Summary of revisions for USDA-NRCS-US-WRP-ACEP-EWPP-HFRP-18-01 (modified 1)

- **Part D Section 2** – removed unnecessary language on ‘projects.’
- **Part D Section 2 Paragraph h** – clarified language regarding budget information.
- **Part D Section 5 Paragraph e** – added clarifying language regarding restriction on profit.
- **Part F** – added reference to Part D Section 2 Paragraph h.
- **Part G** – added information on submitting questions, on questions cutoff date, and questions and answers posting date.

Federal Awarding Agency Name: U.S. Department Of Agriculture - Natural Resources Conservation Service (NRCS), Commodity Credit Corporation (CCC)

Funding Opportunity Title: Announcement for proposals to provide NRCS easement programs restoration assistance.

Announcement Type: This is the initial announcement of this funding opportunity.

Funding Opportunity Number: USDA-NRCS-US-WRP-ACEP-EWPP-HFRP-18-01

Catalog of Federal Domestic Assistance (CFDA) Number:
10.072 – Wetlands Reserve Program (WRP)
10.931 – Agricultural Conservation Easement Program (ACEP)
10.928 – Emergency Watershed Protection Program – Floodplain Easements (EWPP-FPE)
10.923 – Emergency Watershed Protection Program – Floodplain Easements (EWPP-FPE)
10.922 – Healthy Forests Reserve Program (HFRP)

Funding Opportunity Announcement Summary

The Natural Resources Conservation Service (NRCS) is directing resources toward the restoration of degraded wetlands, floodplains, forestlands, and associated uplands. With the sole exception of Federal agencies, NRCS invites applications from all qualified U.S. based non-federal entities (NFE) and individuals in all 50 States, the District of Columbia, the Caribbean Area (Puerto Rico and the U.S. Virgin Islands), and the Pacific Islands Area (Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands). NFEs of all sizes are encouraged to apply. Information related to NRCS Easement Programs can be found at the following links: https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements/ and https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/programs/financial/ewp/?cid=nrcs143_008225
A total of up to $250 million is available in FY2018. All agreements will be three years in duration. Applications must be received by **5:00 p.m. Eastern Daylight Time (EDT) on May 18, 2018**.

A. PROGRAM DESCRIPTION

The Wetlands Reserve Program (WRP) was authorized as part of the Food Security Act of 1985, Title XII, Public Law 99-198 (7 U.S.C. 1281), as amended; Food, Agriculture, Conservation and Trade Act of 1990, Public Law 101-624, as amended; Omnibus Budget Reconciliation Act of 1993; Federal Agriculture Improvement and Reform Act of 1996; Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 1998 and Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act of 2001 and as amended, Farm Security and Rural Investment Act of 2002 and Section II of the Food, Conservation and Energy Act of 2008, Public Law 110-234 authorized the Secretary of Agriculture to provide technical assistance under this program to

eligible producers. It was repealed as part of the Agricultural Act of 2014, Title II of Public Law 113-79. However, funds have been authorized for the remaining restoration needs for this program.

The Agricultural Conservation Easement Program (ACEP) was established under the Agricultural Act of 2014, Public Law 113-79 Section 1265C (b)(4) (16 U.S.C. 3865). This authorized NRCS to establish the agricultural conservation easement program for the conservation of eligible land and natural resources through easements or other interests in land, and combines the purposes and coordinates the functions of the wetlands reserve program, the grassland reserve program, and the farmland protection program. Under Agricultural Conservation Easement Program – Wetland Reserve Easements (ACEP-WRE), NRCS restores, protects, and enhances wetlands and associated uplands.

The Emergency Watershed Protection Program – Floodplain Easements (EWPP-FPE) was authorized in: Flood Control Act of 1950, Section 216, Public Law 81-516 (33 U.S.C. 701b-1); Disaster Relief Appropriations Act, 2013, Public Law 113-2, 127 Stat. 4.; and Section 403-405, Public Law 95-334 (16 U.S.C. 2203-2205). This authorized NRCS to undertake emergency measures, including the purchase of floodplain easements, for runoff retardation and soil erosion prevention, in cooperation with landowners and land users, as necessary to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood, or any other natural occurrence is causing or has caused a sudden impairment of that watershed.

