered suspension or debarment of the corporation, or such officer or agent, based on these tax liabilities or convictions, and determined that such action is not necessary to protect the Government's interests. Non-profit or for-profit organizations that are covered by these prohibitions are ineligible to receive an award under this announcement.

I. Useful References in the Solicitation.

Any non-federal websites or website links included in this solicitation are provided for proposal preparation and/or informational purposes only. U.S. EPA does not endorse any of these entities or their services. In addition, EPA does not guarantee that any linked, external websites referenced in this solicitation comply with Section 508 (Accessibility Requirements) of the Rehabilitation Act.

J. Data Access and Information Release

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

shall request, and the award recipient shall provide, within a reasonable time, the research data so that it may be made available to the public through procedures established under the FOIA.

K. Unfair Competitive Advantage

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

Section 7 - Agency Contact.

A. Agency Contact Information:

Debi Morey, U.S. EPA, Office of Brownfields Cleanup and Redevelopment (MC 5105-T), 1200 Pennsylvania Avenue, NW, Washington, DC 20460; Phone (202)566-2735; or email morey.debi@epa.gov.

B. ADDRESS FOR REGULAR MAIL (USPS) OR EXPRESS MAIL/COURIER DELIVERY (Courier, FedEx, UPS, DHL):

Environmental Management Support, Inc.
Mr. Don West
8601 Georgia Avenue, Suite 500
Silver Spring, MD 20910
Phone 301-589-5318

(Note: Overnight mail must include Mr. West's phone number in the address.)

Section 8 - Other Information.

Applicants selected for this award will be required to submit a final cooperative agreement application package to the EPA. This package will include an EPA-approved final work plan that describes the work to be performed, including a final budget, and the required certification forms.