

ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

- **Federal Agency Name:** National Institute of Standards and Technology (NIST), Department of Commerce
- **Funding Opportunity Title:** Construction Grant Program
- **Announcement Type:** Initial
- **Funding Opportunity Number:** 2008-NIST-01
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.615, Construction Grant Program
- **Dates:** The due date for submission of proposals is 3 p.m. Eastern Time, July 21, 2008. Review, selection, and grant award processing is expected to be completed by the end of September 2008.
- **Proposal Submission Address:**
 - Paper submission: National Institute of Standards and Technology
100 Bureau Drive, Stop 4701
Gaithersburg, MD 20899-4701
 - Electronic submission: www.grants.gov
- **Funding Opportunity Description:** The National Institute of Standards and Technology (NIST), United States Department of Commerce (DoC), is soliciting grant proposals for construction of research science buildings.
- **Total Amount to be Awarded:** Fiscal year 2008 appropriations include approximately \$29 million for construction of research science buildings.
- **Anticipated Amounts:** NIST anticipates funding two to three (2-3) projects with Federal shares in the \$10 million - \$15 million range with a project period of performance of up to five (5) years.
- **Funding Instrument:** Grant
- **Who Is Eligible:** Institutions of higher education and non-profit organizations are eligible to apply for awards under this Program.
- **Cost Sharing Requirements:** Although cost sharing is not required it is encouraged for a proposal to be competitive. A minimum of 25% would be viewed favorably; 50% even more favorably.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

The Consolidated Appropriations Act, 2008 (Public Law 110-161) (the “Act”) appropriated “\$30,080,000 . . . for a competitive construction grant program for research buildings” to NIST. Additional information on the program was provided in an explanatory statement that under Section 4 of the Act has the same effect as a Conference Report: “The research buildings should span all the applicable sciences, as they relate to DoC. These grants shall be awarded to colleges, universities, and other non-profit science research organizations on a competitive basis.” 153 Congressional Record H15790 (Dec. 17, 2007).

The goals and objectives of the program are to provide competitively awarded grant funds for research science buildings through the construction of new buildings or expansion of existing buildings. For purposes of this program, “research science building” means a building or facility whose purpose is to conduct scientific research, including laboratories, test facilities, measurement facilities, and observatories.

II. Award Information

Fiscal year 2008 appropriations include approximately \$29 million for construction of research science buildings. NIST anticipates funding two to three (2-3) projects with Federal shares in the \$10 million - \$15 million range with a project period of performance of up to five (5) years. The anticipated start date is October 1, 2008. The period of performance depends on the construction schedule proposed but limited to five (5) years.

The funding instrument that will be used is a grant.

III. Eligibility Information

1. Eligible Applicants

Institutions of higher education and non-profit organizations are eligible to apply.

2. Cost Sharing or Matching Requirement

Although cost sharing is not required it is encouraged for a proposal to be competitive. A minimum of 25% would be viewed favorably; 50% even more favorably.

Cost sharing is that portion of the project costs not borne by the federal government and includes direct and indirect costs. Sources of cost share include cash and third party in-kind contributions. Cash contributions can be from recipient, state, county, city, or other nonfederal sources. Third party in-kind contributions can be made by nonfederal third parties and can include, but are not limited to, equipment and materials and supplies.

Any cost sharing must be in accordance with the “cost sharing or matching” provisions of 15 C.F.R. Part 14, *Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations*.

As with the federal share, any costs included as cost share must be allowable under the following applicable federal cost principles: 1) Institutions of Higher Education: 2 C.F.R. Subtitle A, Chapter II, Part 220 (OMB Circular A-21); and 2) Nonprofit organizations: 2 C.F.R. Subtitle A, Chapter II, Part 230 (OMB Circular A-122).

3. Ineligible Projects

Projects to construct or expand a building not intended for performing research or that will predominately be equipped with routine office equipment and/or lecture/class room furnishings.

IV. Application/Proposal and Submission Information

1. Application Package

The forms listed in 2.a. through 2.e. below are available as part of the Grants.gov application package and can be completed through the download application process. Requests for paper copies of the application package can be made to Christopher Hunton at 301-975-5718 or christopher.hunton@nist.gov or to Sue Li at 301-975-8817 or sue.li@nist.gov.