The Healthy Forest Reserve Program (HFRP) was authorized in Healthy Forests Restoration Act of 2003, Public Law 108-148 to restore and enhance forest ecosystems to promote the recovery of threatened and endangered species as well as improve biodiversity and enhance carbon sequestration.

The purpose of the NRCS easement programs ACEP-WRE, WRP, EWPP-FPE, and HFRP, is voluntary conservation by landowners. The easement programs promotes the restoration, enhancement, protection, maintenance and management of wetland, floodplain, and forestland systems, and associated uplands that would contribute significantly to functions and values of these habitats. Through the easement programs, landowners may receive assistance to install or implement structural and/or vegetative and associated upland restoration practices on eligible land. The easement programs allow NRCS to request the services of, and enter into cooperative agreements with, non-Federal entities to assist in providing specialized assistance necessary to implement restoration plans. NRCS is directing resources toward the restoration of degraded wetlands, floodplains, and forestlands.

Applicants will be responsible for assisting NRCS and landowners by providing technical assistance necessary to design and implement ACEP-WRE, WRP, EWPP-FPE, and HFRP restoration plans, while at the same time improving and protecting habitats for environmental benefits. Performance may include any part or all operations necessary to design, construct, inspect, manage, and monitor various restoration, enhancement, and creation practices.

Performance may also include other restoration-related conservation practices that meet NRCS standards and specifications.

Locations of current ACEP-WRE, WRP, EWPP-FPE, and HFRP easements can be viewed at:
https://nrcs.maps.arcgis.com/apps/webappviewer/index.html?id=60cb4564f7b4461ca9a61fa224c066ba Please note, not all displayed easements will be relevant to this announcement. Relevant easements will be identified during the selection process outlined in Part E Section 3. Relevant easements cannot be identified prior to the selection process due to legally protected Personally Identifiable Information tied to the easements.

Please be advised, **profit is not an eligible project cost. Therefore, any funds awarded to for-profit entities must be used for reimbursement of direct and indirect costs only.** For more information on funding restrictions, please refer to Part D Section 5 of this announcement.

Awardees will perform all work in close coordination with the applicable NRCS State Easement Manager, Assistant State Conservationists and Field Staff including Wetland Specialist, District Conservationist, Soil Conservationist, Soil Conservationist Technician, Civil Engineering Technician, or Area Engineer.

Recipient Responsibilities

The awardee may be responsible for designing restoration plan, locating the practice site on the ground for layout work, staking the job for construction work, construction, and construction management. These activities will occur in accordance with the NRCS-provided construction drawings and planting plans. NRCS will provide a package of information for each easement that may include a Conservation Plan, Schedule of Operations, construction drawings, overall practice map, construction layout map, and planting plan map.

Typical engineering practices and biological practices for easement restorations may include but are not limited to the following Conservation Practice Standards: Brush Management (314), Clearing and Snagging (326), Conservation Cover (327), Constructed Wetland (656), Cover Crop (340), Critical Area Planting (342), Dike (356), Early Successional Habitat Development/Management (647), Fence (382), Firebreak (394), Forest Stand Improvement (666) Hedgerow Planting (422), Herbaceous Weed Control (315), Land Clearing (460), Prescribed Burning (338), Restoration and Management of Rare or Declining Habitats (643), Structure for Water Control (587), Subsurface drainage (606), Tree/Shrub Establishment (612), Tree and Shrub Site Preparation (490), Underground Outlet (620), Upland Wildlife Habitat Management (645), Wetland Creation (659), Wetland Enhancement (658), Wetland Restoration (657), Wetland Wildlife Management (644), Windbreak/Shelterbelt Establishment and others as deemed necessary and applicable by NRCS. All practice standards must be met and are described in the NRCS electronic FOTG, which can be found at:
http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/technical/fotg/

The awardee may be expected to design restoration plan, install, provide the inspection and quality control for installation, and monitor of each restoration project awarded. Also, provide to

NRCS a monthly status report of work in progress and any other documentation as may be required by the NRCS standards and specifications. The specific projects will be identified during the awarding of the agreement.

Projects are anticipated within all 50 States, the District of Columbia, the Caribbean Area (Puerto Rico and the U.S. Virgin Islands), and the Pacific Islands Area (Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands).

B. FEDERAL AWARD INFORMATION

1. **Estimated Funding**
   The total amount of Federal funding NRCS expects to award through this announcement is $250 million.

