Questions and Answers for USDA-NRCS-US-WRP-ACEP-EWPP-HFRP-18-01

1. I am confused about the restriction on profit, as it relates to a for-profit or government entity.

A. Question/comment is not clear. Please see Part D Section 5 of the full announcement for information on unallowability of profit.

2. Interested in the selection of specific easements as one would prepare a response.

A. Question/comment is not clear. See Part D Section 2 Paragraph h and Part F in the full announcement for information on how specific restoration locations and practices will be identified after selection.
Please also see Part A Program Description in the full announcement for information on the location of easements across the United States. A list of possible practices is in the full announcement in Part A Program Description.

3. My main question is whether for-profit companies can apply for these grants and be eligible to include the 10% of indirect costs in their proposals? The application says non-profits and educational entities can do this but doesn't specifically mention private for-profit entities.

A. For-profit entities may request indirect costs following the guidance in 2 CFR 200 Subpart E. For more information on including indirect costs in proposals, please see Part D Section 5 of the full announcement.

4. Are these restoration projects supposed to be on lands that are already under one of the listed easement programs or can they be on lands that have not yet been accepted into one of the programs?

A. The restoration projects can only occur on land enrolled in ACEP-WRE, WRP, HFRP, or EWPP-FPE. The restoration project work may be completed on an unclosed or closed easement, this will be dependent on the type of work being completed, e.g. design work would be completed on an unclosed easement enrolled in one of the programs; tree planting work would be completed on a closed easement under one of the programs.

5. I am wondering if this funding opportunity is applicable to ACEP-ALE projects (or FRPP) if the proposal deals with stream restoration, water/flood management, and ponds/wetlands creation?

A. The funding is not available for ACEP-ALE or FRPP easements.

6. I have been looking through the Grants.gov notice and am not finding a listing of projects though the map I found shows there are a number of conservation easements within our service area. Do you have a list of approved restoration projects or are you seeking a general application outlining our team and expertise?

A. Applicants' proposals need to identify the area(s) where they can complete work and the type of work applicants can do, as outlined in the full announcement in Part D and Part E.

The workload can only be identified at the high level of the location of easements across the United States, as described in the full announcement in Part A Program Description. A list of possible practices is in the full announcement in Part A Program Description. See Part D Section 2 Paragraph h and Part F for information on how specific restoration locations and practices will be identified after selection.

7. With this grants.gov opportunity, even though it says recipients cannot be federal entities, would you think that another entity could apply and then use those funds to do work on federal lands?

A. No. NRCS easement programs are not applied on federal lands.

8. Does each type of easement (e.g. WRP, GRP, EWP) require a separate bid?

A. All easement programs work will be identified during the development of the cooperative agreement. The applicant does not need to identify a specific program in their application package.
Please note, "bids" are not being solicited through this announcement. Please see Part D of the full announcement for application and submission information.

9. Do we submit proposals based on geographic region and if so what are those regions?

A. The applicant only needs to submit one proposal that identifies all of the geographical area(s) that they can complete work (e.g specific states, specific counties within states, specific landscape areas, etc.).

10. Will multiple awards be made to one applicant? If we submit a separate application for MN, IA and OH is our max potential for award only one state?

A. Applicants only need to submit one proposal. Multiple awards, including in awards for different states, may be made from the same proposal. You do not need to submit separate proposals for each state.

11. Can you provide any indication of workload by area and practice type (e.g. State of IA has 300EWP and 400WRP projects with the following total items require 2,000 acres of prescribed burning, 3,000 acres of interseeding, 50,000ft of fence construction etc.)?

A. The workload can only be identified at the high level of the location of easements across the United States, as described in the full announcement in Part A Program Description. A list of possible practices is in the full announcement in Part A Program Description. See Part D Section 2 Paragraph h and Part F for information on how specific restoration locations and practices will be identified after selection. Applicants' proposals need to identify the area(s) where they can complete work and the type of work applicants can do.

12. Do we submit bids based on practice type (e.g. Conservation cover 327, fence 382, land clearing 460 etc.) or do we include all practice types we provide into one bid?