2. Content and Form of Application/Proposal Submission

Complete proposals must include the following forms and documents:

- a. SF-424, Application for Federal Assistance
- b. SF-424C, Budget Information – Construction Projects
- c. SF-424D, Assurances Construction Projects
- d. SF-LLL, Disclosure of Lobbying Activities (if applicable)
- e. CD-511, Certification Regarding Lobbying
- f. Technical Proposal responsive to program description
- g. Budget Narrative

Proposals that are submitted without the required forms, a Technical Proposal, and/or a Budget Narrative will be rejected. There is no set format for the Technical Proposal and the Budget Narrative, other than that they are word-processed documents written by the applicant. The Technical Proposal should describe in depth the scope of the proposal, its goals, the methods to be used, its schedule, the personnel working on the project and their qualifications, and the institutional capabilities of the applicant. Additionally, in preparing the Technical Proposal, the selection factors should be taken into account. The Budget Narrative should detail the funds requested, their purposes, and the timetable for using the funds. Each applicant is responsible for ensuring that the proposal, whether submitted via Grants.gov or otherwise, is complete and that it conforms to the requirements of this notice.

The Technical Proposal is limited to 30 pages. There is no page limit on the Budget Narrative.

Paper submissions require an original and two (2) copies,

NIST is not accepting pre-proposals or letters of intent under this program.

3. Submission Dates and Times

The due date for submission of proposals is 3 p.m. Eastern Time, July 21, 2008. This deadline applies to any mode of proposal submission, including courier, express mailing, and electronic. Do not wait until the last minute to submit a proposal. NIST will not make any allowances for late submissions, including incomplete Grants.gov registration. Any proposals not received by the due date will not be considered and will be returned to the applicant without review.

4. **Executive Order 12372 (Intergovernmental Review of Federal Programs)**

Proposals under this program are not subject to Executive Order 12372.

5. **Funding Restrictions**

- a. **Indirect Cost Rate.** Regardless of any approved indirect cost rate applicable to the award, the maximum dollar amount of allocable indirect costs for which the DoC will reimburse the recipient shall be the lesser of the line item amount for the federal share of indirect costs contained in the approved budget of the award, or the federal share of the total allocable indirect costs of the award based on the indirect cost rate approved by an oversight or cognizant federal agency and current at the time the cost was incurred, provided the rate is approved on or before the award end date.
- b. **Unallowable/Ineligible Costs.** The following items, regardless of whether they are allowable under the federal cost principles, are unallowable under this program:
 - (1) Any equipment used for research or otherwise that is not an integral part of the building's structure, e.g., MRI, portable air conditioners etc.
 - (2) Costs or charges associated with routine maintenance, operation, interior decorating, or landscaping of any building.

6. **Other Submission Requirements**

Proposals may be submitted in hard copy or in electronic format as follows:

- a. Paper submission: National Institute of Standards and Technology
100 Bureau Drive, Stop 4701
Gaithersburg, MD 20899-4701
- b. Paper submissions require an original and two (2) copies,
- c. Electronic submission: www.grants.gov

V. Application/Proposal Review Information

- 1. **Criteria.** The evaluation criteria that will be used in evaluating proposals are as follows:
 - a. Scientific and technical merit of the proposed use and need for Federal funding **(50 percent)**.
(Addresses the science and technology activities the building/facility will support and why the research infrastructure is needed to meet those science and technology activities; the building's/facility's targeted impact on the science and technology knowledge and infrastructure base; and the need for Federal funding due to a lack of alternative funding sources.)
 - b. The quality of the design of the research science building **(25 percent)**.
(Addresses the quality of design information for the building/facility to establish that the design of the building/facility has the ability to meet the safety, physical, environmental and

experimental/operational requirements of the science and technology activities the building/facility is expected to support.)

- c. Adequacy of the detailed Project Execution Plan (PEP) for construction of the research science building **(25 percent)**. The PEP must address:

(1) Project Scope and Requirements

(Addresses the type of Work/task Breakdown Structure (WBS) approach and the work/task elements used to organize and define the total scope of the project by tasks; the descriptions of each work/task breakdown element; the organization and documentation of the task components in a way that aggregates the subtasks into unified task descriptions; and enables their use throughout project management life-cycle to identify and monitor project progress, as well as link tasks to budget and schedule plans.);

(2) Adequacy of the Proposed Project Schedule and Budget (Although cost sharing is not required it is encouraged for a proposal to be competitive and will be considered as a selection factor.)