2. **Start Dates and Performance Periods**
   Projects may be up to three years in duration. Applicants should plan their projects based on a project start date of 8/31/18.

3. **Type of Federal Award**
   NRCS plans to award cooperative agreement(s) pursuant to this opportunity notice. Cooperative agreements have been determined to be the appropriate funding instrument because of the substantial involvement of NRCS in providing technical oversight and coordination of planning, designing, implementing restoration activities, and monitoring. NRCS will be substantially involved in the work performed under the agreement and will undertake activities such as the following:
   - The NRCS will identify and prioritize work assignments for completing activities required to design and implement the wetland, floodplain, forestland and associated upland restoration components of each conservation plan.
   - The NRCS will monitor the awardee's progress and suspend work if agreement or conservation plan requirements or NRCS standards and specifications are not met.
   - Provide quality assurance for activities under the agreement

4. NRCS anticipates making 50 award(s).

5. **Procurement Contracts**
   NRCS does not expect to award procurement contracts associated with this announcement.

6. **Eligibility of Renewal or Supplemental Project Applications**
   Applications for renewal or supplementation of existing easement restoration projects are not eligible to compete with applications for new Federal awards under this announcement.

C. ELIGIBILITY INFORMATION

1. Eligible Applicants

Applicants and applications must meet eligibility criteria by the application deadline to be considered for award. Please see Part D Section 5 for Funding Restrictions that may affect eligibility.

This opportunity is open to all qualified U.S. based non-federal entities and individuals.

2. Cost Sharing or Matching

There is no cost sharing or matching requirement for this opportunity.

3. Other (if applicable)

Applicant entities identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program (2 CFR 200.205(d)).

D. APPLICATION AND SUBMISSION INFORMATION

1. Address to Request Application Package

All standard forms necessary for this announcement are included in the Grants.gov application package. Applicants may request paper copies of materials by contacting the Federal Awarding Agency Contacts listed in Part G of this announcement by telephone or by written request.

2. Content and Form of Application Submission

Applications must contain the content, format, and information set forth below to receive consideration for funding. Applicants should not assume prior knowledge on the part of NRCS or others as to the relative merits described in their application. Applicants must submit a single copy of the application in the following format:

- Each page must be on numbered, letter-sized (8½" x 11") paper utilizing a white background that has one-inch margins; and
- The text of the application must be typed, single spaced, black, and in a font no smaller than 12-point; and
- Maximum of 25 pages (not including the standard forms (SF-424, SF-424B, SF-424D, AD-3031, Certification of Lobbying, SF-LLL (if applicable)).

Applications that are incomplete or fail to comply with the required content and formatting requirements will not be considered for funding.

To be considered for funding under this opportunity, an application must contain:

a. **Application Form**: Proposals must use Standard Form 424 (including SF-424B and SF-424D) with the required information filled in and signed as the cover sheet for their proposal. Standard Form 424, Application for Federal Assistance, is included as part of the application package for this opportunity posted on Grants.gov. Instructions for completing the form are also included.

   The applicant will need to provide written signatory authority prior to entering into the agreement with NRCS designating the person(s) who has the authority to execute the agreement and all related documents.

b. Project Abstract (Executive Summary) *(First page of application. 1 page maximum)*
The summary should provide a frame of reference for the reviewer about the applicant. The summary should include the applicant's name; geographic location of work area; and should identify the category of project, i.e., type of restoration work the applicant performs: engineering design, construction management, implementation of construction activities (e.g., earthwork, structural, or vegetative, construction inspection, post-construction engineering drawings). It should also include a brief history of the applicant, including mission statement and goals, important accomplishments, and a description of clientele.

c. **Entity Scope and Ability**
The proposal shall include a narrative statement that addresses the following as a minimum:

i. Describe the applicant's history of successfully managing federal and non-federal agreements, including meeting and complying with reporting requirements, reporting on progress made in achieving results under those projects, and submitting acceptable payment requests.
ii. Identify the geographic location or States where the applicant can accomplish work.
iii. Describe the type of work the applicant can accomplish related to easement restoration.
iv. A description of the resources of the applicant necessary to successfully perform easement restoration activities.
v. A description of the experience of the applicant that supports the successful implementation of easement restoration activities.
vi. The organization's level of capacity in terms of the staff, equipment resources, and/or support necessary to complete activities.
vii. A description of the capabilities to perform the terms of the cooperative agreement, including a brief description of the organizational entity and of the qualifications, employment status, current responsibilities, and proposed level of effort for the project

coordinator and staff responsible for implementation. Resumes for key personnel should be included in an appendix to the proposal. Similar information requested in this paragraph may also be included for sub-awardees, contractors, subcontractors, and suppliers that would be beneficial for proposal evaluation.