A. "Bids" are not being solicited through this announcement. Please see Part D of the full announcement for application and submission information. As specified in Part D, an applicant's proposal shall include a narrative statement that should include a description of the type of work the applicant can accomplish related to easement restorations.

13. Can we submit a bid as a stand alone company and also be part of multiple partnership bids with multiple entities (e.g. Partner with Ducks Unlimited)?

A. "Bids" are not being solicited through this announcement. Please see Part D of the full announcement for application and submission information.
You can submit a 'stand-alone' application for your entity, and also be included as a subawardee or subcontractor in another entity's application, but NRCS will not make any single award that has multiple awardees.

14. In looking at the map, we would like clarification on the legend. Are the circles regardless of color the target projects?

A. The red circles are EWPP-FPE projects, the light blue circles are HFRP projects, and the small blue circles are WRP and WRE projects. The EWRP and FRPP are not target projects.

15. Do you anticipate more than one contractor working on a single easement or are you looking to have one contractor complete all of the tasks that are required for that particular easement?

A. As stated in Part B Section 5 of the full announcement, NRCS does not expect to award procurement contracts associated with this announcement.
A single easement restoration may require multiple awardees to complete the required work, or may be completed by one awardee. Applicants' proposals should indicate the type of work you can complete.

16. Are there going to be multiple contracts awarded in one state or are you looking to award a single contract per state to complete all work within that state?

A. As stated in Part B Section 5 of the full announcement, NRCS does not expect to award procurement contracts associated with this announcement.
As the selecting officials, NRCS State Conservationists will determine how many agreements they award within their respective state.

17. When subcontracting certain aspects of a project, will we be required to get 3 bids?

A. Please see 2 CFR 200 Subpart D for information on Post Federal Award Requirements, including information on procurement.

18. When a subcontractor is selected and NRCS approves it, does the subcontractor submit their bill to us and we pay them and then we the awardee submit their bill in conjunction with our indirect rate applied to their total bill?

A. Please see 2 CFR 200 Subpart D for information on Post Federal Award Requirements, including information on procurement.
Payments will only be made to the applicant NRCS enters into an agreement with. If there is a subcontractor, NRCS cannot pay the subcontractor, the payment will be made to the agreement holder.

19. In the proposal on page 5 it states " If submitting applications for more than one project, submit a separate application for each project." Our question is: What is considered a "project" in the above language?

A. This verbiage has been clarified in the full announcement.

20. Could you tell me if landowners of CEs on which restoration is pursued must meet current Farm Bill AGI requirements? Are they exempt form AGI requirements or would an AGI waiver need to be obtained, and would that be possible?

A. The request for proposals will end with cooperative agreements with selected applicants for restoration work on identified easements. The landowners, even though they own the land, are not party to the agreement so their AGI compliance is irrelevant to the cooperative agreement(s). More information on the requirements of NRCS easement programs is available using the links provided in the full announcement "Funding Opportunity Announcement Summary" section, and on grants.gov.

21. What is specifically meant by "implementation of construction activities"? Does this include actually conducting the construction activities such as providing the earth moving necessary for the restoration process or is it assisting the contractor by staking the job, interpreting the construction drawings, scheduling the construction activities, etc.? Any specific details or examples would be appreciated in regard to engineering design, for example, is the design work developing the specs and drawings from scratch or modifying the specs and drawings developed by NRCS for the specific restoration project.

A. The term "implementation of construction activities" will be dependent on the specific engineering plans for the easements and NRCS' need for assistance. The construction activities could include staking the site, interpreting the engineering plans, dike construction, water control structure installation, or shallow excavation, but is not limited to these items.
In regards to engineering design, NRCS will provide the applicants, if selected, a preliminary plan , as described in Part D Section 2 Paragraph h. At this time, sample engineering plans will not be provided, however, during the development of the agreement(s) the applicants will work with NRCS to develop the standard look of the plans.

22. Our firm has an indirect cost rate with the Missouri Department of Transportation for all projects that they undertake with federal funding. Would this be considered a NICRA?