(Addresses the task schedule and budget descriptions associated with the Work/task Breakdown Structure being utilized. Addresses the sources and levels of cost sharing if proposed.);

(3) Capability to Manage the Project; and

(Addresses the approach for project management tracking and control, from kick-off through close-out, which may consist of: tools and techniques (manual and automated systems) used to gather, integrate and disseminate the outputs of project management processes during the life of the award; an analysis of risks and how they may be mitigated; and cost control mechanisms. Addresses the management plan for direction and implementation of the project, including capability descriptions of the performing organizations and associated key personnel.); and

(4) Financial Commitments to Implement PEP

(Addresses the current and any pending commitments required for the building/facility to be established and become fully operational, by the organizational name/contact that has the fiduciary authority over the funds).

2. **Selection Factors.** The Selecting Official shall recommend proposals for award based upon the Evaluation Board's rank order of the proposals and the following selecting factors:

- a. Degree to which project complements DoC science and technology program priorities (see Program Priorities below), including the amount and quality of experience that the institution that will use the facility has had with novel research.
- b. Experience promoting national impacts through research outcomes, training, cooperation with Federal programs, opportunities for visiting researchers.
- c. Assuring a balance/distribution among the program priorities (see Program Priorities below).
- d. Availability of funds.
- e. Credibility of plans to transition to operational status (i.e., staffing and equipping the research science building, and operational readiness).
- f. Whether this project duplicates other projects funded by DoC or other federal agencies.

- g. Degree to which the applicant is proposing cost share. (A minimum of 25% would be viewed favorably; 50% even more favorably.)
- h. Adequacy of information needed to assess compliance with and to make a determination under the National Environmental Policy Act of 1969, as amended.
- i. Applicant's prior Federal award performance.

3. Program Priorities

All applicable fields of science that relate directly to the programs of DoC's three science organizations: NIST, the National Oceanic and Atmospheric Administration (NOAA), and the National Telecommunications and Information Administration (NTIA). Specifically, these include science related to measurements, oceans or atmosphere, or telecommunications. More information about those programs can be found on the agencies' web sites (www.nist.gov, www.noaa.gov, and www.ntia.doc.gov).

4. Review and Selection Process

An initial administrative review will be conducted to determine compliance with requirements and completeness of the proposal. Responsive and complete proposals will be considered further. Proposals that are nonresponsive and/or incomplete will be eliminated. Each of the remaining proposals will receive three independent reviews, which will include three written evaluations and scores, based on the evaluation criteria. No consensus advice will be given. The individual proposal evaluations and scores will be considered by an Evaluation Board (a committee made up of four Federal employees), and this Board will present ranking and funding recommendations based on the evaluation criteria to a Selecting Official for further consideration. In making final selections, the Selecting Official (Chief Facilities Management Officer, NIST) will select funding recipients based upon the Evaluation Board's rank order of the proposals and the selection factors. The selection of proposals by the Selecting Official is final. NIST reserves the right to negotiate the cost and scope of the proposed work with the applicants that have been selected to receive awards. This may include requesting that the applicant delete from the scope of work a particular task that is deemed by NIST to be inappropriate for support against the evaluation criteria or selection factors. NIST also reserves the right to reject a proposal where information is uncovered that raises a reasonable doubt as to the responsibility of the applicant. The final approval of selected proposals and award of grants will be made by the NIST Grants Officer. The award decision of the NIST Grants Officer is final.

5. Additional Information

- a. Proposals will be ranked in numerical order.
- b. Applicants may not submit replacement and/or revised pages and/or documents for any portion of a proposal once that portion has been submitted unless specifically requested by NIST.
- c. One copy of each incomplete, nonresponsive, or non-selected proposal will be retained for three (3) years for record keeping purposes and the other two (2) copies will be destroyed. After three (3) years the remaining copy will be destroyed.