d. **References** *(2 pages maximum)*
A list of three past experiences with design, implementation, or management of wetland, floodplain, upland, and/or forestland restorations for conservation projects. Provide a point of contact for each experience, including the name of the contact, phone number, and email address, for the review team to contact and obtain information related to past performance.

e. **Certification and Disclosure of Lobbying Activities -** Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents the applicant's certification of the statements in 2 CFR Part 418, Appendix A-Certification Regarding Lobbying. If you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying in connection with this proposal AND the Federal share exceeds $100,000, you must also complete and submit the SF LLL, Disclosure of Lobbying Activities located at 2 CFR 418, Appendix B. See 2 CFR, Subpart 418.110 for more information on when additional submission of this form is required.

f. **AD-3031**, Assurance Regarding Felony Conviction and Tax Delinquent Status for Corporate Applicants. Must be submitted if entity is a corporate non-profits or for-profit corporations as indicated in the applicants SAM registration.

g. **Appendix**
The proposal may include an appendix. Material should be included only when necessary to support information provided in the narrative. Copies of documents, brochures, resumes, staff or equipment listing, etc. are encouraged to demonstrate experience, knowledge, skills and abilities.

h. **Budget Information**
NRCS intends for the project funding to be estimated on a site by site basis. The easement programs have a detailed and extensive restoration implementation process. NRCS will complete the conservation planning and will forward the preliminary restoration plans or final restoration plans

(including engineering designs, conservation plan, schedule, and specifications), depending on the type of restoration work to be completed, to the selected applicant(s) **after selection but before award** and request the submission of a corresponding cost proposal and narrative. Cost proposal and narrative will be through a SF-424A or SF-424C and accompanying Budget Narrative.

- The SF-424A and SF-424C will document cost information for the initial project period. Address all data points as applicable.
- A spreadsheet may be attached to the SF-424A or SF-424C, including rates for the following: personnel listed by labor category, equipment, materials and supplies, travel, all other direct costs and indirect costs.
- A Budget Narrative details how the totals on the SF-424A were determined and demonstrate a clear connection between costs and the proposed project activities. For personnel salary costs, include the base-line salary figures and the estimates of time (as percentages) to be directly charged to the project. Describe any item that under the applicable Federal cost principles requires the agency's approval and estimate its cost.
    - As required in Title 2 of the Code of Federal Regulations Part 200, Subpart F Audit Requirements, all U.S. states, local governments, federally-recognized Indian tribal governments, and non-profit organizations expending $750,000 USD or more in Federal award funds in a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. Therefore, any U.S. states, local governments, federally-recognized Indian tribal governments, and non-profit organizations applying under this opportunity must include one of the following statements in its Budget Narrative:

      "My organization was required to submit a Single Audit report last year. The reporting period covered was from (insert date) to (insert date). This report, filed under EIN #(insert EIN), is available on the Federal Audit Clearinghouse Single Audit Database website (https://harvester.census.gov/facweb/) or will be by (insert date)."

      OR

      "My organization was not required to submit a Single Audit report last year."

All costs will be evaluated by NRCS to determine they are allocable, allowable, and reasonable.

i. Risk Review Documents

NRCS may request additional documentation from selected applicants in order to evaluate the financial, management, and performance risk posed by awardees as required by 2 CFR 200.205.

j. Post Award Documentation

Every funded project that involves ground disturbance activities is subject to the National Environmental Policy Act (NEPA). NRCS must complete an environmental review of each awarded project before project commencement. Environmental Assessments (EA) or Environmental Impact Statements (EIS) will be the responsibility of NRCS.