A. 2 CFR 200.19 defines the 'cognizant agency for indirect costs' as "Cognizant agency for indirect costs means the Federal agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals developed under this part on behalf of all Federal agencies. " The Missouri

Department of Transportation is not a federal agency, and so would not have authority to negotiate on behalf of all federal agencies. As such, it would not be considered as a NICRA for a Federal award.

23. We are interested in providing assistance for the NRCS easement restoration programs. I have downloaded all of the information available on the Grants website, however, it appears that the forms you are asking that we fill out are application forms for a specific project, which doesn't make sense for those of us that don't have a specific project, but want to help on a variety of NRCS funded restoration projects.

A. Please see Part D of the full announcement for application and submission information, including information on application forms. Please see Part E of the full announcement for application review information.

24. We have an existing FAR compliant indirect overhead rate established for work we do with other Federal agencies. Would our existing FAR compliant indirect overhead rate be eligible to be used for work awarded through this opportunity?

A. Applicants must have a negotiated indirect cost rate agreement (NICRA) or elect to use the de minimis rate in order to recover indirect costs under a USDA cooperative agreement. Departmental Regulation (DR) 2255-001, Indirect Cost rates Applicable to USDA Federal Awards, Section 4(a) states: "USDA will not reimburse indirect costs unless the recipient has a NICRA or the recipient qualifies for the use of a de minimis rate of 10% of MTDC." For more information on including indirect costs in proposals, please see Part D Section 5 of the full announcement.

25. If our existing FAR compliant indirect overhead rate is not eligible for use, we will want to have a NICRA for work awarded under this opportunity. Will our submission pass the initial screening without a NICRA, on the condition that either our existing FAR compliant indirect overhead rate be used until we have a NICRA or we do not start work until we get a NICRA?

A. The "initial screening" for this opportunity does not include an evaluation of costs, so the applicant's competitiveness would not be affected by a lack of NICRA for selection. Indirect cost recovery during the NICRA negotiation period will be handled as follows:
For entities that do not have a NICRA, either because they never had one or their previously approved NICRA has expired, NRCS can conditionally approve the organization's proposed budget for both direct and indirect costs. Entities that do not already have a NICRA (and do not elect the de minimis rate) are required to submit their NICRA cost proposals within 90 days of receiving an award (2 CFR 200 Appendix IV, C(2)(b)). The agency will obligate funds for all expected direct and indirect costs, but will include an award condition that prohibits the recipient from charging any indirect costs until they have established a NICRA. The award condition will read:
"The indirect cost rate used to calculate the indirect cost amount in this agreement budget is based on recipient's proposal for a negotiated indirect costs rate agreement (NICRA). Recipient shall not request reimbursement for and NRCS shall not pay indirect costs until the NICRA is finalized. Once the NICRA is finalized, the recipient may request reimbursement and NRCS shall pay indirect costs accrued during the agreement period of performance at the rate specified in the NICRA, provided it does not exceed the

rate used in the agreement budget and for which funds were obligated. If the rate specified in the NICRA exceeds the rate used to calculate the agreement budget, NRCS is not required to reimburse the contractor for the difference unless appropriated funds are available and the agreement is amended to obligate the additional funds. If a NICRA is not successfully negotiated and established within 90 days of the agreement period of performance end date, the government is not obligated to reimburse the recipient for any indirect costs."

26. Our organization has multiple offices registered in SAM, should we file multiple proposals (one from each office) or one proposal that incorporates all of our offices? Much of the organizational information will be the same in the application (abstract, proposal sections, etc.), but the differences could be that each region can highlight for their specific local projects, etc. And the staffing sections would be different, or could be highlighted in one proposal by region.

A. NFEs must choose for themselves how they will apply. Any qualified NFE could apply as a separate/distinct applicant. One proposal is acceptable for multiple geographical locations. As described in Part D of the full announcement, each proposal should describe all capabilities and all geographical locations where the applicant can accomplish work.

27. Please advise as to whether the intention is for applicants to have a particular easement upon which they want to implement an existing plan or if applicants be qualified and NRCS will then assign an easement they them to work on.

A. Applicants need to demonstrate their ability to complete restoration work. NRCS will determine and identify the specific easements on which restoration work will be accomplished. Please see Parts D, E, and F in the full announcement.