VI. Award Administration Information

1. **Anticipated Announcement and Award Date.** Awards will be made by the end of September 2008.
2. **Award Notices.** Successful applicants will receive a grant award document (CD-450 Financial Assistance Award) signed by the NIST Grants Officer. The grant will include the award period, the budget, special award conditions, DoC Financial Assistance Standard Terms and Conditions, and will incorporate the applicable federal cost principles, and applicable policy and regulatory references that will govern the award. The grant will be mailed to the successful applicant via surface mail in triplicate and requires a counter-signature on all three copies by an authorized official at the organization. The recipient should retain one original and return the other two copies to the address listed in the award document. The grant award document, i.e., CD-450 and award terms and conditions are available at http://oamweb.osec.doc.gov/aboutOAM_organization_GMD.html. In addition, the award terms will include applicable construction terms set forth in Section E.2.a.(2) of Chapter 17 of the DoC Interim Grants Manual, which is also available on the previously cited web site.
3. **Security Interest.** Grant recipients will be required to execute a security interest or other statement of NIST's interest in the property (building), acceptable to NIST, which must be perfected and placed of record in accordance with local law. This security interest will provide that, for the estimated useful life of the building (20 years), the recipient will not sell, transfer, convey, or mortgage any interest in the real property improved in whole or in part with Federal funds made available under the award, nor shall the recipient use the property for purposes other than the purposes for which the award was made, without the prior written approval of the Grants Officer. Such approval may be withheld until such time as the recipient first pays to NIST the Federal share of the property as provided in 15 C.F.R Part 14.
4. **Certification Regarding Federal Tax Status.** Applicants are advised of the following requirement contained in Division B, "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008," Title V, "General Provisions," Section 535 of P.L. 110-161, "Consolidated Appropriations Act, 2008."

Sec. 535. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

Accordingly, applicants who will be receiving awards that obligate amounts greater than \$5,000,000 in Federal funds will be required to submit a certification complying with the requirements of Sec. 535, prior to receiving an award.

5. **Administrative and National Policy Requirements. DoC Pre-Award Notification Requirements.** The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements, which are contained in the *Federal Register* Notice of February 11, 2008 (73 F.R. 7696-01), are applicable to this solicitation. On the form SF-424, the applicant's 9-digit Dun and

Bradstreet Data Universal Numbering System (DUNS) number must be entered in item 8.c. Organizational DUNS.

6. **Reporting.** Award Recipients shall provide access to information that is required to assess the project's progress throughout the project life cycle. The following reports are required:

a. **Technical Performance Reports**

Award Recipients shall submit technical performance reports in triplicate (one original and two copies). Two copies shall be submitted to the Project Manager and the original report to the NIST Grants Officer in the same frequency as the Financial Status Report (SF-269). Technical performance reports shall contain information as prescribed in 15 C.F.R. 14.51.

b. **Financial Reports**

For recipients under this construction program, Article A.01 of the DoC Financial Assistance Standard Terms and Conditions dated March 2008 is revised as follows:

Award Recipients shall submit a "Financial Status Report" (SF-269) on a calendar quarter basis for the periods ending March 31, June 30, September 30, and December 31, or any portion thereof. Reports are due no later than 30 days following the end of each reporting period. A final SF-269 shall be submitted within 90 days after the expiration date of the award.

All financial reports shall be submitted in triplicate (one original and two copies) to the NIST Grants Officer.

VII. Agency Contact(s)

Questions should be directed to the following contact persons:

Subject Area	Point of Contact
Administrative, budget, cost-sharing, and eligibility questions	Barbara Lambis Phone: 301-975-4447 Fax: 301-869-1150 E-mail: barbara.lambis@nist.gov
Project evaluation criteria and other programmatic questions	Linda Beth Schilling Phone: 301-975-2887 Fax: 301-548-1087 E-mail: linda.schilling@nist.gov
Electronic proposal submission	Christopher Hunton Phone: 301-975-5718 Fax: 301-840-5976 E-mail: christopher.hunton@nist.gov or Sue Li Phone: 301-975-8817 Fax: 301-840-5976 E-mail: sue.li@nist.gov
Grant rules and regulations	Grants & Agreements Management Division Phone: 301-975-5718

	Fax: 301-840-5976 E-mail: grants@nist.gov
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