In addition, a National Historic Preservation Act (NHPA) Section 106 review and consultation by NRCS State or area office with consulting parties (such as the pertinent State Historic Preservation Officer and federally recognized Indian Tribes) may be required prior to the implementation of project activities that have the potential to impact cultural resources. NHPA Section 106, its implementing regulations (36 CFR Part 800), and other related authorities, require Federal agencies to determine if a project has the potential to cause an effect to historic properties and, if so, if they are adverse and how the effects may be addressed. The NHPA review and compliance in accordance with Section 106 of NHPA and implementing regulations at 36 CFR Part 800 must be completed by NRCS and applicants may be required to pay for any cultural resource surveys needed for NRCS to assess restoration effects. More information on the applicant's role in NHPA Section 106 process can be found at this website.

3. Unique entity identifier and System for Award Management (SAM)

Each applicant (unless the applicant is an individual excepted from those requirements under 2 CFR §25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR §25.110(d)) is required to: (i) Be registered in SAM before submitting its application; (ii) provide a valid unique entity identifier (Data Universal Numbering System (DUNS) number) in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. The agency may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the agency is ready to make an award, it may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

Entities must obtain a DUNS and register in SAM prior to registering with Grants.gov. A description of each is below. Entities are strongly encouraged to apply early for their DUNS number and SAM registration.

Data Universal Numbering System (DUNS) Number: A Dun and Bradstreet DUNS number is a unique, nine-digit sequence recognized as the universal standard for identifying and keeping track of over 70 million businesses worldwide. Applicants must obtain a DUNS number. Information on how to obtain a DUNS number can be found at http://fedgov.dnb.com/webform or by calling 1-866-705-5711. Please note that the registration may take multiple days to complete.

System for Award Management (SAM) Registration: SAM is the official Federal system that consolidated the capabilities of Central Contractor Registry, Federal Agency Registration, Online Representations and Certifications Application, and Excluded Parties List System. To register, go to: https://www.sam.gov/portal/public/SAM/. The Federal Service Desk is available for registration assistance, and can be contacted via the Help tab at the website listed above. Please allow multiple days to complete the SAM registration.

4. Submission Dates and Times

Applicants must submit proposals via Grants.gov. Proposals must be received by 5:00pm Eastern Daylight Time (EDT) on May 18, 2018. Late submissions will not be reviewed or considered. NRCS will rely on Grants.gov system-generated date and time receipt documentation. Grants.gov provides applicants receipt of application submissions.

5. Funding Restrictions

Indirect costs limitations:

a. A non-profit organization or institution of higher education awarded a cooperative agreement will be limited to a 10% indirect cost rate in accordance with the Agency's annual appropriations act. The 10% indirect cost rate applies to both federal and non-federal funds.

b. To be eligible to recover any indirect cost under a Federal award, recipients must either 1) have a current negotiated indirect cost rate agreement (NICRA) with a Federal agency that has not expired; or 2) qualify for use of the de minimis rate authorized by 2 CFR 200.414(f). In order to qualify for the de minimis rate, the recipient must have never had a NICRA. A State, local, or tribal governmental department or agency unit that receives more than $35 million in direct Federal funding is not eligible for the de minimis rate.

c. Recipients with a NICRA must calculate indirect costs using the rate and base specified in their NICRA. A recipient may voluntarily reduce or waive recovery of indirect costs at its sole discretion and must not be

encouraged or coerced in any way to do so by the agency. A copy of the applicant's current NICRA must be provided with the application. Indirect costs may not be recovered under an expired NICRA.

d. Entities that are eligible for the de minimis rate who already have a de minimis rate agreement must use the rate and base specified in the agreement, which is modified total direct costs (MTDC) as defined by 2 CFR 200.68. Note that MTDC excludes certain costs from the base to which the rate is applied. A copy of the applicant's de minimis rate agreement must be provided with the application. If a recipient is eligible to use the de minimis rate, but does not have a de minimis rate agreement, use an indirect cost rate of no more than 10% of MTDC when preparing the budget. If selected for award, a de minimis rate agreement will be executed along with the award. Applicants wishing to use the de minimis rate must submit a signed statement certifying that the entity 1) has never had a NICRA previously and 2) specifically request a de minimis rate agreement.

e. Profit is not an eligible project cost. Therefore, any funds awarded to for-profit entities must be used for reimbursement of direct and indirect costs only. This limitation does not extend to contractors whose work is necessary to implement components funded under the terms of the cooperative agreement. See 2 CFR Part 200 and NRCS GM 120, Part 401, Subpart C.

f. Applicants who are individuals applying for funds separate from a business or non-profit organization he/she may operate are not eligible to charge indirect costs to their award. If you are an individual applying for funding, do not include any indirect costs in your proposed budget.

E. APPLICATION REVIEW INFORMATION

NRCS anticipates making multiple awards under this announcement.

Prior to the evaluation review, each proposal will be screened for completeness and compliance with the provisions of this notice (initial screening) by the appropriate NRCS staff. Incomplete proposals and those that do not meet the provisions of this notice will be eliminated from competition and the applicant will be notified of elimination.

Proposals meeting the provisions of this notice will be evaluated by an interdisciplinary evaluation team of NRCS employees against the evaluation criteria. The evaluation team will make recommendations to the State Conservationist for final selection and award.

The focus of the evaluation will be the responses to the evaluation criteria. The applicant is not required to submit a sample project or associated pricing. As stated in Part C Section 2, there is no cost sharing or matching requirement for this opportunity and cost sharing will not

be considered in the evaluation. Applicants are welcome to reference NRCS restoration examples or sample projects if they choose. Capability, not cost, is the basis of the evaluation and selection process, and of the following criteria.

1. **Merit/Technical Criteria**
   The technical peer review panels use the following criteria, using a 100 point scale, to evaluate applications:

   a. **Specialized experience and technical competence in the type of work selected (50 points)**
      - Evaluation will be based on the extent of related experience in the type of work indicated in the proposal i.e. designing, construction management, construction inspection, implementing wetland, floodplain, forestland, and associated upland restorations.
      - Organizational capabilities - The adequacy of organizational resources and experience in order to successfully manage a federal agreement. Share in a common mission that supports the natural resource conservation efforts with private landowners.
      - Project personnel - The reasonableness and feasibility of the applicant's approach and expertise for successfully achieving the objectives of the project within the required time frame.
      - Understanding the intent of easement restoration - The applicant's recognition of the value and need of the project and the full understanding of the intent of restoration. Ability to demonstrate successful past history and credibility of working with private landowners.
      - Experience - Working on restoration of wetlands, floodplains, forests or similar ecosystems. Examples of previous work may be documented for review.

   b. **Professional qualifications and capacity necessary for satisfactory performance (30 points)**
      - Evaluation will be based upon qualified personnel, their knowledge and experience associated with the requirements above, and their availability to perform work on this agreement.
      - Evaluation will be based upon the number of qualified personnel, the quantity of existing work, schedules for completion of existing work, and the capacity to perform multiple projects simultaneously.

   c. **Past performance regarding work of this nature (20 points)**
      - Past experience with other government agencies and other entities in regards to work of this nature. Quality and timeliness of performance of work performed. The contacts provided will be called to assist in the determination of past performance.

2. **Risk Criteria**

In accordance with 2 CFR 200.205, NRCS will review risk posed by applicants. This screening process includes:

1) Confirming the NFE does not have an active "exclusion" in SAM precluding it from being eligible for recipient of an award (i.e., suspended or debarred; see 2 CFR Part 180 and 7 CFR Part 417).
2) Confirming the NFE does not have an adverse information located in the Federal Awardee Performance and Integrity Information System (FAPIIS).

NRCS may request additional documentation from selected applicants in order to evaluate the financial, management, and performance risk posed by awardees as required by 2 CFR 200.205.

3. Review and Selection Process

Proposals that pass the initial screening are then evaluated using the criteria listed above, according to the following process:

a. Technical peer review panels composed of subject matter experts evaluate the proposals.
b. The technical peer review panels forward their recommendations to the NRCS State Conservationist (or delegate) to evaluate the panel recommendations of each proposal for which work is proposed to be carried out in their respective State. If the project is multi-State, all State Conservationists (or delegates) in the project area will review the panel recommendations.
c. The State Conservationist(s) makes the final award selections based on the recommendations of the technical review panels.

4. Awards Over the Simplified Acquisition Threshold

Notice to applicants:

a. Prior to making a Federal award with a total Federal share greater than the simplified acquisition threshold ($250,000), the agency must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (the Federal Awardee Performance Integrity Information System, FAPIIS) (see 41 U.S.C. 2313 and 2 CFR 200.205(a));
b. An applicant may review information in FAPIIS accessible through SAM and comment on any information about it that a Federal awarding agency previously entered;
c. The agency will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.205, Federal awarding agency review of risk posed by applicants.

F. FEDERAL AWARD ADMINISTRATION INFORMATION

After selection, NRCS will enter into negotiations with the selected applicant(s) to discuss cost and the terms and conditions of the cooperative agreement to be signed. Reference Part D Section 2 Paragraph h for additional information regarding costs. The cooperative agreement will identify the USDA Field Office(s) or locations to be served. NRCS has the option to cancel the announcement if there no qualified applicants or limit the number of awards made from this announcement. If multiple awards are made, NRCS reserves the right to designate what restoration projects are to be completed by which awardee. It is expected that restorations will be packaged in groups to obtain the best value to the government.

1. **Federal Award Notices**

   Successful Applicants
   NRCS will provide notice that an application has been selected before it actually makes the Federal award. As such, the selection notification is not an authorization to begin performance. Any pre-award costs incurred by the awardee are done so at the awardee's own risk. The NOTICE OF GRANT AND AGREEMENT AWARD (form NRCS-ADS-093) signed by the authorized NRCS representative is the only authorizing document, and will be provided electronically to the entity's authorized representative for signature.

   Unsuccessful Applicants
   Applicants whose proposals are not selected for funding will receive NRCS's evaluation of the significant weaknesses or deficiencies in the applicant's proposal. This evaluation will be emailed to the technical and administrative contacts listed in the proposal within 90 calendar days of the announcement of selections. Please do not contact NRCS requesting an evaluation prior to the end of this 90-day period.

2. **Administrative and National Policy Requirements**
   All project funds will be used in accordance with 2 CFR 200 and NRCS' GENERAL TERMS AND CONDITIONS GRANTS AND COOPERATIVE AGREEMENTS (GT&C). 2 CFR 200 is available at www.ecfr.gov. A copy of the GT&C may be obtained by contacting the Federal Awarding Agency Contacts listed in Part G below.

3. **Reporting**
   Reporting will follow the NRCS GT&C, but will generally include electronic submission of semiannual progress reports, quarterly financial status reports, and final reports.

   If the Federal share of any agreement awarded under this opportunity notice may include more than $500,000 over the period of performance, recipients must also comply with the post award reporting requirements reflected in Appendix XII of 2 CFR 200 —Award Term and Condition for Recipient Integrity and Performance Matters.

G. FEDERAL AWARDING AGENCY CONTACT(S)

For questions regarding this opportunity, please contact the following **and place "USDA-NRCS-US-WRP-ACEP-EWPP-HFRP-18-01" in the subject line**:

For Programmatic questions, such as questions on the content of application documents, details of easement programs, the restoration process, allowable restoration activities, etc., please contact the following:
Program Contact
Danielle Balduff, Natural Resources Specialist
Email: danielle.balduff@wdc.usda.gov
USDA-NRCS
1400 Independence Ave. SW, Room 5238
Washington, D.C. 20250

For Administrative questions, such as questions on the grants.gov application process, questions regarding completing standard forms, etc., please contact the following:
Administrative Contact
Aileen Anderson, Grants Management Specialist
Email: EastTeamAgreements@wdc.usda.gov

Questions must be submitted in writing by Wednesday, April 18, 2018. A questions and answers document addressing all questions submitted by April 18, 2018 will be posted to the Related Documents tab of this announcement in Grants.gov as a modification by Monday April 23, 2018.

H. OTHER INFORMATION

Proposals to NRCS are considered to be confidential information. Proposals are not shared with individuals or entities seeking public disclosure through the Freedom of Information Act (FOIA) without the consent of the applicant. More specifically, Executive Order 12600 and USDA FOIA regulation 7 CFR Part 1, Subpart A requires the NRCS to provide notice to applicants that a third party has requested copies of their business information, and requires NRCS to consult with applicants regarding the release of their records.

The Federal Government is not obligated to make any Federal award as a result of this announcement. Only authorized federal officials can bind the Federal Government to the expenditure of funds.

U.S. Department of Agriculture Non-Discrimination Statement
In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and

employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call

(866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Individuals who are deaf, hard of hearing or have speech disabilities and you wish to file either an EEO or program complaint please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

Persons with disabilities who wish to file a program complaint, please see information above on how to contact us by mail directly or by email. If you require alternative

means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

Equal Employment Opportunity Data Posted Pursuant to the No Fear Act -
This is the reporting page for the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (NO FEAR Act), Public Law 107-174.